



Cabinet
23 February 2015

Report from the Strategic Director, Adults

For Action

Wards Affected:
ALL

Adult Social Care Day Opportunities Provision – Direct Services

1.0 Summary

- 1.1 The report identifies the need to begin a statutory consultation period on the future delivery model for day opportunities currently delivered from the New Millennium Day Centre and Kingsbury Resource Centre. The report additionally identifies the need to carry out a co-production exercise and options appraisal process in parallel to the statutory consultation to ensure we make best use of existing resources, support the re-modelling of day opportunities services within the community and ensure the current service users eligible needs continue to be met.
- 1.2 The decision to consult on the future of New Millennium Day Centre and Kingsbury Resource Centre was based on the current cost of the service and the need to make efficiency savings. The unit cost of providing the day centre service at New Millennium and Kingsbury Resource Centre is higher than the unit costs for similar services provided in the independent sector. The Council is required to identify £54m of savings over the next two years, at the same time as managing additional demand, and therefore must ensure that the services and support it pays for deliver value for money.
- 1.3 The decision to consult also reflects the predicted future needs of service users and the national policy imperative (including the Care Act) to offer more personalised forms of care. Consideration was also given to the inflexibility of the current service and requests from adult social care service users and their families for increased options for day services. Day opportunities services are

currently delivered through a range of commissioned independent providers as well as three council run centres (Millennium Day Centre, Kingsbury Resource Centre and John Billam Resource Centre). There is currently excess capacity for delivery across commissioned provision in the independent sector.

- 1.4 Users of these services are almost exclusively people with assessed and eligible social care needs. While some progress has been made in moving away from traditional building based services, the services currently offered does not make best use of existing available community assets and services, and does not encourage inclusion into the wider community. There is also a need to review how day services are delivered to ensure that we deliver identified efficiency savings.
- 1.5 Because demand for buildings based services such as those provided at the New Millennium Day Centre and Kingsbury Resource Centre is decreasing, and is predicted to decrease further in the future, there is an imperative to consider how services can best be delivered that both meet existing service users needs and future service users needs to ensure long term sustainability in the market place. Unless work is undertaken now to identify new models of delivery for day opportunities, it is likely that the current service will not be viable in the longer term.
- 1.6 Co-production provides the opportunity to work with both users and organisations that currently provide alternative forms of day opportunities to identify where there are gaps in current market provision, the types of services that people are likely to want in the future and the potential opportunities for using New Millennium Day Centre and/or Kingsbury Resource Centre in a more sustainable way. The goal will be to develop a service, in conjunction with key stakeholders, which is both sustainable and commercially viable in an increasingly competitive marketplace. This could include offering services to people who do not meet the councils eligibility criteria, self-funders, or working in partnership with existing voluntary and community sector organisation, for example through a social enterprise.
- 1.7 It is important to be clear that the recommendation is to consult on how day opportunities are delivered for people using New Millennium Day Centre and Kingsbury Resource Centre in Brent, in the context of the needs of future service users and the wider market for day opportunities services. People who are assessed as having an eligible need and whose needs will best be met through some form of day opportunities service will continue to receive a service. How that service is delivered and by whom is subject to change and is the focus of this consultation process.

2.0 Recommendations

- 2.1 That Cabinet agrees to a 90 day statutory consultation on the future of New Millennium Day Centre and Kingsbury Resource Centre.
- 2.2 To agree that a co-production process will be carried out alongside the statutory consultation. Co-production will involve working collaboratively with the people who use, deliver or are most affected by proposed changes to day services

provision to redesign opportunities within the borough to better support local need, to be more personalised and innovative and to be more cost effective.

- 2.3 To agree that an options appraisal will be undertaken to establish potential future use of the Kingsbury Resource Centre and New Millennium Day Centre buildings in conjunction with stakeholders based on input from the consultation and the co-production.
- 2.4 To note that the individual needs of current service users will be thoroughly reviewed following any decision to change the way day services are delivered to ensure that their needs continue to be met and to reduce any negative impact on their wellbeing.
- 2.5 To note that a consultation with affected staff will be carried out with a view to minimising or avoiding compulsory redundancies following any decision to change the way services are delivered.

