

Officer Decision Making

Monday, 18th July, 2016
at 3.00 pm

PLEASE NOTE TIME OF MEETING

Room 204

This meeting is not open to the public

Decision Maker

Director Quality and Integration

Contacts

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AGENDA

Agendas and papers are available via the Council's website

1 LEARNING DISABILITY RESIDENTIAL HOMES FUTURE OPTIONS
(Pages 1 - 76)

Report of Associate Director System Redesign detailing options for residential homes used by people with learning disabilities for approval.

Friday, 8 July 2016

Service Director, Legal and Governance

Agenda Item 1

DECISION-MAKER:		Director of Quality and Integration	
SUBJECT:		Learning Disability Residential Homes Future Options	
DATE OF DECISION:		18 th July 2016	
REPORT OF:		Associate Director System Redesign	
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY			
None			
BRIEF SUMMARY			
<p>This paper provides context and explanation of the future options for two learning disability residential care homes. The options are:</p> <ol style="list-style-type: none"> 1. For the homes to deregister and become supported living 2. For the homes to remain as residential care homes and go through a tender process to be re-procured. <p>Option 1 to deregister the homes is the recommended option.</p> <p>The homes are Seagarth Lane and Orchard Mews and are currently registered with the Care Quality Commission (CQC) as residential homes. There are eleven service users in total, within the two homes, all of whom have learning disabilities. There is one void which we are seeking to fill. The service is provided by Dimensions through a block contract with the city council. The total annual spend on the two homes is approximately £920,000 per year.</p> <p>A consultation with service users and their families took place between 5th January 2016 and 22nd April 2016</p>			
RECOMMENDATIONS:			
	(i)	To proceed with the preferred option, in accordance with the Scheme of Officer Delegation 10.9, 10.10 and 10.14 to deregister both of the residential homes into Supported Living schemes.	
REASONS FOR REPORT RECOMMENDATIONS			
1.	<p>Following an analysis of the responses to the consultation and the Equality Impact Assessment the reasons in support of deregistration are:</p> <p>Service users will have increased rights as ‘tenants’ rather than holding a license, which can be terminated within a short period of time.</p> <p>Service users and families will be able to develop a support plan with their social worker which is highly personalised and flexible and embeds the Reach Standards for supported living. This will include increased support to develop skills, to maximise independence and thereby have greater choice and control over their lives.</p>		

2.	Service users will be supported to make more choices, from smaller, day to day decisions to more complex decisions, such as taking a personal budget, which again would offer increased flexibility to meet needs in a more person centred way.
3.	In addition to the benefits to the service user, this change would supports the national and local direction and ambition to shift the focus of care from residential to community based approaches which support and promote greater independence.
ALTERNATIVE OPTIONS CONSIDERED AND REJECTED	
4.	Option Two (for the homes to remain as residential care homes and go through a tender process to be re-procured), is not the preferred option as it does not support the national requirement to increase the focus of services for people with a learning disabilities towards community based options that are more person centred. Our ambition is to move to a position where people will be supported to hold their own tenancy wherever possible and for this to be a default option. Residential care models are limited in the choices that service users can make, due to the restrictions of the regulations.
5.	Residential care is more costly that supported living approaches and although this cannot be the prime or only consideration it needs to be taken into account when designing services within available resources. This solution supports the national direction of travel and is, at the same time, most cost effective.
DETAIL (Including consultation carried out)	
6.	Description and history of services and buildings Seagarth Lane and Orchard Mews are residential homes providing accommodation for adults with complex learning disabilities.
7.	Six people live at Seagarth Lane with around 530 hours of support being provided per week. Five people live at Orchard Mews and there is currently one additional void; around 520 hours of support are provided per week. Dimensions provide the support and are the registered provider with The Care Quality Commission.
8.	The homes were established as part of a resettlement programme from Tatchbury Mount Hospital (institutional setting) in the late 1990's. Radian are the owners of the properties, when purchased they were purpose-built and funding was provided by the (previous) South West Hampshire Health Authority.
9.	The NHS hold a legal charge under a Capital Grant Agreement (CGA). The agreement to the deregistration has been given in principle from NHS England (pending the decision of the proposal and outcome of the consultation) regarding the potential change in designation from residential care to supported living services. They have advised that the current charge on the property would remain but would need to be in the name of NHS England (National Commissioning Board) rather than the Secretary of State. To this effect NHS England will arrange for a new CGA should the properties de-register. There is a service level agreement between Radian and Dimensions the care provider in respect to the various responsibilities for repairs and maintenance.

10.	<p>Residential Care & Supported Living Differences</p> <p>Within a residential care home a provider is registered with The Care Quality Commission to provide both the care and the accommodation whilst in Supported Living the care and accommodation functions are separate so that the care provider is registered with The Care Quality Commission as a domiciliary care agency to provide the care. The housing provider is the landlord with each service user having a tenancy agreement. Finally, service users are able to claim more welfare benefits to support their living expenses. For more information regarding differences in both the models of support see the consultation documents in Appendix 1.</p>
11.	<p>Consultation with service users and families</p> <p>The consultation on the proposal was developed in discussion with SCC legal services. Advice was given that the common law duty of fairness applied, due to SCC considering a withdrawal, reduction or change to its services. This brings a duty to consult. A full public consultation was not deemed proportionate, but a ‘full and meaningful’ consultation was necessary with those potentially affected by the proposal. The consultation has been undertaken with advice from legal services to ensure this requirement was met. The consultation proposal was also tabled at SCC’s Research and Consultation Group.</p>
12.	<p>The consultation period ran from 5th January 2016 to 22nd April 2016 with the eleven service users and their families, where relevant. The consultation pack consisted of:</p> <ul style="list-style-type: none"> • A consultation timetable • An information document entitled ‘My Home, My Support, My Money’ • An easy read version of the information for service users • A Frequently Asked Questions document which was updated through the consultation period • A consultation feedback sheet for families and an easy read version for clients <p>These documents are included in Appendix 1 of this report.</p>
13.	<p>The feedback sheet asked service users and families’ eighteen questions about elements such as, what support they had received during the consultation, whether they understood the information, what their preferred option was and additional feedback to SCC regarding the process.</p>
14.	<p>Advocacy support was and remains available from Choices Advocacy for service users or family members to talk independently about the proposals, families have also been signposted to the Southampton Carers service. A dedicated social worker has been, and continues to be available, to commence the reassessment process and offer additional support in meetings with each service user and their families and to discuss the impacts on individuals.</p>
15.	<p>During the consultation, a number of questions were received from families asking for more specific information about the financial impact and how the additional responsibilities of paying bills and applying for benefits would be managed. In response to these questions a supplementary consultation document was put together with more detailed information. This document is included in Appendix 2 of this report. In addition to this, one family requested a ‘families meeting’, which was arranged. On Tuesday 19th April, a session</p>

	was held where all families were invited to meet together with the senior commissioner, social worker, advocacy agency, SCC benefits advisors and Dimensions. The purpose of this was to answer any additional questions from service users and families. Four families attended.				
16.	The consultation period was extended to allow time for service users and families to read the additional information and ask further questions at the meeting				
17.	<p>Consultation Responses</p> <p>A full summary of the consultation responses is within Appendix 3 of this report.</p> <p>A completed feedback form was received from 8 of the 11 families. In addition, one service user completed the easy read form.</p> <p>On the question about people’s preferred option the responses were:</p> <ul style="list-style-type: none"> • The home remaining as a residential care home was preferred by 2 service users and their families • The home transferring to a supported living arrangement was preferred by 3 service users and their families. • No preference – 2 people • Question not answered – 1 person 				
18.	A number of individual comments were received by the families who were in favour of the home remaining as a residential care home. We will be meeting with these families to continue to address their individual concerns and to seek solutions.				
19.	<p>Equality Duties</p> <p>An Equality and Impact Assessment has been completed for both homes. This has been updated throughout the process and is populated by seven key information sources. A summary of key impacts and actions follows.</p> <table border="1" data-bbox="316 1323 1414 2029"> <tr> <td data-bbox="316 1323 695 1870"> <p>Information and Engagement underpinning the equalities analysis</p> </td> <td data-bbox="695 1323 1414 1870"> <ul style="list-style-type: none"> • Feedback forms (provided by one service user and families) • Choices Advocacy Consultation Report • Information sheets placed within the two homes that received comments when visits occurred from families and/or service users shared views • Families meeting (summary notes) • Residential Care Commissioning Project Group minutes • Transforming Care best practice guidance • The Real Tenancy Test and Feeling Settled best practice guidance </td> </tr> <tr> <td data-bbox="316 1870 695 2029"> <p>Key impacts (positive and/or negative) on people with protected characteristics</p> </td> <td data-bbox="695 1870 1414 2029"> <ul style="list-style-type: none"> • Some families said that attitudes to people with learning disabilities are not positive at times, this may help. • All accommodation options for Supported </td> </tr> </table>	<p>Information and Engagement underpinning the equalities analysis</p>	<ul style="list-style-type: none"> • Feedback forms (provided by one service user and families) • Choices Advocacy Consultation Report • Information sheets placed within the two homes that received comments when visits occurred from families and/or service users shared views • Families meeting (summary notes) • Residential Care Commissioning Project Group minutes • Transforming Care best practice guidance • The Real Tenancy Test and Feeling Settled best practice guidance 	<p>Key impacts (positive and/or negative) on people with protected characteristics</p>	<ul style="list-style-type: none"> • Some families said that attitudes to people with learning disabilities are not positive at times, this may help. • All accommodation options for Supported
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		<p>Living are carefully assessed to ensure the safety of service users within the local community.</p> <ul style="list-style-type: none"> • Families have raised a concern that their relative cannot make the choice about having a tenancy. • Families asked how de-registration will this affect their relative • Families raised a concern as to whether their relative will have enough money to live on • Most service users don't have the skills to open their own front door due to limited dexterity, this is important to people, so they know it's their own home • Families have said there will be more work for them to do (as appointees) • Families have raised a concern that the service users will be left on their own without support. • Families have raised a question that their relative cannot be any more independent than they already are, it would not be safe for them, so they are unclear what would change for them. • Families raised a concern that people can lose their tenancy, how is this more secure?
	<p>Changes you have made to the proposal as a result of the EIA</p>	<ul style="list-style-type: none"> • The consultation period was extended in response to families wanting more detailed information. • Agreement to source a key pad system for each home, that can be used by people with complex needs, to open and close their own front door
	<p>Key mitigating actions planned to address any outstanding negative impacts</p>	<ul style="list-style-type: none"> • The support put in place will meet everyone's needs. There is no intention to take support away, we will look at targeting the support in a better way, this will be developed from the social work assessment. Families will be asked to contribute to the assessment. The Council has to make sure that everyone's needs are assessed and those needs are met pursuant to s.9 and s.18 of the Care Act 2014 respectively. • It is difficult to predict exact changes for service users, and will depend on individual circumstances, through the

