

## **CABINET**

**17 DECEMBER 2019**

### **MEDWAY JOINT ADULT LEARNING DISABILITY STRATEGY**

Portfolio Holder                      Councillor David Brake, Portfolio Holder for Adults' Services

Report from:                              James Williams, Director of Public Health

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#### **Summary**

The Medway Joint Adult Learning Disability Strategy 2019 - 2024 (attached at Appendix A to the report) has been co-designed with a range of stakeholders including people with learning disabilities and their families and carers. It sets out the vision for reducing inequalities and improving outcomes for people with learning disabilities in Medway. The Strategy directly highlights existing inequalities and details how through the ten priorities people with learning disabilities will be supported to live the life they choose; with the support they need in their local community.

The Strategy aligns with the overall objectives defined within the Council Strategy, the Joint Health and Wellbeing Strategy, the Getting Better Together, Adult Social Care Strategy for Medway, the Medway Model and the aims and ambitions as set out in the Sustainability and Transformation Plan and the NHS Long Term Plan.

Outcomes will be achieved through delivery of the ten priorities, effective management, strengthened commissioning and continued partnership with stakeholders in co-designing delivery plans.

This report was considered by the Health and Adult Social Care Overview and Scrutiny Committee on 15 October 2019 and the Health and Wellbeing Board on 5 November 2019, the comments of these Committees are set out in section 5 and 6 of the report respectively.

## 1. Budget and Policy Framework

- 1.1 In 2001 The Department of Health's white paper 'Valuing People'<sup>1</sup>, set-out bold and comprehensive guidance on the future expectations of services in communities for people with learning disabilities. Further legislation and guidelines including Mental Capacity Act 2005, Mental Health Act 2007, Equality Act 2010 and Nice Guidelines NG11 (2015), NG54 (2016), QS142 (2017), NG96 (2018), NG93 (2018)) have to date driven the agenda forward.
- 1.2 The Care Act 2014<sup>2</sup> sets out a range of statutory duties for Local Authorities, including a number related to the prevention agenda. It requires all Local Authorities to, work in partnership to provide, or arrange services, facilities, resources, or take other steps, towards preventing, delaying or reducing the development of need for care and support. These statutory duties include people with learning disabilities.
- 1.3 The national plan, Building the Right Support (2015)<sup>3</sup> also gives a framework within which local community services for people with learning disabilities are to be developed and the reliance on secure inpatient hospital is to be reduced.
- 1.4 The NHS long Term Plan (2019)<sup>4</sup> sets out specific actions that the local health and social care economy must address in order to improve outcomes for people with learning disabilities.
- 1.5 The Medway Joint Adult Learning Disability Strategy 2019 – 2024 brings the national and local context together and will ensure that needs of people with learning disabilities sit at the heart of all we do in addressing inequalities and improving outcomes.

## 2. Background

- 2.1 Research shows that people with learning disabilities across England die, on average, 15-20 years sooner than people in the general population. Even more concerning is the fact that many of these deaths are avoidable.<sup>5</sup>
- 2.2 The Medway Adult Learning Disability Strategy 2019 -2024 has been developed by bringing together all key statutory, partner organisations and stakeholders within Medway to address these inequalities and ensure person-centered accessible services are available for residents.

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<sup>1</sup> Valuing People: A New Strategy for Learning Disability for the 21st Century. (March 2001). Department of Health.

<sup>2</sup> The Care Act 2014, available at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<sup>3</sup> Building the Right Support 2015, available at: <https://www.england.nhs.uk/wp-content/uploads/2015/10/ld-nat-imp-plan-oct15.pdf>

<sup>4</sup> NHS Long Term Plan, available at: <https://www.england.nhs.uk/long-term-plan/>

<sup>5</sup> The Confidential Inquiry into the Premature Deaths of People with Learning Disabilities, available at: <https://www.bristol.ac.uk/cipold/news/2013/19.html>

2.3 The development of the Strategy has established ten key priorities that are important to address in order to improve the life chances of people with learning disabilities in Medway:

- Empowering People with Learning Disabilities
- Preventing Escalation of need
- Integrating health and social care
- Active Citizenship
- Improving health and wellness
- Housing and Support Options
- Increase the capacity of clinical teams
- Workforce development
- Stop over medicating people with learning disabilities
- Carers Support

2.4 The success of the Strategy will be measured through an action plan that will set out the priority's actions and expected outcomes.

### **3. Options**

3.1 There are two options consideration:

3.1.1 Option 1: there is no statutory requirement to have a Joint Adult Learning Disability Strategy and the Cabinet may decide not to proceed with a Strategy, or to amend the current draft. However, legislation requires all Local Authorities to work in partnership to provide, or arrange services, facilities, resources, or take other steps, towards preventing, delaying or reducing the development of need for care and support. These statutory duties include people with learning disabilities.

