

<b>Report to:</b>	Cabinet	<b>Date of Meeting:</b>	24 June 2021
<b>Subject:</b>	Adult Social Care - Supported Living, Strategic Approach, Commissioning and Procurement		
<b>Report of:</b>	Executive Director of Adult Social Care and Health	<b>Wards Affected:</b>	(All Wards);
<b>Portfolio:</b>	Cabinet Member - Adult Social Care		
<b>Is this a Key Decision:</b>	Yes	<b>Included in Forward Plan:</b>	Yes
<b>Exempt Confidential Report:</b>	/ No		

### Summary:

The report sets out the strategy for re-commissioning of Supported Living services. Supported living is a combination of suitable accommodation with some form of care and support on site or as in reach. In Sefton Adult Social Care spend approximately £22m per annum on these services for people with disabilities in order to support them to live independently in the community rather than in a residential setting.

This report is predominantly concerned with the care and support contracts that make up Supported Living.

There is usually but not always a partnership arrangement between the care and support provider and the housing provider or landlord. Care and support can be a condition of tenancy but not always. Essential to the offer is the ability to support people to access quality and affordable housing.

The proposed approach contained within this report is intended to promote independence for the residents of Sefton and in so doing support them to live the life of their choosing within their local communities.

### Recommendation(s):

Cabinet is recommended to;

- (1) approve the strategic commissioning approach with regards to the care and support contracts for Supported Living.
- (2) approve the Direct Award of temporary contracts for 12 months to current providers of Supported Living.
- (3) delegate awarding the contracts to the Executive Director of Social Care and Health in consultation with the Cabinet Member for Adult Social Care and Executive Director of Corporate Resources and Customer Services.
- (4) approve the commencement of a procurement process in line with Public

Procurement Regulations which will secure a suitable local purchasing system to be used to source Supported Living Care and Support provision from August 2022.

(5) delegate the awarding of the contracts to the Executive Director of Adult Social Care and Health in consultation with the Cabinet Member for Adult Social Care and Executive Director of Corporate Resources and Customer Services.

(6) delegate decisions for the authorisation of call off from the contracts for individual packages of support to senior managers within Adult Social Care, based upon the scheme of delegation.

(7) should an existing provider of Supported Living support and where provided Community Support provision, exit the market a direct award to be provided to an alternative provider in order to sustain continuity whilst the new purchasing arrangements are developed.

(8) note that this strategy will apply to services commissioned by the Council and the Clinical Commissioning Groups in relation to Individual Placements and Packages.

#### **Reasons for the Recommendation(s):**

- The approach recommended to Cabinet will improve outcomes for residents with disabilities living independently in the community and enable the Council to ensure that both current and future commissioned provision to effectively manage the cost and quality of the services in Sefton.
- This approach will ensure that provision is able to respond to the aspirations of people who use services including young people in transition who are seeking access to creative solutions which promote independence, reducing reliance on residential care.
- The approach will ensure the availability of sustainable fit for the future services that offer best value, are innovative and offer a wider range of choice for individuals.

#### **Alternative Options Considered and Rejected: (including any Risk Implications)**

To do nothing was considered and rejected as there is a need to ensure that providers are working to the model of support approved by Cabinet and that future commissioning arrangements are in line with the Adult Social Care Vision and will support the wider integration of health and social care.

Services as part of the proposed approach will be subject to an evaluation of the quality of provision which will inform the commissioning and procurement of these services in the future. It will also mean further engagement with people using the services to inform the re-commissioning approach and the coproduction of the outcomes required.

#### **What will it cost and how will it be financed?**

**(A) Revenue Costs**

Revenue costs will be met from existing Adult Social Care budgets. There are no additional costs anticipated from the proposal.

**(B) Capital Costs**

There are no capital costs associated to the proposals at this stage. However, to achieve expectations of national guidance there may be a need to assess capital funding at a later stage as the plans further develop which would be subject to the existing governance arrangements.

