
To: Renfrewshire Integration Joint Board

On: 15 September 2017

Report by: Chief Officer

Heading: Capability Scotland

1. Summary

1.1 The purpose of this paper is to provide an updated position on Capability Scotland day care services for adults with learning disabilities in Renfrewshire.

1.2 Capability Scotland operate two day services in Renfrewshire for adults with a learning disability, Whitehaugh and West Lane Gardens, on behalf of Renfrewshire Health and Social Care Partnership (HSCP). These services are building based and remain popular with current service users.

1.3 In line with the Scottish Government's Learning Disability Strategies, 'The Same As You' and 'Keys to Life', Renfrewshire learning disability day provision has over recent years managed a planned move away from these traditional centre-based services towards a more inclusive, community-based services approach. As part of this work, both the Council, the former Community Health Partnership (CHP) and now the HSCP have worked closely with Capability Scotland, who operate community based service models elsewhere in Scotland, to explore all options for modernising these two day services.

1.4 In July 2017, Capability Scotland served formal notice to the HSCP Chief Officer on their intention to withdraw from their current contract on 20 October 2017, noting the current service model has accrued significant annual financial deficits and no longer is seen by Capability Scotland to be financially viable going forward.

1.5 Given this position, the Chief Officer has been working with the provider to discuss the continuation of this service within the terms of their contract, and to explore a viable longer term alternative service model. Capability Scotland have re-stated their intention to cease provision of this service but have agreed it will continue until 31 January 2018, subject to the IJB meeting the financial shortfall the provider would incur during this period. This arrangement will ensure the provider meets their contractual requirement to minimally provide 6 months notice. It will also allow the HSCP sufficient time to ensure a smooth managed transition for service users. The Chief Officer will also work with Capability Scotland to quickly explore if they can develop an alternative service model which is financially viable, in line with national policy direction and meets the needs of the service users.

1.6 In liaison with the Chair and Vice-Chair of the IJB, the Chief Officer will continue discussions with local service users, carers, and Renfrewshire Council to:

1.6.1 quickly explore if Capability Scotland can develop an alternative service model in Renfrewshire which is financially viable in line with national policy direction and in a way that meets the needs of our service users;

- 1.6.2 progress planning to extend the existing HSCP community network services that would meet the needs of many of the Capability Scotland day centre service users; and
- 1.6.3 ensure smooth, managed transition arrangements are in place in advance of 31 January 2018, to support each service user to decide how they want to use their personal self directed support budget to secure alternative services.
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2. Recommendations

2.1 It is recommended that the IJB:

- Note Capability Scotland's intention to cease their current contract on 31 January 2018; the local and national factors which have led to Capability Scotland's view that their current service model no longer proving financially viable, and how this has been received by its service users and carers;
 - Agree that Renfrewshire IJB will meet the £34,500 cost shortfall identified by Capability Scotland to enable Capability Scotland to continue its current contract with the Council until 31 January 2018;
 - Agree that the Chief Officer, in consultation with the Chair and Vice-Chair of the IJB, will quickly progress discussions to explore if Capability Scotland can develop an alternative community based service model in Renfrewshire;
 - Agree that Renfrewshire HSCP will progress plans to extend the existing HSCP Learning Disability Community Network Service should Capability Scotland not be able to provide such a model that is affordable and deliverable by 31 January 2018;
 - Note that work will continue to ensure planned transition arrangements are in place as soon as possible that are person centred and fully reflect the needs of service users;
 - Note Renfrewshire Council's position on Capability Scotland's decision to end their current contract, formally agreed at a Special Meeting of Renfrewshire Council held on 30 August 2017;
 - Agree that the Chief Officer will write to Renfrewshire Council on behalf of the IJB to formally note their position and next steps; and
 - Note a further update will be brought to the next meeting of the IJB.
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3. Background

3.1 In July 2017, Capability Scotland served formal notice of their intention to withdraw from their current contract on 20 October 2017, noting the current service model was considered by Capability Scotland to no longer be financially viable.

3.2 Capability Scotland operate two day services for Adults with a Learning Disability, Whitehaugh and West Lane Gardens, in Renfrewshire on behalf of the Health and Social Care Partnership (HSCP). Whitehaugh offers up to 20 places per day and West Lane Gardens offers 12 places per day. There are currently 47 people in total who attend these services. Both premises are leased from Renfrewshire Council, with the lease for West Lane Gardens on 4th March 2018 and the lease for Whitehaugh due to expire on 25th May 2018.

3.3 The Scottish Government's Learning Disability Strategies 'The Same As You' and 'Keys to Life' actively promote a move away from traditional centre-based day

services towards a more inclusive approach which encourages greater integration and participation of people with learning disabilities in their communities. Renfrewshire Council endorsed this approach when it agreed its 'Modernisation of Day Services for Adults with Learning Disabilities' in 2013. This is evidenced by the design of new services such as The Mirin and Milldale day opportunities which are collocated and fully integrated within the Lagoon and ON-X Leisure centres and the provision of flexible community support through our Community Networks service. The current services at Whitehaugh and West Lane Gardens do not fit with this approach and that has been recognised for some time and this is also recognised by Capability Scotland.

