

# Impact Assessment

Version 2017

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| <b>Assessment of:</b> | Proposal to jointly commission the occupational therapy (OT) and child and adolescent mental health (CAMHS) services; the proposals to carry out options appraisals for the portage and visual impairment (ROVICs) services and the proposal for the Council to become the Lead Commissioner for short breaks for disabled children services and, if approved, for an options appraisal to be carried out into the future delivery of short breaks for disabled children services. |
| <b>Service:</b>       | <b>Children's Services</b>   |

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| <b>Head of Service:</b>                             | Fiona Fleming, Head of Commissioning, Children's Services |
| <b>Date of sign off by Head Of Service/version:</b> | 09/10/17  |
| <b>Assessment carried out by:</b>                   | Children's Services Commissioning                         |

## Section 1 - Background

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| <b>Description:</b> | Devon Integrated Children's Service (ICS) currently provides a range of services to children, young people and their families. Services delivered as part of this contract include physical, sensory and learning disability services for disabled children and children with additional needs, Mental Health and Wellbeing Services and Public Health Nursing (PHN) Services. These services are currently commissioned and as such are delivered by Virgin Care Limited. The Clinical Commissioning Groups (CCGs) intend to put in place a contract for one year until March |
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2019. The authority provides funding for this via a Section 75 arrangement.

As per the Cabinet report 8<sup>th</sup> March 2017, these services are currently due to be re-commissioned in 2018, for award in 2019.

Devon County Council Children's Services funding contributions and commissioning responsibilities are primarily concerned with the delivery of services for Children with Additional Needs. This includes sole funding to the ROVICs service and the Portage Service, and a contribution towards the occupational therapy service, CAMHS and residential short breaks service.

The key functions of these services has been briefly summarised below:-

- Portage: - The service is a home visiting service funded from the dedicated schools grant (**DSG**) for children with complex health, development and learning needs. This service is highly valued by parents often offering very specialist support for play, early learning, attachment and therapy programmes at a critical time of attachment and development for a child with complex needs with their parents.
- Occupational Therapy: - The service is currently commissioned to provide support to young people with both social care and health needs. The service will assess the needs of the young person and look to provide interventions to support them so they are able to undertake a range of day to day activities and to access different environments across many areas of their lives independently (this may include provision of equipment and considering adaptations to environments where possible and appropriate).
- Residential Short Breaks: - This service is used to support the needs of children with additional needs and disabilities to enable families to maintain their family caring responsibilities and help to prevent family breakdown. Short breaks support can be provided during the day, on an overnight basis or both and can be arranged in a way which works for the family.
- ROVICs Service: - This is a support service for children with visual impairment and who are Deafblind. The service forms part of the delivery of the statutory duties of the council to deliver the Care and Support

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|                           | <p>for Deaf Blind children. This service will identify through assessment needs which a young person may have as a result of their visual impairment or multi-sensory impairment. The service will then develop a plan and deliver intervention and aids to support the young person's needs so they are able to access their environments, education and learning and any social opportunities safely and with as much independence as possible.</p> <ul style="list-style-type: none"> <li>• <u>CAMHS services:</u> - CAMHS service provides support to children and young people for mental health and or emotional health and wellbeing needs. Tiers of support currently available to young people depending on needs. With each tier, the support and expertise required becomes more specialist as presenting needs become increasingly complex. Specialist services are also available for those who have suffered abuse or are a Child Looked After.</li> </ul> <p>Devon County Council's contribution to these services is £4.2 million.</p> |
| Reason for change/review: | <p>The contract for the delivery of Devon Integrated Children's Services will end March 2018. The Clinical Commissioning Groups (CCGs) intend to put in place a contract for one year until March 2019. A strategy to determine which services are re-commissioned in 2018, for award in 2019 has been worked on.</p> <p>Based on engagement feedback , strategic and legislative changes and changes across the commissioning landscape since the last procurement of Devon Integrated Children's Services, it is important to consider and ensure delivery of services for children and families is as strong as it can be by ensuring the right system of services are being brought together to meet needs.</p>  |

