

MAYOR AND CABINET			
Report Title	Remodelling Lewisham Council's Day Service Offer and Associated Transport including Evening Club Provision		
Key Decision	Yes	Item No.	
Ward	All		
Contributors	Executive Director for Community Services		
Class	Part 1	Date:	11 February 2015

1. SUMMARY

- 1.1. This report sets out proposals as to how day services and related transport could be remodelled to deliver the £1.3m of savings that was previously considered by Mayor and Cabinet on 12th November 2014. It includes a number of options and associated recommendations which Mayor and Cabinet are requested to agree for consultation. The recommendations reflect the current focus of Adult Social Care services on delivering the national and local strategic agendas of personalisation and community inclusion.
- 1.2. The report recommends a change to the configuration of the in-house day service provision as follows: the consolidation of the Council directly managed transport offer to specific groups of people with complex needs; the consolidation of the general older adults day service offer to other providers; and a wide spread application of personal budgets, through direct payments, to all other people currently using the service with the exception of a group of people with a learning disability whose needs can be met by a to be commissioned drop in service. The paper also includes a recommendation to reduce the Council's transport service Door2Door by: offering direct payments to cover the cost of transport to day services to most adults with a learning disability; and stopping financial support for transport to evening clubs.
- 1.3. As part of this reconfiguration, the report recommends that the four existing day centres used for the in-house provision (Ladywell, Leemore, Naborhood and Mulberry) be retained and their function expanded for use as community hubs for three, with the fourth being retained as a 'disability specific' centre. This option is being considered alongside a parallel set of proposals being managed by the Culture and Community Development Team in its review of grant aided organisations and.
- 1.4. Most of the recommendations represent significant change to the current model of service and therefore a formal consultation with service users is required for all but the transport to evening clubs. After formal service

users consultation further recommendations will be brought back to Mayor and Cabinet in June 2015. Healthier Communities Select Committee at its meeting on 14th January 2015 asked officers to work with Lewisham Mencap to explore the possibility of alternatives for transport to the evening clubs.

- 1.5. In addition to implications for service users and their families, the recommendations also have implications for staff employed by the Council. Should the recommendations brought back to Mayor and Cabinet be approved then a further formal 28 day consultation with council employed staff in the day service and the transport service may be required. The report also sets out an outline consultation timeline which reflects both consultations.
- 1.6. These proposals, should they be agreed, will deliver part year savings in 2015/16 with the remainder being realised for the beginning of 2016/17.

2. RECOMMENDATIONS

- 2.1. Mayor and Cabinet are asked to agree that officers may proceed to a formal three month consultation with service users and their families on the following proposals for the future modelling for day services and transport, and their associated savings as follows:
- 2.2. That the Intensive Support (ISR) service for people with profound learning disabilities and complex needs currently at Leemore to move to the Ladywell Centre.
- 2.3. That a drop in service be commissioned for those adults with a learning disability who need only 'light touch' support.
- 2.4. That the Council's directly provided day service offer be consolidated and the Council be the direct service providers only for those people with the most complex needs, specifically the specialist Dementia Service, the Challenging Needs Service (CNS) and the Intensive Support Service (ISR). Additionally, that the in-house service retains management of its sheltered employment schemes.
- 2.5. That the older adults service users (i.e. the non-Dementia service) offer be consolidated with the existing providers of older adult day services in the borough; Housing 21 at Cinnamon Court, Cedar Court and Hestia at the Calabash Centre.
- 2.6. That all other service users, primarily adults with a learning disability and adults with physical disability/ long term conditions be allocated a personal budget/ direct payment and supported to plan their own service using those budgets either individually or through pooling the budgets with others.

- 2.7. That the Ladywell Centre be identified as the core complex needs centre for adults with disabilities and be recognised as the main office base for the in-house provision.
- 2.8. That the buildings known as Mulberry, Leemore and Naborhood remain open but are developed as community hubs rather than specific day centres. The buildings will thus become multi use centres for service delivery with an established presence for disability services, but will also be used by third sector providers who help deliver the Council's community inclusion and neighbourhood agendas. This proposal will be developed in partnership with the Culture and Community Development Team's as part of the review of grant aided organisations and assets.
- 2.9. That the buildings are considered as part of the Community Services Asset portfolio and thus rental and running costs are not recovered as income but agreed to be offset by savings or capital receipts currently related to other assets which can be rationalised.
- 2.10. That the use of in-house Door2Door transport be reviewed, with some routes for the most complex service users being retained, but otherwise, where an individual meets the eligibility threshold for Council funded transport, they are offered a direct payment to arrange their own transport separately or with others.
- 2.11. That the discretionary transport service to the evening clubs be withdrawn, with some discretionary transitional support put in place where there may be significant detriment for current passengers who live on their own or at home with their families. Officers to work with Lewisham Mencap as well as affected users and their families to explore alternatives.
- 2.12. The change to transport arrangements for the evening clubs does not require formal consultation as these are not commissioned services and people are not referred to them as part of their care plan. However, officers will as a matter of good practice consult with affected users, their families and Lewisham Mencap as a separate process within the same timescale.
- 2.13. Prior to agreement to consult, Mayor & Cabinet are asked to note that officers will have held a number of briefing and information sessions on the proposals with affected service users and their families to ensure that the proposals are clear and to begin a Frequently Asked Questions sheet to ensure further clarity through the formal consultation process.

3. POLICY CONTEXT

- 3.1. The function of Adult Social Care is to ensure that vulnerable adults receive services appropriate to their needs within the framework of statutory duties and agreed policies. For adults, this is determined through the completion of an assessment in accordance with section 47, of the

NHS and Community Care Act (1990), now replaced by the Care Act 2014, followed by the application of the appropriate eligibility criteria and service decisions.

- 3.2. There have been a number of government documents which set out the pathway of 'Personalisation' as a way of meeting those needs so that eligible service users have both greater flexibility about the service they receive and greater control over how they are delivered (for example: 'Putting People First' (2007); 'Transforming Social Care' [LAC (DH) 2008]; 'Caring for Our Future: reforming care and support' (2012)). These policy and guidance documents have promoted the provision of Direct Payments whereby eligible adults are given an assessed sum as cash to purchase their own service and the local authority's role, rather than being one of a direct provider of services, becomes one more focused on market development and shaping.
- 3.3. The Care Act 2014 (The Act) is the most substantial piece of legislation relating to adult social care to be implemented since 1948. It has taken previous legislation, common law decisions and other good practice guidance and consolidated them. The Care Act places a wide emphasis on prevention, the provision of advice and information, changes to eligibility, funding reform and market shaping and commissioning. This final aspect of the Act also emphasises the use of personal budgets and direct payments; and requires the Council to promote appropriate service supply across the provider market and assure quality and diversity to support the welfare of adults in the community. It also requires the Council to engage with providers and local communities when redesigning services and planning for the future.
- 3.4. The final report of the Local Government Association's Adult Social Care Efficiency (ASCE) Programme published in July 2014, sets out a number of initiatives that Councils across the country have put in place to deliver services that will meet the requirements of the Care Act in the current financial climate. It sets out advice on how to agree a new contract with citizens and communities, managing demand, transforming services, improving commissioning and developing more integrated services.
- 3.5. The Programme report's 'big lessons' mirror what Lewisham is already undertaking in order to develop services which consider workforce optimisation, cultural change and creative approaches to delivering care and support while managing demand. The ASCE report offers a specific focus on managing demand and utilising community offers to help deliver personalisation, prevention and early intervention; improving commissioning using outcome-based approaches which maximise independence; and integrating services putting people at the centre of care and support.
- 3.6. The recommendations set out in this report to Mayor and Cabinet seek to make further progress in the delivery of the Council's Sustainable

Communities Strategy priorities of 'empowered and responsible' and 'healthy, active and enjoyable'.

