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To: Social Care & Public Health Cabinet Committee – 10 May 2012

Subject: **OUTCOME OF FORMAL CONSULTATION ON A NEW SERVICE MODEL FOR LEARNING DISABILITY DAY SERVICES IN THE SHEPWAY DISTRICT**

Classification: Unrestricted

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**Summary:** Following a consultation programme in 2008 of “What Makes a Good Day” - a plan to improve days for people with learning disabilities, a decision was made to refresh previous strategies with a new strategy which aimed to improve services for people with learning disabilities during the day, evening and weekends.

The Good Day Programme (GDP) was set up to implement the new strategy by providing a countywide framework and support for local programmes of change to improve services for people with learning disabilities.

On the 10 October 2011 the Cabinet Member for Adult Social Care and Public Health granted approval to the GDP to consult on a proposed New Service Model for Learning Disability Day Services in Shepway.

The Council is required to undertake a consultation with Service Users, and all other relevant stakeholders on the impact of a change or variation to a service and consider the findings of the consultation before coming to a final decision. Consultation on the New Service Model for Learning Disability Day Services in Shepway was undertaken between 22 November 2011 and 28 February 2012.

This report presents the results of the consultation, considers its outcomes and any equality impact.

**Recommendations:** Social Care and Public Health Cabinet Committee is asked to consider and either endorse or make recommendations on the decision to be taken by the Cabinet Member for Adult Social Care & Public Health to implement the New Service Model for Learning Disability Day Services in Shepway.

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## Introduction

1. (1) Kent County Council's (KCC) modernisation of Day Services for Adults with Learning Disabilities is an integral part of the transformation towards more personalised services reflecting the vision and strategy contained within "Valuing People Now" and KCC's "Active Lives". In 2008 following consultation of "What Makes a Good Day" - a plan to improve days for people with learning disabilities, a decision was made to refresh previous strategies with a new strategy; to improve services for people with learning disabilities during the day, evening and weekends. The Good Day Programme (GDP) was set up to implement the new strategy by providing a countywide framework and support for local programmes of change to improve services for people with learning disabilities.

(2) With the implementation of 'Bold Steps' KCC is keen to see the development of sustainable community resources in partnership with the private, voluntary sector and social enterprise; and aims to evolve fully into a commissioner of community care services rather than a facilitator or provider of them. The Good Day Programme has incorporated these aims and objectives in the planning of proposed future service models, assisting in fulfilling these desired outcomes.

(3) On the 10 October 2011 the Cabinet Member for Adult Social Care and Public Health granted approval to the GDP to consult on a proposed New Service Model for Learning Disability Day Services in Shepway.

(4) In line with "Valuing People Now", KCC's "Active Lives" and "Bold Steps" the New Service Model will be based on personalisation, with everyone having choice and control over the shape of their support through the use of direct payments and personal budgets. This person centred approach will uphold the principles and standards of the Good Day Programme.

The principles for the new service model are to develop services which will enable people to:

- Choose what they do during days, evenings and weekends
- Have the right flexible support
- Be equal citizens in their community
- Have opportunities to lead a full and meaningful life.

The new service model will offer people a range of facilities, activities and opportunities in their local community within inclusive settings.

Full details of the proposed New Service Model for Learning Disabilities in Shepway are detailed in Appendix 1.

(5) The Council is required to undertake a consultation with Service Users and all other relevant stakeholders on the impact of a change or variation to a service and consider the findings of the consultation before coming to a final decision. The purpose of this report is to provide the results and outcomes of the consultation. It also considers if there is any impact on equalities within the new service model.

(6) Consultation on the New Service Model for Learning Disability Day Services in Shepway was undertaken from 22 November 2011 to 28 February 2012

(14 weeks). The decision in relation to this new service model was included in the Forward Plan in October 2011 covering the period 1 November 2011 to 30<sup>th</sup> April 2012.

- (7) The consultation was carried out to:
- (i) Inform people about the details of the proposed New Service Model for Shepway Learning Disability Day Services.
  - (ii) To invite the views and comments of Service Users, their Family/ Carers and other relevant stakeholders who have an interest in the service.

(8) Consultation has been extensive, and involved Service Users, Family/ Carers, Staff, Trade Unions, Advocacy, Residents, District Partnership Groups, Community Partners, Integrated teams, Parish Councillors and KCC Members in a series of consultation meetings and events.

## **Policy Context**

### **2. (1) Valuing People - March 2001 / Valuing People Now 2007**

Valuing People is the government's plan for making the lives of people with learning disabilities, their families and carers better. It was written in 2001 and it was the first White Paper for people with learning disabilities for 30 years.

