

Classification	Item No.
Open	

Meeting:	Cabinet
Meeting date:	21 July 2021
Title of report:	Proposed Saving options for Adult Social Care: Outcomes of the Public Consultation
Report by:	Councillor Andrea Simpson Health and Wellbeing
Decision Type:	Key Decision
Ward(s) to which report relates	All Wards

Executive Summary:

Due to the significant financial challenge facing the Local Authority, Adult Social Care has proposed savings schemes totalling £12.4million. Understandably as a large proportion of the Adult Social Care budget is spent on our arm’s length provider Persona Care and Support Limited, this contract must be reviewed and reduced to help achieve the savings. The current savings requirement for Persona Care and Support Limited is £2.5m over the next two financial years. Given some of the proposals may have a direct impact on current and future customers of Persona Care and Support Limited, a public consultation was undertaken. This report outlines the details, findings, and recommendations of the public consultation.

Recommendations following consultation

Proposal 1 – day care

- As proposed reduce the number of unused places in the day care service. Close Pinfold Lane Centre and relocate the dementia day service to a designated area at Grundy.

Proposal 2 – short stay/ respite

- As proposed reduce the number of unused places in the short stay service, closing Spurr House leaving Elmhurst open for short stay care.

Proposal 3 – all age disability services

- As proposed further explore a multigenerational disability assessment and care management service and if co-production indicates bring forward an options paper

1. Introduction

- 1.1 As a result of the reductions in public spending and the impact of the recent pandemic, Bury Council must reduce its spending significantly over the coming years. The council's overall aim is to keep providing the current level of service but find less expensive and better ways of doing this.
- 1.2 Over the next three years Adult Social Care (ASC) propose to make savings of just over £12 million out of the current ASC budget of £52 million. This will be achieved in a number of ways: looking at what and how ASC buy care and support for those who need it, transforming services and working towards a multi-generational disability service.
- 1.3 As a large part of the Adults Social Care budget (£12,393,409 per annum) is spent on Persona Care and Support Limited (Persona), this contract has had to be reviewed and reduced to help achieve the savings. The current savings target for Persona is £2.5m over two financial years 2021/22 and 2022/23, which equates to just over 20% of the Persona budget. Adults Social Care are working with Persona to address the consequences of the financial challenge
- 1.4 Given some of the proposals may have a direct impact on current and future Persona customers, a public consultation was undertaken. This report outlines the details, findings, and recommendations from the public consultation.

2. Background

- 2.1 Persona provides several services supporting people with learning disabilities, dementia and physical disabilities. Services provided include day care, supported living, extra care, respite and shared lives. As described due to the challenging financial situation, Bury Council are working with Persona to reduce the Persona contract by £2.5 million over the next 2 years. To achieve the savings required it has been proposed to change some services, develop new ways of working to realise efficiencies, and in some cases, reduce or close services, especially those that are no longer used or needed.
- 2.2 Persona services are paid for with a block contract for a specified amount of capacity, this proposal intends to reduce the capacity that is no longer used and reduce the value of the contract accordingly. The volume of service provided to service users who already receive it will not change, the location may.
- 2.3 Whilst the focus is on minimising any impact on customers and staff as far possible, given the size of the savings it was recognised that proposed savings may have some form of impact on existing customers, potential customers, and staff. Therefore, the proposals went out to public consultation to understand the views of those people who may be impacted both now and in the future.
- 2.4 The public consultation focussed on five elements.

- Reduce the number of unused places in the day care services, close Pinfold Lane Centre and relocate the dementia day service to a designated area at Grundy.
- Reduce the number of unused places in the short stay residential care service, close Spurr House leaving Elmhurst open for short stay residential care.
- Develop a multigenerational disability service therefore providing one assessment and care management service for all customers whatever their age, concentrating on the needs and strengths of the individual, not their disability and offering seamless transition to adulthood.
- Questions about participants use of Adult Social Care transport to inform future policy development.
- An opportunity for people to suggest any alternative saving suggestions they may have.