## Section 2 - Impacts, options and recommendations

See sections 3, 4 and 5 for background analysis

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| <p>Options Appraisal and <b>Recommendations:-</b></p> | <p>Any review or recommended change would reflect engagement feedback , strategic and legislative changes and changes across the commissioning landscape as well as delivery of services for children and families being as strong as it can be by ensuring the right system of services are being brought together to meet needs.</p> <p>Options appraisal and recommendations below have been considered against each relevant service line:-</p> <p><b>Option One : Continue with the CCG led Procurement of Community Health and Care Services</b></p> <p>The current contract was tendered in 2012 since then the legislative and policy framework has placed a stronger emphasis on the need to integrate education, health and care to improve outcomes for children and families. Therefore the consideration has been given to the systems of delivery and the services within this.</p> <p>For Portage there could be the ability to achieve better outcomes by the service being delivered outside of a medically led model being applied to early learning service given that responsibilities to achieve early learning goals are paramount, in line with funding requirements through the DSG. One alternative for service delivery could be with providers with health service expertise with limited education expertise. The geographical delivery of both ROVIC's and Portage could be just for the administrative area of Devon County Council whereas for OT and CAMHS the commissioning will continue to be the NEW Devon and South Devon and Torbay footprint.</p> <p><b>Option Two: Continue with CCG led procurement of services which are aligned to the outcomes set in the community health and care procurement, become lead commissioner for the Residential Short Breaks service and carry out options appraisals for the delivery for those services that are less well</b></p> |
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**aligned to the community health and care procurement.**

### **OT and CAMHS**

Occupational Therapy Services and Child and Adolescent Mental Health Services are both jointly funded and delivered by integrated teams of OT and CAMHS professionals. Partnership funding is not separated out to each function for these services. The services are achieving good outcomes for families and performance has been improving on waiting times. The two areas for continued improvement are joint work with children's social work teams and improving the offer for Children in Care and Care Leavers. Given the alignment with community health and care services it is recommended that OT and CAMHS remains' as part of the community health and care procurement being led by the CCG.

**Portage Service** The delivery functions of the Portage Service are closely aligned to those of the Public Health Nursing service (**PHN**). There is an opportunity to consult on and then set out the model for future delivery of a system of services for Best Start in Life. This has the potential to create stronger partnership with Children's Centres and the potential to build capacity of universal services to meet the needs of complex children at home and in their community. However the future delivery for, Best Start in Life services are, as yet, undetermined. This may lead to uncertainty for staff and parents. It is recommended that the Portage Service is included within the PHN Options Appraisal (see separate EIA) for the delivery of the Portage service. The proposed Options Appraisal and Consultation will engage parents and staff and determine how any arising risks are mitigated dependant on the delivery method which is recommended for 2019 onwards.

### **ROVIC's**

There is an opportunity to carry out an options appraisal to consider a fully integrated sensory service. This would allow consideration of co-designed system of delivery with staff and parents to develop an integrated offer of sensory support. Separating ROVICs from the community health and care procurement allows consideration of feedback provided from parents and children which suggests that ROVICs is highly regarded but hindered by a lack of being joined up with other key services. If the service were to remain with the community health and care procurement there is the potential for a lack of integration with education support services and the potential

