

## **DUNDEE CITY COUNCIL**

**REPORT TO: SOCIAL WORK AND HEALTH COMMITTEE - 23RD JANUARY 2012**

**REPORT ON: FUTURE SUPPORTS FOR ADULTS WITH A LEARNING DISABILITY  
IN DUNDEE**

**REPORT BY: DIRECTOR OF SOCIAL WORK**

**REPORT NO: 28 - 2012**

### **1.0 PURPOSE OF REPORT**

1.1 The purpose of this report is to describe proposed revised arrangements for arranging, delivering and managing learning disability services in Dundee.

1.2 The proposals and recommendations represent a revised approach to the organisation and delivery of learning disability services. In the process of development, account has been taken of demographic shifts in the population of Dundee, patterns of supply and demand, service performance, the balance between external and internal service delivery, partnership working including service integration and significant policy drivers like personalisation.

### **2.0 RECOMMENDATIONS**

It is recommended that Committee members:-

2.1 Confirm the proposed policy direction outlined within this report;

2.2 Remit to the Director of Social Work to take forward proposals for changes to models of support services for adults with a learning disability that will ensure increased personalisation, flexibility and equity of access to and delivery of supports;

2.3 Note the developing Outcomes Framework for People in Dundee who have a Learning Disability (Community Care) in Appendix 1;

2.4 Instruct the Director of Social Work to submit detailed reports on planned developments as outlined in paragraph 4.2.11 of this report.

### **3.0 FINANCIAL IMPLICATIONS**

3.1 The proposals outlined in this report are critical in ensuring the best use of resources currently available for adults with a learning disability. As noted in the report, demand levels continue to rise significantly with resulting increased pressure on financial resources. The proposed changes will be met within the existing Adult Care Budget and detailed financial implications will be identified in future reports submitted by the Director of Social Work for consideration by Social Work and Health Committee.

## **4.0 MAIN TEXT**

### **4.1 BACKGROUND**

#### **4.1.1 Demographic Trends**

4.1.1.1 Dundee's population is approximately 142,000 people. The Scottish Government reported that one in four people will experience a mental health problem at some point in their lives (Scottish Government, 2002). There are just fewer than 1000 known adults with a learning disability who are Dundee citizens (eSAY statistics, Scottish Consortium for Learning Disability, 2010). While this is a relatively small proportion of the total population the financial commitment equates to approximately £19 million across social care and community health services. This reflects the complexity of individuals' needs and the cost of the range of current models of care and support.

4.1.1.2 Due to advances in medical science the number of children with complex needs surviving into adulthood with disabilities is increasing and while this can be viewed as progress, this is already leading to increasing demand for social/ health and other universal services such as further education/ support in employment. The number of people being diagnosed with autism is increasing. This increase can be contributed to the improvement in the diagnosis process and collection of data. In 2010 an increase of 52% was reported in terms of individuals known to local authorities with diagnosed autism ie from 1,494 in 2008 to 2,270 in 2009 (Statistics Release : Adults with a learning disability 2009, Scottish Consortium for Learning Disability).

4.1.1.3 The White Paper, Valuing People a New Strategy for learning Disability for the 21st Century, Department of Health (2001) predicts an increase of 1% per year in the numbers of adults with a learning disability over a 15 year period. It identified increased life expectancy, increased diagnosis of autism and increased numbers of people with complex needs surviving into adulthood as three factors involved in the increase. Since 2009 the increase in adults with a learning disability receiving services in Dundee has risen by approximately 2.4% each year, significantly higher than this prediction.

4.1.1.4 The support provided by carers is vital to the delivery of care and support services; but in order to maintain this carers themselves need support, this is often provided in the form of respite care. It should be noted that an increasing number of these carers can be older people and have their own health needs. The 2001 Census identified that there were almost 14,000 unpaid carers in Dundee, almost one in ten of the total population of Dundee, and the Dundee Carers Strategy 2008-2011 indicates that this figure is expected to rise by 60% in 2037. Carers for people with a learning disability are more likely than others to be long term or life long carers and this can have complex implications for the carer and other family members.