It is based on people having:

- their rights as citizens
- inclusion in local communities
- choice in daily life
- real chances to be independent

The modernisation of day services for people with learning disabilities is seen as a major part of the implementation of Valuing People

### **(2) Think Local, Act Personal Next Steps for Transforming Adult Social Care**

This is a proposed sector wide partnership agreement moving further towards personalisation and community based support. This document sets down the thinking of policy direction in adult social care.

The priority for adult social care is to ensure efficient, effective and integrated partnerships and services that support individuals, families and the community.

It requires commissioners to reduce duplication across the system, improve outcomes, engage in targeted joint prevention interventions and provide information and advice for people using the services to make the most appropriate choices to

meet their outcomes. Commissioners should draw upon voluntary and community action and facilitate an environment where various models of commissioning and purchasing can emerge to support people to make more personalised choices.

The two main focus of reform are:

- A community-based approach for everyone
- Personalisation

(3) **The Good Day Programme KCC's strategy for improving days for people with learning disabilities.**

(4) **Bold Steps for Kent – The Medium Term Plan to 2014/15**

This sets out three clear aims for Kent County Council over the medium term:

- To help the Kent economy
- To put the citizen in control
- To tackle disadvantage

### **Overview of the current Shepway Learning Disability Day Service**

3. (1) Shepway Resource Centre (SRC) is a KCC day service providing activities for adults with learning disabilities who have varying levels of abilities. Activities include: art and craft, access to libraries, cycling, life skills, sports activities (e.g. Bowls, gym and Keep Fit), Garden maintenance, Sensory Activities, Pottery, drama, photography, I.T., model making, cooking and literacy skills. These activities are based on the choices of individuals who access the services and the skills of the staff team. The SRC in recent months place an emphasis on community participation with approximately 65% of activities taking place within the local community.

There is currently several community based projects operating from the SRC day service:

(2) **A conservation and gardening project** in partnership with the Kent Wildlife Trust at New Romney. The project is based at Romney Marsh Visitor Centre. SRC Service Users taking part in the project already access this directly from home.

(3) **A partnership with the Community Network in Cheriton** (owned and run by United Response) is in place. The network offers hobby activities, learning and social based sessions to all members of the local community. It is a place where people have the opportunity to take part in activities or just meet up with their existing friends or make new friends. Service Users run a self advocacy/speaking up group in association with the Community Network.

(4) **The Bridge Centre in Hythe** is a small KCC owned building used as resource centre for people with learning and physical disabilities. People with complex and high support needs accessing the SRC service are supported from The Bridge Centre.

(5) **Phase 2 in New Romney** is where a group of SRC Service Users use a local resource within the Marsh Academy. Phase 2 has a selection of hobby activities, and activities supported by music technology.

(6) Out of 327 people known to the Shepway Learning Disability Team, 88 people access Shepway Day Services.

(7) Shepway Day Services has a Service Level Agreement (SLA) of 60 places per day; this has reduced over the last few years from an original SLA of 110. Of the 88 people accessing the day service each week there is currently an average attendance of 47 people per day.

(8) There is an active and thriving Private and Voluntary Sector (see table below) within the Shepway district, offering a wide and developing range of services and potential future partnerships. Many of these are accessed using Direct Payments.

<b>Private and Voluntary Sector LD Service providers operating in the Shepway district</b>
<b>Home Farm Trust</b>
<b>Mencap</b>
<b>Life Skills Centre (Folkestone)</b>
<b>Martello Day Service</b>
<b>Adept Education &amp; Training</b>
<b>Chinook</b>
<b>Denny Dawn</b>
<b>Romney Warren Gardening Project</b>
<b>Romney Marsh Vocational Centre</b>

#### **4. Consultation and Communication**

(1) The consultation undertaken by KCC followed the 'Procedure for Consultation on the Modernisation/Variation or Closure of Establishments and Services provided and managed by Families and Social Care. In order to maximise stakeholder involvement the consultation was undertaken over a 14 week period from 22 November 2011 to 28 February 2012.

(2) 550 consultation packs were distributed to all stakeholders. The consultation pack contained:

- A letter outlining the consultation proposal
- The proposal for the New Service Model
- A Consultation Questionnaire
- Copy of the presentation delivered at the consultation meetings
- Timetable of consultation meetings and events
- Better Days leaflet – setting out the principles and aims of the Good Day Programme

The consultation pack was also published on the kent.gov.uk website along with an on line version of the questionnaire.

(3) An independent Advocacy service was involved throughout the consultation period for all Service Users at Shepway Learning Disability Day Service; offering a range of workshops, group meetings and individual 1:1 meetings. They supported Service Users to understand the proposals and to develop and express their view point.

