

The Vale of Glamorgan Council

Cabinet Meeting: 12 December, 2016

Joint Report of the Leader and Cabinet Member for Housing and Social Care & Health

Reshaping Services - Review of Respite Care for Adults with Learning Disabilities

Purpose of the Report

1. To seek Cabinet approval to change the way in which respite care is delivered for adults with learning disabilities.

Recommendations

1. It is recommended that Cabinet note the content of the minutes from the scrutiny meeting of 22 November 2016, which are attached in [Appendix D](#) when reaching a decision about how to progress.
2. It is recommended that Cabinet endorses the preferred option as outlined in this report, which is to close Rhoose Road and use suitable respite alternatives to meet assessed needs.
3. It is recommended that Cabinet delegates authority to the Director of Social Services in consultation with the Leader, Cabinet Member for Housing and Social Care and the Managing Director to undertake and conclude all necessary actions, including staff consultation as described in this report in order to progress the preferred option.

Reasons for the Recommendations

1. To ensure that the process for taking forward any changes to the service is undertaken effectively in accordance with the Council's policies and procedures and that the views of the Scrutiny Committee are taken into account when reaching a decision about how to progress.
2. To ensure that respite care for adults with learning disabilities remains available based on the needs of service users and is cost effective.
3. To ensure that the process for delivering the changes as outlined in this report is undertaken efficiently and effectively in accordance with the Council's policies and procedures.

Background

1. On 25th July 2016, a report was considered by Cabinet and subsequently referred to the Healthy Living and Social Care Scrutiny Committee, which endorsed the decision to undertake a review of the Council's residential care service for adults with learning disabilities, including a programme of consultation on the way services are delivered. That report can be found in the Background Papers to this report. Both Cabinet and Scrutiny Committee noted the proposals contained in that report. Following the programme of consultation, a business case evaluating the options was prepared for initial pre-decision scrutiny by the Healthy Living and Social Care Scrutiny Committee on 22nd November 2016. It is recommended that those proposals and the views of the Committee should be considered by Cabinet in reaching a decision. The minutes of that meeting can be found in [Appendix D](#) and a summary of the main points raised by the Committee are outlined in paragraphs 42 to 50 of this report.
2. The Social Services and Well-being (Wales) Act (SSWWA) promotes choice, flexibility and independence for people who need care and support and their carers by giving them more say in how their personal well-being outcomes can be achieved. The Act promotes the use of direct payments by Councils as an important means of giving individuals greater choice and control over the way in which services are designed and delivered. This approach is reflected in the Council's Corporate Plan, especially in the work being done to realise Well-being Outcome 4: An Active and Healthy Vale.
3. The Vale of Glamorgan Council currently offers respite care to approximately 82 adults with learning disabilities in order to meet their needs and those of their carers. Respite care is provided in a variety of ways and from a number of facilities. On average, service users have approximately 28 days respite service each per year, which they use over a number of episodes.
4. The way in which this care is provided by the Council has changed in recent years. Formerly, the respite care needs of adults with learning disabilities in the Vale of Glamorgan were met primarily through use of the Council's Respite Residential Care facility (based at Rhoose Road, Rhoose) and spot purchasing residential home placements where required.
5. More recently, it has been recognised that service users and their families want increased flexibility in the way that respite care is provided. People have chosen to have this delivered through direct payments, the Council's Adult Placement Service or continued use of Rhoose Road. At the same time, spot purchasing residential home placements for respite use by clients has reduced to single figures. However, a small number of people with very high level needs will continue to require this type of provision.
6. For other people, their need for respite can be met in ways which help to support their independence and provide them with greater levels of choice and control. Hence, use of alternative methods of respite provision such as direct payments and the Council's Adult Placement Service has increased over time, while use of the Council's service at Rhoose Road has diminished.

7. As part of the Reshaping Services Programme, all areas of Adult Social Services are being reviewed. Respite Care for adults with learning disabilities has been included in the first tranche of service reviews. As with all Reshaping Services service review projects, a savings target has been assigned, set initially at £60k for the 2017/18 financial year.
8. The comparable costs borne by the Council for use of a residential placement at Rhoose Road and respite with the Adult Placement Service are outlined in the table below. The continued reduction in the use made of Rhoose Road has the effect of increasing the unit cost of providing this service. An estimated cost of a placement with an external provider is also provided in the table. The costs are subject to change following any subsequent procurement exercises that may be undertaken, in addition to the soft market testing that has been carried out recently.

| Respite Provision | Cost per week |
|-------------------------------------|---------------------------------------|
| Rhoose Road | £2100 - £2700 (dependent on capacity) |
| Adult Placement Service | £517* |
| Private Sector Residential Provider | £1700 - £2200 (estimated) |

*This figure contains an element of personal care, which not all clients require. It does not contain any client contributions which may apply and so it illustrates an estimated maximum cost of this type of placement.

