

Divisions Affected – N/A

**DELEGATED DECISIONS BY CABINET MEMBER FOR ADULT
SOCIAL CARE**

16 JULY 2024

RECOMMISSIONING OF LEARNING DISABILITY RESPITE SERVICE

Report by Corporate Director for Adult Social Care

RECOMMENDATION

The Cabinet Member is **RECOMMENDED** to:

- a) **Agree the recommissioning and procurement of the Learning Disability Respite Service which has been co-designed with people who have lived experiences (experts by experience) and their carers and family members. The new service will be known as the Adult Short Breaks Service. We will invite providers to bid up to £1,203,500.00 per annum, with an additional payment internally to the properties team for the accommodation and annual property maintenance costs. This equates to a total budget of £1,303,500.00. The contract will be for five years with the option to extend for a further three years, commencing 01 April 2025.**

Executive Summary

1. The Adults Short Breaks service is planned, time-limited, or emergency care provided to support people with a learning disability and their carers/families with having a break from each other and/or a break from their caring role. Adult Short Breaks additionally provides an opportunity for individuals to socialise with their peers in their personal time.
2. Oxfordshire County Council (the council) fully funds this service for people who meet the specified criteria set out in the care act assessment, and the new service will be commissioned as a five plus three-year contract commencing 01 April 2025.
3. The Adult Short Breaks service has been co-designed/co-produced following engagement workshops with experts by experience, families/carers, and other stakeholders to enhance the delivery of the service so that it is person-centred and meets the diverse needs of the people accessing Adult Short Breaks and their carers/families.

4. The redesigned model includes Adult Short Breaks which are building-based delivered from three properties (14-15 beds) leased or owned by Oxfordshire County Council, with the option of flexibility for the provider to provide some daytime support and outreach as required.
5. The provision for emergency Adult Short Breaks is included within the delivery of the service. This will help to support with hospital admission avoidance in specific circumstances and people will be referred by Adult Social Care (ASC) Operational Teams.
6. The service will offer support to people with learning disabilities and more complex needs and co-existing conditions such as:
 - Mental health.
 - Physical disabilities including degenerative conditions, sensory impairment, and brain injury / neurological condition.
 - Autism.
 - People whose behaviour may challenge.
7. Oxfordshire County Council's Properties and Estates team will provide and oversee the properties where the building-based services will be delivered across the county, which includes any lease costs and annual maintenance. The utility and other costs related to the property will be covered by the provider as part of the block element of the contract. Oxfordshire County Council's Properties and Estates team will support with the branding and décor for the Adult Short Breaks service, and people who use the current Respite services will be encouraged to be involved and co-design this with the council.
8. The new service will move away from nights being allocated to individuals who qualify for Adult Short Breaks and will instead be allocated eligibility in hours. This approach will provide individuals and their carers more flexibility on how they have their Adult Short Breaks service delivered.
9. Decision Table

| Board | Date | Decision |
|---|--------------|-----------------|
| Adult Social Care Directorate Leadership Team | 03 June 2024 | Agreed |
| Commercial Board | 18 June 2024 | Agreed |
| Key Decision – Cabinet Member | 16 July 2024 | |

Background

10. Under the Care Act 2014, carers of adults and who have care and support needs are entitled to have a carer's assessment. The council is legally obliged to meet eligible needs. The council provides the Adult Short Breaks services as part of a person's assessed eligible needs, enabling them to have a break from their caring role. Dependent upon outcomes from a financial assessment, people receiving the care may be charged for the Adult Short Breaks service.

11. The current Respite Service is provided across four sites around Oxfordshire. The current five plus five-year contract commenced on 16 October 2018 and was due to expire on 15 October 2023. The contract was extended up to 31 March 2025, facilitating engagement and the co-designing of the new Adult Short Breaks service with experts by experience, families/carers, and other stakeholders.

12. The below table details where the current provision is located and the landlords that Brandon Trust (the current provider) leases their sites from:

| Housing Provider | Property | Maximum No of People per Night |
|--------------------------------------|---|------------------------------------|
| Southern Health NHS Foundation Trust | 43 Saxon Way, Oxford | 5 Respite Beds (+ 1 Emergency Bed) |
| Advance Housing & Support | April Cottage, Ducklington Road, Witney | 4 Respite Beds |
| Advance Housing and Support | Woodview, 97 Wantage Road, Didcot | 5 Respite Beds |
| Bromford Housing Group Limited | 69 Neithrop Avenue, Banbury | 5 Respite Beds |

13. The Covid-19 pandemic had an impact on the delivery of the Respite service. The service's occupancy levels post-pandemic has not returned to the levels they were pre-pandemic. There was around a 43% decline in service usage post-pandemic, and the contributing factors included:

- Some people have chosen to have their respite support provided through their existing 'support bubbles,' which were formed during the pandemic.
- The current model does not meet the needs of people on a Direct Payment, as feedback received by the service highlights that taking a person-centred approach is key, to retaining these customers.
- People's living situation has changed and they may now be residing in formal supported accommodation.

14. The current Respite service has been running at around 60% occupancy. Based on the current occupancy levels for the Respite Service, predicted numbers for the future and the re-design of the Adult Short Breaks model it is indicated that the building-based service can be delivered across three sites in Oxfordshire.

15. The current Respite service has three allocated emergency beds. As part of the re-design, the new service will include emergency Adult Short Breaks across all sites in Oxfordshire.

