

Subject:	18 Wellington Road		
Date of Meeting:	17 September 2009		
Report of:	Director of Adult Social Care & Housing		
Contact Officer:	Name:	Diana Bernhardt	Tel: 29-2363
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Key Decision:	Yes	Forward Plan No: CAB11470	
Wards Affected:	Hanover and Elm Grove		

FOR GENERAL RELEASE**1. SUMMARY AND POLICY CONTEXT:**

- 1.1 The aim of this report is to seek agreement to commission a support service at 18 Wellington Road, Brighton, to provide extra care and supported living accommodation for people with learning disabilities and other adult social care client groups, for example people with mobility problems.
- 1.2 Valuing People Now, the new 3 year government strategy for people with learning disabilities, aims to increase the range of housing options for people with learning disabilities and their families and to ensure the Personalisation agenda is embedded within all local authority services and developments.
- 1.3 The strategy sits within a wider strategic context contained within 'Independence, Well Being and Choice', 'Our Health, Our Care, Our Say', 'The Mansell Report', 'Putting People First' and 'Improving the life chances of disabled people', that aim to allow people to be supported locally and to have choice, control, equal access and independence.
- 1.4 These aims underpin the priorities in the Brighton & Hove Learning Disability Commissioning Strategy 2009-2012 that identifies the need for increased choices and more flexible support options as alternatives to residential care and small group homes.
- 1.5 The proposed support service would increase the range of options available locally through providing individually tailored packages of care and support with 24 hour support on site as an alternative to residential care. The service would be commissioned through a competitive tendering process to improve value for money and the estimated annual cost is set out in Appendix One.

2. RECOMMENDATIONS:

- 2.1 That Cabinet approves to the tendering of a support service at 18 Wellington Road to provide extra care and supported living accommodation for people with learning disabilities and those with physical disabilities.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Due to a lack of suitable accommodation and support being available locally, this authority has a higher than average proportion of people with learning disabilities in residential care and a high proportion of people placed out of the city. The vast majority of these placements are purchased on a spot contract basis that has not been subject to competitive tendering.
- 3.2 There is also a need to provide alternatives for people whose needs are increasing as they become older and for those who need a service for the first time.
- 3.3 With this in mind Baron Homes approached the Council to negotiate a leasing arrangement for the site to develop extra care housing. The site already has planning permission and development works are underway.
- 3.4 The site is located at the bottom of Elm Grove, Brighton; close to the Level, Lewes Road and London Road.
- 3.5 Approval to enter into a 10 year lease with the freehold owner, Baron Homes, was agreed in principle at the January 2009 Cabinet Member meeting for Housing.
- 3.6 The build will take between 12 to 18 months to complete and current plans are to provide 26 self-contained flats, suitable for single people as well as couples with learning disabilities and physical disabilities. 2 of the flats will be used to accommodate staff who will be working overnight shifts and the cost of this accommodation is included within the accommodation costs in Appendix One.
- 3.7 It is proposed to tender for a support service within 24 of the flats to provide 3 distinct services ; 8 of these would be for people with learning disabilities in the existing building, with another 5 for people with autism and complex needs in an attached extension. These 13 units would be tendered for together. Also, a separate service would be tendered for in a newly built separate block which would accommodate up to 11 people, with 8 of those flats being fully wheelchair accessible with lift access. In the proposed scheme, these would be for older people with learning disabilities and people with physical / sensory disabilities.
- 3.8 Within the proposed services, the council will have 100% nomination rights and the support provider will be responsible for the day to day management of the service and carrying out repairs on behalf of the council. The services will be set up through a competitive tendering process providing a core, 24 hour service, with tenants using Individual Budgets to buy additional services to maximise choice and control, such as day and recreational services. The separation of the core and additional service will also reduce the impact of voids.
- 3.9 The aim of the service is to increase the range of housing and support options available locally to provide alternatives for people currently placed in residential care both within and outside of the city and for those whose needs would be better met in alternative accommodation. This is a key priority within the Learning Disabilities Financial Recovery Plan, and the Community Learning Disability

Team and the Commissioning Team are working together to identify suitable individuals as part of the review of learning disabilities accommodation services.

