
The Day Offer for Older People and Adults with Disabilities

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This report relates to a Key Issue

Purpose of this report

This report sets out the outcome of the consultation on the future Day Offer for vulnerable adults and older people, requests that the Day Offer is adopted and proposes the next steps.

RECOMMENDATIONS

The Executive is asked to:

- 1. note the outcome of the public consultation on the Day Offer as set out in paragraphs 4 to 20 and Appendix 1 of this report;**
- 2. adopt the revised Day Offer set out in Appendix 2 of this report as the Council's approach to the delivery of day services in the future; and**
- 3. agree the timescale and approach to the delivery of the new Day Offer as set out in paragraphs 21 to 25 of this report.**

Overview and Scrutiny Recommendations

1. This matter was considered by Social Care, Health and Housing Overview and Scrutiny Committee at its meeting on 23 January 2017 and made the following recommendations:
2. The Committee:
 - 2.1. Recognises the need to bring our day offer, including our buildings, up to date.

- 2.2. Welcomes the positive move towards a personalised service promoting the independence and other needs of our residents.
- 2.3. Particularly welcomes the proposal to amend the day offer with reference to dementia clients.
- 2.4. Recognises the need to ensure that transport needs can be met to get clients to the right place at the right time.
- 2.5. Expects the Council to seize any opportunities to work with other bodies to create an integrated pathway for our clients.
- 2.6. Looks to see that our clients varied needs can be met in a realistic manner.

Background

3. At its meeting on 7 June 2016 the Executive approved recommendations set out in a report on the Day Offer for Older People and Adults with Disabilities. The report described the current offer provided, challenges and opportunities facing this service area whilst acknowledging the important contribution that day services make in supporting vulnerable adults and their carers. It proposed a two-stage approach to the development of a new day offer for these groups of people.
4. At its meeting on 11 October 2016 the Executive approved the commencement of a public consultation on a new Day Offer and requested that the outcome of the consultation was reported to a future meeting.
5. A consultation process was undertaken from 24 October 2016 to 23 January 2016 and this report sets out the outcome of that consultation and proposes the next steps.
6. During the engagement with customers, family carers and centre staff that had taken place prior to the consultation, a co-production approach had been adopted and representatives of all of these had taken part in a group that steered the actions of officers. This group continued to meet during the consultation phase and made valuable contributions to the process.
7. Whilst the focus of this activity was the day service delivered directly by the Council it was acknowledged that the Day Offer should apply equally to any day services that are commissioned by the Council.

Consultation Process

8. The consultation was posted on the council website on 24 October. All customers and their families received a consultation pack which included the 'Have Your Say' document which provides an overview of the Future Day Offer and both a paper and online survey were produced. An easier read version of the paper survey and 'Have Your Say' document was also developed.

9. Consultation meetings were held for family members/carers at each of the day centres to provide them with the opportunity for face-to-face conversation to provide feedback on the consultation. Meetings were open for family members across the service; they did not have to attend the centre their relative attends. The meetings for relatives were attended by 32 relatives and family carers, some of whom had been unable to attend meetings that were arranged during the engagement stage.
10. Day centre staff also discussed the consultation with individual customers using the easier read version, helping some to respond and also providing reassurance when needed.
11. Wider meetings with customers of centres for adults with learning disabilities were also organised and supported by Right Track and Pohwer Advocacy services. The general consensus was that the future offer should include greater choice of activities and more well-trained staff that have experience. Customers also said they value continuity of staff members and that they would like to stay with the friends they had made at centres.
12. Additional stakeholders and organisations were also contacted directly and invited to respond to the consultation. This included independent providers of day services commissioned by the Council.

