

<b>Mayor and Cabinet</b>			
<b>Title</b>	Recommissioning of Building Based Day Services for Older Adults		
<b>Key decision</b>	Yes	<b>Item no</b>	
<b>Wards</b>	All wards		
<b>Contributors</b>	Executive Director for Community Services		
<b>Class</b>	Part 1	5 June 2019	

## 1. Purpose of report

- 1.1. This report sets out information about the wide range of community based activities that have been developed by Lewisham Council and partners for all older adults. These activities are also available to, and accessed by, older adults eligible for council funded services. This offer reflects long partnership working with the voluntary and community sector and the implementation of Direct Payments and Personal Budgets.
- 1.2. This report details the impact of these developments on commissioned building based day services for older adults in Lewisham. Notably, that demand has reduced from an average of 75 places used a day in 2012/13 to 34 places in 18/19. Commissioned building based day services are currently delivered at the Calabash Centre, Cinnamon Court and Cedar Court, two of which carry significant level of voids on the current contracts.
- 1.3. Officers are seeking agreement to commence consultation on the proposal to recommission the 3 current building based day services as a single service at the end of this contract period. This would deliver an estimated saving to the Council of £135,000 at 18/19 contract prices.
- 1.4. The proposal would constitute a significant change in service delivery and a formal consultation will be required with service users, their families and other significant stakeholders about the impact of this proposal, specifically:
  - The impact of combining the three services currently delivered at Calabash, Cedar Court and Cinnamon Court into a single location
  - Views on the proposal that the service should be located at the Calabash Centre
  - Views as to how important ethnic and cultural needs will be met within the single service offer
- 1.5. Officers are also seeking agreement to short contract extensions at the Calabash Centre, Cedar Court and Cinnamon Court up to June 2020 to enable

continuity of service provision through the period of consultation, the reporting of the consultation outcomes to Mayor and Cabinet and Healthier Community Select Committee in October 19, and if the decision is to proceed with the proposal, to allow for the implementation of a procurement and service change process.

- 1.6. This report was considered by Healthier Communities Select Committee at its meeting of 14<sup>th</sup> May 2019. The Committee wished for issues relating to the timing of the 3 month consultation period over the summer, and the impact of commissioning a single service on the culturally specific service at Calabash to be further considered.

## **2. Recommendations**

It is recommended that Mayor and Cabinet:

- 2.1. Note the wide range of community based activities now available to older adults in Lewisham as set out in section 5.1.
- 2.2. Note the details of the current building-based day service offer for older adults commissioned at Cedar Court, Cinnamon Court and the Calabash Centre and the ongoing reduction in usage as set out in section 5.2.
- 2.3. Note the proposal that the three services should be commissioned as a single offer at one location with a potential saving of £135,000
- 2.4. Note that the proposal is that the single location should be the Calabash Centre, George Lane, Lewisham.
- 2.5. Note that the proposal means that there will no longer be a specific stand alone BAME day service
- 2.6. Agree that officers can commence a formal consultation with service users, their families and key stakeholders the results of which will be reported back to Healthier Communities Select and Mayor and Cabinet in October 19, the consultation period having been extended from 12 to 14 weeks to reflect comments from HCSC about consultation over the summer.
- 2.7. Agree that existing contracts with Hestia at Calabash and with Housing 21 at Cinnamon Court and Cedar Court be extended up until the end June 2020 (6-9 months) to support the consultation and the implementation of any potential outcomes

## **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 9 of the Care Act 2014 and

associated guidance and regulations, followed by the application of the appropriate eligibility criteria and service decisions.

- 3.2. The Care Act 2014 is the most substantial piece of legislation relating to adult social care to be implemented since 1948. It consolidated previous legislation, common law decisions and other good practice guidance. 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 to promote individualisation of provision, 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 service and planning for the future.
- 3.3. There have been a number of government documents which set out the pathway of 'Personalisation' as a way of meeting 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)). There is also emphasis upon the achievement of outcomes which the service user prefers/desires, rather than provision of service to a uniform pattern. The policy and guidance documents promote 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, has become one more focused on market development and shaping to help provide opportunity, choice and options.
- 3.4. The Council seeks to maximise the independence of older adults by enabling them to live in their own homes in their local communities wherever possible. This is reflected when allocating resources in adult social care by prioritising community care services for those with the most needs.
- 3.5. Older adults may have Care and Support needs which are eligible under the Care Act 2014 for Council funded care. A care assessment seeks to identify ways in which an individual can meet their needs and achieve their desired outcomes. This includes using:
  - Their personal resources, abilities, skills, knowledge, potential, etc.
  - Their social network and its resources, abilities, skills, etc.
  - Community resources
- 3.6. Outcomes which can be supported by day activities, direct payments and day services include, but are not limited to:
  - Developing and maintaining family or other personal relationships
  - Managing and maintaining nutrition
  - Maintaining personal hygiene
  - Managing personal care needs
  - Socialisation
  - Reducing loneliness

