

# Service and Community Impact Assessment (SCIA)

## Front Sheet:

**Directorate and Service Area:**

Joint Commissioning, People

**What is being assessed (e.g. name of policy, procedure, project, service or proposed service change):**

A project to move adults with learning disabilities and/or autism from residential care placements outside Oxfordshire to supported living placements in Oxfordshire.

**Responsible owner / senior officer:**

Natalia Lachkou, Joint Commissioning Team

**Date of assessment:**

November 2017

**Summary of judgement:**

The Council places 185 people with learning disabilities and/or autism in high cost out-of-county residential placements across 51 local authorities. The project aims to move approximately 76 people with learning disabilities from high cost, out-of-county placements to supported living within the county.

This would include moving people out of care homes and hospitals who have needs which can be met in the community and young people who are transitioning from out-of-county Special Educational Needs placements to supported living locally. The project would also provide a local offer within Oxfordshire and stem the flow of individuals who would otherwise be placed out-of-county. The lives of individuals could be significantly improved by moving into supported living and being in a community setting.

The project is based on performance based outcomes for Service Users to successfully move into stable supported living accommodation, and to sustain living in the accommodation. A further outcome is for the individuals to achieve progressive and sustained improvements in their quality of life and ability to live more independently. These will be measured through performance monitoring within the contract.

The individuals of the cohort will be assessed and then, if it is appropriate for them to be offered a move to supported living within the county, them and their families will be given a choice. This will be completed with tailored support so that the individual and their families are equipped to make a fully informed decision.

The individuals may have problems adjusting and therefore sustaining their new accommodation. Appropriate support will be given to help the individuals to adapt to the change. The accommodation will be sourced with careful consideration given to the individual's needs including assistive technology and other equipment where required. There will be contingencies in place in case of breakdown of placements.

There is a risk that the provider will struggle to find accommodation that meets the needs of each individual service user. The provider will work with housing providers to acquire suitable properties giving careful consideration to the needs of the individuals. The size of the project is manageable in terms of the amount of housing required.

## **Detail of Assessment:**

### **Purpose of assessment:**

This assessment has been conducted to consider the impact of a project to move adults with learning disabilities from long-term residential care placements outside Oxfordshire to supported living placements in Oxfordshire.

This assessment fulfils the Council's requirements under Section 149 of the Equality Act 2010 as set out below.

Section 149 of the Equalities Act 2010 ("the 2010 Act") imposes a duty on the Council to give due regard to three needs in exercising its functions. This proposal is such a function. The three needs are:

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act.
- Advance equality of opportunity between people who share a protected characteristic and those who do not.
- Foster good relations between people who share a protected characteristic, and those who do not.

Complying with section 149 may involve treating some people more favourably than others, but only to the extent that that does not amount to conduct which is otherwise unlawful under the new Act.

The need to advance equality of opportunity involves having due regard to the need to:

- remove or minimise disadvantages which are connected to a relevant protected characteristic and which are suffered by persons who share that characteristic,
- take steps to meet the needs of persons who share a relevant protected characteristic and which are different from the needs other people, and
- encourage those who share a relevant characteristic to take part in public life or in any other activity in which participation by such people is disproportionately low.
- take steps to meet the needs of disabled people which are different from the needs of people who are not disabled and include steps to take account of a person's disabilities.

The need to foster good relations between different groups involves having due regard to the need to tackle prejudice and promote understanding.

These protected characteristics are:

- age
- disability
- gender reassignment
- pregnancy and maternity
- race – this includes ethnic or national origins, colour or nationality
- religion or belief – this includes lack of belief
- sex
- sexual orientation
- marriage and civil partnership

## **Social Value**

Under the Public Services (Social Value Act) 2012 the Council also has an obligation to consider how the procurement of services contracts with a life value of more than £589,148<sup>1</sup> might improve the economic, social, and environmental well-being of the area affected by the proposed contract, and how it might act to secure this improvement. However, it is best practice to consider social value for all types of contracts, service delivery decisions and new/updated policies. In this context, 'policy' is a general term that could include a strategy, project or contract.

