

**Report of the Scrutiny for Policies, Adults and Health and People Committee – Learning Disability Provider Service**

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<b>Summary:</b>	This report contains recommendations from the Scrutiny for Policies, Adults and Health Committee on the implementation of the proposed transfer of the Council’s Learning Disability Provider Service following its meeting on 1 March 2017.		
<b>Recommendation:</b>	<p>The Scrutiny for Policies, Adults and Health Committee agreed the following recommendation to Cabinet:</p> <p>‘Following information which has come to light since the original decision was made, in terms of potential closures of day centres and changes to staff’s pay and conditions and following the total non-assurance from the Cabinet Member that we cannot guarantee that these will not take place, then the Adults and Health Scrutiny Committee wish to refer this back to the Cabinet to ask for a delay of the implementation of this transfer (the Council’s Learning Disability Provider Service) until after the May election and to urgently review the original decision.’</p>		
<b>Reasons for recommendations</b>	See background information.		

## **1. Background**

- 1.1.** The Committee received a detailed report and presentation on the future commissioning of Learning Disability Provider Service (LDPS) and the proposed transfer of service to Dimensions at its meeting on 29 June 2016. Following a detailed debate and consideration of the confidential appendices the Committee noted this report and expressed support and satisfaction with the process at this point, but requested assurances that any surplus would be re-invested in Somerset.
- 1.2.** Following concerns raised by Learning Disability Provider Service (LDPS) staff directly to the Committee Chairman in February 2017 the Director of Adult Social Services (DASS) agreed to provide a further verbal update at the Committee's 1 March 2017 meeting. The Committee were aware that a number of staff had questioned the benefits of the transfer as part of public question time at Full Council on 15<sup>th</sup> February 2017
- 1.3.** The DASS's verbal update on 1 March advised the Committee that the decision to transfer the LDPS was part of a very long process emerging from the need to make significant changes to the way that the service is delivered. The current, in-house, service has become increasingly unsustainable, less competitive and has a number of poor physical environments. Some of the service provision does not readily support positive integration of people with a learning disability within their broader community and in essence segregates them. The service is also limited in the range of support provided. The service needs to modernise and in order to be both attractive to future customers and provide a modern range of support as well as ensuring sustainability the service needs to address its major cost element which is staff costs
- 1.4** The Director stated that the LDPS staff are highly valued and have been critical to providing services. He empathised with staff and understood their anxiety over potential changes to their terms and conditions. He stated that there have been no formal discussions / consultations of this to date with Dimensions about any aspect of the changes. This will instead take place after the transfer.
- 1.5** The Committee were reminded that it is important that people with learning difficulties are supported within a modern service that is affordable. The service will transfer on 1<sup>st</sup> April 2017 and there is a transition team in place to manage this. The Director felt strongly that any delay to this transfer would be detrimental to the experience of the people using the service and their families.
- 1.6** The Committee thanked the Director for his openness and subsequently discussed: whether the original business case had changed; whether Cabinet and the Senior Leadership Team were aware that changes would be made to staff terms and conditions; capital receipts and the use of surplus funds; whether the full implications of the transfer had been explained to the Committee at the 29<sup>th</sup> June 2016 meeting. However a Committee Member felt there was not assurance from the Cabinet Member for Adult Social Care and that he could not guarantee that there would not be changes to staff terms and conditions or potential closures of day centres.
- 1.7** A Committee Member made a proposal on the basis that the terms of the

transfer appear to have changed considerably and that as we are at the end of the current quadrennium, that the Cabinet should be requested to review its decision in July 2016 to proceed with the transfer and instead agree to delay the transfer until after the May 2017 election to enable the new administration the opportunity to decide whether to proceed with the transfer or not. The proposal was seconded and the Committee moved to a vote on the recommendation as detailed in page 1 of this report. There were three votes in favour and three votes against. The Chairman used her casting vote and the vote was carried.

- 1.8** It should be noted that the Committee did not have the benefit of contractual and financial information available at its meeting on 1 March to understand any potential legal or financial implications to the Council regarding its recommended proposal to Cabinet.