3.0 National and local policy context

- 3.1 Recent social care policy has focussed on the need to develop more personalised services for adults, which will provide greater choice for individuals, help to promote their independence and enable them to improve their quality of life.
- 3.2 This philosophy is central to the values and principles advocated in *Putting People First: a shared vision for the transformation of adult social care* (2007) and other recent policy such as *Our Health, Our Care or Say* (2006); *Living Well with Dementia: A National Dementia Strategy* (2008) and *Valuing People Now: a new three year strategy for people with learning disabilities* (2009). In addition, the Care Act 2015 advocates that people who receive care and support from the council will have more say over what sort of help they get and how that care is provided. The proposals within this paper further promote this right of choice and control within care provision.
- 3.3 Local policy also supports the delivery of more personalised services. The Day Opportunity Strategy 2010 which was implemented for people with learning disabilities in 2010 focuses on supporting people to be independent and giving more choice and control in how they spend their day. This strategy is equally relevant today and the principles of personalisation apply equally to older people and people with physical disabilities.
- 3.4 In addition, the Local Account 2013/14, agreed at Cabinet January 2014, set out the financial challenges the Council and the department faces and the need to build a new relationship with communities and families to ensure we are clear not only about what the council can do, but also what we expect people to do themselves, hence the focus in this paper on co-production. The Local Account also set out the Council's commitment to support people to remain independent and prevent or reduce the need for publicly funded care and support services, but if someone needs publicly funded services to ensure there is a choice of high quality and appropriate services and support that meets the needs of our diverse community.

- 3.5 In line with national and local policy, the council would like to develop a wider range of options for individuals who require support to access day opportunities, such as further developing a wider range of commissioned services and supporting service users to access existing community facilities through greater use of direct payments and personal budgets, so that people can decide where they want to go and what they want to do instead of the Council simply just directly providing care and support.

4.0 New Millennium Day Centre

- 4.1 This Centre is a purpose built day centre situated in close proximity to Willesden Centre for Health and Care. The building and site is owned by Health and the Council hold a 90 year lease.
- 4.2 The Centre provides day care services to 87 people who have a physical disability, 28 people who have a learning disability, of which 8 are between the ages of 55 and 77 and could be considered eligible for older people and dementia services. On average 35 people use the day centre on any given day. Some of the service users have been attending for up to 30 years and have become very attached to the centre. However, there is an opportunity to support users to access alternative existing provision and to involve them in a co-production process to develop new services which will not only meet existing needs but will also support greater independence. We know that most younger people with disabilities newly coming to the council for support choose not to access this service, choosing rather to access a range of community based provision at colleges, third sector organisations and mainstream activities with support. Therefore, over time, there will be a reduction in numbers attending this centre and a drop in activity.
- 4.3 The current service is provided Monday to Friday with operating times from 9.00am to 4.00 pm. Service users attend on average six hours per day, five days per week. There are currently 14 full time staff.

5.0 Kingsbury Resource Centre

- 5.1 Kingsbury Resource Centre provides day care services to older people age 65+. The service is located in Stag Lane, which is in the north of the borough. It is a council owned site which adjoins a Pupil referral Unit.
- 5.2 Currently the service supports an average of 60 service users with a maximum daily attendance of 25 individuals (to include 4 wheelchair users). 8 service users have a learning disability. The majority of service users are frail, physically or mentally disabled and have an age related illness and experience social isolation.
- 5.3 The current service is provided Monday to Friday with operating times from 9.00am to 4.00 pm. Service users attend on average six hours per day, five days per week. There are currently 8 staff (7.2 FTE).