3.1.2 Option 2: Following consideration by the Health and Adult Social Care Overview and Scrutiny Committee and the Health and Wellbeing Board respectively, the Cabinet may approve the Medway Joint Adult Learning Disability Strategy 2019 – 2024. This is the recommended option as the Strategy brings the national and local context together and will ensure that needs of people with learning disabilities sit at the heart of all we do in addressing inequalities and improving outcomes.

### **4. Advice and analysis**

4.1 The key priorities and actions set out in the Strategy will be communicated through a comprehensive action plan. This plan will set out how the priorities will be delivered and include a timeframe for delivery, several indicators and outcome measures and key milestones. Where available, baseline data will be utilised to monitor progress.

4.2 Analysis of the background information detailed in the Strategy and stakeholder feedback clearly suggests that addressing the stated priorities will comprehensively address the challenges faced by people with learning disabilities in Medway. The priorities are purposely set to December 2022 to take account of possible changes and ensure that a systematic review of achievements against actions is undertaken prior to the end of the Strategy in December 2024. Collaborative working across health and social care and

high-quality targeted commissioning has the potential to significantly improve outcomes for people with learning disabilities.

- 4.3 The Diversity Impact Assessment (DIA) attached as Appendix B to the report clearly identifies that delivery of the Strategy has no adverse impact on any individual within the “protected characteristics” cohort. The DIA further shows that delivery of the Strategy will improve empowerment of people with learning disabilities, prevent escalation of need, support integration of health and social care, improve opportunities for employment and volunteering, increase access to health monitoring, improve access to housing and support options, increase capacity within clinical teams, increase access to staff knowledgeable and skilled in supporting people with learning disabilities, support the delivery of the national STOMP campaign (stopping the overmedication of people with a learning disability) and ensure better support for carers in their caring role.

## **5. Health and Adult Social Care Overview and Scrutiny Committee – 15 October 2019**

- 5.1 This report was considered by the Health and Adult Social Care Overview and Scrutiny Committee on 15 October 2019, the comments of this Committee are as follows.

- 5.2 It was important to recognise that people with learning disabilities had the same aspirations for good housing, jobs, friends and family as the rest of the population. The Strategy aimed to recognise their importance as valued members of the community. It was expected that the number of people with learning disabilities would increase due to the general population increase and that more people with learning disabilities were living longer. However, it was unacceptable that this group still had a shortened life expectancy. Employment rates for people with LD in Medway were lower than the national average. There had been much positive work through the Shared Lives initiative to support people with LD to be able to live with families. The development of the LD Strategy linked to the Special Educational Needs Strategy that had recently been considered by the Children and Young People Overview and Scrutiny Committee. The Care Quality Commission had just published its State of Care report. This highlighted that nationally, some people were detained in mental health facilities, which could have been avoided had they been helped sooner. The LD Strategy aimed to ensure that people received help early in order to reduce the number of people requiring specialist care at a later point. A year had been spent working with parents, carers, provider organisations and the voluntary sector to co-design the Strategy.

- 5.3 The following issues were discussed:

- 5.3.1 **Engagement** – A Committee Member highlighted the need for wide engagement to take forward the Strategy. The Assistant Director – Adult Social Care said that there had been low attendance at the LD Partnership Board. Discussion had taken place with the co-chair and it had been proposed that engagement would take place with relevant parties, with the aim being to establish a working group. The Programme Lead – Partnership

Commissioning said that communication of the offer was one of the key challenges and that the development of a Communications Plan would be essential. A working group, which had met previously, would be re-formed to take forward progress on individual workstreams. Groups that supported people with LD would be involved as part of this process.

5.3.2 **Medway Parent Carers Forum** – It was suggested that consideration be given to inviting the Medway Parent and Carer Forum to become a co-opted member of the Committee due to the importance of the transition from children's to adult services. It was also requested that the Committee should hear from service users more frequently about their experiences.

5.4 The Committee commented on the draft Strategy prior to its consideration by the Health and Wellbeing Board and presentation to Cabinet for approval.

## **6. Health and Wellbeing Board – 5 November 2019**

6.1 The Health and Wellbeing Board considered a report which presented the Draft Medway Joint Adult Learning Disability Strategy which had been co-designed with a range of stakeholders including people with learning disabilities and their families and carers. Ten priority action areas had been developed which if addressed would improve the life chances of people with learning disabilities in Medway; these were set out in paragraph 2.3 of the report.

6.2 With reference to the aging population in Medway, a Board Member sought clarification in relation to the support available for adults with a learning disability if their carer passes away. In response, the Head of Partnership Commissioning, Resources and Youth Justice recognised that this was a key issue that needed to be addressed. He explained that the Strategy aimed to ensure that individuals with a learning disability were supported to live independently. Increasing opportunities for independence was a key outcome from the consultation with stakeholders.

6.3 In response to a question concerning inclusion, the Head of Partnership Commissioning, Resources and Youth Justice recognised that the number of adults with a learning disability in employment in Medway was below the national average. Action was being taken to improve access to employment, including developing internships.

