

# Special Meeting Adult Social Care & Public Health Sub-Committee

Date: **8 November 2022**

Time: **1.00pm**

Venue **Hove Town Hall - Council Chamber**

Members: **Councillors:** Nield (Chair), Shanks (Deputy Chair), Robins (Opposition Spokesperson), Barnett (Group Spokesperson) and Appich

Contact: **Penny Jennings**  
Democratic Services Officer  
penny.jenning@brighton-hove.gov.uk

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# AGENDA

## 11 PROCEDURAL BUSINESS

**(a) Declaration of Substitutes:** Where Councillors are unable to attend a meeting, a substitute Member from the same Political Group may attend, speak and vote in their place for that meeting.

**(b) Declarations of Interest:**

- (a) Disclosable pecuniary interests
- (b) Any other interests required to be registered under the local code;
- (c) Any other general interest as a result of which a decision on the matter might reasonably be regarded as affecting you or a partner more than a majority of other people or businesses in the ward/s affected by the decision.

In each case, you need to declare

- (i) the item on the agenda the interest relates to;
- (ii) the nature of the interest; and
- (iii) whether it is a disclosable pecuniary interest or some other interest.

If unsure, Members should seek advice from the committee lawyer or administrator preferably before the meeting.

**(c) Exclusion of Press and Public:** To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

***NOTE:*** Any item appearing in Part Two of the Agenda states in its heading the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

*A list and description of the exempt categories is available for public inspection at Brighton and Hove Town Halls.*

## 12 CHAIR'S COMMUNICATIONS

## 13 PUBLIC INVOLVEMENT

***To consider the following matters raised by members of the public:***

***NB: As this is a special meeting only matters relating directly to the subject matter of the meeting may be considered:***

- (a) **Petitions:** to receive any petitions presented by members of the public to the full Council or as notified for presentation at the meeting by the 25 October 2022;

- (b) **Written Questions:** to receive any questions submitted by the due date of 12 noon on the 31 October 2022;
- (c) **Deputations:** to receive any deputations submitted by the due date of 12 noon on the 31 October 2022.

#### 14 MEMBER INVOLVEMENT

*To consider the following matters raised by councillors:*

*NB: As this is a Special only matters relating directly to the subject matter of the meeting itself may be considered:*

- (a) **Petitions:** to receive any petitions submitted to the full Council or at the meeting itself;
- (b) **Written Questions:** to consider any written questions;
- (c) **Letters:** to consider any letters;
- (d) **Notices of Motion:** to consider any Notices of Motion referred from Council or submitted directly to the Committee.

#### 15 SUPPORTED LIVING PRIOR INFORMATION NOTICE AND AWARD

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Report of the Executive Director, Health and Adult Social Care (copy attached)

Contact Officer: Lou Aish

Tel: 01273295542

Ward Affected: All Wards

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The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fourth working day before the meeting.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested. Infra-red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.

### **FURTHER INFORMATION**

For further details and general enquiries about this meeting contact Giles Rossington, (01273 291065, email [penny.jenning@brighton-hove.gov.uk](mailto:penny.jenning@brighton-hove.gov.uk)) or email [democratic.services@brighton-hove.gov.uk](mailto:democratic.services@brighton-hove.gov.uk)

### **WEBCASTING NOTICE**

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Therefore, by entering the meeting room and using the seats in the chamber you are deemed to be consenting to being filmed and to the possible use of those images and sound recordings for the purpose of web casting and/or Member training. If members of the public do not wish to have their image captured, they should sit in the public gallery area.

### **ACCESS NOTICE**

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Please inform staff on Reception of this affects you so that you can be directed to the Council Chamber where you can watch the meeting or if you need to take part in the proceedings e.g. because you have submitted a public question.

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- Do not stop to collect personal belongings;
- Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and
- Do not re-enter the building until told that it is safe to do so.





