

BIRMINGHAM CITY COUNCIL

PUBLIC

Report to:	CABINET
Report of:	Strategic Director of the People Directorate
Date of Decision:	28 th June 2016
SUBJECT:	MAXIMISING INDEPENDENCE OF ADULTS: INTERNAL CARE REVIEW - LEARNING DISABILITY SHORT BREAKS
Key Decision: Yes	Relevant Forward Plan Ref: 0001802/2016
If not in the Forward Plan: (please "X" box)	Chief Executive approved <input type="checkbox"/> O&S Chairman approved <input type="checkbox"/>
Relevant Cabinet Member(s)	Councillor Paulette Hamilton – Health and Social Care
Relevant O&S Chairman:	Councillor John Cotton – Health, Wellbeing and the Environment
Wards affected:	All

1. Purpose of report:
<p>1.1 To seek authority to consult with service users and carers, staff and other stakeholders on the proposals in relation to the two remaining internal residential short break services for adults with a learning disability (The Laurels, Stechford and Brook House, Lozells) including a proposal to close the services and to report back to Cabinet following the consultation.</p>

2. Decision(s) recommended:
<p>That the Cabinet approve:-</p> <p>2.1 The Outline Business Case (OBC) contained in Appendix 1 which sets out an options appraisal and recommendations.</p> <p>2.2 Commencement of consultation with service users and carers, staff and other stakeholders on the proposals in relation to the two remaining internal residential short break services for adults with a learning disability (The Laurels, Stechford and Brook House, Lozells) including a proposal to close the services.</p> <p>2.3 Commencement of market engagement activity to ensure potential service providers are aware of all the proposed options.</p>

Lead Contact Officer(s):	Alison Malik Head of Service – Complex and Statutory Services Commissioning Centre of Excellence People Directorate
E-mail address:	alison.malik@birmingham.gov.uk

3. Consultation

3.1 Internal

Councillor Majid Mahmood, Cabinet Member for Value for Money and Efficiency has been consulted in the preparation of this Cabinet report and is supportive of proposals. Also officers from Legal & Democratic Services, Corporate Procurement Services, City Finance, Birmingham Property Services, Specialist Care Services and the Commissioning Centre of Excellence have been involved in the preparation of this Cabinet report. Trade Union representatives have also been made aware of the proposals, however further staff consultation will be required as part of the implementation of this decision.

3.2 External

Initial consultation has been conducted with the public as part of both the Corporate and Directorate Budget Consultation exercises which took place between November 2015 and February 2016. The outcome of this consultation was inconclusive for this service, with just over two fifths agreeing with the proposals (44%). However there was also significant disagreement (43%). These results have been considered as part of the development of the Outline Business Case contained in **Appendix 1**.

Further early engagement sessions with service users and their families were conducted on 11 April 2016, 13 April 2016 and 18 April 2016 with the following objectives:

1. To understand from service users how best to consult with them in a meaningful way that enables them to both understand and discuss the proposals, and to influence and shape future provision.
2. To present the proposed changes, test the Council's thinking, the clarity of the ideas and understand the key questions that service users will have
3. Identify if anyone is interested in having a more involved role in the future consultation, e.g. being part of the group that carries out the full Equality Assessment.

The learning from these early engagement sessions will be used to shape and influence the structure and content of the formal consultation as detailed in **Appendix 2**, which is to be conducted if approved.

4. **Compliance Issues:**

4.1 Are the recommended decisions consistent with the Council's policies, plans and strategies?

This decision is consistent with the Council's overall objective of "making a positive difference every day to people's lives".

More specifically the consultation relating to the proposed closure of The Laurels and Brook House is consistent with the Council Business Plan and Budget 2016+ priorities as follows:

- A fair city – supporting carers to maintain their caring role by ensuring a diverse range of services are available.

- A prosperous city – the commissioning of services supports the local economy, particularly as the majority of providers are Birmingham-based.
- A democratic city – the City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need.
- Council of the future – this project supports the wider Future Council programme and the delivery of savings identified in the Budget Consultation 2016+.

4.2 Financial Implications

The Council's corporate Budget Consultation 2016+ identified that spare capacity in the short breaks service would be better utilised in the short term, whilst consideration in the long term is given to the proposed closure of the remaining services.

The approved Council Business Plan and Budget 2016+ included the following saving requirements:

Net Budgeted Spend 16/17	Saving in 16/17	Saving in 17/18	Saving in 18/19	Saving in 19/20
£1.2m	(£0.192m)	(£0.364)	(£0.364)	(£0.364)

The Outline Business Case contained in **Appendix 1** identifies how these savings may be achieved and a number of alternative options that have been considered.

The timelines around the consultation process indicates that there will be a shortfall in the savings based on the options in **Appendix 1**. The Directorate will need to identify alternative proposals to mitigate any shortfall in meeting the savings requirements.

The consultation activity detailed in **Appendix 2** will be funded through existing staff resources.

4.3 Legal Implications

The Care Act 2014 together with associated regulations and statutory guidance give the power and the duty to provide a range of services to meet assessed eligible need for care and support.

4.4 Public Sector Equality Duty

An initial Equality Assessment has been completed and will be revised and updated as the project develops towards a Full Business Case. This Equality Analysis is contained within **Appendix 3**

The Equality Assessment has considered the options contained in the Outline Business Case and currently identifies that the proposals would have the most significant impact on those with the following protected characteristics; age; disability; and gender. These will be the focus of the Equality Analysis as it develops throughout the consultation period and in developing the Full Business Case.