6.4 The Health and Wellbeing Board:

6.4.1 noted the comments of the Health and Adult Social Care Overview and Scrutiny Committee set out at section 5 of the report; and

6.4.2 commented on the draft Strategy as set within the minute prior to its presentation to Cabinet for approval.

## **7. Risk management**

7.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of services it provides to the community.

The following table therefore considers any significant risks arising from the report.

<b>Risk</b>	<b>Description</b>	<b>Action to avoid or mitigate risk</b>	<b>Risk rating</b>
A lack of financial or people resource may impact on the ability of the strategy to deliver real and sustainable change.	Risk that a lack of resource be it financial or people resource may mean that the actions required to deliver the priorities are not completed.	<p>Several of the actions listed are already underway and being supported through existing funding streams i.e. Transforming Care S75 pooled budget.</p> <p>Several of the actions listed are already underway and being supported through to delivery by existing mechanisms i.e. Carers Strategy.</p> <p>Several of the actions listed require no additional funding or people resource i.e. LD and Autism accredited level 2 training.</p>	C11
Lack of capacity within the organisations to deliver the changes required.	Risk that the organisation will lack the capacity to deliver the actions required from adult social care.	Ensure that the strategy aligns with the adult social care improvement programme and the developments within Primary Care Networks.	C111
Strategy could fail to keep pace with dynamic change.	The scale and rate of change within health and social care locally, regionally and nationally could lead to the strategy becoming out of date.	<p>Action plan will be reviewed and updated annually.</p> <p>Review of progress against priorities will take place quarterly via the Senior Leaders Oversight Group.</p>	D111

## **8. Consultation**

8.1 Consultation has been led by partnership commissioning as part of the Learning Disability Working Group. This group brings together all relevant partners including parents and carers, commissioners, health and social care, and a range of voluntary and community sector organisations. This has ensured that a commitment to co-design has sat at the heart of the Strategy

development. In addition, over the past 18 months several consultation and engagement exercises have been undertaken. These have ranged from focus groups to one on one discussions. The aim being to ensure that, as part of the Council and CCG's statutory responsibility to consult, people with learning disabilities and their carers were at the heart of developing the vision.

- 8.2 The Council has used the feedback from consultation alongside findings from a wider review of available data, to establish the ten key priorities, important for adults with learning disabilities.
- 8.3 To establish a final draft strategy, further engagement has taken place with a specific focus on people with learning disabilities actively contributing. The One Voice, No Limits Self-Advocacy Group, which is run by people with learning disabilities, were commissioned to undertake direct engagement with people with learning disabilities. The Group attended a range of social and activity groups across Medway including The Music Man Project, Aztec Day Services and M.A.P.S to elicit the views of people with learning disabilities about the ten priorities identified. This work has re-confirmed the priorities and is providing detailed direction in the delivery.

## **9. Financial implications**

- 9.1 There are no direct resource implications at present. Where priorities are already being actioned the funding for these have been secured through a variety of sources including the Better Care Fund.
- 9.2 If through the process of development, the need for additional funding is identified then the appropriate business case or options appraisal will be completed for consideration.

## **10. Legal implications**

- 10.1 The Care Act 2014<sup>6</sup> sets out a range of statutory duties for Local Authorities, including a number related to the prevention agenda. It requires all Local Authorities to, "work in partnership to provide, or arrange services, facilities, resources, or take other steps, towards preventing, delaying or reducing the development of needs for care and support".
- 10.2 The Health and Social Care Act 2012<sup>7</sup> sets out the legal duties of the Department of Health, Public Health, Clinical Commissioning Groups and NHS bodies to reduce health inequalities. As such it requires local health and social care bodies to action to address health inequalities.
- 10.3 The Equality Act 2010<sup>8</sup> sets out the equality duties for all public sector bodies to integrate the advancement of equality into day to day business. The act

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<sup>6</sup> The Care Act (2014), available at: <http://www.legislation.gov.uk/ukpga/2014/23/contents/enacted>

<sup>7</sup> The Health and Social Care Act (2012), available at: <https://www.england.nhs.uk/about/equality/equality-hub/resources/legislation/>

<sup>8</sup> The Equality Act (2010), available at: <https://www.legislation.gov.uk/ukpga/2010/15/contents>

protects people with protected characteristics including those with disabilities from discrimination in the workplace and wider society.

## **11. Recommendations**

11.1 Cabinet is asked to:

11.1.1 note the comments of the Health and Adult Social Care Overview and Scrutiny Committee and the Health and Wellbeing Board set out at sections 5 and 6 of the report respectively; and

11.1.2 approve the Medway Joint Adult Learning Disability Strategy 2019 – 2024 set out at Appendix A to the report.

## **12. Suggested reasons for decisions**

12.1 Approval of the Strategy will ensure that needs of people with learning disabilities sit at the heart of all the Council does and will set the direction for addressing inequalities and improving outcomes.

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### **Appendices**

Appendix A - Medway Joint Adult Learning Disability Strategy 2019 – 2024  
Appendix B - Diversity Impact Assessment

### **Background papers**

None