- 3.7. The recommendations within this report also relate directly to the Council's Corporate Strategy 2018-2022 priorities:
- Delivering and defending: health, social care and support – Ensuring everyone receives the health, mental health, social care and support services they need.
  - Open Lewisham – Lewisham is a welcoming place of safety for all where we celebrate the diversity that strengthens us
- 3.8. The Corporate Strategy also sets out the Council's commitment that when considering whether to commission services, there will be an assumption that the Council is our preferred provider and to in-source our contracts. An initial options appraisal has been carried out by officers to compare the options for the future delivery of older adults day services.
- 3.9. The options appraisal was undertaken using a standard framework, drawn from a model designed by the Association of Public Sector Excellence to allow Local Authorities to explicitly consider insourcing of services, which assesses various options and appraises these using both qualitative and quantitative metrics. The qualitative considerations for each operating model were: the risks associated with service delivery, the barriers to entry into the marketplace (high start-up costs or other obstacles that prevent new competitors from easily entering an industry), the responsiveness and control achievable, and the commercial potential. The quantitative assessment looked at the potential and likely estimated cost of service delivery under each model. When combined the qualitative and quantitative measures provide an indication of the overall value for money and ranking of each option. Given the nature of the services the three options considered were: insourcing, placing a contract with an external provider, and the Council itself either setting up or procuring a service provider.
- 3.10. It is to be noted however that this model has not been previously used by the Council and that as with all models it is a desk top exercise which attempts to predict an outcome for each scenario. As such there is potential for the actual results to differ from those anticipated, and there is further the inherent risk that the modelling itself is not reliable.
- 3.11. The results of this exercise (as summarised at Appendix 3) were presented to the IJCG as part of the procurement Gateway 1 review with the recommendation that the Council procures this service through an external provider.

## **4. Background**

- 4.1. The Council currently commissions three building based day services for older adults eligible for funded care: one for BAME older adults at the Calabash Centre owned by the Council and managed as part of the day service contract with Hestia Care & Support and Cedar Court and Cinnamon Court owned and managed by Housing 21 delivered in their Extra Care settings. Additionally, the Council also directly provides a dementia specific day service for older

adults at the Ladywell Centre: this latter service is not the subject of this report, but is referenced for completeness.

- 4.2. Over the past ten years, there has been a significant reduction in the numbers of older adults in Lewisham who are placed in residential and nursing care homes. The Council has worked to develop the support available in the Community to enable people to maintain independence and to stay in their own homes for longer.
- 4.3. The Council has strategically protected, shaped and grown its community based service offer to older adults, including older adults eligible for council funded services. The detail of these developments are set out in Section 5, but include Council-funded initiatives such as Community Connections, Meet Me at the Albany, and the Active Elders group at Calabash.
- 4.4. As a result of these changes, there has been a decrease in the numbers of older people with mild to moderate levels of need accessing formally commissioned building-based day services, and an increase in demand from people with moderate to high levels of care and support needs.
- 4.5. Officers' believe that this reduction in demand for building based day services also reflects the growth in take up of Direct Payments across all groups, including older adults. People can use the money, which would otherwise be allocated to a commissioned day service, to create their own routines and preferred ways of meeting their needs through the use of Personal Assistants or by purchasing their service from a provider of choice. This means that people are able to access a wider range of community-based activities.
- 4.6. The reduction in overall demand for building-based day services was previously reported in the 'Recommissioning Culturally Specific Day Services for Older Adults' report to Mayor and Cabinet in 2014. In this report, the number of commissioned spaces in the BAME-specific service was reduced from 51 places a day to 30 places a day. This reduction reflected that the numbers of attendees at the day service had been decreasing during the contract period and had fallen well below the contracted level of service at that time.
- 4.7. The reduction in demand for building based day services was further highlighted in the 'Remodelling Lewisham Council's Day Service Offer.' report to Mayor and Cabinet in 2015, which detailed that services at Cedar and Cinnamon Court were under delivering on the 50 day services spaces commissioned by approximately 10 spaces per day. Commissioned capacity at the Housing 21 services was consequently reduced in 2017 to 12 spaces per day at each service (24 total) with the option to spot-purchase additional places if required.
- 4.8. Conversely but in line with general demographics, there is a growing number of older adults with severe dementia meaning there is a slow but steady growth in demand for dementia specific provision. In October 2015 the Council increased the number of places per day from 19 to 24 at its own directly provided day service at the Ladywell Centre in readiness for this expected

growth in demand. That said, this additional provision is currently also under delivering on its commissioned level of service.

- 4.9. When contracts for Housing 21 at Cinnamon Court and Cedar Court contracts were recommissioned and the Hestia contract at Calabash was extended in 2017, it was planned that all 3 contracts should end contemporaneously in September 2019 to allow for a check point to determine whether the reduction in ongoing demand was an ongoing trend or whether it was slowing down or stopped. The evidence suggests that this reduction is consistent and should now be considered as a trend that will continue. This is further detailed in Appendix 2 – Historic Usage. While there is a chance that this trend might reverse and a new demand appear, the probability is low.
- 4.10. While the overall number of older adults referred to commissioned building based day services is overall decreasing, the people being referred are increasingly physically frail. There is an increased number of older adults requiring intimate personal care and assistance to eat in addition to the social interaction and range of activities usually associated and commissioned with day services. This increased acuity needs to be addressed in any new offer commissioned by the Council.
- 4.11. The recommendations in this report were previously presented for consideration at the Integrated Joint Commissioning Board on 28<sup>th</sup> February. This report was also considered by Healthier Communities Select Committee at its meeting of 14<sup>th</sup> May 2019 and has been slightly amended to address comments made there.

## **5. Voluntary and Community Sector day activities for older adults**

- 5.1. Lewisham has a thriving voluntary and community sector which provides a wide range of clubs and activities for all age groups in the borough. There are a large number of clubs and activities aimed specifically at older people living in the borough including exercise classes like yoga or Zumba, coffee/lunch clubs, arts and cultural activities, and volunteering opportunities. Some activities are regular and some are 'ad hoc' or run in short blocks. They are usually advertised through local community groups or in newsletters like the quarterly Positive Ageing Council Newsletter.
- 5.2. The Council works closely with the voluntary and community sector and grant funds a range of organisations and activities which work with older people to reduce their social isolation, and improve their health and wellbeing.
- 5.3. Lewisham Council and Clinical Commissioning Groups supports SAIL Connections through the Better Care Fund. SAIL Connections is a social prescribing project for older people hosted by Age UK Lewisham and Southwark in Partnership with a wide range of services across sectors. The core aims of the project includes: improved health and wellbeing in older people, prevention of falls and malnutrition in older people; improved mental resilience and decreased social isolation; improved fire safety, security and

financial inclusion of older people. An evaluation of the project, demonstrated that over the initial 18 month period supported 926 older people had been supported and 1185 referrals had been made to partner organisations including: Community Connections, Information and Advice, Occupational Therapy, Lewisham Community Falls Services, London Fire brigade, Linkline and Carers services. 23% of checklists include a referral to a Community Connections Facilitator to combat social isolation.