3. Consultation Process

- 3.1 A six-week public consultation was undertaken starting Monday the 24th May 2021 concluding on Friday 2nd July 2021. Several methods were used to try to maximise the opportunity to capture views of people who use Persona services, their families and carers, our partners, along with the public and future users.
- 3.2 A detailed letter and survey (see appendix 1, consultation materials), including a return freepost addressed envelope, was sent to all of Persona's 701 customers. These were either handed to the individual or posted to their home address.
- 3.3 The consultation information and survey were published on the Council's engagement and consultation website 'One Community'. This site can be accessed by anybody as a guest and has 3,323 people registered on the site. Those who were registered on the One Community site to be informed of consultations of this nature (1557 people) received a notification alerting them of the consultation. (See appendix 2 One Community Report).
- 3.4 A dedicated email address strategicplanning@bury.gov.uk was available for people to share views and comments and a council officers telephone number was available to contact for any queries.
- 3.5 A council press release was issued on the 24th May which you can read [here](#) The consultation was also published on all the council's social media platforms.
- 3.6 Information on the consultation launch was shared with all local councillors, all of our social care workforce, all care providers who themselves employ

over 5,000 staff, all Persona staff, all of our voluntary sector and faith alliance partners and a wide range of stakeholders and via several engagement networks.

- 3.7 Healthwatch Bury supported the process by signposting people to the consultation, publicising the consultation on their website, with their members and through their mailing list. They also answered any questions about the consultation process, offered support to take part and they also hosted a public consultation session.
- 3.8 Age UK Bury contributed to the consultation on behalf of their members.
- 3.9 Bury People First were commissioned to offer support to people with a learning disability their family and carers. This included creating an easy read version of the consultation letter and survey, signposting their over 300 members to the consultation, supporting individuals who required it on a one-to-one level and they ran three public consultation sessions.
- 3.10 A council led public consultation session was open to anyone to attend and advertised as above.
- 3.11 Due to the Covid-19 social distancing requirements, and to keep everyone as safe as possible, the public consultation sessions were held online, via Microsoft teams or Zoom. See the table below for information on the public consultation sessions.

3.12 **Table 1. Detail of the public consultation sessions**

Session Number	Date	Time	Target Audience	Organisation who arranged the session	Number in attendance
1	Wednesday 9th June	10:30am – 12:00 noon	People with a learning disability	Bury People First	36
2	Wednesday 9th June	6:30pm – 8:00pm	Family members and carers	Bury People First	
3	Wednesday 16th June	10:30am – 12:00 noon	People with a learning disability	Bury People First	
4	Wednesday 23rd June	1:00pm – 2:30pm	Open to anyone	Healthwatch Bury	7
5	Monday 28th June	2:00pm – 3:30pm	Open to anyone	Bury Council	6
Total:					49

- 3.13 Alongside the consultation survey returns, 7 people shared their views via email, 3 of those were staff.

- 3.14 49 people attended one of the five online public consultation sessions. Despite efforts to recruit participants and advertise the event widely only 7 people attended Healthwatch Bury session, the majority were staff or providers. (For the Healthwatch Bury feedback report see appendix 3). Despite efforts to recruit participants and advertise the event widely only 6 people attended the council session, 4 identified as staff or providers. (For the council led session feedback report see appendix 4).
- 3.15 The Bury People First Session was well attended with 36 people with a learning disability attending to share their views some of those people received one to one support from Bury People First. (For the Bury People First feedback report see appendix 5).
- 3.16 A total of 174 responses were received using one of the available methods.
- 3.17 Persona staff were also able to engage in the consultation. Persona employ 98 staff across the services the proposals relate to. (36 in Spurr House, 39 in Elmhurst, 12 in Pinfold and 11 in Grundy).
- 3.18 The survey was hosted on the One Community site. 236 people visited the site and 85 people contributed 117 times. This means that several of the same people on the same device visited the survey a number of times to answer the questions repeatedly. It is not possible to identify why someone choose to answer the questions repeatedly. Of the 85 contributors 4 registered online and 81 chose to remain anonymous. Members of the workforce can contribute online, and it is not possible to identify who the 81 who chose to remain anonymous are.
- 3.19 It is very difficult even with large amounts of publicity to get members of the public to engage with consultations on the provision of adult social care. In a recent consultation undertaken the NHS regarding changes to Intermediate Care services 286 people visited the site but only 29 went on to contribute or attend any engagement sessions, therefore 174 responses is a higher number than usual for this type of consultation.

4. **The responses to the consultation**

4.1 The consultation survey included a range of questions where the respondent was asked to say either yes, they agreed with a proposal or no they did not agree with a proposal, plus free text boxes for other comments and suggestions.