6.0 The Proposal

- 6.1 The proposal is to consult on the future of Kingsbury Resource Centre and New Millennium Day Centre and to run a co-production and option appraisal process in parallel to identify future options for delivery of day opportunities.
- 6.2 A number of options for the future delivery of day services will need to be considered during the consultation process. Options to be considered will need to reflect the desire to move towards a wider range of more personalised services which are also more cost effective and are likely to include:
- a. Recognising the over capacity in the market, for one centre to be closed with current service users being supported to access alternative commissioned provision in the independent sector;
 - b. development of a social enterprise in one or both centres;
 - c. for users and their families to be offered a direct payment to be able to purchase their own form of day activity.
 - d. for the conversion of one or both centres into resource centres which may cater for a wider range of service users or offer additional services to the community;
 - e. further development of commissioned options in the voluntary, independent or private sector; or
 - f. development of community asset transfer and the use of local area co-ordination to enable the development and better co-ordination of community based services.
- 6.3 If the council decides to go ahead with any of the identified options for New Millennium and Kingsbury Resource Centre after the end of the statutory consultation period, then all users of Kingsbury Resource Centre and New Millennium Day Centre will need to be reassessed to enable the affected individual and the council to be clear about their existing and future needs. Reassessment will make clear the impact of any changes on the individual and will enable the council to support users to better understand the range of options available to them. A person centred approach will be used to ensure that users have maximum choice and control over the services they eventually receive, and to ensure that the most appropriate support is secured to achieve the outcomes individuals want. This process will be supported by care management and will involve service user's families and friends as appropriate to ensure a holistic approach to meeting and supporting need. Consideration will be given to existing friendship groups and the aim will be to ensure service users are able to access new services and activities together with the friends they have made at their current day centre.
- 6.4 Those assessed as requiring a building base service will continue to be supported within provision that minimises travel time and maximises time spent at their day activity. However, this service may be provided in a different way to the service that they currently receive, for example, through commissioned provision rather than directly provided and delivered by the council.

7.0 The proposed process

Consultation

- 7.1 It is proposed that there is a 90 day consultation period with service users, carers and all relevant stakeholders on the proposal to re-provide day services currently delivered through New Millennium and Kingsbury Resource Centre. Consultation will start in March 2015 and conclude in May 2015.
- 7.2 The consultation process will be delivered through a series of meetings held at the centres. It is proposed that two meetings per month are run at each centre at different times of the day to enable as many people as possible to attend if they wish. Meetings will be structured in the form of a short presentation explaining the process, the reasons that the council wishes to consult on the future of the day centres and the options that we are considering. Meetings will also be an opportunity for stakeholders to understand more about and to ensure they can get involved in the options appraisal and co-production processes.
- 7.3 The purpose of the meetings is to gather views from all affected parties which can be collated and included in a final report to cabinet at the end of the process. This will allow elected members to understand the views and wishes of the people who use the day centres when making any decisions about their future. Full minutes will be taken at each meeting and these will be made available to members alongside the cabinet report so that members can understand the views of the people most affected by any proposed changes in their own words when making any decisions about their future.
- 7.4 Advocacy, translators and signer services will be commissioned to support service users and carers to contribute fully to the consultation process. If necessary, individual sessions will be arranged to ensure that all service users have an opportunity to contribute to the consultation in a meaningful way. This may include the use of independent advocates or other support staff as appropriate.
- 7.5 In addition to the series of proposed meetings (an indicative programme of meetings is set out at Appendix 1), people will have the opportunity to tell us their views via a consultation questionnaire or through directly contacting officers involved in the consultation process in the way which best suits their needs. For example, officers will offer individual appointments and will take feedback via e-mail, telephone or by letter.
- 7.6 Consultation work will be structured according to the following principles:
1. We will provide open and clear information/ communication to individuals and groups of customers and staff throughout the process, even when messages might be difficult to give.
 2. There will be an individual response to service users and carers needs and situations at all times, ensuring we not only meet our statutory obligations but get the best outcomes for service users.
 3. Senior staff representatives will regularly meet and inform service users, carers, and staff of the key project activity and progress.

4. Service users, carers, and staff will have their views accurately represented throughout the process so that key decision makers are fully informed when making any decisions.
5. We will set up a project group including relevant staff and other stakeholders as appropriate to oversee the process and ensure all actions are agreed and completed on time.
6. We will be clear about all the options that we are considering and ensure that service users and carers are supported to understand these options in the most appropriate way for them. This may include the use of independent advocates, translators or other communications specialists
7. We will work with staff to be clear and supportive at this time as they are critical in maintaining the service and giving reassurance to service users.

