

Open Report on behalf of Glen Garrod, Executive Director of Adult Care and Community Wellbeing

Report to:	Executive Councillor for Adult Care, Health and Children's Services
Date:	Between 04 July 2019 and 05 July 2019
Subject:	Short Breaks Provision in Lincolnshire
Decision Reference:	I017423
Key decision?	Yes

Summary:

Lincolnshire County Council (LCC) currently commissions short breaks through a combination of contracts, utilising council owned properties as well as through residential care contract arrangements. There are two Specialist Adult Services contracts utilising LCC properties, Swallow Lodge and Cedar House which expire at the end of November 2019. They are the only dedicated short breaks and emergency placement provision that LCC has for Learning Disabilities clients, outside of the standard residential contracts. There is a need to re-commission these services to ensure that LCC continue to have dedicated emergency and short breaks provision for Specialist Adult Services.

More widely LCC have residential and nursing care contracts that are also used for short breaks/residential respite provision. The residential contracts are not designed specifically for this purpose and it is therefore timely to explore benefits of having additional bespoke short breaks contract arrangements, which specify the short breaks/respite requirements clearly and which deliver high quality services for users and value for money for the Council.

This report sets out recommendations for the re-procurement of dedicated Short Breaks and Emergency placement provision at Swallow Lodge and Cedar House and a further review of wider respite provision.

Recommendation(s):

That the Executive Councillor:

1. Approves the re-procurement of planned short breaks and emergency placements for Learning Disability (LD) services at Swallow Lodge and Cedar House.
2. Delegates to the Executive Director of Adult Care and Community Wellbeing in consultation with the Executive Councillor for Adult Care,

Health and Children's Services, the authority to determine the final form of the contract, to approve the award of the contracts and entering into the contracts, and any other legal documentation necessary to give effect to the said contracts.

3. Notes the proposal to carry out a second phase of work to focus on the commissioning of wider residential short breaks and respite requirements, including exploration of the potential benefits of bringing greater clarity and consistency in respite provision through additional bespoke short breaks contract arrangements, including opportunities for improvements in service quality, availability and value for money.

Alternatives Considered:

1. Negotiate a revised contract with the current provider

The Council has an existing contract for an Emergency Placement and Short Breaks Service; the contract does not have provision for any further extension.

2. To do nothing

This option would cease the commissioning of a dedicated Learning Disability Respite service. This option would not be recommended because good quality short breaks services, including residential respite services, are important in supporting unpaid carers. This service is significant in helping to sustain informal carer arrangements in the long term. The cost of supporting short breaks is cheaper than the alternative long term care provision options in the event that informal carer's relationships break down.

Reasons for Recommendation:

1. There is a need to purchase and maintain some control over LD residential respite provision because planned short breaks and emergency placements can be difficult to source in the 'spot purchase' residential market. Residential Providers often don't want to hold beds 'open' in case of emergency, individuals needs can be complex and challenging, and resulting placements can be expensive due short timescales to negotiate, with limited alternatives available.
2. As LCC currently owns two specialist respite buildings, Swallow Lodge and Cedar House, including one in the north and one in the south of the County, an appropriate way forward would be to continue to use these properties for the purpose of planned short breaks and emergency respite provision. These services allow the Council guaranteed access to a number of emergency beds to meet the needs of the learning disabilities service, as well as bookable short breaks capacity, which is important to

ensure that the Council is able to meet the needs of service users and carers.

3. The alternatives considered have been deemed unsuitable in delivering the required outcomes of the service.

1. Background

- 1.1. Respite and short breaks services offer short term support in a home or residential care environment. Usually the service is intended to give an informal carer a break from their caring role and to provide a meaningful activity for the service user. This opportunity is significant in relieving pressure on and helping to sustain informal carer arrangements in the long term. This can also be significantly more cost effective for the Council. As an illustration of this; based on current service costs, a series of planned short breaks for up to 5 weeks for an individual with learning disabilities at Swallow and Cedar would cost the Council on average £8,313 per annum. If the informal carer arrangement broke down and the individual required long term care and support to be provided by the Council, the current average annual cost for a LD residential placement is £59,176, and for a Community Supported Living Placement is £33,592.
- 1.2. Respite care may also be used in emergency situations, for example following carer breakdown, if a user is unable to stay in their own home due to an unforeseen accident or emergency or if an informal carer becomes suddenly unwell and unable to continue their caring role. Although the carer may be assessed as needing a break the person being cared for must be assessed for the support they need to allow the carer to take a break.
- 1.3. Being able to take a short break is important for everyone, for people that have care needs it can support them to meet outcomes such as:
 - Developing and maintaining family and other personal relationships.
 - Accessing and engaging in training or volunteering.
 - Accessing facilities and services in the local community such as recreational activities.
- 1.4. For informal carers, taking a short break can benefit their emotional well-being and can facilitate a sense of normality, freedom, peace of mind and relief. A Short break can also support them to continue in their caring role¹.
- 1.5. Under the Care Act 2014 all carers are entitled to a carer needs assessment and, where they are deemed to have an eligible level of need, they will be entitled to funded support and access to services from the Council as a right. In some cases the services will include some form of short breaks or respite care.
- 1.6. Lincolnshire County Council has a duty to assess anyone who may have eligible needs. If a person's needs are eligible and their outcomes require

¹ Short Breaks Work Plan 2018/19

planned/unplanned short breaks or respite which can't be met with some form of informal replacement care then we have a duty to meet that need. LCC needs to ensure that there are sufficient services, of required diversity and quality in the market to meet need.

2.0. Existing Contract Arrangements

- 2.1. Lincolnshire County Council (LCC) currently provides short breaks and respite care through a combination of options.
- 2.2. The principal delivery mechanism for the Learning Disability Service is via two dedicated Residential Short Breaks and Emergency Placements Contracts with provider Making Space. The services are delivered at two locations, Swallow Lodge in North Hykeham and Cedar House in Spalding. Both are LCC owned properties, from which planned and emergency respite care for adults with learning disabilities is provided. There are a total of 15 beds across both sites. The contracts for Swallow Lodge and Cedar House end on 30 November 2019 and have already been extended to their maximum duration. Therefore the Council needs to find an appropriate commissioning solution for these services from 1 December 2019 in order to ensure continuity of care and fulfil the existing demand.
- 2.3. The emergency placement capacity that these services provide is operationally critical for Specialist Adults Services, because it is often the last recourse for providing support to individuals with highly complex needs, for whom a safe and sustainable long term support solution can often take weeks or even months to commission.
- 2.4. The existing contracts are structured to give the provider a minimum purchase guarantee of £100,000 per annum. This is paid in 12 monthly instalments. This minimum purchase guarantee is further split into amounts reserving the Council a bed to be available specifically for emergency placements; with the remainder being set off against the aggregate amounts payable for planned short breaks.
- 2.5. Nightly rates and 1:1 costs, when compared to rates paid under the wider residential care contracts, are on average more expensive. Some reasons for higher costs include:
 - 2.5.1. The services have the ability to accommodate and support individuals with a very high complexity of needs;
 - 2.5.2. The services have a focus on the provision of support in emergency situations;
 - 2.5.3. The services have to 'hold' a bed for emergency use at all times, which limits their occupancy;
 - 2.5.4. The nature of planned short breaks services makes it difficult to sustain full occupancy, and consequently to guarantee income.
- 2.6. Swallow Lodge is a single storey building located in North Hykeham. There are plans to modernise Swallow Lodge and reconfigure the building. The

proposed reconfiguration would increase bed capacity by one (from 8 to 9 beds). It would also separate the building into three distinct areas or units, for adults with complex needs, planned short breaks and emergency short term care. This reconfiguration will help to address some of the issues associated with maximising occupancy in the current building configuration, increase capacity slightly and also allow the facility to improve its facilities to continue to meet the needs of adults with complex needs.

- 2.7. In addition to the dedicated provision for the Learning Disabilities Services, there are also the following arrangements, covering client needs more widely across adult care:

2.7.1. Residential & Nursing Care Contracts – LCC has 275 in-County contracts with residential and nursing care homes that are also used as an option for provision short breaks and respite services for adults with learning disabilities, adults with physical disabilities and older people. These contracts cover provision of short term care but aren't specifically tailored to short breaks. For the majority, respite services are just a part of what they are able to offer, however a small number of Learning Disability focussed establishments exclusively offer short break and respite provision under the Residential and Nursing Care contract framework.

2.7.2. Transitional Care Block Contracts for Older people and adults with physical disabilities. 26 providers have contracts for health and social care beds. These are used to support hospital discharges and other requirements such as emergency respite placements, predominantly for older people. These contracts end on 31 August 2019. Their recommissioning will be reviewed separately, and so they are not extensively considered in this report, however there is some utilisation of these contracts for respite provision, with potential for this to be developed in future.

3.0. Budget, Spend and Demand Summary

3.1. Learning Disability Service

3.1.1. LD Respite and Short Breaks budget in 2018/19 is £1,180,186 increasing to £1,468,658 for 2019/20.

3.1.2. A summary of the Learning Disability Team Spend on respite services is given below:-

Respite/Short Breaks	2017/18 (£)	2018/19 (£)
Swallow Lodge (Respite and 1:1)	439,503	644,118
Cedar House (Respite and 1:1)	235,695	277,867

<i>Planned Respite Provision (other establishments)</i>	273,995	459,367 ²
<i>Emergency Respite Provision (less than 42 nights per year)³ (other establishments)</i>	£13,553	£73,000
<i>Total</i>	£962,746	£1,236,619

Table 1 – LD Respite Spend 2017-2019

- 3.1.3. Spend on residential respite provision is increasing, although there is a shift towards personalised packages of care and people having more flexible packages of breaks, such as supported holidays. The data suggests that many people are still accessing services that may be deemed 'traditional' residential respite provision and there is a continued demand for these services.
- 3.1.4. This is supported by annual increases in spend at the two dedicated short breaks and emergency placement services, Cedar House and Swallow Lodge.
- 3.1.5. In 2018/19 occupancy at Swallow Lodge ranged from 59-93% (74% average) and Cedar House from 55-84% (65% average), representing 114 placements for 109 individuals in total. Generally occupancy levels and demand for respite provision is higher during the summer/early autumn months and falls during winter. Occupancy levels at Swallow Lodge are higher than at Cedar House. The provider also reports that they can have difficulties with compatibility which can make it difficult to maintain optimum occupancy levels.
- 3.1.6. Of the 114 placements, 10% of the placements were fully NHS funded and 6% of the placements were joint LCC/NHS funded. Spend on the fully NHS funded placements was £123,436 in 2018/19 and on joint funded placements was £67,510. This represents 13.4% and 7.3% respectively of the total spend in 2018/19.
- 3.1.7. 58 learning disability users accessed planned respite in alternative provision (i.e. not Swallow Lodge or Cedar House) in 2018/19 (up to 16.1.2019) across 10 residential care homes and the Shared Lives Service.
- 3.1.8. The average cost per night for alternative residential provision is lower than at Cedar House and Swallow Lodge. However the services at Swallow and Cedar include the provision of emergency beds, and manage the most complex support requirements for LCC which increases costs.
- 3.1.9. The nature of spot purchased short term residential services, as well as Shared Lives services means they aren't necessarily suitable for emergency provision (for example, an element of matching needs to happen prior to commencement of a shared lives placement, and/or the care environment may not be suitable for the type of complex

² Please note that there is fairly large increase in spend in 2018/19, mainly due to one large care package which has skewed spend.

³ Please note that the data has been filtered to only include where users have been in provision under 42 days in the year. There is significant spend on short terms placements that have lasted longer than 42 days in the year.

needs presenting). It is therefore significant that LCC continues to make emergency bed provision at Cedar and Swallow.