Relevant Issues and Options

9. As outlined in the Cabinet Report of 25th July 2016, the Council needs to consider how and where respite care services are delivered in order to improve the flexibility and suitability of these services for clients and their carers while securing best value from the use of limited resources in the face of increasing demand.
10. During September 2016, a consultation exercise was undertaken with current users of Rhoose Road and their families and those whose care pathway is likely to involve a move into the service. The consultation exercises were designed to offer opportunities to discuss the way in which respite is currently delivered and how it is proposed this may change in the future.
11. The Cabinet report of 25th July 2016 was referred to the Healthy Living and Social Care Scrutiny Committee at a meeting on 12th September 2016 so that the views of this committee could be considered as part of the overall review of the service. The comments made at the meeting are reflected in this report and the minutes can be found in [Appendix A](#).
12. As part of the service review, two options for the future of the service have been evaluated. The first of these options is to continue the service as it currently operates and the second is to make changes to the Council's existing service by ceasing to provide a service from Rhoose Road and use suitable respite alternatives to meet the assessed needs of people with learning disabilities and their carers. Members will be aware of their duty to pay due regard to the impact

that any proposed changes may have on protected characteristic groups when reaching a decision. An equality impact assessment has been developed and can be found in [Appendix B](#).

13. The two options have been appraised against a series of criteria which are as follows:
 - Criteria 1: The service should ensure that the needs and personal well-being outcomes of service users in relation to respite care continue to be met. This is in order to fulfil the Council's duty to meet needs and help people to achieve their personal well-being outcomes where these have been assessed.
 - Criteria 2: The service should be provided in a way that is congruent with the Social Services and Well-being Act. The Act changes the way people's needs are assessed and the way services are delivered to enable people to have more of a say in the care and support they receive. It requires Councils to promote the range of help available within the community to reduce the need for formal, planned support. Aspects of the Act relevant to this review include: the intention for services to be available to provide the right support at the right time; the emphasis on providing information and advice; and the need for simpler, proportionate assessment. The Act also requires Councils to promote the use of direct payments, to give individuals greater choice and control over the way the services they receive are delivered.
 - Criteria 3: The service should be financially viable for the Council and achieve at least the required savings targets. Through Reshaping Services projects, the Adult Services division is required to deliver savings of £970k from 2017-2020. A savings target of £60k has been assigned to this particular service. Members will be aware of the considerable financial cost pressures being experienced by the service, for various reasons including demographic changes. The available budget for 2015/16 was £298k and the service cost £282k.

Option One – Maintain Rhoose Road as a respite facility

14. The first option for consideration is to continue operating Rhoose Road as a respite facility at its current capacity.
15. The Council's Residential Respite facility, Rhoose Road, has provided short-term respite accommodation within the Vale of Glamorgan for over 22 years. It is registered with CSSIW to provide short-term residential care for both younger and older adults with learning and physical disabilities.
16. The facility can accommodate three service users at any one time and offers one downstairs bedroom (for use by those with complex health and social care needs) and two upstairs bedrooms. People who attend the service and their carers have been assessed as requiring a period of respite to meet their needs.
17. There are 36 current users of the service, 12 of whom are users of the downstairs bedroom and 24 who use the two rooms located upstairs in the building. Of the 24 service users who use the upstairs bedrooms, 8 of them are

currently known to the Council's Adult Placement Service and the remaining 16 could be eligible to use the service.

18. The table below shows how occupancy levels of Rhoose Road have changed in recent years. The number of available respite nights differs between years, dependent on whether or not the facility closed over the Christmas period. Between 2013/14 and 2015/16, occupancy levels of the facility have reduced by 16.96%. There was a slight increase in Rhoose Road occupancy in 2013/14. This relates to requests from families for additional respite care, due to individual family circumstances and Rhoose Road being able to accommodate these requests.

| | 2012/13 | 2013/14 | 2014/15 | 2015/16 |
|---------------------------------|---------|---------|---------|---------|
| No. of available respite nights | 1095 | 1059 | 1062 | 1065 |
| No. of occupied nights | 920 | 996 | 968 | 821 |
| Occupancy % | 84.02% | 94.05% | 91.15 | 77.09% |

19. Rhoose Road is currently staffed as follows:

| Position Name | Headcount | Full Time Equivalent (FTE) |
|----------------------------------|-----------|----------------------------|
| Care Assistant/Driver | 2 | 1.30 |
| Community Support Worker | 6 | 4.78 |
| Domestic Assistant | 1 | 0.43 |
| Relief Care Assistant/Driver | 2 | 0 |
| Relief Community Support Workers | 3 | 0 |
| Total | 14 | 6.51 |

20. The costs for operating Rhoose Road for the 2015/16 financial year and the 2016/17 budget are set out below:

| | 2015/16 Actual £000 | 2016/17 Budget £000 |
|------------------------|------------------------|------------------------|
| Employees | 291 | 286 |
| Premises | 12 | 12 |
| Transport | 9 | 16 |
| Supplies and Services | 7 | 9 |
| Depreciation | 2 | 2 |
| CHC Income from Health | -22 | -10 |
| Customer Receipts | -17 | -12 |
| Total | 282 | 303 |

