

Written statement of a key decision
Cabinet member health and adult wellbeing

Title	Approve the option to deliver the residential and respite service for adults with a learning disability and complex needs
Decision maker	Cabinet member health and adult wellbeing Information about cabinet, including the names and contact details of the cabinet members, can be found here: http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251
Date of decision	17 May 2021
Report exemption class	Appendix 1 - Part exempt
Reason for being a key decision	<p>This is a key decision because it is likely to result in the council incurring expenditure which is, or the making of savings which are, significant having regard to the council's budget for the service or function concerned. A threshold of £500,000 is regarded as significant.</p> <p>This is a key decision because it is likely to be significant having regard to: the strategic nature of the decision; and / or whether the outcome will have an impact, for better or worse, on the amenity of the community or quality of service provided by the authority to a significant number of people living or working in the locality (two or more wards) affected.</p>
A notice was served in accordance with Part 3 (Key decisions) of The Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012.	
General exception or special urgency (as defined in the constitution)	No
Purpose	This report seeks approval to insource the learning disabilities residential and respite service to the Council from the current provider through an exit plan. The intention is to transfer the service in its current operating state on 1 August 2021 or as soon after as practicable. Both parties will ensure a smooth transition of the services. This will be managed through the use of an appropriate Project Management process and detailed mobilisation plan.

<p>Decision</p>	<p>That</p> <ul style="list-style-type: none"> a) the Cabinet Member for Health and Adult Wellbeing agrees the proposed insourcing of the learning disabilities residential and respite service from the current provider to the council and to effect the smooth transition of staff and other relevant assets by no later than 31 July 2021. b) Staff currently employed by the current provider and under the Transfer of Undertakings (Protection of Employment) regulations (TUPE) are entitled to transfer to Hoople's employment terms and conditions.
<p>Reason for the decision</p>	<p>As set out in the report. Documents relating to this decision are available at http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?IId=50037282</p>
<p>Options considered</p>	<p>An options appraisal was undertaken to consider the following options, as well as the option to in-source the service:</p> <ul style="list-style-type: none"> a) Maintain the current service provision, this option is not recommended due to: <ul style="list-style-type: none"> • The existing contract has already been extended and there is no further option to extend the contract with the current provider. • If the council continue the service as it is, there is the potential of a reputational risk with services users and their families/carers, as the quality of the service may not improve. • No guarantee the quality concerns will be resolved. • This does not fit with the council's vision to modernise learning disabilities and complex needs services. b) Decommission the service and move to alternative provisions within the County that meet the needs of the service users. This option is not recommended due to: <ul style="list-style-type: none"> • the average cost of a residential package for learning disabilities is £1.5k per week, rising to over £3k per week for clients with higher needs. Purchasing individual care packages for each current resident would likely be much more expensive than the current cost. c) Retender the service provision, this option is not recommended due to: <ul style="list-style-type: none"> • soft market testing had demonstrated low interest from the market, low levels of innovation and this presents

	<p>the council with high levels of risk in terms of market shaping.</p> <ul style="list-style-type: none"> significant risk, this option would not give the council confidence that they will be able to secure a good provider to meet and services users' outcomes for a learning disabilities residential and respite service. <p>d) Change to a Supported Living Accommodation Provision, this option is not recommended due to:</p> <ul style="list-style-type: none"> the de-registration process can be quite complex and works better when delivered as a partnership between the care provider, the housing provider and the council. the current cohort's assessed needs and the additional cost of a supported living model this option has not been recommended. a comparison exercise had been undertaken between the residential care and supported living models. The exercise identified the individual care and support hours with data drawn from Mosaic; input from operational colleagues, the provider's staff rotas and contracted supported living hourly rates. This provided an indicative annual additional cost of £539k.
Declarations of interest (see below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	21 May 2021

<p>Councillor:</p> <p>Cabinet member health and adult wellbeing (Councillor Pauline Crockett)</p>	<p>Date 17 May 2021</p>
---	-------------------------

- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;
- and
- in respect of any declared conflict of interest, a note of dispensation granted.