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|                       | <p>for a lack of integration with services for children with hearing impairment and gaps in delivery. Separation from the procurement of Community Health Services could impact on future joint working however, this can be mitigated by robust joint working arrangements that are already in place with Ophthalmology in the Acute/ Hospital and Paediatric care settings, for example. This potential future delivery of services through a Sensory Service is as yet undetermined. This may lead to uncertainty for staff and parents. The proposed Options Appraisal and Consultation will engage parents and staff and determine how any arising risks are mitigated dependant on the delivery method which is recommended for 2019 onwards.</p> <p><b>Residential Short Breaks</b></p> <p>Lead commission responsibility for all other short breaks sits with the Local Authority. The four residential short breaks units which cater for children with additional needs currently fall within the ICS contract as the strategic intention was for the provider of ICS to have responsibility for the commissioning and delivery of all short breaks services. With the strengthening of the Local Authorities responsibilities in ensuring delivery of the Local Offer it is recommended that the lead commissioning responsibility transfers to the Local Authority for these four units. Commissioning expertise and responsibility for commissioning all short breaks services can be focused and promote the achievement of the best outcomes for service users. The residential short breaks arrangements currently sit outside of the other commissioning arrangements for short breaks services. By becoming lead commissioner for residential short breaks, alignment in commissioning arrangements concerning this market would be created.</p> <p>Joint working between teams within CAMHS and Learning Disability Health Services to meet the needs of complex children accessing residential short breaks is important and would need to be retained in any joint working arrangements. If the Council becomes lead commissioner for residential short breaks there is an opportunity to carry out an options appraisal to determine how best to deliver this type of service.</p> |
| Environmental impacts | None   |

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| (summary):-   |   |
| Economic impacts (summary):-  | The analysis demonstrates there is little potential for economic disadvantages in carrying out options appraisals to identify the right systems for service delivery with a view to the services identified above.  |
| Other impacts (partner agencies, services, DCC policies, possible 'unintended consequences'): | <p>Northern, Eastern and Western Devon CCG, South Devon and Torbay CCG (partners involved in joint commissioning and funding contract for Community, Health and Care Services model).</p> <p>It is judged that the impact of removing the Residential Short Breaks, Portage and ROVICs services from the re-procurement of Community Health and Care Services will not impact adversely on partners.</p> <p>The future delivery of these services will continue to support the joint strategy and model of care.</p> <p>Torbay Council and Plymouth City Council commission and deliver the above services separately. These services are not part of the future contract arrangements for these two authorities.</p> |
| How will impacts and actions be monitored?  | <p>Products which would potentially be produced as outputs of the review of system of services detailed and described above may include:-</p> <p>A full EIA process will be undertaken for the future plans for Portage, ROVIC's and Short Breaks as part of any future changes following consultation and options appraisal. The OT and CAMHS Services will be further Impact Assessed in line with the NHS processes through the procurement process. The impact will be further monitored through commissioning strategies and contract/ service performance monitoring.</p>   |

# Background Analysis

This section describes how relevant questions and issues have been explored during the options appraisal.

## Section 3 - Profile and views of stakeholders and people directly affected

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| <p>People affected:</p>   | <p>Parents of disabled children and disabled children aged 0-18 with disabilities and additional needs who may access the ROVIC, Portage, Occupational Therapy, CAMHS or residential short breaks services now or in the future currently living across the Devon localities (North, East, South and Mid Devon).</p>   |
| <p>Diversity profile and needs assessment of affected people:</p> | <p><u>Reach:-</u></p> <p>The Joint Strategic Needs Assessment Devon Overview (2017) suggests there are 161,748 children and young people aged between 0-19 years currently living across the Devon localities.</p> <p>“The SEND Code of Practice states that a child or young person has special education needs ‘if they have a learning difficulty or disability which calls for special educational provision to be made for him or her’. There is consequently a significant overlap between those with disabilities and those with SEN; although not all children with disabilities will have SEN and vice versa” (p100).</p> <p>“We would expect more than 3,500 Devon children to experience problems with memory, concentration and learning (the most common area of difficulty), and more than 3,000 to have difficulties with communication. In terms of physical disabilities, the estimates suggest that 2,300 children in Devon experience mobility problems, more than 1,200 have impairments in manual dexterity and approximately 2,000 have coordination difficulties. We would expect over 1,000 Devon children to experience continence difficulties. Many children will of course experience difficulties in more than one area, meaning that these numbers should not be added together” (p101)<sup>1</sup>.</p> <p>There are currently 1,555 children and young people in Devon currently open to the disabled childrens service at</p> |

<sup>1</sup> Direct quotes obtained from the Joint Strategic Needs Assessment Devon Overview, (2017).