16. The current allocation of Respite for individuals is in nights with hours of arriving and leaving restricted to set times. The new Adult Short Breaks service will move away from the allocation of nights to hours. This approach will provide individuals and their carers more flexibility on how they have their Adult Short Breaks service delivered.

Corporate Policies and Priorities

17. The council's Strategic Plan 2022-2025 sets out the vision to lead positive change by working in partnership to make Oxfordshire a greener, fairer, and healthier county. The vision has nine priorities and two of the priorities are: 'Prioritise the health and wellbeing of residents' and 'Support carers and the social care system.'
18. The Adult Short Breaks service will provide support to adults with a learning disability and/or physical disability and their carers who have identified care and support needs, to have a break from their caring role and help with maintaining their health and wellbeing.
19. The council's consultation and engagement strategy 2022 – 2025 outlines the approach, putting residents at the heart of decision-making to support strong, active, and inclusive communities. ensured that the people use the service, their parents, and carers, have their voices heard through supporting the co-produced design of the new service.
20. Additionally, through the council engaging with the local community, the council ensures that customers are being treated as a priority, by those who support them.
21. The new service creates the potential to provide more diverse support opportunities. This approach ensures the council continues to reduce the inequalities in accessing support and services, in Oxfordshire.

Financial Implications

22. The budget for the new Adult Short Breaks Service is £1,303,500.00 per annum and features as part of the Live Well pooled budget. This would cover the rent for the properties, emergencies, and the cost-of-service delivery.
23. The contract is a partial block payment covering fixed costs as per point 5.4, and partial hourly rate payments based on care cost for activity delivered.
24. The leasing and annual maintenance costs for the properties for Adult Short Breaks Service, will be managed by Oxfordshire County Council's Properties and Estates Team at a value of £100,000.00.
25. The provider will be responsible for covering costs such as Gas, Electricity, Water, Rates, etc, from the contracts block element as defined within their tender bid.

Finance Comments Checked by:

Name: Stephen Rowles

Title: Strategic Finance Business Partner

(Stephen.Rowles@oxfordshire.gov.uk)

6. Legal Implications

26. The statutory duty for the council to provide adult respite care is set out in the Care Act 2014 (“the Care Act”):
- 26.1.1. Section 2 of the Care Act recognises the carer's right to have their own needs assessed and supported. This includes access to respite care to maintain their own physical and mental well-being.
- 26.1.2. Section 18 of the Care Act states that local authorities must consider respite care when conducting a needs assessment for either the cared-for person or their carer. This means it is not automatically guaranteed, but they must actively evaluate its potential benefits and suitability.
- 26.1.3. Section 10 of the Care Act, requires local authorities to conduct an assessment, known as a “carer’s assessment”, where it identifies that a carer may have needs or requires support at that time or in the future.
- 26.1.4. Section 20 of the Care Act places a duty and power on local authorities to meet a carers’ needs for support where they qualify through an assessment for specific support.
- 26.1.5. In addition to the fulfilment of the specific duties set above the provision of respite care supports the fundamental principle of prevention under the Care Act by supporting carers to have a break from their caring role, to ensure that they are able to care for the people they support, for longer.
27. The contract for the new service must be procured competitively in accordance with the council’s Contract Procedure Rules which themselves ensure compliance with the Public Contract Procurement Regulations 2015.

Legal Comments Checked by:

Name – Jonathan Pool

Title –Solicitor

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Staff Implications

28. There is no new or additional impact on the council’s workforce as a result of the recommendation.
29. The successful bidder for the new Adult Short Breaks service will be required to progress their responsibility for the TUPE management arrangements of staff who work in the current Respite Services, through the mobilisation stage of the implementation period.

30. The TUPE arrangements have been jointly progressed between Procurement, Commissioners, and the Service Provider, prior to publishing the tender documentation.

Equality & Inclusion Implications

31. No evidence has been identified to suggest, that by the council approving this recommendation, will lead to a negative impact on the community, environment, or its strategic partners within Oxfordshire.

Sustainability Implications

32. Drawing upon the valuable feedback received through the stakeholder engagement and in addition from future insights from benchmarking exercise, this has resulted in a detailed specification being developed which will provide a better tailored service with a significantly wider reach and greater sustainability for the future of this provision.

Risk Management

33. By approving the recommendation within this paper, it promotes more benefits than drawbacks.
 - 33.1.1 It provides the ability to complete a robust redesign of a new Respite model with uncompromised access due to reduced financial instability.
 - 33.1.2 A reduction in the drawbacks and better mitigation of long-term risk through following a more thoughtful process in design.
 - 33.1.3 This will maintaining key relations with a key and large strategic local partner delivering social care services in Oxfordshire.

Consultations

34. Through engagement workshops, feedback on the current Respite service was gathered and the model for the new Adult Short Breaks service was co-designed/co-produced.
35. Participants included experts by experience who access Oxfordshire Family Support Network (OxFSN) and My Life My Choice (MLMC), current staff of the Respite service, families/carers and people who currently use the Respite Service.
 - 35.2.1 Engagement events informed existing users about future commissioning plans and offered them the opportunity to share their experiences: what worked well, what could be improved, and their suggestions for a redesigned service.

35.2.2 The resulting feedback covered both positive aspects of the current service, areas requiring improvement, and innovative elements which have been included in the redesign of the Adult Short Breaks Service.

Karen Fuller
Director for Adult Social Care

Annex: Nil

Background papers: Nil

[Other Documents:] Nil

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