



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

IMPROVEMENT AND SCRUTINY COMMITTEE – HEALTH

15 May 2023

Report of the Derby & Derbyshire Integrated Care Board

NHS Learning Disability Short Breaks

1. Purpose

1.1 The purpose of this report is to:

- a) update Derbyshire County Council's Improvement & Scrutiny Committee for Health (Improvement & Scrutiny Committee) regarding progress to date in reviewing Joined Up Care Derbyshire's (JUCD) NHS Learning Disability (LD) Short Breaks provision.
- b) supports & provides comment as necessary on the proposed next steps.

2. Information and Analysis

Background

2.1 Derbyshire Community Health Services NHS Foundation Trust (DCHS) is commissioned as a legacy position to provide 'short breaks' (NHS LD Short Breaks) for adults with a learning disability. This arrangement is long standing and predates many legislative changes including the Care Act. The National Institute for Care Excellence (NICE) defines short breaks as:

'[involving] a person with care & support needs spending regular short periods away from their main carer, to give the carer a break & person a chance to do something different. These breaks may take place in the person's own home, in the home of an approved carer or in a residential

placement'.

These services are: Amberley (Eckington), Orchard Cottage (Darley Dale), Robertson Road (Buxton), Rockley (Shirebrook) & Valley View (Chesterfield). The service model is residential, nursing-led care as registered with the Care Quality Commission.

2.2 In May 2018, the Derbyshire Clinical Commissioning Groups in common initiated a review of these short breaks services. This was in response to concerns that the NHS was not meeting its legal responsibilities and has due regard for the NHS constitution regarding:

- providing equity of access to services.
- delivering models of care compliant with national guidance.
- commissioning patient centred services which are fair, value for taxpayer's money, efficient & financially sustainable.

The findings of the review were presented to DDCCGs in December 2018. It was recommended that further understanding of the potential implications that changes to NHS LD Short Breaks would have on the people who use them & their families was needed before any decisions could be made.

2.3 Since then, Derby & Derbyshire Integrated Care Board (DDICB), DCHS & Derbyshire County Council (DCC) having been working in partnership to understand these implications and subsequent introduction of revisions to the Care Act as amended, the Health and Care act 2022 and the Enhanced Better Care Fund (where a proportion of the minimum contribution is mandated from Health to the LA to help cover Care Act eligible respite and carer costs) . An understanding of the implications at individual level has been achieved through health &/or social care assessments/reviews of the people who use NHS LD Short Breaks & their families.

Finding & implications

2.4 The findings indicate that most people who use JUCD NHS LD Short Breaks likely do not require a nursing-led service to meet their care & support needs. This eligibility criteria is consistent with legislation & national guidance, where short breaks are only typically commissioned for people whose care is funded through the NHS via Continuing Healthcare (CHC) eligibility.

2.5 There continues to be a reduction in the use of JUCD NHS LD Short

Breaks services. There are several contributing factors, including:- people having passed away, life changes, using alternative care & support provided in local communities.

- 2.6 That as currently commissioned & delivered JUCD NHS LD Short Breaks services do not represent fair and consistent use of NHS funding, benefit is not at population level and does not represent good value for money for the integrated care system.
- 2.7 That short breaks services, however commissioned, continue to play an important role in people's care & support.
- 2.8 That any changes to JUCD NHS LD Short Breaks services is likely to have some impact on the health & wellbeing of those that use those services, and that proportionate mitigating actions should be considered.

Next steps

- 2.9 It is proposed that DDICB, with the support of DCHS, enters into a period of pre-consultation engagement with key stakeholders across JUCD, including Derbyshire County Council, as to how legacy NHS funded LD Short Breaks will transition from nursing-led residential-based provision to more personalised joined-up care delivered in local communities and in line with current legislation.
- 2.11 This will include exploration and evaluation of all potential opportunities to provide integrated, person-centred & strengths-based, and value for money services across health & social care.
- 2.10 In doing so, DDICB will:
 - meet its legislative requirements regarding 'ensuring public involvement & consultation and review & scrutiny by local government' & expected standards and practice relating to co-production in any changes it might make to local services.
 - adhere to previous advice provided by the Consultation Institute that the NHS has responsibility through custom & practice to ensure the health and wellbeing needs of people who use NHS LD Short Breaks & their families are met.
- 2.11 It was felt important to engage with Improvement & Scrutiny at this stage in the review, & therefore the detailed pre-consultation engagement approach is still in development (noting the need to finalise at pace).