4.1.1.5 Given these demographic changes the challenge and priority will therefore be to modernise public services to ensure effective prioritisation of resources as demand continues to rise.

#### **4.1.2 Service User and Carer Views**

4.1.2.1 Involvement of service users in determining the direction of travel for service development is well established within the learning disability field. A number of service user representatives have been employed over a number of years by Advocating Together, which is a voluntary organisation, to provide consultation with adults with a learning disability to gauge and represent the views about current and future services and desired outcomes. It is also a function of these employees to contribute to capacity building in respect of ensuring that as many adults with a learning disability have the opportunity to express their views and advocate for themselves on an ongoing basis.

4.1.2.2 The SAY reps are members of the Learning disability Strategic Planning Group and are fully involved in setting service development at a local, Tayside-wide and national level. Their influence in enabling many adults with a learning disability to have a voice and contribute to developments in service delivery has been extensive and the mechanisms used have continued to become integral to ongoing evaluation and improvement activity.

- 4.1.2.3 The following statements outline the key messages from service users during 2011 regarding current experiences and priorities for the future. They will help to inform the development of a new strategy for people with a learning disability and are consistent with the proposals outlined within this report.

**A life the same as you:** 'Everyone deserves to live the life they want. You should have the same rights, responsibilities, respect and opportunities whoever you are.'

**Personalisation and Planning:** 'Each person is different. There are common concerns which affect everyone and there are some things which affect some people with special conditions more than others.'

**Commitments:** 'The Learning Disabilities Strategic Planning Group who plan services should make a commitment to carrying out plans in the PiP' (Partnership in Practice agreement)

**Planning Your Life:** 'The PiP should consider the needs of people of all ages and join up with the plans made for older adults and for children.'

**Choice and Responsibility:** 'Some people have the choice to do things that they plan and want to do. Others don't because of the people who look after them. Sometimes this is not fair or right.'

**Safety:** 'Safety is important to everyone. Trying to keep safe should not stop you doing what you want. You should do what you want as safely as possible.'

**Health:** 'Health and wellbeing are very important. The good work that has been started should continue including work with Primary Care Services, Acute Hospital staff and Health Education.'

**Information and Involvement:** 'People need information to help them make choices. Information needs to keep improving. People want information to be provided in ways they can understand it.'

**Family and Relationships:** 'There is a need to find new and different ways of supporting peoples choices regarding family life. People need a lot of different ways to have chances to make friends and have safe relationships.'

**Being part of the world you live in:** 'People need opportunities to be part of the world they live in. People want different things from this experience.'

#### 4.1.3 **National Policy Drivers**

- 4.1.3.1 In terms of delivering outcomes for adults who have a learning disability national and local aspirations are ambitious and focus on a move away from institutional models of care to greater personalisation and active citizenship (The Same as You? Report, Scottish Executive, 2000 ; Dundee City Council, 2008). During the last 20 years a large number of people with a learning disability have been discharged from long stay hospitals and resettled within the community. Dundee City Council's Partnership in Practice Agreement, 2007-2010 (PIP) outlines a focus on a move away from institutional models of care and towards more active citizenship as priorities.

- 4.1.3.2 Promoting Self Directed Support is part of the Scottish Government's wider programme to increase individuals' choice and control over their community care and support arrangements. This past year has seen a significant shift in pace for implementing Self Directed Support. As an umbrella term Self Directed Support encompasses many concepts and practices in social care including direct payments as well as individual budgets. It is also consistent with a range of other policy initiatives including social inclusion, participation and more recently co- production.