- 5.4. Community Connections, funded through the Better Care Fund and the Council's Main Grant Programme, is a preventative community development programme linking the NHS, Lewisham Council and Community Services. Community Facilitators work one-to-one with vulnerable adults (18+) to identify and engage with community groups or activities that may help to improve their health and wellbeing using a person-centred approach based on the '5 Ways to Wellbeing'.
- 5.5. Community Connections' Community Development Workers support the local community and voluntary sector through their work with groups, organisations and individuals, to develop new services, build capacity and give guidance and support to groups looking for funding. Community Connections also work in partnership with the Council's Public Health and Culture and Communities teams to deliver the Neighbourhood Community Development Partnerships. In 2018/19 and 2019/20, Public Health allocated £25,000 to each neighbourhood to improve community health and wellbeing. There have been a wide range of projects funded through the NCDPs from befriending to intergenerational projects, cookery classes, exercise classes, Storytelling, and "Holiday at Home".
- 5.6. Lewisham 'Table Talk' aims to share information about what's going on in Lewisham with people who otherwise may not access opportunities. Volunteers visit different venues around the borough including libraries, leisure centres and GP surgeries and provide information about what's going on in Lewisham. Another valuable resource, The Lewisham Wellbeing Map, is being developed locally by volunteers to map the different organisations, projects and groups which work in Lewisham to improve health and wellbeing.
- 5.7. Lewisham's Main Grant Programme funds a wide range of initiatives which benefit the health and wellbeing of older adults in the borough. Some examples of organisations and projects which are funded through the Main Grant Programme to work specifically with older people include Grant:
  - Age Exchange
  - The Albany
  - Entelechy Arts
  - Stanstead Lodge Seniors Club
  - The Front Room Club (St. Luke's Downham)
  - Wheels for Wellbeing
- 5.8. In addition to grant funded services, the Council commissions an Integrated Mental Health and Wellbeing service which promotes the health and wellbeing of the whole population. The service is delivered by Bromley, Lewisham and

Greenwich Mind in partnership with a wide range of voluntary sector organisations, and working closely with South London & Maudsley NHS Foundation Trust (SLaM). The service supports people to manage their mental health and wellbeing problems, stay well, recover, achieve their personal goals and connect with their local community.

5.9. The Council commissions a Dementia Service which launched in February 2018 and is delivered by Bromley, Lewisham and Greenwich Mind in partnership with organisations like Sydenham Garden, and working closely with South London & Maudsley NHS Foundation Trust (SLaM). The Dementia Service provides: Advice and Information Service; Dementia Training; Carers Support and Information; Horticultural Project, and; Arts Reminiscence Groups. The Groups which the service provides aim to:

- increase social interaction
- maintain mental and physical wellbeing,
- maintain everyday living skills so people can stay in their own homes and communities for longer
- maintain cognitive function
- improve confidence and self-esteem
- improve quality of life

5.10. Bromley and Lewisham Mind operate a Dementia Day Service in Beckenham which is available to Lewisham residents for 'full days or for drop in sessions'. The Council does not have any formal contracts with the service, which has capacity for 36 people to attend overall and advised of 12 vacant places a day as at December 2018. 6 Lewisham social care clients currently attend the service using a Direct Payment and 2 residents pay privately for a service there. The service can support people with a wide range of needs, including personal care and advanced behavioural symptoms often associated with Dementia.

5.11. Though not a directly commissioned or grant funded service, the Council subsidises the Active Elders Group at the Calabash Centre at a rate of £134 a day 2 days a week (£13,400 per annum) to support older Lewisham residents of African Caribbean origin to have access to one of the rooms at the Centre, as well as access to the meals offer there to operate a social club where retired men and women can get together and play dominoes, 'knit and natter' generally keep each other company and reminisce about life experiences with a likeminded group of people. The club is very highly regarded and valued by the people who attend.

## **6. Commissioned and directly provided older adults day services**

6.1. The Council commissions 3 building-based day services for older adults at Cedar Court, Cinnamon Court and the Calabash Centre which provide a total of 49 place a day across the 3. Current contracts are due to end in September 2019. The Council also directly provides 24 day service places per day for people with severe dementia at the Ladywell Centre. Details of the number of



places and costs of services are shown in Table 1 below. Indicative Pen Portraits for the users of all 4 services can be found at Appendix 1.

- 6.2. The Council currently commissions 12 day service places per day at both Cinnamon Court Deptford and Cedar Court Grove Park (total 24 places per day) at a cost of £43.93 per place per day.

Table 1 - Service Contracts and Costs

<b>Service</b>	<b>Ave. cost per person per day</b>	<b>Number of contracted places</b>	<b>Total Cost of Service per annum (18/19)</b>
H21 at Cedar Ct	£43.93	12	£131,790
H21 at Cinnamon Ct	£43.93	12	£131,790
Hestia at Calabash	£43.90	25	£274,375
In-house provider at Ladywell Dementia	£80.96	24	£485,760
<b>Total</b>		<b>73</b>	<b>£1,023,715</b>

- 6.3. The Older Adults' day service at the Calabash Centre is delivered by Hestia Support. The Council currently commissions 25 day service places per day as a service for people from Black and Minority Ethnic Communities at a rate of £43.90 per place per day.
- 6.4. There is flexibility to spot purchase additional places built into all 3 commissioned service contracts. However, since the current contracts were commissioned in 2014 for Calabash and 2017 for Housing 21, this facility has only been required at Cedar Court.
- 6.5. Staff in all commissioned services are paid at the London Living Wage, which was increased to £10.55 per hour in November 2018.
- 6.6. In addition to the commissioned services, the Council directly provides 24 places a day at the Ladywell Centre for people with advanced dementia at a rate of £80.96 a day, a cost which reflects the specialised nature of the higher care and support needs associated with the behavioural and psychological symptoms of advanced dementia.
- 6.7. As at March 2019, 135 individual service users attend the 4 building based day services for a total of 309 days. The majority of people attend for between 1 and 3 days a week. A small number (14) attend for 5 days a week. Current Service Usage is shown in more detail in Table 2 below.