**Implications of the Proposals:**

<b>Resource Implications (Financial, IT, Staffing and Assets):</b>	
The cost of provision is currently within the ASC baseline budget, with no predicted impact on the budget	
<b>Legal Implications:</b>	
Care Act 2014	
The Public Procurement (Amendment etc Regulations) (EU Exit) 2020 introduced to amend Public Contract Regulations 2015.	
<b>Climate Emergency Implications:</b>	
The recommendations within this report will	
Have a positive impact	N
Have a neutral impact	Y
Have a negative impact	N
The Author has undertaken the Climate Emergency training for report authors	Y
Whilst the recommissioning of services will not in itself have a climate impact, the resultant services will. The type of services being provided to some of our most vulnerable citizens have potential to reduce climate impacts but also deliver health and wellbeing outputs, for example specifying the use of low emission vehicles will help to improve local air quality. Environmental consideration will be taken into account when specific projects are designed and commissioned – which will help to mitigate negative impacts, capture positive outcomes and send a signal to providers of our low carbon ambitions.	
<b>Equality Implications:</b>	
The equality Implications have been identified and mitigated.	
The equality implications will be assessed as the activity progresses and any changes are made to provision. Cabinet Member will be kept informed of all equality implications, risks and mitigations.	

## Contribution to the Council's Core Purpose:

<p>Protect the most vulnerable: The services provide a range of support options to enable vulnerable people with disabilities to live independently and live the lives they wish to live</p>
<p>Facilitate confident and resilient communities: These commissioned services aim to empower people to become more independent and contribute and engage in their local communities, thereby improving confidence and resilience.</p>
<p>Commission, broker and provide core services:  The proposed approach will seek to ensure sufficient capacity in the market which will offer Value for Money and good quality.  Services will be aligned to supporting people to live their best lives and will support where people to move into greater independence, employment and housing</p>
<p>Place – leadership and influencer: This work aims to encourage more diverse provider markets operating locally in order to stimulate quality, choice and greater value for money.  The Council is seeking to work with others to develop services.</p>
<p>Drivers of change and reform:  The Council will be looking for innovation and flexibility within the market place in order to support the development of local and sustainable provision at a place level as part of integrated approaches</p>
<p>Facilitate sustainable economic prosperity: Services will support people to live their best lives, gain meaningful outcomes and employment opportunities enabling them to prosper</p>
<p>Greater income for social investment:</p>
<p>Cleaner Greener</p>

## What consultations have taken place on the proposals and when?

### (A) Internal Consultations

The Executive Director of Corporate Resources and Customer Services (FD6404/21) and the Chief Legal and Democratic Officer (LD4605/21) have been consulted and any comments have been incorporated into the report.

### (B) External Consultations

Engagement will be undertaken with service providers with regards to the quality standards expected within these services.

The review of Special Educational Needs and Disability (SEND) during 2019-20 has provided evidence through the consultation and engagement with parents, carers and young people of the ambition to live independently and lead fulfilling lives, where young people can be supported in their own tenancy and engage in activities in their communities to support their independence and growth.

A consultation and engagement plan will be developed to include, those people who currently use services and may be affected by any changes as well as family carers and those transitioning to Adult Social Care to ensure we co-design new service specification and involvement in the tendering process.

It is anticipated that impacts with regards to the procurement of existing provision will be limited due to the application as part of the process of the Transfer of Undertakings (TUPE) requirements providers will need to adhere to if a contract is awarded to an alternative provider.

Engagement with regards to the development of the local purchasing system and specification will be undertaken with key stakeholders to inform the commissioning and procurement of new services under these arrangements.

Details of the consultation and engagement plan will be taken to the Consultation and Engagement Panel on the 9<sup>th</sup> July 2021.