Co-production

- 7.7 Alongside the statutory consultation process, Adult Social Care will work with service users, carers, the voluntary and independent sectors and other local partners to co-design future options for the delivery of day opportunities.
- 7.8 National evidence and best practice shows that where services users and partners are involved in developing alternative services, those services better meet the needs of both individuals and the community and are often more cost effective than statutory services.
- 7.9 Co-production is a collaborative process, allowing services users dedicated time to discuss all the options available to them and to identify what other options might best meet their identified needs and deliver good outcomes. Through working with the people who use the services and the people who are likely to deliver them, evidence suggests that any new services designed and developed are likely to be more person centred, offer users better outcomes and are often more sustainable in the long term. Co-production offers service users a way to be truly in control of the services they receive and to work in genuine partnership to deliver the best outcomes for the people of Brent.
- 7.10 Co- production work will involve a review of services in Brent to rationalise and consolidate existing services whilst remodelling services to better support local care needs. The aim is to look at alternative care solutions working closely with stakeholders to develop a range of more personalised options. Co-production work also focusses on making the best use of existing community assets and available services and supports users to become fully integrated into their communities rather than isolating them in more institutionalised settings.
- 7.11 Work to take this forward has commenced with early discussions with service users, parents, carers representatives and Brent CVS. A working group will be developed to take these early discussions forward and it is envisaged that any alternative options put forward will be presented to Cabinet along side the findings of the consultation process.

Options Appraisal

- 7.12 The aim of the options appraisal is to make sure that any proposed options (ideas from the consultation and the co-production and any other sources) make the best, most innovative and most cost effective use of the resources the council already has. The process will involve working jointly with users of the service as well as carers, health partners and other council departments, for example property services, to develop options for utilising the buildings the two day centres currently occupy in a more flexible and responsive way.
- 7.13 The options appraisal will involve a working group of service user and carer representatives, key external stakeholders (e.g. voluntary sector and health) and professionals from across the council who will determine the costs, benefits and potential alternative uses for existing centres, and will identify whether there is sufficient demand for a different type of service such as a resource centre in the locations of the existing centres to provide benefits to both the council and the wider community.
- 7.14 All options will be appraised against a range of agreed criteria. The criteria will include the need to tackle the fact that the current unit costs of the services are higher than similar services provided in the independent sector. They will also have to recognise that currently there are a number of commissioned day centres within the borough that have been identified as running below capacity. This is evidence that the local day care market is over saturated and that some form of rationalisation which takes on board the care needs of residents would be appropriate. However, there will also be an opportunity through the co-production process to ensure the criteria also reflect the priorities of the service users and carers and other stakeholders.
- 7.15 The results of the consultation, options appraisal and co-production work will be presented to the Cabinet in June with recommendations and all supporting documentation, such as meeting minutes and consultation responses.

8.0 Financial Implications

- 8.1 The exact financial impact is dependent upon the outcome of the consultation. The option to closure of Kingsbury Resource Centre would contribute a saving to the council were this option to be agreed.
- 8.1 The 2014/15 budget for New Millennium is £726,000 and for Kingsbury Resource Centre is £537,000 including Brent Transport budgets. Based on the unit costs at other similar day services, it has been estimated that closing Kingsbury Resource centre and New Millennium Day Centre and re-providing the same service in the independent sector would achieve a saving of £302,000. Those estimates are based on a reduction in building, operational and transport costs.
- 8.2 In terms of Kingsbury Resource Centre the council recognises that in order to develop a sustainable model of care using a co-production approach, it is necessary to ensure an appropriate level of budget is available. Therefore, the indicative savings target outlined in the Council's budget report is £147,000.

- 8.3 Any suggestions for alternative models of service delivery proposed as a result of the co-production and options appraisal process (such as the development of a community resource centre) will need to take into consideration the savings target identified in 8.2 as well as setting out the long term financial sustainability in the context of the day opportunities market in Brent. In addition, all options will also need to clarify 'one off' and implementation costs as well as ongoing revenue savings.