21. The decrease in occupancy is mainly related to issues about the ability of the premises to meet the needs of service users when compared with alternative provision. There is only limited capacity for people with complex health and social care needs as they can be accommodated only in the one downstairs room. The floor space downstairs is extremely limited, particularly for those who

are wheelchair users. The internal structure and general nature of the building also limits the ability of staff to support appropriately people who present with challenging behaviour. As such, the physical environment is not conducive to implementing strategies which facilitate positive behavioural management. The limited space and lack of available rooms also constrains the staff's ability to provide person-centred emotional support and care for people.

22. The demand for Rhoose Road has decreased in recent years, which has an adverse impact on the unit cost per occupied night. In 2015/16, the average unit cost per occupied night was approximately £391 (gross) and £343 (net of income). If the facility had been full to capacity the average unit cost per night would have been reduced to £301 (gross) and £265 (net of income).
23. The consultation exercises demonstrated that the respite provided from Rhoose Road is currently well received by service users and their families. For parents and carers, the stability and security of the service are seen as benefits. It supports them by offering a welcome break, an opportunity for them to recharge their batteries and an element of free time. They recognised that Rhoose Road is small in size and, although the majority of those consulted were happy with the current service, comments were made to the effect that a bigger version of a facility like Rhoose Road would be beneficial.

Option Two – Close Rhoose Road and Use Suitable Respite Alternatives to Meet Assessed Needs

24. The Cabinet Report of 25th July 2016 outlined the current respite position in the Vale of Glamorgan and recommended that consultation exercises were undertaken with current users of Rhoose Road and their families and those transitioning into the service.
25. The other proposal within the consultation exercise is to offer an alternative to the respite care provision that is currently provided at Rhoose Road in order to better meet assessed needs. This option has two elements:
 - Consultation Element 1: Where an assessment shows that respite care services should be provided and service users choose not to receive direct payments, the Vale of Glamorgan's Adult Placement Service would be offered to people and their carers as the default option. The service currently has capacity to host additional placements and offers greater flexibility and opportunities to people and their carers. 24 of the 36 current users of Rhoose Road could have all of their respite care needs met by the Adult Placement Service. Eight of these people currently access the Adult Placement service and the other 16 could access the Adult Placement service. The service has the capacity to accommodate this level of growth.
 - Consultation Element 2: For those who have particularly high level care needs who have been assessed as requiring residential respite provision (12 of the 36 current users of Rhoose Road), the Council's Adult Placement Service would not be suitable. It is proposed, therefore, that the Council would look to provide the required 24 hour high level support to meet the needs of this client group through

an external provider. As evidenced by the market sounding exercise described below, there is currently sufficient capacity in the market to meet the Council's requirement for support to be provided to this group of people. However, this is subject to change and a full procurement exercise would need to be undertaken.

26. Progressing this option would mean that Rhoose Road would no longer operate but all people with eligible needs would continue to receive an appropriate service, which would include 24/7 support for those who require it.
27. The consultation process has informed the development of an Equalities Impact Assessment, which can be found in [Appendix B](#). Initially, the process of change and adjusting to a different provider (whether an Adult Placement Service host, direct payment personal assistant or external provider), may have a negative impact on some people, because this can be a challenging or disruptive period. However, alternative services would be commissioned on the basis that they meet the well-being requirements of individuals and carers. In-depth transitional support would be provided for service users and their families and further information is outlined in the relevant section of this report. A transition timetable would be required to ensure that each service user and their carers are able to build a relationship with the new provider.
28. It should be noted that, although this option proposes that the delivery of respite as it is constituted currently will change, the service will not be removed and the delivery of respite becomes more sustainable. The Council remains very much committed to ensuring that the personal well-being outcomes of service users and their families/carers continue to be achieved through the provision of care and support, albeit in a different way.
29. In order to mitigate any actual or perceived negative impact during this period of uncertainty, the Council's commitment to meeting people's identified need for respite has been emphasised throughout the consultation. Any transition to alternative provision would be carefully managed with introductions, tea visits, information sharing sessions and comprehensive care and support plans being put in place to identify how people wish to have their needs and outcomes met. For those people with high level needs who could not access Adult Placement or direct payments, an external provider able to evidence expertise in this area would be sourced.
30. In parallel with the consultation work associated with this project, a market sounding exercise was undertaken in order to understand the availability and suitability of externally provided residential respite placements that can support those service users with a particularly high level of care needs. This exercise was undertaken with the aim of building upon the knowledge the Council already has about the care market because of its current commissioning arrangements. The exercise was undertaken via Sell2Wales and sought information from prospective suppliers as to the likely type and level of potential interest in providing these services. In addition, desk-based research has taken place alongside conversations involving providers with whom the Council already has a relationship.