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|                    | <p>Devon County Council<sup>2</sup>.</p> <p><u>Experience:-</u></p> <p>The CCG has led a partnership approach to the pre-procurement work. This has included engagement and stakeholder consultation. This engagement has focused on the strategy for a system of services to meet need. The partnership is embarking on the final stages of this consultation including market warming events.</p> <p>Engagement with parents and children has highlighted where the delivery of services is currently not meeting need and the system is difficult to access and navigate. Engagement with parents and children has also highlighted where services have worked well and have been important for children, young people and their families. (Hyperlink to current engagement project <a href="https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144">https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144</a> )</p> <p>Engagement with parents of children who are deafblind has highlighted there is more to do to join key parts of the education and care systems to meet wider sensory needs of children and to strengthen the impact of this service on wider outcomes.</p> <p><u>Dependence:-</u></p> <p>Services are specialist and are designed to meet the very specific needs of disabled children and children and young people with additional needs and complex needs. These services can very much act as life line for parents and carers. Young people using services depend heavily on them and rely on interventions and support to allow them to meet milestones and make many opportunities accessible to them across their day to day lives.</p> <p>With the exception of the residential short breaks service, other services are well utilised. As these are specialist services, the numbers of children and young people using them are not always large.</p> |
| Other stakeholders | Hospital Paediatric Services, other Community Health Service Providers, Education Service's and Schools   |

<sup>2</sup> As of 27<sup>th</sup> September 17, figure provided by Childrens Management Information Team.

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| (agencies etc.):                  |  |
| Consultation process and results: | <p>The CCG has led a partnership approach to the pre-procurement work. This has included engagement with parents, children and stakeholder consultation. This engagement has focused on the strategy for a system of services to meet need. The partnership is embarking on the final stages of this consultation including market warming events. This will involve publication of draft specifications and outline descriptions of how services may be changed in response to engagement feedback (Hyperlink to current engagement project <a href="https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144">https://www.newdevonccg.nhs.uk/your-ccg/children-and-young-people-100144</a> ).</p> <p>Engagement and consultation to be planned to inform options appraisal for Best Start in Life Services and Public Health Nursing. Consideration of Portage service to be joined to these activities. The relationship between this service and Public Health Nursing (PHN) is critical to successful early intervention.</p> |
| Research and information used:    | <ul style="list-style-type: none"> <li>• Joint Strategic Needs Assessment Devon Overview (2017).</li> </ul> <p>Community Health and Care Services Consultation</p> <ul style="list-style-type: none"> <li>• <a href="https://www.newdevonccg.nhs.uk/file/?download=true&amp;rid=113650">https://www.newdevonccg.nhs.uk/file/?download=true&amp;rid=113650</a> Feedback from parents of Deaf Blind children on project group.</li> </ul>  |

## Section 4a - Social Impacts

### Giving Due Regard to Equality and Human Rights

The local authority must consider how people will be affected by the service, policy or practice. In so doing we must give due regard to the need to:

- Eliminate unlawful discrimination, harassment and victimisation
- Advance equality of opportunity
- Foster good relations.

Where relevant, we must take into account the protected characteristics of age, disability, gender, gender reassignment, pregnancy and maternity, marriage and civil partnership, sexual orientation, race, and religion and belief.

This means considering how people with different needs get the different services they require and are not disadvantaged, and facilities are available to them on an equal basis in order to meet their needs; advancing equality of opportunity by recognising the disadvantages to which protected groups are subject and considering how they can be overcome.

We also need to ensure that human rights are protected. In particular, that people have:

- A reasonable level of choice in where and how they live their life and interact with others (this is an aspect of the human right to 'private and family life').
- An appropriate level of care which results in dignity and respect (the protection to a private and family life, protection from torture and the freedom of thought, belief and religion within the Human Rights Act and elimination of discrimination and the promotion of good relations under the Equality Act 2010).
- A right to life (ensuring that nothing we do results in unlawful or unnecessary/avoidable death).

The Equality Act 2010 and other relevant legislation does not prevent the Council from taking difficult decisions which result in service reductions or closures for example, it does however require the Council to ensure that such decisions are:

- Informed and properly considered with a rigorous, conscious approach and open mind, taking due regard of the effects on the protected characteristics and the general duty to eliminate discrimination, advance equality and foster good relations.
- Proportionate (negative impacts are proportionate to the aims of the policy decision)
- Fair
- Necessary
- Reasonable, and
- Those affected have been adequately consulted.

| <b>Characteristics</b>   | <b>In what way can you eliminate or reduce the potential for direct or indirect discrimination, harassment or disadvantage?</b><br><br><b>Are there any lawful, reasonable and proportionate, unavoidable negative consequences?</b> | <b>In what way can you advance equality (meet needs, encourage participation, make adjustments for disabled people, ‘close gaps’).</b><br><br><b>In what way can you foster good relations between groups (tackle prejudice and promote understanding), if relevant?</b>  |
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| All residents (include generic equality provisions):   |  | Taking action to review options for systems for service delivery will provide assurance to parents, carers, young people and staff who have given feedback during the various engagement routes, that their voice has been heard and the Local Authority are prepared to listen and respond to this in order to ensure the best possible outcomes are being achieved by all and systems of services are accessible and improved appropriately over time. A specific EIA will be undertaken for each service or delivery system. |
| Age:   | The Options Appraisal process will consider the age factors that maybe impacted upon.  |   |
| Disability (incl. sensory, mobility, mental health, learning disability, ill health) and carers of | Potential disruption to continuity of care for children and their families if changes are undertaken to ensure right system of services is in place to meet need following options appraisal. Stakeholders will                      | Better outcomes achieved by children and young people with disabilities, SEND and complex additional needs as the right system of services better benefit the needs of these young people. Systems will be appropriately aligned  |

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| <p>disabled people:</p>  | <p>be engaged in the options appraisal and EIAs completed for any proposed changes</p> <p>Review or decision to implement change could lead to young people, parents and carers or staff experiencing negative emotions such as unease, anxiety, uncertainty etc. Mitigating actions considered and included in options appraisal above, summary includes management by a project group, communication plan for regular updates to groups, forum in which questions; queries can be raised and answered a clear action plan. Reassurance that any change or outcome will not influence current service delivery.</p> | <p>with potential to make them easier to navigate. This has the potential to benefit the emotional well-being of parents and young people who will feel more positive emotion and fewer negative emotional states such as frustration and helplessness.</p> <p>Better outcomes will be achieved if systems of services reflect and ensure better integration across services between social care, health and education.</p> <p>Carers and parents of disabled children, young people with SEND and complex additional needs will feel more supported and better able to access and navigate a system which is best suited to facilitate in supporting needs of young person. Empowerment of carers and parents if they feel they are not only able to access the right system of services, but at the right time and they know where they stand.</p> <p>Services subject to options appraisal will continue to be available and will continue to be commissioned to support needs of young people and their families. Information about services will be available through the Local Offer website.</p> |
| <p>Culture and ethnicity: nationality/national origin, skin colour, religion and belief:</p> | <p>The Options Appraisal process will consider the cultural and ethnicity factors that may be impacted upon.</p>   |   |

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| Sex, gender and gender identity (including men, women, non-binary and transgender people), and pregnancy and maternity (including women's right to breastfeed).                      | The Options Appraisal process will consider the sex, gender and gender identity factors that may be impacted upon.                   |  |
| Sexual orientation and marriage/civil partnership:   | The Options Appraisal process will consider the sexual orientation and marriage/civil partnership factors that may be impacted upon. |  |
| Other socio-economic factors such as families, carers, single people/couples, low income, vulnerability, education, reading/writing skills, 'digital exclusion' and rural isolation. | The Options Appraisal process will consider the socio-economic factors that may be impacted upon.                                    |  |
| Human rights considerations:   | Right to education and right to family life will be further considered as part of future EIA's considering delivery                  |  |

**Supporting independence, wellbeing and resilience?**

Give consideration to the groups listed above and how they may have different needs.

