

Report to CABINET

Supported Housing for adults with a Learning Disability and/or complex behaviour

Portfolio Holder:

Executive Member for Neighbourhoods and Co-operatives
Executive Member for Social Care and Safeguarding
Executive Member for Economy and Enterprise

Officer Contact: Maggie Kufeldt, Executive Director of Health & Wellbeing

Report Author: Tim English
Ext. 1316

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Reason for Decision

This reports sets out proposals for the Council to develop a specialist supported housing scheme for adults with learning disabilities and/ or complex behaviour. Cabinet approval is sought to make use of Housing Revenue Account resources to build approximately 20 supported homes and, in addition, bid for Homes and Communities Agency funding to contribute towards the capital cost.

Executive Summary

In 2014 a joint strategic needs assessment identified that individuals with learning disabilities and complex needs and their families felt that they have a lack of housing choices available to them in the borough. In particular, there was found to be a demand for supported independent living accommodation with access to some form of shared communal facilities.

In addition, a review of the use of corporate property by Adult Social Care services in November 2015 highlighted that some of the Council's existing assets, currently used by Adult Social Care, could be better used to meet future service demands and needs.

This report seeks Cabinet approval to develop a new-build supported housing scheme for up to 20 adults. Approval is also sought to make use of Housing Revenue Account funding to support the

development, construction, management and maintenance of the scheme. In addition, approval is sought to bid for Homes and Communities Agency funding to contribute towards the capital cost.

Subject to Homes and Communities Agency funding, it is proposed to procure a registered provider of social housing to construct and manage on behalf of the Council this new specialist supported housing. The Council will also work with Miocare as the council owned provider of services to adults with learning disabilities and/or complex behaviours, to develop the service delivery model.

Subject to gaining all the necessary approvals, funding and a compliant tender exercise, the new development could begin in late 2017.

Recommendations

It is recommended that Cabinet -

1. Notes the contents of the report
2. Approves the use of Housing Revenue Account funding to support the design, development and management of new supported housing for adults with a learning disability and/or complex behavior.
3. Approves the submission of a bid to the Homes and Communities Agency towards the capital costs of the supported housing.
4. Approves, subject to gaining all necessary approvals and funding, the demolition of the existing asset and to develop a tender for a registered provider of social housing to construct and manage on behalf of the Council 20 specialist supported housing.
5. Notes the requirement for a separate decision by Council to appropriate the land for alternative use under sections 122 Local Government Act 1972.

1 Background

- 1.1 Following an accommodation review in November 2015, it was highlighted that some of Oldham Council's existing assets used for the provision of adult social care services were no longer suitable for longer term use to meet the needs of the particular service users for whom the services were originally commissioned.
- 1.2 A joint strategic needs assessment undertaken in 2014 highlighted a need for specialist supported housing provision for people with complex needs and/or learning disabilities within the borough. Feedback from service users has identified that individuals and their families feel that they have a lack of housing choices available to them in Oldham and that people with learning disabilities wanted their own independent living space with access to some shared communal facilities.
- 1.3 The Council has been working with colleagues in the Clinical Commissioning Group to make better use of existing resources and assets to meet the current and forecasted future health and social care needs of the borough. An opportunity has been identified to make better use of a particular site by redeveloping it for specialist supported housing for adults with a learning disability or complex behavioural needs.
- 1.4 There is an opportunity for the Council to bid for capital funding from the Homes and Communities Agency to redevelop the site as specialist supported housing. To do so, additional funding would be required from the Housing Revenue Account to support the capital build costs and longer-term management of a new build scheme.

2 Current Position

- 2.1 The commissioning and delivery of Adult Social Care services in Oldham form part of system wide transformation to meet the changing needs of Oldham residents and the challenges posed by a growing and ageing population. Where there is a need to relocate services and redesign them, this will be undertaken in consultation with existing users, carers and providers. In the redesign and relocation of these services, the provision of sufficient capacity and quality to meet needs will be the priority. Any impact on the current service users and measures to minimise that impact will be captured in an Equality Impact Assessment relating specifically to those services.
- 2.2 The proposal is to create a new build, purpose-built supported housing scheme for adults with learning disabilities and/or complex behaviours such as autism. This could include providing supported housing for individuals who are in out of borough placements and those in borough, whose current accommodation isn't suitable for their current or future needs.
- 2.3 A proposed new building would accommodate around 20 adults in single occupancy supported flats and staff accommodation. The building would provide an environment suitable for a range of individuals' needs associated with learning disability or complex behaviours. This may involve some step up/ step down accommodation and the opportunity to undertake assessments of need.
- 2.4 A proposed new service would provide Oldham with a flexible service that would be better able to meet the fluctuating demands of adults with learning disabilities and/or complex behaviours.