### **Outcome of the consultation and issues raised.**

(4) Of the 550 questionnaires distributed, 109 questionnaires (20%) were returned from the following stakeholders groups:

<b>Person with a learning disability through advocacy</b>	<b>80</b>
<b>Person with a learning disability independently with carer support</b>	<b>18</b>
<b>Family/Carer</b>	<b>8</b>
<b>Employee</b>	<b>1</b>
<b>Provider</b>	<b>1</b>
<b>Information not given</b>	<b>1</b>

(5) People have expressed mixed views within the consultation. Service users were generally more positive towards the new service model. A summary of the main findings from Service Users and carers is shown below:

### **Service Users**

- Most people who use the service were not concerned with possibly losing the building. Activities and the things they do at the SRC were important.
- The location of the SRC limits access to the local community, being situated on an industrial estate.
- The majority of Service Users did not have a response for activities they did not like in the community.
- There was a sense of concern about whether they would continue to have the same staff support and transport.
- Most people enjoy the activities on offer in the Community Network, Phase 2 and The Bridge Centre. The opportunity to access other community based activities and get out of the building was welcomed.
- There were some concerns about the limited space, and accessibility within the Community Network.

## **Family Carers**

- Some carers have had a long association with Shepway Resource Centre and understandably value the security and safety of the building. There were some fears around change and loss of an environment which is filled with security and memories.
- Some parent/carers have seen the Service User they care for thrive and enjoy the activities and access to the community and have welcomed the change.
- Some parent/carers thought the proposal to move away from the Shepway Resource Centre may also mean the staff team would no longer be available to support within the hubs in the New Service Model.
- There is a feeling by a minority of parent/carers that the changes are being forced upon Service Users.
- Parent/carers reinforced the importance of the service and the enjoyment the person they care for gains from attending the day service. Many carers were reassured and were in agreement with the changes when they attended one of the Road Shows and had the proposal fully explained.

Comprehensive details of the outcome of the consultation are attached in Appendix 2.

## **Financial Implications**

### **Capital**

5. (1) Capital funding of £425K for the new service model in Shepway will be provided through the GDP Capital Plan allocation as approved by Project Approval Group (PAG) and set out in the current KCC Medium Term Plan.

### **Revenue**

(2) There is a commitment set out in the GDP strategy approved by Members to recycle the current revenue associated with Shepway Learning Disability Day Service into the new service model. This will be incrementally transferred over time as in line with the phased implementation plan.

## **Legal Implications**

6. (1) The public sector equality duty created by section 1 of the Equality Act 2000 came into force on 5 April 2011. The section provides that:

"an authority to which this section applies [which includes county councils] must, when making decisions of a strategic nature about how to exercise its functions, have due regard to the desirability of exercising them in a way that is designed to reduce the inequalities of outcome which result from socio-economic disadvantage"

(2) Section 149 of the Act provides that:

A public authority must, in the exercise of its functions, have due regard to the need to

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(3) Attention is drawn to the equality duties. The county council may have formed a provisional view, but it is essential that the possibility that the consultation process may affect that view is acknowledged. The decision, when it is taken, should pay due regard to the equality impact assessment, and must relate whatever decision is made to that assessment and, if it is not following it, or if it is choosing not to accept the views of those consulted, it must record the reasons for doing so. A proper assessment of alternative proposals or of actions that could be taken to mitigate the effect of the new service model must be considered.

## **Equality Impact Assessments**

7. (1) There is a requirement on all public bodies to comply with the 'due regard' duties. The council must take into account the impact of the decision to implement the new service model and consider practical measures that might lessen the impact on existing and new service users. The consideration of equality issues must inform the decisions reached. The impact assessment can assist in ensuring that the decision-maker comes to a decision with reference to 'due regard' and is able to do so in a considered and informed manner.

(2) In line with equality duty and KCC's Equality Impact Assessment Policy, an assessment was carried out during the formation stage of the new service model. The impact assessment was later revised when the consultation closed and following the analysis of the consultation response to address issues that arose during the formal consultation process. The Equality Impact Assessment (EIA) for Shepway Learning Disability Day Services is in addition to the overarching Good Day Programme EIA which is reviewed periodically.

(3) It is recognised within the equality impact assessment that we will need to make sure accessibility of all new venues has been assessed, new facilities developed and local policies enhanced through GDP capital funding; and ensure this meets the requirements of the Disability Discrimination Act and inclusive Access.

(4) Full Adult Changing Facilities will be placed in a variety of buildings to increase accessibility for individuals with a learning disability and for disabled people in the wider community. Designated rooms will also be required within identified community buildings to provide an area to maintain privacy and dignity for those requiring additional support.