4. BACKGROUND

Social care modernisation

- 4.1. Adult Social Care has been delivering a programme of modernising its local day service offer in line with the principles of choice and control by promoting the use of personalised budgets and direct payments. This programme has included looking at ways of supporting Third Sector partners in developing alternative day services and activities which promote the delivery of day services in a general community setting. The principles of day service modernisation promote people as valued and active citizens, encouraging independence and, particularly for working aged adults, support employment.
- 4.2. As the social care Resource Allocation System (RAS) is rolled out, there is increasing scope for more personalised service responses. There has been an increase in the number of direct payments and personal budgets in Lewisham, reflected in an uptake in the use of personal assistants who support the person to directly choose their own activities and create their own routines and rhythms to the day. The day service modernisation programme has also included efficiency on its list of outcomes and has looked to support the savings programme.
- 4.3. This work has already identified a clear reduction in the demand for services directly managed by the Council. The roll out of the social care RAS will reduce this demand still further and it is therefore timely for the Council to review its role in direct provision of day care for adults.
- 4.4. The Council has been working with partners to develop more local, and sometimes neighbourhood specific, opportunities in anticipation of legislative requirements, in particular the Care Act, which has begun the process of reshaping what is available to people as day activities. This has been achieved particularly through the 'Communities that Care' and Faith Grants programmes, which are now providing a wide range of alternatives within Lewisham. These developments are also helping people to remain actively known within their community. Alongside the direct service procurement activity, there is now a much wider range of choice than there was four years ago. These developments are discussed in paragraphs 4.20 to 4.23 below.
- 4.5. In recognition of this shift, the Community Services Directorate has been repositioning itself into a role more focussed on quality assurance so that provision for its most vulnerable citizens continues to meet their needs in a way that is both competent and skilled, such as developing a 'quick to view' quality assurance dash board.

- 4.6. The next step in the day service delivery programme is to strategically support the pooling of direct payments which will require the Council to take a more active role in supporting people to design and commission their own service provision. To help deliver this adult social care has developed the new role of Support Planners who will work with individuals and small groups to creatively think about how they want to spend their allocated financial resource.
- 4.7. The proposals set out in this paper were considered at Healthier Communities Select Committee at its meeting of 14th January 2015. A member of the public was also invited to address the Committee on these proposals set out in the version of then paper presented to that Committee. This version of the paper has been amended to reflect the Healthier Communities Select Committee comments on the proposals.

Current service provision

- 4.8. The Council directly funds and/ or manages building based day services to a total of 359 adults a week (for 1,022 days). 199 people are older adults (438 days) and 160 younger adults (584 days). 128 of the younger adults have a learning disability and 32 are adults with a complex physical disability and/ or other long term conditions. These services are delivered in seven day centres across borough, four of which are directly managed by the Council and three by the third sector organisations. A breakdown of attendance by each group at each centre is set out in tables 1 and 2 below.
- 4.9. In addition to these 359 Lewisham clients, the in-house service also supports 4 people with learning disability who are funded by neighbouring boroughs. All but one of these people were originally Lewisham residents whose families then moved to neighbouring boroughs.
- 4.10. Three of the Council managed centres are currently nominated as learning disability specific day centres: the Mulberry Centre in New Cross, the Leemore Centre in Lewisham and the Naborhood Centre in Sydenham. There are specific bespoke services for people whose behaviour is challenging at the Mulberry Centre (the CNS Service), and for people with a profound learning disability and complex physical support needs (the ISR service) at the Leemore Centre. The fourth centre, the Ladywell Centre, is currently nominated as a centre for older adults and people with physical disabilities. The specialist Dementia day service, which was recently extended, is located there.
- 4.11. The Council also purchases building based day services for older adults at Cedar Court and Cinnamon Court managed by Housing 21. In addition building based day services for older adults are also funded at the Calabash Centre managed by Hestia Support and Care.

Centre	5 days	4 days	3 days	2 days	1 day	Total days	Total users
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Ladywell long term conditions	6	2	6	9	4	78	27
Mulberry General	8	9	7	5	5	112	34
Mulberry CNS	15	0	1	2	0	82	18
Naborhood	16	1	5	2	1	105	25
Leemore General	16	6	8	6	1	141	37
Leemore ISR	6	3	2	0	0	48	11
Cinnamon Court	0	0	2	0	0	6	2
Cedar Court	0	0	0	2	1	5	3
Calabash	0	0	1	2	0	7	3

Table 1 – Day Services Usage - Under 65

Centre	5 days	4 days	3 days	2 days	1 day	Total days	Total users
Ladywell dementia	5	0	13	12	8	96	38
Ladywell Older adults	0	0	6	18	9	63	33
Mulberry General	0	0	1	0	0	3	1
Naborhood	0	1	0	0	0	1	4
Leemore General	1	0	0	0	0	5	1
Cinnamon Court	2	0	6	14	10	66	32
Cedar Court	2	0	3	22	14	92	46
Calabash	5	3	8	19	6	112	44

Table 2 – Day Services Usage - over 65

4.12. The current cost of the service totals £4,954,100 with an associated transport cost of £2,443,268. A breakdown of the Day Service figures is given in table 3 below.

Day Centre	Budget
Ladywell Day Centre	£510,500.00
Ladywell Dementia Services	£234,900.00
Leemore Day Centre	£453,700.00
Mulberry Day Centre	£414,000.00

Naborhood Day Centre	£355,700.00
Day Opportunities Business Support	£198,800.00
Lifestyles Admin	£46,600.00
Lifestyle Intensive Support Resource	£402,000.00
Lifestyles Challenging Needs Service	£790,100.00
All Change Project	£15,100.00
Calabash Day Centre	£309,400.00
Cedar Court	£304,300.00
Cinnamon Court	£189,300.00
Mental Health COS Teams	£729,700.00
Total	£4,954,100.00
Day Centre Transport	Budget
Shared D2D routes	£1,331,700
Social Care D2D routes	£1,026,600
Evening Club	£85,000
Total	£2,443,300

Table 3 – Day service and Transport budget breakdown

4.13. There is also an associated income from charges for individual service users or the payment made by other boroughs for clients placed in the in-house service.

4.14. The staffing structure across the Day Service is detailed in table 4 below.

Post Title	Number of Posts	FTE
Service Manager	1	1
Day Service Managers	4	4
Team Leader	1	1
Business Support Team Leader	1	1
Business Support	5	4.6
Day Service Coordinators	7	7
Day Services Officer	41	37.7
Day Service Support Worker	34	34
Activity Specialist	1	0.2
Caretaker	2	1.1
Kitchen Assistant	1	0.8
Day Service Support Worker apprentices	2	2
Total	99	92.1

Table 4 – Day Services staffing

4.15. There have been changes in referral patterns to all centres over the past 5 years, with a noticeable downward trend in numbers due to an increase in people using Direct Payments and Personal Budgets to purchase their own support. Analysis of how Direct Payments and Personal Budgets are used is challenging due to their flexible nature. People can buy services and change them as they want in order to meet

their identified needs. Evidence from Public Health and Joint Commissioning audits suggest that there are increases in the numbers of people accessing health and leisure centres; and increased enrolment in community education, why can represent proxy measures.

