

Subject:	Development of Shared Lives (Transfer of Sussex Partnership Foundation Trust Shared Lives to In-House)		
Date of Meeting:	12 June 2014		
Report of:	Executive Director of Adult Social Services		
Contact Officer:	Name:	David Peña-Charlón	Tel: 29-6810
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Ward(s) affected:	All		

FOR GENERAL RELEASE

1. PURPOSE OF REPORT AND POLICY CONTEXT

- 1.1 This report focuses on a request to Policy & Resources Committee to agree the transfer of the Sussex Partnership Foundation Trust Shared Lives Scheme (SPFT Shared Lives) to the Brighton & Hove Shared Lives Scheme (In-House)
- 1.2 The report shares with Committee the outcomes of a consultation regarding the proposed transfer. Permission for the consultation was granted by Adult Care and Health Committee on the 20th of January 2014.

2. RECOMMENDATIONS:

- 2.1 That Committee notes the results of the 12 week consultation undertaken regarding the proposed transfer of SPFT Shared Lives to the In-House scheme
- 2.2 That Committee agrees the transfer of SPFT Shared Lives to The In-House scheme

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1. Brighton & Hove Adult Social Care personalisation agenda aims to give people greater choice and control. Shared Lives is a model of adult placements with the required flexibility to offer personalised services. Shared Lives schemes recruit, assess and support carers who offer accommodation or care and support in their family home to people who are unable to live independently. As a result, users are given the opportunity to remain in the community in a family environment, developing their independence and confidence in daily living. (See Appendix 1: Shared Lives Schemes in the city)
- 3.2 Shared Lives follows national guidance presented in *Putting People First (2007)*, *The Care and Support White Paper (2012)* and *Caring for our Future (2012)*. This guidance focuses on people's wellbeing and the quality of the support offered to stay independent for as long as possible, ensuring services are of high quality

and safe. The above guidance also stimulates the development of initiatives that help people share their time, talents and skills with others in their community.

3.3 Adult Social Care commissioners in the City Council have recently considered the expansion to Shared Lives across all care groups. This in part has been related to offering improved outcomes for service users, preventing premature admission to residential care, promoting choice and independence, in addition to the fiscal need to provide realistic alternatives to residential care

3.4 **SPFT Shared Lives**

3.4.1 SPFT Shared Lives is funded by the Mental Health Community Care Budget and managed by SPFT. It supports sixteen Mental Health service users. The service is delivered by six carers.

This scheme is a historical arrangement which was inherited by SPFT following the amalgamation of South Downs NHS Trust in 2006. It was registered with the Care Quality Commissioning as a Shared Lives provider three years ago.

3.4.2 The SPFT Shared Lives scheme is not part of the S.75 Partnership Agreement with the Trust and is not under any formal contractual arrangement. The scheme is currently delivered by SPFT employees on top of their core roles in the Trust at no additional cost. Although the scheme is being maintained, supervised, and reviewed under this arrangement it is not being developed and the absence of dedicated contracted employees and a contract framework pose a risk for both carers and service users as support might not be always available.

3.5 **Consultation**

3.5.1 Following permission granted by The Adult Care & Health Committee on the 20th of January 2014, a 12 week consultation process has taken place. Consultation outcomes have been positive and supportive of the transfer of SPFT Shared Lives. (See appendix 2: Consultation report, Appendix 3: Consultation schedule and Appendix 4: Sample letters to service users, relatives and carers)

3.5.2 Stakeholders raised the following questions:

A **Service Users:** Questions were raised about whether the transfer would imply service users being moved to a different type of accommodation or a change in their benefits. Service users were reassured this would not be the case as the transfer would be solely of the scheme management.

B **Carers:**

Professional support during the transfer: Carers were concerned about the support they would receive during the transfer to the In-House scheme

Agreed actions:

- A group presentation with the In-House staff will take place, followed by individual introduction meetings with allocated Shared Lives officers.
- A final carer review with both the allocated SPFT and the new In-House Shared Lives Officers will take place with each carer before the transfer. During this period the terms of the arrangement with the carer will be settled and formally recorded in a written agreement.

- Carers' three monthly supervisions and bi-annual meetings will carry on as normal based on the agreed terms and the guidance referred to in 3.2 above.
- A transfer period of 3-4 months will take place. During this time SPFT Shared Lives will be supporting their In-House colleagues to ensure the transition is carried out in a smooth way.