- 4.1.3.3 The Self Directed Support (Scotland) Bill is expected to conclude its parliamentary pathway in 2012. If the Bill is passed without any amendments it will impose a duty on all Local Authorities to offer four service delivery options as set out within the Bill. As a consequence of this the Social Work Department may be faced with providing more direct payments and individual budgets whilst deconstructing some longer term social care provision contracts which will result in additional financial pressure on the Social Work budget.
- 4.1.3.4 Child and Adult Protection legislation and procedures pose increasing challenges for local authorities and partners where public expectation, arguably rightly so, is high. The introduction of adult protection legislation including the most recent Adult Support and Protection (Scotland) Act 2007 can be viewed as most positive for Scotland's citizens however a possible effect of the implementation of the Act, depending on inter agency screening processes, is a significant increase in demand in this area creating a resource pressure where efficient and effective responses are crucial for the safety and wellbeing of those involved.
- 4.1.3.5 The Adults with Incapacity (Scotland) Act 2000 places significant responsibilities on care managers working with adults with a learning disability. The Local Authority will apply to appoint a Welfare Guardian where no-one else is willing or able to make an application. This will only be done when an individual lacks capacity and powers may be required in order to safeguard the individual's personal welfare, property or financial affairs. Qualified social workers may be required to act as guardian on behalf of the Director of Social Work or as a supervisor of a private Guardian, for example, a relative. At present the learning disability team are Guardian for 28 individuals and Guardianship Supervisor for 54. This demand continues to increase significantly.

#### 4.1.4 **Development of more person-centred approaches - what this means for adults with a Learning Disability**

- 4.1.4.1 Self-directed Support is an overarching term for a variety of approaches to give people in need of care services greater levels of control over how their support needs are met and this includes Direct Payments. The policy intention supports a modern means of delivering social care enabling individuals to take control of their lives and fulfil their role as citizens. It is for people who would like more flexibility, choice and control over their care so that they can live at home more independently.
- 4.1.4.2 Self-directed support is also a way for people to get the support they need to be part of their community and to stay fit and healthy. This can be individuals with a range of needs, including those with disabilities, older people, or people who are ill or dying.
- 4.1.4.3 Self-directed support means that people can choose how they get support and where they get it from. The Self Directed Support (Scotland) Bill sets out four options for self-directed support:
- Option 1 will mean that the person in need of support, following assessment, will have an identified individual budget for the provision of their support by the local authority made known to them.
  - Option 2 will mean that the person in need of support, following an assessment, will receive a direct payment from the local authority which will enable the person to arrange their own supports/services to meet their needs.
  - Option 3 will mean that the person in need, following an assessment, will have their support arranged and delivered by the local authority.
  - Option 4 will mean that the person in need, following an assessment, can have mixture of the above options in order to meet their assessed needs.

If people want to use self-directed support, they will need to go through the process of a community care assessment and this will identify how much support a person needs. As part of the assessment, the council will look at how much support the person can get from their family and which services they can use in their community.

#### 4.1.5 **Standards and Performance**

- 4.1.5.1 There continues to be advances in the regulatory framework that governs the workforce and the delivery of social services. The Scottish Social Services Council programme of registration is advancing to cover all aspects of service delivery. Individual registered services and the social work department are inspected by the Care Inspectorate; the Care Inspectorate was established by the Public Services Reform (Scotland) Act 2010 and incorporates the work previously undertaken by the former Care Commission and the Social Work Inspection Agency. The standards and code of conduct for the social service workforce provide the frames of reference against which services and employee and employer conduct are judged. The Council's duty of care in these respects extends beyond the services it provides itself to those it arranges on behalf of others and helps people facilitate for themselves. The Care Commission in 2010 reported that they were heartened that the majority of care service in Scotland were graded at least four out of six, although there is still room for substantial improvement (Making the Grade, Scottish Commission for the Regulation of Care, 2010).
- 4.1.5.2 A range of learning disability services delivered by both in-house and external providers are in operation across Dundee and these are registered by the Care Inspectorate. With the exception of some independent care home provision, gradings both internally and externally are very positive and consistent in respect of supports for adults with a learning disability. One independent care home which provides for 32 adults with a learning disability is due to close by March 2012 and it is envisaged that the alternative arrangements being made for residents will improve their quality of life and will be in line with national and local aspirations for our Dundee citizens who have a learning disability. An increasing number of 'excellent' gradings are being demonstrated and this is reflected in the confidence being expressed by service users and carers about the supports they receive.
- 4.1.5.3 Attached at Appendix 1 is the current draft of the Performance Outcomes Framework for Learning Disability Services. This details the proposed outcomes at a national level, how these are being developed at a local partnership level and also how they are being translated into personal outcomes for service users. Once confirmed, the outcomes of these will be reported periodically to this Committee and the Community Health Partnership.