(5) In addition to this a comprehensive specification detailing all requirements will be adhered to when identifying all potential community buildings. The specification was drawn up with a variety of stakeholders, including people with a learning disability.



(6) It is considered that other specific groups with protected characteristics (based on gender, ethnicity, religion or belief and sexual orientation) will not be disadvantaged by the changes.

(7) The equality impact assessment will be included within the implementation plan with further screening taking place and the assessment updated as appropriate throughout the project.

### **Sustainability Implications**

8. (1) The new model for future services is based on personalisation, with everyone having choice and control over the shape of their support. This person centred approach by providing people with what they want; people will choose to continue to be supported through the new model. From the results of the consultation there is a strong sense of valuing the staff team therefore also ensuring long term sustainability of the service.

(2) The GDP capital investment in the development of sustainable community resources in partnership with the private, voluntary sector and social enterprise/community interest companies will also provide sustainability for the future. We will make better use of the existing revenue by redirecting the revenue spent on the current building into personalised support and increased direct payments.

(3) It is important to note, evidence from “Valuing People Now” and other learning disability groups highlights that a lot of young people leaving school do not want to go to large traditional style building based services. This has meant that there are now fewer new people wanting Shepway Day Opportunities as their chosen service. As a result the number of people using the current service continues to fall. Therefore in its current form the service is not sustainable long term.

### **Alternatives and Options**

9. (1) During the consultation period no additional alternatives or options were presented by stakeholders to the Project Team.

### **Response to the consultation**

10. (1) Kent County Council’s (KCC) modernisation of Day Services for Adults with Learning Disabilities is an integral part of the transformation towards more personalised services reflecting the vision and strategy contained within “Valuing People Now”

(2) Where we have implemented community based services in other parts of the county people with a learning disability have valued the new opportunities, embraced the range of choices and felt part of their local communities.

(3) 91% of Service Users accessing the service provided some form of feedback on the proposal during the consultation process. The outcomes of the consultation questionnaires have highlighted that the majority of service users value

the current range of activities available in the community and wish to sustain and increase the availability of community based activities for the future.

(2) Of the 550 stakeholders who received a consultation pack in total 24% gave their views. Only 3.5% (19) of Carer's gave their views and comments on the proposals through completing a questionnaire or attending a Road Show during the consultation period. A small number of these carers expressed anxieties about the loss of the Shepway Learning Disability Day Service building.

(3) Financially, staff and carers have been reassured by the fact that cost saving is not the driver behind the proposal. Initial indications are that the revised community model is affordable within the existing revenue allocation. Set up costs in terms of equipping new venues will be incurred and further capital will need to be invested in order to secure appropriate community facilities. The model is financially viable and crucially it enables KCC to redirect resources away from outdated buildings towards the front line.

(4) The advocacy input to all Service Users has enabled KCC to be satisfied that increasing the range of community activities is something that all Service Users have requested. However they have also made it clear that change and the need for reassurance and support is crucial when implementing the new model. It is therefore crucial that the Project Team listens to the concerns and ensures the changes are implemented in a phased basis. The re configured service will be planned carefully with some parallel running of both new and old.

(5) Comments from people with a learning disability and their carers are that they value their friendships. As a result of this we will ensure that this is given priority within individual support plans so that friendships are maintained and developed. The new service model will incorporate the scheduling of regular social events. In addition a "Pick & Mix" approach to activities will be considered so that long term friendships can be maintained and flexibility promoted.

(6) People have asked for improved access to facilities and equipment especially for those people with complex needs. With this in mind we will make sure the community hubs will offer shared space for people with a learning disability and a place to meet up and take part in inclusive activities. Capital funding will be provided through the GDP Capital Strategy Plan to enhance or provide suitable space within these community buildings and to provide equipment and facilities to meet people's needs, including: sensory and therapeutic equipment and Adult Changing facilities.

## **Recommendations**

- 11.** (1) The Cabinet member for Adult Social Care and Public Health will be asked to APPROVE:
- a) the development of new resources within Shepway to be known as Community Hubs, which when fully developed and used to the satisfaction of service users will eventually lead to the closure of the segregated service currently run in the Shepway Learning Disability Day Service building.
  - b) the implementation of the new service model for learning disability day services within the Shepway District, as outlined in this report.
- (2) Members of the Social Care and Public Health Cabinet Committee are asked to consider and either endorse or make recommendations on the decision to be taken by the Cabinet Member for Adult Social Care & Public Health.

### *Appendices:*

- Appendix 1: Shepway Learning Disabilities Day Services – New Service Model
- Appendix 2: Detailed responses received throughout the consultation

### *Background Documents:*

- Better Days for people with learning disabilities in Kent.
- Shepway LD Day Services New Service Model Equality Impact Assessment

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