- 2.5 At present, some service users are residing in unsuitable accommodation (not within easy access of amenities such as shops and GPs; and are not suitably equipped, or is shared accommodation where the individual has requested to live alone with support. In addition some current service users are in high cost out of borough placements.
- 2.6 A new building would therefore respond to a number of recommendations in Oldham's Learning Disabilities Joint Strategic Needs Assessment that was carried out in 2014. These are:-
- Create a specific housing options route for adults with learning disabilities.
 - ensure supported accommodation provision meets the needs of those with learning disabilities by offering true choice.
 - ensure there are suitable accommodation options that have relevant adaptations in an appropriate location.
- 2.7 The proposal is therefore to develop a specialist supported housing for adults with learning disabilities and/or complex behaviours. Funding from the Homes and Communities Agency (HCA) would be sought by the Council (which is a HCA investment partner) towards the capital build costs. The funding may be subject to conditions with regard to tender requirements. To meet these, the Council may be required to commission a registered provider of social housing to deliver the development, housing management and maintenance services of the new building on its behalf. Funding would also be allocated from the Housing Revenue Account to support the capital investment, the management and maintenance of the supported apartments.
- 2.8 The Council will also work with Miocare as the council owned provider of services to adults with learning disabilities and/or complex behaviours, to develop the service delivery model within the new scheme.
- 2.9 The indicative project timeline is as follows:-

Milestone	Timescales
Development of Commissioning Model/Final Business Case	<i>Up to 1 September 2016</i>
Bid for funding and agree details of scheme	<i>Up to Dec 2016</i>
Cabinet Approval to Tender	<i>January/ February 2017</i>
Procurement of a Registered Provider to build and manage the supported housing scheme	<i>Up to end May 2017</i>
Construction	<i>Up to end March 2018</i>
New supported housing scheme opens	<i>May 2018</i>

Alongside the project timelines for the build, commissioners will work with Miocare to develop the service delivery model for the completed scheme. Revenue funding for the service provision would come from the redesign of existing services including services currently provided by Miocare to people with learning disabilities in dispersed supported

living accommodation, and through the repatriation of people with learning disabilities currently supported out of area.

- 2.10 The intended Capital funding would be through Homes and Communities Agency grant funding and the Housing Revenue Account.
- 2.11 Should Cabinet approve these proposals, approval of a full business case and future delegated approval would be sought in early 2017. This would seek authorisation to commence tendering for a registered provider of social housing to construct and thereafter manage and maintain the new supported housing on behalf of the Council and any commissioning of any social care services required.
- 2.12 A further decision of Council would be required to appropriate the land for an alternative use under section 122 Local Government Act 1972.

3 Options/Alternatives

3.1 Option 1- Do Nothing

There is a need for specialist supported housing for adults with learning disabilities in the borough which would not be met.

3.2 Option 2- Find alternative site

Whilst always possible, this would lead to further delays and potentially increased costs and impact negatively on the planned approach. In addition it would mean that the Council would be unlikely to meet the Homes and Communities Agency deadlines.

3.3 Option 3- Support the recommendations

Support the submission of a bid to the Homes and Communities Agency towards the capital costs of the supported housing and the use of Housing Revenue Account funding to develop new supported housing for adults with a learning disability and/or complex behavior having sought approval to appropriate the land for an alternative use. This proposal provides an opportunity to make improved use of the site as it will be redeveloped as specialist supported housing.

4 Preferred Option

4.1 Option 3. Support the submission of a bid to the Homes and Communities Agency towards the capital costs of a new build supported housing scheme for adults with a learning disability and/or complex behavior with the use of Housing Revenue Account funding.

4.2 This would offer the Council the best opportunity to develop much needed supported housing for adults with a Learning Disability and/or complex behavior. This would address the areas of need identified in the joint strategic needs assessment, and enable people with learning disabilities and complex needs to return to Oldham from high cost out of area placements.

4.3 Option 3 also provides the Council the best opportunity to support the Greater Manchester (GM) Learning Disability Fast Track Programme, and provide a step down resource. As part of this broader programme of health and social care reform GM is committed to significantly re-shaping services for people with learning disability and/or autism. The re-

shaping that will take place will ensure that more services are provided in the community and closer to home, with a shift away from long-term hospital care.

5 Consultation

- 5.1 Service users and their carers will be consulted about their redesign and relocation.
- 5.2 Service providers have been consulted and are of the view that these services would best be delivered from different locations and in a different way.
- 5.3 The Learning Disability Partnership Board and OPAL, provider of advocacy support to people with learning disabilities and their families, will be consulted with and involved in the co-production of the design of the scheme and service.
- 5.4 All relevant lead Cabinet and ward members have been consulted as part of the preparation of this report.