Consultation Outcome

13. The Council received 102 responses (including 1 respondent who has completed the survey on 2 occasions and 1 response completed jointly by 2 people). Some 34% of respondents were day centre customers, 38% were relatives of carers using day services, and 27% were other respondents including provider organisations or staff.
14. In summary, the majority of the 102 respondents support the key principles and components proposed as part of the future day offer. Promoting independence, including gaining employment and supporting more access to community facilities have been identified important areas to respondents. However concerns around a 'one size fits all' approach were raised, with requests for reassurance that customer need will be central to any future developments. Further investigation into services for people affected by dementia was also suggested.
15. Other comments received included the request for ongoing communication between the Council and effected stakeholders as well as clarification and reassurance over possible impact on customers, the cost implications and the future of the sites of the current centres.
16. There was also feedback about some of the language used in both the offer and the consultation documents which suggested that in future consultations 'plain language' should be used more and, if this is not possible, then any terms used which may not be understood by all should be defined and explained.

17. The full results of the consultation along with the Council's response to the issues raised in it appears in Appendix 1 to this report. This has been considered and reviewed by the co-production group.
18. In response the matters raised by the consultation the proposed day offer has been amended as follows:
 - 18.1. The offer now places additional emphasis on suitable provision for people with dementia provision including staff training and suitable facilities.
 - 18.2. The offer now places additional emphasis on providing opportunities for people of working age to learn life skills including routes to employment.
19. In addition it was noted by the co-production group that the statements in relation to family carers that appeared in the 'Components' section were better located in the 'Principles' section. Moving them allowed the number of components to be reduced from five to four, simplifying the offer without losing any aspects.
20. The updated Day Offer appears in Appendix 2.

Phase 2 – Delivery of changes to existing services

21. The challenges facing the Council's existing centres were articulated prior to the engagement and these were reiterated during the consultation period. The intention in developing and adopting the Day Offer is to use it to shape current and future services.
22. It has been observed that this is the first time in a generation that all services have been reviewed in this way and that this is therefore an important opportunity. From this perspective it is also felt to be important that whatever replaces the existing services is more flexible and person-centred than the current ones and that the ability for the new services to constantly adapt is designed into them.
23. From the co-production process has emerged a set of principles which can be used to provide a framework for reviews of the existing centres. These are:
 - 23.1. The need to keep up the momentum that the engagement and consultation process has engendered. The future of the Council's centres has been the subject of debate for many years and customers and family carers have experienced a number of 'false starts' especially in the Learning Disability centres. It is therefore felt to be important that once the Day Offer have been adopted then further work is planned to set out a clear process and timescale to deliver change.

- 23.2. The need to be able to make use of new facilities that offer the opportunity to deliver services in an integrated way. The Council (and others) are planning to develop facilities such as new care homes, independent living schemes, health and care hubs and leisure centres. It will be important to ensure that reviews of and decisions about the future of centres matches up with the timescales for specification and delivery of potential replacement facilities otherwise opportunities may be missed.
- 23.3. The need to have a pace to change that is realistic. Whilst the pace of change needs to be managed to ensure that customers and family carers feel able to participate and contribute meaningfully this needs to be considered alongside the other principles.
- 23.4. The need to continue the open engagement with and participation of customers and family carers. It is considered important that the open engagement and transparent debate that has been the feature of 'Phase 1' should continue. It is felt that many customers and family carers will be keen to participate in the reviews of centres.
- 23.5. The need to continue with the co-production approach. It is felt that the co-production process has been helpful and is likely to be even more important during Phase 2. It is likely that service-level or centre-based co-production arrangements will be set up, overseen by the existing co-production group.
- 23.6. The need to conduct reviews of some centres in parallel. It is felt that there are benefits of reviewing centres at the same time. This was felt most keenly in relation to the centres for adults with learning disabilities as (a) some customers attend more than one centre and (b) there are potential dependencies between the services offered by the three centres. These issues are less significant for older people's services where a more pragmatic and resource-driven approach may be required.
- 23.7. The need to be able to test out alternative service arrangements without jeopardising the existing ones. The work done so far has started to produce a wide range of ideas about the shape of future day service and there will be a need to experiment with and pilot ideas and initiatives. There will also be a need to co-ordinate these and to capture and share learning from such activities. It is envisaged that whilst use can be made of existing resources within centres and elsewhere in the Council there is likely to be a need for resources in addition to this.

