



FOR PUBLICATION

DERBYSHIRE COUNTY COUNCIL

IMPROVEMENT AND SCRUTINY COMMITTEE - PEOPLE

WEDNESDAY 30TH OCTOBER 2024

Report of the Executive Director – Adult Social Care & Health

Consultation and Engagement of the Learning Disability and Autism
Service Redesign

1. Purpose

- 1.1 A report was presented to Cabinet on 11th April 2024 which sought approval to launch a 12-week consultation on two options for the future delivery of short break and day services for people with a learning disability and/or who are autistic. Following Cabinet approval, the consultation took place between the 24th April and 21st August 2024 (extended from 15th July by an additional five weeks).
- 1.2 The purpose of this report is to inform the Scrutiny Committee of information regarding the public consultation and provide an opportunity for the Scrutiny Committee to submit comments to Cabinet for consideration in making its decision.

2. Information and Analysis

- 2.1 Cabinet heard on 11 April, that the council has ambitious plans to support its residents to live their best life in Derbyshire, with research showing that for most people this means living independently in their own home and communities wherever possible. Like councils across the country, Derbyshire is facing increasing financial pressures that are outside its control including inflation and the national pay award. At the same time, there's been an increase in demand for adult social care, and it is essential therefore that the council conducted a

review to ensure that it can provide a sustainable adult social care service for the people of Derbyshire.

2.2 Cabinet agreed to consult on two proposals regarding directly provided services for people with a learning disability and/or who are autistic, including short break and day services.

2.3 The options for consideration within the Cabinet report were as follows;

2.4 Day Opportunities – Option One

The first option was to discontinue use of the four day centres, recognising the growth and success of the Community Connectors, and to continue to support people to access alternative day opportunities within their local community.

2.5 Day Opportunities - Option Two

Option two would be to retain two of the four day centres currently operational – No Limits in Chesterfield and Outlook in Long Eaton. This proposal would mean discontinuing use of Parkwood in Alfreton and Alderbrook in Chinley.

2.6 Short Breaks – Option One

The first option was to discontinue use of Petersham, Long Eaton; Victoria Street, Chesterfield; Hadfield Road, Glossop and Newhall, Swadlincote. This option was to retain Morewood, Alfreton for planned short breaks.

2.7 Short Breaks – Option Two

The second option was to discontinue use of Petersham, Long Eaton; Victoria Street, Chesterfield and Hadfield Road, Glossop. This option was to retain Morewood, Alfreton and Newhall, Swadlincote for planned short breaks.

2.8 Associated with the five short break units are several supported living arrangements. For most people living within these, a redesign will not have any impact on their accommodation, but they would require a care and support review. However, for two people living in supported living properties which are located within the grounds of the Petersham centre, it would not be practicable for their tenancies to continue should use of the Petersham Centre be discontinued. The retention of bungalows for supported living use would inhibit any alternative use, disposal or redevelopment of the whole site. Alternative accommodation would be identified for these people via a timely person-centred care and support plan review.

2.9 All of these proposals included a commitment that everyone affected by changes to services would have their care and support plans reviewed, by way of an outcome focused assessment under the Care Act 2014, as well as undertaking updated assessments for any carers affected.

2.10 Given the potential impact of any decision there was a requirement and need to consult interested stakeholders and the general public about the proposals and to analyse all the responses before any decision could be made by the Council in relation to each of the short break services and day centres.

2.11 The formal public consultation ran for a period between 24th April 2024 and 21st August 2024 and included;

- Service specific sessions with people attending the services and their family and carers at all short break services and day centres.
- Public virtual sessions facilitated using Microsoft Teams held in the evenings (four sessions).
- Drop-in library sessions across the County (twelve sessions).
- Online questionnaires with paper versions on request.
- Support from the Stakeholder Engagement and Consultation Team to ensure people were supported to share their views in the easiest way possible.

2.12 The consultation used quantitative and qualitative approaches to gather people's views about the proposals. Officers enabled as many people as possible to take part, by offering a range of ways in which they could share their views;

- People who access any of the services and their carers received an introductory letter detailing the arrangements for undertaking the consultation and the proposals for consideration.
- Meetings held at each individual service with a Director and Group Manager leading the session with support from the Stakeholder Engagement and Consultation Team.
- Dedicated experienced Social Worker at every consultation meeting to support individuals with any questions or advice needed regarding their individual circumstances or any related Adult Social Care query.
- Signposting to further information on the Derbyshire County Council website which gave an outline of the proposals, timelines, the ways in which people could share their views and support available to do so.
- Offering the questionnaire in different formats, such as an easy read version if this was more appropriate.
- Completing the questionnaire online (both in easy read format and standard version).

- Requesting a paper copy of the questionnaire via the Stakeholder Engagement and Consultation Team and sending in comments using the standard or easy read postal questionnaire.
- Opportunity to write to the Council via a letter or a dedicated email address.
- Telephone interview for those people having difficulty completing the questionnaire.
- Media releases which were issued at the start and during the consultation encouraging people to take part and these were published on the county council's website. We also promoted the public consultation on a variety of corporate channels and social media.
- Virtual meetings (four) using Microsoft Teams took place in the evening to enable as many people as possible to share their views and ask questions about the proposals.
- Library sessions (twelve) drop-in sessions across the County for people to attend and share their views, ask for information and complete questionnaires.

