

Cabinet Meeting on Wednesday 21 July 2021

Future Delivery of Replacement Care Services in Staffordshire (Learning Disabilities)

Adult Learning Disability Community Offer Programme 2022



Cllr Julia Jessel, Cabinet Member for Health and Care

“The Covid-19 pandemic has meant we have had to look at different ways of offering our services to adults with a learning disability. It has given us the chance to ensure our service users and their carers can get the services they need by embracing new ways of delivering services within peoples own homes without having to rely on building-based provision.

We now have the opportunity to examine our services and explore the options open to us to ensure our service users and their carers can continue to access the services they need post-pandemic in a way that helps people to lead full and independent lives for as long as possible.”

Report Summary:

In October 2019 Cabinet made a series of decisions about the future of adult learning disability residential replacement care services as part of the Adult Learning Disability Community Offer Programme 2022. Progress was made initially with implementing these decisions, however further progress was not possible due to the advent of the Covid pandemic. This has had significant consequences for the way in which services operate and has highlighted the limitations of building-based services.

In November 2020 Cabinet endorsed an options analysis to be undertaken for future provision of residential replacement care in Staffordshire as well as the potential expansion of in-house services to offer a greater range of support for people in their homes and communities as part of a single integrated service, pending a business case and public consultation.

These Cabinet decisions have been reviewed to ensure they remain appropriate. This has identified an opportunity to expand the scope of the options appraisal and consultation to include all replacement care services, not just those provided in-house or within a residential setting, in order to determine the optimum way to configure replacement care in the long term to maximise individual experience, quality and cost effectiveness.

Recommendations

I recommend that Cabinet:

- a. Endorse the commencement of an options appraisal for the future provision of replacement care for people with learning disabilities in Staffordshire, including engagement with the market, service users, carers and stakeholders. The results of which are to be presented to Cabinet in the third quarter of 2021.

Local Members Interest
N/A

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Recommendations of Cabinet Member for Health and Care

I recommend that Cabinet:

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Report of the Director of Health and Care

Reasons for Recommendations:

1. Replacement care is commonly referred to as 'Respite' by people who use these services and their carers. The Council facilitates replacement care for people with assessed eligible care and support needs through two types of services:
 - a. Residential replacement care,
 - b. Home-based replacement care.

Residential Replacement Care:

2. The Council directly provides 13 beds of residential replacement care for people with learning disabilities over the age of 18 at Douglas Road in Newcastle-Under-Lyme. The building is owned by the Council and is in a fairly good state of repair, however due to the increased complexity of service users the downstairs of the accommodation is oversubscribed with the upstairs significantly underutilised. This means that only 8 beds were accessible before the Covid pandemic.
3. In addition, the Council commissions up to 15 beds of residential replacement care from independent providers. These beds are located across two services: Woodland View in Cannock which has 10 beds; and Silverbirch in Burton on Trent which offers 5 beds.
4. Both services are managed by Lifeways. The Council's contract with Lifeways for residential replacement care expires on the 31st March 2022 but is in the process of being extended until the 30th September 2022. The buildings were purpose built and are in an excellent state of repair. Woodland View is owned by Wrekin Housing, let to the Council then sublet to Lifeways; and Silverbirch is owned by the Council and leased to Lifeways.

5. All three services are rated 'Good' by CQC.
6. Due to the need for services to be Covid compliant with enhanced infection prevention and control measures including social distancing, the capacity across all three residential replacement care services has been reduced. Woodland View has decreased its maximum capacity to 5 beds, Silverbirch can offer 3 beds, and Douglas Road has decreased to 4 beds. Due to staff sickness, Douglas Road can only offer 2-3 beds currently.
7. Table 1 shows utilisation of all three services over the past two years and illustrates the impact of the pandemic on the provision of residential replacement care. All service users are people with a learning disability. Woodland View is occupied by a number of individuals who required residential care in an emergency, due to carer breakdown or for safeguarding reasons, as such they have been in placements beyond the CQC recommendation of 6 weeks for replacement care, some in excess of 12 months, whilst alternative placements are being sought. This means that the service cannot currently accept any bookings for planned replacement care or emergency placements.