		<p>assessment process. There will be tailored support plans that take into account the transitional factors for individuals and families (pursuant to section 25 of the Care Act 2014). We expect that there will be more opportunities for choice and independence, appropriate to the needs and strengths of the service users. .</p> <ul style="list-style-type: none"> • For service users that lack capacity regarding the decision to have their own tenancy, a best interest decision will be made pursuant to section 5 of the Mental Capacity Act 2005. As part of this process, service users will have access to an advocate and families will be asked for their views. We will always act in a manner that is compliant with the legislative framework and we will actively support sourcing alternative options, should that be necessary for service users. It may therefore be deemed in a service users best interests to move to an alternative residential accommodation. • Service users will have their own Care Act needs assessments and care and support plan which will set out their eligible needs and how this will be met. This will be person centred and individually tailored to address specific issues. • The Financial Assessment and Benefits team are ready to support in the transition to maximise income. They have also stated there was an opportunity to look at Disability Related Expenses (DRE) and making claims through this route to enhance income. If the assessment demonstrates a negative impact financially, we will would look at how we could mitigate against this. We have found strong evidence that in most cases, a person gains access to more disposable income through a Supported Living scheme. • Everyone is an individual. The principles regarding the change relate very much to being valued and empowered. This means having rights and choices like others without a learning disability have.
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		<p>The Care Act needs assessment looks at individual's strengths, their interests, how they want to live their life and what support they need, to get the most from their life. The assessment identifies outcomes (e.g. such as being able to maintain a habitable home environment) that the individual is not able to achieve without support and the cumulative impact on the individual's wellbeing of not being able to achieve the outcomes. The change would offer more flexibility with support so that key areas of development are targeted, for example, shopping and cooking, personal care or community access. These examples are not an exhaustive list.</p> <ul style="list-style-type: none"> • A tenancy agreement gives certain rights to both the tenant and the landlord and also sets out the responsibilities. For example at tenants: <ul style="list-style-type: none"> • Right to stay in your home unless your tenancy is breached • Right that you cannot be moved against your will • The landlord's right to receive rent for letting you live in the property. • The Tenancy agreement will let the tenant know what you can do if you are unhappy with your landlord. • The support we commission under the contract for Supported Living services means that within a deregistration process, Dimensions would continue to deliver the contract, but under the Supported Living contract. The council tested all providers about their quality to deliver Supported Living services, we will also provide ongoing monitoring to ensure this is delivered. Within the requirements of the contract, providers must: <p><i>Support clients where necessary to maintain their tenancy agreement by working proactively with the client and housing provider to manage any risks pertaining to this.</i></p> <ul style="list-style-type: none"> • Training and support from the police
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		<p>helps to raise awareness of community safety issues. There are currently good relationships with neighbours and the provider supports the service users to maintain positive relationships. Under the contract, the provider knows how to support the service users to respond to any potential Hate Crime issues.</p> <ul style="list-style-type: none"> • Support will be offered during the transition process (in applying for benefits and maximising benefits). Families do have the option to cease under taking the appointee role if they wish, a reminder of their role as appointee has been shared with them. Dimensions are able to work with families regarding a plan and process, to ensure that weekly amounts of service user's budget are accessible to meet the identified support needs.
	<p>Potential negative impacts that cannot be mitigated</p>	<ul style="list-style-type: none"> • Potential anxiety from families regarding change. Carers Southampton are able to support family anxieties, as will additional meetings with families that are anxious about potential change, so that good quality information is shared.
<p>A completed copy of the Equality and Impact Assessment is in Appendix 4.</p>		
<p>20.</p>	<p>Arrangements if decision is made to deregister If the decision is made to deregister, then Dimensions will continue to provide the care with the existing staff team however this will be commissioned through the domiciliary care framework rather than a residential block contract. Dimensions are ranked number one on the domiciliary care framework for Supported Living so a direct award can be made to them for the support element should the homes deregister.</p>	
<p>21.</p>	<p>The housing association Radian will retain the landlord function. For service users that lack capacity regarding the decision to have their own tenancy, a best interest decision will be made following the Mental Capacity Act Code of Practice. As part of this process, service users will have access to an advocate and families will be asked for their views. We will always act in a manner that is compliant with the legislative framework and we will actively support sourcing alternative options, should that be necessary for service users. It may therefore be deemed in a service users best interests to move to an alternative residential accommodation.</p>	
<p>22.</p>	<p>A provisional date of 1st November 2016 has been identified for the deregistration to become effective. This would be subject to all necessary support and financial arrangements being in place for clients.</p>	

23.	<p>Arrangements if decision is made to remain as residential care</p> <p>If the decision is made for the homes to remain as residential care then a procurement process will begin as the current contract for the homes is due to expire in March 2017.</p>
<p>RESOURCE IMPLICATIONS</p>	
<p><u>Capital/Revenue</u></p>	
24.	<p>Resource</p> <p>The commissioning resource to coordinate the deregistration process or procurement process (depending on decision) will come from the Integrated Commissioning Unit (ICU). There is dedicated social work capacity, which will remain in place throughout the process, and advocacy resource is funded. When the deregistration or re-procurement is completed, responsibility for reviews and day to day care management will return to the Learning Disabilities team. On-going contract monitoring will be undertaken by the ICU.</p>
25.	<p>Financial</p> <p>If the decision is made to deregister the two homes, savings to the local authority will be approximately £135,000 per year as a result of these costs transferring to housing/welfare benefit for those clients who are eligible. There is no reduction in hours of support provided.</p>
26.	<p>This figure assumes that the support hours in supported living will remain the same as in residential care. The actual support hours will only be known once social work assessments have been completed so the hours and resultant saving may go up or down. We are using the 'Just Checking' telecare kit (this is an activity monitoring tool) to support the assessment process, which identifies opportunities for independence and we are able to use this intelligence with assessment information to ensure we maximise support hours, which are targeted to provide service users outcomes at appropriate times in the week rather than being based on a residential timetable.</p>
27.	<p>Other one-off costs which will be incurred are:</p> <p>Deprivation of Liberty Safeguards (DoLS) applications to the Court of Protection for each client who lack capacity. This is an application seeking court authorisation to deprive the individual's liberty in supported living. The application fee is £400 per person. If the application is uncontested then there will only be the time and legal costs generated by Legal Services in dealing with the application. It is anticipated that the known caseloads can be dealt with in house. If the case is contested then depending on the complexity legal costs will be incurred where Counsel is instructed which costs approximately £1,500 per hearing</p>
28.	<p>A bulk application to the Court of Protection for the clients who lack the capacity to sign their new tenancies, this will be a one-off cost of £800. These cases are unlikely to be contested and are decided on the papers. Where contested the costs for instructing Counsel are as above. Ongoing resources within Legal Services will be kept under review.</p>
29.	<p>There will also be a one-off capital expenditure of around £20,000 to pay for a new door entry system for both properties, this includes new doors at Seagarth Lane; allowing clients to speak to/let in the person at the front door enhancing their independence. The capital cost will need to be funded from</p>

	any savings realised.
30.	If the homes remain as residential care, a re-procurement will need to be undertaken as the contracts expire in March 2017. This will need to be undertaken within current financial envelope as far as possible but will inevitably be subject to market forces.
31.	Dimensions have already been through a tender for the domiciliary care framework and were ranked number one for supported living so a direct award can be made to them for the support element should the homes deregister.
Property/Other	
32.	The two schemes would become homes for life, and managed under Radian as the landlord and managing agent.
LEGAL IMPLICATIONS	
Statutory power to undertake proposals in the report:	
33.	S (3) 2 of the Care Standards Act 2000 requires establishments to be registered if they provide accommodation “together with nursing or personal care” where this no longer the case the care provider can apply to the Care Quality Commission to deregister.
Other Legal Implications:	
34.	Local authorities must ensure their commissioning practices and the services delivered on their behalf comply with the requirements of the Equality Act 2010, in particular s.149 the Public Sector equality duty.
35.	The Mental Capacity Act 2005 provides the legal framework for the decision making process where the person who will be affected by the outcome of the deregistration process lacks the mental capacity to make decisions in this regard. Further, there is a legal duty under section 39 for the local authority to instruct an Independent Mental Capacity Advocate to support the individual to participate in the decision-making process where there is no person other than one engaged in providing professional care and treatment or for remuneration, to consult with in determining what is in their best interests.
POLICY FRAMEWORK IMPLICATIONS	
36.	Policy The Transforming Care Plan leads the national vision regarding increased housing stock for people with learning disabilities.
37.	The proposal to deregister is in line with the council’s stated commissioning intentions within the ‘Market Position Statement 2015-18: Housing Solutions for people with care and support needs’, namely that: <ul style="list-style-type: none"> <i>Demand for traditional residential care for adults with social care needs is falling and this trend is expected to continue as people increasingly prefer to maintain their independence by receiving care in their own home or within schemes modelled on tenancy-based provision of care and support;</i>

KEY DECISION?	Yes
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WARDS/COMMUNITIES AFFECTED:	The homes are situated in Bassett and Coxford wards.	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Consultation Information Pack	
2.	Supplementary consultation document with more detailed information	
3.	Summary of responses to consultation	
4.	Equality and Impact Assessment	
Documents In Members' Rooms		
1.	None	
Equality and Safety Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
Privacy Impact Assessment		
Do the implications/subject of the report require a Privacy Impact Assessment (PIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)		Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
1.	None	

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Consultation Pack

Contents

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Timetable

The consultation will last for a 10 week period between **5th January and 11th March 2016**. **Please note, the end date has currently been extended with final end date to be confirmed.**

Southampton City Council's Care Manager Jenny Seagrave and Claudia Joyce from Choices Advocacy will jointly lead on the consultation, with support from Linda Turner from Dimensions.

During this time the Southampton City Council Care Manager Jenny Seagrave will:

- Speak to all clients and their families by telephone initially
- Arrange to meet face to face to discuss the options, explain that advocacy is available from Choices on either a one to one or group basis
- Undertake an individual care management assessment, which will:
 - Involve families and advocates
 - Assess each client's needs
 - Work with you to write your care and support plan
 - Assess your capacity to understand the consultation process.

Choices Advocacy will:

- Obtain feedback from each client/family so that their views are heard
- Show clients/families an iPad application which helps to explain what tenancies are.

Dimensions will:

- Show clients and families other Supported Living schemes, so that prospective tenants can see what the possible changes are, and think about what this would mean for you.
- Ensure that your views are listened to and passed on to Choices Advocacy, so that they know what is important to you.

If the result of the consultation is for the homes to be part of a tender for residential care we will ask clients and their families to inform the new service specification. This could mean a change of support provider, depending on which organisations submit bids.

If the results of the consultation is to de-register from residential care to supported living, Dimensions would obtain a direct award of the support contract due to their position as first on the new Domiciliary Care framework agreement. Once the individual assessments have been completed Dimensions will ensure that clients apply for and receive all relevant benefits to which they are entitled. This will be in conjunction with Southampton City Council's care manager and with Radian the landlord who will ensure that clients sign their tenancies (or in some cases a Court of Protection tenancy may be applied for). In this case we would intend to have the changes in place **by the end of April 2016**.