2.12 DDICB will share the findings of this pre-consultation engagement with Improvement & Scrutiny Committee and propose next steps.

3. Alternative Options Considered

3.1 Evidence suggests that JUCD is not maximising the options around personalisation and legislation regarding the provision of NHS funding for Short Breaks or maximising the duty to work in partnership with the Local Authority for the best use of resources.

4. Implications

4.1 Detailed implications will be developed in due course.

5. Consultation

5.1 See 2.9-2.12 ('Next Steps').

6. Background Papers

6.1 N/A.

7. Appendices

7.1 Appendix 1 – detailed implications.

7.2 Appendix 2a and 2b – letters that were shared with people who use JUCD NHD & their services (plain English & easy read) prior to the health & social care assessments/reviews being undertaken.

8. Recommendation(s)

That the Committee:

- a) notes the progress to date in reviewing JUCD's NHS LD Short Breaks services.
- b) supports & provides comment as necessary on the proposed next steps.

9. Reasons for Recommendation(s)

9.1 To support the work to define next steps and joint working options.

Report Author: James Lewis – Head of Joint Strategic Commissioning
(Learning Disabilities & Autism), Derby & Derbyshire
Integrated Care Board

Contact details: james.lewis25@nhs.net

Appendix 1

Implications

Financial

- 1.1 JUCD NHS LD Short Breaks services are currently budgeted to cost £1.4 million to deliver each financial year.
- 1.2 This is a significant financial outlay for a relatively small number of people. Furthermore, it is estimated that at current usage JUCD NHS LD Short Breaks (£6,629 per week) are over ten times more expensive per person supported than short breaks provided by the private, voluntary & independent sector (£632-£655); and five times more expensive than DCC's provision (£1,384).

Legal

- 2.1 JUCD has recognised various legislative responsibilities relating to the work to date & next steps. The proposed next steps will help ensure that these are met.

Human Resources

- 3.1 N/A at this stage.

Information Technology

- 4.1 N/A.

Equalities Impact

- 5.1 Ensuring appropriate short breaks services are available as needed for people with LD & their families will help JUCD to meet its duties under the Equality Act (2010) amongst other legislation.
- 5.2 Further, DDICB has duties under the Equality Act to ensure that the needs and considerations of people with protected characteristics are considered and acted on in any service transformation activity. This consideration will be addressed through pre-consultation engagement planning and implementation.

Corporate objectives and priorities for change

- 6.1 It is important that any JUCD NHS LD Short Breaks transformation aligns to DCC's Adult Social Care 'Best Lives strategy, amongst other corporate objectives and priorities for change. This is being managed through senior leadership across DCC & DDICB.

Other (for example, Health and Safety, Environmental Sustainability, Property and Asset Management, Risk Management and Safeguarding)

Wednesday 17th August 2022



Dear xxxxx

Update about the review of NHS Learning Disability Short Breaks (Short Breaks Review)

Before the COVID-19 pandemic we were listening to your views about the NHS Learning Disability Short Breaks services at Amberley, Valley View, Robertson Road, Rockley, and Orchard Cottage. We explained that this is important as it helps us understand how these services are working and how they may work in the future.

We know that you, a member of your family, or a loved one has used one or more of these services before, so we wanted to update you. The last time we got in touch with you about this was in March 2020. At that time, we were waiting the results of other pieces of work before we could continue with the review of the Short Breaks Review. The Covid-19 pandemic then meant that we had to pause this work along with many of the other regular service reviews that we were working on.

Why are we reviewing NHS Learning Disability Short Breaks services?

The reason we are reviewing NHS Learning Disability Short Breaks services remain the same as they did when we last contacted you. We need to make sure that we:

- understand how services are working at the moment and look to the future too.
- ensure that there is equal access to all health and social care services for people who may need them.
- understand any changes in people's health and social care needs since the Covid-19 pandemic.
- make best use of public resources for the people of Derbyshire.

It is also important to explain that the NHS and local authority organisations in Derby and Derbyshire which deliver healthcare, social and voluntary care, community care and social enterprise services are now working more closely together. This partnership is called Joined Up Care Derbyshire (JUCD) and is part of the government's promise to integrate health and social care for the benefit of local people. JUCD will be leading the Short Breaks Review.