4.2 **Responses to Proposal 1 – Day Care Services**

4.3 This question asked *"We propose to reduce the number of places of day care which the Council buys from Persona. Before the Covid19 pandemic, the day care service consistently had a number of places which were not used. Removing the unused places will enable better value for money. For existing day service customers there is no suggestion that the amount of support currently received will reduce in any way as a direct result of this proposal. The proposal is focussed on removing unused places. However, in order to provide best value, we propose to combine the older people's day service and to provide it from one location (Grundy). This is because the reduced number of places can be accommodated in one venue, which will mean lower running costs. The two sites being considered are Grundy and Pinfold Lane, only Grundy is large enough to accommodate all older people's day service customers. In short, the proposal is: to reduce the number of unused places in the day care service, close Pinfold Lane Centre and relocate the dementia day service to a designated area at Grundy. If this proposal is agreed, the dementia day service would have its own secure area at Grundy and be refurbished to be 'dementia-friendly'."*

4.4 For the yes/no question the result is show below.

Question	Yes	No	Not answered
Proposal 1: Persona Day Care			
Do you agree with the Councils proposals for Day Care service?	31 (30.1%)	72 (69.9%)	14

4.5 It can be seen that the feedback from the consultation is negative. We know that only 85 devices were used to submit this feedback 117 times. This indicates that one or more people answered the same question repeatedly and this must be taken into account when weighing up the value of this feedback.

4.6 Concerns that were raised in the other sessions and in the free text comment sessions in relation to this proposal were centred around demand for day care post covid. There was anxiety that the pandemic had suppressed demand and the council would be closing day care capacity that was needed when the pandemic ended especially with a growing and ageing population.

4.7 It is important to understand this proposal is not about closing the day care services, instead removing places which historically (pre covid) had not been

used. This is despite promotion of the service and social care staff offering day care as part of people's support.

- 4.8 Data shows a reduced demand and usage of day care provision across the period 2018 - 2020 before any impacts generated from the Covid-19 pandemic were experienced where we had to suspend day care for a while.
- 4.9 The original Persona contract was for 70 places per day at Grundy and 40 places per day at Pinfold Lane (3300 customer hours). In 2020 this was reduced to 50 places at Grundy and 30 places at Pinfold Lane (2400 customer hours). Data analysis of the period up to March 2020 indicates showed attendance had dropped further to 33 places per day at Grundy and 22 places at Pinfold Lane. There is sufficient capacity at Grundy to accommodate up to 70 users and can easily accommodate 55 when taking into account the need to deliver a separate dementia environment.
- 4.10 The second key theme from feedback was a concern about dementia provision. Over the years Pinfold day care centre has been recognised as a day care facility for those with dementia, the building and staff have been developed to support those with dementia in the best way possible. Therefore, concerns were raised that changing the facility from Pinfold to Grundy may have a detrimental impact on some of the customers with dementia as routine and consistency is important.
- 4.11 The proposal made clear if agreed and Pinfold was closed and service within moved to Grundy, the dementia day service would have its own secure area at Grundy and be refurbished to be 'dementia-friendly'. This would include moving any equipment and furniture, supporting, and developing staff ensuring they have the skills to support dementia customers, and as far as possible provide consistency in service delivery, just in another building.
- 4.12 Alongside the two key themes from feedback there were one or two comments regarding the concern of having to travel further to Pinfold than Grundy.
- 4.13 The Grundy site is near the town centre and equally accessible from all parts of the borough. The Pinfold site is in the south of the borough. It is 3.3 miles from Grundy and 10 minutes away. As Grundy is central many who attend Pinfold from the centre or north of the borough will experience shortened journeys but it is accepted some who attend from the south may have a journey 10 minutes longer.
- 4.14 When consulting with day care users who had a learning disability it was clear that day care is very important providing a place to develop friendships and meet other people. The users stated they hadn't accessed day care as much during the covid pandemic, some customers saying they wanted to go on less day care and do other things instead, such as volunteer, get a job or undertake other activities and some people weren't aware they could say no to day care.