9 Legal

- 9.1 Consultation is the term generally applied to the process by which a decision maker seeks the views of the public, or a section of the public, on a proposal that may have general impact, before it decides whether to implement that proposal. It differs from the process by which an individual or a small number of individual are afforded a fair opportunity to make representation in relation to a decision that may have a direct impact on them personally
- 9.2 There is no general public law duty to consult. It is an aspect of common law fairness. The duty to consult arises out of the concept of legitimate expectation, occurring where an individual has an interest in retaining some ultimate benefit which he hopes to retain
- 9.3 A public body also has a duty to carry out a sufficient inquiry prior to making its decision Equality Act 2010. Section 149 of the Equality Act 2010 introduced a single unified equality duty, superseding and expanding upon previous statutory duties in respect of race, sex and disability. It provides that:
- (1) A public authority must, in the exercise of its functions, have due regard to the need to—
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
 - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
 - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

10.0 Diversity Implications

- 10.1 Traditionally society has taken a paternalistic view of the needs of older people and people with disabilities and tried to "look after" them rather than supporting them to develop independence, and to access community based facilities that we all take for granted.
- 10.2 The proposals in this paper will ensure that all people who are eligible for a service continue to receive one; however, this service may be delivered in a different way to the services that they currently access. It is important to note that any of the proposed options for consideration in this paper will be considered on the basis that the council has a statutory duty to provide an appropriate service for those people who are assessed as eligible to receive one.
- 10.3 The proposed options for consideration and assessment as set out within this

report will create a more positive approach to diversity, ensuring that individual needs, whatever they may be, are addressed in a more personalized manner. Proposals will give people more control over the way they live. This is also reflected in the focus on person centered planning as the foundation of the implementation of any major changes to the service

- 10.4 The co-production work will ensure that a diverse range of issues are discussed, this will include all the protected characteristics highlighted within the Equalities Framework and will inform any plans for future day opportunities provisions.
- 10.5 Equality Impact Assessments will be completed as part of the consultation process. They will reflect the preferred options being proposed to the Cabinet in June at the end of the consultation, co-production and options appraisal processes.

11.0 Staffing Implications

- 11.1 This paper sets out a number of potential options for the future, and is clear that different options could be taken forward in the two centres. In addition, further options are likely to be generated through the consultation period. As there is no 'do nothing' option, there will be an impact on staff, but until we have been through the consultation, co-production and options appraisal the impact will not be clear. It could range from re-training and re-focusing to TUPE transfer to a new provider to potential redundancy.
- 11.2 The co-production process will include staff representatives and we will ensure there is regular communication with staff and Trade Unions about all three elements of the process during the public consultation period. Trade Unions will be briefed prior to the start of any formal HR consultation process and we will work with trade unions to ensure staff understand the range of support that is on offer to them during the process.

Background Papers

Putting People First: DH Policy December 2007

Living Well with Dementia: A National Strategy for Dementia Services, Department of Health, February 2009

Valuing People Now: A New 3 year Strategy for people with learning disability, Department of Health 2009

Day Opportunities Strategy 2010

Care Act 2014

Council Saving Plans

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Appendix 1: Indicative Consultation Timetable

Date	Stakeholder Group/ Meetings/ Activities	Purpose
W/C 2 nd March	Pre-consultation process briefings to staff and service users	The purpose of these briefings is to explain to staff and service users face to face the process that we are beginning and to allow for questions
2 nd March	Consultation questionnaire produced and agreed internally	The questionnaire will be available in easy read format and will be made available in a range of settings, including on the website and at the affected centres
2 nd March	Staff consultation and SWOT analysis form produced and agreed	Staff may contribute to the consultation in whichever way they feel is most appropriate, but a separate form will be developed for those staff who wish to contribute in a more detailed way
9 th March 2015	Consultation letter to service users	The initial letter to service users will provide a brief explanation of the aims of the consultation process, an overview of the process and how they can become involved as well as a point of contact for questions(easy read format)
9 th March 2015	Consultation (letter to staff)	To explain aims of the proposed change and points of contact for questions.
9 th March 2015	Letters to families	Brief explanation of aims, point of contact for questions)
9 th March	Consultation letter to partners	Brief explanation of aims, point of contact for questions)
12 th March 2015	Advocacy & Signer Appointed	To support users to effectively contribute towards the consultation discussions
12 th March	Identification of further communication needs with staff	To support all users to contribute in a meaningful way to the process.
17 th March 2015 (One meeting during the day, one meeting in	Consultation first meeting with service users (New Millennium)	Purpose of the meeting is to explain the consultation process and give a brief overview of the proposals