Changes since we last contacted you

There have been some important changes since we last contacted you about the Short Breaks Review. These are the:

- suspension of the services delivered at Valley View and Amberley. This is because we did not have the number of staff needed to provide a safe service.
- suspension of the service delivered at Robertson Road. This was because the service could not be delivered as part of the government's COVID-19 'Infection Prevention Control' guidance. The NHS has contacted you about how we plan to restart the service at Robertson Road.

What happens next?

Derbyshire County Council will contact you about an assessment or review. This assessment or review will involve partners from the NHS to help us best understand your needs.

Attached to this letter is Derbyshire County Council's 'This is Me' template. This is a tool to assist people with a learning disability (and other potential cognitive impairments) to have a voice in their assessment or review. You are encouraged to complete the template so that it can be used during your assessment or review.

The assessment/review is part of the Care Act (2014). It may identify changes to your health and social care needs, including how services are funded. The health and social care professionals will work with you to make sure that you understand these changes. Should you require support known as statutory advocacy this will be organised by Derbyshire County Council and our colleagues will advise you on this.

There will be no immediate changes to any service you are receiving from Derbyshire's NHS Learning

Disability Short Breaks. This is unless you request a change to be made (for example should you want to receive support from a different service).

If you have any questions about your assessment or review you can email shortbreaksnhs@derbyshire.gov.uk or if you would prefer a telephone conversation please ask to speak to a Staff Nurse, Deputy Nurse Manager or Nurse Manager by calling:

- 01623 747215 if you usually attend or receive telephone support from Rockley.
- 01629 733400 if you usually attend or receive telephone support from Orchard Cottage.
- 01298 25153 if you usually attend or receive telephone support from Robertson Road.

This is just the first stage of restarting the Short Breaks Review.

These assessments and reviews are just the first stage of restarting the Short Breaks Review. What we learn from the assessments and reviews will be used to understand the current and future need for health and social care short breaks and respite services. This means that JUCD may propose changes to Derbyshire's NHS Learning Disability Short Breaks services, but we will ensure that you have the opportunity to be involved in any proposals. We are contacting you now because we want to make sure you are involved from the very start.

Making sure that your voice is heard.

Once all the assessments and reviews are complete you will have the chance to talk to us about the future of short breaks and respite. We will ask you if you would like to be a part of this activity during your assessment or review.

We do know that talking about potential change can sometimes be worrying for people so if you are concerned or have any questions, please do not hesitate to get in touch with us. You can do this in the following ways:

- by going to the Joined Up Care Derbyshire online engagement forum which you can find at <https://www.derbyshireinvolvement.co.uk/NHSLDShortBreaks>. This website includes further information and an opportunity to ask questions.
- by writing or sending something to us – you may want to send us an email, a letter, a painting, a video or any tell us in another way that you prefer best. You can do this by:

- emailing ddicb.mhldaprogram@nhs.net.
- sending mail to:

James Lewis
Head of Joint Strategic Commissioning (Learning Disabilities & Autism)
First Floor, Cardinal Square
10 Nottingham Road, Derby
DE1 3QT

- by requesting a telephone conversation or a meeting. To do this please ask to speak to a Staff Nurse, Deputy Nurse Manager or Nurse Manager about the Short Breaks Review by calling:
 - 01623 747215 if you usually attend or receive telephone support from Rockley.
 - 01629 733400 if you usually attend or receive telephone support from Orchard Cottage.
 - 01298 25153 if you usually attend or receive telephone support from Robertson Road.






We will make sure that one of our team members is available to respond to you.







Yours sincerely,






Mick Burrows,
Director of Commissioning for Mental Health, Learning Disabilities, Autism & Children and Young People.
NHS Derby and Derbyshire Integrated Care Board / Joined Up Care Derbyshire
First Floor, Cardinal Square, 10 Nottingham Road, Derby DE1 3QT




Wednesday 17th August 2022

Review of Derbyshire's NHS Learning Disability Short Breaks services (Short Breaks Review)

	<p>We are writing to let you know that we are reviewing Derbyshire's NHS Learning Disability Short Breaks services.</p>
	<p>These short break services are:</p> <ul style="list-style-type: none"> • Amberley.
	<ul style="list-style-type: none"> • Valley View.
	<ul style="list-style-type: none"> • Robertson Road.
	<ul style="list-style-type: none"> • Rockley.

