

Decision Maker: Adult Care & Health PDS Committee

Date: 24th January 2023

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

Title: **CONTRACT MONITORING – LEARNING DISABILITIES SUPPORTED LIVING SERVICES**

Contact Officer: Andrew Royle, Strategic Commissioner
Tel: 020 8461 7612 E-mail: Andrew.royle@bromley.gov.uk

Chief Officer: Kim Carey, Director of Adult Social Care Services

Ward: All

1. REASON FOR REPORT

- 1.1 The Council has five individual contracts with specialist learning disability providers to provide care and support into 25 supported living properties within the Borough. These contracts are with Achieve Together, the Brandon Trust, Lewisham Nexus Service, Diagrama and the Avenues Group. This annual monitoring report is being presented in line with the Council's Contract Procedure Rules where the contract value exceeds £0.5m and provides an analysis of the providers' performance during the initial contract mobilisation period and the current contract term.
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2. RECOMMENDATION(S)

- 2.1 Adult Care and Health PDS Committee is asked to:
- i) Note and comment on the contents of this report

Impact on Vulnerable Adults and Children

1. Summary of Impact: To ensure the continued provision of statutory services to adults with learning disabilities living in Bromley.
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Transformation Policy

1. Policy Status: Existing Policy
 2. Making Bromley Even Better Priority:
 - (2) For adults and older people to enjoy fulfilled and successful lives in Bromley, ageing well, retaining independence and making choices.
 - (3) For people to make their homes in Bromley and for business, enterprise and the third sector to prosper.
 - (5) To manage our resources well, providing value for money, and efficient and effective services for Bromley's residents.
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Financial

1. Cost of proposal: Not Applicable
 2. Ongoing costs: £7.1m per annum
 3. Budget head/performance centre: Learning Disabilities
 4. Total current budget for this head: £18.3m per annum
 5. Source of funding: Existing revenue budget, client contributions
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Personnel

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
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Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: N/A
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Property

1. Summary of Property Implications: N/A
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: N/A
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Customer Impact

1. Estimated number of users or customers (current and projected): 113 adults with a learning disability
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Council has five individual contracts with specialist providers to provide care and support to 113 people with learning disabilities living in 25 supported living schemes within the Borough.
- 3.2 Over the past 2 years the Council has carried out planned retendering exercises on all of its supported living schemes and to ensure long term stability and continuity of service provision, has put in longer term contracts of up to 9 years.
- 3.3 The contracts cover the following supported living schemes:

Provider	Schemes	No. of service users	CQC Rating
Achieve Together	Masons Hill	7	Good
Achieve Together	Masons Hill	6	Good
Achieve Together	Century way	2	Requires Improvement
Achieve Together	Century way	2	Requires Improvement
Brandon Trust	The Coppice	3	Good
Brandon Trust	The Spinney	4	Good
Brandon Trust	The Glade	4	Good
Nexus	Crofton Road	4	Outstanding
Nexus	Crofton Road	4	Outstanding
Nexus	Devonshire Road	4	Outstanding
Nexus	Johnson Court	7	Outstanding
Avenues	Widmore Road	5	Good
Avenues	Lancaster House	6	Good
Avenues	Amplio House	6	Good
Avenues	Swingfield Court	11	Good
Avenues	Goldsmiths	3	Good
Diagrama	Vinson Close	4	Good
Diagrama	London Lane	5	Good
Diagrama	Brewery Road	5	Good
Diagrama	Redhill	4	Good
Diagrama	Moorfield Rd	4	Good
Diagrama	St Blaise	5	Good
Diagrama	Orchard Grove	4	Good
Diagrama	Lovelace	2	Good
Diagrama	Kersey	2	Good

The contracts cover the following terms and values:

Provider	Contract start date	Initial Term (Yrs.)	Extension (Yrs.)	Value Full Term £m
Achieve Together	25/1/22	5	3	£43.4
Brandon Trust	25/1/22	5	3	
Nexus	25/1/22	5	3	
Avenues	25/1/22	5	3	
Diagrama	1/4/21	5	2 + 2	£15.7