# Adult Social Care & Public Health Sub- Committee

## Agenda Item 15

**Subject:** Supported Living Prior Information Notice and Award

**Date of meeting:** 8 November 2022

**Report of:** Executive Director, Health & Adult Social Care

**Contact Officer:** Name: Lou Aisch  
Email: [lou.aisch@brighton-hove.gov.uk](mailto:lou.aisch@brighton-hove.gov.uk)

**Ward(s) affected:** All

### FOR GENERAL RELEASE

#### 1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 Brighton & Hove City Council (the 'Council') is facing increased demand for Supported Living services in the city to meet the needs of adults with learning disabilities, including those coming through transition and those with complex needs. As a result of the lack of provision, more individuals are being placed in services out of area, often in high-cost placements, where they may be overprovided for.
- 1.2 To help address this, Commissioners are seeking approval to issue Prior Information Notices (PINs) to the market to enable us to deliver the services we need.
- 1.3 Commissioners are seeking permission to issue PINs as calls for competition to seek expressions of interest from providers. Commissioners are also seeking permission to conduct any subsequent procurement processes and award contracts following the publication of each PIN.
- 1.4 The Council is seeking to award up to a maximum of 7 contracts for the provision of supported living for up to 51 individuals. This is based upon the data under 3.3 & 3.4 below. Wherever possible the property will be within the boundaries of Brighton and Hove. Dependent upon the size and specification of the property required however, the property may fall within the boundaries of East or West Sussex. The Council will commission the care and support.
- 1.5 By carrying out this process, Commissioners will be able to shape and grow the market, ensure we have the required quality provision in the city, to enable people to remain living close to home and family and friends, and for the Council to have better oversight of the quality of care provided and over costs.

- 1.6 This will translate into a higher quality of person-centred care provision and avoidance of high cost out of area placements.

## **2. RECOMMENDATIONS:**

- 2.1 That the Adult Social Care & Public Health (ASCPH) Sub-Committee grant delegated authority to the Executive Director of Health & Adult Social Care to issue Prior Information Notices to seek expression of interest from providers interested in developing Supported Living services in the city for adults with learning disabilities.
- 2.2 That the ASCPH Sub-Committee grant delegated authority to the Executive Director of Health & Adult Social Care to procure and award contracts for supported living services following publication of the above Prior Information Notices.

## **3. CONTEXT/ BACKGROUND INFORMATION**

- 3.1 The Care Act 2014 introduced duties on the local authority to shape and engage with the market to ensure there is a range of diverse and quality service provision that meets local demands and the preferences of those wanting to access services.
- 3.2 Adult social care is facing an unprecedented level of challenges at present, including rising demand, increasing costs, recruitment and retention issues and decreasing government funding. The number of adults with a learning disability who need services both nationally and locally is increasing.
- 3.3 A provider engagement event is being carried out on 17<sup>th</sup> October to talk to Learning Disability providers about our needs. We know we have 19 individuals whom we are currently seeking a shared supported living environment for, 9 individuals who require bespoke accommodation as a result of behaviours that can challenge and 6-10 individuals who are more independent and need their own individual units/flats. This is 34-38 individuals in total who we are currently seeking accommodation and support for in the city. These individuals are already in receipt of services funded by the Council.
- 3.4 Transitions data also shows a further 13 individuals who will need support living services in 2023/24. These individuals will need their assessed care and support needs met by the Council.
- 3.5 We are in the process of developing new Supported Living contracting arrangements across a number of client groups, including adult learning disability services, but there is currently not enough accommodation-based placements in the city to meet local demand.
- 3.6 The lack of available services locally means the Council has to place more service users in out of area placements. Out of area placements bring a risk of decreased level of oversight, with people being placed at some distances away from family and friends. They can also be very costly.



- 3.7 Sourcing out of area placements is also immensely time consuming, putting additional resource pressures on assessment, contracts and commissioning teams. This is at a time when resources are already stretched. The Council also loses control of the type of services developed, their cost and quality when providers set up services outside of engaging with commissioner and formal commissioning processes.
- 3.8 If there were services in the city to meet current local demand, costs could be reduced significantly. Commissioners would be able to shape the local market. Commissioning and social care teams would have direct control over the chosen provider, model of the service and costs to ensure that the individual is not over provided for and the service represents value for money. We would also have much greater social work and clinical oversight.