31. The outcome of this market sounding exercise was that there are currently a number of providers who have the capacity and capability to meet the Council's requirements for the provision of respite care for those with high level needs. This is however subject to change and a full procurement exercise would need to be undertaken.
32. As part of the commissioning and procurement process providers would have to be able to evidence that they could deliver the requirements outlined in the Service Specification. The Service Specification would be informed by the information gleaned from people through the consultation process about what is important to them.

Consultation Process

33. As described above, during September 2016, a consultation exercise was undertaken with current users of Rhoose Road and their families and those whose plans may involve using the service. The consultation exercises were designed to be accessible to the service user group and families and to offer opportunities to discuss the way in which respite is currently delivered and how it is proposed this may change in the future.
34. A letter was sent out to all people currently using the service and their carers as well as young people known to have a future need of residential respite. The letter was sent out on the 12th September 2016 in both written and pictorial/accessible formats, explaining that the Council was looking at residential respite services and outlining the proposed changes. The letter invited people to fill in questionnaires and to attend individual consultations. The communications sent out to both service users and their families are at [Appendix C](#).
35. All individuals who were contacted are known to social services and have in-depth individual assessments outlining their needs and preferred outcomes. To ensure that as many people attended the individual consultation sessions as possible, telephone calls were made to each person/parent/carer after the letters were sent out, to remind them of the event and to check whether they wished to attend. Where people did not attend their booked session, follow up telephone calls were made and sessions re-booked; on two occasions, discussion took place over the telephone.
36. A summary of the consultation responses is outlined below:
 - 41 letters and questionnaires were sent out.
 - 18 parent/carer questionnaires were returned (43%).
 - 15 service user questionnaires were returned (37%).
 - 5 returned questionnaires were from people who also attended the consultation (12%).
 - 11 individual (parent/carer and person) consultations took place (27%).
37. The top three responses under each heading on the 15 Service User questionnaires and confirmed during the consultation sessions were as follows:

| Question | Top Three Responses |
|---|--|
| 1. How does respite help you? | <ol style="list-style-type: none"> 1. Get to have a break 2. Get to see friends 3. Independence |
| 2. What do you like best about respite? | <ol style="list-style-type: none"> 1. Seeing friends 2. Staff 3. Trips |
| 3. How could respite be made better? | <ol style="list-style-type: none"> 1. It's perfect/Keep it going 2. More days at RR 3. Nurses to do medicine |
| 4. How would you feel if respite was changed? | <ol style="list-style-type: none"> 1. Would be sad/not happy if it was changed. 2. Not good with change and confirmed during the consultation sessions 3. Keep it as it is. |

38. The top three responses under each heading on the 18 Parent/Carer questionnaire and confirmed during the consultation sessions were as follows:

| Question | Top Three Responses |
|---|---|
| 1. How does respite help you? | <ol style="list-style-type: none"> 1. A welcome break/time apart 2. Re-charge batteries 3. Being able to stop worrying about providing care/small measure of freedom |
| 2. Thinking about current services offered, what do you feel is most beneficial to you or to the person you care for? | <ol style="list-style-type: none"> 1. Rhoose Road – Security of service 2. Day care and respite 3. Stability – well trained staff |
| 3. Please could you share any ideas you have about how respite could be improved and delivered in the future? | <ol style="list-style-type: none"> 1. Happy as it is/works fine as it is 2. Plan respite for a year/more organised with the bookings 3. Bigger version of RR/more houses like RR |
| 4. If respite were delivered in a different way, what impact would this have on you? | <ol style="list-style-type: none"> 1. Depends on what way it is different 2. Would be very sad/would have a detrimental impact 3. Opportunities for respite would be reduced. |

39. Members will be aware of their duty to pay due regard to the impact that any proposed changes may have on protected characteristic groups when reaching a decision. An equality impact assessment has been developed and can be found in [Appendix B](#). As the above information demonstrates, feedback from some people using the service and some parents/carers identified the change as negative. Parents/carers fear that respite will be reduced and any change will be destabilising. People using Rhoose Road fear losing friendship groups and relationships with the familiar staff group providing the service.
40. Although the facility from which the current service is provided will change as part of option 2, the ethos of the service (i.e. providing carers with a welcome break, enabling service users to spend time with friends, offering independence to service users etc.) will continue. As an example, Adult Placement Service placements offer the opportunity for friends to take respite breaks together. In addition, transitional support to build relationships between service users, their families and new providers has been designed to develop familiarity in advance of the new arrangements being put in place.
41. As part of the commissioning and procurement process, providers would have to be able to supply evidence that they could deliver the requirements outlined in the Service Specification. The Service Specification would be informed by information obtained from people through the consultation process about what is important to them.
42. Scrutiny Committee considered the proposals as described in this report at a Scrutiny Meeting on November 22nd 2016 and made a number of comments for consideration.
43. A concern was raised around current service users expressing a wish for the service to remain as it was. In total, 11 out of 36 service users or their carers attended consultation meetings with two further discussions being received via telephone during the consultation exercises, which is important to note. It is understood however that responses received from the service users who did comment were in support of Rhoose Road remaining open. Should Cabinet agree to progress option two as outlined in this report, careful consideration would need to be given to the transition process for both service users, their families and the staff. The transition phase for service users to alternative respite provision will need to be carefully managed and an indicative timetable is outlined in paragraph 47.
44. The proposed changes would inevitably alter the delivery of respite. The process of change and adjusting to a different provider (whether that be an APS host, direct payment personal assistant or external provider), initially may have a negative impact on some people, because they would need to manage a change, however, services would be commissioned on the basis that they meet the requirements of individuals and carers which would include being able to meet the areas identified as important to their wellbeing.
45. Rhoose Road does not provide permanent residency and so as a respite unit, people are familiar with moving in and out of the facility and so it is expected that

