



CABINET

Subject Heading:

Approval to implement a new Day Services policy which launches a day service model that has 3 pathways which supports both the "Choice" agenda and increased support within the community.

Cabinet Member:

Councillor Gillian Ford, Cabinet Member for Health and Adult Care Services

SLT Lead:

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Policy context:

The Adult Social Care and Support Planning Policy states that Havering's vision is:

"Supporting excellent outcomes for the people of Havering by helping communities to help themselves and targeting resources and interventions to encourage independence".

Financial summary:

There are no financial implications of this change. All current direct payments for social inclusion will continue and all direct day services for specialist day services will continue.

Is this a Key Decision?

Significant effect on two or more Wards

When should this matter be reviewed?

19/04/2024

Reviewing OSC:

People



Havering

LONDON BOROUGH

The subject matter of this report deals with the following Council Objectives

People - Things that matter for residents

X

Place - A great place to live, work and enjoy

Resources - A well run Council that delivers for People and Place.

SUMMARY

To approve the implementation of a new Day Services policy which launches a day service model that has 3 pathways which supports both the “Choice” agenda and increased support within the community.

- (a) Specialist Day Services purchased by the Local Authority as a direct service for adults with profound and multiple learning, physical and sensory disabilities and high level physical needs (including personal care needs).
- (b) Supported Day Services purchased by the service user from their direct payment support package to meet their eligible social inclusion needs for adults with low, medium or high learning, physical and sensory disabilities.
- (c) Self-Supporting Community Activity which requires no support package for adults with low learning, physical and sensory disabilities.

RECOMMENDATIONS

To approve the Day Services Policy attached at Appendix A.

REPORT DETAIL

Proposal

A new Day Services policy which launches a day service model that has 3 pathways which supports both the “Choice” agenda and increased support within the community.

Description

Day services are an additional option for the council in meeting its obligations under the Care Act (2014) for eligible Adult Social Service Users.

Current Situation

Havering currently provides day services for people with physical and learning disabilities aged 18 and over through Direct Payments and directly commissioned services. There is a need to review the provision within the private sector and to seek to control the costs incurred by Havering.

There are a number of concerns about the current adult day service model which need to be addressed.

- The private providers of day care have been increasing fees and charges on an ad hoc and irregular basis
- The CLDT have an increase in the number of unscheduled reviews being requested. When the provider increases the cost of the day service, the service user and / or their advocates contact the direct payments team to get their adult support plans reviewed, in order to cover the additional cost. This has put heavy pressure on the

CLDT as they do not have the capacity to undertake the large number of unscheduled reviews caused by providers increasing their costs.

- The current fees for use of a day service is equivalent to the pay for a Personal Assistant (PA) for the equivalent amount of time. Up to 15 people can attend a Day service at a time and do not actually receive 1-2-1 support. This raises the question as to whether the service people are paying for is good value for money and if the rate paid for social inclusion should therefore differ from that paid to a PA as the level of support provided is different.
- There is an inconsistency in the day services available as they are not CQC registered and are not monitored for quality standards. This leads us to question whether they offer good value for money and whether they are fully meeting all of the needs of the people accessing them.

Current issues

- Providers are controlling of the market and increasing costs with no market management from the Local Authority.
- There is not a consistent approach regarding what Havering's offer is to service users for day service's regarding funding and transport, as there is no day service policy or quality standards currently in place.
- Service users are reporting changing needs and wanting more flexibility in their day service attendance which needs to be taken into account, in order for them to obtain meaningful social inclusion skills.
- Strength Based is the approach Social Work are taking to develop their intervention plans with service users, but the day service model does not currently align with this approach as there is no clear guidance.