#### 4.1.6 **Service/Organisational culture**

- 4.1.6.1 A range of care and support services are currently in operation for adults with a learning disability.
- 4.1.6.2 Approximately 100 people are supported within Care Homes both within and outwith Dundee. The closure of an independent care home and the reprovisioning of Dundee City Council's Elmgrove House will however reduce this number to approximately 70. 36 Care at Home/Housing Support services work with approximately 180 individuals living within their own tenancy or small group setting. A variety of day services are in operation as well as a supported employment and in college support service. Approximately 350 individuals are involved in these services.
- 4.1.6.3 There has been an increase in demand for accommodation with support, support in employment/ further education and for more flexible day and respite supports for individuals and carers. For example there are currently 34 individuals who have been assessed as requiring accommodation with support and 42 individuals waiting for employment opportunities. Demand mostly relates to school leavers with additional support needs and, in recent years, the additional number of young people requiring care and support has been approximately 20-25 per year. For the last 3 years an in college support service has been in operation. This is provided by a voluntary organisation within a contractual framework and has evidenced economies of scale in comparison with previous individual arrangements.

- 4.1.6.4 The rise in the number of individuals with complex health and social care needs has led to an increased need for joint complex needs assessments to be completed by professionals working in the integrated community team. It is expected that this demand will continue to increase and this will require effective workforce planning to ensure individuals receive timely responses from professionals who are suitably equipped to assess needs and deliver appropriate care and supports.
- 4.1.6.5 There has been a decrease in demand in relation to the provision of care home placements with the exception of a small number of placements being arranged for individuals with very challenging behaviour which may place themselves or others at risk. Some placements have been secured outwith Dundee due to a lack of appropriate provision within the city and it is felt this is an area for potential development between Dundee City Council and NHS Tayside.
- 4.1.6.6 There has been a change in the expectations of adults with a learning disability and their carers as to what are suitable supports to enable people to live fulfilling lives. This is consistently expressed through involvement processes and is best evidenced in work with young people leaving school. Ten years on from the publication of the Same as You Report, this increase in expectation can be viewed very positively in terms of citizens' rights to be included in society and progress which has been made in this respect for individuals with a learning disability.

## **4.2 Scope of the Service**

- 4.2.1 The scoping of services for people with a learning disability in Dundee has so far been a complex process involving a variety of contributors including service users, carers, the health and social care workforce, voluntary sector colleagues and a range of support services colleagues for example Welfare Rights, Personnel, Finance, Contracts, Trade Union representatives. The scale of information gathering and analysis in relation to current activity against eligibility criteria and unmet need/ projected demand has been significant.
- 4.2.2 Consideration has been given as to potential future developments based on demography, policy, financial resources and the expressed needs of Dundee citizens who have a learning disability and their carers.
- 4.2.3 As noted earlier in this report, significant investment is in place for adults with a learning disability in Dundee. The main challenge over the coming years will be to develop supports in line with national policy and increasing demand but within current financial resources given the present economic climate.
- 4.2.4 A single manager is accountable for learning disability services provided by the Social Work Department and Community Health Partnership. The service incorporates an assessment function which may be carried out by care managers, community learning disability nurses, allied health professionals and mental health officers, as well as the direct provision of care at home/ housing support services, day support services including day hospital, respite care and a supported employment service.
- 4.2.5 A large proportion of care and support for adults with a learning disability is provided externally by voluntary/ independent organisations on behalf of Dundee City Council. This includes the provision of care home placements, day supports, advocacy services and care at home/ housing support services. Approximately 50 contracts are in place with external providers and this results in the need for effective tendering and monitoring processes to be in place as well as accountable, frequent review processes for individuals and services.
- 4.2.6 The need for services and supports for adults with a learning disability to continue to develop and change within a complex environment is clear. The drivers for change can broadly be defined as an increase in demand and continuing policy development around greater personalisation; however, this requires to be managed within increasingly constrained resources. A staffing review of learning disability services provided internally by Dundee City Council had started to address these challenges prior to the wider scoping exercise being undertaken.

