

# External Placements Task Group



10 January 2013

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# Preface



## **Councillors Saxon Spence and Vanessa Newcombe Chairs, External Placements Task Group People's Scrutiny Committee**

We would like to thank all those who have taken part for their valuable contributions to the review process.

This report follows up longstanding concerns of the former Children & Young People's and the current People's Scrutiny Committees about the high cost of external placements to the County Council. We need to ensure resources are being used more wisely than ever before at a time when money is limited and demands are increasing.

The priority of the County Council must be to find the right placement for children, young people and adults who need specialist provision. Authorities are also being asked to make sure they provide suitable and safe placements near to home for those in Devon's care. We believe, therefore that our report is timely and hope that it helps to meet the County Council's aspiration "to support and protect vulnerable people".

Saxon Spence and Vanessa Newcombe  
Chairman

# Introduction

The Task Group — Councillors Vanessa Newcombe (Joint Chair), Saxon Spence (Joint Chair), Alison Boyle, Bernard Hughes and Michael Lee, as well as Mrs Liz Wilson the Primary Parent Governor representative — would like to place on record its gratitude to the witnesses who contributed to the review. In submitting its recommendations, the Group has sought to ensure that its findings are supported with evidence and information to substantiate its proposals.

At its meeting on 29 February 2012, People's Scrutiny Committee agreed that the External Placements Task Group be formed. The terms of reference for the review were:

1. To examine the number of external placements that the County Council has been required to make over the last 3 years.
2. To examine the statutory, mandatory, and discretionary spend by the County Council for external placements and the associated costs in comparison with internal provision.
3. To review the People's Placement Strategy, and other strategies to reducing the number of external placements.
4. To make detailed recommendations to the People's Scrutiny Committee on the findings of the Task Group.

All adult services are purchased from the independent sector. Within children's services the term 'out of county' or 'external' placement refers to all placements for children and adults that are purchased rather than directly delivered by the County Council. They may include independent schools, private foster carers and other authorities. They may be within Devon or in another county.

Members recognised that the scope of the review was extremely broad, covering very different areas in terms of the County Council's use of external placements. The Task Group identified special schools, fostering, learners with learning difficulties and or disabilities and adult residential care as the focal point for this investigation.

Throughout this report the use of the term 'parent' has been used as shorthand to include mothers, fathers, carers and other adults with responsibility for caring for a child, young person or adult with a learning disability.

Time and resources necessitate that this review provides a snapshot approach to highlight significant issues relating to external placements. The list of witnesses to the review does not pretend to be exhaustive but hopes to provide insight into some of the central themes currently affecting external placements. Members were mindful of the need to report back to People's Scrutiny in order that the Task Group's findings and recommendations may inform the budget setting process for 2012/13.

# Recommendations

The Task Group is mindful that any recommendations it makes take account of the need to ensure that the safeguarding of Devon's children and vulnerable adults is not compromised.

## Recommendation 1

### **Placement Strategy**

- (i) That the revised Placement Strategy is adopted, and Cabinet urged to support its 5 key objectives and Action Plan.
- (ii) That the Fostering Service is redesigned (to include parent and child placements) and the capacity of the Service is increased.
- (iii) That the financial implications be taken into account in the budget setting for 2013/14.

## Recommendation 2

### **Special Schools**

- (i) That capacity in Devon's maintained special school sector is increased working with the SENTient Trust.
- (ii) That greater investment is provided for special school therapies.
- (iii) That the special school capital programme is reviewed to ensure there is adequate investment in Devon's maintained special schools.
- (iv) To achieve better working with the independent school sector.

## Recommendation 3

### **Further Education, training and employment**

That further work with special schools and FE colleges is undertaken to ensure a range of opportunities are available to enable young people with SEN to move into suitable education, training, apprenticeships and employment including the introduction of an employment passport.