Table 2 – Service usage as at 31 March 2019

<b>Service</b>	<b>5 days</b>	<b>4 days</b>	<b>3 days</b>	<b>2 days</b>	<b>1 day</b>	<b>Total no of days</b>	<b>Total no of users</b>
Cedar Court			6	13	15	59	34
Cinnamon Court	1	3	5	5	4	46	18
Calabash	4	2	7	12	13	86	38
Ladywell Dementia	2	2	10	21	12	102	47
<b>TOTAL</b>	<b>7</b>	<b>7</b>	<b>28</b>	<b>51</b>	<b>44</b>	<b>293</b>	<b>137</b>

6.8. All Day Services with the exception of Cedar Court were underutilised in 2017/18 and continued to be underutilised in 18/19. This is shown in the Table 3, below.

Table 3–Analysis of Usage

<b>Service name</b>	<b>Hestia Service at the Calabash Centre</b>		<b>Housing 21 Service at Cedar Court</b>		<b>Housing 21 Service at Cinnamon Court</b>		<b>In-House Dementia Service at Ladywell</b>	
	<b>17/18</b>	<b>18/19</b>	<b>17/18</b>	<b>18/19</b>	<b>17/18</b>	<b>18/19</b>	<b>17/18</b>	<b>18/19</b>
<b>Commissioned Days</b>	25	25	12	12	12	12	24	24
<b>Ave number per day on register</b>	23	17	12 (+8)	12(+2)	12	10	19	18
<b>Ave number per day attendance</b>	18	15	12 (+2)	12	9	7	15	16
<b>Ave percentage of people on register</b>	91%	68%	163%	120%	100%	83%	77%	75%
<b>Ave percentage of people attending</b>	73%	60%	121%	100%	75%	58%	63%	66%
<b>Spare capacity based on usage</b>	7	<b>10</b>	0	0	3	<b>5</b>	9	<b>8</b>

6.9. Across all services there were a higher average number of people on the register than actually attend on an average day. This reflects the age related frailty and ill health of service users who often cannot attend because of ill health or related medical appointments.

6.10. There were an average of 23 more spaces commissioned per day than were required in 2018/19 financial year based on actual attendance. The service at the Calabash Centre was underused by an average of ten places per day in 18/19 and the service at Cinnamon Court was underused by an average of 5 places per day in 2018/19. This ongoing reduction in numbers of places a day at Cinnamon means that the service offer itself is increasingly unsustainable.

- 6.11. The service take up at Cedar Court is higher than at Cinnamon Court, however there has been a reduction in demand for this service, as illustrated by the declining total numbers of people on the register and total numbers of people attending between 2017/18 and 2018/19.
- 6.12. The service at the Calabash Centre was commissioned specifically as a service for people from Black and Minority Ethnic communities. The service was last commissioned for 25 places in 2015, which was a reduction on the previous contract of 26 people per day. There was an expectation within the contract that the provider would ensure numbers 'on the register' was higher than the numbers of commissioned places to allow for the usual high level of service user appointments and other absences referenced above so as to ensure that the service is used to its maximum capacity. Even so, demand for this service continues to fall, even though the specific African Caribbean population continues to be a high user of social care services overall. It is likely therefore that people are accessing a broader range of community based day activities or are now at a stage in their lives where they are requiring the higher support offered from residential and nursing placements.
- 6.13. Recent quality assurance/ contract compliance visits to the service have highlighted that some of the current service users are developing additional and significant health needs and showing accelerating signs of dementia related deterioration. This alongside low numbers of referrals signpost ongoing reduction in numbers.
- 6.14. The Council's in-house Dementia Specific Service at Ladywell is also currently underutilised. There were an average of 18 people on the register and 16 people attending in 2018/19 financial year against a commissioned service of 24 places a day. It is possible that the Council's 'readiness' model was slightly premature. It is also possible that existing services want to support people because they are known to them or because of the BAME preference and therefore, by the time other services can no longer support people with significant dementia, people are going into full time care. Whatever the reason, this service has additional capacity to support older adults with dementia on an ongoing basis.

## **7. The case for change to commissioned services**

- 7.1. For any day service provision to be cost effective and deliver value to the Council, there has to be sufficient 'core' attendance to keep the cost of service at a reasonable level to make it efficient for the Council and a reasonable proportion of the overall cost of individual care package against which the Council applies its charging policy and makes decisions about levels of cost it will fund support for. Take up and demand for commissioned building based day services is now at the level where it is no longer affordable or efficient for the Council to continue to commission a service across 3 separate contracts, across 3 separate locations and pay a high level of voids in 2 of the 3 locations.
- 7.2. The rationale and demand for Council commissioned day services for older adults is changing. Historically, day services were accessed by people with

overall low to medium level support needs. This group's need for activity and socialisation is being increasingly met by the Council's wider offer as set out in paragraph 5 above.