- 4.16. There is a significantly reduced referral rate for people with a physical disability/ long term conditions to the Ladywell Centre. This reflects societal shifts in expectations and assumptions about people with physical disability, particularly expectations regarding independence, competence and employability. Developments in IT and assistive technology have also supported people with a disability to be more self-determining.
- 4.17. A community focussed approach, and the development of alternative opportunities has also reduced the number of older adults requiring building based day services generally. This has impacted on both the Council's provision and also that of other commissioned services.
- 4.18. The Council also funds 24 hour supported living and residential care services in borough adults with a learning disability. Currently there are 231 people who live in Supported Living, 184 in 24 hour supported accommodation, 23 in residential care and 34 who receive non-24 hour supported living. In 2011 the Council worked in partnership with those providers to develop alternative ways of meeting the need for structured day activities for those people. This has also resulted in a significant decrease in the use of day centres.
- 4.19. Also affecting day service numbers in the borough is the fact that many young people with learning disabilities who attend out of borough schools tend to remain out of the borough once their education is completed. This means that fewer young people transition from Children's services to Lewisham based Social Care though they live with their families in the borough. Those young people who are eligible for funded care when they transition to adult services have different expectations and preferences from the generally older day centre population who make up the majority of the direct service users. They are more likely to seek out a different kind of offer with other providers, particularly those more clearly and directly related to employment and education.
- 4.20. The day centre buildings are now, and unless there is a shift in approach, will continue to be significantly underused.
- 4.21. The Council's grants programme particularly the 'communities that care' category has provided seed corn funding for specific community based offers such as:
 - 'Meet me at the Albany' for older adults,
 - Time Banking which has significantly promoted volunteering among adults with a learning disability who use or who might otherwise have used day services,

- ‘Community Connections’ which among other developments, has supported 413 people, 55% of them referred from adult social care, to get connected to their local communities,
- Heart’n’Soul’s weekly ‘Allsorts’ programme which around 50 Lewisham Citizens with a learning disability attend.

- 4.22. Procurement of learning disability day services has particularly focussed on delivering employment as an outcome (for example Nexus ‘The M’Eating Place’ cafe and ‘Clickstart’ projects, PLUS’s ‘Cup Cakes’ café, and Aurora’s office cleaning social enterprise). Additionally, local learning disability providers have developed a wide range of other employment and leisure opportunities including horticulture projects, service industry skills, arts and crafts, and IT related skills as part of their 24 hour services.
- 4.23. Procurement for older adult day services has also reflected a reduction in demand for building based services for this group. The contract with Housing 21 for day services in its provision at Cedar Court and Cinnamon Court was reduced by 10 places a day 3 years ago, and is reflecting a further under delivery on the current contract number of approximately 10 places a day on a contracted 50 places a day.
- 4.24. The day service for Older Adults from Black and Ethnic Minority backgrounds at the Calabash Centre was recently recommissioned. The new contract, agreed by Mayor and Cabinet on 16th July 2014, reflected a reduction in funded places from 51 places a day to 25 reflecting reduced take up of the service. It was also a key outcome of that procurement process that the Calabash Centre would continue to be available to the self-managed ‘Active Elders Groups’ to maintain a more lively and outward looking service for older adults. It is also a requirement of the new contract that use of the Centre be extended to other client and wider citizen groups during the day and at evenings and weekends. Since the Centre reopened in October 2014, a small group of people with learning disability have begun to have their day service delivered there and the successful providers (Nexus and Hestia) have also developed opportunities for supported employment, volunteering and apprenticeships as part of the service delivery model.

The Council’s directly provided transport

- 4.25. The Council’s Door2Door transport service is currently organisationally linked with specific day centre locations: the Council’s own provision (Ladywell, Leemore, Naborhood and Mulberry), the Calabash Centre and Cinnamon and Cedar Courts. A number of buses are shared with education and a number are used solely by adult social care. Changes as to how people want their service to be delivered, along with the impact of the adult social care transport policy, is highlighting the inherent inflexibility of this arrangement in delivering the personalisation agenda, and is increasingly reflecting an inefficient use of Council assets. In a bid to address this, two routes to the Naborhood Centre were merged into

one in 2014, and a reconfiguration of the day service offer the year before resulted in the Wesley Halls route becoming redundant. However, some routes continue to have low numbers of passengers while the demand for council funded taxis rise.

4.26. Table 5 below illustrates the clear and continuing reduction in number of people using Door2Door transport between 2011 and 2014.

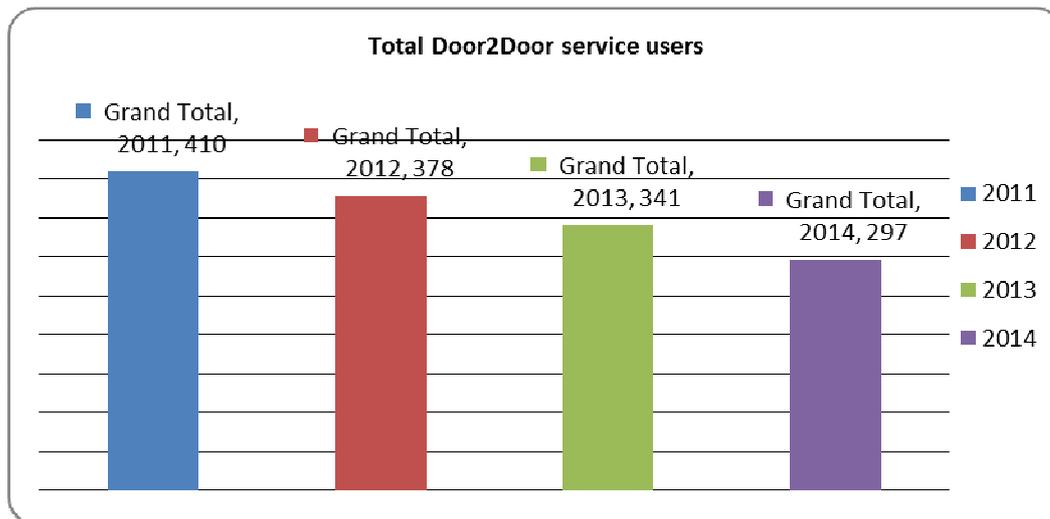


Table 5 – total number of day care service users needing Door2Door Transport

4.27. As personalised support and packages become the norm, it is increasingly clear that the Door-2-Door service will not be able to meet the transport needs of people choosing day services away from historical and traditional building bases. It cannot offer cost effective, flexible, transport at times or days outside of the core hours of 9-5, Monday to Friday. Despite the collapsing of some routes, the number of people on Door2Door routes can on average be less than 5 people. In addition it has become increasingly challenging for Door2Door to provide a service for people with severe and complex physical disabilities due to risks associated with transporting them and the additional support they require. However, this is a growing group of day service users who meet the eligibility threshold for Council funded transport.

4.28. Door2Door has worked with adult social care and has evidenced willingness and flexibility in supporting new routes for new clients, for example as part of the Calabash Centre re-commissioning. However, while the routes shared with education will need to be subject to a wider and more long-term projection of need and demand, there is potential for the funding relating to the buses that are not shared to be used more flexibly to deliver the wider adult social care service modernisation programme.

4.29. Door2Door historically also supports some discretionary transport (i.e. transport to people who do not meet eligibility criteria) to out of hours

clubs, particularly the Lewisham Mencap clubs on Monday Tuesday and Thursday evenings but also the Seals swimming club on a Friday. This is met through an additional overtime payment to drivers and escorts which is funded from the adult social care budget even though it is not a statutory service. With the growing demand on the adult social care budget, the ability of the Council to continue to fund transport costs for people who do not have an assessed need for the service should be reviewed.