with support, a transition to an alternative provider would be manageable. It is also important to note that a number of current users of Rhoose Road also use the Adult Placement Service.

46. At the meeting on 22nd November 2016, Scrutiny Committee requested further information in relation to the Adult Placement Service. The Adult Placement Service could be described as fostering arrangements but for adults, on a permanent or short-term basis. Within the Vale of Glamorgan there are currently 34 host families/addresses that provide respite care for approximately 49 people and their carers. The service is continually growing and has current capacity to accommodate additional clients. An advantage of this service is that a person is placed in a family environment, which could accommodate up to three individuals at the same time and offers people the opportunity to choose a host family who can better meet their individual needs both personally and geographically. Service users also benefit from respite being offered in a homely and family environment.
47. The Adult Placement service offers long term placements, short breaks, emergency placements and additional support in the community. Support is provided by hosts from their own home for individuals with additional needs. Hosts support individuals with varying needs, including learning disability, mental health, physical disability and older people to live as independently as possible. The service is regulated by the Care and Social Services Inspectorate Wales (CSSIW).
48. The Adult Placement service recruits hosts of a variety of ages and from various backgrounds, single people, couples and families with or without children. Training is provided to Adult Placement hosts so no qualifications are required. The service undertakes various checks and seeks professional and personal references before employing a person as an Adult Placement host. The service 'matches' hosts and service users and monitors placements to ensure that both parties benefit from the relationship. Hosts receive on-going support from the Adult Placement team through a dedicated project worker. Regular carers meetings take place to ensure that the support system is robust and effective.
49. At the Scrutiny Meeting on 22nd November 2016, it was queried that the fall in occupancy rates of Rhoose Road was an actual trend. It should be noted that the expected savings outlined in this report would be achieved based on existing usage levels, as stated in the table in paragraph 18 of this report. Based on the usage levels in 2013/14, the costs of running Rhoose Road would still significantly exceed the preferred option outlined below. In addition, the allocation process has changed and in the past staff at Rhoose Road would attempt to fill cancelled stays. This means that some service users have been provided with a larger number of nights that was greater than their assessed needs.
50. Scrutiny Committee recommended that this matter should be deferred in order that the plans for Rhoose Road could be considered further. It is thought however that there is a need to move swiftly on these proposals, as the registered manager of Rhoose Road is no longer in post. Further staff reductions

within the service could result in the facility being unable to meet the needs of the service users; hence the proposals should be advanced as soon as possible to ensure that the needs of service users and their families can be met in a planned way. This could include alternative ways of staffing the facility (e.g. via temporary secondment of staff, engagement of agency workers), closing the facility earlier than anticipated and spot purchasing placements for those with more complex needs and referring those suitable for Adult Placement to that service.

Conclusion and Preferred Option

51. Both options have been evaluated against the criteria set out in paragraph 12. The following table provides an illustrative summary of the two options against the review criteria:

| Review Criteria | Option 1 Continue Current Service | Option 2 Close Rhoose Rd and use suitable respite alternatives |
|---|--------------------------------------|---|
| 1- Ensure that needs and personal outcomes continue to be met | ✓ | ✓ |
| 2- Improved congruence with SS and Well-being Act | ✗ | ✓ |
| 3- Financially viable and achieve required savings targets | ✗ | ✓ |

52. The table above demonstrates that option 2 (i.e. close Rhoose Road and use suitable respite alternatives to meet presenting needs) best meets the criteria of the review. It is, therefore, the preferred option. This option would ensure that service users continue to have their needs for respite met and their personal well-being outcomes achieved. The option has greater congruence with the Social Services and Well-being Act as it promotes choice via the promotion of direct payments and Adult Placement Service or commissioning external placements where required. By ceasing to provide a service at Rhoose Road and using alternatives, the service would ensure financial viability and achieve the required savings targets. It is proposed, therefore, that this option is recommended to Cabinet for their consideration.

Implementation of Preferred Option

53. In order to implement this option, careful consideration would need to be given to the transition process for both service users, their families and the staff.