- 4.15 Data shows usage of Persona Day care for people with a learning difficulty in the two years before the covid pandemic declining consistently over time. This trend has not reversed since this day care was restarted and usage remains lower than pre-pandemic levels. This proposal is to remove places that are no longer used and reduce the value of the block contract accordingly. Everyone with a learning disability who accesses day care can continue to do so.
- 4.16 No alternatives were made to this proposal
- 4.17 **It is our recommendation post consultation that the council reduce the number of places of day care which the Council buys from Persona which are currently not used and relocates older persons day care from Pinfold to the Grundy site to ensure the service is cost effective and delivers value for money.**
- 4.18 No other alternatives were made to this proposal.
- 4.19 **Responses to Proposal 2 –Short Stay and Respite Services**
- 4.20 This question asked *"We propose to reduce the number of places of short stay which the Council buys from Persona. Before the Covid19 pandemic the short stay service consistently had a number of places which were not used. By removing that unused capacity, it will enable better value for money. Short stay is where customers will stay for a period of time up to 6 weeks as either a break from their normal place of care, to provide carers or family members a break from caring or because a person may need some short term support to recuperate. On occasion people stay longer than the 6 weeks and we are keen to prevent that from happening, as there are alternative options for those people who need care for longer than 6 weeks. We are going to change our approach to managing short stay to ensure people don't stay longer than 6 weeks and as a result we will need less beds from short stay. Currently there are two Persona buildings that offer short stay care, these are called Spurr House and Elmhurst. Both buildings have been considered in detail taking account of the number of beds that are needed, the quality and longevity of the building, the unit cost of each facility and the likely investment costs needed to keep and maintain the building. Based on this it is proposed that Spurr House would be the building to close, leaving Elmhurst open for short stay care. This proposal will ensure that one building remains open to offer short stay care for our customers. The service offered will not change, however the location where a person goes to for short stay care may change for some people."*
- 4.21 For the yes/no question the result is show below.

Question	Yes	No	Not answered
Proposal 2: Persona Short Stay Facility			
Do you agree with the Councils proposals for reducing short stay beds?	25 (22.7%)	85 (77.3%)	7
Do you agree with the Councils proposals to close Spurr House?	25 (22.3%)	87 (77.7%)	5

- 4.22 It can be seen that the feedback from the consultation is negative. We know that only 85 devices were used to submit this feedback 117 times. This indicates that one or more people answered the same question repeatedly and this must be taken into account when weighing up the value of this feedback.
- 4.23 Concerns that were raised in the other sessions and in the free text comment sessions in relation to this proposal were centred around demand for respite care post covid. There was anxiety that the pandemic had suppressed demand and the council would be closing respite capacity that was needed when the pandemic ended especially with a growing and ageing population.
- 4.24 It is important to understand this proposal is not about closing the respite care service, instead removing places which historically (pre covid) had not been used.
- 4.25 To alleviate the concern re suppressed demand, it should be noted that pre covid there had historically been a high number of unused short stay/ respite beds, despite various promotion and sign posting to the service. The block contract is currently for 62 beds (27 at Elmhurst and 35 at Spurr House). Data for the period 2018/19 and 2019/20 shows a trend of declining occupancy at both units. In the period February 2019- February 2020 the average number of beds required was 48 across both sites. Our reconfigured intermediate care services have reduced demand further for emergency short stays and where we do use the beds the residents are staying less than 6 weeks. This is further reducing the demand for these beds and shows 27 beds at Elmhurst will be sufficient to meet demand.
- 4.26 Two comments referenced a historic covenant on the land that Spurr House sits. On investigation in 1975 a transfer of land from Manchester City Council to Bury Council was awarded with the requirement that the land was used for an 'aged persons hostel'. The covenant is attached to land not the service or current building, it is possible to have a restriction on land lifted, although there are no guarantees. The covenant does not prevent the current short stay or respite service being removed from Spurr House and delivered from Elmhurst. Although the future use of the land would need to take the existing covenant into account.
- 4.27 One item of feedback from one person suggested looking for alternative ways of finding the saving but made no suggestion. Another suggested running a marketing campaign to fill up the beds.