## Recommendation 4

### **Health and Social Care**

- (i) That the Health and Wellbeing Board take responsibility for ensuring that services to children and young people, and adults are not adversely effected by the reconfiguration of the NHS.
- (ii) That there is an equitable division of cost for placements between Education, Social Care and Health.

## Recommendation 5

### **Brokerage**

That a standardised brokerage service for adults is extended to include provision for children and young people.

## Recommendation 6

### **Inspection and Contract Monitoring**

That more robust inspection and contract monitoring procedures are established for external placement settings, which include a rigorous evaluation of outcomes.

## Recommendation 7

### **Promotion and Marketing of the County Council Offer**

That the County Council improve the promotion of its offer to ensure parents and staff are aware of the quality of its in house services.

# Summary

It is important to recognise the County Council is operating in a time of great change. Since the review began there have been significant developments in terms of both national and local policy. Bills are currently going through parliament on social care, health and education, along with the establishment in Devon of the SEN Pathfinder. With no lead nationally bringing together all the different strands from a funding perspective, coupled with a lack of clarity on the educational funding formula, it will be an ever increasing challenge for the County Council to maintain suitable provision to meet the needs of all of Devon's children and adults. It is therefore vital that the County Council has a more robust policy for its use of external placements, to both reduce the costs involved and above all ensure the welfare of its most vulnerable.

There has in recent years been increasing dependence on external placements. The Task Group recognises that some external placements are necessary; the County Council relies on independent providers for all learning disabled adult residential care (excluding respite), and for placements for children and young people where their needs are too complex to be met by existing provision in Devon. There are various strategies underway to limit the number of children, young people and adults going into external placements; however more can be done to reduce the number of these placements and the costs involved, whilst keeping at the centre of the process the needs of users and the quality of service they receive.

Schools should be expected to look at how they can be more successful in supporting and responding to the most challenging young people. With an increase in the number of children surviving with complex medical needs, special schools are becoming more specialist and some children who might once have been in special schools have been successfully included in the mainstream. Schools should be working closely with the Local Area Base Partnerships and the Devon Personalised Learning Service to address young people's needs, focussing on early intervention and appropriate support to ensure they retain responsibility for their pupils. This approach will reduce the pressure on the County Council's maintained special schools to allow them to develop additional capacity for children and young people with more complex needs. This will however require additional investment.

Devon has a number of independent special schools, and where placements are necessary the County Council needs to be more proactive towards these providers. Brokerage should also ensure the best possible rates and packages of care are procured. However, there is a far from consistent approach across the County Council to brokerage which has significant cost implications. While brokerage is fundamental to reducing the cost of learning disabled adult residential placements, it has not been used when placing children and young people with independent schools. A standardised brokerage service across Devon would represent a more robust approach to the procurement of external placements.

Devon also relies disproportionately on the independent fostering sector. The County Council has more children in external placements, and less in its own foster care than its statistical neighbours, at greater cost. However with the redesign of the Fostering Service it is hoped that a successful recruitment and retention strategy for the in-house service will help to meet the increasing demand for placements and mean a reduced reliance on independent fostering agencies.

The Task Group recognise the revised Placement Strategy as a key component in reducing the number and cost of external placements. The Placement Strategy will give the County Council an opportunity to get its early intervention right, through which significant long term savings can be realised. There is good work being undertaken in Devon, but it is not necessarily being linked together in the most strategic way to reduce costly external placements. The recommendations of the Task Group aim to promote a strategy moving forward which supports opportunities to reduce safely reliance on external placements.