5. PROPOSALS FOR REMODELLING DIRECT SERVICE DELIVERY

- 5.1. The Council is currently the major provider of day care in the borough. However, the local service market has been growing and is now sufficiently well developed to support the general population of people meeting eligibility criteria for day care. There are a small number of people with complex care needs where the market remains relatively immature. It is timely, therefore, for the Council to consider its role as a continuing direct provider of day services.
- 5.2. Officers have considered a number of proposals relating the directly managed day services, and its related transport, to reshape them to support a cost effective modernised day service. Some of the proposals detail internal reconfiguration of the services, which will require a consultation with service users and their families. However, there are also options which require agreement by Mayor and Cabinet.
- 5.3. The proposals and options for remodelling Council managed day services are set out in section 5 paragraphs 5.10 to 5.16 with the officer recommended option set out in Section 6. Proposals and recommendations for changing how Door 2 Door is used are set out in section 7. Section 8 references related proposals which Adult Social Care are seeking to develop in partnership with the Culture and Community Development Team as part of the vision for service modernisation: the opening up of three of the four Council managed day centres to become outward facing community hubs where day services are also delivered.
- 5.4. The proposals have been shaped in part by consultation which officers undertook in 2013/14 with service users, their families and staff from the learning disability day centres. This consultation consisted of reference group meetings every six weeks for a year with representatives of family carers, people with learning disabilities and staff; plus three quarterly meetings for each of the service users and carers. There was no similar in depth consultation with users and carers at the Ladywell centre. Though there were some briefing sessions.
- 5.5. The learning disability service consultations considered activities, transport, meals and buildings usage as part of their agendas. In particular, there was discussion about rationalising the three learning disability centres: from three to one single day centre, or 'supercentre' or,

the strongly expressed preference, to retain all the existing centres. While the 'supercentre' option had the advantage of remaining client group specific and families felt that users would be safer, the disadvantage would be loss of choice of location and geographical spread across the borough and a continued inward focus.

- 5.6. While the expressed preference of users is to retain all of the centres, officers in developing these proposals are also mindful of the need to make best use of Council assets. The Community and Cultural Development team are consulting on a number of proposals which may have synergy with the reconfiguration of day services which would support the maintenance of a specific disability service as well as a day service related presence in the other centres. Officers consider that the Ladywell Centre best lends itself as a disability specific day centre because of its accessibility on the ground floor, its specialist facilities and the fact that the newly expanded Dementia Service is already located there and as a self-contained unit within the main building. Leemore, Naborhood and Mulberry are well located close to a range of local facilities and transport to develop as community hubs.
- 5.7. Some of the recommendations, if agreed, will require formal statutory consultation with service users and their families. The option regarding transport to evening clubs does not require formal consultation as the clubs are voluntary sector offers which people are not referred to as part of their care plans. However, as a matter of good practice the impact of their withdrawal on existing users and families be considered and transitional mitigation put in place if necessary. Healthier Communities Select Committee has also asked officers to work with Lewisham Mencap to explore other potential sources of funding.
- 5.8. Should the recommended options for the directly managed services, both the in-house day services and Door2Door, be agreed following the formal consultation, there may also be a requirement for a further formal consultation with affected staff.

Options

- 5.9. The following paragraphs set out options to consider for the future management of the service. All of the above service redesigns can still apply independently of decisions on the following options by Mayor and Cabinet. The importance that service users and carers place on their friendships and relationships is recognised and whichever option is agreed officers will be mindful through the consultation process how these relationships are maintained.
- 5.10. **Option 1** – That the management of the in-house provision continues as is. The advantages are that users and carers would be supportive as the service and its staff are well known and well regarded. Some savings may be made. The disadvantages are that opportunities for further market developments are potentially stifled, making it difficult for the Council to

fulfil its new duty to promote market development under the Care Act. Furthermore a rigid service does not provide the flexibility and individual focus required to enable adults to fully realise the potential of their Direct Payments and with the Council as a provider, users may find the range of choice and flexibility of services on offer to them decrease on the long term at a higher cost overall. The anticipated level of savings will not be achieved by this option.

- 5.11. **Option 2** – That the Council closes its directly managed service to new referrals who are referred instead to other providers. The advantage of this option is that existing users and families are very likely to support the proposal. There is also potential to tailor the staffing levels to client usage in a planned manner. The disadvantages are that there may be a perception of a two-tier service with continuing service users receiving a declining service while new service users feel aggrieved that they cannot access the in-house service. Potentially it will fragment the service, making it difficult to pool budgets and design new service offers which again frustrates the full potential of the use of Direct Payments and Personal Budgets. The staff: client ratio within the in-house service may not be adequate to ensure client safety and also be efficient, thereby preventing potential for efficiency savings on staffing costs and possibly representing a cost pressure. Additionally the buildings will become increasingly empty and represent a poor use of assets.
- 5.12. **Option 3** – That the in-house service continues to support service users but its location is rationalised to a single centre. The advantages are that there is potential saving in management costs and some rationalisation in front line staff through increased staff: client ratios. There would be a rationalisation of capital assets, and the use of transport to a single location. Families would be likely to support it because the service remains directly managed by the Council. The disadvantages are the risk of continued institutional service delivery and ‘warehousing’, with fewer activities delivered to larger groups and more ‘engaging’ clients drawing disproportionate staff attention. There are additional potential risks associated with client mix (e.g. people with complex care needs sharing space with people with challenging behaviour). Families may view this option as not meeting individual client needs and minimising choice. This option also fails to promote market development, which again may be contrary to the Councils overall duties to promote market diversity and personalisation.
- 5.13. **Option 4** – Full outsourcing of the in-house service development through formal procurement or as a ‘mutual’. The advantages are continuity for service users and their families, the identification, or development of new, third sector partner(s) who could deliver the modernisation agenda for the Council, a high degree of control by existing staff over service design, delivery and efficiencies in staff costs over time. The disadvantages are the potential impact of TUPE on any efficiency savings. Also, during the consultation with staff in 13/14, the idea of a staff

mutual was discussed and there was little enthusiasm from the staff team for the idea and there has been no approach from the staff team subsequently. Service users and families are likely to express concerns that the service is not directly managed by the Council, and complex clients might not have their needs fully met by a non-Council provider in an undeveloped market.

- 5.14. There are additional commissioning challenges around developing a procurement exercise, including soft market testing, which may add additional delay in achieving efficiency savings, regardless of outsourcing to a partner or mutual. There is a mix of in-house, outsourced and mutual led organisations that provide day services for other councils in the South East. However, it is notable that Councils which previously outsourced to a single provider are now refining their current procurement programmes to include more providers.
- 5.15. **Option 5** - That the Council consolidates its directly delivered services to include only those people with complex needs (specifically the ISR, Dementia and CNS services) and its sheltered employment services. Older adults not part of the specialist Dementia services are supported to move to other older adult providers, and all other service users (except for a small number of current service users whose needs could be met by a commissioned drop in service) be allocated a personal budget and supported to design and purchase their services from other providers delivered in the Community hubs. As part of this proposal the ISR service currently located at the Leemore Centre would transfer to the Ladywell Centre. The specialist dementia is already located at Ladywell and the Challenging Needs Service (CNS) located at Mulberry would stay where they are as would the employment schemes.
- 5.16. The advantages are that the Council would retain management responsibility for its most complex clients, promote the potential for market development for a the wider group of adults, there would be increased flexibility of the choice and shape of offers for individuals and groups, it would not preclude personal budgets being made available to CNS, ISR and Dementia service users, there are readily available building based day services for older adults in the borough, minimises unused day service places of older adults in other contracts, the required level of savings could be achieved relatively quickly, it would support both a clearly identifiable 'disability base' while also supporting service presence across the day centres. The disadvantages are that service users and their families may prefer their service to be managed by the Council, there will be concerns about maintaining friendship groups, families may be concerned that a personal budget/ direct payment is another job for them to have to do, some service users will move to another service location, there would be some challenges in managing the logistics of a large simultaneous number of personalised services, and there would be a need to develop new shared space protocols with a potentially large variety of providers.