Table 1: Residential Replacement Care Usage in 2019/20 & 2020/21

		Douglas Road	Woodland View	Silverbirch
2019 / 20	No of People	74	89	43
	No of Nights	1,912	2321	1107
	Category of Need	All LD	All LD	All LD
	No of Refusals *	9	4	2
2020 / 21	No of people	70	15	20
	No of Nights	646	1245	460
	Category of Need	All LD	All LD	All LD
	No of Refusals *	30	0	2

* Due to being unable to meet need not as a result of insufficient capacity.

8. Table 2 shows the comparative costs of residential replacement care services in terms of annual cost and unit cost. Please note that because Douglas Road is a directly provided service, the Council incurs overheads including staffing, building and running costs regardless of utilization. The gross budget for Douglas Road for 2021-22 is £1.311m with an additional £14,690 managed centrally for maintenance costs.
9. The Council are contracted to pay for a minimum of five beds at Woodland View and three beds at Silverbirch regardless of use, for 2021/22 the weekly cost of a bed at Woodland View is £1,382.24 and Silverbirch is £1,426.13. Additional beds can be purchased on a spot purchase basis as required at the same cost, pending the lifting of Covid restrictions and matching criteria.

Table 2: Annual and Unit Cost of Residential Replacement Care in 2019/20 & 2020/21

		Douglas Road	Woodland View	Silverbirch
2019 / 20	Average Occupancy	7	6	3
	Annual Cost	£1,200,411	£499,686	£245,199
	Average Cost per bed per week	£3,289	£1,597	£1,567
2020 / 21	Average Occupancy	2	3.4	1.3
	Annual Cost	£1,211,592	£387,552	£196,237
	Average Cost per bed per week	£11,619	£2,186	£2,895

Home-based Replacement Care

10. The Council currently commission three providers to deliver 'Carers Home Based Respite' on three geographical footprints. Mediline provide the service across East Staffordshire, Lichfield and Tamworth, Nexxus (Local Authority Trading Company) provide the service in Cannock and South Staffordshire, and Crossroads serve Newcastle, the Moorlands and Stafford.
11. The Council also commission Person Shaped Support (PSS) to provide our Shared Lives service. The service offers both long term placements as well as replacement care through short breaks, of one or more days, and day/evening sessions of 4 or 8 hours.
12. Both services offer regular relief for unpaid carers supporting a friend, loved one or family member due to an illness, frailty, disability, mental health, or addiction who would not cope without their support. The service is designed to enable the carer to gain a regular break to maintain their own health and wellbeing, 'recharge their batteries' and maintain relationships.
13. Both services are contracted on a spot purchase basis. The Carers Home Based Respite contract is due to expire at the end of August 2021; this will be included as a lot within the Home Care Framework due to commence 1st September 2021. The contract for the Shared Lives services commenced on the 1st April 2020 for a period of three years with an optional 12-month extension, although it should be noted that there was little interest in the tender.
14. Table 3 demonstrates that whilst home-based replacement care has been affected by Covid due to some carers choosing to suspend the service as a result of shielding guidance affecting them and/ or the person they care for, the impact has been less significant than for residential replacement care.
15. Table 3 also highlights that Carers Home Based Respite is mainly used by people who are elderly or have a physical disability. This may be due to a lack of awareness about the service among learning disability social workers. It is possible that raising

awareness of the service as well as the community assets which can be used to provide carers with a break, accessible through the Staffordshire Together for Carers Service, might reduce reliance on residential replacement care.

Table 3: Home-based Replacement Care Usage, Annual and Unit Cost 2019/20 & 2020/21

		Carers Home Based Respite	Shared Lives
2019 / 20	No of People	79	21
	No of Nights/ Hours	24,725 Hours	421 Nights
	Category of Need	Older People: 50 Learning Disability: 1 Mental Health: 0 Physical Disability: 28	All LD
	No of Refusals *	14	Unavailable
	Annual Cost	£378,852	£28,026.57
	Unit Cost	£15.32 per hour	£66.57 per night
2020 / 21	No of people	77	9
	No of Nights / Hours	22,900 Hours	121 Nights
	Category of Need	Older People: 45 Learning Disability: 2 Mental Health: 3 Physical Disability: 27	All LD
	No of Refusals *	16	8
	Annual Cost	£363,342	£8,055.14
	Unit Cost	£15.87 per hour	£66.57 per night

* Due to being unable to meet need, not as a result of insufficient capacity.