We will keep in contact with you about what the consultation says, and any possible changes.

Consultation Information Pack

This information document explains the differences between living in registered care and a supported living home. It gives further details on three major areas:

- My Home
- My Support
- My Money.

MY HOME

What is a tenancy agreement?

Please see the attached Radian easy read tenancy specimen for more detailed information

A **Tenancy agreement** is a contract between you and your landlord (Radian). It tells you:

- About your housing, what you pay, looking after your home and other rules.
- What you can expect from the landlord, how they do things, how they are going to help you.
- How your home is looked after – repairs, decoration, equipment and furnishings. Your support agreement will say what help you will have to do this
- What you need to pay in rent and charges
- What services you will receive, how often, and who does the work.
- The shared areas in the house, for example a specialist bath.
- The shared areas in the house and a list of shared facilities you can use, for example a specialist bath

A **landlord** is the person who owns the building you live in. The landlord makes sure the building is safe for you to live in.

You may have a **mental capacity assessment** to make sure you are able to decide where to live and hold a tenancy. To make a decision you need to be able to:

- Understand information
- Remember it for long enough
- Think about the information
- Communicate your decision.

Some people are able to make every decision about their own lives. Some people are able to make some decisions. A small number of people cannot make any decisions. Being unable to make a decision is called “lacking capacity”. You and your family or carers are involved with this assessment to look at your capacity.

If someone is not able to make a decision, then the people helping them must only make decisions in their **best interests**. Best Interests means that the decision must be what is best for the person and not for anyone else. They must think about the ‘best interests checklist’, which has on it:

- Can the decision wait until a time when the person can make it themselves?
- How can the person be helped to make the decision themselves?

- What do other people who know the person think?

People with learning disabilities often find a **circle of support** is a good way to make their life better. Circles of support are a group of family, friends and supportive workers who come together to give support and friendship to a person. They help them do the things they would like to do and support in planning for new things in their life. This may be day to day things in a person's life, such as going out in the evening, meeting new people or going shopping. It may also be big things, such as where to live, going on a holiday, or finding a job. Your Circle of Support will be able to give their views in a best interests meeting.

My tenancy rights

A tenancy agreement gives certain **rights** to both you and your landlord and also sets out the responsibilities that you have. For example:

- Your right to stay in your home unless your tenancy is breached
- Your right that you cannot be moved against your will
- Your landlord's right to receive rent for letting you live in the property.

The Tenancy agreement will also let you know what you can do if you are unhappy with your landlord.

My responsibilities

Responsibilities are things people have to do. For example:

- You are responsible for paying your **rent**, for the sole use of your individual room, plus shared communal (shared) space in your home. Your rent payment includes an amount for **service charges**
- The landlord is responsible for fixing things in the building if they break.

Rent is money you have to pay the landlord to live in the building. This is usually paid weekly and you can use your **housing benefit or Universal Credit** towards it.

Service Charges cover insurances, maintenance, gardening, council tax, and communal (shared) equipment such as a washing machine. They are payable to the landlord for the upkeep of the property.

What are the differences between living in registered care and a supported living home for "My Home"?

Supported Living	Residential Care
My Home	My Home
You have your own home, with your own tenancy. You have security of tenure and cannot be moved against	You have a Licence agreement with no security of tenure. You can legally be moved out without your consent.

your will unless the tenancy is breached.	
As a tenant you can have a say about who lives in your home.	Good practice in residential care dictates that housemates should be well matched as much as possible, but in practice many people live with people they do not choose to live with.
You have more choice about what happens in your home	The care home is managed and run by a care provider who is responsible for all aspects of your daily needs and wellbeing.
You have more rights over your life and living arrangements	The accommodation and care service are provided together as a whole package.

Some examples of what would happen in a supported living home are:

- You will have a key for your own bedroom, if you want one
- Dimensions will support you to clean the communal (shared) areas
- It is your job to organise the painting and decoration of your room. Your support worker could help you do this.
- The landlord will decorate the outside of your house or flat, and any shared areas inside the property.

MY SUPPORT

Please see the attached document “What Dimensions does about support plans” for more detailed information.

What will my support look like?

Supported living services are tailored to you. You will receive support and help with anything you need to live as ordinary a life as possible. Your support will be a mix of what your needs are, your goals and ambitions, activities, keeping safe and well, to maintain your health and **well-being**. Well-being is about making life better for you. Your support could include help with:

- Managing bills and money
- Shopping
- Learning new skills for independence
- Personal care and well-being:
 - help to get out of bed, get dressed or washed
 - help with healthy eating or cooking meals
 - help with seeing friends and family
 - help with caring for others.
 - help to make your life better
- Managing medication
- Accessing employment, sports and social activities
- Being empowered to manage your own life

- Having choices in what you do
- Making changes to your support.

You can request a review of your support at any time.

The support that you need is decided and planned with you directly (and your family if they are involved). An **individual assessment** is completed by a Care Manager to find out what support you need.

You will be involved in the assessment and in planning and checking your care and support.

If you find it very difficult to be involved and there is no-one else to speak for you, you will be helped by an independent **advocate**.

An advocate is someone who understands what is important to you and speaks up for you or supports you to speak for yourself. An independent advocate is someone who does not work for the council or the services that give you care and support.

What personalised support can look like?

The support you need will be decided after your care manager has spoken to you. She will talk about what you need help with and how much help you need. Your individual assessment may also identify equipment or environmental changes required for you.

The support staff must always keep you at the heart of any plans that are made. This is called being **person-centred**. Support plans help you to work out what is important to you and what your options are. You must have a support plan. This is the law.

Care and support plans

Your care and support plan says how people will support you to do the things that are important to you. The staff involve you in writing and checking your plan. It is linked to the care management assessment.

The first 5 sections of the Dimensions Support Plan is called "*Getting to know you*" and is all about you the person:

- What's important?
- What's working? What's not?
- How do I want life to be?
- How do I want life to change?
- What do I bring?

Sections 6 to 9 detail the support you need to achieve the life you want. They contain your support plan, risk assessments and an action plan to bring it all together.

- Thinking about my support
- How I keep going and stay in control.

You have control over what is in your support plan. Your family and friends can be involved too. Staff will review or update your support plan every year or when your needs change. This is done in a person-centred review.

Person-centred care is when people understand what is important to you and give you the right care and support to do the things you want. You, and people close to you, will help plan it to make sure it is what you want and need.

Shared support and time for me

The support that you receive may be based around a **timetable** of the things that you do each day. This can include one to one time with you and shared time with other people living in the home.



Supported living services must be built around the **Reach Standards**, which influence how the housing and support providers behave:

- I choose who I live with
- I choose where I live
- I have my own home
- I choose how I am supported
- I choose who supports me
- I get good support
- I choose my friends and relationships
- I choose how to be healthy and safe
- I choose how to take part in my community
- I have the same rights and responsibilities as other citizens
- I get help to make changes in my life.

Dimensions will review the service they give to you on a quarterly basis against quality standards. This is done by their internal auditors, using quality standards based on the Reach Standards and developed further by the Dimensions “People We Support Council”.

We will monitor closely the support provider’s performance against the Service Specification of the contract, and carry out a quality audit, which includes the Reach Standards.

What my week could look like

You will have a weekly plan with pictures to show what will happen each day, or what your perfect week looks like. Examples of what could be in a week’s activities are:

- Sensory session
- Spa bath
- Massage

- Cream tea
- Hydro
- Drive through the forest
- Lunch out
- Garden centre
- Family visit
- Day out
- Walk
- Trip to shops
- Cinema
- Wheelchair dancing
- Bowling
- Coffee house
- Take away meal
- Hand and foot massage

The staff will also plan your summer activities. Examples of what could be included are:

- Swimming
- Marwell Zoo
- Football match
- Holiday
- BIC Bournemouth
- Rugby at Twickenham
- Air show
- Go to the races
- Trip to London
- Picnic
- Music concert
- Boat trip

What are the differences between living in registered care and a supported living home for “My Support”?

Supported Living	Residential Care
My Support	My Support
Your accommodation is provided separately to the support and care package. You can choose an alternative support or care provider (if required) and can remain in your home.	Support is provided as part of a package with housing and either element cannot be changed without impacting on the other.
The service is tailored to you. You have support	

to live the way you want in your own home	
---	--

Personal Budgets and Direct Payments

Your support can be funded in a number of ways - by State benefits (if you are eligible), by a personal budget or privately.

The Care Act states that from April 2015 councils will need to allocate a personal budget to all people who are eligible for support. A **Personal Budget** is an allocation of funding given to users after an assessment which should be sufficient to meet their assessed needs.

It is the total amount of money you have to buy your support. It can come from different places and is all put together. It helps you know how much different services cost and choose how the money is spent.

Users can either take their personal budget as a direct payment, or – while still choosing how their care needs are met and by whom – leave councils with the responsibility to commission the services. Or they can have some combination of the two.

Direct payments

You can choose to take some (or all) of your personal budget as a direct payment. This means you, or someone else, is given the money to spend on care and support you choose that meets your needs. Which give you total control of how you receive the best care and support for you.

Direct Payments are cash payments given to service users in lieu of services they have been assessed as needing, and are intended to give users greater choice in their care. The payment you receive is based on your assessed eligible needs and must be sufficient to enable you to purchase services to meet your eligible needs.

Direct payments confer responsibilities on recipients to decide how their eligible needs are met, either by employing people, often known as personal assistants, or by commissioning services for themselves. Direct payments are means-tested so their value is dependent on a person's income and assets as well as their eligible needs. The allocated care manager can provide information and support on how to access direct payments. Advice and support regarding the process is available from organisations such as Spectrum in Southampton. Direct payments cannot be used to purchase residential care or services provided directly by local authorities.

MY MONEY

What are the differences between living in registered care and a supported living home for “My Money”?

Supported Living	Residential Care
My Money	My Money
You have a legal right to access a range of welfare benefits including housing benefit, income support and disability living allowance. . You will be able to receive your benefits directly. This means you are in control of paying your bills and choosing what to do with what is left over	Residential care limits your rights to some welfare benefits. Most people that pay towards their own care costs access a small personal expenses allowance (of approximately £20 per week) to purchase personal belongings, clothes and holidays.
You have access to other sources of funding, including Direct Payments	You cannot access most additional funding for support.
<p>You should retain more of your income, and have your own money to pay for things you need.</p> <p>You are responsible for paying all utility bills and other associated housing costs. You pay your housing/rent costs by claiming Housing Benefit or Universal Credit.</p>	You have your food, heating and general needs paid for as it is included in the fees charged by the care provider

The government gives some people money to help to pay their rent. This is called **Housing Benefit**. Housing Benefit can pay for part or all of your rent and some other charges. Service charges that can be paid by housing benefit include:

- Utility bills for communal (shared) areas, for example for gas and electricity
- Charges for communal (shared) laundry facilities
- Charges for lifts, entry phones, and communal gardens.