- 7.3. Alongside the evidenced ongoing trend in reduction of demand for building based day services, there is demand for day services is from people with more significant (medium to high) care and support needs. As at March 2019, the majority (69%) of people accessing Older Adults Day Services were assessed as having increasing needs for assistance with intimate personal care, eating, medication support and so on, a service characteristic not historically commissioned at the now required level in the existing service offer. Therefore, there would seem to still be a demand for a commissioned service offer for older adults who are physically frail but cognitively able. There is an opportunity to develop the 'general' older adults' service specification to ensure that the Council can better meet the higher physical support needs of current and future service users. However, this will require an increase in staffing compliment and therefore cost if the Council does not look for 'economies of scale'. So, for a new service specification to be affordable to the Council and to service users, it is not affordable to continue to commission three separate locations.
- 7.4. This report proposes to re-commission all older adults services as a single service at a single location. Commissioning one service in a single-location, will assist with maintaining provision of a broader number and range of activities. It will also assist with improving the offer through an enhanced level of staffing to better support the delivery of personal care.
- 7.5. The single service would be commissioned for 30 places per day, with a provision to spot purchase additional places if required. The Council would not incur the current ongoing void costs as demand continues to decline. Even with some additional cost of staff to support personal care, this proposal would release in the region of £135,000 against current costs.
- 7.6. The specification would, as currently, be written to ensure a higher than contracted level of places to offset the impact the high levels of day to day 'no show' because of illness and appointments.
- 7.7. In giving consideration to location of service, officers liaised with Housing 21 to enquire as to whether they would be prepared to support an independent provider in there Extra Care locations. While Housing 21 agreed in principle to allow a third party to access the space, on balance, officers would not recommend this option for the following reasons:
- the outline terms and conditions received allow for them to terminate the licence with 6 months' notice(or immediately in the event of a breach by any provider) which could leave the Council with no control over the decision regarding end of contract, and potentially could leave the Council with no day service venue.
  - The Housing 21 Extra Care schemes are located at different ends of the borough (New Cross and Grove Park) which would increase the potential

for people to be in buses/ taxis in rush hour traffic for long periods at either end of the day.

- moving the location of the service from to Cinnamon Court or Cedar Court would leave the Active Elders Group in a position where the room that the Council lets to them at a subsidy is no longer viable for the Council as it would have to continue to meet the full rental and running costs of the Calabash Centre
- additionally, the Learning Disability service for people with complex needs also located at Calabash would likely also have to relocate as the full cost of the building would be unaffordable for them

7.8. It is recommended, therefore, that the preferred location for a single service is the Calabash Centre, which is in the ownership of the Council and was refurbished as part of the 2014 award of contract. Additionally it is in a central location and so is more accessible in terms of transport time. The consultation would, therefore, seek views about a single service offer to be delivered at the Calabash Centre.

7.9. The Council will actively seek views as to how it could mitigate any detrimental impact of not having a specific BAME service. In addition to building in individual preferences to the wider specification to provide a range of meal choices and an activities programme which reflects the preferences and cultural needs of these specific service users, and building specific cultural support requirements into individual care plans, locating the service at Calabash will also support officers to explore with the Active Elders group the possibility of their offering formal support services to eligible people and/ or to work as reference group/ quality assurance group to monitor that the service meets cultural needs.

7.10. Healthier Communities Select Committee on the 14<sup>th</sup> May 2019, expressed a view that it was possibly not the right time for the Council to not have a BAME specific service. This would raise the option of commissioning 2 day services. Should Mayor and Cabinet wish to consider this option, then the level of potential saving would reduce significantly. A BAME service at Calabash with the reduction in commissioned places to match current demand, would require the same number of staff available as is currently the case to ensure that service user needs could be met safely. This would make the daily cost of service prohibitive to the Council but also the individual service user as the current £44 per day would increase to £60.

7.11. The 2 service option would signpost combining Cinnamon and Cedar Court. Current demand and usage would suggest that the single location would be Cedar Court. This would release a saving commensurate with the current void level at Cinnamon (£1,098 per week £54,900 per annum) but would mean that current service users at Cinnamon Court who mainly live in the New Cross area would spend long periods of time on transport travelling across the Borough to Grove Park.

7.12. Appendix 4 shows a map illustrating a snapshot of the post codes of people using the different centres. It can be seen that people live in wide spread of

locations across the borough but with many living in the south of the borough around the A205 'corridor'. This would suggest that a central location for a single service would be a preferred option as this would generally minimise travel time for all service users.

- 7.13. Healthier Communities Select Committee commented on the potential negative consequences of queuing vehicles outside any single location and the time it might take for older people to get from their transport vehicle and into the service. Officers would say that, the level of commissioned service envisaged at a single location is not significantly greater than the level of service from the original contracts for each separate location.

## **8. Proposed Consultation**

- 8.1. Moving from 3 services to a single service, and no longer commissioning a BAME specific building based offer is a significant change in service. It therefore requires the Council to carry out a formal consultation to ensure that it is aware of the full implications of its decision, and to consider what mitigation it might put in place. Should Mayor and Cabinet agree to commence consultation on 5<sup>th</sup> June, officers will ensure that this consultation includes opportunities for service users and their families directly affected by the proposals to meet with officers to have a full understanding of any specific needs and preferences they may have.
- 8.2. Officers will write to service users and their families directly affected by the proposals and provide dates for face to face meetings in the daytime at the services. This will enable people to participate in the consultation in a familiar environment and with support staff available that know them well. An additional meeting will be held in the evening for family members who want to meet face to face with officers, but who are unable to attend meetings during the working day.
- 8.3. The consultation will seek views from service users and their families about the impact of the proposed changes. The views of service users and their families will influence recommendations and mitigation that officers will present back to Mayor and Cabinet in October.
- 8.4. Officers will also write directly to key stakeholder groups including the Positive Ageing Council, AgeUK, Healthwatch, and Your Voice in Health and Social Care among others, to ensure that they are aware of the consultation and have an opportunity to make representation. Officers will also offer to address their meetings or management committees.
- 8.5. The consultation will also be formally posted on the Council's website for the wider group of citizens to be involved.
- 8.6. Healthier Communities Select Committee at its meeting of the 14<sup>th</sup> May 2019 expressed concern regarding the consultation timetable set out in that report as it was scheduled to take place predominantly over the summer holiday period. In recognition of that concern, officers have extended the consultation

period for a further 2 weeks from the original end date of August 30<sup>th</sup> 2019. This means that 8 weeks are scheduled outside of the summer school holiday period. Officers have also increased the number of scheduled meetings.