#### **4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS**

- 4.1 Do nothing, wait for the new Supported Living contracting arrangements to be in place. It is unclear currently the timescale for delivery of the new arrangements and during the interim period it is likely that we would place an increasing number of people out of area, away from their family and friends, often at high cost. There is risk that the market will stagnate, and providers will source development opportunities in other areas and that we will have a market that does not represent our local need. This will have a detrimental effect on our assessment staff who are under increasing pressure to source placements.

#### **5. COMMUNITY ENGAGEMENT & CONSULTATION**

- 5.1 We are undertaking consultation with a range of internal and external stakeholders as part of the new contracting arrangements. This is including engaging on an outcome-based commissioning, quality assurance, specification, KPI's and Fee structure. This is also including a review of wider engagement feedback and previous engagement with service users and families as part of the development of the city's learning disability strategy. A market engagement event is being undertaken on 17<sup>th</sup> October to share information with providers.

#### **6. CONCLUSION**

- 6.1 Having authority to issue PINs and subsequent awards will enable the Council to shape the provider market and meet people's assessed care and support needs. Without this authority the risk is that we do not have the services in the city needed to support adults with learning disabilities and we do not keep up with increasing demand. We will have no choice but to place more and more people out of area. This places an increased risk to the Council around oversight of placements, the quality of services and adds additional workload pressures to assessment teams, contracts and commissioning.

#### **7. FINANCIAL & OTHER IMPLICATIONS:**

### Financial Implications:

7.1

The budgets for adults with learning disabilities are under increased pressure for a variety of reasons including those stated in paragraph 3.2. It is becoming increasingly difficult to procure good value supported living placements which is adding to the other cost pressures. If the introduction of PINs provides the council with additional means of managing and accessing the local market this should help achieve best value in terms of future placement costs.

*Finance Officer Consulted: Steve Williams*

*Date: 6/10/22*

### Legal Implications:

7.2 The Council must comply with the Public Contracts Regulations 2015 in relation to the procurement and award of contracts above the relevant financial threshold. The services outlined in this report fall within Schedule 3 of the Public Contracts Regulations 2015 and exceed the relevant financial threshold for light touch regime services (£663,540 inclusive of VAT). The procurement process for the light touch regime is not unduly prescribed but must accord with the fundamental principles of transparency and equal treatment of economic operators. A Prior Information Notice must set out the broad parameters of the services required and the process by which it is intended to award the contracts.

*Lawyer Consulted: Sara Zadeh*

*Date: 12/10/22*

### Equalities Implications:

An Equalities Impact Assessment (EIA) for Supported Living services has recently been completed and signed off for the new Supported Living Framework recommission.

This EIA recognises the need to commission person-centred, high quality supported living services, that can demonstrate an ability to:

- encourage independence with the appropriate support to achieve this
- support young people as they come into the supported living service, who may be leaving home for the first time
- support people to remain in Supported Living for as long as possible.
- meet the needs of older residents whose needs may have changed and who may need support to transition into residential care
- support age-related health needs of people with learning disabilities, including supporting those with dementia
- include in the service specification that providers are to meet the REACH standards, which include supporting people to live with their peer age group

The process of PIN's and awards will help people to stay locally, by guaranteeing that services are available. Being placed out of city can be detrimental for the individual

concerned, due to being separated from friends and family, and from communities they are familiar with.

Sustainability Implications:

None

Brexit Implications:

Brexit has had a further impact on workforce pressures across Social Care and as such this will need to be considered when entering into any contracts as a result of this process.

Crime & Disorder Implications:

None.

Risk and Opportunity Management Implications:

None

Public Health Implications:

None.

Corporate / Citywide Implications:

