

Meeting:	Adults and wellbeing scrutiny committee
Meeting date:	Tuesday 5 March 2019
Title of report:	Learning Disability Strategy implementation plan update
Report by:	Director of Adults and Communities

Classification

Open

Decision type

This is not an executive decision

Wards affected

(All Wards);

Purpose and summary

To report to the Adults and Wellbeing scrutiny committee the progress following the approval of the Learning Disability 10 year strategy in June 2018.

To provide sufficient information to allow scrutiny to exercise their functions in relation to actions taken against the learning disability strategy, also to scrutinise matters in relation to planning, provision and operation of services. Thus enabling scrutiny committee to make reports or recommendations to the executive or a responsible person within the organisation.

Recommendation(s)

That:

- (a) The committee reviews the progress within the implementation plan for the learning disability strategy and determines any recommendations it wishes to make to the executive and/or relevant health body, to secure further improvement.**

Alternative options

1. There are no alternatives to the recommendation. It is a function of scrutiny to review and make recommendations for improvement.

Key considerations

2. The learning disability 10 year strategy was approved at cabinet on 7 June 2018. This sets out the long term commissioning plans of the council and Herefordshire Clinical Commissioning Group (CCG) with and on behalf of people with a learning disability and their family/carers. The strategy challenges the system to do more with less; by learning from others; using technology intelligently; making better use of universal services and by working collaboratively across the independent and voluntary sectors and with the wider community wherever possible. Enabling people with learning disabilities to reduce their dependence on funded support services by creating opportunities for them to maximise their independence within their community.
3. The strategy set 4 priority themes;-
 - 3.1 Where I live - to live in the right home, to have access to good and affordable accommodation options within the local community designed to meet individual needs. This applies to supported living, family care or residential care, all of them should enable people to live fulfilling lives, respect choice and support inclusion.
 - 3.2 What I do during the day - People need to be a valued part of Herefordshire's communities by being supported to be active citizens through paid employment, meaningful training options and opportunities for volunteering for those able to participate. There must be a choice of local support options to offer a satisfying range of activities for people of all abilities, as well as the infrastructure in place to make sure these are safe and of good quality.
 - 3.3 Being healthy and safe - People need to be healthy, safe and able to access the right medical help quickly and appropriately. Emphasis should be on universal access to mainstream health provision with reasonable adjustment where necessary, rather than assuming that every person with a learning disability needs a specialist service. Over the long-term, all necessary work must be done to reduce health inequalities within the learning disability population.
 - 3.4 Citizenship, choice and control - In addition to the right blend of services and opportunities, to be fully recognised as citizens, people with learning disabilities need to have choice and control through personal budgets and direct payments, alongside an expectation that they will integrate with, contribute to and become valued members of their community however they choose.
4. An implementation plan for 2018 -19 was approved by cabinet which sets out the actions required in the first 12 months to begin to tackle some of the issues across the system to create better outcomes for people with a learning disability. This report sets out the progress to date against the original implementation plan.
5. An action in the implementation plan was to create a system for oversight and ownership of the strategy and the plan, a significant change was required to remodel the current Learning Disability Partnership Board (LDPB). This board meets four times a year and is

tasked with overseeing the implementation of the strategy. The board previously acted as a reference and networking group of interested parties from across the county. Since the strategy has been signed off, it has met twice and redesigned the meeting format and reporting procedures to incorporate reporting mechanisms from leads against the implementation plan, and also feedback from partners.

