

## Report to Cabinet

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<b>Title:</b>	<b>Residential short breaks (respite) for older people and adults with support needs and adults with a learning, mental, sensory or physical disability</b>
<b>Date:</b>	7 January 2019
<b>Date can be implemented:</b>	15 January 2019
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<b>Local members affected:</b>	All
<b>Portfolio areas affected:</b>	Health & Wellbeing

*For press enquiries concerning this report, please contact the media office on 01296 382444*

### Summary

Residential short breaks provision in Buckinghamshire is in need of modernisation. This is both in terms of the built environment (the service is currently based at Seeleys House in Beaconsfield) as well as the quality and nature of the service provided.

The Care Quality Commission (CQC) rated Seeleys House Short Breaks as *'Inadequate'* in November 2016; *'Needs Improvement'* in June 2017; and *'Needs Improvement'* in February 2018).

Since the Direct Care and Support Service Cabinet report dated 23<sup>rd</sup> April, the approved Adult Short Breaks Strategy has been published. Commissioners are currently running a ten-week public consultation on a draft Adult Short Breaks Policy. This is scheduled to end on 14<sup>th</sup> January 2019.

The next step is for Cabinet to consider the proposal for a new, in county, residential short breaks service. To avoid delays on the new development should it be agreed, we would like to begin talks with people affected by this new development proposal, while the policy is being finalised.

We are proposing a six-week public consultation starting week beginning 14 January 2019.

## Proposed integration with health

The Council wants to support people to achieve maximum and meaningful independence and not just be limited to a building based setting.

The preferred approach to commissioning the service is in partnership with health. To enable this, we have reached a joint funding agreement with Buckinghamshire Clinical Commissioning Group.

Integrated provision supports the ambition of the 'Better Lives Strategy for Adult Social Care'.

The plan is to tender for a new care and support provider to work with the Council and NHS. They would support current short breaks service users and carers to transition to the Aylesbury site, and commence running the new service by August 2020.

The new service will provide safe, quality care for those with only the most complex needs

## Proposed relocation plans for the service

With the transfer of residential short breaks to Orchard House being halted, the new proposal is to develop the residential short break service on the Aylesbury Opportunities Centre site. Work would begin August 2019.

This will involve temporary closure of Aylesbury Opportunities Centre for approximately 12 months while a partial rebuild is undertaken. We will support current service users to transfer to alternative suitable day opportunities.

People at both Aylesbury and Seeleys Day Opportunity Centres whose needs can only be met through a building based service will be supported to access a similar alternative, either from another provider or from one of the other existing Council opportunity centres e.g. Buckingham, Burnham or Chesham.

## Proposed reduction in capacity

In order to accommodate the new residential short break service on the Aylesbury site, there will need to be a reduction in day opportunity capacity. However, this is set against a background of overall under use of Council run day centres in recent years. It is also in line with the 'Better Lives' strategy and ongoing day opportunities strength based work. This seeks to support people, whose needs can be met in the local community, to access alternative services. Looking at what they can do rather than cannot, learning new skills and developing independence.

## Draft timeline

Talkback and Carers Bucks briefing	19 December 2018
Seeleys/Aylesbury Opportunities Centre staff briefing	20 December 2018
Seeleys/Aylesbury Opportunities Centre service user and carer pre-consultation briefing	20 December 2018
Cabinet paper published	21 December 2018
Cabinet decision regarding consultation for draft proposals	7 January 2019
Start of consultation	WC 14 January 2019
Further carer/user engagement events	WC 4 February 2019
End of consultation	27 February 2019
Formal Internal Decision	28 February – 14 March 2019
Key member decision required post consultation	15 March 2019

Design and planning of new build	January – August 2019
Ongoing review and transitions plan for Aylesbury Opportunities Centre users and staff (supported by new care and support provider December 2019 – May 2020)	Now – August 2019
Tender for new care and support provider	April 2019 – December 2019
New build at Aylesbury Opportunities Centre takes place	August 2019 – August 2020
Transfer from Seeleys House site to Aylesbury complete	August 2020