- 3.4 The 113 people living in these services have tenancies with a Registered Social Landlord. The Council retains sole nomination rights into these properties which are a mix of houses and self-contained flats. The contracts relate to the provision of care and support which may include assistance with:
- Managing bills and money
 - Shopping, cooking and healthy eating
 - Learning new skills for independence
 - Accessing employment, sports and social activities
 - Personal care and well-being
 - Managing medication
- 3.5 The people living in these properties have a right of tenure and many tenants have lived in their homes for more than 10 years. People living in supported living have greater independence, choice and control over their lives when compared to living in a care home.
- 3.6 The supported living model of care has been adopted by councils nationally and, when compared with registered care services, is a cost-effective way of meeting needs. This is due to housing and general living costs being usually met by welfare benefits, with the Council being responsible for the cost of care and support only.
- 3.7 The services are monitored regularly by the Council's monitoring officers. Further monitoring is carried out by the Quality Checkers team which consists of 5 people with lived experience of services who focus on the service users' experience of the monitored services. Contract management meetings take place at least quarterly using feedback from the monitoring officers (who use the Council's Quality Assurance Framework) and the Quality Checkers. In addition, the attached Key Performance Indicators and Service Outcomes (please see Appendix 1) form part of the Contract / Service Specification and are used by commissioners to monitor performance.
- 3.8 The Care Quality Commission (CQC) also carry out statutory inspections of the services. One service, Century Way, is currently under a Requires Improvement (RI) rating following its most recent inspection. This rating came about due to a change in the CQC Inspector's interpretation of fire evacuation procedures that had been in place since the property opened. This issue has now been rectified and we are confident that this will be reflected in any future inspection. As per Council guidelines the approval of the Director of Adult Social Care is sought before placing a new client in a service that has an RI rating. Approval is given where appropriate monitoring and assurance arrangements are in place.
- 3.9 Nominations are made to these services following assessment by a care manager based on needs and in accordance with the eligibility criteria set out in the care provider contract. Cases are presented to the Adult Practice Review Group (PRG) for approval. This is to ensure;
- A consistent approach has been applied when evaluating the vulnerable adult's needs,
 - Appropriate ways of meeting their assessed eligible needs have been considered to ensure their safety and wellbeing,
 - All possible care options or alternatives for supporting people to live independently as long as possible at home/or in the community are fully explored using the Strength Based Model of Assessing.

3.10 Service Profile / Data Analysis / Specification

- 3.10.1 Supported Living services are monitored and supported by the Bromley Adult Services Compliance Team using the Quality Assessment Framework (QAF) tool.
- 3.10.2 The QAF tool has been overhauled over the last 6 months with a new format being trialled and introduced. The new format will enable us to RAG rate (Red, Amber, Green) services and have a clear overview where services are performing well or where improvements are required. A full QAF will be completed with services CQC rated Good or above over a 24-month period, whilst services CQC rated below good will have an annual QAF visit and at least an additional 6 month focussed visit (3 months if rated Inadequate).

The QAF covers the following areas:

1. Service Overview
2. Policy & Procedures
3. Individual Care and Support
4. Medication Management
5. Staffing
6. Quality Assurance
7. Health & Safety
8. Complaints and Safeguarding
9. Nutrition & Hydration
10. Infection Prevention Control

- 3.10.3 Areas for improvement identified through the QAF process result in an action plan shared with the provider for completion, detailing what action they will take and by when. Improvements are monitored through review visits and the ongoing QAF process. An update on providers' performance against the new QAF format will be presented within the next annual contract monitoring report.
- 3.10.4 Compliance officers keep oversight of all complaints and safeguarding concerns and monitoring visits are increased depending on the level of concerns about a service.
- 3.10.5 Where placements have been suspended (due to concerns or in line with Council policy not to place in services CQC rated below good), once the monitoring officer is satisfied that significant improvement has been made by the service, a report is sent to the Director of Adult Services (DAS report) for agreement to resume placements at the service.
- 3.10.6 Intelligence gathered is shared at Care Services Intelligence Group (CSIG) meetings held every six weeks and attended by multi-agency colleagues including South East London Integrated Care System, CQC and LBB.

3.11 Continuous Improvement and Value for Money

- 3.11.1 The Adult Social Care Compliance Team run 3 provider forums per year for Learning Disability providers. The forum is used to share information and good practice with providers. It also includes presentations on current topics by guest speakers including CQC, the London Fire Brigade and Health representatives.
- 3.11.2 It is worth noting that the providers operated these services during the height of the Covid

lockdown and unfortunately some of the clients in these services did pass away due to Covid or associated complications. The response by our providers was beyond exemplary under these circumstances and they kept the services running in the face of considerable personal hardships

3.11.3 As part of our recognition of this, in October 2022, working alongside Keeping Well South-East London, the Compliance Team ran a face to face 'Schwartz Round' for LD providers. The purpose of a Schwartz round is to help us understand the challenges and rewards that are intrinsic to providing care. It was a one hour long reflective space which enabled attendees to reflect on the social and emotional impact of working in social care over the past few years. The round was held for provider managers with a view to them extending the Keeping Well South-East London scheme to their own staff teams. Feedback about the event was very positive.

3.11.4 The compliance team compiles a monthly Newsletter that is shared with providers ensuring key information is easily available whilst reducing the number of emails sent to providers.