Appropriate steps to support the staff who are currently employed by the service and to fulfil the Council's responsibilities towards them would also be required.

54. The transition phase for service users to alternative respite provision will need to be carefully managed. It is suggested that the indicative process and timeframe set out below should be used to facilitate the move:

| Transition Activity | Timescale |
|---|--------------------------|
| <p>Undertake a new well-being assessment for all 36 users of Rhoose Road:</p> <ul style="list-style-type: none"> - Determine where Direct Payments may be a suitable alternative to the respite currently provided at Rhoose Road. - Where Direct Payments are not a suitable alternative, review whether the Adult Placement Service would meet service user needs and personal outcomes. - Where the Adult Placement Service is not a suitable alternative, determine whether this could be achieved by use of an external provider. | January – February 2017 |
| <p>Undertake a formal procurement exercise to put in place arrangements for externally commissioned residential respite placements</p> | January – April 2017 |
| <p>Arrange for Direct Payments to be set up where required</p> | March – April 2017 |
| <p>Begin transition of service users to the Adult Placement Service where required</p> | March – April 2017 |
| <p>Support service users and their families with transitional arrangements:</p> <ul style="list-style-type: none"> - Book respite stays - Introductions to new providers - Tea Visits - Information sharing sessions - Developing care and support plans | January – April/May 2017 |

Resource Implications

HR & Employment Implications

55. If the preferred option to offering respite care as set out in this report is adopted, there will be an adverse impact upon the staff group currently employed at Rhoose Road, because of its closure. Formal staff and trade union consultation exercises would need to be progressed in accordance with the Council's agreed policies and procedures, including maximising opportunities to mitigate any potential displacement of staff through matching existing staff to appropriate posts or redeploying to suitable existing vacant positions within Adult Services and the wider Council.
56. Both the recognised trade unions and staff working within the service area have been made aware of the initial report which led to the stakeholder consultation exercise, feedback on the consultation along with the proposals as set out within this report. More detailed consultation with staff and trade unions will be required and this will be an on-going aspect of the project which will develop as it progresses. The following sets out an indicative timeframe for these activities:

| Key Activities | Description | Timescale |
|--------------------------------------|--|--|
| Pre-Scrutiny and Cabinet Preparation | Meeting(s) held and information provided to trade unions and staff. | November 2016 |
| Scrutiny/Cabinet Report | Scrutiny Consideration. Cabinet Determination. Engagement Meetings with Staff. | 22 November 2016 12 December 2016 December 2016 |
| Staff and Union Consultation | Meet formally with staff and Trade Unions. 30 day consultation (minimum) begins to include potential selection proposals. Canvass for voluntary redundancies (as appropriate). End of consultation. | January 2017 January 2017 January/February 2017 February 2017 |
| Consultation Evaluation | Evaluation of consultation feedback and proposals refined as appropriate. | February 2017 |
| Staff Correspondence | Letters issued to all staff at risk (if required). | February 2017 |
| Avoiding Redundancy/Redeployment | Avoiding Redundancy/Redeployment procedures implemented (if required). | February 2017 |

| | | |
|---------------------------|--|---------------------|
| Notice Periods | Staff given notice (if required). | February/March 2017 |
| Implementation of changes | Changes to working practice implemented (if required). | May 2017 onwards |

57. Subject to the approval by Cabinet of the proposals outlined in this report, full formal consultation will be carried out with staff and the relevant trade unions throughout all stages of the project. The timeframe has been designed to enable meaningful consultation- for example, by continued staff and trade union engagement on the project and delaying any potential formal statutory employee consultation until the New Year 2017 (following temporary closure during the Christmas break).
58. The above timeframe provides an indicative project plan, which may be subject to change as determined by the response to the consultation and the outcomes of each key activity as set out above.
59. As part of the consultation arrangements, the service will progress these proposals in accordance with the Council's agreed policies and procedures, in particular the Change Management and the Avoiding Redundancy policy and procedures. Where possible, opportunities to mitigate the potential displacement of staff will be fully explored through matching existing staff to appropriate posts or redeploying to suitable existing vacant positions within the Service and the wider Council. The Council will also continue to work with partner organisations to determine whether the potential exists to support staff in acquiring employment in other organisations, if required.
60. The Council is committed to offering voluntary redundancy opportunities to staff in circumstances where change of this scale is being proposed. This will be progressed using an agreed set of criteria and discussed with Trade Unions and staff throughout the process.
61. There are currently 14 staff employed at Rhoose Road in a variety of full time and part time roles, equating to a total of 7.51 FTE. The service has six Community Support Workers, two Care Assistant/Drivers, one Domestic Assistant, three Relief Community Support Workers and two Relief Care Assistant/Drivers. The table in paragraph 19 shows a breakdown of the staff structure in more detail.
62. Potential implications for any other staff groups in the Council will also be fully explored and mitigated where possible as this project progresses. The possibility of additional roles within the Adult Placement Service, including recruitment of additional host families may also be considered if required.
63. The project has equality implications and an equality impact assessment has been undertaken; a copy is included at [Appendix B](#). This identifies that the proposals will have an impact upon service users, staff and carers and it includes mitigating actions which are also referenced in the body of this report.

