

CABINET: 16 MAY 2019

**JOINT COMMISSIONING STRATEGY FOR ADULTS WITH A
LEARNING DISABILITY**

**SOCIAL CARE, HEALTH AND WELL-BEING (COUNCILLOR
SUSAN ELSMORE)**

AGENDA ITEM: 6

Reason for this Report

1. To seek Cabinet approval of the Joint Commissioning Strategy for Adults with Learning Disabilities 2019-2024.

Background

2. On the 21 September 2017 the Learning Disability Partnership, which reports to the Cardiff and Vale Regional Partnership Board, agreed that a Joint Commissioning Strategy for Adults with a Learning Disability would be developed across Cardiff and Vale Councils and Cardiff and Vale University Health Board (UHB). The Integrated Health and Social Care Partnership team has provided project management support to assist the project steering group, comprising of Learning Disability Operational Managers from both Cardiff and Vale of Glamorgan Councils, Cardiff Council's Strategic Commissioning Officer and Cardiff and Vale University Health Board (the UHB) Commissioning Manager to develop the strategy.
3. The Joint Commissioning Strategy for Adults with a Learning Disability (the 'Strategy') builds upon previous separate commissioning strategies covering the period from 2012-2017 in both Cardiff and the Vale of Glamorgan Councils. The development of this joint strategy would be the first learning disability specific Commissioning Strategy for the UHB.
4. A Project Outline Document (POD) was drawn up in November 2017 which, in broad terms, set out the aims and objectives of the Strategy. In summary the POD explained the intention of partner organisations to use the Strategy as a "living document" to enable assessment of progress against its stated aims, leading to practice, service and culture change.
5. In January 2018 the Institute of Public Care (IPC) was commissioned by the UHB to undertake a health needs assessment of the learning disability population across the region. This involved data collection and stakeholder interviews.

6. In addition, in March 2018 IPC facilitated an online questionnaire to collate the views of providers, carers and people who use services on the current and future provision.
7. This information enabled the project group to identify emerging priorities for engagement events co-facilitated with Cardiff and Vale People First to maximise participation and engagement and inform the strategy development.
8. Members of the Parents Federation, parents of people registered on the Disability Index, as well as providers and professionals, were further consulted via a focussed online questionnaire in relation to core themes that had arisen from the IPC information collected earlier in the year.
9. The consultation outcomes from all stakeholder groups and events were presented to the Senior Leadership Group (SLG), the officer group reporting to the Regional Partnership Board, on the 28th September 2018 with feedback informing amendments to the draft Strategy.
10. On the 7th February 2019 the draft strategy was considered by Community and Adults Services Scrutiny Committee Task and Finish Group who commented on the report and provided feedback. The committee received a final version on the 1st May 2019.

Issues

11. The proposed Strategy has been developed in line with the principles outlined in the National Commissioning Board's "Commissioning Services for People with a Learning Disability; Good Practice Guidance" (Oct 2017, IPC) and in accordance with the four commissioning principles of Cardiff and Vale Regional Partnership Board:
 - What Matters to me
 - Home First
 - Sustainable and Prudent use of resources
 - Avoiding Harm, Waste and Variation.
12. The proposed strategy sets out how the three organisations together will meet the needs of adults with a learning disability within the context of Welsh legislation, national guidance, wider regional and local plans, and identified resources.
13. Across the region the aim is to build and expand on previous developments and to continue to transform services that improve the health and well-being of adults with learning disabilities and their carers. We will achieve this through planning, developing and commissioning services that empower people to meet their personal outcomes, make their own decisions and ultimately, to live full and active lives' within their own homes and communities.

14. In Cardiff and the Vale of Glamorgan, there are 1623 people with a learning disability over the age of 18 known to Community Learning Disability Teams. In Cardiff the number of people known to Adult Social Care Teams with a Learning Disability in 2016/17 was 1175. Between 2017–2025, it is predicted there will be an increase of 125 people known to services with a moderate to severe learning disability in the City.
15. We therefore need to ensure that services which we commission are delivered to the right people, at the right time, in the right way, in order to maximise people's outcomes and support them to live full and active lives.
16. The information gathered from the consultations and activities undertaken, have enabled identification of eight key priorities for adults with a learning disability and their carers. These are:
 - Information - Accessible and easy to understand
 - Choice and control - Listening to the person and carer's views
 - Right care at the right time - Early, crisis and respite support
 - Day opportunities, volunteering and work - Person centred, accessible and part of the community
 - Transition - Joined up and planned well
 - Health and wellbeing - Feeling good, having fun and a social life, being active
 - Having my own home - Being independent, with friends, near family, using technology better
 - Collaboration and co-production - Working better together.
17. The proposed strategy outlines 'what is happening now', to meet each of the eight priorities and also 'what we will do' over the next five years.
18. We have also consulted with people with a learning disability, the workforce, parents/carers and partner agencies on the draft document to ensure that the plans for the future reflect what they need.
19. A Launch is planned on June 18th 2019 as part of Learning Disability Week.