## Recommendations

- **Cabinet is asked to approve a six-week consultation on:**
  - **The transfer of residential short break services from the Beaconsfield site to a partial new build on the Aylesbury Opportunities Centre site**
  - **An integrated service jointly commissioned with Buckinghamshire CCG to be based at Aylesbury Opportunities Centre.**
  - **The reduction in day service capacity at Aylesbury Opportunities Centre.**
- **Cabinet is asked to delegate approval of ongoing work in relation to the transfer of residential short breaks service to Aylesbury Opportunities Centre to the Lead Member for Health & Wellbeing.**

### A. Narrative setting out the reasons for the decision

As detailed in the Direct Care and Support Services Cabinet Report dated 23<sup>rd</sup> April 2018, residential short breaks provision in Buckinghamshire is in need of modernisation, both from the perspective of the built environment (Seeleys premises) and the quality and nature of the service provided (Seeleys rated Inadequate November 2016; Needs Improvement in June 2017; Needs Improvement February 2018).

There is also lack of appropriate and flexible capacity which is leading to expensive out of area spot placements and a lack of provision for service users with complex health needs; both health and social care funded.

The concept of moving from Seeleys House is not new; extensive consultation, design and planning work having been undertaken on the previous proposed move to Orchard House in High Wycombe which was subsequently halted. We intend to use, where possible, much of the information gathered as part of that process in order to inform the new Aylesbury development.

The proposed move to Aylesbury enables the following:

- More equitable access for people from across the county with greater countywide transport links
- Aylesbury location enables greater recruitment of staff
- Re-purposes day service site space which is currently underutilised

- Ability for people accessing respite to access a day service on the same site. The current design and layout of Seeleys means it is difficult to support people with differing needs such as someone with complex physical needs and limited mobility at the same time as someone with behaviours which may challenge. A partial new build on the Aylesbury site, enables development of a building that can support people more appropriately, and maximises use of the building.
- Although unsuitable for residential short breaks service, the Seeleys House site has intrinsic value, it is estimated that it could raise a capital receipt in the region of £4.5 million. This could be used to support the Council's Capital Programme.

## **B. Other options available, and their pros and cons**

Keeping current arrangements is an option as people are receiving services and Seeleys has been on an improvement journey since its Inadequate CQC rating in 2016. However, this does not meet the current strategy of building on future needs of an aging population and the current build configuration does not enable people with complex physical needs to be supported at the same time as people with behaviours which may challenge. This is not considered to be sustainable for future requirements for residential short breaks.

As part of the recommendation to move to Aylesbury Opportunities Centre, we have considered a number of different locations and sites. No other sites or county locations were deemed to offer the same range of benefits outlined above.

## **C. Resource implications**

There are significant financial pressures on the Council with overall Medium Term Financial Plan (MTFP) savings requirements of £14,083k in 19/20 and on Adult Social Care with savings requirements of £4,167k 19/20.

Plans for all the Direct Care and Support services (including Seeleys) have been designed to achieve the greatest value for money and meet the MTFP savings targets, as well as to achieve the ambitions and principles of the Adult Social Care Transformation (Better Lives) programme.

The MTFP target for Direct Care and Support services for 2018-19 is £400k, but with more work still to do to meet the required savings. The total cumulative savings target for Direct Care and Support services for 2019-20 is £524k.

Seeleys House has an overall budget of c. £1.1m. The other residential short breaks provision we use at Downley Heights has a budget of c. £130k. We spend c. £50k with our main spot placement provider of residential short breaks.

Property Board identified £3.165m capital funding from the Council towards the cost of the new build. There is also an NHS England capital grant bid in to recycle £335k secured for the cancelled Orchard House development which provides the £3.4m capital development for the new service. Release of Seeley's site could realise capital receipts of c. £4.5m which will support the Council capital programme.

## **D. Value for Money (VfM) Self-Assessment**

Buckinghamshire County Council wants to ensure that it delivers services that are sustainable and value for money. It can achieve this by ensuring that available resources for short breaks are targeted at those who most need support, by developing an integrated offer that covers both health and social care need and re-purposes underutilised service provision.

Costings modelled using current cost and activity data from Seeleys demonstrate an estimated avoided cost based on current spot placement spend - £447k (full year effect), subject to the completion of the capital project.