- 4.2.7 The scoping of learning disability services evidenced an improvement in partnership working in Dundee. As well as the management of the Social Work Department and Community Health Partnership teams being integrated, recent years have seen the development of a Learning Disability providers forum comprising both external and internal provider representatives. Joint training initiatives and more co-ordinated involvement in strategic planning have been beneficial to ongoing improvement. A multi-agency transition forum is well developed and has demonstrated more consistent input and outcomes for Dundee's young citizens who have additional support needs.
- 4.2.8 The scoping of current service provision has however highlighted some areas of inequity. This is largely due to historical arrangements being in place where the amount of provision for each individual does not always relate to their particular level of need or circumstances or to current eligibility criteria set for adult services. This was partly driven by the original source of funding of these arrangements where the availability of resources determined the shape of the service provided with Resource Transfer from Health and Supporting People funding in particular impacting on levels of service provision. In order to ensure resource allocation is targeted at individuals who have the greatest need and are more at risk further review of some care arrangements will be required and alternatives considered.
- 4.2.9 As part of the scoping, a range of costs were evidenced when considering similar models of care and support. There did not appear to be a direct link between cost and quality however this must be considered within the context of most services evidencing a good level of quality provision. Historically some services have been spot purchased. This came about as a consequence of a requirement to meet the needs of some individuals for whom there were no suitable alternative care arrangements and who were at significant risk at the time. Within this provision there are thought to be risks linked to no contractual framework being in place and it is planned that any services provided will move to a contractual framework to ensure quality and value for money. This will ensure compliance with Dundee City Council, Social Work Department's contractual framework. It is thought that the scale and range of provision in this area requires thorough and frequent review processes to be in place to ensure quality and efficiency. Following a recent staffing review the introduction of a more formal resource management function has started to address this and economies are being realised.
- 4.2.10 In relation to service user and carer views that supports should be more flexible, this reflects the analysis of current demand and provision. Some models of day support and all current respite support relies largely on traditional, building based rather than community based models. It is clear that this will require further development within existing financial resources to ensure appropriate supports are in place whether arranged by the local authority or through Self Directed Support. The changes in this area will require more detailed consideration.
- 4.2.11 Following the scoping of the service the following changes are proposed:-
- further integration of the community team regarding service user pathways for example single assessments, more joined up service delivery and reviewing processes. This will ensure best use of respective professionals' expertise, less duplication of effort and shared aims/ vision for delivery of supports;
  - develop a joint commissioning strategy involving Dundee City Council and NHS Tayside which will be integral to a new strategy for individuals with a learning disability in Dundee;
  - all supports which could come under a contractual framework but are not currently will be tendered for. This will contribute to a quality framework and greater equity in provision/ delivery of personalised outcomes;
  - decrease the amount of centre based, traditional day services based on individuals' needs assessments and consult on Self Directed Support leading to more personalised outcomes;
  - re-tender for enabler supports;