Financial Implications

64. The costs of operating Rhoose Road and providing respite care services to adults with learning disabilities and their families is contained within the body of this report. There is a savings target associated with this project which has initially been set at £60k.
65. The budget for Rhoose Road (net) for 2016/17 is £303k. The following outlines the potential costs associated with the preferred option of closing Rhoose Road:

| Respite Provision | Cost per week |
|-------------------------------------|---------------------------|
| Adult Placement Service | £517 |
| Private Sector Residential Provider | £1700 - £2200 (estimated) |

66. As described above, there are 36 current users of Rhoose Road; 12 of whom are users of the downstairs bedroom (high level support needs requiring externally commissioned respite placements) and 24 who use the two rooms located upstairs in the building (suitable for APS). The forecast costs associated with meeting these needs have been calculated as described in the following table:

| | Service User Group | |
|--|-----------------------------|----------------------------|
| | 12 users of downstairs room | 24 users of upstairs rooms |
| Proposal for meeting future needs | External Provider | Adult Placement Service |
| Annual Future Cost of Respite (4 weeks per year) | £81,600 - £105,600 | £49,632 |
| Total Cost Range | £131,232 - £155,232 | |

67. As such there is a total potential saving of £148k - £172k. The savings range outlined above is in excess of the savings target initially set for this project but it would contribute to the significant overall savings targets for the Directorate.
68. Due to the nature of the changes proposed, provision for potential redundancy payments is required and is estimated to be a maximum of £106k for the service. This figure also contains provision required to meet the potential pension strain (actuarial) costs. It is proposed that these costs be met from the Council's Early Retirement and Redundancy Fund.
69. Due to the potential total cost associated with commissioning services to meet high complex needs, this will require a tender process as per the Council's Contract Procedure Rules and this would be managed by the Social Services Commissioning Team.

Legal Implications (to include Human Rights implications)

70. The proposal satisfies the Authority's wider obligations under the SSWWA 2014 to assess adults in need (s19); determine eligibility for care and support (ss 32 &

33) and to meet the eligible needs of adults (s35) i.e. the need for respite provision. It also meets the Authority's duty to promote the well-being of people 'in need' and their carers under s5 SSWWA 2014.

71. The Authority also has to ensure that its services and outcomes are targeted and sustainable. The proposed changes to the delivery of respite services ensures its financial sustainability whilst ensuring that service users and carers have greater choice and control as to how and when their respite care is provided.
72. There are potential employment law implications arising from some of the proposals within this report. Many of these implications are already provided for in accordance with Human Resource policies. Human Resources and the employing department will take advice as and when appropriate in relation to these implications as the proposals develop.
73. There are no specific implications under the HRA 1998.
74. The implications under the Equality Act 2010 are considered below (in paragraphs 68-80).

Sustainability and Climate Change Implications

75. These proposals are consistent with the Sustainable Development principle introduced by the Well-being of Future Generations Act. This is reflected in the work of the Council, for example through the work for the Active and Healthy Vale Well-being Outcome contained in the Corporate Plan.
76. As described in the body of the report, the proposals are seeking to plan for the longer-term requirements of the service. The proposals have been developed following consultation with service users and their families and, as such, demonstrate how these groups are involved in decision making. There are no climate change implications associated with these proposals.

Crime and Disorder Implications

77. There are no direct crime and disorder implications associated with this report.

Equal Opportunities Implications (to include Welsh Language issues)

78. The project has clear equalities impacts and an equality impact assessment has been undertaken and a copy is included in [Appendix B](#). This identifies that the proposals will have some adverse impact upon service users, staff and carers but it includes mitigating actions which are also referenced in the body of this report. Members will be aware of their duty to pay due regard to the impact that any proposed changes may have on protected characteristic groups when reaching a decision.
79. The Council must comply with the public sector equality duty (section 149 of the Equality Act 2010) when coming to a decision on the proposals contained in this report. Section 149 requires the Council to have due regard to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct that is prohibited by or under the Equality Act 2010;
 - Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - Foster good relations between persons who share a relevant protected characteristic and persons who do not share it: Equality Act 2010 s149 (1).
80. The relevant protected characteristics are: age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; sexual orientation: section 149 (7) of the Equality Act.
81. Section 149(3) of the Equality Act states that having due regard to the need to advance equality of opportunity involves due regard, in particular, to the need to:
- Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
 - Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low;
 - The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.
82. Section 149(5) of the Equality Act states that having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding. Compliance with the duties in this section may involve treating some persons more favourably than others.
83. To discharge the public sector equality duty the decision-maker must analyse all the relevant material with the specific statutory consideration in mind. This includes considering whether the proposed decision is capable of having an adverse impact on persons who have any of the relevant protected characteristics. If it is, consideration should be given to whether there are any steps that could be taken (by way of modification of the proposed decision) to avoid or mitigate that impact. If there are such steps, consideration must be given to whether or not to adopt any of them as part of the final decision.
84. In reaching their decision on the future delivery of respite care, Cabinet members must satisfy themselves:
- (a) that they understand the proposed decisions are capable of adversely affecting persons who have any protected characteristic (and have sufficient information before them to reach a decision on this, one way or the other);
and