## **E. Legal implications**

Legal advice has been sought at relevant points of the short breaks programme to address issues as identified.

When considering consultation, the Council should be aware of the principles set out in relevant case law:

R v Brent London Borough Council, ex parte Gunning, (1985) 84 LGR 168 identified what are known as the Gunning principles; these are that:

- Consultation must be at a time when proposals are still at a formative stage;
- The proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- Adequate time must be given for consideration and response; and
- The product of consultation must be conscientiously taken into account in finalising any statutory proposals.

These were specifically endorsed by Lord Wilson in R (Moseley) v London Borough of Haringey [2014] UKSC 56 and noted as a 'prescription for fairness'.

In developing proposals for the public consultation, due regard has been paid to these principles. Legal advice will continue to be sought through the lifetime of the programme to address issues as identified.

Provision of community care services for adults are governed by the provisions Care Act 2014 and its associated Guidance, and where eligible needs are identified, the necessary provision to meet those needs must be set out in a care and support plan. Care plans should be kept under review and changes to the plan should follow a review of needs in most cases, and ensure that the care plan meets current need.

Any changes to services currently identified as provision to meet eligible need should be considered in a review of the supported person's needs and be reflected in a revised care plan

## **Equality Impact**

S149 of the Equality Act requires public authorities in the exercise of their functions to have due regard to the need to

(a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;

(b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;

(c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

An Equalities Impact Assessment (EIA) has been undertaken in relation to the proposal.

The outcome of those assessments will be available with the outcome of the consultation.

## **F. Property implications**

Services within the Adult Social Care Transformation Programme currently utilise a number of Council owned properties.

We have been working closely with colleagues in Property Services to work through the detail and implications of the proposed move. A number of different sites were considered for the new service, with Aylesbury Opportunities Centre being the preference for both health and social care lead representatives. Where possible, we are aiming to use the previous Orchard House plans as a starting point for the new build. These plans were prepared using extensive engagement with service users and carers.

## **G. Other implications/issues**

To use buildings-based provision when it is the only suitable option for those with very complex behavioural or physical needs is a significant shift to what many current carers/parents and short breaks service users are used to. Although this approach complements the developments in the Adult Social Care 'Better Lives' Strategy, by adopting a fundamental approach of promoting independence and reducing reliance on long-term services, this will require careful transitional support and planning.

This new strategy is supported by a training programme for operational staff and development of new practice standards, all of which will be fully embedded to ensure that we deliver in line with this new ethos.

The travel implications of the proposed move from Beaconsfield to Aylesbury mean that some people who access residential short breaks and reside in the south of the county will need to commute further north than they currently do. However, people who reside in the north will no longer be required to commute to the south of the county. It will also have implications for a number of people who reside in the north of the county and currently do not access residential short breaks due to the travel distance to Beaconsfield and the fact that it is less accessible by public transport.

## **H. Feedback from consultation, Local Area Forums and Local Member views**

Short breaks engagement activity with multiple stakeholders, including service users, carers and members, has been undertaken over a long period of time, from the Orchard House development discussions, through to the new Short Breaks Strategy and draft Short Breaks Policy consultations. Various information from these engagement activities have been used to inform the development of the new service.

Agreement to consult on the new service will provide local members with an opportunity to give their views. The Consultation and Communications Strategy includes planned

engagement activity with local Members and other key stakeholders, building on conversations already started as part of the recent strategy and policy consultations.

## **I. Communication issues**

Communication will be managed using a robust plan, prepared in partnership with the Council and CCG Communications Team.

A Consultation Plan has been developed as part of the wider short breaks programme of work, which builds on the work of the recent strategy and policy and sets out how stakeholders will continue to be able to give their views during the relevant consultation period. A variety of consultation methods have and will be used to ensure that all stakeholder groups are able to respond, including adult service users.

All communication will be tailored accordingly.

## **J. Progress Monitoring and Review**

The delivery of this programme will be reported and monitored through internal governance routes within both Buckinghamshire County Council and the Buckinghamshire Clinical Commissioning Group, as part of the wider Adult Social Care Transformation Programmes.

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### ***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer(s) whose telephone number is given at the head of the paper.*

*If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on 4 January 2019. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)*