Scrutiny Consultation

20. On the 7th February 2019 the draft strategy was considered by Community and Adults Services Scrutiny Committee (CASSC) Task and Finish Group who commented on the report and provided feedback. The committee received a final version on the 1st May 2019. The letter from the Chair is attached at Appendix 3

Financial Implications

21. There are no direct financial implications for this report as it is seeking the authority to develop a strategy between Cardiff Council, the Vale of Glamorgan Council and Cardiff and Vale University Health Board. However, formal agreements, with relevant financial protocols, will need to be established where jointly funded or jointly commissioned initiatives

are being considered. If there are direct financial implications resulting from decisions that come from the strategy then these will be included in future cabinet reports

Legal Implications

22. The recommendation in the report is to seek approval of the Joint Commissioning Strategy for Adults with Learning Disabilities (“the Strategy”) 2019 – 2024.
23. Legal Services has not been involved in the preparation of the Strategy. The Cabinet will need to be satisfied that the Strategy addresses all material factors, including legislative and government guidance (including Welsh Government guidance), that the same have been taken into account, that there has been adequate consultation with all those who may be affected by the Strategy and that their views have been taken into account. Legal Services are instructed by the Directorate that all these factors have been taken into account when preparing the strategy and are addressed in the report.

Generic advice

24. In considering the matters set out in this report regard should be had, amongst other things, to:
 - (a) The Welsh Language (Wales) Measure 2011 and the Welsh Language Standards,
 - (b) Public sector duties under the Equalities Act 2010 (including specific Welsh public sector duties). Pursuant to these legal duties Councils must in making decisions have due regard to the need to (1) eliminate unlawful discrimination, (2) advance equality of opportunity and (3) foster good relations on the basis of protected characteristics. Protected characteristics are : a. Age; b. Gender reassignment; c. Sex; d. Race – including ethnic or national origin, colour or nationality; e. Disability; f. Pregnancy and maternity; g. Marriage and civil partnership; h. Sexual orientation; i. Religion or belief – including lack of belief
25. The report identifies that an Equality Impact Assessment has been carried out and is appended at Appendix 2. The purpose of the Equality Impact Assessment is to ensure that the Council has understood the potential impacts of the proposal in terms of equality so that it can ensure that it is making proportionate and rational decisions having due regard to its public sector equality duty. The decision maker must have due regards to the Equality Impact Assessment in making its decision.
 - (a) The Social Services and Well -Being (Wales) Act 2014 and
 - (b) The Well - Being of Future Generations (Wales) Act 2015

Well Being of Future Generations (Wales) Act 2015

26. The Well-Being of Future Generations (Wales) Act 2015 ('the Act') places a 'well-being duty' on public bodies aimed at achieving 7 national well-being goals for Wales - a Wales that is prosperous, resilient, healthier, more equal, has cohesive communities, a vibrant culture and thriving Welsh language, and is globally responsible.
27. In discharging its duties under the Act, the Council has set and published well being objectives designed to maximise its contribution to achieving the national well - being goals. The well - being objectives are set out in Cardiff's Corporate Plan 2018-21:
- <http://cmsprd.cardiff.gov.uk/ENG/Your-Council/Strategies-plans-and-policies/Corporate-Plan/Documents/Corporate%20Plan%202018-21.pdf>
28. When exercising its functions, the Council is required to take all reasonable steps to meet its well being objectives. This means that the decision makers should consider how the proposed decision will contribute towards meeting the well being objectives and must be satisfied that all reasonable steps have been taken to meet those objectives.
29. The well being duty also requires the Council to act in accordance with a 'sustainable development principle'. This principle requires the Council to act in a way which seeks to ensure that the needs of the present are met without compromising the ability of future generations to meet their own needs. Put simply, this means that Council decision makers must take account of the impact of their decisions on people living their lives in Wales in the future. In doing so, the Council must:
- Look to the long term
 - Focus on prevention by understanding the root causes of problems
 - Deliver an integrated approach to achieving the 7 national well-being goals
 - Work in collaboration with others to find shared sustainable solutions
 - Involve people from all sections of the community in the decisions which affect them
30. The decision maker must be satisfied that the proposed decision accords with the principles above; and due regard must be given to the Statutory Guidance issued by the Welsh Ministers, which is accessible using the link below:

<http://gov.wales/topics/people-and-communities/people/future-generations-act/statutory-guidance/?lang=en>

Social Services and Well-being (Wales) Act 2014

31. The Social Services and Well-being (Wales) Act 2014 sets out a definition of well-being for people who need care and support and the

Welsh Government has produced a National Well-being Statement which describes the well-being outcomes that people who need care and support, and carers who need support, can expect to achieve. The decision maker must be satisfied that the approach of the Strategy supports people with learning disabilities to experience these outcomes. The National Well-being statement is accessible using the link below:

<https://gweddill.gov.wales/topics/health/publications/socialcare/strategies/statement/?lang=en>

HR Implications

32. There are no immediate HR implications as a result of this report.

RECOMMENDATIONS

The Cabinet is recommended to:-

- 1 approve the Joint Commissioning Strategy for Adults with Learning Disabilities ('Strategy') 2019 – 2024, subject to recommendation 2 and 3,
- 2 note the Strategy is a joint commissioning strategy, that it is necessary for the Strategy to also be approved by the Vale of Glamorgan Council and Cardiff and Vale University Health Board and that this matter will be reported back to Cabinet should the Strategy not be approved by either party and
- 3 delegate authority to the Director of Social Services in consultation with the Cabinet Member (Social Care, Health and Well-Being), the Council's Section 151 Officer and the Council's Monitoring Officer, to agree amendments to the Strategy (provided the amendments are not substantive in nature) should either the Vale of Glamorgan Council or Cardiff and Vale University Health Board request amendments as part of their respective approval processes.

SENIOR RESPONSIBLE OFFICER	CLAIRE MARCHANT Director of Social Services
	10 May 2019

The following appendices are attached:

Appendix 1 - Joint Commissioning Strategy for Adults with a Learning Disability 2019-2024.

Appendix 2- Equality Impact Assessment.

Appendix 3 - Community and Adults Services Scrutiny Committee letter dated 07 May 2019