

## Report from the Learning Disabilities Contract Task & Finish Group

Lead Officer: Stephen Chandler, Director of Adult Social Services

Author: Cllr Mandy Chilcott, County Councillor for Minehead and Jamie Jackson, Scrutiny Manager

Contact Details: 01823 359040

### 1. Summary

- 1.1. This report summarises the findings of the Scrutiny Committee for Policies, Adults and Health Task and Finish Group on their further scrutiny of the delivery of SCC's contract for Learning Disability (LD) services in Somerset.
- 1.2. The Group have made a number of recommendations for the Committee to consider, which can be found at Section 2.

### 2. Issues for Consideration / Recommendation

- 2.1. The Scrutiny Committee for Policies, Adults and Health is asked to agree the following recommendations from the Task and Finish Group
- 2.2.
  - a. Somerset County Council (SCC) should make every effort to achieve its' overriding aim of ensuring the contracts with Dimensions Group and Discovery succeed throughout the duration of the contract.
  - b. SCC through its locality Social Work teams should ensure that the annual review of Individual Needs Assessment (INA) of every Discovery customer is completed and up to date by 30<sup>th</sup> September 2018. This is in line with Care Act requirements. SCC locality staff should work closely with the individuals, their families and staff in completing the review of needs.
  - c. SCC with Discovery will ensure there is in place an ambitious Person-centred Care Plan (PCP) for every LD customer in Somerset that includes: a personal objective for the customer; a realistic plan for that individual to be stimulated and challenged and where possible, minimises the barriers to achieving all they are capable of. The PCP will build upon the Needs Assessment and be in place no later than 31<sup>st</sup> December 2018.
  - d. The Adults and Health Scrutiny Committee supports the proposed changes for simplifying and streamlining contractual governance between SCC and Discovery. The revised structure will help clarify roles and responsibilities and ensure that customers, carers families and staff voices are clearly heard.
  - e. The Adults and Health Scrutiny Committee should receive a full briefing on the results from the four surveys initiated by Discovery at their September meeting. The Staffing survey update should include a specific focus on the Retention Strategy and its' impact.
  - f. The Adults and Health Committee should review the progress of all these recommendations, in addition to receiving updates on the Contractual Key Performance Indicators and Dashboard, at its' meetings in September 2018 and March 2019.

### 3. Background and work undertaken

- 3.1. On 8th November 2017, the Adults and Health Scrutiny Committee ('the Committee') agreed to form a Task and Finish (T&F) Group to conduct further scrutiny of the delivery of SCC's contract for Learning Disability (LD) services in Somerset. LD services are delivered through Discovery, a Social Enterprise Vehicle created by Dimensions. Discovery started delivering LD services to Somerset people in April 2017.
- 3.2. The terms of reference for the T&F Group were agreed at the Committee's meeting in December 2017 (attached as Appendix A) and these were:

"The T&F Group is to investigate specific concerns of the Committee, assess its findings and make recommendations to the Committee in order to improve the Committee's scrutiny of LD services.

**In Scope.** The concerns the T&F Group is to investigate and assess are the adequacy of:

- 1) Discovery's governance arrangements for its contractual delivery of LD services;
- 2) Arrangements for Discovery's management chain to continuously hear the 'voice of the customer' (including LD service users, their carers and families) and the voice of Discovery staff;
- 3) Discovery's staffing (turnover, loss, recruitment, and retention) and staff training and experience, and Discovery's HR planning to ensure that staffing will not compromise the standard of service;
- 4) Measures of Discovery's contract performance, including Key Performance Indicators, that provide good evidence for the Committee to scrutinise Discovery's delivery of LD services.

**Out of Scope.** The T&F Group is not to investigate or comment on the terms of the contract, including staff terms and conditions.

- 3.3. Somerset County Council approved the externalisation of the LDPS services in February 2014 and following a comprehensive procurement exercise awarded the contract to Dimensions UK in July 2016 to establish the Social Enterprise Vehicle 'Discovery'. The contract awarded was for 6 years in total recognising the scale and complexity of the transformation expected. The business case sets out clearly the reasons and rationale for the changes that were felt to be necessary. This was in summary to ensure there would be sustainable, high quality services for people with a learning disability for the future.

The learning disability provider service delivered just under half (by value) of the learning disability provision funded by the County Council. It supported approximately 900 customers, as a discrete business area had an operational turnover of £29.3M (2015/16 figures) and employed just over 1200 staff with the equivalent of 975 full time posts.