3.4 Capability Scotland have therefore acknowledged for some time that their current model of centre-based services at Whitehaugh and West Lane Gardens needs to change in line with the national strategies and this has been part of ongoing discussions with them since 2013. As part of this work, both Renfrewshire Council and Renfrewshire HSCP have worked closely with Capability Scotland on person-centred plans that would ensure service users at Whitehaugh and West Lane Gardens can benefit from a more flexible, community-based approach such as Capability Scotland operate in other parts of Scotland.

3.5 Earlier this year Capability Scotland approached Renfrewshire HSCP to indicate their concerns and advise that they did not see a longer term future for their Whitehaugh and West Lane Gardens services in their current form, highlighting a number of local and national factors which they believe contribute to making the current service delivery model not financially viable:

3.5.1 The mix and age range of the adults attending Whitehaugh and West Lane Gardens varies considerably. For example there are younger adults mixed in with older adults including people aged over 65 who have significantly different needs and interests.

3.5.2 Younger adults in transition from schools into learning disabilities services for adults favour a model of day services that deliver a range of services to enable the full spectrum of the needs of adults with learning disabilities to be met. The model of Renfrewshire's modernised day services is represented in the following diagram and was agreed by the Council in 2013 and continues to provide the framework within which the HSCP are developing and delivering services.



- 3.5.3 Building maintenance costs at Whitehaugh and West Lane Gardens – both the maintenance costs and substantial costs to modernise buildings - are borne by the Capability Scotland. The two buildings are owned by the Council and are leased to Capability Scotland on a dilapidations contract which requires them to return the property to the Council in a relatable order. This is another factor in Capability Scotland's decision.
- 3.5.4 There is also a growing impact from the introduction of Self Directed Support (SDS) across our services, including Learning Disability services, with people making different choices as to how they utilise their personal budgets. This impacts on demand and we believe this may also be impacting on occupancy. SDS and the associated choices service user may make, also contribute to difficulties in planning with certainty for the ongoing financial viability of the service.
- 3.6 It is also important to recognise that Capability Scotland's intention to withdraw from their current contract has generated real concern amongst some of its current service users and their carers, who greatly value the currently service model and have expressed concerns about any change to the current provision.
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4. Capability Scotland Contract Extension

- 4.1 In light of Capability Scotland's financial position, the Chief Officer has worked with the provider to discuss the current situation. Capability Scotland, through these discussions has re-stated their intention to cease to provide these services. They have now agreed to continue provision until 31 January 2018, to allow the provider to meet their contractual obligation to minimally give 6 months notice and the HSCP sufficient time to ensure a planned and smooth transition for service users.
- 4.2 Capability Scotland has agreed to continue current service provision until 31st January 2018 on the basis the IJB will make a one off payment of £34.5k to avoid the provider incurring any further financial shortfalls during this period.
- 4.3 The Chief Officer is committed to continuing discussions with Capability Scotland, its local service users and carers and Renfrewshire Council to explore if Capability Scotland's can develop an alternative sustainable, modern and financially viable service model beyond 31 January 2018 in line with national strategy and that meets the person centred needs of our service users.
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5. Next Steps

- 5.1 In light of Capability Scotland's re-stated intention to cease their current contract with six months notice, Renfrewshire HSCP is now taking the necessary steps to ensure it is well positioned to support service users and carers. The Partnership will continue to take a person centred, needs informed approach to service planning; managing the transition for current service users to well designed and appropriate alternative services whilst minimising disruption to all service users and family members/carers involved.
- 5.2 The Chief Officer has written to all service users to acknowledge that this change will be unsettling for them, and to reassure them that Renfrewshire HSCP will work proactively with service users and their families. He has committed to ensuring service users and their families are kept updated on the position as we move

forward, regarding the outcome of ongoing discussions with the provider and preparations for the transition to alternative services.