- 3.10 The service is expected to improve outcomes for people who wish to move back to the city and for those who will benefit from a more personalised service within accommodation designed for their needs.
- 3.11 The service would provide 24 hour support on site and individualised packages of care and support based on the need of the individual tenants with the aim of maximising their independence. Needs will be identified by using the Care Funding Calculator, a tool which identifies the needs and costs of a support package. The approximate costs that have been identified in Appendix One are based on Care Funding Calculator assessments for a number of individuals identified as suitable, and are compared to the current residential care costs.
- 3.12 The proposed service will be funded from the existing Community Care budget commitment through the re-provision of existing residential placements and new referrals already identified.
- 3.13 It is expected that the new service will improve value for money through a competitive tendering process and through efficiencies provided by improved design, assistive technology and economies of scale. Government subsidy will also be available through Housing Benefit which is not currently available in residential care placements and although this will not fully cover the rental costs and will therefore be subsidised by the support costs, the costs still represent significant savings.
- 3.14 For the first year, residents will move in to the accommodation in stages over a 3 month period and will receive an increase in support for the first 6 months to assist in the transition. The savings will therefore be realised six months into the project.
- 3.15 The support providers must be registered as providers of domiciliary care in accordance with the requirements of the Care Quality Commission.
- 3.16 People with learning disabilities and their families will be involved in the development of the final service specification and the tendering process.

4. CONSULTATION

- 4.1 There have been a number of consultation exercises that have taken place regarding this project and key stakeholders consulted include:
 - Speak Out advocacy group
 - The Learning Disability Partnership Board
 - Care Providers
 - Carers and carers support group
 - The A Place to Live sub-group of the Partnership Board
 - Care Managers
 - Occupational Therapy
 - Federation of Disabled People
- 4.2 Stakeholders were positive about the scheme in that it provides:

- An alternative for people with learning disabilities who are housed in environments that do not meet their needs
- A safe environment for people to develop those skills necessary to move on to more independent living
- Much needed accessible accommodation
- Good facilities, for example communal areas, assistive technology, personalised services

4.3 Stakeholders also identified the following issues;

- The proposed scheme of 24 units is larger than that normally found for people with learning disabilities. As a result there is concern that it would have an 'institutional' feel, although this is mitigated through the layout of the accommodation and the granting of tenancy rights.
- This is a privately financed housing development. This has resulted in higher housing costs for the service, although this will be off set through the efficiencies in providing the support service.

4.4 The Learning Disability Partnership Board has considered the scheme in detail and voted to support the proposal, 10 members voting for and 7 against the proposal.

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 5.1 The provision of extra care type accommodation will contribute to the reduction in the unit cost of supported accommodation for people with learning disabilities of up to 30%. Extra care accommodation is a key element of the learning disabilities financial recovery and accommodation plans. Other client groups with complex needs may be nominated for this scheme.
- 5.2 The estimated costs of the service are set out in Appendix One (to be considered under Part 2 of the agenda) The accommodation costs are high and as they will not be fully funded by housing benefit will need to be cross subsidised by the community care budget. Savings should be achieved provided that current and future higher cost placements are attracted to this scheme. The potential financial risks to this scheme are set out in paragraph 5.6 of the report.
- 5.3 The proposed tendering of the support service will enable the market to be tested and ensure that the costs are competitive and contribute towards achieving value for money.

Finance Officer Consulted: Anne Silley

Date: 12/08/09

Legal Implications:

- 5.4 There are no Human rights implications.
- 5.5 The service outlined in this report is a 'Part B' service for the purpose of EU procurement law and UK implementing Regulations, and is therefore not subject to the full application of either. The Council is nevertheless required to comply

with EU Treaty objectives of non-discrimination and openness in procurement, as well as comply with its statutory obligation to seek Value for Money. The proposal for this service to be competitively tendered should be carried out with a view to fulfilling these obligations. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

- 5.6 There are questions as to how the funding of the shortfall between Housing benefit and the rent payable needed to service the lease agreement will be met. This has in other properties been achieved by an informal arrangement between partner departments. While this arrangement might continue it would be within the context of ever changing Housing benefit rules and regulations. There is for instance expected changes to the regulation in April 2010, which if put in place would be likely to reduce the funding gap. Historically there has been a problem for local authorities basing long term decisions on current funding arrangements. Given the term of the lease is 10 years, current and short term proposed housing benefit regulations do not provide a sufficiently certain guide to the future.