#### 8.7. Indicative Consultation Timetable:

<b>Dates</b>	<b>Key Milestones</b>
7 <sup>th</sup> June 2019	Consultation Launched (letters out to service users and their families, survey online, telephone number).
July/August 2019	Two meetings at each day service during the day and two evening meetings at the Civic Suite.
September 13 <sup>th</sup> 2019 (14 weeks)	Consultation closed
8 <sup>th</sup> October 2019	Healthier Communities Select Committee
10 <sup>th</sup> October 2019	Mayor and Cabinet

### 9. Proposed Extension to Contracts

- 9.1. The existing contracts with Housing 21 at Cedar Court and Cinnamon Court, and with Hestia at the Calabash Centre end in September 2019. Officers are, therefore, requesting that, should Mayor and Cabinet agree the proposal to consult on the existing 3 building based day services to be commissioned as a single service, that these contracts are extended for a period of a minimum of 6 and maximum of 9 months to March or June 2020 on the current terms and conditions to support the consultation period and any commissioning and procurement that may be required following further presentation to Mayor and Cabinet in September for a final decision.

### 10. Financial Implications

- 10.1. The current annual cost for Older Adults Day Services is £1,025,715. The total value of the three commissioned service contracts, which are the subject of this report, is £537,955.

<b>Service</b>	<b>Ave. cost per person per day</b>	<b>Number of contracted places</b>	<b>Total Cost of Service per annum (18/19)</b>
HC21 at Cedar Ct	£43.93	12	£131,790
HC21 at Cinnamon Ct	£43.93	12	£131,790
Hestia at Calabash	£43.90	25	£274,375

In-house provider at Ladywell Dementia	£80.96	24	£485,760
<b>Total</b>		<b>73</b>	<b>£1,023,715</b>

- 10.2. The current void costs at the Calabash Service, Cedar and Cinnamon Court are approximately £165,000 per annum, based on 15 void places at £44 per day, 5 days a week, 50 weeks a year. The proposals seek to eliminate this cost by reducing overall capacity to align with current usage.
- 10.3. However an investment in a new single service would be required to allow for additional requirements in new spec. This cost of additional staffing at key times is estimated at £30,000 p.a.
- 10.4. The overall potential impact of the proposals is therefore a cost reduction of approximately £135,000 p.a. Should the proposals be subsequently agreed and implemented then the budget for commissioned Older Adults Day Services would be reduced to £403,000 p.a. (and overall budget for Older Adult Day Services would be £890,000 p.a.).
- 10.5. Following consideration by Healthier Communities Select Committee on the 14<sup>th</sup> May 2019, officers also gave some consideration to the option of consulting on two locations rather than one. This would release a saving from the cost of voids at Cinnamon Court of £54,900 p.a.
- 10.6. There may be costs associated with TUPE and/or redundancy of staff for which the Council may have some liability. Full information will be provided when the outcome of the consultation and final recommendation(s) are brought back to Mayor and Cabinet following the consultation period.
- 10.7. The Cost of the extension to the contracts at Cedar Court, Cinnamon Court and the Calabash Centre is a maximum of £403,467 for 9 months, with £123,700 of that spend potentially relating to the ongoing cost of voids maintained through the period of contract extension.

## **11. Legal Implications**

- 11.1. Services to adults are provided according to the statutory framework provided by the Care Act and associated guidance. Changes to service provision to individuals can only be carried out after re assessment of need, changes to service configuration overall, after full and proper consultation with those affected or likely to be affected, or having an interest in the proposals, with sufficient time and opportunity being provided for proper consideration and response. What are often referred to as the Cabinet Office Principles set out that there is no one framework for consultation (although there has been Judicial comment on frameworks which have been challenged), but there must be consultation at a point when the proposals are at a formative stage, provide sufficient information and reasons for any proposal to allow for intelligent and informed consideration, and allow adequate time for consideration and response.



- 11.2. In making proposals for service changes, a Local Authority has an overall duty to make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness( S3 LGA99), and also to consult for the purpose of deciding how to fulfil the duty.
- 11.3. The Council has a public sector equality duty (the equality duty or the duty - The Equality Act 2010, or the Act). It covers the following protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.
- 11.4. In summary, the Council must, in the exercise of its functions, have due regard to the need to:
- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by 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.
- 11.5. It is not an absolute requirement to eliminate unlawful discrimination, harassment, victimisation or other prohibited conduct, or to promote equality of opportunity or foster good relations between persons who share a protected characteristic and those who do not. It is a duty to have due regard to the need to achieve the goals listed above. The weight to be attached to the duty will be dependent on the nature of the decision and the circumstances in which it is made. This is a matter for Mayor and Cabinet, bearing in mind the issues of relevance and proportionality. Mayor and Cabinet must understand the impact or likely impact of the decision on those with protected characteristics who are potentially affected by the decision. The extent of the duty will necessarily vary from case to case and due regard is such regard as is appropriate in all the circumstances.
- 11.6. The Equality and Human Rights Commission (EHRC) has issued Technical Guidance on the Public Sector Equality Duty and statutory guidance. The Council must have regard to the statutory code in so far as it relates to the 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 on the EHRC website.
- 11.7. The EHRC has issued five guides for public authorities in England giving advice on the equality duty. The 'Essential' guide provides an overview of the equality duty requirements including the general equality duty, the specific duties 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.