2.13 People lacking capacity to engage

Managers responsible for all the establishments that are subject to the proposals have verified that all the people that attend these services and were likely to lack the Mental Capacity or likely to need support to engage in the consultation had access to the support needed through either via Advocacy, family support or professional colleagues.

2.14 In total, 324 people responded to the consultation either by attending and contributing to the debate during a virtual meeting or by completing a questionnaire, writing a letter or email or by contacting the Council by phone.

2.15 There were three distinct approaches to the analysis of the qualitative material from the public consultation.

- a. Information gathered during face to face and virtual meetings.
- b. Information gathered from letters, emails, and telephone calls.
- c. Qualitative information contained in the online and paper questionnaires, both the standard and easy read versions. This gave us an opportunity to widen our understanding of the views about the proposals and indicate some of the reasons behind those opinions. It also allowed people to expand and give examples as to the potential impact of the proposed changes.

- 2.16 The main concerns expressed were around the impact on people who may not be able to attend their day centre or short break service, the availability of alternative provision both in terms of quality and quantity and the importance of the availability of respite breaks to support people and their carers in the community.
- 2.17 The Stakeholder Engagement and Consultation Team analysed the responses received from the consultation, theming them under the following categories in alphabetical order.

Agree with all the proposals

A number of people strongly agreed or agreed with the recommended Option One for both services. However, we also acknowledge that the majority of people responding did not agree with either Option One or Option Two for both services.

Agree with Option 1

Of the respondents that expressed a preference, 13.5% strongly agreed or agreed with Option One for Day Opportunities and 21.5% strongly agreed or agreed with Option One for Short Breaks.

Agree with Option 2

Of the respondents that expressed a preference, 41% strongly agreed or agreed with Option Two for Day Opportunities and 35.5% strongly agreed or agreed with Option Two for Short Breaks.

Alternative suggestion

Some respondents utilised the open text boxes to make alternative suggestions to the proposals. Suggestions included;

- Alternative similar options (either private or LA ran) must be offered to those who prefer that model.
- Need to make sure there is adequate staff coverage and shift patterns for staff to cope with what must be a demanding role.

Alternative suggestions and ideas have been noted and some will influence how we shape future provision through commissioning and market development. Suggestions included developing more Private, Voluntary and Independent (PVI) provision, we continually work with the sector to explore new opportunities in our local communities. Community Connectors have a wealth of local knowledge and experience to support people to find provision but also to identify areas for development. We will ensure any staffing model in retained services provides appropriate breaks and a range of shift options for colleagues. If changes to services are made, we have pledged to support anyone impacted with a dedicated Social Care Practitioner, robust transitions plans and review of any new arrangements to ensure working well.

Community Connectors

The success of the connector service was questioned by some respondents together with comment that the service was not suitable for most that are now attending building-based services.

Community Connectors work with people for a range of outcomes, and this does include connecting people to a building-based provision. Community Connectors work with the individual regarding their support needs and what they want to achieve, this is different for everyone.

Consultation (lack of confidence in the process)

Some respondents commented on and questioned the method of the consultation, others made comments indicating the belief that the consultation was ingenuous, and the decision had already been taken.

The consultation included specific sessions with people who attend the services, family, and carers; public virtual sessions held in the evenings; drop-in library sessions across the County; questionnaires (including easy read) online with paper versions on request and support from the Stakeholder Engagement and Consultation Team to ensure people were supported to share their views in the easiest way possible. A decision on the proposed redesign will only be made after the public consultation exercise, the feedback gained being analysed and fully considered, following which Cabinet will decide if the recommendations made are implemented considering the contents of the Cabinet Report and its appendices, including the Equality Impact Assessment.

Corporate finance – lack of forward planning

A small percentage of respondents felt that Derbyshire's poor investment choices and an increase in senior leadership had led to these proposals being put forward.

In putting the recommendations to Cabinet, we needed to take into account of the fact that, like every Council up and down the country, Derbyshire is facing significant financial challenges that are outside its control. These include inflationary pressures, staff pay awards agreed nationally but paid locally and continuing increasing demand on our services, particularly in adult care and children's services. Demand for adult social care support has also risen dramatically with the cost of providing care and support accounting for 48% of the Council's overall spending. This means in order to set a balanced budget in 2024/25 as it is legally obliged to do, the Council must review how people's assessed needs are met under the Care Act 2014 and to what extent the Council provides a direct care service as a means of fulfilling those needs.

Disagree with Option One regarding day opportunities

87% of respondents disagreed with the proposals contained in Option One regarding day opportunities, stating that Option Two was the more palatable of the two options as it meant more choice was remaining for carers and clients going forward.

Disagree with all Proposals

Some respondents simply disagreed without an explanation, with the proposals.

We recognise the strength of disagreement to the proposals from the respondents. We are committed to working closely with people and their family/carers to explore all options available to have their needs and outcomes met (as per our statutory duties within the Care Act 2014).