### **Implementation Date for the Decision**

Following the expiry of the “call-in” period for the Minutes of the Cabinet Meeting

<b>Contact Officer:</b>	Carol Cater
Telephone Number:	0151 934 3614
Email Address:	carol.cater@sefton.gov.uk

### **Appendices:**

There are no appendices attached to this report:

### **Background Papers:**

There are no background papers available for inspection

## **1. Introduction/Background**

- 1.1 National context - 'Supported Housing a National Statement of Expectation' was published by the Government in Oct 2020. This document sets out government's vision for ways of working in the sector and recommendations for standards in supported accommodation which is an important step in establishing what good looks like and how it can be achieved. This is part of the work to improve oversight, ensure quality and value for money.
- 1.2 In addition it acknowledges that whilst supported housing providers generally deliver high quality accommodation and go above and beyond minimum standards, including continuing to deliver during the unprecedented challenges faced during the COVID-19 pandemic, that it is imperative that providers are clear about what good provision looks like and that people have accommodation which meets their needs and allows them to thrive.
- 1.3 In developing the document the expertise and examples of excellent practice from across the sector have been used to develop recommendations for planning, commissioning and delivering supported housing. There can be no 'one size fits all' approach, but best practice shows the innovative ways that local authorities and providers deliver the best for residents. The best practice examples involve collaboration across housing, health, commissioners, providers, the third sector and involvement of people requiring support and their carers.
- 1.4 As part of the Transforming Care agenda a national plan was developed in 2015 entitled "Building the Right Support". This plan outlined its approach to support commissioners with regards to developing community services and close inpatient facilities for people with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition.
- 1.5 The provision of tenancy-based accommodation with care and support enables people with disabilities to rent their own home with security of tenure. This is in line with the Care Act (2014) and is in keeping with adults without disabilities and fits with the principles of living an ordinary life.
- 1.6 Supported living arrangements aim to increase each individual's independence and skills by reducing dependency over a period of time. This should therefore increase the independence of the adult and reduce the amount of paid and unpaid support that they need. This enables people to try new things, allows the provision of care and support in their own homes and may support people to move-on to more independent forms of accommodation. The provision of services therefore includes options for short term and long-term provision which can support progression and development of life skills including recovery models for those with mental health support needs.
- 1.7 Tenancy-based accommodation can include property rented from registered social landlords, not-for-profit and charitable landlords or through private rentals. Accommodation should be as stable as possible for the tenant and landlords should avoid short term lease arrangements.

- 1.8 Within tenancy based supported living options there is a commonly accepted set of principles that are defined in 'Changing Our Lives Quality of Life: Standards & Toolkit' and the Reach Principles.

## **2 Local Background and Overview**

- 2.1 In 2015 the Council undertook extensive consultation with service users and the market and developed an approach to housing with support. The strategy outlined in this paper will build on the model approved in 2015 but also take into account policy developments around extra care housing and use of direct payments and individual service user funds to promote choice and control when accessing Supported Living.

## **3 Current Needs Analysis**

- 3.1 Based upon current delivery, there are approximately 611 people receiving Supported Living and Community Support Services in Sefton, with approximately 423 people currently living in supported tenancy settings.
- 3.2 In Sefton this support is currently delivered by approximately 27 supported living providers and an additional 10 supported living providers that deliver support outside of the area. These providers are a mix of local, national and charitable organisations. The value of the provision is around £22 million funded by Adult Social Care with some packages in receipt of additional joint funding from the Clinical Commissioning Groups which will be considered as part of establishing an integrated approach to the commissioning of this provision.
- 3.3 The people in Sefton who currently reside in Supported Living Services or who use a Community Support Service are made up primarily of those who may have a diagnosis of a learning disability, a mental health condition or who require physical support. A high proportion of people in existing provision are over 50 year of age.
- 3.4 There are around 20 people a year under the age of 25 who “transition” in to these adult services. Going forward, it is anticipated that an additional 40 people could require these services over the next two years based on historic trends. The impact to the Adult Social Care budget is estimated to be £3m.
- 3.5 Data provided by the Oxford Brookes University ‘Projecting Adult Needs and Service Information’ suggests that the total population in Sefton aged 18-64 predicted to have a learning disability will change from 3,799 in 2019 to 3,594 by 2030, and the total population in Sefton aged 18-64 predicted to have a moderate to severe learning disability (and hence likely to be in receipt of services) will change from 861 in 2019 to 824 by 2030 so although the total number is decreasing we are aware that some people will have more complex support needs.
- 3.6 There is a need to consider the range of people with learning disability, mental health needs or a physical disability who are being supported in some form of residential and nursing care provision. Sefton have higher numbers of people under 65 living in care homes and so options to consider an alternative offer of

Supported Living and Extra Care Housing will be identified as part of the needs analysis and engagement to be undertaken.