# Overview

'External' or 'out of county' placements is a term used where children and young people and adults are attending provision that is not maintained by the County Council. However, the majority of these placements are still within Devon. These placements are made when the County Council's maintained provision cannot meet the specific needs of a child or adult, and when the County Council has been directed to place a young person as a result of a legal ruling. The types of placement include:

- Special schools (day and residential)
- Fostering
- Children's Homes
- Residential Homes

Funding is through a mix of:

- Dedicated School Grant (DSG) – new funding formula does not allow ring-fencing of the DSG to fund Special Educational Needs (SEN) provision including special schools, placements and residential placements
- Social Care Funding – Local Authority-funded, not ring-fenced and includes safeguarding placements
- NHS – where a clear health need is assessed, although there is currently no formal criteria which determines when Health will contribute towards the cost of such a placement

## External Special School Placements (up to age 19)

	County Council Funded Education Independent Placements	County Council Joint Funded Placements with Health	Total Number	Total Cost to Education
<b>April 2010</b>	148	35	183	£6.871m
<b>April 2011</b>	156	44	200	£8.073m
<b>April 2012</b>	141	41	182	£8.204m

**Average cost per place = £45,076**

The most prevalent categories of need catered for by the independent sector in joint funded education placements are:

- Behavioural emotional and social difficulties – 55
- Visual Impairment - 19
- Hearing Impairment - 23
- Autistic Spectrum Condition -21

Those children and young people with visual impairment and hearing impairment attend either the West of England School for the Visually Impaired or the Exeter Royal Academy for Deaf Education. A number of families move into Devon so that their children can attend these schools.



## Placements in Maintained Special School (up to age 19)

	Total Devon children in all maintained special schools	Total in maintained schools	Devon special	Estimated Total Cost
<b>April 2010</b>	819	768		£19,462,716
<b>April 2011</b>	861	804		£20,460,804
<b>April 2012</b>	863	806		£20,508,332

Average cost per place = £23,764

## Learners with Learning Difficulties and or Disabilities (aged 16-24)

	Total Number of Devon LLDDs in residential education and care	Total Cost
2010/11	74	£4,467,969
2011/12	87	£5,175,401

## Adults with Learning Disability

As the County Council does **not** provide services for long-term residential care, **all** adults with a learning disability funded by the County Council are in long-term placements with providers independent of the council.

	Total Number of Adults in Devon with Learning Disability	Total Cost
2009/10	720	£30,847,039
2010/11	633	£26,695,385
2011/12	605	£24,636,450

# Key Issues - Education

## External Special School Placements

Exeter's independent special schools are an important driver in people moving into Devon. Parents relocate from across the country in order to access specialist providers. Expensive provision offered in independent special schools is attractive to parents who feel that they are getting something better for their child than the local authority can provide. Although Devon has a number of excellent independent special schools, the Task Group is mindful that there is not necessarily a correlation between the money spent on expensive external placements and the quality of the provision the young person receives.

Other than through parental choice, external placements are normally commissioned when the County Council cannot secure provision from within its own special schools, either because the very specific specialist provision the child requires does not exist or the school is at capacity. There will always be some young people that need to be placed externally, but the County Council should be able to provide for most children and young people in-house.

Members felt that Devon is at present over reliant on the independent special school sector, which represents a significant budgetary strain given the average cost of these placements being almost twice that of the maintained sector.<sup>1</sup> The County Council is too often at the mercy of the provider, in being dictated to in terms of cost, with brokerage currently not being used on sole education funded placements. In addition, 16-19 placements through the Education Funding Agency have a nationally agreed matrix of revenue that dictates the funding of a placement.

Officers reported to members an absolute commitment to getting full value for money for its placements. This includes ensuring all children and young people are progressing in their placements; that the bar is set as high as possible in terms of their aspiration and employment potential. It is essential all providers are meeting the County Council's expectation that these young people can and will achieve. There is however still a need to strengthen the inspection of external placements and settings. Educational Psychologists attend annual review meetings, but there are no other formal inspections undertaken by the Local Authority beyond Ofsted inspections. Independent special schools are also not required to provide standardised paperwork following an Annual Review meeting. It is therefore not easy to track the progress a child has made across all National Curriculum areas. Independent providers could be contracted to a commissioning process, where they are paid on results, as too many young people are going through the system without progressing. Concern was also expressed about the impact external placements have where a young person is sent out of county and geographically removed from their family.