The intentions and outcomes desired were:

- services that are sustainable
- services that actively engage and involve customers and carers at every level
- services that embed a person centred approach and ethos in everything they do
- services that people choose when using a personal budget
- services that can respond flexibly to meet current and future demand
- services that have the skills and capacity to support people in crisis

**3.4.** Learning Disability is defined as brain damage at, or close to, the time of birth. Typically this produces disability in terms of physical, cognitive and emotional health.

The needs of LD customers can be physical, cognitive or emotional. Most LD customers have a combination of these needs and many are among the most vulnerable individuals in Somerset.

There are four main types of LD service:

- Domiciliary care
- Supported Living
- Residential Care
- Day Services, usually provided from day centres.

### **3.5. General Observations**

In general, the Group were very impressed by the Discovery staff's knowledge of their customers and the compassion and skill of their care and support was both humbling and reassuring. It was evident that managers had a good understanding of their customers and the staff who all support the customers well.

It was also very clear that customers felt reassured when they were engaging with staff with whom they were familiar. The importance of staff and the continuity of the customer receiving support by known staff was almost universally commented upon across all the locations we visited. This consistency and knowledge of the customers' needs was highly valued by the customers, carers and families.

The foundation for all LD support and care for an individual customer is the Individual Needs Assessment (INA). This is the legal responsibility of SCC to produce. The INA aims to obtain a full picture of the customer in order to decide what they need to live their day to day life and what further goals they have. Once established, SCC assesses which needs are eligible for support from the public purse. Each customer should have their INA reviewed by the Council at least annually. The Task and Finish Group identified that this is not happening consistently for all customers and although many were in receipt of regular provider reviews, which can supplement an INA, they are not a replacement. This finding is reflected in recommendation b.

The planning of LD care and support should be personalised to the need and aspirations of the individual LD customer. Each individual's needs for care and support are different and they can be met in a variety of ways. Care and support planning should take place with the SCC INA assessor, the customer, their carer (usually family and Discovery staff) and any other significant individual. The result of this is the Care Plan for the individual LD customer. It is then the task of carers and Discovery to implement and deliver the Care Plan. This finding is reflected in recommendation c.

### 3.6. Governance.

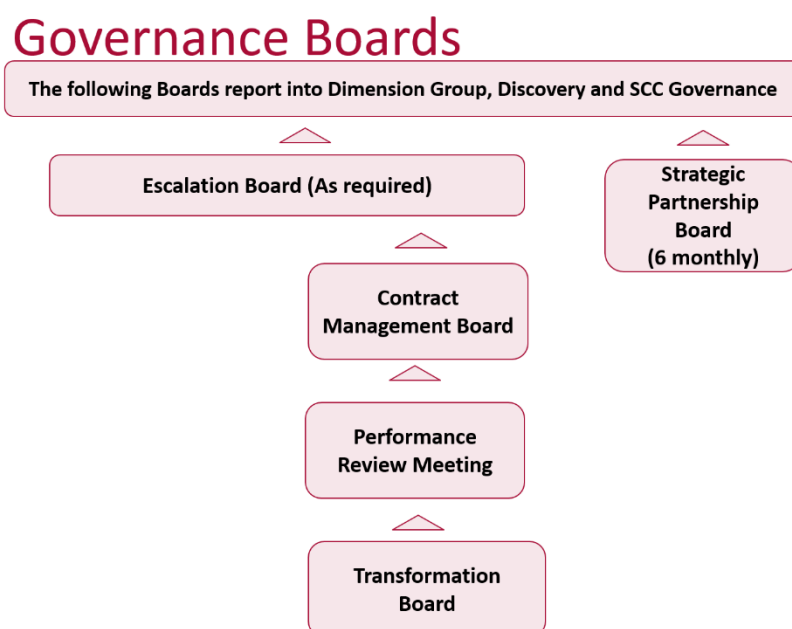
The papers at the October Scrutiny meeting outlined that there was in place, as part of the contractual arrangements, an Escalation Board, Performance Management Board, Contract Management Board, Transformation Board, Monitoring Board, and a strategic partnership board.

The working group is pleased to understand that the governance structure has since been simplified by the combination of two of the boards and that meetings are now run concurrently to minimise impact on time and resources. This is reflected in recommendation d.

Day to day oversight continues to be monitored by "business as usual" meetings between Discovery, Somerset County Council and others on a regular basis or as required. These relate to areas like finance, housing, employment, day opportunities etc and are attended well by all parties. A list of contractual meetings that have taken place since October 2017 is included as Appendix B.