The delivery of this project will improve the lives of vulnerable people who have been moved away from Oxfordshire. Enabling vulnerable people to become more independent in a supported living environment will enhance their lives and contribute to achieving the social objectives of the Council.

## **Context / Background:**

The Council places 185 people with learning disabilities and/or autism in high cost out-of-county residential placements across 51 local authorities. Each year about 11 young people with learning disabilities who transition to adult services are placed in

<sup>1</sup> [EC Procurement Threshold for Services](#)

out-of-county residential placements, because there is nowhere for them to go in Oxfordshire. There are also a small group of people with learning disabilities who are living in hospital and need to move to a community setting.

The Council has been very successful over the years in significantly reducing the number of people with learning disabilities who are living in care homes within Oxfordshire, by providing ordinary housing in supported living accommodation as an alternative. This has meant that people are living ordinary lives in an independent setting. However, the Council still places a significant number of people with learning disabilities in high cost out-of-county care home placements, many of whom could move back to supported living in Oxfordshire.

The strategic context for this programme is the government's Transforming Care policy, which aims to move people with learning disabilities out of institutional care and provide more appropriate community services. This philosophy is reflected in two local strategic documents: the Big Plan which is Oxfordshire's joint-commissioning Learning Disability Strategy for 2015-2018 and the Oxfordshire Transforming Care Plan 2016-2019.

Both plans include an objective to enable people with learning disabilities to make choices about where they want to live and support them, and their families, with making and implementing their decision. In addition, the Transforming Care plan contains a renewed commitment from health and social care commissioners to develop more local services and to grow community and sector capacity to support people with disabilities who display behaviours that challenge services and systems.

This innovative project will build on Oxfordshire's long standing success in developing sustainable supported living solutions for people with low to medium care needs, by applying this knowledge and latest NHSE guidance to develop local solutions for people with high care needs, who are the focus of system improvements locally and nationally.

## **Proposals:**

The programme set out in this impact assessment aims to address the needs of the adults in Oxfordshire with learning disabilities and/or autism by achieving the following:

- Move people in high cost out-of-county residential care placements to supported living within the county;
- Move people out of specialist hospital who have needs that can be met in the community;
- Stem the flow of some of those who would otherwise be placed in out-of-county placements;
- Improve the quality of lives of the individuals who move into supported living closer to their families;
- Deliver significant savings to the Council.

The cohort for the programme will be based on a subset of the total population of out-of-county placements, as it is not possible or reasonable to move all of those from out-of-county placements. This is because some individuals are settled in their current homes and it would not be in their best interests to move.

The proposed cohort will comprise 76 individuals as follows:

- 61 currently living in out-of-county care homes;
- 6 referrals of those living in hospital;
- 9 new cases (coming through from Children's services)

It is anticipated that about 75% of this cohort will make a move to supported living (57 individuals). It is possible that a higher scenario of up to 76 individuals could be achieved, although this is unlikely. This is because the assessment of some of the individuals may find that it is not in their best interests to move and some that move may not sustain their accommodation and may have to return to an out-of-county placement.

The Commissioned Service will be responsible for moving individuals from an institutionalised setting to in-county supported living. The Council will separately commission Business as Usual services through a new framework agreement to meet the needs of individuals who have moved into the supported living accommodation.

The Commissioned Service will need to work in partnership with a Housing Provider/s. The role of the Housing Provider will be to source accommodation for individuals, and groups of individuals, based on the assessment of housing needs carried out by the Commissioned Service.

### **Evidence / Intelligence:**

The proposals were developed over several months following engagement with key stakeholders, including Oxfordshire County Council, Oxfordshire Clinical Commissioning Group, supported living providers, representatives from family carers' and self-advocacy organisations, health and social care professionals and others.