3.2. Older People and Physical Disabilities Service

3.2.1. A summary of the overall spend on Older Peoples (OP) and Physical Disability (PD) Respite/Short breaks Services is shown below:-

Service	Older Peoples Services Spend (£) 2017/18	Physical Disability Services Spend (£) 2017/18	Older Peoples Services Spend (£) 2018/19 (to January 19)	Physical Disability Services Spend (£) 2018/19 (to January 19)
Externally Commissioned Short Breaks Services (Assumed based on up to 8 weeks duration)	3,329,013	86,997	2,809,355	83,357

Table 2: OPPD Respite spend summary – Up to 8 weeks only (2017-2019)

- 3.2.2. Differences in finance data coding make it difficult to accurately divide spend between planned short breaks and emergency provision, however it is estimated that OP short breaks provision in 2018/19 breaks down as £2,270,111 on planned provision and £539,244 on emergency provision.
- 3.2.3. This spend forms a part of the wider short term care budget of £6.6m for 2018/19.
- 3.2.4. 196 different residential care providers were used for older peoples respite services in 2018/19. This demonstrates the wide range of providers used to meet the demands of the local population (71% of contracted residential care providers) and suggests that people like to access provision that is close to their home, so maintaining choice of location should be a primary consideration in commissioning respite provision.
- 3.2.5. In 2018/19, 21 residential care providers were used for short breaks or respite for physical disabilities, and all PD spend in this period was for planned rather than emergency respite.
- 3.2.6. A number of the homes where care is purchased for physical disabilities are older peoples residential care homes, and whilst the providers may be able to meet the users identified needs, general feedback from practitioners is that users prefer to be with others in a similar age group to themselves. There are fewer specialist PD providers though, so this can be difficult to achieve.

4.0. Market Engagement

4.1. Early Market Engagement has been undertaken, with a questionnaire issued to organisations expressing an interest in a PIN notice. This being intended to establish the level of market interest in provision of short breaks and respite services, as well as seeking the market's views on key factors influencing the scope and structure of any resulting contract such as contract duration, pricing and payment and performance management approaches. This focussed on the LD provision at Cedar House and Swallow Lodge, but also considered wider dedicated respite provision. Ten responses were received, and some of the key points of note from responses, which have been taken into account in the development of the new service specification and contract mechanism, are set out below. (Note further engagement may be undertaken as the recommended second phase review develops).

- The preferred contract term would be a minimum 3 year initial term, with options to extend.
- Areas of good practice in delivery of respite services are considered to be a focus on linking services to rehabilitation, coproduction and preventing inpatient admissions.
- It is financially challenging for providers to 'hold' vacant beds for planned or emergency short breaks due to fluctuating demand, and higher resident turnover.
- The opportunity for block funding or level of guaranteed income would help address this.
- Respite is still attractive (subject to a sustainable funding model) and all providers who responded are interested in providing planned respite services, with the majority also interested in providing emergency provision.
- Barriers to providing respite services in traditional residential homes include maintaining capacity and bed availability, fluctuating demand, and lack of timely communication and sufficiency of detail regarding user requirements from referrers, in particular emergency placements.
- Providers would welcome new dedicated contractual arrangements for residential respite.

5.0. User Engagement

- 5.1. User Engagement has been undertaken by the following methods:-
- A targeted survey for users who are currently accessing services at Cedar/Swallow
 - Generic survey for people accessing respite services
- 5.2. Findings from the Swallow and Cedar Survey have been taken into account in the development of the new service specification. A summary of the key findings from the survey is set out below:

- Most respondents use the services once a month or more and most are planned stays.
- The majority of carer respondents said that service is available to them when they needed it and the chance to book in advance is important to them.
- Feedback regarding service quality was generally very positive, with service strengths being: a welcoming and friendly staff team; people being treated with dignity; well maintained buildings; and a clean and hygienic home environment.
- Areas where opportunities for improvement were identified by carer respondents included: confidence that enough staff on duty at all times; and ensuring enquiries, complaints and feedback are responded to appropriately and in a timely fashion.
- Generally survey responses highlighted that the service is well regarded and welcomed by carers.