Current Costs

Type	Service users	Current Annual Cost
Direct Payments for Social Inclusion	287	£2,887,865.06
Direct Services for Day Services	127	£2,037,554.92
TOTAL	414	£4,925,419.98

Actions Needed

- To review the quality of provision within the private sector.
- Use external consultation with service users to support providers to develop a sustainable model appropriate to current needs of this service user group.
- Need to understand the lived experience of COVID and service user needs for social inclusion going forward.
- To seek to obtain standardisation of costs and increased transparency from providers regarding their charges to LBH.
- To seek assurances that costs are consistent for both directly commissioned and direct payment purchases.
- To seek to define a standardised offer relating to day services provision.
- To ensure greater efficiency relating to the purchasing of day services provision.

Review Process

The purpose of the review was to ensure that we have a sustainable day service market that is relevant to our community's needs. In addition, the review provided greater clarity on what is purchased and provided in relation to the offer for people with LD, PSD and Older People regarding day time activities and direct payment spend.

It was important to understand what we were spending on day services through direct payments and directly commissioned payments. Therefore the data from all service users who were receiving a direct payment for a day service was reviewed.

It is evident from this review that direct payments are calculated based on the cost of the day service the service user wishes to attend and not on a service user's social inclusion need as defined by the social work assessment of need.

Proposal

The proposed day service model has 3 pathways which supports both the "Choice" agenda and increased support within the community;

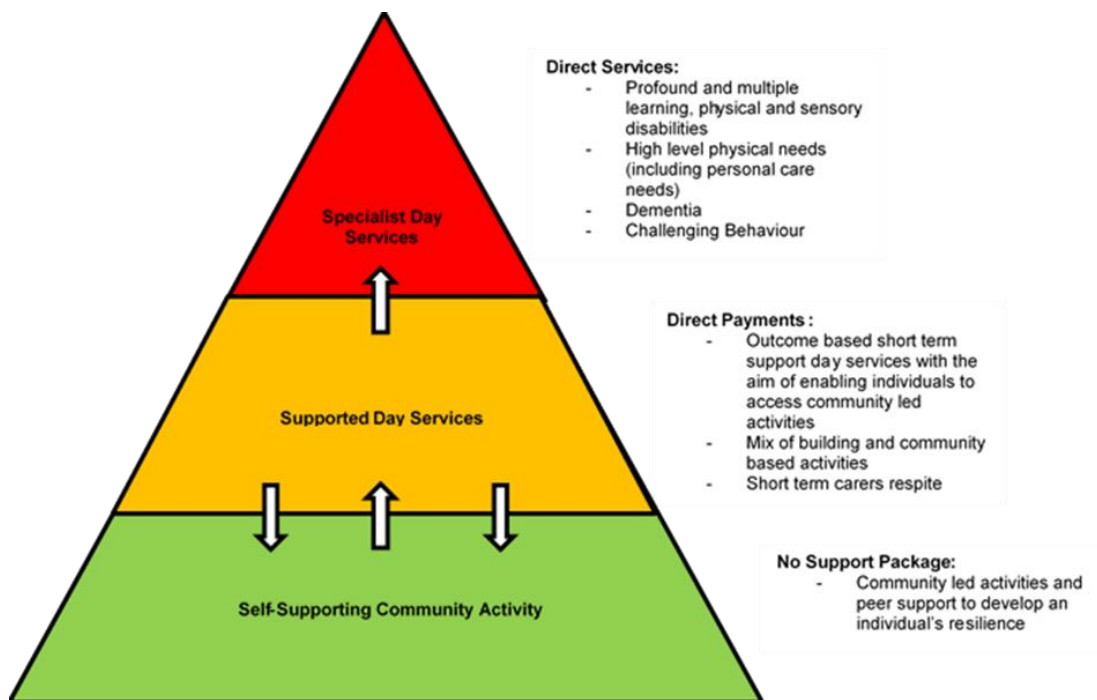
- Specialist Day Services purchased by the Local Authority as a direct service for adults with profound and multiple learning, physical and sensory disabilities and high level physical needs (including personal care needs).
- Supported Day Services purchased by the service user from their direct payment support package to meet their eligible social inclusion needs for adults with low, medium or high learning, physical and sensory disabilities.
- Self-Supporting Community Activity which requires no support package for adults with low learning, physical and sensory disabilities.