Financial rationale

Some respondents felt that these proposals did not consider the financial implications for the County Council going forward and the cost of breakdown for the carers unable to carry on in their role – therefore costing the County Council more in the long term.

We are committed to supporting carers and preventing breakdown of informal support arrangements. Included in our statutory duties is the requirement to work with and support carers through carers assessments. We work closely with Derbyshire Carers Association in ensuring carers receive support and advice. Any recommendations in the Cabinet Report will not impact on the individual's personal or flexibility in arranging care provision both in terms of regular support and short break provision.

Impact on the person with LD and/or autism and their carer

Many respondents told us of the negative impact that these proposals would have on them as carers and/or people with a learning disability and / or who are autistic using this type of support for both building based in-house day centre support and short break services. Carers particularly stressed the importance of respite to both them and the person they were looking after.

Any recommendations will not impact on the individual's personal budget or level of formal support, flexibility in arranging care provision or carer breaks. If there are changes to service provision, we will ensure professional support is available to people and their families, exploration of alternatives, robust transition planning and a review of their care and support outcomes until alternative support provision is stable and working well. We are also committed to working with people to develop contingency and integrated future planning within care and support plans to avoid breakdown of informal care arrangements.

Lack of other opportunity

Many respondents reported that in their experience and understanding, there was not enough good alternatives in the PVI to make the proposal of closing centres viable or changing the location of the available short break's services.

In terms of PVI provision, there are many PVI providers that the Council contract with that offer a variety of options both for day opportunities and short breaks across the County. In addition to this, people can have support via a Direct Payment and Shared Lives. We have information available on the Council website for the public to use and search for local provision.

Private Sector concerns

Some respondents told us of their negative experience with care and support provided in the private sector and expressed a wish for there to remain a choice of Council run provision.

Registered services are regulated by the Care Quality Commission and those on the Council's contracted framework will be assessed to ensure they meet our standards and have regular monitoring to ensure a high-quality service is provided and maintained which includes in-person visits and auditing. People can report any concerns to the contracts department regarding standards of care. If people wish to have a review of their support provision at any time, they can request a review or reassessment from an Adult Social Care Practitioner.

Quality of Care

General standards and quality of care in the private sector were questioned. Many participants gave first hand unfavourable experiences, commenting that the standards and quality were not as high as those of Derbyshire County Council establishments. Adding much praise for the standards and care delivered by Derbyshire County Council front line staff.

Please see above response provided to private sector concerns. Praise for Council colleagues is welcomed and will be fed back to colleagues.

Questioning the rationale of the Cabinet Paper

Respondents questioned the contents of the cabinet report indicating a non-belief in the research contained within it. Questioning Derbyshire County Council's under use of some of the building-based day services and short breaks services and the restrictions on attendance that has reduced these current figures.

The rationale is clear in the April Cabinet Paper in terms of the Council's requirement to make financial efficiencies and to use its limited resources to meet current and future demand. There has been a reduction in demand for the Council-run day centres and short break services as referenced in the Cabinet Report. Demand for Adult Social Care is increasing and with the budgetary pressures we are facing, we're having to look at how best we can continue to support people.

Travel implications

Respondents were concerned that should the proposal to redesign the offer be approved, there would be travel implications with people with a learning disability and / or who are autistic having long journeys and distances to travel to access day opportunities or short breaks services. Further comments described poor transport links that exist in parts of the county.

We recognise that there may be travel implications for people should changes be made to services, we would work collaboratively with everyone affected to reduce any negative impact. As part of a person-centred review, we would explore people's individual circumstances, and their identified needs and outcomes. Our aim is for people to be supported in their local communities with

inclusive, meaningful activities. We are working hard to develop local opportunities, for example developing and encouraging the use of Direct Payments, Shared Lives and Micro Providers. We are also continually working with providers to develop their appropriate, local, and inclusive services in communities.

- 2.18 The next steps are for Cabinet to consider the responses from the public consultation and Equality Impact Analysis to decide on future delivery. This is an opportunity for Scrutiny Committee to make comments for the Cabinet to consider.

3. Alternative Options Considered

N/A

4. Implications

N/A

5. Consultation

N/A

6. Background Papers

N/A

7. Appendices

- 7.1 Appendix 1 – Cabinet Report - Proposed Redesign of Short Breaks and Day Opportunities for People with a Learning Disability and/or who are Autistic (Adult Care) 11 April 2024

8. Recommendation(s)

That the Committee:

- a) notes the responses to the public consultation
- b) notes that all such matters will be considered and included within a comprehensive and robust Equality Impact Analysis which will be incorporated within the future cabinet report, which will be presented in due course.

- c) further notes that Cabinet will consider the Equalities Impact Assessment as part of its decision making.
- d) considers responses to the public consultation and provides comments to Cabinet and the Equalities Impact Assessment for consideration when making its decision regarding the older adults direct care redesign.

9. Reasons for Recommendation(s)

- 9.1 The Equality Impact Assessment is being prepared to reflect the issues raised during the consultation process, which will incorporate comments from the Scrutiny Committee.
- 9.2 The Cabinet will need to have regard to the comments from Scrutiny thereof in any decision making.