6.0. Proposed Contract Scope and Structure

- 6.1. The aim of the new contracts will be to have a single care provider at each establishment. Due to the geographical distance between the properties, it is unlikely that the same staffing group will be able to cover both locations and therefore opportunities for operational efficiencies to be gained from having a single provider across both properties are more limited. As a consequence the tender opportunity will be split into two lots, with each location representing a lot, enabling providers to compete to deliver the services in one or both locations.
- 6.2. The core service aim will be to deliver high quality residential respite and emergency support in a CQC registered residential setting. The service provider will be required to work in collaboration with the Council, NHS Services and other partners to ensure an effective and high quality service is promoted and maintained.
- 6.3. It is proposed that a proportion of the beds in each establishment will be block purchased. This approach offers the following benefits:
 - 6.3.1. Offers the provider greater certainty around the level of service income, supporting them to strengthen staff recruitment and retention, and improve workforce stability, which will in turn have a positive impact on the quality of service delivery.
 - 6.3.2. This level of guaranteed income for the provider will reduce the unit cost for the service and as a consequence the overall cost of the service when occupancy is maximised.
 - 6.3.3. Offers the Council increased control over placement practice, acceptance of referrals and hence confidence in the accessibility of the service, including access to emergency provision.
- 6.4. The proportion of block purchased beds across the two services will be matched to historic occupancy levels in order to minimise the risk exposure

to the Council of the block purchasing approach. The number of block purchased beds will be 10 of the 15 overall, or 66%.

- 6.5. The remaining beds will be purchased on a flexible or spot purchase basis, when required which reflects the variable occupancy levels for the service.
- 6.6. This mixed approach is intended to ensure that the Council achieves maximum contract stability and value for money under the new contract.

7.0. Payment and Performance Management

- 7.1. An affordable service that meets the Council's obligations in carrying its duties is essential.
- 7.2. For the block purchased beds, it is proposed to mirror established LD residential rates. The rate used will be that which most closely matches the support required at Cedar House and Swallow Lodge in terms of size of the establishments and the complexity of support needs; this being Band 3 Learning Disability residential rate for 7-12 bedded homes, which is the higher (or complex needs) rate. The rate for the current financial year is £937 per bed per week. This is based on a 1:3 staffing ratio during the day and 1:5 at night and is for adults requiring very intensive, high levels of care with very complex needs by exception.
- 7.3. It is proposed to block purchase 6 beds at Swallow Lodge and 4 beds at Cedar House using the LD residential rate. The costs of this would be £293,131 per annum and £195,420 per annum respectively (based on the 2019/20 rate and excluding any additional 1:1 support costs).
- 7.4. The precise level of 1:1 requirements and therefore costs will vary according to individuals' needs and will be payable in addition to core costs, but the unit rate for 1:1 support will also be set in line with the wider residential framework, currently set at £11.29 per hour.
- 7.5. Additional beds purchased on a flexible or spot purchase basis would also be linked to the residential rate, but attracting an enhancement of 10%, recognising the risk of uncertain occupancy. For 2019/20 this would equate to a rate of £147.24 per bed per 24 hours (i.e. $\text{£937}/7=\text{£133}+10\%=\text{£147}$), plus any agreed 1:1 hours.
- 7.6. This model is advantageous because it is well understood, developed by LCC and based on the costs of delivering a residential care service in the local market. It is also understood by the provider market and is known to be fair and sustainable. Additionally, because it represents a lower unit cost (or nightly rate), it offers some potential for financial savings over the current contract rate for Cedar and Swallow.
- 7.7. In the proposed new model, costs would increase annually, tracking the Council's agreed residential rate model throughout the contract period (i.e.

the 2020/21 Band 3 rate is £969 per week, and this would become the basis of the rates for Cedar and Swallow from April 2020).

- 7.8. Because of the defined staffing ratio, adoption of this model may require the provider to adapt its staffing model to align and as a consequence, this could help to manage and reduce instances where additional 1:1 support is required.
- 7.9. As this financial model was developed for residential services with an equivalent nightly rate significantly lower than for existing respite services at £133.85, its ongoing sustainability for the provider(s) will have a dependency on service occupancy. To help to ensure the services offer value for money for the Council and remain sustainable for the provider(s), the contracts performance management mechanism will have a significant focus, through service monitoring, partnership working and KPI targeting, on maintaining high occupancy levels at both locations.