Oxfordshire has a long-standing success in developing sustainable supported living solutions for people with low to medium care needs and this project will build on this success by applying this knowledge and the latest NHSE guidance to develop local solutions for people with high care needs.

### **Alternatives considered / rejected:**

Initially the following options were explored:

- Do nothing;
- Commission a service funded by a Social Impact Bond;
- Commissioned a service fully funded by the council

A Social Impact Bond is a commercial product, which involves the upfront costs of a service being met by social investors, with commissioners making payments on the achievement of outcomes.

Doing nothing is not considered to be as an option as the Council is required to review the needs of each service user as part of the Transforming Care programme, with many individuals wishing to and expected to return to the county.

Initially the Social Impact Bond was selected as the preferred option. After discussions with the appointed social investor it became apparent that they wanted to reduce the number of anticipated outcomes for the programme, so that fewer individuals made the move to supported living.

The preferred option is now for a Commissioned Service where the Council steps into the investor role. This allows the number of anticipated individuals moving to supported living to remain as high as possible.

## **Impact Assessment:**

We assess the impact of decisions on any relevant community, but with particular emphasis on:

- Groups that share the nine protected characteristics
  - age
  - disability
  - gender reassignment
  - pregnancy and maternity
  - race – this includes ethnic or national origins, colour or nationality
  - religion or belief – this includes lack of belief
  - sex
  - sexual orientation
  - marriage and civil partnership
- Rural communities
- Areas of deprivation

We also assess the impact on:

- Staff
- Other council services
- Other providers of council services
- Any other element which is relevant to the policy or proposed service change
- How it might improve the economic, social, and environmental of the area affected by the contract **if** the Public Services (Social Value) Act 2012 applies

## **Impact on Individuals and Communities:**

## Summary of proposed changes and impact

### Cohort of individuals

The individuals in the cohort all have learning disabilities and/or autism and are living outside of Oxfordshire. Most the individuals are currently living in care homes and a small number are living in hospital. There are some young people who will be transitioning from Special Educational Needs placements.

Further information about the cohort is found in the table below:

Needs	%
PBS/Autism	77%
Sensory/Epilepsy	4%
PMLD	2%
MH/Forensic	10%
Physical/Health	8%
Age Ranges	%
18-24	25%
25-34	36%
35-45	12%
45+	26%
Gender	%
Male	69%
Women	31%

The project will enable people to make a choice about where they want to live, and support them, and their families, with making and implementing their decision. It is considered that it will be a positive impact to be able to return to Oxfordshire for both the individuals and any family.

Disability	
Risks	Mitigations
There is a risk that the Service User and/or the Service Users family may not want the Service User to move from their current accommodation.	Moves are not compulsory. Assessments will be carried out with each individual. Following assessment, it may be clear that it is not in the individual's best interests to move from their current accommodation and therefore the individual will not move. If, following assessment, a move is recommended and the individual, or family, does not want them to move from their current accommodation, they will be provided with options and supported to make informed choices. Individuals, and their families, will be given the opportunity of an introductory

	visit to view any accommodation identified to discuss his or her individual requirements and help to alleviate any anxieties.
There is a risk that the Service Provider will struggle to find accommodation that meets the needs of each individual Service User.	The Service Provider will work with housing providers to acquire suitable properties giving careful consideration to the needs of the individuals including whether this should be self-contained or shared accommodation. Individuals will not be moved until a suitable property has been sourced for them. The size of the project is manageable in terms of the amount of housing required.
Many of the individuals have behaviour that challenges. There is a risk that any changes to their environment could have an impact on their behaviour.	The accommodation will be sourced with careful consideration given to the individual's needs including the outside and inside environment and sensitivities to stress.
There is a risk that the placement into a supported living scheme may break down for a short period.	Depending on the reasons for the breakdown of the placement, an alternative placement could be sourced for a short period until the individual is able to return to the supported living accommodation. There will be contingency plans in place in case of breakdown of placements.
There is a risk that the Service User may become unwell and have to be admitted to hospital for assessment and treatment.	If this is on a short-term basis, the individual should be able to return to the supported living accommodation. If this is for a longer period, professionals will consult with family etc. about the future of the placement and have a contingency plan.