6. DETAILS OF THE RECOMMENDED OPTION

6.1. Officers recommend option five to the Council as it meets a number of strategic outcomes. It allows the council to retain its management responsibility for complex clients where the market is underdeveloped. It promotes the extension of personalisation and also the sustainability of local third sector providers in the local market through the application of direct payments/ personal budgets and support to service users to commission their services from community groups as well as service specific providers. It capitalises on the retention of a 'disability specific' centre while maintaining specific service provision at the three remaining centres. All of this supports an outward looking service which would be strengthened by the centres being opened up to an even wider range of community groups as part of the Culture and Community Service Team's proposals (see section 8). The option overall builds in future flexibility to how the service and the buildings can operate, as different parts of the service offer can be changed differentially depending on individual preference. It also offers best value to the Council through the delivery of savings as set out in paragraph 6.5, the avoidance of any TUPE implications relating to outsourcing, the added value to service users from their direct payment being able to purchase more from the third sector than it can form the Council and the filling of contracted day service vacancies elsewhere in the borough.

6.2. The proposed retained services by the Council are:

- services for people with complex physical and learning disabilities (the Intensive Support Resource or ISR)
- services for people whose behaviour presents significant challenges (the Challenging Needs Service or CNS).
- The specialist Dementia Service.
- The in-house employment pathway services
 - The 'Tuck Stop' café at the Waldron Clinic.
 - The 'Grow' project
 - The Café/ shop at the Naborhood Centre (incorporating the existing Arts and Crafts design project).

This would not preclude service users requesting a personal budget to purchase a service from another provider: for example an ISR user could ask for their service to be delivered at the Calabash centre where there is currently a service managed by Lewisham Nexus.

6.3. For some (approximately 30) of the current day centre users, particularly but not exclusively those people with a learning disability, a 'light touch' support service would be sufficient to meet their needs. It is proposed therefore to commission a specific 'drop in' service which would operate out of Ladywell, enhancing its use as a disability specific service base and capitalising on its location near to Lewisham and close to transport links and leisure opportunities. This would not preclude an option of people choosing to meet up at the communal areas in community hubs. The

service will be specified in such a way that it is flexible enough to allow it to be purchased over time by others: people who have greater support needs and eligible for a personal budget/ direct payment could opt into this service to be with their friends; people who may not meet eligibility for funded services could opt to pay for the service from their own resources.

6.4. The remaining service users (i.e. most of the people with a learning disability and most of the people with a physical disability/ long term conditions) would be allocated a personal budget/ direct payment and with the assistance of support planners, design the service that they would like to have and to commission that service from other providers. Where those people express a preference to continue to use their Council's building assets (irrespective of the provider), their personal budget rate will be top sliced in recognition of a service in kind commensurate with the cost of a similar resource in another location.

6.5. Whilst some of the savings identified below could be delivered by other options, only the full level of savings is likely to be delivered with this option, in addition to avoiding the potential cost pressures of the other options such as TUPE. This option will deliver savings totalling £570K (plus reduction in 1:1 staffing previously required) in the following areas:

- £130K will be saved through a management restructure of the in-house service reflecting the reduced size of the directly managed provision.
- £40K will be saved through the consolidation of building based day care for older adults from the Ladywell Centre.
- £60K will be saved by consolidating users currently funded in other building based day services to the newly redesigned Dementia Unit which has allowed five additional places a day within the existing budget plus the cost of what were additional 1:1 staffing which is also no longer required.
- £65K will be saved through the development of a 'drop-in' facility will deliver a reduction in current cost of package reflecting the more independent needs of a group of current users.
- £275K will be delivered through top slicing the Personal Budget rate for people who plan for their services to be delivered in the centres.

7. PROPOSAL TO REDUCE THE USAGE OF DOOR2DOOR

Transport to day services

7.1. The past year has seen a more independence focussed approach to transport. In previous years, through the targeting of grant funding, the Council has increased volunteer driver schemes and expanded the Community Transport service. The social care assessment process has taken more account of what transport assets people already have available to them (e.g. mobility allowance, taxi cards, bus passes) and has also been more focussed on targeted travel training for adults with a learning disability. These developments, alongside the reduction in day centre attendance overall as discussed previously in this report, has

resulted in a year on year reduction in the use of Door2Door, the Council's in-house transport provider. This service can no longer fully meet the transport needs of assessed eligible adults in terms of flexibility and availability.

7.2. The biggest challenge to rationalising transport routes is that approximately two thirds of the busses used by Social Care are shared with, and priority is given to, Education. Eleven routes out of 34 provided by Door2Door are dedicated to supporting Day Care service users and not shared. Those routes specifically service the learning disability centres at Leemore, Mulberry, and the Naborhood. These specific routes equate to a cost to Social Care of £675K annually. Table 6 below details the number of service users using the bus at the three centres, the buses being used and the approximate charge of the service.

Establishment	Number of buses	Service Users	Days Attending	Cost
Leemore	3	35	146	£355K
Mulberry	2	26	101	£178K
Naborhood	1	24	72	£142K

Table 6 – Dedicated ASC Door2Door routes

7.3. These routes which are social care specific and used entirely for transport for people with a learning disability most easily lend themselves to a more flexible approach to transport which will further promote independence choice and control of location of service and how to get there. The link between transport routes and specific locations needs to be disestablished to deliver fully personalised day services.

7.4. Social care will retain specific routes for three client groups (i) people with challenging behaviour (CNS) and specifically the Mulberry mini bus, (ii) people with complex physical support needs (ISR) and (iii) people using the specialist dementia service. However, it is proposed that all other users with eligible needs for transport will be offered a personal budget allocation as a direct payment to maximise other more flexible and personalised ways to support arrival at day activities. This may represent a contribution to petrol costs, or be used to fund travel buddies or fund the cost of taxis, either individual or shared. The Council will make its Framework list available to eligible users. The Framework lists a number of transport companies approved by the Council and ensures important standards such as DBS checks are in place.

7.5. The use of Door2Door for transport for shared routes, and therefore transport for older adults generally, is unlikely to be affected by this proposal, although there may be an increased number of people on some routes should the proposal for older adults to move from Ladywell to other day service provision be agreed.

- 7.6. While some of the busses are leased on a short term basis, there are a number of busses that are owned by the Council. The Council may need to sell the lease on to other organisations pending the end of the lease period. The proposals may also have redundancy implications for drivers and escorts.
- 7.7. The proposal to shift to direct payments for transport may raise concerns for some families who may view having to organise transport as an additional task they need to be responsible for. Also, Door2Door is viewed as a reliable transport offer. However, a number of families already successfully use alternative transport arrangements and therefore it is expected that while there may be some transitional issues, concerns will settle over time.