- 23.8. The need to undertake further consultation before making irrevocable changes to the existing centres. It was acknowledged that there are legal, governance and good practice requirements that dictate that the Council will need to go through a formal consultation and decision-making process before any significant and irrevocable changes are made to any centre (such as closure).
24. Whilst a detailed timetable for activities will be developed as part of Phase 2, it is reasonable to set a target timescale for the completion of the programme of change. Given the Council's current plans for alternative provision a target of the end of 2020 is realistic, although it is expected that much can be accomplished well before this date.
25. During Phase 2 it is also envisaged that opportunities will be taken to review commissioned day services and this will be integrated with the principles and processes set out above.

Council Priorities

26. The proposed action supports all the Council's priorities, listed below:
- Great resident services
 - Protecting the vulnerable; improving wellbeing
 - Creating stronger communities
 - A more efficient and responsive Council.

Corporate Implications

27. Whilst the staff who deliver the Council's day services are managed through the Social Care, Health and Housing directorate there is considerable involvement of staff from other directorates such as Community Services which manages the transport arrangements and the repair and maintenance of the buildings. Changes to services may well have impacts on these areas.
28. Steps have been taken to involve staff and managers from these areas in work thus far and this will continue in Phase 2.

Legal Implications

29. The Care Act 2014 confers on the Council the duty to meet the care and support needs of eligible people either by commissioning services from independent organisation or by providing the service directly. The Council's day services form part of this provision. The Care Act also places duties on the Council to carry out an assessment of any carer's needs, which may include taking part in education, training and recreation.
30. Where a Council is contemplating changes to care and support services it has a public law duty to consult with those who would be affected and there is clear guidance and precedent about how consultation should be conducted and the part they would play in future decision-making.

31. Central Bedfordshire Council has a duty under the Human Rights Act 1998 to ensure that its actions are not incompatible with the Rights under the European Convention on Human Rights, 'The Convention'. The Council will therefore need to consider whether the proposed Day Offer is likely to breach any of the service user's rights under Articles 8, 3, and 2. If the decision is likely to breach the Convention, the Council will need to explore any particular facts and determine if such a breach is proportionate and justified.

Financial and Risk Implications

32. As stated in paragraph 23.7 there may be a requirement for additional revenue expenditure during Phase 2. It is proposed that this would be funded from expenditure from the reserve identified for Social Care Transformation. This expenditure would be controlled and managed through the arrangements that are put in place for this reserve.
33. No significant unmanaged risks have been identified. A project management approach will be taken to the process and this will include the identification, assessment, mitigation and management of risks associated with the activities.

Equalities Implications

34. Central Bedfordshire Council has a statutory duty to promote equality of opportunity and have due regard to the need to eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics; age disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
35. An Equality Impact Assessment (EIA) has been completed as part of the development process, and it is available as a background document. Members should read and consider the EIA before coming to a decision on the recommendations in this report.
36. The EIA has identified that the main protected characteristics that define users of day opportunities are age and disability. A change to existing day centres and day opportunities could therefore have the potential to have a disproportionate effect on these groups, especially people that are older, have a physical disability, have a learning disability, dementia, autism and those suffering from anxiety or depression.
37. However, it is also recognised that the day offer's key components and principles provide a good basis for the development of personalised services that meet both carer's and clients' needs. As part of this process the EIA has highlighted that thought will need to be given to ways of designing services that:

- 37.1. Reflect individual preferences as to how care and support needs can be met.
 - 37.2. Maximise stability and familiarity where appropriate to help those with the transition to new services.
 - 37.3. Maintain friendship groups.
 - 37.4. Ensure there is a specific carer's offer for each service.
38. During Phase 2 the EIA will be regularly reviewed and it will be updated prior to any future decisions of the Executive about changes to services or individual centres.

Implications for Work Programming

39. As set out in paragraph 23.2 there is a need to ensure that reviews of centres and any agreed changes are timetabled to take account of other development plans.

Next Steps

40. If the recommendations in this report are agreed officers (guided by the co-production group) will start to plan the review process in line with the principles set out in paragraph 23.

Background Documents

Equality Impact Assessment