6. The strategy is outcome focused and in order to test the effectiveness of the strategy and the plan, we need the learning disability community to check and challenge. The LDPB are hosting an event on 12 February with people with a learning disability to decide together how to ensure engagement with people with learning disabilities underpins the ongoing work in the strategy, and to act as a reference group. This will not only test the work of the strategic partners, but allow a forum to see what tangible differences the strategy is making, focusing on real outcomes for people.
7. A copy of the implementation plan and the updates against each action can be found in appendix two. All areas are progressing, with some achievements and some items which are still in the planning stages and therefore there is a small amount of slippage, as detailed in appendix 2. Some key achievements for each theme, however are highlighted below;-

7.1 Theme 1 - Where I live

- The Whitecross flats development have been completed and the majority of the tenants moved in (or dates pending). A new model of commissioned delivery of support is being piloted through a night time response. The early outcomes are positive, increased independence, their own front door and tenants are developing their skills and social networks. The model also presents savings on the previous support offered to this cohort, projected at an ongoing total saving of 37k per annum.
- An accommodation group now meet monthly to review the current and future need against the current capacity to assist with matching opportunities and also identifying gaps to inform future commissioning. This works access departments to include housing development, social care operations and commissioning.

7.2 Theme 2 - What I do during the day

- A supported employment service has been commissioned and will commence delivering employment support in March 2019.
- A project plan has been developed to include the launch of a supported internship forum in June, a skills event aimed at employers it planned for July and the 30/30 project with employers is being scoped.

7.3 Theme 3 - Being healthy and safe

- The local Sustainability and Transformation Plan (STP) is informed by its local partners the council and CCG across Hereford and Worcestershire. It also links to the local learning disability strategies and the new NHS 10 year plan. There are key work streams to deliver against this and include;-
- Reasonable adjustments for mainstream services by Health Actions Plans (HAP) being developed for individuals.
- Improved systems to indicate on patient records when the person has a learning disability (all GP surgeries – except one are signed up to this and the hospital has implemented an internal system to capture this).

- Learning disability nurses work in the hospital alongside patients to coordinate care, provide training for staff and improve the customer journey in hospital.
- The Learning Disabilities Mortality Review (LeDeR) Programme, Transforming Care Programme (TCP) which is about improving health and social care services so that people can live closer to home with the right support, and STOMP which stands for stopping over medication of people with a learning disability, autism or both. All health initiatives are embedded and working in Herefordshire, the performance dashboard will reflect this activity.

7.4 Theme 4- Citizenship, choice and control

- A campaign is being worked up with private bus companies, street pastors and the safe place scheme to support people to feel safe when travelling on public transport. The publicity campaign will be funded through a grant, whilst the capacity to deliver the scheme will come from existing resources both private and third sector, facilitated by the council.
 - The LDPB will have a quarterly focus on each theme, March meeting is Citizenship, Choice and Control, and will focus on the key activities for 2019-20
8. A learning disability dashboard is in development, with data across the system to include social care key information as well as health data. This will produce reports on a range of metrics and provide a baseline as well as regular reports to management. This will deliver intelligence based on real time information and provide oversight of the performance of the strategy, and highlight areas requiring further development. A plan to create a dashboard across health and social care is already underway, but a new development is to include the STP footprint (both Herefordshire and Worcestershire). This will cause some slippage in the lead in time, due to creating and agreeing a tool which all partners sign up to.
9. Additional opportunities for innovative ways to deliver the strategy have been identified and will feed into the implementation plan for April 2019-2010. Some ideas include creating top tips for reasonable adjustments, organisations making pledges, promotion of positive examples of reasonable adjustments in Herefordshire and the creation of virtual tours online of buildings.

Community impact

10. In accordance with the code of corporate governance, Herefordshire Council must ensure that it has an effective performance management system that facilitates effective and efficient delivery of planned services. Effective financial management, risk management and internal control are important components of this performance management system. The council is committed to promoting a positive working culture that accepts, and encourages constructive challenge, and recognises that a culture and structure for scrutiny are key elements for accountable decision-making, policy development, and review.
11. The activities planned and undertaken as a result of the strategy will enable the council and CCG to ensure the appropriate mix of commissioned and universal services is in place across the county and able to evolve over time, in order to enable the outcomes required for the wider learning disability community. Furthermore, these tiered health and wellbeing outcomes will link to the wider long-term strategic / financial aims of the council and CCG.
12. Successful delivery of the Learning Disability Strategy supports two of the council's corporate plan (2017-2020) priorities of ensuring that people with a learning disability are 'able to live safe, healthy and independent lives' and that commissioning organisations 'secure better services, quality of life and value for money' across the sector. By achieving

a wide range of individual outcomes around increased opportunities for work, training and positive daytime activity; improved access to healthcare and healthy living; wider access to opportunities for social inclusion and social value for all and implementation of new service models, better building designs and use of technology to deliver better quality at a reduced cost.