Transport to Evening Clubs

- 7.8. The Council has historically funded transport to evening clubs, primarily the Lewisham Mencap Monday, Tuesday and Thursday clubs and also to SEALS, a swim club for people with a physical disability. These are not services commissioned to meet eligible social care needs and funding such transport is discretionary. The transport to the clubs is funded by overtime payments to Door2Door drivers and escorts on three bus routes each evening from the social care budget which is neither appropriate nor sustainable.
- 7.9. The Council recognises the value of evening clubs to the people who attend them both for their social value to people with a learning disability themselves and their respite value to families. Healthier Communities Select Committee expressed a 'consensus of concern' regarding impact of this loss of amenity on the future of the clubs in the longer term. At their 14 January 2015 meeting they asked that officers work with Lewisham Mencap, as the main evening clubs for whom this transport is used, to identify other sources of funding including consideration of other budgets within the Council. The proposals in that paper to Healthier Communities Select Committee have been slightly amended to reflect this request.
- 7.10. Eighty two named individuals use the transport to the Lewisham Mencap Gateway clubs. All but 4 of the 82 people who use the transport also receive other significant packages of social care support. Thirty-two of the 82 live in 24 hour supported services and could be supported by those service providers to make alternative arrangements for transport. Providers already assist service users in pooling their money for other purposes. Forty six receive day care support. Of the remaining 4, one of them is placed in residential care in Lewisham by another borough. 30 of 82 use the transport to attend more than one club a week. Take up of the SEALS transport is a maximum of three people and sometimes none although the Council still has to meet the overtime costs.
- 7.11. Who accesses the transport is historical and inequitably linked to people who have attended day centres. By definition there is no

assessment for the transport as it is not a social care service. Not everyone who attends the clubs is reliant on this transport to get there. If the Council were to identifying ongoing funding to support the clubs, paying overtime to Door2Door might not be the most efficient way to do so. The following paragraphs set out some options for the future of the evening club transport.

- 7.12. **Option 1** – Continue to fund the transport as is. The advantage is that it would be popular with Lewisham Mencap and with families. The disadvantage is that this will continue to cost the Council £84K plus, in a difficult financial climate, the money is spent on a group of people who are mainly already in receipt of a significant package of care to meet their assessed social care needs.
- 7.13. **Option 2** – Stop funding transport entirely. The advantage is a direct saving for the Council. The disadvantage is that this may have a more disproportionate effect on some people and their families than others, and Mencap have stated at Healthier Communities Select Committee that the clubs would close.
- 7.14. **Option 3** – Attendees could pay Door2Door directly for the cost of this service. The advantages are that ‘specialist’ transport with escort would continue to be available. Disadvantages are that though the Council has Public Carriage Vehicle (PCV) licences no organisation external to the Council is allowed to hire them. Also, it is unlikely that individuals would be able to afford the related costs or commit consistently to meeting the cost of transport and some people might not want to pay for transport to the clubs.
- 7.15. **Option 4** – Attendees can pay Community Transport Services for transport to the clubs. The advantage is that this is likely to be more affordable for people. The disadvantage is that people might not want to pay for transport to the clubs, and people might not see it as a reliable service. Also, while this is feasible in theory, Community Transport may not be able to provide the service 3 evenings a week.
- 7.16. **Option 5** – Stop the provision of transport for people living in 24 hour funded services and liaise with providers to develop an alternative offer. Develop transitional transport arrangements for attendees either living at home with their families or living independently depending on their circumstance. The advantages are that people who may otherwise be isolated can continue to attend at least one club, the preventive role of the club is maintained and people are not caused significant detriment to their health and well-being. The disadvantages are that it will take time to transition from Door2Door to alternative services, the full saving will not be made in year..
- 7.17. **Option 6**– that Door2Door offer transport during the winter, but not summer, months. The advantage is that people would not have to travel in the dark. The disadvantage is that the Council will continue to provide a

non-statutory service for the foreseeable future, people may not attend during the summer months.

- 7.18. **Option 7** – Officers to work with Lewisham Mencap to identify other ways to fund the transport to the clubs. This could include the use of discretionary Council grants. The advantages and disadvantages are as set out in Option 1 above.

Details of the recommended option

- 7.19. Officers recommend option 5. This option reflects that transport to evening clubs is not a statutory service and is not reflected in people's care plan as meeting an eligible need as these are being met through other packages of care and support. There may be some families for whom the transport service is indirectly serving as a break from providing care and support. Also, there may be some individuals who do not generally meet the Council's eligibility criteria for any service, but for whom the clubs offer the opportunity for social engagement. Some transitional support would be put in place to manage the impact of this, and the three people who receive no service could be assessed as to whether this change would cause significant detriment and, if they met the social care threshold for transport, could be considered for a direct payment. While this approach would not deliver the maximum saving in the first instance it would support people's general health and wellbeing, and therefore may help prevent pressure on the social care budget in the future.
- 7.20. Option 4 also deserves further consideration in partnership with Lewisham Mencap. Option 4 could be considered a sub component of option 7, which officers have been required to consider, which is a more general approach to funding transport through the identification of other sources.
- 7.21. The savings that will be achieved by changing how Door2Door is used is estimated to save a total of £300K in two ways:
- 1 - Assessing service users attending Mulberry Lifestyles, Leemore Lifestyles and the Naborhood with a view to offering them a direct payment to organise their own transport £260K.
 - 2 – Evening Clubs £84K , though this might be reduced in the first instance to £60K to allow mitigation of £24K transitional funding in 2015/16.
- 7.22. Officers will continue to work with colleagues in the Children and Young People Directorate to assess wider opportunities for further transport savings on shared routes.

8. COMMUNITY HUBS, NOT DAY CENTRES

- 8.1. Paragraphs 4.1 – 4.3 reported that the current day centres, particularly the three learning disability centres, are underutilised. Should the

recommended option (section 6) for the remodelling of direct service delivery be agreed, consolidating the older adult offer along with the falling demand for funded day services for people with physical disabilities/ long term conditions will also result in an underutilisation of Ladywell. While this might signpost that a number of the centres should be closed, it is already clear that this would not best serve the social care agenda, and would be particularly unpopular with the families of adults with a learning disability. However, the space that will be available with in the current day centres presents an opportunity to consider how the buildings could be best used, to deliver wider strategic outcomes for the Council overall.

- 8.2. The Culture and Community Development Team's review of grant aided organisations and their assets, has allowed consideration of a potential opportunity to maintain a borough wide service presence while also supporting the service to be part of a more integrated outward focussed approach to service delivery. That is to say, there is potential for synergy between the day service / centres and the wider third sector which would allow a main centre to be identified for people with disabilities while also maintaining a presence in the other three centres. Working together, adult social care and the Culture and Community Team could combine their visions and re-designate three centres as community hubs managed by a consortium of voluntary organisations for use by organisations, thereby delivering part of the pathway for delivering the Council's macro (and social care's micro) vision for inclusive citizenship and the development of social capital.
- 8.3. Mayor and Cabinet (12 November 2014) have been previously advised of the development and savings proposals relating to the Culture and Community Development Team's process of rationalising its public buildings and proposal to develop the assets as Community Centres. There are currently 41 council assets within the community premises portfolio including 23 community centres, 3 sports grounds and 15 buildings housing Voluntary and Community Sector (VCS) organisations. In addition there are other properties used by VCS organisations that are not part of the community premises portfolio. These neighbourhood based facilities will be predominantly geared to providing services at a neighbourhood level with equitable support arrangements across the portfolio.
- 8.4. It is recommended that three of the four day centres, Leemore, Naborhood and Mulberry be included as part of these wider considerations to support the best possible outcomes for the Community Services grant and asset programme. Along with the Calabash Centre, these three centres would be considered part of the Community Services Assets portfolio and thus no charges/ rental would be required from those third sector organisations to offset the savings in the Main Grants Programme or delivery of capital receipts as a result of the grants and asset review. The Culture and Community Development Team are consulting on the principles of their proposals with organisations now,

reporting to Mayor and Cabinet in March 2015 and a final paper in May. Their activity represents a parallel time line for decision making for the proposals contained in this paper (12.5).