10.0. Contract Commencement and Duration

- 10.1. The current contracts finish on 30 November 2019 and have reached their maximum duration. New contracts will need to commence on 1 December 2019 to ensure continuity of services for existing users.
- 10.2. A lease agreement, based on a market rental rate, will run alongside the new contract.
- 10.2. The proposed contract term is for an initial term of three years. This was confirmed through the market engagement phase as the minimum contract length providers would consider as financially viable. There will also be options to extend by up to a further two years, providing a good opportunity for continuity from a provider's perspective, subject to good performance.

11.0. Tender Process

- 11.1. The procurement will be undertaken in accordance with regulations 74 to 76 of the Public Contract Regulations 2015 under "Light Touch Regime" utilising an Open Procedure method.
- 11.2. The Invitation to Tender (ITT) evaluation will focus on service quality and the capability of the provider to deliver the required services and quality outcomes as set out in the specification. The Invitation to Tender Document will include the following:-
 - A specification that is clear in scope, interpretation and expectations
 - Full terms and conditions
 - Appropriate award and evaluation criteria
 - A realistic, appropriate and robust performance management framework

11.3. The evaluation panel will include representation from the Commercial Team, Learning Disability Social Work Team, Quality and Commissioning Teams. It is anticipated that the evaluation of the bids will conclude in mid-September, resulting in a two month contract implementation period from 1 October 2019 to 30 November 2019. This will allow the successful provider(s) sufficient time to manage TUPE and data transfer, with a start date for the new contract(s) on 1 December 2019.

12.0. Procurement Implications

- 12.1. Under the Public Contracts Regulation (PCR) 2015 activities relating to health and social care are generally dealt with under a 'Light Touch Regime' (LTR) which conforms to the general principles of the EU Procurement Directive but does not impose any strict procedural requirements.
- 12.2. Whilst the regime allows for a much greater degree of flexibility as well unique exceptions it does not mean the Council is free to award contracts without any regard to competition.
- 12.3. The threshold at which LTR contracts must be formally competed for is procurements above €750,000 (or approximately £640,000.)
- 12.4. The combined 2018-19 spend for Cedar and Swallow is £921,985 (inclusive of 1:1 costs) giving an indicative spend for the new contracts totalling £4,609,925.
- 12.5. In carrying out this procurement the Council will ensure the process utilised complies full with the EU Treaty Principles of Openness, Fairness, Transparency and Non-discrimination. The procurement process shall conform to all information as published and set out in the OJEU Notice.
- 12.6. All time limits imposed on bidders in the process for responding to the Invitation to Tender will be reasonable and proportionate.

13. Legal Issues:

Equality Act 2010

Under section 149 of the Equality Act 2010, the Council must, in the exercise of its functions, have due regard to the need to:

- * Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Act
- * Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- * Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The relevant protected characteristics are age; disability; gender reassignment; pregnancy and maternity; race; religion or belief; sex; and sexual orientation

Having due regard to the need to advance equality of opportunity involves having due regard, in particular, to the need to:

- * Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic
- * Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it
- * Encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low

The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities

Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to tackle prejudice, and promote understanding

Compliance with the duties in section 149 may involve treating some persons more favourably than others

The duty cannot be delegated and must be discharged by the decision-maker. To discharge the statutory duty the decision-maker must analyse all the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.

- 13.1. The key purpose of the Short Breaks Service is to ensure that carers have access to planned respite services and LCC has access to quality emergency provision locally.
- 13.2. To discharge the statutory duty the Executive Councillor must consider the relevant material with the specific statutory obligations in mind. If a risk of adverse impact is identified consideration must be given to measures to avoid that impact as part of the decision making process.
- 13.3. An Equality Impact Assessment for the short breaks re-procurement has been completed and copies are appended to this report at **Appendix A**. The assessment concludes that there will be no adverse impact on individuals with protected characteristics as a result of the re-procurement. The recommissioned service will remain open to all groups regardless of protected characteristics.