- 5.3 In line with this commitment, Renfrewshire HSCP is now working with Capability Scotland to finalise individual client assessments for the 47 people who attend these services to ensure:
- 5.3.1 each individual service user will have a person-centred, needs assessed plan in place;
 - 5.3.2 we discuss each individual's assessed needs and also the services that are available that best meet their needs in line with established eligibility criteria that determine their Self Directed Support budget;
 - 5.3.3 we minimise the negative effects of any change in service and we support service users in the managed and planned transition to an alternative service/services;
 - 5.3.4 there is sufficient capacity within the HSCP's Community Network and other appropriate services to support the transition of service users if they wish to continue to use HSCP managed services;
 - 5.3.5 Community Network Service will seek to have a location in Johnstone from which they can work; and
 - 5.3.6 we recognise the importance of friendship relationships within the current services and we take these into consideration in planning future service user placements.
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6. Renfrewshire Council Special Council Meeting on 30 August 2017

- 6.1 In light of the concerns raised by service users and carers, Renfrewshire Council called a Special Council meeting on 30 August 2017 to discuss on Capability Scotland's decision to withdraw from their current contract.
- 6.2 At this meeting, the Council unanimously agreed the following motion:

"Council notes with grave concern the decision by Capability Scotland to cease providing the learning disability service at West Lane Gardens Johnstone and Whitehaugh Day Centre, Paisley which they provide on behalf of Renfrewshire Council.

Council further notes the distress and anxiety this has caused to users of this much loved service and their carers who have benefited from the security, care and companionship it has provided over many years and who believe that it is in their best interests that the service continues in its present form. These centres of excellence are providing an encouraging environment from which service users fulfil their potential and are empowered and enabled to go out into the community.

Council accepts it is the choice of users to continue to meet as a group and to continue to benefit from the service and will therefore take the necessary action to ensure that the service continues to be provided beyond the 20th October.

The decision taken for the continuation of services at Whitehaugh and West Lane Gardens is to be Client and Carer led with any interruption to the client/carer

relationship kept to the absolute minimum. Any future outcome should include a minimum renewable three year working contract for the carer so as to establish some stability for the carer/client partnerships."

- 6.3 In light of this decision, Renfrewshire Council's Head of Corporate Governance has written to the Chief Officer asking him to consider the terms of the Council's decision and how this will be taken forward by Renfrewshire HSCP (see Appendix 1).
- 6.4 As outlined in this paper, the Chief Officer will work to reassure Renfrewshire Council on the proactive steps being taken to discuss the consequences of Capability Scotland's re-stated intention to cease their current contract on 31 January 2018.
- 6.5 The Chief Officer will also set out Renfrewshire HSCP's commitment to work with Capability Scotland, its service users and carers, and Renfrewshire Council to explore alternative service models which are financially viable, in line with national and local strategy direction and meets the ongoing needs of our service users.
- 6.6 In light of Capability Scotland's re-stated intention to cease their current contract with six months notice, Renfrewshire HSCP will advise the Council of its plans, as set out in section 5 of this report, to ensure it is well positioned to support service users and family members.
- 6.7 Following today's meeting, the Chief Officer will write to the Council indicating the IJB's decision.

7. Update Report

- 7.1 A further update report will be brought to the next meeting of the IJB.

Implications of the Report

1. **Financial** – the IJB is being asked to approve additional funding to support the continuation of the current Capability Scotland contract until 31 January 2018.
2. **HR & Organisational Development** – Nil.
3. **Community Planning** – Nil
4. **Legal** – proposes the continuation the existing contract to allow the required six month notice to be given
5. **Property/Assets** – the report notes that Capability Scotland currently lease two buildings from the Council to deliver services in Renfrewshire
6. **Information Technology** – Nil.
7. **Equality & Human Rights** – this report relates to social care services provided for one care group - Learning Disabilities service users and their carers
8. **Health & Safety** – Nil
9. **Procurement** – proposes the continuation the existing contract to allow the required six month notice to be given.
10. **Risk** – as highlighted within the report.
11. **Privacy Impact** – Nil

List of Background Papers: None.

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Contact: Ken Graham

Date: 31 August 2017

David Leese
Chief Officer
Renfrewshire Health & Social Care Partnership
Renfrewshire House
Paisley

Dear Mr Leese

At the special meeting of the Renfrewshire Council held on 30 August 2017 the following motion was approved unanimously:

"Council notes with grave concern the decision by Capability Scotland to cease providing the learning disability service at West Lane Gardens Johnstone and Whitehaugh Day Centre, Paisley which they provide on behalf of Renfrewshire Council.

Council further notes the distress and anxiety this has caused to users of this much loved service and their carers who have benefited from the security, care and companionship it has provided over many years and who believe that it is in their best interests that the service continues in its present form. These centres of excellence are providing an encouraging environment from which service users fulfil their potential and are empowered and enabled to go out into the community.

Council accepts it is the choice of users to continue to meet as a group and to continue to benefit from the service and will therefore take the necessary action to ensure that the service continues to be provided beyond the 20th October.

The decision taken for the continuation of services at Whitehaugh and West Lane Gardens is to be Client and Carer led with any interruption to the client/carer relationship kept to the absolute minimum. Any future outcome should include a minimum renewable three year working contract for the carer so as to establish some stability for the carer/client partnerships."

I would ask you to consider the terms of the Council's decision and let me have your response on how this will be taken forward by Renfrewshire Health and Social Care Partnership.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ken Graham".

Ken Graham
Head of Corporate Governance