the evening)		being considered and to answer questions.
18 th March 2015 (One meeting during the day, one meeting in the evening)	Consultation with Service users (Kingsbury Resource Centre)	Purpose of the meeting is to explain the consultation process and give a brief overview of the proposals being considered and to answer questions.
19 th March 2015 (One meeting during the day, one meeting in the evening)	Consultation with families New Millennium	Purpose of the meeting is to explain the consultation process and give a brief overview of the proposals being considered and to answer questions.
20 th March 2015 (One meeting during the day, one meeting in the evening)	Consultation with Families Kingsbury Resource Centre	Purpose of the meeting is to explain the consultation process and give a brief overview of the proposals being considered and to answer questions.
23 rd March	Consultation (First meeting with all staff)	Purpose of the meeting is to explain the consultation process and give a brief overview of the proposals being considered and to answer questions.
14 th April 2015 (One meeting during the day, one meeting in the evening)	Consultation (Second meeting with service users (New Millennium)	Follow up to explain any additional information and further discuss views about the proposals.
15 th April 2015 (One meeting during the day, one meeting in the evening)	Consultation (Second meeting with service users (Kingsbury Resource Centre)	Follow up to explain any additional information and further discuss views about the proposals.
20 th April 2015 (One meeting during the day, one meeting in the evening)	Consultation with Families New Millennium	Follow up to explain any additional information and further discuss views about the proposals.
21 th April 2015 (One meeting during the day, one meeting in the evening)	Consultation with Families Kingsbury	Follow up to explain any additional information and further discuss views about the proposals.
22 nd April 2015	Consultation meeting with staff	Follow up to explain any additional information and further discuss views about the proposals.

7 th May 2015 (One meeting during the day, one meeting in the evening)	Consultation (third meeting with service users (New Millennium))	Follow up to explain any additional information, including updates from the options appraisal and co-production work.
8 th May 2015 (One meeting during the day, one meeting in the evening)	Consultation (third meeting with service users (Kingsbury Resource Centre)	Follow up to explain any additional information, including updates from the options appraisal and co-production work.
13 th May 2015 (One meeting during the day, one meeting in the evening)	Consultation with Families New Millennium	Follow up to explain any additional information, including updates from the options appraisal and co-production work.
14 th May 2015 (One meeting during the day, one meeting in the evening)	Consultation with Families Kingsbury	Follow up to explain any additional information, including updates from the options appraisal and co-production work.
9 th June 2015	Report back to Cabinet	To feedback consultation outcomes And allow for a decision to be made.
W/c 15 th June (One meeting during the day, one meeting in the evening)	Consultation feedback and decision meeting with service users (New Millennium)	Purpose of the meeting is to explain the outcomes of the consultation and the next steps.
W/c 15 th June (One meeting during the day, one meeting in the evening)	Consultation with Service users (Kingsbury Resource Centre)	Purpose of the meeting is to explain the outcomes of the consultation and the next steps.
W/c 15 th June (One meeting during the day, one meeting in the evening)	Consultation with families New Millennium	Purpose of the meeting is to explain the outcomes of the consultation and the next steps.
W/c 15 th June (One meeting during the day, one meeting in the evening)	Consultation with Families Kingsbury Resource Centre	Purpose of the meeting is to explain the outcomes of the consultation and the next steps.
W/c 15 th June (One meeting during the day, one meeting in the evening)	Consultation (First meeting with all staff)	Purpose of the meeting is to explain the outcomes of the consultation and the next steps.