3.11.5 The Councils Community Learning Disability Team (CLDT) conduct annual statutory reviews on all of the service users living in these schemes. These reviews inform the quality assurance overview of these services. Constant communication is maintained between CLDT, the Compliance Team and Commissioners on service issues allowing for a holistic approach to issue resolution, safeguarding and incident reporting as well as highlighting good practice.

3.11.6 CLDT work with providers when reviewing service user's hours of support; hours are reduced where a service user has achieved a level of independence or increased if further support is assessed as necessary.

3.11.7 In conclusion, the providers delivering these services are compliant or proactively working towards being compliant with both the KPI's and outcomes required under the terms of the contract and with meeting the QAF outcomes. Good working relations have been developed with all the providers which allows for open exploration and resolution of challenges and ensures a solid foundation for long term relationships over the term of these contracts.

4. SOCIAL VALUE, CARBON REDUCTION AND LOCAL / NATIONAL PRIORITIES

4.1 Social Value formed part of the formal evaluation process for all of these contracts. These services provide economic and social value by employing local staff and enabling access to local amenities.

4.2 Social Value outcomes for service users are integrated into the contractual requirements and are monitored through a variety of mechanisms as indicated in Appendix 1.

5. STAKEHOLDER ENGAGEMENT / USER SATISFACTION

5.1 The Quality Checkers team consists of 5 people with a learning disability who live in supported living or with a carer in a shared lives placement. They are all volunteers and support the work of the Contract Compliance Team. Bromley is a leader in this area with very few councils facilitating volunteers with disabilities to undertake this valuable work.

- 5.2 The Checkers have a lived experience of the services they check and have a unique insight to bring to this role. They check day services, supported living and shared lives placements. The monitoring tools used have been devised by the Quality Checkers and are based on the things they feel are important for good support and a fulfilling life.
- 5.3 A critical element of the work carried out by the Checkers is being able to assist service users to express themselves frankly about the support they receive. This includes gathering feedback on wellbeing via direct observation when visiting services who support people with complex communication difficulties. The Checkers provide verbal feedback and written reports which include recommendations which are shared with the Contract Compliance Team as well as being sent to the provider.
- 5.4 The Checkers are fully involved in the tender process and ask questions during clarification interviews with providers and are part of the final evaluation panel. This ensures that the voice of the service user is represented during the procurement process. The team are also actively involved in the recruitment process for shared lives carers and sit on their approval panel.
- 5.5 See Appendix 2 for examples of outcomes achieved by people living in these services.

6. PROCUREMENT AND CONTRACT ISSUES

- 6.1 The contract with Diagrama was awarded via Executive on 10th February 2021 (ACH21-009) for an initial term of 5 years with two further extension periods of 2 years each. Options for the provision of these services, including the possible Contract extension period will be considered by April 2025, subject to satisfactory Contractor performance.
- 6.2 Contract mobilisation by Diagrama occurred during the latter part of covid restrictions which presented a number of logistical issues, Diagrama were able to resolve these with the minimum of disruption. Diagrama did an excellent job in ensuring a smooth transfer of services on the contract start date.
- 6.3 The contracts with Achieve Together, the Brandon Trust, Lewisham Nexus Service and the Avenues Group were awarded via Executive on 22nd September 2021 (ACH21-040) for an initial term of 5 years with an extension period of 3 years. Options for the provision of these services, including the possible Contract extension period, will be considered by January 2026, subject to satisfactory Contractor's performance.
- 6.4 Avenues and Achieve Together retained their original services so there was no contract mobilisation process for these providers. The mobilisation process for Brandon and Lewisham Nexus required an additional level of support from the Council as they were both new providers of contracted supported living services in the borough. The provision of sufficient time for the mobilisation period ensured that the transfer went smoothly with uninterrupted provision of services.

7. TRANSFORMATION/POLICY IMPLICATIONS

- 7.1 There is mutual understanding between the Council and the care providers of the financial challenges each party is managing. All the providers invest resources in improving the offer for tenants within the available resources. Individual client care packages are reviewed through the statutory process alongside the providers' own internal review processes. This has

resulted in care package reductions through identifying where service users' needs have reduced.

8. STRATEGIC PROPERTY CONSIDERATIONS

- 8.1 All of the properties utilised under these contracts are owned by external Registered Social Landlords. The Council has sole nomination rights into all of these properties.

9. PROCUREMENT CONSIDERATIONS

- 9.1 In line with 23.2 of the Council's Contract Procedure Rules, an annual report must be submitted to the Portfolio Holder for all contracts with a value higher than £500k.

Non-Applicable Headings:	IT & GDPR Considerations; Personnel Considerations; Legal Considerations; Financial Considerations
Background Documents: (Access via Contact Officer)	[Title of document and date]