5. Relevant background/chronology of key events:

- 5.1 The learning disability short break service provides planned and unplanned short breaks for those over 18 with learning disabilities and also respite services for carers. This is an essential service to support carers by providing a break from the caring role and may be part of an individual's assessed eligible need for care and support. Unplanned short breaks enable the Council to respond to situations such as long term hospitalisation of carers, break down in a placement and in the worst scenario, where there has been a sudden death of a carer or parent.
- 5.2 The service was redesigned in 2014 which included the decommissioning of the Allenscroft (Brandwood) service, leaving the service operating over two sites; The Laurels (Stechford); and Brook House (Lozells) with 31 beds in total, supporting approximately 130 service users and their families/carers.
- 5.3 The short break service is accessed via a social work assessment of need for care and support, confirming the person has an eligible need for care and support. Data available about those accessing the service shows the average occupancy for the period April 2015 – August 2015 for The Laurels was 37.4% and for Brook House was 30.2% (excluding extended guests).
- 5.4 The profile of those using the service over recent years has changed, with an increasing number of service users being admitted via the emergency route and awaiting reassessment. These people are known as extended guests and are excluded from the occupancy figures in 5.3 above. It is recognised that a replacement emergency placement service may need to be commissioned in future and this will be addressed in the Full Business Case.
- 5.5 Service users' and carers' expectations of the quality of services have steadily risen. This rise in expectations has impacted on the service as it is not able to provide en suite facilities at The Laurels. Furthermore, The Laurels requires a new heating system as well as being in need of more widespread refurbishment and redecoration which is estimated would cost up to £1.5m. This building is coming to the end of its useful life as a registered care setting. Whilst facilities at Brook House have been the subject of some refurbishment in 2008, it remains an old building and the service reports that many service users reject it because of its location.
- 5.6 The number of working age adults with a learning disability in Birmingham was estimated to be over 16,000 in 2011, along with over 2,800 over the age of 65 (Source: www.PANSI.org.uk). It is further estimated that there were around 3,000 of these adults with learning disabilities accessing support from social services at that time, suggesting large numbers of citizen's who may be being cared for by their families. Whilst it is difficult to translate general demographic data into future demand for specific services such as short breaks, a more flexible and diverse approach to commissioning these essential services is required in future.

- 5.7 Supporting carers to maintain their caring role remains a priority for the City Council and short breaks play an important role in preventing carer breakdown. However it is recognised that the Council may no longer be best placed to provide these services directly and that alternative approaches to commissioning need to be explored.
- 5.8 Birmingham City Council is committed to developing services for people that help them to live as independently as possible, exercising choice and control over the planning and delivery of the support they need. As part of this, the Council gives people a personal budget, of which all or some can be taken as a Direct Payment to spend on their care and support services. We will be encouraging eligible service users to take up this budget as a Direct Payment, from which they can buy a range of services including traditional residential short breaks, support from a personal assistant or other types of community based support as detailed in the Outline Business Case in **Appendix 1**.
- 5.9 The Outline Business Case identifies six potential options which have been analysed. Whilst the need to make savings is detailed in 4.2 above, it is also important to make improvements to the services our citizen's receive.
- 5.10 This report is therefore requesting permission to consult on the six options contained in the Outline Business Case. This includes the recommended option of the proposed decommissioning of the remaining short break services at The Laurels and Brook House. The consultation process is detailed in **Appendix 2** which will take place over a three month period, due to commence in July 2016.
- 5.11 In the short term the service will make better use of spare capacity by working with the extended guests to undertake assessments of their need for care and support. As this project continues to develop towards a Full Business Case we will alert potential service users that the service is subject to consultation and advise them how they can engage with the consultation process.

6. Evaluation of alternative option(s):

- 6.1 The alternative options are detailed in the Outline Business Case contained in **Appendix 1** but are summarised below:

Option 1: No change – keeping services as they are would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified

Option 2: Close The Laurels and move the service to alternative Council owned accommodation – this option would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified.

Option 3: Close The Laurels and continue to provide a service at Brook House in the medium to long term - this option would not support the Council's intention to develop services that people can buy with a Direct Payment and would not deliver the savings targets identified.

Option 4 – Close The Laurels and transfer Brook House as a short breaks service to an alternative provider - this option is unlikely to deliver the savings targets identified and may create an over-supply of short break services in the market.

Option 5 - Close the Laurels and Brook House on a phased basis and offer service users alternative provision in the market through a Personal Budget – this is one of recommended options discussed in section 5 above.

Option 6 - Close the Laurels and Brook House together and offer service users alternative provision in the market through the provision of a Personal Budget - this is one of recommended options discussed in section 5 above.

7. Reasons for Decision(s):

- 7.1 To approve the Outline Business Case (OBC) contained in **Appendix 1** and to consult on the future of the service including the decommissioning of the remaining two internal residential short break services for adults with a learning disability
- 7.2 To approve commencement of market engagement and development activity with potential service providers, identifying the type of services that may be required in future.

Signatures

Date

Councillor Paulette Hamilton
Cabinet Member for Health and
Social Care

.....

Peter Hay
Strategic Director for People

.....

List of Background Documents used to compile this Report:

N/A

List of Appendices accompanying this Report (if any):

1. Appendix 1 – Outline Business Case
2. Appendix 2 – Consultation Plan
3. Appendix 3 – Equality Assessment

Report Version	9	Dated	14 June 2016
----------------	---	-------	--------------