Additional expenditure:

- In addition to the expenditure shown in Tables 2 and 3 for residential and home based replacement care, 58 people accessed alternative residential replacement care opportunities through direct payments in 2019/20 at a cost of £241,604, in 2020/21 this decreased as a result of Covid to 37 people, with spend totalling £108,287.
- In April 2020 the Adult Social Care Brokerage Team took on the responsibility for sourcing residential and nursing placements for the Adult Learning Disability Team. This includes bed-based replacement care services where a vacancy cannot be sourced from our inhouse and block booked services. In 2020/21 building-based replacement care packages were sourced for five individuals at a total cost of £7,200. Since Covid restrictions started to lift the Brokerage Team have seen an influx in requests for bed-based replacement care, between April and mid-June 2021 building-based replacement care has been sourced for 10 individuals at a cost of £24,300.

Anticipated Demand:

18. The number of adults with a moderate or severe learning disability in Staffordshire is predicted to increase slightly over the next 10-20 years, as shown in Table 4.

Table 4: Number of adults with moderate or severe learning disability in Staffordshire (Source: PANSI Population Statistics)

Age Range	2020	2025	2030	2035	2040
18 - 24	407	400	439	449	431
25 - 34	567	563	532	544	584
35 - 44	629	687	727	724	692
44 - 54	659	589	587	641	678
55 - 64	595	642	614	550	551
TOTAL	2,856	2,881	2,899	2,909	2,936

19. The number of adults with a moderate or severe learning disability living with parents in Staffordshire and therefore potentially in scope for replacement care is also predicted to increase slightly over the next 10-20 years, as shown in Table 5.

Table 5: Number of adults with moderate or severe learning disability living with parents in Staffordshire (Source: PANSI Population Statistics)

Age Range	2020	2025	2030	2035	2040
18 - 24	269	266	292	297	285
25 - 34	292	289	273	280	301
35 - 44	245	268	283	281	268
44 - 54	149	132	135	147	155
55 - 64	55	58	54	48	50
TOTAL	1,009	1,014	1,036	1,054	1,059

20. The number of adults with a learning disability in receipt of a long-term service funded by the Council has remained relatively stable over the last four years, as shown in Table 6.

Table 6: Number of adults with a learning disability in receipt of long-term services in Staffordshire

Report Month	Staffordshire North	Staffordshire South	Total
July 2017	868	999	1,867
July 2018	840	994	1,834
July 2019	843	990	1,833
July 2020	818	913	1,731
June 2021	820	919	1,739

21. The number of young people supported to prepare for adulthood is shown to have increased over the last two years as shown in Table 7, this is due to the advent of the 'preparing for adulthood pathway' however not all of these young people will go on to receive adult social care services. Further work is needed to understand the proportion of young adults within the preparing for adulthood pathway likely to require long term services, including replacement care.

Table 7: Number of young people ‘preparing for adulthood’

Report Month	Age (Years)	Staffordshire North	Staffordshire South	Young Adults Team	Total
July 2018	14 – 17	30	37	N/A	67
	18	22	23	N/A	45
July 2019	14 – 17	26	35	N/A	61
	18	24	26	N/A	50
July 2020	14 – 17	N/A	N/A	123	123
	18	N/A	N/A	67	67
May 2021	14 – 17	N/A	N/A	146	146
	18	N/A	N/A	60	60