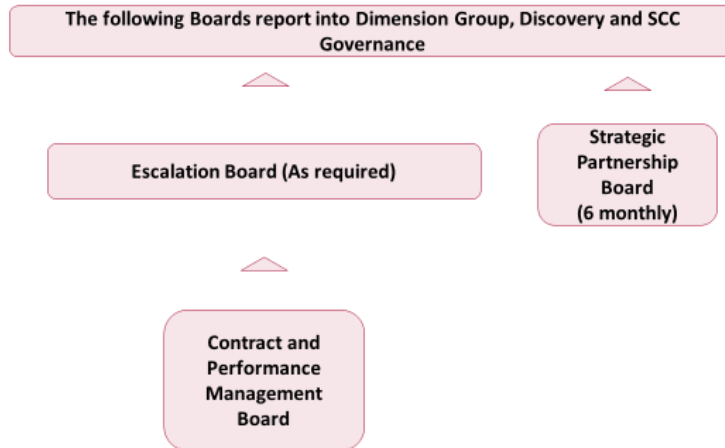
Please find below diagrams detailing the previous and new governance structures. Below that is a table detailing which reports are considered at each meeting within the new structure:-

#### Previous Governance Structure:



## Revised Governance Structure:

### Governance Boards



### Reporting Performance

Report	Content	Discussed at Board
Performance Monitoring Report and Supplier Scorecard	Details of performance against KPIs	Contract and Performance Board
Management Information	Any MI required under Schedule 2.1 or Schedule 2.3	Contract and Performance Board
Financial Reports	Contract Amendment Report, Quarterly and Annual Contract Reports and Final Reconciliation	Contract and Performance Board Finance oversight
Transformation Reports	Monthly progress reports on the status of the Transformation Projects	Transformation Board
Services Improvement	Annual report to the Contract Management Board on potential efficiencies and service improvements	Contract and Performance Board
Open Book Data	Supplier must maintain Open Book Data for audit by the Authority under clause 15 audit rights	As requested

### 3.7. Communications

As in all large organisations there is always room for improvement with regards communication and the Group saw elements of this as part of their visits.

As part of the agenda item in November, the Director of Adult Social Services made it very clear that the service was going to need to transform going forward in order to provide an improved service within available resources.

It is clear that there is a varied understanding of what transformation means both in content and timescales across the service and much of the focus is believed to be on Day Centres only. Managing a transformation message, especially in a people facing service was always going to be challenging and from our discussions with staff it is clear that not all communications have hit the mark, even allowing for the fact that some staff are concerned about widespread

change. These comments directly link to points 2 and 3 of the Group's scope (see para 3.2).

As part of their fact finding the Group attended part of a day long Discovery team managers meeting, which included over 40 area directors, Team Managers and Assistant Team Managers. They are the key level of management that Discovery will need to champion the long term vision and be an essential part of its delivery. The communication style in the meeting was largely 'top down' and did not allow for Discovery's management chain to hear the voice of Discovery staff and risked missing the opportunity to update this management tranche on key issues. These comments directly link to bullet points 2 and 3 of the Group's scope.

The Group suggests that increased face to face visits from the Discovery Senior Leadership team would help to improve communication channels in both directions.

At the November Committee meeting Discovery undertook to "fast track a survey with customer, family and friends to establish their views on the first six months of the contract. Following the meeting, Discovery initiated 4 surveys which have all now closed and these included:

1. Colleague survey (managed by an independent organisation – Agenda Consulting)
2. Family survey
3. People we support survey
4. Health Survey based on support for the people we support

The last 3 surveys were managed internally. Agenda Consulting managed the colleague survey to provide anonymity.

Discovery extended surveys 1, 2 and 3 as the return rates were low. In order for the data to have validity Agenda Consulting looked for a 25% minimum return. Having promoted and encouraged colleagues to complete the survey Dimensions received a 27% return. For customers and families a lower return was received.

The level of response is surprisingly low, as we are aware the surveys were promoted and encouraged by both Dimensions and Unison.

The Group are disappointed that the survey results were not available to assist us in the understanding of the issues, however they must be used as a benchmark for all future surveys and the Committee will receive an update at the September Committee meeting.

This therefore links to Recommendation e.

### **3.8. Staffing**

Following our numerous visits it would be accurate for us to reflect that the 'Staff are key in the service' and as already reflected earlier in the report the level of care and compassion demonstrated on our visits to numerous locations was outstanding. They are the key to maintaining a stable, safe and caring service.

The start of the contract led to a number of staff leaving Discovery's employment

and this is to be expected with such a transformational change; however it has resulted in a considerable amount of experience being lost and a challenge to those staff that remain.