- develop the model of support for short breaks to increase personalisation and independence whilst enabling those with more significant needs to access more formal respite services;
- work with providers (internal and external) to develop more flexible contractual arrangements increasing opportunities for Self Directed Support;
- develop an integrated employment service in partnership with the Employment Unit;
- focus enabler supports externally in order to ensure those with more significant needs are supported whilst achieving greater consistency in delivery and value for money;
- use capacity in service to provide further care at home and housing support opportunities where options appraisals identify greater efficiencies can be achieved as an alternative to purchasing services externally;
- develop policies which support equity of access/ provision of service in order to ensure resource allocation is targeted at those with the greatest need;
- develop supports for people in relation to transport/access to promote independent travel;
- commission capacity building service with Local Area Co-ordination monies;
- review of all care packages and contracts in place leading to greater personalisation/ value for money/ efficiency; and
- develop a drop in service leading to supports which will be proactive for those with low level needs.

4.2.12 The changes which are being proposed are designed to ensure that supports for adults with a learning disability continue to develop in response to service user/ carer views, national policy, demography and a limited financial framework.

4.2.13 The proposed changes are designed to ensure greater flexibility and equity of provision and enable personalised services to develop more consistently within the learning disability area of responsibility.

4.2.14 Further integration of social care and health services will ensure the best use of available staffing resources and will enable managers to co-ordinate workforce planning within an aligned financial framework. This will mean greater overall flexibility in the recruitment, retention and continuous professional development of staff within an extremely diverse and complex area of work.

4.2.15 An analysis of the current workforce has been undertaken and further detailed planning will be required in relation to all planned developments to ensure a competent workforce is in place.

4.2.16 It is anticipated that the proposed changes will lead to better outcomes for people with a learning disability and their carers.

#### 4.3 **CONCLUSION**

4.3.1 This report outlines for members the background to the development of services for people with a learning disability in Dundee. Included in the report are details of how services for people with a learning disability have moved from medical hospital based services to community supports since the implementation of the SAY Report in 2001. The report details the increasing demand for social care and health services in the community and it also comments on the increasingly complex needs of those people who require care and support.

- 4.3.2 The report outlines the range of legislative duties and responsibilities that Dundee City Council and its partners have in respect of adults with a learning disability who may be at risk of harm and/or who do not have capacity. This is a complex area of work and is demonstrated by the number of individuals with a learning disability who require guardianship arrangements to be sought.
- 4.3.3 The report outlines the range of models of care and support which are currently delivered internally and are externally commissioned. Members are aware from other reports presented to Committee of the increasing demand for services at a time of severe economic constraint.
- 4.3.4 The challenge for Dundee City Council and partners at this time is to ensure that available resources are targeted at those most in need/at risk. Additionally the Council requires to ensure that future models of care and support deliver greater personalisation, increased flexibility of care and support and promote equity in access to/delivery of care and support.
- 4.3.5 In order for the Council and its partners to ensure it meets its statutory obligations within the context of increasing demand and complexity of need and at a time of financial constraint, current models of care and support need to be reviewed and future alternative models developed.
- 4.3.6 The learning disability service, over a number of years, has demonstrated effective engagement with and involvement of service users and carers in respect of planning and delivery of services. The proposals in this report are consistent with the views expressed by service users and carers regarding future supports for adults with a learning disability.
- 4.3.7 As outlined in the report, there is a clear business case for change in how care and support arrangements for adults with a learning disability in Dundee are delivered.

## **5.0 POLICY IMPLICATIONS**

- 5.1 This report has been screened for any policy implications in respect of Sustainability, Strategic Environmental Assessment, Anti-Poverty, Equality Impact Assessment and Risk Management. There are no major issues.
- 5.2 An Equality Impact Assessment has been carried out and will be made available on the Council website <http://www.dundee.gov.uk/equanddiv/equimpact/>.

## **6.0 CONSULTATIONS**

- 6.1 The Chief Executive, Depute Chief Executive (Support Services) and the Director of Finance have been consulted in preparation of this report.

## **7.0 BACKGROUND PAPERS**

- 7.1 Equality and Diversity Rapid Impact Assessment.