Institutionalisation of SPFT Shared Lives

Carers were concerned the transfer to the In-House scheme would imply overregulation

It was explained to carers that both schemes are registered with the CQC and as such they follow the same standards; therefore, there will not be major changes in how things are being done.

C SPFT and In-House staff:

Concerns about time scales for the transfer, training and In-House staff structure were pointed out during consultation.

Agreed actions:

- Both schemes agreed a transfer period of 3-4 months will be needed. Details about time scales will be discussed and negotiated following Committee decision
- Training regarding Mental Health and historical information about SPFT Shared Lives will be offered to the In-House scheme by SPFT
- Both schemes agreed the transfer of carers and service users to In-House will take place only when the In-House scheme has the staff structure to absorb it.

3.6 Financial Impact

3.6.1 Shared Lives costs funded by the Community Care Budget are formed by the care component of the Shared Lives placement and by a 'management fee'.

The 'management fee' is used by providers towards payments of Shared Lives Officers' wages – Shared Lives Officers recruit and support carers / place service users.

SPFT Shared Lives has no direct costs towards staff wages due to the scheme contractual position described above. SPFT Shared Lives, consequently, does not charge any management fee.

3.6.2 Shared Lives In-House currently has a management fee of £53 per person per week to contribute to the costs of Shared Lives Officers. The scheme has agreed to absorb the costs of the management of the SPFT Shared Lives 16 service users, which avoids an additional cost against the Mental Health Community Care Budget of £0.044m per year.

3.6.3 It is proposed that payment rates to SPFT Shared Lives carers (fixed rate system) will be maintained for an interim period of two years in order to sustain the progressive harmonisation with the payment rates sponsored by the In-House scheme (banding system).

3.7 Staff implications

3.7.1 Transfer to the In-House scheme will enable the Council to establish a contractual framework to SPFT Shared Lives and provide on-going support to carers and

service users from dedicated Shared Lives Officers. The transfer of the scheme to the Council is not considered to be a relevant transfer for the purposes of the TUPE (Transfer of Undertakings Protection of Employment Regulations), due to the way in which the work is organised at SPFT. Consequently it is not anticipated that any SPFT staff will transfer to the Council.

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

Transfer to In-House has been ascertained following legal and procurement advice as the most suitable option due to offering value for money and a better use of resources.

5. COMMUNITY ENGAGEMENT & CONSULTATION

See 3.5 above

6. CONCLUSION

- 6.1 The transfer of SPFT Shared Lives to the In-House scheme would ensure the continuity of the service for SPFT Shared Lives carers and service users, the strengthening of the In-House Scheme and it will guarantee key support for the overall development of Shared Lives for people with Mental Health needs.
- 6.2 One Third of Mental Health placements are occupied because of lack of alternatives in the community. Promoting the development of Shared Lives in Mental Health will eventually increase accommodation options in the community, relieving pressure on residential placements

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

- 7.1 The 2014-15 net budget for Shared Lives In-House is £0.078m, which includes funding to support the transfer of SPFT Shared Lives.

Finance Officer Consulted: Name Anne Silley

Date: 15/05/14

Legal Implications:

- 7.2 In accordance with the Constitution of the Council Policy & Resources Committee has the power delegated to it to make the decision recommended by this Report. The rationale behind Shared Lives Schemes is comprehensively described in the body of this Report.
- 7.3 In the absence of a formal contract with SPFT, the Council has discretion to transfer the management of the scheme as proposed. Neither the procurement rules or the Council's contract standing orders apply where work is being brought in house. The transfer will provide an opportunity for the Council to formalise the

arrangements with individual carers. The TUPE implications are addressed in the body of the report

Lawyers Consulted: Sandra O' Brian & Jill Whittaker Date: 13/05/14

Equalities Implications:

7.4 An Equality Impact Assessment has been completed

Sustainability Implications:

7.2 None

Any Other Significant Implications:

7.3 None

SUPPORTING DOCUMENTATION

Appendices:

1. Shared Lives Schemes in the city
2. Consultation Report
3. Consultation schedule
4. Sample letters to service users, relatives and carers

Documents in Members' Rooms

None

Background Documents

None

Crime & Disorder Implications:

None

Risk and Opportunity Management Implications:

None

Public Health Implications:

None

Corporate / Citywide Implications:

Approval of a transfer of SPFT Shared Lives to the In-House scheme would support further development of Shared Lives in Mental Health. This will eventually have a positive impact on relieving pressure on Mental Health residential placements