Adults with profound and multiple learning, physical and sensory disabilities and high level physical needs (including personal care needs).

- Service users will have their social inclusion needs assessed by a social worker as part of a strength based assessment.
- The Social worker will agree with the Service Users that needs can be best met by attending a day service that offers specialist services that is commissioned by the borough on a spot/contract basis. If the service user requests a direct payment and is eligible then this will be provided.
- Service Users will be offered a choice from a menu of specialist day services to choose from to meet their social inclusion need as well as their physical and cognition needs.

Adults with low, medium or high learning, physical and sensory disabilities:

- Service Users will have their social inclusion needs assessed by a social worker as part of a strength based assessment.
- The social worker will agree with the service user the number of hours required a week to meet their social inclusion need.
- The social worker will then calculate the personal budget amount by multiplying the number of hours to meet the Service User's need with the hourly social inclusion rate.
- The Service User will then be able to use their direct payment to purchase services in the community to meet their need.



Specialist Day Services

- For adults with profound and multiple learning, physical and sensory disabilities and high level physical needs (including personal care needs).
- Purchased by the local authority on behalf of the service user via a direct service.
- Where the service user is eligible they may also be provided with direct payments to purchase their own specialist services.
- As commissioners we recognise that there are individuals who require specialist support above and beyond what can easily be provided by communities and supported day services. As a local authority we have a duty of care to ensure that these individuals have access to purposeful activity in a safe environment.
- The aim of these services is to promote and support service user's wellbeing, goals and aspirations in every day community life with the view of sustaining choice, control and independence.
- The day services will support service users to improve or maintain their current level of independence whilst maintaining social friendships, peer group support and social networks.
- It is our intention to commission services that are more responsive to individual needs.
- It is anticipated that at this level of need the services are more likely to be building based. These buildings must be accessible to the local community and wherever possible be used by other groups of people, and fully adapted for disabled access.

Supported Day Services

- For adults with low, medium or high learning, physical and sensory disabilities.
- Purchased by the service user from their direct payment support package to meet their eligible social inclusion needs.
- As commissioners we will encourage communities, and as required, commission outcomes that are specifically designed to enable individuals to access support within their communities to develop/maintain/regain skills of independence. Focusing

on enablement to develop people's capabilities to do things for themselves and become more independent.

- The aim of these services is to support service users to access and autonomously move into mainstream social, leisure, educational activities, employment and other opportunities in the wider community.
- The day services will support service users to develop their individual strengths and build a local network.
- For working aged adults, we want day services to focus on developing skills for employment and independence through progression and enablement wherever possible.
- For older people, we want to ensure that day services focus on maintaining/regaining skills of independence, whilst ensuring that those without reablement capability still have access to purposeful activity in a safe environment.
- For carers, we want to ensure that their needs as carers are recognised and that day services provide purposeful activity for service users.
- It is our intention to encourage individuals to make their own choice on how best to meet their assessed needs through higher uptake of personal budgets for both service users and carers which will allow more flexibility in how service users meet their own needs
- It is likely that these services will focus on group activities because of the number of people using the services and the staff required to support them, however they must be flexible enough to achieve person-centred activities.

Self-Supporting Community Activity

- For adults with low learning, physical and sensory disabilities.
- No support package required.
- As commissioners we will encourage communities to develop a wide range of activities accessible to all that empower individuals to develop support networks and engage in community activity.
- We will look to community groups and social care providers to offer opportunities that help to prevent social isolation; provide support to carers; offer volunteering roles; support the development and sharing of skills and knowledge; provide peer led solutions to meet individual needs.
- The aim of these services is to support small groups of people to access and autonomously move into mainstream social, leisure, educational activities, employment and other opportunities in the wider community.
- Support from these services will reduce over time as the service user's individual strengths are developed, their local networks built and the groups are able to take initiative and provide peer support to one another.
- It is expected that these services will be provided by the voluntary and community sector at no or minimal cost to service users.