<b>Age</b>	
<b>Risks</b>	<b>Mitigations</b>
There is a risk that the Service User may have other needs due to age which may have an impact on the type of accommodation required.	Assessments will be carried out with each individual. The accommodation will be sourced with careful consideration given to the individual's needs including assistive technology and other equipment where required.
There is a risk that younger people may require more support due to the transition from Special Educational Needs placements to supported living.	Ongoing tailored support will be given based on individually assessed needs.



<b>Rural communities</b>	
<b>Risks</b>	<b>Mitigations</b>
There is a risk that the Service User will be placed in a rural area due to the environment required and therefore may need more support to access local services.	Assessments will be carried out with each individual. The accommodation will be sourced with careful consideration given to the individual's needs including the external environment for example, not near busy roads etc. Ongoing support will be provided to enable individuals to access local services where appropriate.

**Impact on Staff:**

There is no impact on OCC staff relating to loss or transfer of jobs, as the current care staff are employed by commissioned external providers out-of-county.

<b>Risks</b>	<b>Mitigations</b>
N/A	N/A

**Impact on other Council services:**

<b>Risks</b>	<b>Mitigations</b>
There is low unemployment in Oxfordshire and therefore care jobs are hard to recruit for. There may be a risk of staff leaving one care provider for another with the introduction of this new support opportunity in Oxfordshire.	All Providers are supported by the Council around recruitment and retention of care staff including free training. The contract will be monitored to ensure that there are safe levels of staffing in the service. The Council has started a sector-wide recruitment campaign with key Oxfordshire health and social care employers to increase the number of people entering into local care jobs.
There may be competition for sourcing properties depending on which other services are looking for accommodation.	Providers will be looking for a range of accommodation types which meet the specific needs of different individuals which may have an impact on the competition. There is support available from specialist housing staff in the Council. Several care providers work with a preferred housing partner to develop supported living services in Oxfordshire.

## Impact on providers:

There are a number of opportunities for collaboration amongst providers including:

- Establishing a consortium of providers to bring together different specialist expertise required;
- Entering into partnership arrangements with housing providers.

<b>Risks</b>	<b>Mitigations</b>
As the service will be commissioned without a payment-by-results element, there may not be the same drive to achieve performance as the Council will pay for the service irrespective of whether or not the outcomes are achieved.	The Council will monitor the performance of the provider on a regular basis. If the provider is not performing there will be the option to terminate the contract.
The government has proposed changes to housing benefit which may impact on the supply of supported living and may discourage providers from becoming involved in the project.	There is currently a consultation running by DCLG on the proposals, the outcome of which will not be clear until after January 2018.

## Social Value

### How might the proposal improve the economic well-being of the relevant area?

It is estimated that the Commissioned Service option will generate about 17 jobs and the Business-As-Usual service will generate another 100 jobs.

Service users will be integrated into local communities and will use local community services and facilities, thereby generating economic activity.

### How might the proposal improve the environmental well-being of the relevant area?

Service users will be situated in local communities and will be able to use local resources, avoiding excessive travel.

## Action plan:

<b>Action</b>	<b>By When</b>	<b>Person responsible</b>
All mitigating actions referred to in this SCIA are	On-going	Natalia Lachkou

taken from the current project plan. This plan is being reviewed and developed by the project group which meets monthly.		

**Monitoring and review:**

Continue to review SCIA at key stages of the project:

- **Dialogue with providers – January 2018**
- **Publication of the tender – early Spring 2018**
- **Throughout tender evaluation and contract award – late Spring 2018**

**Person responsible for assessment:**

Version	Date	Notes (e.g. Initial draft, amended following consultation)
v1	November 2017	