How much housing benefit you get depends on how much money and help you already have. You may not be able to claim housing benefits if you have more than £16,000 in savings). Dimensions will help you to apply for Housing Benefit.

As Housing Benefit is paid several weeks in arrears, Radian the landlord will ensure that a minimum payment is made to help manage your rent account.

If you receive full Housing Benefit you will be asked to pay a minimum contribution of £3.70 per week to get your rent paid in line with your tenancy agreement conditions, as Housing Benefit is paid in arrears.

If you receive partial Housing Benefit you will be asked to pay a minimum of 1 week's full rent contribution

The government also gives some people money to help pay for other things you need to live. These are called **benefits** and some of them are:

- Employment and Support Allowance
- Disability Living Allowance
- Attendance Allowance (if aged over 65 years).
- Personal Independence Payment
- Income Support.

If you are ill or disabled, **Employment and Support Allowance** (ESA) offers you [financial support](#) if you are unable to work, or are limited in the number of hours you can work. You must have a [work capability assessment](#) while your ESA claim is being assessed. This is to see to what extent your illness or disability affects your ability to work. How much ESA you get depends on your circumstances, for example your [income](#).

Disability Living Allowance (DLA) is a tax-free benefit for disabled people aged 16 to 64 who need help with mobility or care costs. For most people it has been replaced by [Personal Independence Payment \(PIP\)](#) .

Attendance Allowance helps with personal care because you are physically or mentally disabled and aged 65 or over. It is paid at 2 different [rates](#) and how much you get depends on the level of care that you need because of your disability.

Personal Independence Payment (PIP) helps with some of the extra costs caused by long-term ill-health or a disability if you are aged 16 to 64. The rate depends on how your condition affects you, not the condition itself. You will need an assessment to work out the level of help you get.

PIP started to replace Disability Living Allowance for people aged 16 to 64 from April 2013.

You may be able to get **Income Support** if you meet all the [eligibility criteria, which includes:](#)

- Being aged between 16 and the [Pension Credit qualifying age](#) - which is gradually going up in line with the increase in the State Pension age
- That you have no income or a low income, and no more than £16,000 in savings (your partner's income and savings will be taken into account)
- That you work less than 16 hours a week (and your partner works less than 24 hours a week).

You may be able to claim **Universal Credit** instead of certain benefits if you're on a low income or out of work. You do not need to do anything if you are already claiming benefits. Universal Credit is being introduced to various parts of the country in stages. Whether you can claim depends on where you live and your personal circumstances. Universal Credit will eventually replace the following:

- Jobseeker's Allowance
- Housing Benefit
- Working Tax Credit
- Child Tax Credit

- Employment and Support Allowance
- Income Support.

Once you have claimed Universal Credit, any benefits that it replaces will stop and you'll start getting Universal Credit instead.

You might receive one or more of these benefits and Dimensions will help you apply for them.

You should be exempt from paying Council Tax, and Dimensions will deal with this paperwork at the same time that benefits are applied for.

What will I need to pay for?

You will have an individual financial assessment to make sure you are able to manage your money. You and your family or carers are involved with this assessment, which will include all elements of your income and capital. All clients will be expected to maximise their income from Benefits and claim Housing Benefit to cover their rent costs where they are entitled to do so.

Things you will need to pay out of your own money will include:

- The service charges that cannot be paid by housing benefit (they are called ineligible charges). These include:
 - charges for meals
 - personal laundry service
 - personal alarm system
 - personal support and care
 - water charges
 - most fuel charges
- if you want your own telephone
- The utilities you use in your own bedroom are charged to you as part of your service charge. This will be collected by the landlord Radian and is paid by you as a tenant.

You will need to work out how much money you have to spend each week. This is called a **budget**. Some of this money will go towards paying for important things that you cannot live without. These are called **essentials**. Examples are:

- Food
- Water
- Gas
- Electricity.

Once the essentials have been paid for you will have some money left over. What you spend this money on is your choice. Some people spend the money they have left on:

- Going out
- Toiletries
- Clothes
- Activities.

Dimensions pay for:

- the internet in the home
- The TV licence for the home.

If you are **worried about money**, you can ask your support worker, care manager or social worker for help. You can also get advice and information from a **Benefits Advisor** at the **Citizens Advice Bureau**.

Consultation Information Pack

Southampton City Council would like to ask you what you think about your home becoming a Supported Living home.




At the moment your home is residential care.

There are differences between Supported Living and residential care.

MY HOME



What are the differences between living in registered care and a supported living home for “My Home”?

Supported Living	Residential Care
	
My Home	My Home
<p>You have your own home, with your own tenancy.</p> <p>This means you CANNOT</p> <div style="text-align: center; margin-top: 10px;">  </div>	<p>I have a Licence agreement.</p> <p>This means you CAN be able to move out without my consent.</p>



be moved against your will, unless the tenancy is broken (breached).

As a tenant you have the right to choose who you live with (if anyone).



Many people live with people they do not choose to live with.



You have more choice about what happens in your home



Care home managed by a provider.

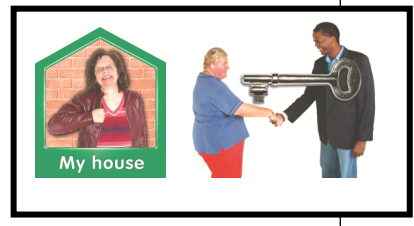


They are responsible for all aspects of your daily needs and wellbeing.

You have more rights over your life and living arrangements











Accommodation care services are provided together as a package.



MY SUPPORT



What are the differences between living in registered care and a supported living home for “My Support”?

Supported Living 	Residential Care 
My Support	My Support
<p>Your home is separate to the support and care package.</p> <div style="display: flex; align-items: center; justify-content: center; gap: 20px;">   </div> <p>This means you can choose a different support or care provider if you wanted to.</p> <div style="display: flex; align-items: center; justify-content: center; gap: 20px;">  </div> <p>If you do this you can stay in your home.</p> <div style="display: flex; align-items: center; justify-content: center; gap: 20px;">  </div>	<p>Support and care are provided together.</p> <div style="display: flex; align-items: center; justify-content: center; gap: 20px;">   </div> <p>This means you cannot change one without affecting the other.</p>








The service is tailored to you. You have support to live the way you want in your own home



MY MONEY



What are the differences between living in registered care and a supported living home for “My Money”?

<p style="text-align: center;">Supported Living</p> <div style="text-align: center;">  </div>	<p style="text-align: center;">Residential Care</p> <div style="text-align: center;">  </div>
<p style="text-align: center;">My Money</p>	<p style="text-align: center;">My Money</p>
<p>You will be able to have welfare benefits.</p> <div style="border: 1px solid black; padding: 5px; display: flex; align-items: center;">  <div style="margin-left: 10px;"> <p>Department for Work & Pensions</p> </div>  </div>	<p>Residential care limits your rights to some welfare benefits.</p> <div style="border: 1px solid black; padding: 5px; display: flex; align-items: center; opacity: 0.5;">  <div style="margin-left: 10px;"> <p>Department for Work & Pensions</p> </div>  </div> <p style="text-align: center;">Most people</p> <div style="text-align: right;">  </div>

This includes housing benefit, income support and disability living allowance.

You will be able to receive your benefits directly.



that pay towards their own care costs access a small personal expenses allowance (of approximately £20 per week) to buy personal belongings, clothes and holidays.

This means you are in control of paying your bills and choosing what to do with what is left over.



You have access to other sources of funding, including Direct Payments



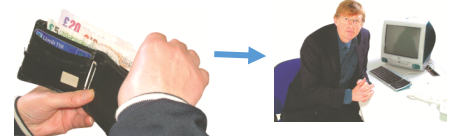
You cannot access cost additional funding for support.



You should retain more of your income, and have your own money to pay for things you need.



You have your food, clothing and

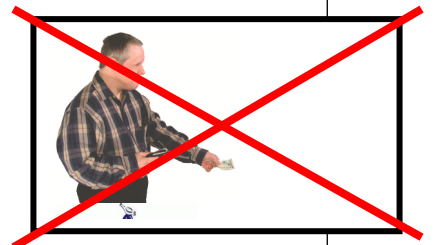


general needs paid for as it is included in fees charged by the care provider.

You are responsible for paying all utility bills and other associated housing costs.



This means I do not have to pay for these things.



You pay your housing/rent costs by claiming housing benefit.



Frequently Asked Questions
About the consultation for Seagarth Lane and Orchard Mews

What is commissioning?

Commissioning is a process the council and NHS use to buy services that deliver quality and are value for money. It is important that we can see where our money is going and that we are spending it on the right things. Value for money is when we use our money well to produce good quality services and make the best use of what we have.

Who has decided there should be a consultation?

Southampton City Council (SCC) commission the services delivered at Orchard Mews and Seagarth Lane.

We want to make sure you have the best services available to meet your individual needs, and those needs of future people that might want to live at Orchard Mews or Seagarth Lane.

Because Orchard Mews and Seagarth Lane are commissioned services, we have to review them regularly. There are lots of laws that tell us we need to do this. For example, the Care Act – which tells us we need to ensure services meet the assessed needs. Also, that our provider market place is able to meet the needs we identify.

Why are we consulting?

Seagarth Lane and Orchard Mews are currently residential care homes.

We have reviewed them and we believe there is an alternative way to deliver services in the both of these homes.

The alternative way (option) is Supported Living. We will explain more about what this is in some of the questions below. We will also remind ourselves of what residential care is.

We are considering whether to change Seagarth Lane and Orchard Mews to Supported Living accommodation. This is the decision we are minded to take, but we would first like to obtain the views of everyone that this decision may affect. This is known as a consultation. When a Local Authority is considering a change to the way it delivers services there is a duty to seek the views of those who may be affected and take them into account before it makes any final decision.

We have to make the consultation fair, and therefore the two options which are being considered are:

1. To leave the delivery of services at Seagarth Lane and Orchard Mews unchanged – that is, they will stay as residential care homes or
2. To change Seagarth Lane and Orchard Mews to Supported Living accommodation. This is the Council's preferred option.

We are **not proposing a withdrawal or reduction** of Seagarth Lane or Orchard Mews.

We are **considering a change** to Seagarth Lane and/or Orchard Mews.

How will we ensure the consultation is fair?

We will give you enough time to respond to the consultation. We have agreed it will last 10 weeks.

We will ensure we share good information on both the options and ensure you have your say on both options.

Who are we consulting with?

We are consulting with all the clients of Seagarth Lane and Orchard Mews, and their families/carers regarding the services.

What are the options?

There are two options for Seagarth Lane and Orchard Mews:

- To continue as residential care to continue to be delivered in Orchard Mews and Seagarth Lane.
- To de-register from residential care to supported living services.

What happens if the majority of responses to the consultation are against the Supported Living option?

All information gathered from the consultation will be carefully considered and taken into account before the Council makes any decision to go ahead with the project. If any responses are against the preferred option (Supported Living), the Council will carefully consider (in the light of all available information) whether or not the changes will be implemented, and/or whether there are ways in which the Council can take steps to mitigate the concerns of any individual.

How long is the consultation period?

The consultation will last for a 10 week period. After which there will be a further 2 weeks during which time we will analyse the results.

What will happen during the consultation period?

Southampton City Council and Choices Advocacy will jointly lead on the consultation, with support from Dimensions. During this time the Southampton City Council Care Manager will:

- Introduce herself to you and your family and arrange to meet face to face to discuss the options for the homes.
- Explain that advocacy is available from Choices on either a one to one or a group basis and make sure that you have enough advocacy support to ensure your views are heard.
- Assess your capacity to be part of the consultation. If you are assessed as not having capacity then the care manager will work with you, and your carers/family and people that know you well to ensure we have an accurate and informed view of what your thoughts and feelings are. As this is so important, the information will be recorded formally in a best interest meeting.

- Make sure your thoughts and wishes are recorded properly, in a way that is meaningful to you.
- You will have the opportunity to visit other supported living schemes should that be something you choose to do
- Any feedback will be obtained from you so that your views are heard.
- An individual care management assessment will be completed with you.

What is an Equality Impact Assessment?

The public sector Equality Duty (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs.

We will complete an Equality Impact Assessment which will be informed by the results of the consultation. This will allow us to properly consider the effect of the proposed changes on all the Equality Groups.

Would changing to a Supported Living Service mean that the services will not be regulated?

No, the support received will still be regulated by the CQC but this will be from the care provider’s domiciliary registered office. This means Dimensions still need to meet the CQC quality standards and report on aspects of the support provided as determined by the law. Their Operations Director will become the registered manager for the regulated activity to include both Seagarth Lane and Orchard Mews.

Why is one of the options for the services to change to Supported Living?

Historically, in offering accommodation with support and care to a person with learning disabilities, services have tended to combine care with accommodation to provide registered residential care. However, it is now accepted that services should be arranged around an individual, based on their wishes, needs and preferences. More people are wanting to live in their own home and have their own tenancy, and fewer people are wanting to live in residential care.

The national and local drivers for deregistering residential care homes encourage:

- Reductions in the number of residential placements. Government policy requires that local authorities work towards maintaining more people in their own homes for longer, including supported living schemes
- Promoting and supporting independence
- Increasing person-centred approaches
- Increasing individual choice and control.

Following de-registration the people supported will become tenants of the landlord, Radian. They will have an “Assured Shorthold Tenancy” conferring rights and

responsibilities, the same as those enjoyed by any other member of society who rents a property. This will give individuals more rights over their life and living arrangements.

Some people may need help with a Court of Protection application to get their tenancy in place (this is where you are assessed not to have capacity regarding your tenancy) if you don't have a family member that can act on your behalf.

Is Supported Living proposed simply as a money saving exercise?

You may be aware that there is a lot of work going on nationally in relation to services for people with learning disabilities. The government wants everyone to work harder to help as many people as possible to have their own homes. They are asking agencies like Dimensions and Southampton City Council to do better on this. This scheme is part of that work.

It is a way of having your own tenancy and greater security about where you live. It gives more control to you - the tenant.

Some supported living services do tend to work out cheaper for the local authority but this depends on the individuals living there, their levels of independence and how many support hours are provided. Southampton City Council will continue to pay your care costs, and will work with you and Dimensions to reassess your needs and ensure you do have the support you need.

Is deregistration a common decision to take for the future of services?

Yes, over many years now services previously registered have moved to the model of supported living through de-registration. This is because this is now considered to be best practice and in the best interests of most individuals. Dimensions has significant experience of deregistering services and successfully supporting people within supported living.

Who will provide my support if the homes transfer to supported living?

As such Dimensions would obtain a direct award of the support contract due to their position as first on the Council's new Domiciliary Care framework agreement.

Would the care and support change?

No, the staff team and type of support offered will remain the same. De-registration does not alter support needs but will focus differently on ensuring the support is personalised and ensures it is provided consistently within each person's tenancy. De-registration is designed to provide greater autonomy to people over the staff that supports them. Dimensions will still use their funded resources to match their staff to the needs of people supported.

Would the staff be the same?

Yes. Dimensions staff team's terms and conditions of service remain unchanged and they will continue to be asked to work flexibly to meet the needs of the people supported. However what does change for them is a clearer understanding that the home belongs to the tenants and that the staff are entering their home each time they provide support. Staff are there by invitation of the tenants, it becomes a place they work in, not a place of work over which they have rights.

Who would sign the tenancy agreement?

If there is a doubt about an individual's capacity to understand and sign the tenancy, their capacity will be assessed under the Mental Capacity Act 2005. It makes sure you are able to:

- Decide where to live
- Hold a tenancy
- Manage your money

You and your family or carers are involved with this assessment. They can help you to do these things if the care manager and support provider agree that it is in your best interests.

If you are assessed as lacking capacity an application to the Court of Protection will be made to sign on your behalf ensuring the agreement is legally signed. The applications for all clients can be made together.

How would the rent be paid?

The money to pay rent comes from Housing Benefit. Dimensions staff will help clients to apply for this (in conjunction with the landlord Radian). This Benefit is means tested and depends on the individual's financial circumstances.

What about Benefits?

The benefits that can be claimed will change if the services are de-registered. Other welfare benefits are claimed according to eligibility. People's cost of living remains more or less the same; it is just that the money comes from different sources. Individuals may be entitled to additional benefits and are likely to be financially better off. Dimensions and your social worker can explore what benefits each person is entitled to, with the aim of maximising their available income and will support you to complete any forms required.

You will have a financial assessment of your income and capital as you will be expected to maximise your income from Benefits and claim Housing Benefit to cover your rent costs where you are entitled to do so.

Would de-registration save money?

Overall the cost of the service remains much the same, there is however a saving to the Local Authority because the property costs come from Housing benefit which is a central government cost.

Would the current residents be able to stay together?

Yes, unless someone specifically wishes to move on.

How would the building be maintained?

The building will be managed by the landlord Radian who will have responsibility for ensuring the property is maintained to a specified standard set out in the tenancy agreement.

How would utility bills be paid?

In residential care homes the utility bills are paid within the fees charged by the care provider. In Supported Living the communal utilities can be claimed for under the Housing Benefit scheme. Individual's own use of utilities (in their bedrooms) is charged to the individual residents as part of their contributory service charge. This will be collected by the landlord and will be payable by the tenant.

How would the redecoration and replacement of white goods be financed?

In residential care homes the decoration and furnishings are paid within the fees charged by the care provider (the landlord Radian currently decorates the communal areas in both homes). In Supported Living, redecoration of communal areas and the exterior of the building will be the responsibility of the landlord. Any communal white goods and equipment that the landlord provides will be maintained by the landlord, this is usually charged for in a service charge that is eligible under housing benefit. The residents will be responsible for the decoration and furnishing of their own rooms.

Would money for activities be available?

When people are assessed for a care package their eligible needs are funded. If these needs are met by an activity that costs money, the care fee will reflect the cost. This means activities to meet the assessed need will remain in place and there should be no change.

Would there be access to transport for the tenants?

Currently residents are eligible to claim Mobility allowance either at a higher or lower rate and this will continue. The collective income can be used to fund transport. How this is best utilised would need to be assessed and will be dependent upon the transport needs of each person. Dimensions support a number of ways to enable tenants to have a suitable vehicle available to them to use.

What about if we keep the services as Residential Care?

If the service remains as residential care, the two homes will be part of a tender process. As such this could mean a change of support provider, depending on which organisations submit bids. Because of the amount of money we spend on the services, we have to ensure we comply with regulations. This means we have to make sure we have a process for awarding our contracts. Due to the amount of money we spend on the services we have a legal requirement to give other providers an opportunity to show they can provide the service. As such this could mean a change of support provider, depending on which organisations submit bids and are successful.

Consultation feedback sheet for families

Name of client

.....

Address of client

.....

Name of Family member

.....

Address of family member

.....

Have you spoken to the Southampton City Council Care Manager Jenny Seagrave?

No

Yes

Has your family member had their needs assessed?

No

Yes

Were any risks identified in relation to the proposed changes?

No

Yes

Are you clear how any risks would be managed in relation to the proposed changes?

No

Yes

Were you given the chance to say what you think is important to your family, so that it could be recorded?

No

Yes

Do you have any further comments?

Have you spoken to an advocate from Choices Advocacy?

No

Yes

Have you been supported by Dimensions during the consultation in respect to what is important to your family member?

No

Yes

For example, were you offered the opportunity to see other Supported Living schemes or speak to people (and their families) who live in supported living schemes?

No

Yes

Did Dimensions support you in any other way?

Were your views about the other schemes recorded and shared with Choices Advocacy and the Council's Care Manager?

No

Yes

Did you understand the information provided about the consultation?

I did not understand it

I understood most of it

I understood it

Do you have any further comments?

Did you have an opportunity to say that things were clear or not?

No

Yes

Do you have any further comments?

How well have we engaged and listened to you to gain your views?

Not very well

Fairly well

Very well

Were all your questions answered?

No

Yes

If no, do you have any questions that have not been answered?

We always value people's feedback -would you have liked anything to have been done differently?

No

Yes

Do you have any further comments?

Which is your preferred option? (Please tick the option you prefer)

The home remaining as a residential care home

The home transferring to a supported living arrangement

Please tell us why you chose your preferred option

Please tell us why you did not choose the other option

If you have any other comments, please add these in the box below.

Thank you for taking part in the consultation

Consultation feedback for people living at Orchard Mews or Seagarth Lane

Your name

.....



Where do you live?




Orchard Mews []

Seagarth

Lane []




Have you spoken to the Southampton City Council Care Manager Jenny Seagrave?



Please tick	 Yes	 Not sure	 No
Comments			

Did someone talk to you about what you need to stay safe and well?






Please tick	 Yes	 Not sure	 No
Comments			

--	--




Did someone talk to you about the differences between residential care and supported living?



Please tick	 Yes	 Not sure	 No
Comments			




Did someone talk to you about any risks and how they would be managed?



Please tick	 Yes	 Not sure	 No
Comments			

Were you able to say what is important to you, so that it could be put in your care and support plan?



Please tick	 Yes	 Not sure	 No
-------------	--	--	---

Choices  Advocacy

Comments	
----------	--

Have you spoken to an advocate?

Did you tell them what you think about the changes?




Please tick	 Yes	 Not sure	 No
Comments			

Have you been supported by Dimensions during the consultation?






For example did they support you to look at other supported living schemes?

--	--	--	--

Please tick	 Yes	 Not sure	 No
Comments			



Were your views about the other schemes recorded?



Please tick	 Yes	 Not sure	 No
Comments			

Was the information given to you easy to understand?






Please tick	 Yes	 Not sure	 No
-------------	--	--	---

Comments	
----------	--

Have we listened to you?



Please tick	 Yes	 Not sure	 No
Comments			

Is there anything else you would like to tell us?

--

Which would you prefer?

Your home to stay as Residential Care []



Your home to be Supporting Living []



I am unsure []



Why?