22. Data suggests that the number of people with a learning disability in receipt of long-term services funded by the Council will increase slightly over the next 10 - 15 years. However, as per national trends, the complexity of need is likely to increase as people live longer with associated health conditions. This is already materialising in Douglas Road, with the number of guests requiring a ground floor room rising from 27% in 2010 to 49% in 2019.
23. There is local and national evidence that unpaid carers have taken on significant additional caring responsibilities during Covid. Douglas Road, Woodland View and Silverbirch have reported an increase in families wishing to schedule their planned allocation of nights which is impacted by reduced capacity due to Covid compliance. Services report an increase in approaches from learning disability social workers in an attempt to source residential care in an emergency, due to carer breakdown or for safeguarding reasons.
24. At the start of the pandemic Lifeways offered outreach support for individuals unable to access Woodland View or Silverbirch, however there was no take up. Likewise, capacity within our Carers Home Based Respite service was increased but was not utilized. More recently we have observed an increase in the number of individuals requesting home-based replacement care for a variety of reasons including an intolerance of the required testing or enhanced infection control procedures within a residential replacement care setting and an inability to continue waiting for things to get back to normal. As such we anticipate a general shift from bed-based services to home based alternatives going forward.
25. In order to understand future demand for replacement care and the ratio of residential and home-based replacement care the recommendation is to engage with service users, their carers and stakeholders.

Previous Cabinet Decisions and Subsequent Challenges

26. In October 2019 Cabinet approved a series of recommendations about the future of adult learning disability residential replacement care services as part of the Adult Learning Disability Community Offer Programme 2022. These were namely:
- a. The recommissioning of residential replacement care services from the existing accommodation in Cannock Chase and East Staffordshire from the independent

- market for countywide use, for a maximum of 15 beds, up to a value of £4.5m and for a contract duration of 3-5 years,
- b. The continued direct provision of residential replacement care in Newcastle-under-Lyme; providing 10 beds for countywide use and the relocation, and subsequent refurbishment, of directly provided residential replacement care in Newcastle-under-Lyme to Wilmott Drive (alongside the Specialist Day Opportunities Service).
27. Progress was made initially with implementing these decisions, however further progress was not possible due to the advent of the Covid pandemic. This has had significant consequences for the way in which services operate and has highlighted the limitations of building-based services.
28. In November 2020 Cabinet further endorsed an extension to the contract with Lifeways to September 2022 to enable completion of an options analysis to be undertaken for the future provision of residential replacement care in Staffordshire. The options appraisal was started however due to the impact of Covid on bed based services, wider impact on the market and increasing interest in home-based replacement care options this was paused to seek permission to widen the options appraisal and associated engagement to all forms of replacement care.
29. Covid has also had a significant impact on the independent marketplace; the Council has seen recent failures in adult social care procurements due to a lack of bids, and as such it would be beneficial to undertake meaningful market engagement and explore all potential delivery options for the provision of replacement care, to include:
- a. The independent marketplace,
 - b. The Council,
 - c. A local authority trading company,
 - d. A mixture of two or more of the above.
30. In addition, Cabinet also approved the potential expansion of in-house services to offer a greater range of support for people in their homes and communities as part of a single integrated service delivered via Wilmott Drive (alongside the Specialist Day Opportunities Service) pending a business case and public consultation.
31. Subsequently the Care Quality Commission (CQC) have published guidance outlining how they regulate providers supporting people with a learning disability or autism. The document 'Right Support, Right Care, Right Culture' highlights the need for services to provide person-centred care and the CQC's view is that this should be provided in small, dedicated community-based services of usually no more than six people. As such CQC have indicated that they are likely to refuse any application to relocate the current residential replacement care service at Douglas Road alongside the Specialist Day Opportunities Service at Wilmott Drive as this may equate to a 'congregate setting.'
32. In light of developments over the last 18 months, previous Cabinet decisions have been reviewed to ensure they remain appropriate. This has identified an opportunity to expand the scope of the options appraisal to include all replacement care

services, not just those provided in-house or within a residential setting, in order to determine the optimum way to configure replacement care in the long term, in terms of individual experience, quality and cost effectiveness.

33. The recommendation therefore is for an options appraisal for the future provision of replacement care for people with learning disabilities in Staffordshire. This recommendation was endorsed by Health and Care Overview and Scrutiny Committee on 05 July. Approval of this recommendation would replace previous Cabinet decisions as outlined in paragraphs 26 and 28.
34. The options appraisal will include engagement with the market, service users, carers, and stakeholders. The findings and recommendations will be presented to Cabinet in the third quarter of 2021.