13. The strategy and the actions delivered act as a long-term evidential framework for the ongoing delivery of the social aspirations and health improvement of people with learning disabilities, as set out by the government in Valuing People (2001) and then reiterated through key policy documents and legislation, such as the Mental Capacity Act (2005); Our Health, Our Care, Our Say (DH 2006); Death by Indifference (Mencap 2007); 'Valuing People Now' (DH 2009); Disability and Equality Act (2010); Care Act (2014) and Transforming Care (DH 2015).
14. The implementation plan to support the strategy ensures that all commissioned activity for and with adults with learning disabilities is aligned to the health and wellbeing blueprint for adult social care (Adult Wellbeing Plan 2017-2020), supporting the intention that 'Herefordshire residents [including those with a learning disability] are resilient, lead fulfilling lives, are emotionally and physically healthy and feel safe and secure'.
15. The activity in the implementation plan supports the NHS's 10 year long-term commitment to service improvement in both primary and acute health services in order to reduce health inequalities and improve patient experience for people with learning disabilities. Further to this, they will support the post-Winterbourne commitment to continue the necessary local commissioning and workforce changes required to reduce the use of out-of-area locked-hospital beds.

Equality duty

16. An equality impact assessment of the Learning Disability Strategy has been completed at the time of the strategy and demonstrates the strategy delivery has positive outcomes for people with a learning disability.
17. Under section 149 of the Equality Act 2010, the 'general duty' on public authorities is set out as follows:

A public authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act. Current and planned services for adults with learning disabilities help to make this a reality by;
 - i. improving wider community understanding of the needs and capabilities of adults with learning disabilities;

e.g. work is underway to launch a supported internship and employment forum to promote and support employer's awareness and facilitate the employment pathway to increase work opportunities for people with a learning disability.
 - ii. improving social value by promoting people with learning disabilities visible access to roles, such as paid employment and to activities linked to civil participation;

e.g. a social value proposal is being worked up with procurement to embed further the social value opportunities into council procurement processes.

- iii. promoting self-advocacy and citizen advocacy to support people with learning disabilities to recognise victimisation or discrimination; supporting them to be able to speak out to prevent it and by ensuring there are 'safe spaces' where people with learning disabilities can access skilled support.

e.g. a framework for clear engagement with experts by experience and the learning disability partnership board has been developed, which is the first phase in developing a meaningful engagement process that links directly to the outcomes in the strategy in a transparent and inclusive way.

- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. Current and planned services for adults with learning disabilities help to make this a reality by:

- i. ensuring that adults with learning disabilities have equal access to housing and employment opportunities;

e.g. the development of the accommodation board to support housing matching and supported living opportunities and the supported employment service are examples of actions that have been taken to support better outcomes and equality of opportunities.

- ii. making 'reasonable adjustments' to public services, such as primary healthcare, to ensure that people with learning disabilities are not excluded from them;

e.g. the increased uptake of Health Actions Plans will be captured through the joint dashboard between health and social care. "Tops Tips" literature is in development to highlight reasonable adjustments.

- iii. promoting a high expectation of good health for people with learning disabilities through routine access to health screening programmes; early regular cognitive function tests for dementia; an agreed standard of annual health check and effective health action plans.

e.g. a joint plan has been developed across the Herefordshire and Worcestershire Sustainable transformation programme (STP) to implement the 10 year NHS plan. The STP implements changes at a local level. KLOES are developed and an action plan with clear governance which sets improvement targets across health outcomes.

- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Current and planned services for adults with learning disabilities help to make this a reality by:

- i. encouraging use of universal services (leisure facilities, hobby clubs, sports etc.) alongside specialist learning disability services in order to support integration and to increase the perceived social value of people with learning disabilities;

e.g. schemes are being worked up which start to tackle some of the barriers to accessing universal services, for instance the safe place travel pilot on public buses.

- ii. promoting diverse and integrated communities by ensuring there are multiple opportunities for people with learning disabilities to be supported in ways that

allow them to choose ordinary places to live and work and to have ordinary lives that include loving relationships.

e.g. there has been an increase in year by a further 11 supported living opportunities for people with a learning disability.

18. The public sector equality duty (specific duty) requires us to consider how we can positively contribute to the advancement of equality and good relations, and demonstrate that we are paying 'due regard' in our decision making in the design of policies and in the delivery of services.
19. Where services for people with learning disabilities are delivered via contracts and service level agreements with the independent, private and third sector, the council's providers will be made aware of their contractual requirements in regards to equality legislation.

Resource implications

20. None associated with the recommendations. Any resource implications arising from recommendations made by this committee will inform the executive/relevant health body's response.

Legal implications

21. None associated with the recommendations. Any legal implications arising from recommendations made by this committee will inform the executive/relevant health body's response
22. The delivery of the strategy through the implementation plan enables the council to meet its legal obligations under the Care Act 2014 in respect of adults and the Children and Families Act 2014 in respect of children, together with the Mental Capacity Act 2005.
23. Section 2 Health Act 2009 imposes a duty on councils to have regard to the NHS Constitution in performing their health service functions. The NHS Constitution establishes the principles and values of the NHS in England.
24. The council must have regard to the NHS Constitution in the event that it acts as lead commissioner for any NHS service. As part of the preparation for the more collaborative shared commissioning process set out in the Learning Disability Strategy, there was a review of council / CCG learning disability contracting and commissioning responsibilities that resulted in the contract and associated funding for community learning disability health services, provided by 2gether NHS Foundation Trust, returning to the CCG. At this time, there are no pooled budgets for learning disability services and commissioning activity is only aligned rather than joint, and some packages of care are joint funded.

Risk management

Risk / opportunity	Mitigation
Performance management could be focused on process measures that are not reflective of the wellbeing and experience impact of services for people with learning disabilities in Herefordshire.	The council, using the new strategy, is focusing its attention on matters of direct relevance to people with learning disabilities living in Herefordshire and ensure performance measures reflect these and use engagement as a tool to manage this.
There could be no shared planning or joined-up thinking in place for the long-term commissioning of health and social care services and resources for the wider learning disability community, leading to a lack of improvement, poorer life outcomes and a less coherent and efficient market.	The council has adopted the strategy as a long-term commissioning and planning framework to support an effective, efficient and high quality service sector delivering excellent life outcomes for all people with learning disabilities in the county. It has applied some foundation stones to do this effectively in the first year of its implementation through improved governance processes, better engagement, and data capture of relevant metrics across the whole system.
Delivery of the strategy will involve different ways of working, additional capital / revenue resources, changes to service provision and changes in the market, e.g. new providers entering the market and existing providers leaving the market.	The council and CCG continue to commit ongoing commissioning and project management resources to oversee the implementation of the Learning Disability Strategy, ensuring that activity matches resource availability and that there is appropriate planning and engagement in place to manage individual service and market-wide change.
Actions and outcomes not achieved due to slippage in the delivery of the implementation plan.	The LDPB will have oversight of the implementation plan who will evaluate the outcomes and impact of the plan. Where relevant the plan will be revised and new actions identified to achieve the outcomes.

Consultees

25. None.

Appendices

Appendix 1 - PowerPoint for adults and wellbeing scrutiny committee

Appendix 2 - Overview of the Learning Disability Implementation Plan and progress 2018-19

Background papers

None.