Lawyer Consulted:

Simon Court

Date: 13/08/09

Equalities Implications:

- 5.7 The proposed service will provide accessible accommodation and therefore reduce inequality for people with disabilities in the city and support the commissioning of local personalised and flexible services. The project will ensure the final service delivery meets the Valuing People objectives of promoting choice, rights, inclusion, and independence for people with learning disabilities.
- 5.8 A full Equalities Impact Assessment is being completed. The project team will meet to work through the EIA with an aim to complete in December 2009.

Sustainability Implications:

- 5.9 The project will support the commissioning of local services and so reduce the number of people placed out of area and thereby reduce the need for staff and families to travel long distances to visit placements. The planning application for the property has considered sustainability considerations and sustainability issues will be included in the tender documents to ensure that prospective bidders take account of environmental issues such as transport, energy usage, recycling and waste disposal.

Crime & Disorder Implications:

- 5.10 This proposal will promote social inclusion for people with disabilities through supporting increased access to mainstream services and participation as equal citizens in the community.

Risk & Opportunity Management Implications:

5.11 The key risks identified are:

- (a) **The service does not operate at full capacity** To mitigate against this information will be distributed regarding the scheme to promote it as a service of choice. A designated care manager with a good knowledge of the other residents and the local community will identify suitable referrals for initial and future lettings so that voids are planned for in advance as much as possible.
- (b) **The service has higher than average rental costs that could act as a disincentive for people accessing work.** While the rental costs are higher the total cost of the service is lower than in residential care alternatives. If there are any residents who are worse off through finding work, they will be supported to access alternative model of supported accommodation.
- (c) **There is a risk that if the support service is not commissioned by the council the service will still be established.** As a result, the service may not provide value for money and could expose the council to 'Ordinary Residence' claims from other authorities who place within the service. This will increase financial pressures on the authority as the responsibility for meeting the cost of the placement passes to the council as the 'host' authority after the first 12 weeks.

Corporate / Citywide Implications:

5.12 This proposal will increase the choice of services available locally for people with learning disabilities and so enable them to participate as equal citizens in the city of Brighton & Hove.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

6.1 Option One – Not to commission a support service.

6.1.1 Risks:

- Baron Homes could go ahead and develop the scheme without further involvement of the council
- The council would have no control over the development or the quality or cost of the support being provided
- The council would not have nomination rights and so not be able to influence achieving a balanced and appropriate lettings within the service
- Other councils could place people in the scheme and apply for 'Ordinary Residence' that transfers financial responsibility to the council as the 'host' authority, thus increasing financial pressures
- The council would not maximise opportunities for local people to access to this as a housing and support option
- The council would not be able to meet key strategic priorities to move people back out of area and to reduce numbers of people in residential care.

- 6.1.2 Opportunities:
- There would be opportunities to commission an alternative support service, should a suitable property become available

6.2 Option Two – To commission 12 of the flats

- 6.2.1 Risks:
- This would significantly increase the unit cost of a service and so reduce value for money and affordability
 - There would not be nomination rights on the remaining units and therefore there may be ordinary residence referrals from other authorities thus increasing financial pressures in the authority

- 6.2.2 Opportunities:
- To provide fewer units would reduce the size of the support service and financial commitment

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 This report is required to seek approval to commission a support service.

SUPPORTING DOCUMENTATION

Appendices:

1. Financial Costings – Exempt Category 3 (copy circulated to Members only)
2. Consultation Summary

Documents in Members' Rooms

None

Background Documents

None