- 4.28 Data from prior to the pandemic clearly shows over capacity in the respite/short stay block contract with only 48 beds being required. With changes to our intermediate care services we have now reduced the length of stay of people in emergency short stay beds to 21 days, this reduces the demand for beds further and only 27 are required for respite and short stays.
- 4.29 Following unlocking demand for respite and short stay has not returned to pre-pandemic levels and demand continues to decline, this is in line with our strategic intent to support more people in their own home. It is legally required to offer choice for care home accommodation so it would not be appropriate to divert people from their choice in the independent sector to Persona, especially being aware that the cost of supporting someone in a Persona care home bed when the homes are full is £20 per person per night more expensive than the independent sector.
- 4.30 **Our recommendation post consultation is to decommission the unused over capacity in the short stay contract with Persona Care and Support Ltd. This will see Spurr house close and short stay and respite provided from Elmhurst.**
- 4.31 **Response to Proposal 3 – developing an all-age service for people with a disability.**
- 4.32 *This question asked "We currently have two separate services for people with learning disabilities: one for children and young people, and one for adults. Our aim is to provide one service for all customers whatever their age, concentrating on the needs and strengths of the individual, not their disability. Therefore, you would not have to move from children and young people service to adult's service when you turned a certain age, as the proposal would remove the need to hand over or transfer between the two services. This would take some time to implement, so, in the meantime, we will focus on making the transition from children and young people to adult services at an earlier age, ideally at 13 or 14. This will enable more appropriate support of the individual and their family to be put in place"*
- 4.33 This proposal related to the social work teams supporting those people with a disability working differently, as one multigenerational team therefore preventing the need for customers to have to transition between the two teams; a children with disability team and the adults teams.
- 4.34 It is apparent from the feedback in the sessions, comments and answers to questions that this was not communicated well with respondents interpreting the question as a proposal to change the care provided, rather than assessment and care management by social workers, to one service. It can be seen from the question above that we did not make it clear that the proposal only related to the social work assessment and care management teams.

4.35 For the yes/no question the result is show below.

Proposal 3: Developing an all age disability Service			
Do you agree with the Councils proposals to develop an all age disability service?	32 (36.4%)	56 (63.6%)	29

4.36 It can be seen that the feedback from the consultation is negative. We know that only 85 devices were used to submit this feedback 117 times. This indicates that one or more people answered the same question repeatedly and this must be taken into account when weighing up the value of this feedback.

4.37 We can also see from the feedback in the sessions, a review of the question and where comments were made that this proposal was not communicated well and this also must be taken into account.

4.38 The overview feedback from the sessions delivered by Bury People First was a clear preference for an all age service saying, 'everyone likes the idea of an all age disability team'. Comments included going to one place is a good idea, it makes it easier moving from children to adult services and a clear desire to be involved in making it happen.

4.39 There were numerous comments recognising the transitions process could be smoother, more supportive, start sooner and reviewed to prevent crisis from developing for customers and families or carers. A recommendation the time of transition should not be solely dependent on age but on the individual and their needs. Therefore, commencing at a time that was best fit for the person and their family/ carers.

4.40 Contributors to the consultation stated that the needs of children and adults were different and the care they required different due to the different conditions and different laws and regulations.

4.41 **Our recommendation post consultation is the council continues to explore if benefits can be delivered by bringing assessment and care management services that support both Children and Adults closer together to deliver seamless transition to adulthood and a multigenerational approach to supporting people with disabilities.**

4.42 We will explore this further as part of our transformation programme within Bury's Integrated Care Delivery Collaborative. It is clear that this work needs to be co-produced with children and adults with disabilities and their families, a principle that our Integrated Care Delivery Collaborative has already adopted, once complete an options paper will be presented to strategic commissioning board and cabinet.

4.43 **Response to Transport Questions**

4.44 In Bury we are currently reviewing our transport requirements in order to develop an updated policy. This question did not propose any changes to provision or policy but sought views on people’s current use of transport. **It therefore has no recommendation, but the responses will be used to inform policy development and options for consideration will be bought back at a later date.**

4.45 In this question we asked “Some customers receive transport to and from care settings as part of their package of care. If you receive transport as part of your care package we would like to hear your thoughts on the transport provided. If you do not receive transport then please circle not applicable or leave blank.”