6 Financial Implications

- 6.1 Details contained in the confidential report.

7 Legal Services Comments

- 7.1 The Legal Services Team will provide legal advice and support to the project team with regard to the procurement of both a developer/facilities manager for the proposed housing scheme and a social care provider and the drafting of all contractual documents and any incidental and ancillary documentation
- 7.2 The Council will be required to follow its own Contract Procedure Rules and any conditions applied by the Housing Communities Agency with regard to the grant funding in respect of the procurement of a contractor to develop and manage the Council owned site. (Elizabeth Cunningham-Doyle)
- 7.3 Although there is no proposed transfer of the legal ownership in the Council's land it is to be noted that there is a proposal to transfer the land from the Corporate Estates function to the Housing function within the Council's ownership .The process of changing the function under which the Council holds the land without changing the ownership is described as appropriation. This is a statutory process which permits the Council to transfer land within its ownership from one purpose to another. Section 122 of the Local Government Act 1972 enables the Council to appropriate land for any statutory purpose for which it is authorised to acquire land where the land is no longer required for its existing purpose.
- 7.4 It will also be necessary for a delegated report to approve the appropriation of the land to the housing function which will also provide an accurate audit trail to ensure that the use of the Council's powers are properly reasoned and documented to assist in preventing a legal challenge to the Council's decision making process.
- 7.5 As it is further proposed to change the use of the land from its current use to residential purposes in relation to the 20 residential units a planning permission for a change of use will also need to be considered
- 7.6 The exemption from publication is justified on the category stated in the report.

7.7 The Council's Land and Property Protocols have been observed. (Peter Oliver)

8. Co-operative Agenda

8.1 There are number of key priorities within the Oldham Plan 2015-18 that this proposal seeks to address:

Commissioning Cluster	Priority Outcomes
Neighbourhoods and Co-operatives	Support all communities to flourish Support vulnerable people to overcome challenge. Improve the physical environment of communities
Health and Wellbeing	Improve health outcomes for all. Keep vulnerable children and adults safe. Enable more people to be in control of their own health. Develop a more joined up and effective health and social care system.

8.2 The issues set out in this paper relate to a number of objectives and outcomes within the Corporate Plan 2015-18:

Objectives	Outcomes
Objective 1 – A productive place where business and enterprise thrive	Open for business A regenerated borough A working borough
Objective 2 – Confident communities	Healthy communities Safe, strong and sustainable communities
Objective 3 – A co-operative council	Getting the basics right Responsible with resources Reforming and empowering public services

9 Human Resources Comments

9.1 People Services have been consulted on the proposals. Although there are no direct staffing implications for the Council, it is likely that MioCare staff will be affected. People services will work through the detail with the companies to assess the impact and ensure that the appropriate policies and procedures are followed (Emma Gilmartin)

10 Risk Assessments

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- 10.1 No comments at this stage (Mark Stenson)
- 11 **IT Implications**
- 11.1 None
- 12 **Property Implications**
- 12.1 Development of a new fit for purpose facility which is efficient to run and maintain, and which is closely aligned to service requirements is completely aligned to Corporate Strategy direction of travel.
- 12.2 The corporate property team will continue to support the project team and it is noted that a full financial business case will be reported back to Cabinet in due course. This will incorporate detailed property implications as appropriate. (Cath Conroy)
- 13 **Procurement Implications**
- 13.1 There are no procurement implications at this stage.
- 13.2 Based on recommendation 4 of the report there will be sourcing implications. Strategic Sourcing will work with all partners to deliver the solution(s) required and to ensure compliance with EU Procurement legislation and the Council's Contract Procedure Rules.
- 13.3 It would also be prudent to consider the role of our strategic partner, the Unity Partnership and/or Kier as an enabler in the wider commercial considerations of the proposal(s). (Darren Judge)
- 14 **Environmental and Health & Safety Implications**
- 14.1 None, should the proposal progress any environmental and health and safety implications would be clarified at the approval to tender or demolition stage
- 15 **Equality, community cohesion and crime implications**
- 15.1 Adults with learning disabilities, parents, families and carers of adults with learning disabilities could potentially be affected by these proposals.
- 15.2 The project and its associated work streams will, in the long term, have a positive effect on people with learning disabilities living in supported living environments,
- 15.3 Any changes to a persons living environment or care provision would involve consultation, discussion and agreement with the person in question and their parents, families and carers, to ensure people retain choice and control over their lives.
- 16 **Equality Impact Assessment Completed?**
- 16.1 Yes
- 17 **Key Decision**
- 17.1 Yes

18 **Key Decision Reference**

18.1 NEICO-07-16

19 **Background Papers**

19.1 None

20 **Appendices**

20.1 Details contained in the confidential report.