The rate of staff leaving has subsequently reduced greatly, however there is an acknowledgement across the board that establishing and developing relationships with customers takes time. Our observations were that across all the locations the Group visited there was considerable difference in the stability of staffing levels. As a group we were concerned that some areas of staff shortages could start to impact on the offer to customers and perhaps result in sessions or options reduced in order to fit with staff availability.

The use of agency staff also adds to the pressure as for some complex cases it takes a long time to understand the customer and how they communicate, and in turn, to understand their needs. A reliance on too many agency staff in one area also means an additional cost and can mean that some areas are rota planning on a day by day basis. These comments directly link to bullet points 3 and 4 of the Group's scope.

The area of staffing must remain a key focus of the Committee as part of its' quarterly performance updates.

### **3.9. Performance Management**

Much of the discussion at the Committee meeting on 8<sup>th</sup> November 2017, revolved around the lack of reporting information available and that several of the KPI's (Key Performance Indicators) had been suspended.

As part of the Group's work we have established that there are 50 Key Performance Indicators – 12 Key and 38 Performance indicators.

Initially the task and finish Group considered that all 50 should be reported on regularly, however following further analysis and discussion we now believe that it would be more appropriate in the longer term for the Committee to receive quarterly reporting updates based on outcomes and the effect they may have on our customers to assist with scrutinising the contractual performance – i.e. reporting on any red or amber KPI's and highlights from the previous reporting period.

During a meeting between the Group and SCC officers a scorecard for the Discovery Learning Disability Service was presented. This contained much information that the Group felt would assist the scrutiny committee to review Discovery's contractual performance, highlight areas of challenge and note improvements. Areas included workforce totals, starters and leavers, hours delivered and percentage of agency staff. The Committee would also welcome regular contextual narrative regarding the recruitment and retention strategies. The Group noted that whilst this would help to provide the committee with some assurance, if reported regularly it would give the Committee some baseline information to help them compare ongoing performance against the contract.

An example of what the scorecard could contain and look like is attached as Appendix C.

The request to provide scrutiny with a dashboard and reporting of Key

Performance Indicators along with reporting on any red or amber KPI's and highlights from the previous reporting period is reflected within Recommendation f.

### 3.10. Conclusions

The staff and carers are key to the service and the service is the staff. They are dedicated, caring, professional and provide essential support to many of the most vulnerable and complex that live in Somerset.

There is uncertainty with staff, carers and customers around what transformation means, what the future model of support is and what shape it will take. This needs to be more clearly defined to those impacted as quickly as possible, especially to customers and carers to provide reassurance.

We are a year into a 6-year contract. There are of course areas of improvement, some of which are longstanding and date back to when the service was delivered in-house by SCC.

The current progress of the contract is where SCC expected it to be and scrutinising that progress will be a key role of the Adults and Health Scrutiny over the next 5 years.

## 4. Consultations undertaken

- 4.1. The Group received briefings from SCC Management and staff, Discovery management and the trade union, UNISON. The group was shown best practice outside Somerset in order to illustrate the aspiration for Somerset LD services. The Group also attended meetings of Discovery team managers, day centre transformation groups and LD boards.

Below is a list of all the Somerset based facilities that the Group visited as part of their research. On each visit there were at least 2 of the Group present.

Facility Visited	Service Type
The Beeches, Frome	Supported Living
Colliers Court, Frome	Day Centre
Fiveways, Yeovil	Day Centre
St James, Yeovil	Day Centre
Beckery, Glastonbury	Day Centre
Eldermere, Shepton Mallet	Long Term Residential Care
Leycroft, Taunton	Domiciliary Care
Ashbury, Taunton	Residential Care
Grassendale, Taunton	Supported Living
Six Acres	Day Centre
The Brambles	Residential Care
F4 Service, West Huntspill	Day Centre
Greenway Cottages, Taunton	Supported Living



## **5. Implications**

**5.1.** There are no specific implications as a result of this report.

## **6. Background papers**

**6.1.** Update on the Learning Disability Service Contract – Item 5 presented at 8<sup>th</sup> November 2017 Scrutiny for Policies, Adults and Health Scrutiny Committee.

**6.2.** Minutes of 8<sup>th</sup> November 2017 Scrutiny for Policies, Adults and Health Scrutiny Committee.

**6.3.** Minutes of 6<sup>th</sup> December 2017 Scrutiny for Policies, Adults and Health Scrutiny Committee.

**6.4.** All background papers are available via the following link:  
<http://democracy.somerset.gov.uk/ieListMeetings.aspx?CId=186&Year=0>

**Note** For sight of individual background papers please contact the report author