

Essex County Council Re-Provision Programme

1. Introduction

Essex County Council are undertaking a programme of review of the existing residential provision for adults with disabilities, including learning disabilities, sensory impairments, and physical impairments.

This programme is intended to identify existing residential services with the potential to de-register to provide supported living services. It does also however offer the opportunity for residential provision to change specialisation or adapt the existing services to better fit with ECC's strategic direction.

2. Strategic Direction

Essex County Council has recently published an Accommodation Strategy for 2019 to 2021. This document was co-produced with adults living with a learning disability and/or autism to ensure it reflects their needs and wishes for the future. There is currently work ongoing within physical and sensory impairment specialisms that will add further details about the requirements for these adults.

Feedback from Adults:

- To have a relationship and someone to love
- Wanting a place to call home
- Choosing how their home looks inside
- Doing activities they enjoy outside of the home
- Getting on well with people they live with
- Support to identify and achieve their goals
- Doing chores and maintaining their home
- Wanting to find a job
- To move to home to live by themselves
- Helpful support staff who reassure them
- To feel connected to their community
- To have helpful and supportive staff

This aligns with the Reach Standards:

Paradigm, REACH: Standards in Supported Living, 2003

1. I choose who I live with
2. I choose where I live
3. I have my own home
4. I choose how I am supported
5. I choose who supports me
6. I get good support
7. I choose my friends and relationships
8. I choose how to be healthy and safe
9. I choose how I am part of the community
10. I have the same rights and responsibilities as other citizens
11. I get help to make changes in my life

In line with this, ECC is seeking to develop a range of housing and support options for adults to maximise their independence and create increased opportunities for community inclusion and participation. This starts with doing what we can to support adults living at home with family or in their own general needs homes within the community. Where this is not possible, shared lives and supported living options are assessed for suitability in all cases before residential services are considered as the most appropriate option.

This will necessarily reduce the number of likely referrals residential providers will get in the future and this, along with the strive for increasing independence, choice and control, is driving the need for ECC to review the existing market and work together to drive future sustainability for the homes and providers we have currently.

3. **Process**

ECC will be undertaking a pro-active approach to portions of the market where it believes there are opportunities for re-provision of services within an existing residential home, however, this does not preclude providers interested in the re-provision of their services and assets from contacting ECC directly to discuss opportunities.

In order to register interest in this programme, please send an email to nick.green@essex.gov.uk. Following initial contact the process in brief with the provider will be as follows:

- ECC will undertake desktop reviews of the home, the adults, and the existing packages in place and consider any barriers to progression.
- A meeting will be arranged with the provider to discuss the proposal for re-provision of the service, share information, and understand next steps. This will include the review of the home and a visit to assess the existing physical environment and the potential for it to fit with existing and new propositions.
- The provider will be required to complete the Initial Provider Proposal template and supporting documentation and send this to ECC for consideration. As part of this the providers are required to develop their proposals for the re-provision of the home and service, including:
 - Remodelling of the home and physical environment
 - Changes to staffing requirements
 - Potential transition planning for the adults living within the home
 - Funding that will be called upon for the proposal
 - How transition would be carried out, including indicative timescales
 - Proposed Communications plan for all stake holders

This information must be provided on the Initial Provider Proposal for ECC to review and consider whether to progress the de-registration.

- If the initial proposal is approved by ECC further discussions will be opened with the provider to develop a more detailed design of the re-provision, including any re-modelling, proposals for staff and changes to structure, mobilisation and transition plans, costing models, and an assessment of the impact on the adults currently living at the home.

- Approval will then be sought to confirm the progression to the next step in the process and the basis on which this will be taken forwards.
- Development will be undertaken based on the agreed proposals following agreement between ECC and the provider.

Further details on the process for re-provision will be provided on initial contact with providers.

4. **Benefits**

For the Adult:

- to hold a secure tenancy agreement for their home,
- To have more choice, control, rights and independence
- To learn to do more tasks for themselves, leading to enhanced self esteem and confidence and decrease reliance on paid support
- Increased opportunities to make decisions for themselves about their environment
- Increased opportunities to connect and contribute within their communities
- to have a greater say in the care and support that they receive, including the ability to directly source their own care.
- Access to a full range of welfare benefits allowing them more income and greater freedom for how they spend their money

For the Provider:

- The key benefit to the provider of this programme is in the long-term sustainability of the service and the business through its alignment with Essex County Council's strategic direction. ECC cannot however guarantee any placements with any supported living provider.
- Opportunity to showcase a model of support that focusses on increased independence
- Opportunity to provide ongoing support to the Adult as they progress with their independence and move on

To Essex County Council:

- Reduction of funding commitments to the provider because the housing elements of the fee will be absorbed by the district or borough local authority responsible for this.
- Meets the vision and strategic goal for the future of social care with more independence afforded to adults that are ECC's responsibility to support for.

5. **What You Need to Consider**

Essex County Council Supported Living Accommodation Requirements

ECC has published standards in respect of what's required for supported living schemes that are developed within Essex. These standards have been engaged with the provider market and benchmarked against best practice in the market currently; all standards are available here to view: <https://www.livingwellessex.org/working-with-us/supported-living/>

Providers looking to de-register their residential home to provide supported living services will need to take account of these standards and ensure that they can be met within the existing home environment or that development can be undertaken to meet them.

Any residential home that is de-registering will be treated in the same way as any new supported living service would and as such will need to go through the onboarding process (further detail at the link provider in this section) and this covers other factors as well as the physical environment. All aspects of the proposal will be progressed through this process and must meet the requirements set out within the onboarding process.