Joint Strategic Needs Analysis (JSNA and the Joint Health and Wellbeing Strategy (JHWS)

The Council must have regard to the Joint Strategic Needs Assessment (JSNA) and the Joint Health & Well Being Strategy (JHWS) in coming to a decision.

- 13.4. The Lincolnshire Joint Strategic Needs Assessment (JSNA) is made up of 36 topics, under six theme areas. Under the Adult Health and Wellbeing topic, one of the themes is Learning Disabilities.
- 13.5. The next steps for this JSNA area include 'If people are to be enabled to remain in their own communities they need suitable accommodation with the appropriate level of support'. This service represents a critical support options for families and individuals.
- 13.6. Additionally the JSNA documents that the 'The Transforming Care Plan' sets out a new service model that puts an emphasis on enabling people to access health and social care services that are closer to home. The new short breaks provision will provide support options for adults with complex needs within Lincolnshire County Council's boundaries.
- 13.7. A Second topic within the Adult Health and Wellbeing theme area is Carers. The JSNA states that the 'carers who feel well informed and supported are more able to sustain their caring role. We will therefore continue to work with commissioned services to improve the quality of provision and ensure an appropriately skilled workforce.'
- 13.8. The short breaks service is a key part of many carers' packages of support enabling them to have a break from their caring role and the individuals they care for to have good quality support in a specialised setting staffed with a skilled and dedicated workforce.

Crime and Disorder

Under section 17 of the Crime and Disorder Act 1998, the Council must exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment), the misuse of drugs, alcohol and other substances in its area and re-offending in its area.

- 13.9. This service is unlikely to contribute to the furtherance of the section 17 matters.

14. Conclusion

- 14.1. There is a need to purchase and maintain some control over LD residential respite provision. This is important because we know that planned short breaks and emergency placements can be difficult to source in the 'spot purchase' residential market. Residential Providers often don't want to hold beds 'open' in case of emergency, individuals needs can be complex and challenging, and resulting placements can be expensive due short timescales to negotiate with limited alternatives available.
- 14.2. As LCC currently owns two specialist respite buildings, Swallow Lodge and Cedar House, including one in the north and one in the south of the county

an appropriate way forward would be to continue to use these properties for the purpose of planned short breaks and emergency respite provision and recommission the service on this basis. These contracts allow LCC to have guaranteed access to some emergency beds for learning disabilities, as well as bookable short breaks capacity which is important to ensure that we are able to meet the needs of service users.

- 14.3. The conclusion of the current contracts means a procurement process needs to commence in 2019. The focus of the procurement will be to establish quality service providers to offer a short breaks service at Swallow Lodge and Cedar House.

15. Legal Comments:

The Council has the power to enter into the contract proposed. The legal considerations to be taken into account in reaching a decision are dealt with in the Report.

The decision is consistent with the Policy Framework and within the remit of the Executive Councillor.

16. Resource Comments:

The Emergency Placements and Short Breaks Service, currently provided by Making Space, is due to end on the 30 November 2019. The budget for the existing LD Respite provision is £1,468,658, of which £782,000 is allocated for Swallow Lodge and Cedar House. Proposed annual service costs for the new cost model (excluding 1:1 costs) total £756,533 if full occupancy is achieved.

This report seeks to present the case for the continued provision of this service via a procurement process within the same budgetary value. I can confirm that the Council has sufficient budget to fund the service. I can also confirm that current commissioning intentions and delegated approvals recommended within this report meet the criteria set out in the Council's published financial procedures.

17. Consultation

a) Has Local Member Been Consulted?

N/A

b) Has Executive Councillor Been Consulted?

Yes

c) Scrutiny Comments

This proposed decision will be considered by the Adults and Community Wellbeing Scrutiny Committee on 3 July 2019 and the comments of the Committee will be reported to the Executive Councillor prior to her making her decision.

d) Have Risks and Impact Analysis been carried out?

Yes

e) Risks and Impact Analysis

Attached at Appendix A.

18. Appendices

These are listed below and attached to the report.	
Appendix A	Equality Impact Analysis

19. Background Papers

No Background Papers within the meaning of section 100D of the Local Government Act 1972 were used in the preparation of this Report

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