- 8.5. A defined presence for use for social care would be established as part of this wider offer. Such an offer would facilitate the pooling of personal budgets and widen the choice of service locations. These community hubs would be in addition to the use of general public spaces by service users e.g. as a meeting place before going onto other activities.
- 8.6. The Mulberry, Leemore and Naborhood centres all have 'Changing Places' standard personal care facilities. Their development as community hubs would also include those facilities being made available to all people with disabilities who need access to specialist personal care facilities, using a radar key or similar. This will have many benefits to people eligible for social care services, but will also benefit those without and support the Council's wider prevention agenda. The absence of good personal care facilities are a limiting factor for many people to any wider access to everyday opportunities such as shops, libraries, restaurants and leisure facilities. Additionally, facilities would be available to disabled children as well as adults.
- 8.7. Savings and efficiencies that may be delivered by the Culture and Community Development Team proposals are not included here.
- 9.1. The proposals outlined in this paper will affect a number of Council employees who work in the Council's directly managed day services and the Door2Door transport service.
- 9.2. Should these proposals be agreed there is potential for redundancy at both management and front line level both in the day service and in Door2Door. The day service currently operates using a high number of agency staff, therefore redundancy of front line staff is likely to be minimal as substantive staff could be deployed into those posts. The transport service also uses some agency drivers and escorts which will also minimises potential redundancy.
- 9.3. The proposals do not recommend an outsourcing of the service and much of the reconfiguration is unlikely to reflect a continuation of the same service. However, there is also a possibility that TUPE may apply to relevant Council employees.
- 9.4. Therefore appropriate consultation with staff and their trades unions will take place in line with the Council's Management of Change policy and the Council's TUPE transfer guidance and statutory requirements.

10. OTHER RELATED SAVINGS

- 10.1. The Care Act requires the Council's assessment of need to be focused on a person's identified outcomes across a wide range of functions rather than on providing a traditional service delivery model. There is also an emphasis on prevention and early intervention and helping people to remain within their communities; and be actively supported by them.
- 10.2. The Council envisions a key role for prevention and early intervention across all client groups is best played by Community Connections.
- 10.3. The Community Opportunity Services (COS) delivered by SLaM to support people with mental health issues has been reconfigured in order to provide better value for money and work in conjunction with Community Connections. It now focuses on prevention and recovery, and in particular the impact of the Improving Access to Psychological Therapies (IAPT) services on helping people remain in work and maintaining recovery through structured lives and routines. This budget is delivering £200K of savings towards the overall day care savings target.
- 10.4. Access to support is through professional assessment of need, guided by nationally set eligibility criteria. Local Authorities can take their own resources into account when determining how those assessed needs should be met and may use the most cost effective solutions available. In some situations the assessment will be the only service that is provided directly by the Council, particularly when care and support needs do not reach the eligibility criteria or when needs can be met by opportunities available from within the community or from the person's network of support and their own resources. The new social care support planning service will be well placed to help people to define the outcomes which will meet their needs, and how their personal assets and available social capital can be combined to deliver them.
- 10.5. This approach is expected to reduce the overall number of days support and activity that the Council will need to fund directly. Care will be taken to ensure that these different ways of meeting need do not destabilise any individual's ability to manage at home, and that families are not overwhelmed by their caring duties, thus escalating need from day services into residential care. Attention will be given in particular to ensuring that no one person loses all of their existing service offer thus maintaining some consistency for them and their family. The "community based" approach to meeting needs is not about cutting services from a specific group of people, but redefining how those needs are met without necessarily requiring specific funding from the Council, and viewing an individual as part of the community first.
- 10.6. This approach is estimated to deliver £200K in savings representing an equivalent reduction in existing Council funded or directly delivered day services of between 77 and 96 days a week dependent on the cost of the current service.

11. OTHER POTENTIAL OPPORTUNITIES

- 11.1. This paper makes a series of recommendations for the redesign of directly managed day services and transport which also deliver savings and efficiencies to the Council. The recommendations reflect a number of key outcomes in the ongoing programme of day service developments to promote personalisation and the take up of direct payments/ individual budgets, while also identifying an effective role for the Council as a direct service provider and making best use of the existing day centres in partnership with other parts of the Community Services Directorate. However, the specific recommendations in this paper are not exhaustive and there are a number of other options and opportunities that officers will continue to explore in line with the strategic direction of travel and with potential to deliver further savings or income for the Council.
- 11.2. Public Health – There are a number of public health programmes, such as ‘Healthy Eating’ where identification of venue e.g. a kitchen in one of the day centres, may deliver a saving to the public health budget or represent potential income.
- 11.3. The Ladywell, Leemore, Mulberry and Naborhood Centre Kitchens – The way that meals are provided has already changed at the Learning disability day centres. The kitchens at the Leemore, Mulberry and Naborhood centres will be mainly surplus to requirements. There is a remaining requirement for a meals service for the Dementia unit in Ladywell. However, all kitchens could be made available to colleges or other training or supported employment providers to generate income or avoid cost. The service priority to identify an operating partner for would be the Ladywell Kitchen.
- 11.4. The Ladywell Gym – Savings in the youth service will potentially result in reduced use of the gym located at the Ladywell Centre. The Culture and Community Development Team will explore the potential to identify a sports organisation who can run the gym as a social enterprise or community interest company. This will ensure its ongoing availability for use by local people. This could represent a potential income source and/ or could support public health or other wellbeing agendas for both children and adults.
- 11.5. Extra Care Services –The Council is developing a number of Extra Care services as part of its “Housing Matters” programme and the older person’s housing strategy. The developments are explicitly addressing an avoidance and prevention agenda as part of which service specifications require the development of inclusive day time offers in the schemes public spaces, including the meals offer. The first of three new schemes at Conrad Court in Deptford has recently opened and will be shortly offering access for exercise classes and ‘spa’ type activities, as well as the restaurant facilities to the wider older adult population. The contracts for the second of these schemes, Campshill in Lewisham, has been awarded for delivery in late 2016 and a third service is in development in

partnership with Phoenix Housing in Bellingham for delivery in early 2016. These schemes collectively will give scope for managing cost pressures on day service budgets for older adults.