Care and Landlord Model

Essex County Council do not contract with supported living services where the landlord and the care provider are the same legal entity. The reason for this is in safeguarding of the tenancy for the adults that are living at the schemes, and to ensure that their tenancy does not rely upon any set amount of care being delivered by the provider.

It is acceptable to have a landlord and care provider from the same organisation, but they must operate independently as separate legal entities.

When you de-register you will need to consider whether you will be the landlord, or the care provider. Where you wish to provide the care services you will need to find a landlord to operate the housing elements of the home independently from the care provision, and where you wish to be the landlord you will need to identify a care provider to deliver services. Any provider identified will need to be onboarded by Essex County Council but a list of active providers by location can be found by interrogating the existing provision on the interactive map, here: <https://www.livingwellessex.org/essex-data-and-analysis/interactive-map/>

Adult Choice of Care Provision

Adults will have full choice as to who delivers their personal care when they are living in supported living services. As such this may mean they choose a care provider that differs from the one linked to the scheme who delivers core and shared services.

Core and shared hours are not a matter of choice for adults in supported living however, and where these are commissioned, they will always be delivered by the provider linked to the scheme.

CQC and Registration

You will need to ensure that your registration either already covers the regulated activity of personal care or you will change your registration to do so prior to de-registration.

You will also need to engage with the CQC in advance of de-registration discussions to understand whether they would support such a change being made at your provision. ECC can offer support to this process where the de-registration would meet a need in Essex but cannot make the final decision as to CQC acceptance.

https://www.cqc.org.uk/sites/default/files/20151023_provider_guidance-housing_with_care.pdf

Other Local Authorities and Health Placements

Existing residential homes may have placements in them from other local authorities or health partners. Where this is the case consideration will need to be given to the needs of all of the adults within the home and engagement should be carried out with all placing authorities at your services to gauge their views on de-registration and whether they would support such a change for their adults or whether this may result in them seeking to move people to alternative locations.

Communication with Residents and Staff

Where you are considering de-registration it is recommended that you engage with both staff and the residents throughout the process, to ensure that they understand the benefits and buy-in to the changes. Consideration will need to be given to the appropriate time for engaging each of these groups.

It is a good idea for staff, the Adults and/or their representatives, to be engaged early in the process, following the initial feasibility study by the provider to assess whether de-registration is a viable option.

Consideration will need to be given to TUPE implications for existing staff on both the care delivery side and the administration and property side. Dependent on which role you take following de-registration, there will be the need to engage staff in line with regulations to ensure their employment is protected.

Financial Considerations

By de-registering your home it is likely that you will reduce your overall income because you will no longer be funded for both the 'hotel' costs of residential services and the care services. However, in providing only one of these services you will reduce your overheads and expenditure correspondingly.

If you are considering taking on the role of care provider, Essex County Council's published rates for personal care are £15.16 per hour. For adults that meet specific criteria and qualify for the 'enhanced complex' rate the payment per hour increases to £17.04.

If you are proposing to operate as a landlord only, your income will shift from Essex County Council to the district or borough authority responsible for paying housing benefits for the supported living service. You will need to check your service charges and rent levels with these authorities to ensure they meet the limits imposed on private landlords for both rent and eligible service charges. Consideration must be given to affordability for each of the Adults, it is expected that all rent and eligible charges are fully covered by housing benefit and no top up rent is required to be paid by the adult.

It is likely that de-registration will incur costs to you through the development of the home to meet accommodation standards, secure planning permissions and in transitioning services to a supported living model. You will need to ensure that you have adequate funding for this, and access to funding sources prior to embarking on the project to de-register. Essex County Council will not make any contribution to providers going through this process whether the de-registration is ultimately successful or not, and this risk must be borne by the provider.

Model of Care

Supported living in Essex operates on a model of shared (sometimes referred to as core) support hours, plus additional 1:1 hours as required for each adult.

Core support is calculated based on plotting the needs of the Adults at a scheme. Although captured as a number of hours, Core support actually affords the Adult access to support across an agreed time frame, as required, rather than delivery of a number of hours. For the purpose of commissioning, the shared hours are always split evenly between the total number of adults at the scheme and this is represented in the individuals' Support Plan, with agreed defined needs to be met. It is always based on the eligible need of the adults living at the service.

Where an adult moves in or out of the scheme, the shared hours would be re-aligned among the remaining adults at the scheme, so where there is a scheme of 3 adults sharing 90 hours at 30 hours each and an adult leaves, those 90 hours will instead be shared between two adults at 45 hours each. The core hours are based on the minimum number required to safely manage risk and meet needs according to the outcome of the Plotting of needs exercise.

In order to optimise the use of shared hours, ECC will carry out a scheme review which results in the identification of a minimum amount of shared hours at the service based on the needs of the adults. Further information of this process are available here:

<https://www.livingwellessex.org/vision/commissioning-intentions/supported-living/scheme-review-guidance/>

6. How to Get in Touch and Further Reading

- Essex County Council Supported Living Accommodation Standards - <https://www.livingwellessex.org/working-with-us/supported-living/>
- NDTi Feeling Settled - <https://www.ndti.org.uk/our-work/our-projects/past/housing/feeling-settled-toolkit>
- Scheme Review Process - <https://www.livingwellessex.org/vision/commissioning-intentions/supported-living/scheme-review-guidance/>
- Our Deregistration Journey, Pathways Care Group
- Enhanced Complex Criteria

To declare an interest in the re-provision of a residential home you can get in touch with us directly by email at nick.green@essex.gov.uk.

Regular updates to the programme will be provided via the Care Provider Information Hub

Where the re-provision of a residential home is likely to be to a supported living service, further detail on the demand for such services and the applicable standards for these are also available on the Care Provider Information Hub.