Outcomes

- Day services can help people socialise, stay well, stay active and retain or build helpful links with their local community.
- Day services can reduce social isolation, through supporting people to access the community and by developing their social networks. Leading a well-connected life has a significant positive impact on a person's health and life expectancy.

- Day service provisions can support people to develop their aspirations around employment. This is particularly important for those adults with learning disabilities who may have grown-up during a period where expectations of people with learning disabilities were far lower than they are today.
- For individuals who do not aspire to employment or believe that this is not a realistic goal for them, day services may raise their aspirations, developing their skills and giving them opportunities to meet with peers already in employment and providing them with further information and advice.
- For people with learning disabilities, living with ageing carers or young adults ready to move on from the family home, Day Service provision will enable them to develop their resilience and lead to a smooth transition from the family home, enabling them to have more choice and avoiding them unnecessarily escalating to higher dependency services.
- By providing people with the skills to develop their independence, supporting people to develop their local social and support networks to maintain and improve their physical and mental wellbeing, day service provisions can reduce the need for on-going or increased social care support.
- For people with more complex needs day services can support them to remain in the community and avoid them escalating to acute services (e.g. Hospital).
- Carers will benefit from individuals taking part in day services and developing their independence and social networks, as this will enable them to have more time to lead a fulfilling life outside their caring role.
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The following actions will need to be taken in order to make the changes:

- The communications produced and sent out need to be amended to explain the transition to an hours based social inclusion payment.
- Communicate the changes to all key stakeholders.
- Work with Strength Based Project and ASC staff training to review the social work team training and implement the system and increase SW knowledge regarding preventative community and commissioned services as part of the Strength Based assessment process.

REASONS AND OPTIONS

Reasons for the decision:

These are set out in the main report.

Other options considered:

Option 1 - Do nothing, continue with the current day service model

This option has been rejected because all of the issues set out in the Report would continue.

Option 2 - Block Contract and Commission Day Services across four bandings.

Day services would be block contracted in 4 bandings based on service users' needs and activities offered and a menu of days services would be created for service users to choose from. There will be a minimum of two day services on the menu in each banding in addition to the two internal day services run by the council. The day services included in the menu will have set cost rates per banding and service users will be able to attend for a maximum of 6 hours per day, 5 days a week and 48 weeks a year and all rates will have transport included. Service users will be assigned one of four bandings for social inclusion as part of their social worker assessment which will be based on their needs. Once assessed service users will be able to choose to attend one or a combination of the commissioned day services on the menu. Alternatively service users can choose to receive a direct payment for social inclusion which they can spend on something that they believe will meet their social inclusion needs in line with the guidelines, however any additional costs incurred will need to be met by the service user. If service users choose to not attend a preferred day service, they can use the direct payment for an alternative day service or any other means allowable instead but any additional costs would need to be met by the service user.

This option has been rejected as if we commission the services we will be committing the contract spend to the commissioned provider, therefore the funds will not be available to give as a direct payments.

Option 3 - Social Inclusion banding based on service user needs.

Social inclusion banding to be based on service user need as part of the Strength Based social work assessment. Set cost rates to be applied per banding with a maximum of 6 hours per day and 48 weeks a year. Additional rates can be applied for 1-2-1 and transport. Both directly commissioned and DP-funded service users would be banded in the same way based on social inclusion needs. Service users will be assigned one of four bandings for social inclusion as part of their social worker assessment. Once assessed service users will then be assigned social inclusion payments based on the correct banding for their needs. Additional 1-2-1 rates should be assessed on an individual service user basis and be based on need and circumstance. Band 4 service users will generally need additional 1-2-1 rates to be applied due to the complex nature of service user needs in this banding. However additional 1-2-1 rates can be applied to Bands 1, 2 & 3 if following an assessment service user needs require it. Transport rates should be assessed on an individual service user basis and be based on need and circumstance. It should be assessed if service user has an eligible need for transport. Consideration should then be given to the most appropriate way to meet this need. Some Day Services offer transport as part of their daily cost. This will need to be checked before applying an additional cost for transport.