4.46 The responses to these questions are found in the following table

Question	Yes	No	Not answered	
Element 5: Transport				
Please note for the fifth element included a third option of 'not applicable'	Yes	No	Not Applicable	Not answered
Do you receive transport as part of your care package?	21 (21%)	18 (18%)	61 (61%)	17
Do you pay for transport with your direct payment?	17 (18.9%)	14 (15.6%)	59 (65.6%)	27
Do you receive a benefit that funds or contributes towards a vehicle?	10 (11.4%)	26 (29.5%)	52 (59.1%)	29
If transport was not available to you would you have another means of transport to get to your care setting?	15 (17.2%)	23 (26.4%)	49 (56.3%)	30
If a bus type vehicle was not available for transport would you consider sharing a taxi with other customers?	12 (13.8%)	23 (26.4%)	52 (59.8%)	30
If a bus type vehicle was not available for transport would you consider sharing a 'lift' with other customer’s family or carer?	12 (14.1%)	25 (29.4%)	48 (56.5%)	32

4.47 **Response to request for Alternative Savings proposals**

4.48 Finally, respondents were asked to propose alternative savings options

4.49 Three themes emerged although the number of comments received was small.

4.50 The first key theme was again although an understanding that the Local Authority had to achieve savings, a plea to look elsewhere for savings, instead protecting and investing in services that support the most vulnerable people in society, however no suggestions were made on other services to look at. This proposal does not see services received by people reduced, it sees the unused capacity in a block contract reduced and the contract value reduced accordingly minimising the impact of delivering savings on the most vulnerable.

4.51 The second theme appeared to be a perception from respondents that the council management were paid generously and could structures be rationalised to help deliver savings. Although not part of these proposals it should be understood there have already been many service rationalisations and reviews within the council.

4.52 The third theme was linked to investing more and working closely with the voluntary, community and faith sector. Encouraging people to volunteer and reviewing how volunteers might help compliment service delivery, not replacing jobs, but working alongside paid staff to help reduce overall costs and deliver better services. Developing community services, community hubs and building community pride, enabling residents to help care and support one another.

4.53 Whilst these suggestions are appreciated, they would not deliver the amount of savings required and neither would they ensure the council did not continue to pay for capacity within a block contract that was not needed or used.

5. Recommendations

5.1 The recommendations to Cabinet are as follows:

5.2 Proposal 1 – day care

As proposed reduce the number of unused places in the day care service. Close Pinfold Lane Centre and relocate the dementia day service to a designated area at Grundy.

5.3 Proposal 2 – short stay/ respite

As proposed reduce the number of unused places in the short stay service, closing Spurr House leaving Elmhurst open for short stay care.

5.4 Proposal 3 – all age disability services

As proposed further explore a multigenerational disability assessment and care management service and if co-production indicates bring forward an options paper

Community impact/links with Community Strategy

Throughout the consultation feedback, there was a recognition of ensuring personalised support tailored to individual needs and aspirations, supporting people to live in their own homes, with increased choice and control and more community lead services and support, this fits well with the Adult Social Care vision.

The call for an increased amount of community support and services, building the Voluntary Community and Faith sector, encouraging volunteering, along with involving customers, public and wider stakeholders in the decision-making process and designing of services is centric to the 'Lets Do It' strategy.

Equality Impact and considerations:

Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

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.*

The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.

Equality Analysis	Several equality analyses have been undertaken these include: <ul style="list-style-type: none">• An equality analysis for proposal 1: Persona Care and Support Limited Savings: Proposed Day Care savings (see appendix 6)• An equality analysis for proposal 2: Persona Care and Support Limited Savings: Proposed short stay facility savings (see appendix 7)• An equality analysis for proposal 3: Developing an All Age Disability Service (see appendix 8)• An equality analysis for the public consultation (see appendix 9)
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Assessment of Risk:

The following risks were highlighted during consultation and will be mitigated as below:

Risk / opportunity	Mitigation
Future demand for Day care services increase post covid	<ul style="list-style-type: none"> • There are six other commissioned or grant funded day care provisions in Bury with capacity. • A wide range of community sector services that offer an alternative to day care • Prior to covid, intelligence and data show historic and continuous number of day care places were not used. • If demand increased additional day care places could be commissioned.
Future demand for short stay/ respite services increase post covid	<ul style="list-style-type: none"> • New ways of working will ensure customers do not stay beyond six-weeks in respite/ short stay as there is alternative provision for long term care. • Across the care service there are currently over 250 empty beds and therefore additional capacity to utilise should demand increase. • The usage data for Persona short stay/ respite in the two years before the covid pandemic showed a trend of declining occupancy at both buildings.
Change or inconsistency for people with dementia	<ul style="list-style-type: none"> • Ensuring a dedicated 'dementia friendly' area at Grundy. This would include moving any equipment and furniture, supporting, and developing staff ensuring they have the skills to support dementia customers, and as far as possible provide consistency in service delivery, just in another building. • The service would work with customers, their family and carers to transition as best as possible from one building to another.
Ensuring staff have appropriate skills and knowledge to support customers with dementia or other specialist needs	<ul style="list-style-type: none"> • Proficient training programme for staff to support and develop skills and knowledge relevant to the role and service. • Embedding the ASC vision in social care working practice and related services. • Embedding the 'Let's do it' strategy through all Bury services, provision and programmes.
Land covenant on the land Spurr House sits for an 'aged person hostel'	<ul style="list-style-type: none"> • The covenant does not prevent the current short stay or respite service being removed from Spurr House. • The impact an existing covenant has on the land should be considered when reviewing future use of the land, it does not apply to the building or the service provided within it.
Savings proposals are not agreed and therefore not achieved	<ul style="list-style-type: none"> • Savings would need to be found from elsewhere in ASC if these are not agreed. • The savings generated from these proposals involve decommissioning provision that is not used and enables the retention of services that are used.

Consultation: as described throughout the report a six-week public consultation was undertaken and this report highlights the outcomes and recommendations from the consultation exercise.

Legal Implications:

Cabinet is being asked to decide on the arrangement in the borough for the provision of services for adults with care and support needs. Bury Council will reduce the Persona contract by £2.5 million over the next 2 years. It has been proposed to change some services and develop new ways of working to realise efficiencies, and in some cases, it could mean the potential reduction or closure of services.

Section 1 of the Care Act 2014 (Promoting individual well-being) requires the Council when exercising its care and support functions in respect of an individual, to promote the individual's wellbeing. "Well-being", in relation to an individual, means that individual's (a) personal dignity (including treatment of the individual with respect); (b) physical and mental health and emotional well-being; (c) protection from abuse and neglect; (d) control by the individual over day-to-day life (including over care and support, or support, provided to the individual and the way in which it is provided); (e) participation in work, education, training or recreation; (f) social and economic well-being; (g) domestic, family and personal relationships; (h) suitability of living accommodation; and (i) the individual's contribution to society.

In exercising its care and support function in the case of an individual, the Council must have regard to, amongst others, a) the individual's views, wishes, feelings and beliefs; b) the importance of preventing or delaying the development of needs for care and support or needs for support and the importance of reducing needs of either kind that already exist; c) the importance of the individual participating as fully as possible in decisions relating to the care and support. The Department of Health and Social Care ("DHSC") has issued statutory guidance ("CSSG") under the Care Act 2014 ("the Act") which the Council must have regard to in exercising its function under the Act.

Section 2 of the Act (preventing needs for care and support") requires the Council to "provide or arrange for the provision of services, facilities or resources, or take other steps, which it considers will" contribute towards preventing, delaying or reducing individuals" needs for care and support, or the needs for support for carers. In performing this duty, the Council must have regard to, amongst others, the importance of identifying services, facilities and resources already available in the Council's area and the extent to which the Council could involve or make use of them in performing that duty. The CSSG at paragraph 2.1 provides that "It is critical to the vision in the Care Act that the care and support system works to actively promote wellbeing and independence and does not just wait to respond when people reach a crisis point. To meet the challenges of the future, it will be vital that the care and support system intervenes early to support individuals, helps people retain or regain their skills and confidence, and prevents need or delays deterioration wherever possible.

Section 5 of the Act (Promoting diversity and quality in provision of services) requires the Council to promote an efficient and effective market in services for

meeting care and support needs with a view to ensuring service users (a) has a variety of providers and services to choose from; (b) has a variety of high-quality services to choose from; and (c) has sufficient information to make an informed decision about how to meet the needs in question. This is often referred to as the duty to facilitate and shape the market for care and support. The CSSG provides at paragraph 4.2. "The Care Act places new duties on local authorities to facilitate and shape their market for adult care and support as a whole, so that it meets the needs of all people in their area who need care and support, whether arranged or funded by the state, by the individual themselves, or in other ways. The ambition is for local authorities to influence and drive the pace of change for their whole market, leading to a sustainable and diverse range of care and support providers, continuously improving quality and choice, and delivering better, innovative and cost-effective outcomes that promote the wellbeing of people who need care and support.