## **12. Crime and disorder implications**

- 12.1. There are no crime and disorder implications arising from this report.

## **13. Equalities implications**

- 13.1. An Initial Equalities Analysis Assessment has been carried out and has identified that the proposal to combine 3 services into a single service and no longer commissioning a separate BAME specific day service for older adults impacts on service users of the current BAME specific day service at the Calabash and predominantly Black Caribbean (78%) service users. The other 22% of service users identify themselves as Black African, Mixed Race, and Black other Backgrounds. A BAME specific service allows a full focus on the range of activities and meal choices at this service to reflect cultural and religious needs of this community.
- 13.2. The services at Cedar Court, Cinnamon Court and the Ladywell Dementia service are also chosen and can evidence personalised support to people from diverse backgrounds. Service users from Black Caribbean communities make up 39% of service users at Cinnamon Court and 29% of service users at Ladywell Dementia Service. Whilst service users at Cedar Court are predominantly White British (75%), this is broadly reflective of the population of Grove Park, where the service is located is less diverse than other parts of Lewisham (65% of the over 65s are White British).
- 13.3. The proposals may have a negative impact on the protected characteristic of Race because part of the proposal is to no longer separately commission a BAME-specific service. This may particularly affect the current service users at the Calabash Centre, as the majority of those clients are people from African-Caribbean. It is not clear however whether this impact would be significant as a large number of African-Caribbean people now also access other older adult day services and opportunities, which was not the case when the Calabash Service was originally specified.
- 13.4. The improvements to the service offer generally will help to offset any potential negative impact and officers are exploring ways to mitigate any possible negative impact through the use of personalised care plans which reflect people's culture and ethnicity. This will be considered through the Consultation.
- 13.5. The changes will primarily affect older people with a disability, as they are the primary users of this service. The possible negative impact of the change is that people may have to travel further to a single service offer, however, the negative impact would be mitigated by the provision of travel assistance in line with the Council's Travel Assistance Policy. The improved service offer which

will be able to support people with higher care and support needs is likely to also positively benefit the protected characteristics of Disability and Age.

#### **14. Environmental implications**

14.1. There are no environmental implications arising from this report.

#### **Background Documents and Report Originator**

<b>Title</b>	<b>Date</b>	<b>File Location</b>	<b>Contact Officer</b>
Recommissioning Culturally Specific Day Services for Older Adults	<b>12<sup>th</sup> February 2014</b>	<a href="#">Link</a>	<b>Heather Hughes</b>
Remodelling Lewisham Council's Day Service Offer and Associated Transport including Evening Club Provision	<b>11<sup>th</sup> February 2015</b>	<a href="#">Link</a>	<b>Heather Hughes</b>

If you have any queries relating to this report please contact Laura Harper on 0208 314 6096

## Appendix 1 – Pen portraits of service users in commissioned/directly managed services

Anonymised pen portrait of person supported at Lewisham in-house dementia service

Mr R is an 85 year old man who attends Ladywell Dementia Day Service 5 days a week. Mr R lives with his daughter (also his main carer), and other family members live nearby and visit regularly. Mr R was diagnosed in dementia in 2013 and the disease has progressed over the years causing many changes in his presenting behaviour. Mr R has severe memory loss and is no longer able to communicate effectively. He requires prompting and constant supervision as he has little insight into his care needs and risks. He can be aggressive and become distressed easily. At times he refuses care.

Mr R started attending Ladywell 1 day a week in 2014 and has increased to 5 days a week gradually over time due to increasing needs. Mr R used to attend the Calabash service, but his needs could no longer be met there and he needs additional support around wandering and managing his aggressive behaviour. Mr R also has arthritis which can cause severe pain and cannot access the first floor of his home. OT have assessed and have recommended a downstairs bathroom is installed.

Mr R attends the day service to socialise as he is no longer able to access the community safely due to the advanced behavioural symptoms of his dementia. The day service also enables his main carer to have a break from their caring role. In addition to attending the day service Mr R receives 28 hours domiciliary care support in the morning, evening and at bed time. In order to access the day service, the Council provides transport.

Anonymised Pen Portrait of person supported at Cinnamon Court

Ms A is a 90 year old woman. She lives alone and her family live in another part of London. They provide support at weekends and do shopping and other domestic tasks for Ms A. Ms A primary needs are physical, though she does experience confusion from time to time, which is linked to some of the medication which she takes for pain relief.

Ms A is a full time wheelchair user and requires double-handed support with a hoist for personal care. In addition to attending day care, she also receives 21 hrs double-handed domiciliary care support a week, and has a package of telecare through linkline in case of an emergency.

Due to her mobility difficulties, Ms A is unable to access the community. Ms A attends Cinnamon Court day service 2 days a week where she enjoys socialising and participating in organised activities.

#### Anonymised Pen Portrait of person attending Cedar Court

Mr T is a 78 year old man who lives with his wife, who is his main carer, in a single storey bungalow. His daughter lives nearby and helps with domestic tasks. Mr T has had a diagnosis of dementia since 2016 and is also diagnosed with COPD and diabetes. Mr T uses a frame to mobilise indoors and uses a wheelchair outdoors due to mobility issues.

Mr T attends Cedar Court day service 3 days a week to enable him to socialise as it is difficult for him to access the community due to his mobility difficulties. Over the past year his wife has reported an increase in the frequency of Mr T's confused episodes which can leave Mr T agitated. In addition to this Mr T receives support with personal care of 10.5 hrs a week to minimise self-neglect. His diabetes is monitored by the district nurse as he is at high-risk of pressure ulcers. Mr T is rarely left alone, and has linkline telecare installed in his home. The 3 days which Mr T attends the day service enable Mr T's wife to take a break from her caring role and to attend to her own wellbeing.

#### Anonymised Pen Portrait of person attending Calabash Centre

Mrs L is an 80 year old woman who lives with her daughter and adult grandchild. Her daughter is her main carer and provides support at home with dressing, washing, preparing meals and all domestic tasks.

Mrs L was recently diagnosed with dementia, but has been attending the day service since she had a stroke in 2014 which left her speech and mobility affected. She is able to mobilise independently over short distances but is not able to access the community independently. She attends the centre 2 days a week to help reduce the risk of socialisation whilst her family are at work. She enjoys the art and exercise activities in particular. Over recent years she has started to experience memory loss and disorientation to time, place and people, which prompted a referral to the memory clinic and her dementia diagnosis. Mrs L does not currently have any package of support other than Linkline, as her care is managed by her daughter and her grandchild.

## Appendix 2 - Historic Service Usage

Cedar Court							
Year	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Number of contracted places	30	30	20	30	30	12	12
Ave number people on register each day	24	20	15	18	18	17	14
Ave number of people attending each day	18	15	12	14	14	14	12

Cinnamon Court							
Year	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Number of contracted places	30	20	20	20	20	12	12
Ave number people on register each day	19	18	15	13	13	12	10
Ave number of people attending each day	16	14	12	10	11	9	7

Calabash (formerly St Mauritius)							
Year	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Number of contracted places	51	51	51	25	25	25	25
Ave number people on register each day	48	45	30	24	23	18	17
Ave number of people attending each day	41	36	27	21	20	13	15

Ladywell Dementia							
Year	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Number of contracted places	19	19	21*	24	24	24	24
Ave number people on register each day	19	18	18	21	22	19	18
Ave number of people attending each day	16	16	14	18	19	15	16

\*The capacity changed from 19 to 24 on 01/10/14

### Appendix 3 – Options Appraisal for delivery of service

1. Officers have carried out an options appraisal on possible delivery options for a single day service for older adults. The options which were considered were: Commercial contractor, In-house, Wholly Owned Contractor. The option to make use of a shared service was not considered as there was no relevant local shared service.
2. The options appraisal was undertaken using a standard framework, drawn from a model designed by the Association of Public Sector Excellence to allow Local Authorities to explicitly consider insourcing of services, which assesses various options and appraises these using both qualitative and quantitative metrics. The qualitative considerations for each operating model were: the risks associated with service delivery, the barriers to entry into the marketplace (high start-up costs or other obstacles that prevent new competitors from easily entering an industry), the responsiveness and control achievable, and the commercial potential. The quantitative assessment looked at the potential and likely estimated cost of service delivery under each model. When combined the qualitative and quantitative measures provide an indication of the overall value for money and ranking of each option. Given the nature of the services the three options considered were: insourcing, placing a contract with an external provider, and the Council itself either setting up or procuring a service provider.
3. It is to be noted however that this model has not been previously used by the Council and that as with all models it is a desk top exercise which attempts to predict an outcome for each scenario. As such there is potential for the actual results to differ from those anticipated, and there is further the inherent risk that the modelling itself is not reliable.
4. Please see table below which summarises the options appraisal for service delivery models:

Delivery option	Surety of Service Delivery 10%	Barriers to entry into marketplace 10%	Responsiveness and Control 10%	Commercial potential 10%	Cost 60%	TOTAL (out of 100%)
<i>Commercial contractor</i>	7	7	7	5	60	<b>86</b>
<i>In house</i>	7	6	8	6	48.79	<b>75.79</b>
<i>Wholly owned contractor</i>	7	5	7	7	48.79	<b>74.79</b>

5. Commercial Contractor Model – In this scenario the Council commissions the service from a third party. This is the current delivery model for services at Cedar Court, Cinnamon Court and the Calabash Centre. On this basis the commercial contractor model scored high on surety of service delivery as the service has been delivered consistently to a high standard in the commissioned service arrangements. Commissioned services are contract monitored and receive quality assurance visits to ensure that they are working well. Barriers to entry into the marketplace were low as there is an existing local provider market for day services. On this basis the commissioned service model also scored

high in this area. The Commercial Contractor scored high on price as it costs approximately £100,000 below the alternative options to commission services. The appraisal model scored the Commercial Contractor as the most favourable delivery route for the general older adults day service.

6. In-house service model – In this scenario the Council would bring the service in-house with direct management arrangements. The benefit of the in-house service option would be greater responsiveness and control over how the service is delivered. The in-house service option scored high in this area. It should be noted that the Council currently has limited management infrastructure for the delivery of day services, and continues to prioritise the direct delivery of specialist services like the Dementia day service at Ladywell, and the Intensive Support Resource Service and Challenging needs service for people with a learning disability. In order to take on the management of another service additional management capacity would be required and this could have a negative impact on the surety of delivery of the service and act as a barrier to entry into marketplace. This is reflected in the options appraisal scores given to the in-house service for these areas. The costs of the in-house service option would be approximately £100,000 more per annum than the proposed contracted service option.
7. Wholly owned Contractor Model - In this scenario the Council would need to create a new wholly owned company which would manage the day-to-day operations of the day service. The Council as sole owner of the company would retain responsibility and accountability for its actions. As such the scores which given to this option for Surety and Delivery were high, and similarly the scores for responsiveness and control were high, though not as high as in the in-house scenario as there would be less direct control. The costs are assumed to be the same as the in-house service model, though there may be additional costs associated with contract monitoring the wholly owned contractor model. The barriers to the marketplace are high as this would likely be a new company which would need to establish new structures and ways of working, as well as recruiting and training staff. This option does however have some commercial potential, which remains untested, and has therefore been scored higher than the in-house option and the commercial contractor option in this area.
8. It is not recommended to in-source this service at this time as the Commercial Contractor scores higher in the option appraisal than the In-house Option and the Wholly Owned Contractor Model.