

PART 1 - PUBLIC

Decision Maker: **Adult and Community Policy Development and Scrutiny Committee**

Date: **24th February 2010**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **RE-PROVISION OF ACCOMMODATION AND CARE FOR PEOPLE WITH LEARNING DISABILITIES**

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Chief Officer: Terry Rich, Director of Adult and Community Services

Ward: Boroughwide

1. Reason for report

The report updates the Policy Development and Scrutiny Committee on progress towards re-providing accommodation and care for people with learning disabilities moving out of "campus" accommodation previously provided by Bromley Primary Care Trust (BPCT).

2. **RECOMMENDATION(S)**

2.1 **Members are asked to note progress on the re-provision of accommodation and care for people with learning disabilities moving from PCT provided campus accommodation.**

Corporate Policy

1. Policy Status: Existing policy. Supporting independence for vulnerable people
 2. BBB Priority: Supporting Independence.
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Financial

1. Cost of proposal: Estimated cost £6.8m excluding support costs
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: BPCT budgets
 4. Total current budget for this head: £6.8m
 5. Source of funding: Funding transferred from BPCT
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Staff

1. Number of staff (current and additional): n/a Staff currently employed by BPCT will transfer to external providers under TUPE arrangements
 2. If from existing staff resources, number of staff hours:
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Legal

1. Legal Requirement: Non-statutory - Government guidance.
 2. Call-in: Call-in is not applicable.
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 70 people with learning disabilities currently living in BPCT provided campus accommodation
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 This programme was established in 2007 with the aim of re-providing for all those people living in PCT residential accommodation – principally on the Bassetts, Cheyne Hospital and Angus sites. The numbers of people involved was around 100 and previous reports have covered progress in re-providing for around 50% of these residents.
- 3.2 Bromley Primary Care Trust (BPCT) currently supports 42 people with learning disabilities who are still living in BPCT owned campus accommodation across 2 main sites. The Council oversees the management of the service through a Section 75 Agreement between the Council and BPCT.
- 3.3 In line with the requirement set out by the Department of Health, a programme led by the Council is under way to enable the individuals currently residing in the BPCT campus accommodation to move into their own homes within the community with individualised support packages. The programme was originally due to be completed by March 2010 although the Department of Health has now indicated that this has been extended into 2010/11.
- 3.4 There are two elements to the programme. The first involves a mix of modernisation of existing properties and the transfer of ownership of them to social landlords and the development of new properties in partnership with social landlords. Secondly care and support services within the redeveloped and new properties will be transferred to external providers through tendering processes.
- 3.5 Programme costs are funded from specific revenue grant from the Department of Health. Property development costs are funded from a mix of capital provided by the Department of Health, BPCT, the Homes and Communities Agency (HCA) and social landlords. Funding for ongoing care and support costs is agreed with and transferred from BPCT as individual service users transfer to new provision, subject to agreement from the Learning Disability Executive and BPCT Boards.

Care and support

- 3.6 In August 2008 care provision for 15 service users living in 3 properties currently owned by BPCT transferred to the Avenues Trust. Avenues Trust also took over the care provision for 13 service users in self-contained accommodation in Swingfield Court, owned by Broomleigh, in June 2009. A further service, 213 Widmore Road, providing for 5 clients also transferred to Avenues Trust in July 2009, in an existing property which was purchased by a social landlord.
- 3.7 In September 2009 the contract for care in Lancaster House, a newly purpose built property in Biggin Hill, was awarded following tendering to MCCH and 6 service users moved in during January and February.
- 3.8 Tenders for the remaining 8 schemes are currently being evaluated and the results will be reported to the council's executive on 31st March 2010.