12. TIMESCALES AND NEXT STEPS

- 12.1. The proposals outlined in this paper represent in some parts a significant variation to how the Council delivers its day care and associated transport services. Should Mayor and Cabinet agree that officers may proceed to consult on the proposals, some will require a formal 3 months formal consultation process.
- 12.2. The recommended change to funding transport for the evening clubs does not require formal consultation as it does not represent change to statutory services or services which are part of a person's care plan. However, officers will engage with affected users and families reflecting best practice. Healthier Communities Select Committee has also asked that officers work with Lewisham Mencap to explore the potential for other sources of funding and transport offers outside of the adult social care budget.
- 12.3. Officers recognise the complexity of the detail of the options set out in this paper. In recognition of this, officers have, prior to the presentation of this report to Mayor and cabinet, held a series of information/ briefing session with service users and families: a meeting with the LD Service User Forum, and two meetings for the families of people who use the LD service on the 28th January; a meeting with the users and families at the Ladywell Centre on 30th January, a discussion with the pensioners forum on the 21st January, and a Lewisham Mencap UNICUP meeting on the 4th February. There has also been a number of additional small briefing meetings with service users.
- 12.4. There have also been informal staff briefings regarding the proposals in this paper and these will continue through the period of formal consultation with service users and families. Formal staff consultation will not take place pending any decision that Mayor and Cabinet may take following the formal consultation period. Staff consultation will require a further 28 days.
- 12.5. The changes to the evening club transport will be consulted on separately from the consultation regarding changes to the day service and associated transport.
- 12.6. Officers will work closely with third sector partners in this work, such as Lewisham Mencap, Lewisham Speaking Up, Community Connections, Voluntary Action Lewisham, and the Lewisham Disability Coalition among others, as well as recognised service providers such as Headway, Hestia, Housing 21, PLUS, Nexus, Aurora Options, Three Cs, Entelechy, Heart'n'Soul and so on.

12.7. The following is an outline timetable for the main consultation and decision making process:

Mayor and Cabinet	11 February 2015
Business Scrutiny	17 February 2015
Consultation start	18 February 2015
Consultation end	18 May 2015
Mayor & Cabinet	June 2015
Business Scrutiny	June 2015
Staff Consultation start	June 2015
Staff Consultation ends	July 2015
Full implementation of changes	1 October 2015

13. FINANCIAL IMPLICATIONS

13.1. The 2015/16 savings proposals considered by Mayor and Cabinet on 12th November 2014 included £1.3m from day care and associated transport. This report describes how this saving will be delivered in a full year.

13.2. The current budget for the day care service is summarised in table 7 below.

Day Care Type	Budget
In-house budgets for care	£3,421,400
Purchased day care	£803,000
Mental health (COS)	£729,700
Sub total	£4,954,100
Transport budgets	£2,443,300
Total budget	£7,397,400

Table 7 – Overall cost of day service and transport

13.3. The savings proposals described in the body of the report are summarised in table 8 below. Savings from 1:1 arrangements have not yet been quantified but are expected to exceed the £30K required to fully achieve the £1.3m savings sought.

Proposal	Saving £K
Reconfiguration of in house provision	230 + 1:1s
Improving access and service redesign	340
Adult Mental Health day service	200
Reduction in days of service delivered	200
Reduction in use of Door2Door	300
Total	1,270 + 1:1 costs

Table 8 – Day service savings proposals summary

- 13.4. These costs exclude capital costs for redesign of the building for communal use (e.g. IT costs, key coded doors, remedial building works).
- 13.5. The paper highlights that there may be costs relating to redundancy or potential for TUPE transfer of existing members of staff. However, the full implication of this will not be known until the conclusion of the formal staff consultation period and the Council's DR/VR process. No estimate is included in the costs in table 2 above.
- 13.6. The needs for service user consultation followed by staff consultation means that implementation by April 2015 will not be possible and therefore a full year saving will not be achieved in 2015/16. Current estimates are that a part year saving of £953K will be delivered in 2015/16 and the residual £317K of saving relating to this programme being delivered into 2016/17.
- 13.7. A separate report considers options for alternative uses of the four buildings currently used by the in-house day care service.

14. LEGAL IMPLICATIONS

- 14.1. The main legal implications are contained in the body of the report.
- 14.2. The National Assistance Act 1948 places both duties and powers upon local authorities to assess the needs of, and provide services to support such needs including residential accommodation, to people aged 18 years and over who because of their disability are in need of care and attention not otherwise available to them. In changing or altering services provided under Social Care legislation each individual's needs for services must be individually reassessed before changing the service or manner of delivery. In addition, in making proposals for service changes overall, there must be proper and meaningful consultation with service users, their families and any stakeholders, to enable and facilitate clear understanding of the proposals and enable stakeholders to express their views effectively.
- 14.3. In the event that Mayor and Cabinet agree the proposals relating to day services and transport changes, there is the possibility of redundancies and the application of TUPE for relevant council employees. Appropriate consultation with staff and their trade unions will take place in line with the Council's TUPE guidance, redundancy policy and statutory requirements.

- 14.4. The Equalities Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In summary the Council must, in the exercise of its functions, have due regards to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited under the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
- 14.5. The duty continues to be a “has regard” duty, and the weight to be attached to it is a matter for the Mayor to decide, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 14.6. The Equality and Human Rights Commission (EHRC) has issued “Technical Guidance on the Public Sector Equality Duty” and statutory guidance the “Equality Act 2010: Services and Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to chapter 11 which deals in particular with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The Statutory Code and the Technical Guidance can be found at www.equalityhumanrights.com/legal_and_policy/equality-act-codes-of-practice-and-technical-guidance/
- 14.7. The EHRC has previously issued five guides for public authorities in England giving advice on the duty:
1. The essential guide to the public sector equality duty
 2. Meeting the equality duty in policy and decision making
 3. Engagement and the equality duty
 4. Equality objectives and the equality duty
 5. Equality information and the equality duty
- 14.8. The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duty and who they apply to. It covers what public authorities should do to meet the duty, including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

15. EQUALITIES IMPLICATIONS

15.1. An Equalities Analysis Assessment (EAA) has been completed for these proposals.

15.2. It suggests that:

- Across all services included in this paper and given the nature of the services being delivered, people with learning and physical disabilities as well as people with mental health issues will be negatively impacted by the specific nature of the services subject to these proposals.
- Broadly, no ethnic group will be disproportionately affected by the proposals, though some specific services have slightly more impact than others.
- In terms of age the majority of services are for younger adults under 65, which will mean they will be disproportionately affected by the proposals compared to other social care services.
- There are proportionately more males in day care settings which will be affected by these proposals than women when compared to the population of day services users across Social Care.
- There is only a limited amount of data available for carers. Across Day Services only a small percentage of carers have a long term health condition or disability; though at the Naborhood 35% of family or carers have a health condition. Approximately a third of parents or carers are working and a third is over the age of 65.

15.3. The impact across all protected characteristics affected by these proposals will be low as the services being provided will be delivered differently rather than being removed. Additional services will be developed in conjunction with the Voluntary and Community Sector in order to provide a broader range of services than that currently available.

15.4. The EAA for Transport suggests that:

- Service users of the age of 65 are more likely to be affected by the proposals than younger adults attending Day Services.
- Women will be disproportionately affected, but the numbers are broadly similar to the percentage of women receiving support from social care.
- Though there are more white people receiving transport to Day Services the numbers are comparable to those in Social Care.

15.5. All services users will be negatively impacted by the proposed changes to transport to Day Services, though alternative arrangements have been developed in partnership with Voluntary and Community Sector organisations which will mitigate this impact. In addition service users will be provided the opportunity to organise their own transport as part of the

Personal Budget/Direct Payment, meaning that transport will still be provided for.

16. ENVIRONMENTAL IMPLICATIONS

16.1. There are no specific environmental implications arising from this report.

Background Documents

Adult Social Care Efficiency Programme

<http://www.local.gov.uk/documents/10180/11779/LGA+Adult+Social+Care+Efficiency+Programme+-+the+final+report/8e042c7f-7de4-4e42-8824-f7dc88ade15d>

Putting People First

Transforming Social Care

<http://webarchive.nationalarchives.gov.uk/+www.dh.gov.uk/en/SocialCare/Socialcarereform/Personalisation/index.htm>

The Care Act

<http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

Caring for our future

<https://www.gov.uk/government/publications/caring-for-our-future-reforming-care-and-support>

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