(b) that they have conscientiously and rigorously addressed whether there are steps that could be taken to remove or mitigate any such disadvantages identified for particular equality groups. Cabinet members should then consider whether or not to modify the proposed decision to incorporate such steps (if there are any). In addition, Cabinet members should scrutinise the decision against the other public sector equality duty criteria (i.e. advancing equality of opportunity, and fostering good relations). Here too if the proposed decision provides the opportunity to serve either of these objectives (in its proposed form, or if any modification were made to it), this too should be considered.

85. An Equality Impact Assessment on the proposal to change the way in which respite care is delivered for Adults with Learning Disabilities is attached at [Appendix B](#).
86. Officers have sought to investigate whether the proposals would result in a negative impact to service provision, or an adverse impact on people sharing any of the protected characteristics. Consultation took place with service users and their families during September 2016 and the impact assessment was considered. The potential for adverse impacts as a result of changing the way in which respite care is delivered for groups with protected characteristics and proposed mitigating actions to address them should they arise are set out in the Equality Impact Assessment in [Appendix B](#).
87. Given that respite services would be maintained and even enhanced by the proposals it is not expected that the changes will ultimately adversely affect the persons in any of the protected groups. The people accessing Rhoose Road all have a diagnosed learning disability but in addition to this there are 12 people who also have a physical disability, four people with an additional visual impairment and two with a hearing impairment. All people with eligible needs would continue to receive an appropriate service which would include 24/7 support for those people requiring it.
88. Feedback collated from meetings and questionnaires, both part of the consultation process, indicates that the current service model is valued by carers because of the stability and security of the service. People indicate that they like the current arrangement because they get to be with friends and staff that they like. They also appreciate the opportunities provided by the service to go out on day trips.
89. Initially, the process of change and adjusting to a different provider (whether an Adult Placement Service host, direct payment personal assistant or external provider), may have a negative impact on some people, because this can be a challenging or disruptive period. However, alternative services would be commissioned on the basis that they meet the well-being requirements of individuals and carers. In-depth transitional support would be provided for service users and their families and further information is outlined in the relevant section of this report. A transition timetable would be enacted to ensure that each service user and their carers are able to build a relationship with the new provider.

90. It should be noted that, although this option proposes that the delivery of respite as it is constituted currently will change, the service will not be removed and becomes more sustainable. The Council remains very much committed to ensuring that the personal well-being outcomes of service users and their families/carers continue to be achieved through the provision of care and support, albeit in a different way.

Corporate/Service Objectives

91. This project contributes to a range of corporate and service objectives, including:

- The delivery of the Council's transformational change programme, Reshaping Services, which seeks to mitigate the impact of budget reductions by reshaping the way in which the Council provides services.
- The Healthy and Active Vale Well-being Outcome in the Corporate Plan, where residents of the Vale of Glamorgan lead healthy lives and vulnerable people are protected and supported, in order to safeguard those who are vulnerable and to promote independent living.

Policy Framework and Budget

92. This is a matter for Executive decision by the Council's Cabinet.

Consultation (including Ward Member Consultation)

93. Consultation has been undertaken to inform the development of this report. This consultation included service users and their families.

94. Local members in Rhose have been made aware of this report.

95. Staff employed in the service and the recognised trade unions have been made aware of this and previous reports and will continue to be consulted and engaged throughout the review process.

96. This report is provided to Scrutiny Committee to enable further consideration of the proposals so that their views (and the other consultation activities described in the report) inform the decision of Cabinet.

Relevant Scrutiny Committee

97. Healthy Living and Social Care Scrutiny Committee

Background Papers

Healthy Living and Social Care Scrutiny Committee 12 September 2016: Reshaping Services – Review of Respite Care for Adults with Learning Disabilities
http://www.valeofglamorgan.gov.uk/en/our_council/council/minutes,_agendas_and_reports/reports/Scrutiny-HLSC/2016/16-09-12/Review-of-Respite-Care.aspx

Contact Officer

Lance Carver – Head of Adult Services

Officers Consulted

Managing Director
Head of Finance
Head of Human Resources
Head of Adult Services
Operational Manager, Learning Disabilities
Operational Manager, Policy and Performance
Operational Manager, Human Resources
Operational Manager, Legal Services
Operational Manager, Accountancy
Senior Lawyer (Employment Law)
Accountant (Social Services)
Personnel Officer (Social Services)
Equalities Officer

Responsible Officer

Phil Evans – Director of Social Services