This option has been rejected as this could trigger a number of reviews to be undertaken for people who are on the cusp of either banding rate and social work would not have capacity to complete this additional work.

Option 4 - Day Service banding based on support/activities provided.

Day service allocated banding based on support/activities provided. Associated set cost rates applied per band with option of setting maximum hours per day/weeks per year and inclusive/exclusive of transport rates.

Both direct commissioned and DP-funded providers could be categorised into 3 main types and hourly rates could be linked to the current DP rate for set daily hours.

- Band 1 – Education/Employment Training with light touch supervision.
- Band 2 – LD Day services with mid-level support.
- Band 3 – PMLD/LD Day services with high-level support

This option has been rejected as providers may not be happy with the banding proposed for their day service and may put pressure on families to contact local MPs to complain.

IMPLICATIONS AND RISKS

Financial implications and risks:

Day Services are an additional option for the council in meeting its obligations under the Care Act (2014) for eligible Adult Social service users. It also supports both the “Choice” agenda and increased support within the community.

A large number of adults each year attend day services as part of a support package to meet their eligible social inclusion needs. A day service is generally a service that is provided outside of the home, it can be building based, or can offer a wider range of activities within community based settings.

We want to see a much wider and flexible range of services available to meet individual needs and to reduce the need for Havering to take an active role in managing placements into day services. This can be achieved through increasing uptake of personal budgets for both service users and carers.

This will allow the market to develop services that are more person centred to meet individual outcomes, as more bespoke service providers are finding it difficult to identify new service users into their services.

It is important for users of services to be safe but equally this needs to be balanced with the need for people to take responsibility for themselves. The focus should be on what people can do – and could learn to do.

The implementation of this approach would not result in the council or any service users being negatively impacted as all current direct payments for social inclusion will continue and all direct day services for specialist day services will continue.

This approach will provide clear guidance and ultimately will give the council greater control of the day service market. If we did not take this approach the providers would continue to control the market and we would have

Legal implications and risks:

The Local Authority has a duty to provide care and support to those individuals assessed as needing this pursuant to assessments under Part 1 Care Act 2014.

There is also a duty to arrange for direct payments to eligible service users under ss31-33 Care Act.

The proposals in this Report are in line with these duties and therefore there appear to be no legal implications in approving these recommendations.

Human Resources implications and risks:

None

Equalities implications and risks:

Havering has a diverse community made up of many different groups and individuals. The council values diversity and believes it essential to understand and include the different contributions, perspectives and experience that people from different backgrounds bring. The Public Sector Equality Duty (PSED) under section 149 of the Equality Act 2010 requires the council, when exercising its functions, to have due regard to:

- I. the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
- II. the need to advance equality of opportunity between persons who share protected characteristics and those who do not, and;

- III. Foster good relations between those who have protected characteristics and those who do not.

Note: 'protected characteristics' are: age, gender, race and disability, sexual orientation, marriage and civil partnerships, religion or belief, pregnancy and maternity and gender reassignment.

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

It is important to the council to ensure that direct payments for social inclusion are relevant to our community's needs.

Health and Wellbeing implications and Risks:

The council demonstrates its commitment to the Equality Act in its decision-making processes, the provision, procurement and commissioning of its services, and employment practices concerning its workforce. In addition, the council is also committed to improving the quality of life and wellbeing of all Havering residents in respect of socio-economics and health determinants.

It is important to the council to ensure that direct payments for social inclusion are relevant to our community's needs and the new day service policy ensures that there is a clearly defined offer that is based on a service user's needs.

Environmental and Climate Change Implications and Risks:

None

APPENDICES

Appendix A – Day Service Policy

BACKGROUND PAPERS

- Service User Survey
- Strength Based Approach Workbook