The CSSG acknowledges the budgetary challenges faced by local authorities and changes in service commissioning and provision may be needed. At paragraph 4.5 the CSSG provides "At a time of increasing pressure on public funds, changing patterns of needs, and increasing aspirations of citizens, together with momentum for integrated services, joint commissioning, and choice for individuals, it is suggested that fundamental changes to the way care and support services are arranged may be needed, driven through a transformation of the way services are led, considered and arranged. Commissioning and market shaping are key levers for local authorities in designing and facilitating a healthy market of quality services.

In addition paragraph 4.27 of the CSSG provides " Local authorities should commission services having regard to the cost-effectiveness and value for money that the services offer for public funds".

The Council must ensure that there is sufficiency of provision "in terms of both capacity and capability – to meet anticipated needs for all people in their area needing care and support – regardless of how they are funded (paragraph 4.42 of the CSSG).

The Council is required to ensure choice in local provision and providers. At paragraph 4.37 of the CSSG "Local authorities must encourage a variety of different providers and different types of services. This is important in order to facilitate an effective open market, driving quality and cost-effectiveness so as to provide genuine choice to meet the range of needs and reasonable preferences of local people who need care and support services."

There is a common law duty on the Council to consult with service users, carers, providers, employees and other stakeholders that are likely to be affected by these proposals for the provision of adult social care services in the borough. The consultation must take place at a time when the proposals are still at their formative stages. The Council must provide the consultees with sufficient information to enable them properly to understand the proposals being consulted upon and to express a view in relation to it. The information must be clear, concise, accurate and must not be misleading. The consultees must be given adequate time to consider the proposals and to respond.

The Council must give genuine and conscientious consideration to the responses received from the consultees during the consultation before making its final decision

on the proposals. The report summarises the views and key themes received from the consultation and the appendices set out the responses from services users, carers, family members and other stakeholders.

As part of its decision-making process, the Council must have "due regard" to its equalities duties. Under Section 149 Equality Act 2010, the Council in exercise of its adult care and support functions, must have "due regard" to the need to eliminate unlawful discrimination, advance equality of opportunity between persons who share a protected characteristic and those who do not, foster good relations between persons who share a relevant protected characteristic and persons who do not share it in order to tackle prejudice and promote understanding.

Financial Implications:

To deliver a balanced budget over the medium term the Council is utilising c.£27m of reserves over the period 21/22 -22/23 (incl) and delivering a £21.4m efficiency & service reduction saving programme over the period 21/22- 24/25 (incl) of which c£12.3m is allocated specifically to Adult Social Care budgets.

Given the scale of the financial challenge faced by the Council, the successful delivery of the Council's savings programme is critical in delivering a balanced budget over the medium term. The proposed £2.5m saving target assigned to Persona is not only c.20% of the actual 20/21 expenditure activity relating to Persona Care and Support Limited (Para 1.3) but is also c.20% of the Adult Social Care £12.3m 3 year savings programme

Consequently, the non-delivery or partial delivery of the £2.5m saving proposal would be a material risk to the council meeting its planned medium term financial strategy.

. The report sets out the 3 recommended options to achieve the £2.5m savings however the 3 options are not quantified financially or analysed with regards to how much each option will contribute towards the £2.5m target or whether they will achieve the target in full.

Formal monitoring of the £2.5m savings programme will be required to ensure that the savings are on track to be delivered and in the event that this is not the case, the financial impact of non-delivery will need to be managed within existing Adult Social Care budgets

Report Authors and Contact Details:

Hayley Ashall, Strategic Lead, Integrated Commissioning, Carers, Physical Disabilities and Prevention

h.ashall@bury.gov.uk

0161 253 7927

Adrian Crook, Director of Adult Social Service and Community Commissioning

Background papers:

- Council Budget Setting Report – February 2021
<https://councildecisions.bury.gov.uk/documents/s26060/FINAL%20Full%20Council%20Consolidated%20Budget%202021-22%20final%20for%20publication.pdf>

Please include a glossary of terms, abbreviations and acronyms used in this report.

Term	Meaning
ASC	Adult Social Care
VCF	Voluntary Community and Faith Sector
Persona	Persona Care and Support Limited