Accommodation

- 3.9 Business cases for the remainder of the properties required have been prepared and validated by independent property consultants. The list of properties with timescales and number of service users is set out below:

Scheme	Completion Date	Service Users
Bromley Common	Apr-10	4
Devonshire Road	Aug-10	4
Group supported living - Orpington	Nov-10	3
Group supported living - Biggin Hill	Sep-10	4
Bourne Way Replacement - Orpington	Sep-10	4
Coppice & Spinney	Nov-10	7
The Glade	Nov-10	4
Masons	Feb-11	7

4. FINANCIAL IMPLICATIONS

4.1 To support local Councils to complete the BPCT re-provision programme, revenue and capital funding has been made available over 3 years. The revenue funding is to pay for programme management costs, contract support and transition costs with the capital funding set aside for accommodation costs. The grant funding is shown in the table below:-

	2008/09	2009/10	2010/11	Total
	£	£	£	£
Revenue Grant	394,100	872,640	1,400,000	2,666,740
Capital Grant	4,960,000	1,917,700	0	6,877,700

4.2 Additional capital funding for the Programme will also be sought from Registered Social Landlords, the Homes and Communities Agency and Bromley Primary Care Trust.

4.3 The Programme and the LD Executive Group continue to ensure that robust financial management is in place for the revenue care costs, new commissioned services and the PCT Capital commitment.

4.4 All of the moves to date have been contained within the overall financial envelope available after allowing for attrition and client contributions towards their care.

4.5 As service users transfer into new provision the funding for ongoing care and support transfers from BPCT to the Council. Responsibility for funding all healthcare elements of the re-provided services remains with the NHS, including specialist learning disability health services, forensic services, continuing care and mainstream healthcare.

4.6 The BPCT and Department of Health are providing funding for accommodation that will be available in the longer term to the Council.

4.5 To ensure that the Council achieves value for money, a full tendering exercise has been undertaken around the care provision for the 8 remaining schemes and has resulted in 10 providers submitting bids. All schemes have at least 5 tenders.

- 4.6 The outcome of the tenders has identified a potential funding gap and officers from LBB and the PCT are working in partnership to fully evaluate these risks and to reduce them. A number of options are being pursued to ensure that costs are contained including reviewing our contractual arrangements with the providers to secure reduced costs over time, evaluating management costs and how these can be funded, calculated client contributions to maximise full benefit, and further negotiations with tenderers to reduce costs. In addition, officers are exploring whether time limited funding could assist in closing the gap.
- 4.7 A full report on the transfer of funding from BPCT to the Council was considered by Adult and Community the Portfolio Holder on 21st April 2009 and an update on progress of the re-provision of accommodation and care was reported to the Adult and Community PDS Committee on 15th July 2009. A full report is to be made to the Executive in March on all aspects of the funding transfer.

5. POLICY IMPLICATIONS

- 5.1 The commissioning arrangements are consistent with the objective in Building a Better Bromley to support vulnerable people and with national policy as set out in Valuing People and the recent consultation paper, Valuing People Now. They also ensure compliance with the requirement by the Department of Health to re-provide services for everyone with a learning disability living in NHS Campus accommodation by 2010/11.

6. LEGAL IMPLICATIONS

- 6.1 The Portfolio Holder has previously been advised of the reprovisioning strategy for supported living accommodation for people with learning disabilities which involves the Council passing on capital from the PCT, following (inter alia) disposal of their premises in which the service users were formerly housed, to RSLs via s75 arrangements. This funding allows the RSLs to acquire and/or refurbish suitable accommodation for the service users who will then enter into tenancy agreements with the RSLs as their landlords (the accommodation costs being met from their benefits in the majority of cases).
- 6.2 Social care support services are commissioned by the Council from external providers to whom relevant BPCT staff will transfer. The selection of suitable providers at reasonable cost and on acceptable terms has been the subject of a recent report to the Executive.

7. PERSONNEL IMPLICAITONS

- 7.1 Staff are transferring from BPCT to new providers under TUPE arrangements. As staff are currently employed by BPCT there are no direct personnel implications for the Council from the re-provisioning arrangements.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Report to ACS Portfolio Holder 21 st April 2009 (report no 09032) Report to ACS PDS 15 th July 2009 (report no 09074)