Thank you for taking part in the consultation

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ADDITIONAL CONSULTATION DOCUMENT

Introduction

During the consultation of Orchard Mews and Seagarth Lane, families have told us that they want more information, specifically to answer the following questions:

- 1. Would my relative be financially better off if the service deregistered to Supported Living?**
- 2. Who will manage the household bills and how much are they likely to be?**
- 3. Who will be responsible for applying for benefits?**
- 4. Will there be more work for families to do in relation to finances?**
- 5. What about any other costs (e.g. court of protection), who will pay for these and organise them?**

We have put together some additional information to answer these questions. If you need any clarification or any other questions, please let Jenny Seagrave know, and we can ensure we do our utmost to respond in more detail, if we are able to.

1. Would my relative be financially better off if the service deregistered to Supported Living?

We have spoken to the Council’s Financial Assessment and Benefits (FAB) Team and there is no practical way of obtaining the exact individual figures for income before a home is deregistered (we legally cannot do this, as we would be supporting making a false claim if the decision is made not to deregister). Therefore, figures cannot be provided until benefits are applied for.

However, we have sought out some additional information that shows the trend that Supported Living does generally increase an individual’s income. One reason for this increase is that a person is not eligible for the ‘Care’ element of Disability Living Allowance (DLA) when in residential care but they are eligible under their own tenancy in supported living. Examples from a recent deregistration are given on the next page.

The table below (1) shows what income each individual may be eligible for.

Table 1

What is the income?	Who will help you?	Weekly amount (£)
<p>This could be from wages, pensions or benefits.</p> <p>Benefits could include:</p> <ul style="list-style-type: none"> • Employment and Support Allowance • Disability Living Allowance • Attendance Allowance (if aged over 65 years) • Personal Independence Payment • Income Support. <p>If eligible, housing benefit to pay the rent will be paid directly to Radian.</p>	<p>Dimensions will help the appointee to apply for Housing Benefit as well as other benefits their relative may be eligible for.</p>	<p>This will not be known until benefits are actually applied for. See next page for examples from a recent deregistration from residential to supported living.</p>

Example from a Recent Deregistration

The information below shows how individual's finances were affected following a recent deregistration in the city. Some individuals are still being supported to claim all of the benefits for which they are eligible so their eventual income in supported living may be higher than the figures given below.

Individual A

In residential care:

- Total income was £127.15 per week
- Client contribution was £80.45 per week
- Therefore remaining disposable income was £46.70pw

In supported living (after the deregistration):

- Total income was £148.95 per week
- Client contribution was £0
- Therefore remaining disposable income is £148.95 per week. Part of this is used to pay household bills and for food.

Individual B

In residential care:

- Total income was £173.00 per week
- Client contribution was £126.30 per week
- Therefore remaining disposable income was £46.70pw

In supported living (after the deregistration):

- Total income was £228.10 per week
- Client contribution was £17.30 per week
- Therefore remaining disposable income is £210.30 per week. Part of this is used to pay household bills and for food.

Individual C

In residential care:

- Total income was £163.50 per week
- Client contribution was £116.80 per week
- Therefore remaining disposable income was £46.70pw

In supported living (after the deregistration):

- Total income was £185.30 per week
- Client contribution was £0 per week
- Therefore remaining disposable income is £185.30 per week. Part of this is used to pay household bills and for food.

Individual D

In residential care:

- Total income was £133.85 per week
- Client contribution was £87.15 per week
- Therefore remaining disposable income was £46.70 per week

In supported living (after the deregistration):

- Total income was £188.95 per week
- Client contribution was £35.46 per week
- Therefore remaining disposable income is £153.49 per week. Part of this is used to pay household bills and for food.

Individual E

In residential care:

- Total income was £143.60 per week
- Client contribution was £96.90 per week
- Therefore remaining disposable income was £46.70 per week

In supported living (after the deregistration):

- Total income was £154.40 per week
- Client contribution is £0 per week
- Therefore remaining disposable income was £154.40 per week. Part of this is used to pay household bills and for food.
- This individual has savings of more than £16,000 so is not eligible to claim housing benefit to pay for the rent. So this is paid for from their income. If/when their savings fall below £16,000 they will be supported to apply for housing benefit. The Council's 'Financial Assessment and Benefits' (FAB) Team can look to offset their rent costs, but this will be net of any ineligible costs such as heating, water etc.

Summary

Overall the average change in disposable income from before and after the deregistration was an increase of £123.78 per week. Part of this will need to be used to pay for household bills and food.

The client contribution reduced significantly or in some cases was '0'. This is because clients are funding ineligible costs (e.g. utilities), and therefore these charges are removed from financial assessment for client contribution.

2 Who will manage the household bills and how much are they likely to be?

Dimensions will help with managing the household and with paying bills.

The tables below (2.1 and 2.2) shows the different bills your relative will need to pay, how they will be helped to pay them and how much they are likely to be.

An equality impact assessment will be completed for the whole project and mitigating actions identified to address any issues.

In addition the specific impact on individuals will be considered and mitigating actions will be developed if any negative impact is identified. This will be in the form of a person centred assessment and plan which individuals and families will be fully involved in

Each relative will have an individual assessment completed by Jenny Seagrave, with your input. If the assessment demonstrates a negative impact financially, we will would look at how we could mitigate against this.

Table 2.1

What is the bill?	How is it paid and who will help?	Weekly amount (£)
<p>Rent.</p> <p>This will also include a 'service charge' amount for utility bills in the communal areas only.</p>	<p>This will be paid for by Housing Benefit if your relative is entitled to receive it having had a financial assessment.</p> <p>If your relative is not eligible for housing benefit they will need to pay it from their own income or savings. The Council's 'Financial Assessment and Benefits' (FAB) Team can look to offset their rent costs, but this will be net of any ineligible costs such as heating, water etc.</p> <p>Dimensions will help to apply for Housing Benefit. It will be paid directly to Radian.</p> <p>Utility bills will be sent to Radian who will apportion the amounts within the service charges. Radian will deduct 10% from the utility bills and this will be paid for by the service charge.</p>	<p>Seagarth Lane £113.66</p> <p>Orchard Mews: £114.69</p>

Table 2.2

What is the bill?	How is it paid and who will help me/my relative?	Weekly amount (£)
<p>A minimum rent payment</p>	<p>If eligible, rent costs will be paid by claiming Housing Benefit. As Housing Benefit is paid several weeks in arrears, Radian the landlord will ensure that a minimum payment is made to help manage the rent account.</p> <p>If full Housing Benefit is received your relative will be asked to pay a minimum contribution of £3.70 per week to get rent paid in line with the tenancy agreement conditions.</p> <p>If your relative receives partial Housing Benefit they will be asked to pay a minimum of one week's full rent contribution as a lump sum.</p> <p>This will need to be paid from your relatives own income or savings.</p> <p>Dimensions will help with managing this payment.</p> <p>This would be an on-going cost whilst your relative is a tenant.</p>	<p>£3.70</p>
<p>The utilities your relative uses in their own bedroom.</p> <p>These cannot be paid by Housing Benefit (they are called ineligible service charges) and include:</p> <ul style="list-style-type: none"> • Electric • Gas/Heating • Water 	<p>Utility bills will be sent to Radian who will apportion the amounts within the service charges. 90% of the total bill will be shared between the tenants (10% is covered under the service charge included in rent for communal areas) – as above.</p> <p>This payment will need to be paid by your relative from their income.</p> <p>Dimensions will help with managing these payments.</p>	<p>Seagarth Lane</p> <p>Electric £10.09 Gas/Heating £6.44 Water £5.69 Total: £22.22</p> <p>Orchard Mews</p> <p>Electric £20.19 Gas/Heating £6.44 Water £14.91 Total: £41.54 (Dimensions have confirmed this amount is incorrect and is possibly being charged at a business rate and the wrong rate of VAT). Radian would change electricity supplier as soon as possible after deregistration to secure a</p>

		better deal.
Food	This will need to be paid from your relative's income. Dimensions will help with managing bills and money.	This could vary but an estimate is £40 per week, depending on weekly choices of your relative.
Your relative's own television licence (if they have a television in their bedroom)	This will need to be paid from your relative's income. Dimensions will help with managing this payment.	£2.80 per week
Transport	Your relative may be eligible for DLA mobility component (and in some cases receiving this already) to help fund the cost of car. This cost could be shared with other tenants, so the cost is less. Dimensions will help with managing this payment if your relative wishes to share a car with other tenant/s. Dimensions can also support if you use public transport.	To give an indication of the current costs for vehicles in the service we have used the lease arrangement amounts for the two homes: Orchard Mews 1x small vehicle at a cost of £45.00 weekly. Seagarth Lane 1x adapted vehicle at a cost of £91.21 1x adapted vehicle at a cost of £112.68 Any ongoing cost will be bespoke to your needs and budget and transport choices.

The table below (2.3) shows the bills that Dimensions will pay themselves and your relative won't need to pay for.

Table 2.3

What is the bill?	Who will pay?	Weekly amount
Landline Phone rental	Dimensions will pay this	£0.00
Television licence for communal lounge TV	Dimensions will pay this	£0.00
Internet in the home	Dimensions will pay this	£0.00

Your relative will not need to pay Council Tax as they will be exempt. Dimensions will complete the relevant paperwork for this.

Once all of the bills have been paid, the balance of money that is left over can be spent on things such as:

- Home contents insurance
- Going out
- Toiletries
- Clothes
- Activities
- Holidays
- Mobile Phone
- Birthday presents
- Christmas presents

This list is not exhaustive and is this will be based on what your relatives wants/needs/likes and choices they make. Whatever the money is spent on, Dimensions will help with managing bills.

3. Who will be responsible for applying for benefits?

4. Will there be more work for families to do in relation to finances?

A family member can be the appointee to manage their relative's money or the Council can do this. A family member does not have to be the appointee unless they want to be.

An appointee will:-

- Manage a client's benefits and state pension
- Advise the DWP or pension service of any change in circumstances
- Ensure that the client is receiving correct benefits
- Arrange the client's daily living expenses to be paid
- Arrange to pay back any benefit or state pension overpayment

If a family member is the appointee for an individual, the FAB Team will ask them to complete a statement of financial circumstances on behalf of the individual. The FAB team will then assess the individual's income entitlement and advise of which benefits they are eligible for.

The appointee will need to complete the benefits forms but Dimensions will support with this.

Radian would also ask the appointee to complete a 'Permission to Discuss Benefits' form to enable Radian to discuss the housing benefit claim with the Council. These requests would be made to help resolve any issues there may be in relation to a person's housing benefit claim.

Families will continue to be invited to participate in reviews, assessments and care planning decisions and can decide their level of involvement in these.

We would expect most family appointees and Dimensions, to have an agreement in place so that sufficient funds in place for their relatives weekly requirements. This will look differently for each individual, depending on what their individual needs/wants and income/outgoings.

5. What about any other costs? Who will pay for these and organise them?

There are two other costs that have been identified, they are:

- Applications for Court of Protection and DOLS
- Changes to the door entry and exit systems

Court of Protection and DOLS

The Court of Protection was created by the Mental Capacity Act 2005 to create one specialist court charged with determining questions in relation to those who lack capacity to take their own decisions. It plays a vital role in securing the rights of some of the most vulnerable people in society. Judges of the court daily have to determine whether individuals have or lack capacity to take specific decisions, and – if they lack capacity – what should be done in their best interests.

The person who lacks (or may lack) capacity to take their own decisions will not always be involved directly in the proceedings. If they are, and if they do not have capacity to participate in those proceedings, then they will need a 'litigation friend' – a person who can conduct the proceedings on their behalf.

The Deprivation of Liberty Safeguards (DOLS) are part of the Mental Capacity Act 2005. They aim to make sure that people living in supported living, care homes and hospitals are looked after in a way that does not inappropriately restrict their freedom.

The Council will pay all of the costs relating to Court of Protection and DOLS and also organise the paperwork. This could include:

- Court of Protection applications for tenancies
- Deputyship (needed when an individual has over £16,000 in savings, property or a private pension)
- Deprivation of Liberty Safeguards (DOLS) application
- Litigation Friend costs

Door entry/exit system

Within a Supported Living model we support and encourage an enablement philosophy (where we look at choice and independence on an individual basis and set realistic goals to maximise this). One of the main differences in supported living for the individual is that this is **their home** with their own tenancy rights (and more security of their tenancy).

As such, individuals should have access to and be able to open/close their own front door and their own space (in this case their bedroom). The Council have agreed, should the decision to move to Supported Living take place that a new door entry system can be installed in each of the homes.

This will give the tenants a pass fob to gain access to their home and their individual bedrooms, together with a handset in their bedrooms. The handset will allow tenants and their families the opportunity to speak to/let in the person at the front door. It's likely that support plans and risk assessments will need to be in place, but this depends on your relative's individual needs.

Dimensions will work with individuals in terms of their individual skills to make use of this. The Council will pay for the installation of this system which is around £10,000 for each property.

The cost to repair or replace the system is included within the rent and 'service charge' paid by the individual via Housing Benefit (if eligible).

Summary of Southampton City Council's Consultation regarding Seagarth Lane and Orchard Mews residential homes

Appendix 3

1. Introduction

This is a high level summary of the consultation responses to the two options outlined in the consultation on the Seagarth Lane and Orchard Mews residential homes for adults with learning disabilities and the comments people made in relation to the options.

The two options in the consultation were:

- The home remaining as a residential home
- The home transferring to a supported living arrangement

2. The consultation feedback overall

A completed feedback form was received from 8 out of the 11 families (73%) although not all questions were answered by everyone.

Families of clients living at Orchard Mews returned three forms out of five potential families (60%).

Families of clients living at Seagarth Lane returned five forms out of six potential families (83%).

3. Themes

The full consultation responses can be read on the following pages, however the main themes which emerged were:

- Concerns that the information provided about the financial impact on clients was not specific for each individual so there was no definitive guarantee that clients would not be worse off financially.
- A feeling that financial savings were the main driver for the proposed change
- Concerns that changes could increase risks for clients around the amount of support they receive to develop independence.
- Concern that there will be additional work for carers due to become appointees

Full Responses

The following are the full anonymised responses to the questions in the feedback form:

1.	Have you spoken to the Southampton City Council Care Manager Jenny Seagrave?
Yes	8/8 (100%)
No	0/8 (0%)

2.	Has your family member had their needs assessed?
Yes	2/6 (33%)
No	4/6 (67%)
Two people did not answer this question but one of the people commented that they thought this was going to happen in the near future.	

3.	Were any risks identified in relation to the proposed changes?
Yes	3/5 (60%)
No	2/5 (40%)
Three people did not answer this question	

4.	Are you clear how any risks would be managed in relation to the proposed changes?
Yes	2/4 (50%)
No	2/4 (50%)
Three people did not answer this question and one person was not sure.	

5.	Were you given the chance to say what you think is important to your family, so that it could be recorded?
Yes	7/7 (100%)
No	0/7 (0%)
One person did not answer this question	

Further comments relating to these first five question were:

I know that there has been a discussion between X, Deborah Murray (Choices Advocacy) and Linda Turner (Orchard Mews) about the proposed changes but I do not know if X's needs have been assessed.

As far as I remember there has been no discussion that any risks in relation to the proposed changes have been identified and therefore I am not aware of any discussion about how such risks would be managed.

Cleaners need to be employed at Seagarth, freeing up trained staff to be more hands on with clients.

A meeting was requested and held on 19th April 2016 with families invited. However information provided previously was insufficient to wholly explain the proposed changes. Furthermore, at the meeting the Council were unable to answer precisely how residents would be affected financially nor from the care perspective until such time families opted for Supported Living. But clearly this

information is required upfront to enable full understanding and a considered decision.

6.	Have you spoken to an advocate from Choices Advocacy?
Yes	4/8 (50%)
No	4/8 (50%)

Comments relating to question 6 were:

But only by messages left by both of us.

This was only an initial communication with Choices but since then they have not offered any real advice or assistance.

7.	Have you been supported by Dimensions during the consultation in respect to what is important to your family member?
Yes	5/8 (62%)
No	3/8 (38%)

8.	For example, were you offered the opportunity to see other Supported Living schemes or speak to people (and their families) who live in supported living schemes?
Yes	4/8 (50%)
No	4/8 (50%)

Did Dimensions support you in any other way?

Linda Turner (Orchard Mews) provided the opportunity of meeting with Jenny Seagrave and Deborah Murray (Choices Advocacy)

Emotionally

Dimensions have been reluctant to comment on the proposal in maintaining an impartial view overall; except at the meeting on 19th April during open debate.

9.	Were your views about the other schemes recorded and shared with Choices Advocacy and the Council's Care Manager?
Yes	0/6 (0%)
No	3/6 (50%)
Other answers given: <i>No comments made</i> <i>Not applicable</i> <i>Don't know</i> Two people did not answer this question	

10.	Did you understand the information provided about the consultation?
I understood it	3/8 (38%)
I understood most of it	5/8 (62%)
I did not understand it	0/8 (0%)

Comments relating to question 9 were:

My husband and I were concerned about the lack of cohesiveness of the consultation and the way it was expressed to the residents whom we felt were unlikely to understand the nuances of meaning between tenancy and licensed agreement.

This process has not been effective in providing good and timely information to enable a complete and full understanding of the pros/cons of Supported Living and how this will affect X. This is only available after the decision to select for Supported Living is taken and therefore, requires a 'leap of faith' and hope this was the right decision. Comments from the Council confirm this and confirm an element of risk exists in making this decision to Supported Living.

11.	Did you have an opportunity to say that things were clear or not?
Yes	6/6 (100%)
No	0/6 (0%)
One person did not answer this question and one person has not sure.	

Comments relating to question 10 were:

My husband and I appreciated the time to discuss the consultation with Jenny Seagrave, Deborah Murray and Linda Turner.

Most questions of detail asked could not wholly be answered satisfactorily.

12.	How well have we engaged and listened to you to gain your views?
Very well	2/8 (25%)
Fairly well	6/8 (75%)
Not very well	0/8 (0%)

13.	Were all your questions answered?
Yes	4/7 (57%)
No	3/7 (43%)
Other answer given: <i>No questions raised</i>	

If no, do you have any questions that have not been answered?

I asked if a comparison of costs of the different living situations could be provided and that has not yet happened

Like other people, I am awaiting replies to financial questions raised at the meeting on 19 April 2016 that needed following up with Radian.

Answers to actual financial and care provision.

14.	We always value people's feedback - would you have liked anything to have been done differently?
Yes	2/6 (33%)
No	4/6 (67%)
Two people did not answer this question	

Comments in relation to question 13 were:

Families should have been pro-actively engaged from the outset with a meeting and full explanation. Supporting information required more detail to enable a correct decision making process.

15. Which is your preferred option?	
The home remaining as a residential care home	2/5 (40%)
The home transferring to a supported living arrangement	3/5 (60%)
One person did not answer this question and two people said that they had no preference	

Comments in relation to question 14 were:

My husband and I appreciated the evening meeting held on 19 April in Southampton. We understand the need the city feels for changing the status of Orchard Mews to a supported living home but feel that they were/are trying to sell it to us as families on a false premise. Given that there are already good PCPs in place in the 2 homes under discussion it would have just been easier to explain that for these 2 homes the issue is really financial for the City rather than a change in care for the residents.

I anticipate that nothing will really change for X but much will change for me as appointee regarding financial provision and needing to relate to yet another government department.

We also felt the FAB team representative did not always fully address the specific situation relating to these 2 homes but sometimes gave examples based on people living in their own home in the community. That wasn't helpful.

It seemed to us that for at least half of the families present the main concern was what the budget for their relative would look like and you all consistently said you could not provide a sample budget. I understand you believe that but I think families would prefer one or more examples based on the experience of other situations where the status of a home has been changed rather than feeling forced to make a decision based on a significant unknown. Hearing that in most cases residents are not worse off is really not helpful. It was mentioned that you are legally prevented from providing sample budgets but I am pretty sure that you could provide a

caveat statement which would cover that legal requirement and the families would much prefer such examples than feel we are being asked to make a decision based on no information. The DWP holds appointees responsible for the use of the finances provided for our family members and yet SCC is asking us to make a decision that will affect the finances and how they can be used without anything like full information.

I can see that the only way forward will be for there to be a change of status to supported living. My question is what happens if that puts X in financial difficulties? There is no family trust money available to her to help in such a situation. I would not want to think that a decision I have made on her behalf would cause her financial difficulties.

I am happy with whichever option is chosen as long as the care is not affected.

16.	Those who responded were asked why they had chosen their preferred option.
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Those who chose residential care as their preferred option:

X's condition means he cannot make such decisions himself. He requires 24 hour care and generally needs to be lead and directed in life. Supported Living does not offer X any advantages that can be completely demonstrated. X and his family are happy with the existing Residential Care provided.

X has lived at 34-36 Seagarth Lane since it first opened in 1997. From his demeanour (as he cannot speak), he has always been and still is content there under the existing regime. Because of his severe disability, he needs 24-hour support, which he has. I remain unconvinced that changing to a supported living arrangement is in X's best interests. The needs of each individual resident must be paramount.

Those who chose supported living as their preferred option:

I believe X will receive more 1:1. Financially he will benefit, allowing freedom to take part in more activities

Because X cannot be moved against her will, and I want her to stay at Orchard Mews

Because it would benefit X.

17.	Those who responded were asked why they had not chosen the other option.
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Those who chose residential care as their preferred option:

Insufficient information about the true outcomes that Supported Living would provide to X plus a greater level of responsibility placed upon X.