	<ul style="list-style-type: none"> Orchard Cottage.
	<p>We know that you have used one or more of the services before, so we wanted to tell you more about the Review.</p>
	<p>We started the Review in 2018. The last time we contacted you was March 2020.</p>
	<p>We stopped the review during the COVID 19 pandemic.</p>
	<p>We are now ready to start the Review of the short breaks again.</p>
	<p>Joined Up Care Derbyshire is the group of different organisations that work in health and social care. They will be working together to review the short breaks services.</p>

	<p>We are reviewing short breaks as we need to make sure we are spending money and organising services in the best way possible.</p>
	<p>We want to make services fair for everyone with a learning disability and their families in Derbyshire.</p>
	<p>There have been some changes since we last wrote to you. These are:</p>
	<ul style="list-style-type: none"> • We stopped the services at Valley View and Amberley because we did not have enough staff to work there to give you a safe service.
	<ul style="list-style-type: none"> • Your health and social care needs may have changed since we started the Review.

	<ul style="list-style-type: none"> We couldn't use the Robertson Road because we needed to keep people safe from COVID-19. <p>The NHS has contacted you about plans to reopen Robertson Road.</p>						
	<p>A worker from Derbyshire County Council or the NHS will contact you to arrange an assessment or review. This assessment or review will help to find out:</p>						
	<ul style="list-style-type: none"> What is important to you. 						
	<ul style="list-style-type: none"> What you want to be able to do. 						
	<ul style="list-style-type: none"> What care or support you may need to make this happen. 						
<div> <div> <div>Version No: P01 Status: Public</div> <div>This is Me - Supporting People with Assessment and Review Derbyshire County Council - Adult Social Care</div> <div>Version: 1.00 2020 Review Date: May 2021</div> </div> <div> <h3>This is Me</h3> <p>My Name: _____ Date: _____</p> <p>The other people who have helped me with my This is Me, are:</p> <table border="1"> <thead> <tr> <th>Name:</th> <th>Role:</th> <th>Contact:</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> </tr> </tbody> </table> <p><small>The This is Me Guidance should always be used when supporting people to complete their This is Me in preparation for an assessment or their review.</small></p> <p>Please note: This information will be used to help us involve you in your assessment, support plan and any reviews. This may mean we have to share this information with other people who are part of your support. If there is someone or some people who you do not want to have this information then let us know.</p> </div> </div>	Name:	Role:	Contact:				<ul style="list-style-type: none"> We have sent you Derbyshire County Council's 'This is me' template. This can help you to get ready for your assessment/review.
Name:	Role:	Contact:					
							



Anyone involved in your care and support in the NHS or from Derbyshire County Council will be part of your assessment or review.



There may be some changes to your care and support after the assessment or review.



We will talk to you, your family, carers, or workers that know you well during your review.









If you do not have any close family or carers, then we can ask an advocate to work with you. The advocate will help the workers to understand your needs and what you want your care and support to look like



We are not going to make any changes to the NHS short breaks service straight away.



We will look at all the assessments and reviews to see what people with learning disabilities and their families/carers need.

	<p>This will help us to decide what the short breaks service should look like in the future. This could mean making changes to the services that you have used before.</p>
	<ul style="list-style-type: none"> • If you have any questions about your assessment or review. You can: <ul style="list-style-type: none"> - email shortbreaksnhs@derbyshire.gov.uk - or by calling...
	<p>01623 747215 if you usually attend or receive telephone support from Rockley.</p> <p>When you call ask to speak to a Staff Nurse, Deputy Nurse Manager or Nurse Manager.</p>
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	<p>01298 25153 if you usually attend or receive telephone support from Robertson Road.</p> <p>When you call ask to speak to a Staff Nurse, Deputy Nurse Manager or Nurse Manager.</p>
	<p>When everyone has had an assessment or review, we want to talk to you about short breaks.</p>



This is called engagement and we will start this later in the year.



If you would like to talk to us about short breaks before the engagement starts you can:



- Join the Joined Up Care Derbyshire online Engagement forum at <https://www.derbyshireinvolvement.co.uk/NHSLDShortBreaks>







This website has some more information and you can use it to ask questions.



- By writing or sending something to us. This can be an email, letter, painting, video or anything else.



- Emailing ddicb.mhldaprogram@nhs.net

	<ul style="list-style-type: none"> • Writing or sending something to: James Lewis Head of Joint Strategic Commissioning (Learning Disabilities & Autism) First Floor, Cardinal Square 10 Nottingham Road Derby DE1 3QT
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From,

Mick Burrows

Director of Commissioning for Mental Health, Learning Disabilities, Autism & Children and Young People.

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