#### **4 Strategic Commissioning Approach and Delivery Model**

4.1 Our approach is to focus on the assets of the individual, maximise choice and control and reduce reliance on long term formal care and Support that can unintentionally reduce an individual's independence and resilience.

4.2 The Vision for Adult Social Care in Sefton makes it clear that support to people who need services must work to achieve outcomes in terms of:

- Short term enabling provision focused on outcomes such as improving ability to travel, work, and eat a healthy diet.
- Real social networks that can sustain and support people's independence on a lifelong basis.
- Development of independent living and functional skills. This includes adults living in residential care: emphasis for more working age adults planning to move from residential care into supported living.
- Working with individuals to reduce the impact of a person's social environment that affect challenging behaviour.
- Sustainable employment: provision of support to access employment through evidence-based interventions such as job coaching.

4.3 We are also looking to maximise the utilisation of Assistive Technology to increase independence and avoid restrictive practice and locally delivered response services would benefit local communities.

4.4 People with learning disabilities will be supported to be as independent as possible and tailored to individual need. Primary consideration is for people to be offered excellent care at home supported within their own communities. The ambition will be to support people who need care and support to achieve their outcomes and offer greater housing and care choices either as a short-term measure or long-term support.

4.5 This approach will ensure connectivity to the Housing Strategy, that the pathways for accessions housing with care and support are in place, including an Allocations Policy and that advice and information is available to ensure that people needing supported housing will be enabled to manage their tenancy.

4.6 There will be further development of Personal Health Budgets and the Council's pilot of Individual Service Funds arrangement, where individuals can select their own provider of choice.

#### **5 The Procurement approach**

5.1 The procurement of these services will be undertaken as part of three stages. The initial stage will ensure that existing provision is managed in line with the approved model and specification, through the negotiation of current contractual

arrangements and award of a 12-month agreement whilst the local purchasing system is developed and that any new provision required is aligned to the Liverpool City Region (LCR) purchasing system. Members will recall that approval was provided for Sefton to be part of and use this purchasing system in 2018. LCR have been working with councils to ensure a good range of providers are available and will be seeking to launch the system during 2021.

- 5.2 The following stage will be to develop a local integrated purchasing system which will support the purchasing arrangements on behalf of the Adult Social Care and Health. This will enable services to be commissioned to meet local needs on a place basis, ensuring the needs of our local communities are met. Once the local purchasing system is in place this would become the primary route to secure services, however the LCR purchasing system would provide access to a wider market where this was needed based upon an individual assessed need.
- 5.3 This approach will also seek to reduce any off framework spend and the ad hoc approaches made to the Council by speculative housing and support providers.
- 5.4 People who are using these services will be engaged fully to ensure that they understand any changes which may impact on them and that they are able to make an informed choice with regards to the delivery of their support with access to independent advocacy organisations.
- 5.5 The procurement processes will be aligned public procurement regulations and will seek to secure a suitable purchasing system to meet the needs of the Council and to ensure a sustainable range of quality provision is available to meet the needs of our communities.
- 5.6 Evaluation of providers will be weighted around a quality score, including social value and innovation. It is anticipated that the Purchasing system used would be available for 5 years with contracts called off awarded for 3 years with an option to extend for 1 plus 1 further year based upon a performance review.

## **6 Conclusion**

- 6.1 Cabinet is asked to approve the approach and proposals for the commissioning and procurement of care and support contracts within Supported Living, to ensure that services align to the approved model, offer sustainable and affordable housing options with support for people, promoting independence and opportunities to engage in local communities and access to employment wherever possible.
- 6.2 The development of a Supported Living Strategy will seek to outline the ambition and vision in relation to Supported Living and ensure the views of those who use services influence the design and delivery of services.