Legal Implications

35. Legal Services have been supporting the Community Offer Programme for some time, particularly in relation to the re-procurement of the service provision at the Woodland View and Silverbirch as detailed in this report. Legal Services will assist with supporting officers with the options appraisal and the engagement with the market, service users, carers, and stakeholders.

Resource and Value for Money Implications

36. Financial Implications and impact on delivery of future MTFs savings will be considered as part of the options appraisal.

Community Impact Assessment (CIA):

37. Table 8 summarises the key findings of the CIA. An Executive Summary is included in Appendix One with the full CIA accessible as a Background Reference Document.

Table 8: Key findings of the CIA

Domains	Benefits	Risks	Mitigations / Recommendations
PSED: Disability Impact on SCC Staff	Individuals will receive high quality support in order to meet their assessed eligible care and support needs, which are both sustainable and demonstrate value for money As per the Care Act, SCC will endeavour to facilitate choice / preference and personalisation where possible. This choice is not at any cost.	There may be a low risk of complaint and challenge from service users/ carers if they do not feel that their views have been taken into account when designing the future service. The strategy sets out our intention to recommission our current replacement care contract with	Extensive consultation has already been undertaken to date on the wider community offer programme. Public and stakeholder consultation will be undertaken on the future service and proposed options for service delivery over the summer of 2021 following cabinet approval.
Health & Care:	The delivery of replacement care has a positive impact on carers who require a break to		

<p>Mental Health and Wellbeing</p> <p>Healthy Lifestyles</p> <p>Access to Social Care</p> <p>Independent Living</p> <p>Safeguarding</p>	<p>maintain their emotional health and wellbeing whilst sustaining their caring role, supporting to avoid carer breakdown and thus avoiding admission to services full time.</p> <p>All replacement care services will be required to promote and enable people to live a Healthy Lifestyle and develop independence/ life skills, through the provision of appropriate care and support, as per their assessed care and support needs.</p> <p>The cabinet report sets out our intention to conduct an options appraisal to determine the optimum way to configure and deliver replacement care - Any new arrangements will have proportionate contractual arrangement which will include quality monitoring and a contractual requirement to adhere to all relevant safeguarding legislation and good practice guidance.</p>	<p>Lifeways in line with the natural end of the contract. As a result, service users may experience a change in their support provider or location of service delivery.</p> <p>Staff may be required to work in other locations and/or services</p> <p>Extensive consultation has already been undertaken to date on the wider community offer programme. This highlighted that people who use services, their carers, some SCC staff and some providers have expressed the anxiety and uncertainty about the outcome of the programme is negatively impacting on their mental health and wellbeing – with many citing concern about closure of services and loss of care and employment.</p>	<p>Regular and meaningful engagement and communications about the progress of the programme, the outcomes, and the impact.</p> <p>TUPE may be applicable, thus providing the potential for continuity of staffing in particular circumstances. Support will be sought from Legal and HR as appropriate.</p> <p>The options appraisal will be tested against a range of criteria, this will include ensuring options are Care Act compliant and align with SCC’s whole life disability strategy which was consulted on prior to implementation.</p> <p>Within the current job specifications for inhouse services, a requirement to work from other locations is detailed and this could be included in any future ‘redesigns’ in order to meet Business Needs.</p>
<p>Economy:</p> <p>Economic Growth</p> <p>Access to Jobs/ Good Quality Jobs</p>	<p>The resultant solution will include a needs / demand profile to support the marketplace in terms of service and workforce development.</p> <p>A number of the options being considered for the future delivery of replacement care may provide the opportunity for the independent marketplace and / or inhouse services to potentially expand their existing presence in Staffordshire as</p>	<p>A number of the options being considered for the future delivery of replacement care may result in less or no usage of the independent marketplace and / or inhouse services due to providing services through other mechanisms such as a Local Authority Trading Company</p>	<p>Staff (and representative Trade Unions) will be consulted about the potential impact on their employment, and appropriate HR processes and protocols adhered to.</p>

	well as encourage new Providers to the county.		
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List of Background Documents/Appendices:

Appendix 1: Community Impact Assessment – Summary Document

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