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| In what way can you support and create | The Options Appraisal process will consider the service accessibility, intervention, |
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| opportunities for people and communities (of place and interest) to be independent, empowered and resourceful? | information and resource, young people and families need to engage in environments and opportunities with a degree of independence and be empowered in knowing how to facilitate young person's needs to ensure achieve best possible outcomes –socially, educationally and personally.   |
| In what way can you help people to be safe, protected from harm, and with good health and wellbeing?           | The Options Appraisal will consider the Health and emotional wellbeing needs of young people and parents and carers and how this will be promoted. To ensure increased likelihood of experiencing positive emotions like empowerment, reassurance for instance and in place of negative emotions such as anxiety, frustration and a sense of helplessness which can have adverse effects on health and well-being.  |
| In what way can you help people to be connected, and involved in community activities?                         | The Options Appraisal will enable the Council to identify the right system of services to meet a young person's needs, this will ensure the young person and their families have both the information, means, resource and intervention/ support which allows them to fully access or be facilitated in accessing their environments, in meeting developmental milestones and to access curriculums of learning and also access groups, activities and opportunities in their community to the very best. |

## Section 4b - Environmental impacts

An impact assessment should give due regard to the following activities in order to ensure we meet a range of environmental legal duties.

The policy or practice does not require the identification of environmental impacts using this Impact Assessment process because it is subject to (please select from the table below and proceed to the 4c, otherwise complete the environmental analysis table):

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|  | Devon County Council's Environmental Review Process for permitted development highway schemes.  |
|  | Planning Permission under the Town and Country Planning Act (1990).   |
|  | Strategic Environmental Assessment under European Directive 2001/42/EC "on the assessment of the effects of certain plans and programmes on the environment". |

|   | <b>Describe any actual or potential negative consequences.<br/>(Consider how to mitigate against these).</b> | <b>Describe any actual or potential neutral or positive outcomes.<br/>(Consider how to improve as far as possible).</b> |
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| Reduce waste, and send less waste to landfill:  | None   | None  |
| Conserve and enhance biodiversity (the variety of living species):                              | None   | None  |
| Safeguard the distinctive characteristics, features and special qualities of Devon's landscape: | None   | None  |
| Conserve and enhance the quality and character of our built environment and public              | None   | None  |



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| spaces:   |      |      |
| Conserve and enhance Devon's cultural and historic heritage:  | None | None |
| Minimise greenhouse gas emissions:  | None | None |
| Minimise pollution (including air, land, water, light and noise):   | None | None |
| Contribute to reducing water consumption:   | None | None |
| Ensure resilience to the future effects of climate change (warmer, wetter winters; drier, hotter summers; more intense storms; and rising sea level): | None | None |
| Other (please state below):   | None | None |

### Section 4c - Economic impacts

|  | Describe any actual or potential negative | Describe any actual or potential neutral or positive |
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|                                 | <b>consequences.</b><br><b>(Consider how to mitigate against these).</b> | <b>outcomes.</b><br><b>(Consider how to improve as far as possible).</b>   |
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| Impact on knowledge and skills: |  | The Options Appraisal will consider how staff knowledge and skills will be enhanced and further supported by identifying and developing the right system of services and professional/ practice supervision in that context. |
| Impact on employment levels:    |  | Any changes identified by the outcome of an options appraisal of systems of services to be delivered will be subject to further EIAs.  |
| Impact on local business:       |  | N/A  |

## Section 4d -Combined Impacts

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| Linkages or conflicts between social, environmental and economic impacts: |  |
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## Section 5 - 'Social Value' of planned commissioned/procured services:

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| How will the economic, social and environmental well-being of the relevant area |  |
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be improved through what is being proposed?  
And how, in conducting the process of  
procurement, might that improvement be  
secured?