From the meeting on 19 April 2016, it seems to me that Southampton City Council's primary purpose regarding Orchard Mews and Seagarth Lane is to reduce costs. The interests of individual residents is secondary. It appears that the City Council takes the view, in preferring a supported living arrangement that individual residents can fend for themselves to a greater or lesser degree. An example quoted at that meeting was the use by individual residents of kitchen facilities. In my opinion, this is a reckless presumption, having regard to the severe disability of certain residents and the possible, if not probable, dangers. Early at that meeting, reference was made by City Council staff to the well reported abuse of residents at a particular care home.

Apparently, this was intended to vindicate the City Council's favoured approach to supported living arrangements. This was a generalisation. The supported living arrangement would make each resident a tenant of Radian. X has no understanding of this and what would be involved, so why do it?

Those who chose supported living as their preferred option:

I don't see Seagarth as a registered care home, but X's home!

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Equality and Safety Impact Assessment

The **public sector Equality Duty** (Section 149 of the Equality Act) requires public bodies to have due regard to the need to eliminate discrimination, advance equality of opportunity, and foster good relations between different people carrying out their activities.

The Equality Duty supports good decision making – it encourages public bodies to be more efficient and effective by understanding how different people will be affected by their activities, so that their policies and services are appropriate and accessible to all and meet different people’s needs. The Council’s Equality and Safety Impact Assessment (ESIA) includes an assessment of the community safety impact assessment to comply with section 17 of the Crime and Disorder Act and will enable the council to better understand the potential impact of the budget proposals and consider mitigating action.

<p>Name or Brief Description of Proposal</p>	<p>Consultation regarding potential change of service in two learning disability registered care homes - Seagarth Lane and Orchard Mews.</p> <p>This will be a working document informed by the results of the consultation process due to the potential impact on these clients who share a protected characteristic i.e. a disability which has a substantial adverse effect on their ability to carry out normal day-to-day activities.</p>
<p>Brief Service Profile (including number of customers)</p>	<p>The service is commissioned to provide registered residential care to clients in two residential care homes with 6 units of accommodation in each. Currently 11 clients are in residence and 1 vacancy is therefore to be filled.</p> <p>The current age range of the clients is 30 to 80 years. Their disabilities include learning disabilities, physical disabilities and autism.</p>
<p>Summary of Impact and Issues</p>	<p>All clients are to have an individual care management assessment in order to review and assess their current needs.</p> <p>These assessments will be Care Act compliant, and may result in possible changes in respect to equipment/the environment for the clients.</p> <p>The assessments will establish whether each client’s needs can be met in supported living as opposed to residential care.</p> <p>Any decision to deregister must be made in the best</p>

interests of the clients.

Where clients do not have capacity, Best Interest decisions will need to be made following the assessments.

If some of the clients' needs cannot be met in supported living, a viability alternative residential home for them will be sought.

Financial assessments will also be undertaken as the move may have a financial impact on them.

Once the assessments are complete, consultation with the clients and their families/carers will then follow to explain the 2 options:

- To de-register from residential care to supported living, subject to a consultation exercise with the clients and their families. As such Dimensions would obtain a direct award of the support contract due to their position as first on the new Domiciliary Care framework agreement.
- To be part of a tender for residential care. As such this could mean a change of support provider, depending on which organisations submit bids. Thus fulfilling our requirement to give other providers an opportunity to show they can provide the service.

De-registration will only proceed if the consultation process gives a clear endorsement that that is the preference of the clients/families.

If the service is deregistered it will mean changes for the clients in 3 main areas: Their home, their support and their money. The changes are summarised in this table which explains the differences between living in registered care and a supported living home.

<u>Supported Living</u>	<u>Residential Care</u>
My Home	My Home
You have your own home, with your own tenancy. You have security of tenure and cannot be moved against your will	You have a Licence agreement with no security of tenure. You can legally be moved out without your consent.

	unless the tenancy is breached.	
	As a tenant you have the right to choose who you live with (if anyone).	Good practice in residential care states that people should be well matched as much as possible, but in practice many people live with people that they have not chosen to live with.
	You have more rights over your life and living arrangements. You have more choice about what happens in your home	The home is managed and run by a care provider who is responsible for all aspects of your daily needs and wellbeing.
	Your accommodation is provided separately to your support.	The accommodation and care service are provided together as a whole package.
	My Support	My Support
	You can choose an alternative support provider (if required) and you can stay in your home.	Your support is provided as part of a package with accommodation, and one element cannot be changed without impacting on the other.
	The service is tailored to you. You have support to live the way you want in your own home	
	My Money	My Money
	You have a legal right to access a range of welfare benefits including housing benefit, income support and disability living allowance. You will be able to receive your benefits directly. This means you are in control of paying your bills and	Residential care limits your rights to some welfare benefits. Most people that pay towards their own care costs access a small personal expenses allowance (of approximately £20 per week) to purchase personal belongings,

	choosing what to do with what is left over	clothes and holidays.
	You have access to other sources of funding, including Direct Payments	You cannot access most additional funding for support.
	You are responsible for paying all utility bills and other associated housing costs. You pay your rent by claiming housing benefit. You should retain more of your income, and have your own money to pay for things you need.	You have your food, heating and general needs paid for as it is included in the fees charged by the care provider
Potential Positive Impacts	See all of the above, should de-registration take place	
Responsible Service Manager	Kate Dench	
Date	05/05/16	

Approved by Senior Manager	Stephanie Ramsey
Signature	
Date	05/05/16

Potential Impact

Impact Assessment	Details of Impact	Possible Solutions & Mitigating Actions
Age	Approximate age range of the 11 current clients is 30 to 80. Seagarth Lane and Orchard Mews need to cater for ageing population as well as adults.	We have ensured built into the housing service charges are equipment costs (e.g. for replacement specialist bath).
Disability	All people have a learning disability, some have additional complex needs. Some families said that attitudes to people with learning disabilities are not positive at times, this may help.	No specific action required From the work of Transforming Care (the national model) and the work we are doing locally

	<p>Families have raised a concern that their relative cannot make the choice about having a tenancy.</p> <p>Families asked how de-registration will this affect their relative</p>	<p>to achieve this model, we expect to help change attitudes so that individuals are seen more positively and valued within society, again this links to rights, empowerment and choice.</p> <p>Each service user will have their own individual assessment completed by the social worker. The Financial Assessment and Benefits team are ready to support in the transition to maximise income. They have also stated there was an opportunity to look at Disability Related Expenses (DRE) and making claims through this route to enhance income. If the assessment demonstrates a negative impact financially, we will look at how we could mitigate against this. We have found strong evidence that in most cases, a person gains access to more disposable income through a Supported Living scheme.</p> <p>It is difficult to predict exact changes for service users, and will depend on individual circumstances, through the Care Act assessment process. There will be tailored support plans that take into account the transitional factors for individuals and families</p>
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		<p>(pursuant to section 25 of the Care Act 2014).</p> <p>We expect that there will be more opportunities for choice and independence, appropriate to the needs and strengths of the service users. The Council has to make sure that everyone's needs are assessed and those needs are met pursuant to s.9 and s.18 of the Care Act 2014 respectively.</p> <p>Service users will have their own Care Act assessments and plan to address any remaining negative impacts. This will be person centred and individually tailored to address the specific issue</p>
Gender Reassignment	No impact identified.	No specific action required
Marriage and Civil Partnership	No impact identified.	No specific action required
Pregnancy and Maternity	No impact identified.	No specific action required
Race	No impact identified.	No specific action required
Religion or Belief	No impact identified.	No specific action required
Sex	No impact identified.	No specific action required
Sexual Orientation	No impact identified.	No specific action required
Community Safety	All accommodation options for Supported Living are carefully assessed to ensure the safety of service users within the local community.	Continued training for the Police helps to raise awareness of community safety issues. There are currently good relationships with neighbours and the

		<p>provider supports the service users to maintain positive relationships. Under the contract, the provider knows how to support the service users to respond to any potential Hate Crime issues.</p>
Poverty	<p>Families raised a concern as to whether their relative will have enough money to live on</p>	<p>Service users will have their own Care Act needs assessments and care and support plan to address any remaining negative impacts, which will set out their eligible needs and how this will be met. This will be person centred and individually tailored to address specific issues.</p> <p>Each service user will have an individual Care Act assessment completed by the social worker. The Financial Assessment and Benefits team are ready to support in the transition to maximise income. They have also stated there was an opportunity to look at Disability Related Expenses (DRE) and making claims through this route to enhance income. If the assessment demonstrates a negative impact financially, we will look at how we could mitigate against this. We have found strong evidence that in most cases, a person gains access to more disposable income through a Supported Living scheme.</p>

<p>Health and Well being</p>	<p>Families have raised a concern that the individuals will be left on their own without support.</p> <p>Families have raised a question that their relative cannot be any more independent than they already are, it would not be safe for them, so they are unclear what would change for them.</p>	<p>The support put in place will meet everyone's needs. There is no intention to take support away, we will look at targeting the support in a better way, this will be developed from the Care Act assessment, families will be asked to contribute to this. The Council has to make sure that everyone's needs are assessed and those needs are met pursuant to s.9 and s.18 of the Care Act 2014 respectively.</p> <p>Everyone is an individual. The principles regarding the change relate very much to being valued and empowered. This means having rights and choices like others without a learning disability have. The social work Care Act needs assessment looks at individual's strengths, their interests, how they want to live their life and what support they need, to get the most from their life. The assessment also considers risks and we can support service users to manage risks. It identifies outcomes (e.g. such as being able to maintain a habitable home environment) that the individual is not able to achieve without support and the cumulative impact on the individual's wellbeing of not being able to achieve the outcomes. The change would offer more</p>
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	<p>Families raised a concern that people can lose their tenancy, how is this more secure?</p>	<p>flexibility with support so that key areas of development are targeted, for example, shopping and cooking, personal care or community access. These examples are not an exhaustive list.</p> <p>A tenancy agreement gives certain rights to both you and your landlord and also sets out the responsibilities that you have. For example:</p> <ul style="list-style-type: none"> • Your right to stay in your home unless your tenancy is breached • Your right that you cannot be moved against your will • Your landlord's right to receive rent for letting you live in the property. <p>The Tenancy agreement will also let you know what you can do if you are unhappy with your landlord.</p> <p>The support we commission under the contract for Supported Living services means that within a deregistration process, Dimensions would continue to deliver the contract, but under the Supported Living contract.</p> <p>The council tested all providers about their quality to deliver Supported Living</p>
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		<p>services, we will also provide ongoing monitoring to ensure this is delivered. Within the requirements of the contract, providers must: <i>Support clients where necessary to maintain their tenancy agreement by working proactively with the client and housing provider to manage any risks pertaining to this.</i></p>
<p>Other Significant Impacts</p>	<p>Families have said there will be more work for them to do (as appointees)</p>	<p>Support will be offered during the transition process (in applying for benefits and maximising benefits).</p> <p>Families do have the option to cease undertaking the appointee role if they wish, a reminder of their role as appointee has been shared with them. Dimensions are able to work with families regarding a plan and process, to ensure that weekly amounts of service user's budget are accessible to meet the identified support needs.</p>