## Maintained Special Schools

Although Devon's special schools are consistently recognised as representing good value for money, a significant concern is that most are operating at capacity. The Capital Programme 2012/13 – 2016/17 needs to support build within the County Council special schools.

Devon's special schools have become foundation schools and jointly set up a co-operative learning trust, the SENTient Trust. The trust has two founding partners working with the special schools, the County Council and The Cooperative Movement. The SENTient Trust has the potential to be a single point of contact for issues such as reducing external

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<sup>1</sup>It was however reported to the Task Group that in the recent *Comparative Cost Review of Non-Maintained and Independent Special Schools with Local Authority Maintained Special Schools* (National Association of Independent Schools and Non-Maintained Special Schools) local authority provision is no less expensive than the independent sector equivalent, when the costs are adjusted to include all the relevant costs, and the same is done with the independent sector costs.

placements. The move to the SENTient Trust should give Devon's maintained special schools a better platform to address some of the issues that can result in external placements being made.

Special schools are usually the last port of call before children and young people are placed in the independent sector resulting in much higher costs. Mainstream schools have access to the Devon Personalised Learning Service (DPLS) as a resource to help them think about and plan the next step for a young person at risk of permanent exclusion. However, the DPLS is not set up to cater for young people with the complex needs who attend Devon's special schools. Consequently the County Council provided an extra £590,000 of personalised funding to Devon's maintained special schools 2011/12 to enable them to support children and young people who might in the past have needed external placements.

The changes being introduced by the Education Funding Reform legislation due to come into effect in April 2013 have required local authorities to restructure their school funding formula and has meant that the funding arrangement for 2013/14 is still undecided and those for 2014/15 remains unclear. This is against a backdrop of special schools which have an increasing school population and who need consistency of funding to maintain a stable staff group.

## **Therapies**

A key driver for young people going into the independent sector relates to the provision of therapies. The independent sector is typically able to offer a greater range of therapies and services for those with a high level of need. Where a maintained special school is unable to provide the level of therapy that a parent believes their child needs, this can increase pressure for a young person to be placed in the independent sector. Work needs to be undertaken with Health to determine what provision can be made by the County Council before parents feel they need to explore external placements. Embedding therapeutic services in Devon's maintained special schools, or at least making them easier to access quickly and in the local community, would make the County Council's schools more attractive to parents and reduce recourse to tribunal. Officers reported that in many cases it would often be more cost effective if the therapy was provided by a County Council special school.

## **Parents**

The County Council needs to work collaboratively with parents. The provision of respite services for people with learning difficulties has a crucial role in supporting parents care for their child within the home. Respite allows families and carers the opportunity to take a break from the responsibility of caring for somebody else, which helps them to cope in the longer term and is an important factor in reducing the need for external placements.

Occasions were reported to the Task Group where social care and health staff have recommended independent special schools to parents. There are lead professionals in social care who do not understand the County Council's offer, who may have unwittingly directed service users towards the independent sector. It should always be the case that a Devon young person is sourced mainstream provision where available, and only then when their needs cannot be met in house should the County Council seek an external placement. It is vital the County Council markets and promotes its own special schools to counter this, and an updated SEN prospectus is being prepared to help to achieve this. It is important that the County Council retains a tribunal officer to represent the Local Authority as it saves money in the longer term.

## **Inclusion in Mainstream School**

Local Learning Communities are being commissioned to provide capacity to ensure a young person can be kept within their peer group as they move from primary to secondary school, rather than being placed in independent special schools. Communication and

Interaction Resource Bases allow the inclusion of pupils who have the potential to access a mainstream environment, but require specialist teaching and autism specific strategies in order to develop their capacity to learn. Local Area Base Partnerships are networks of secondary schools sharing resources and expertise to ensure support for students vulnerable to disaffection or exclusion with early preventative partnership work. Mainstream schools can also, with a relatively low level of investment, create special units on site or nearby where those young people who are challenging can be worked with separately from the main body of the school until a crisis has passed and provision modified and or enhanced. Where there are embedded social workers in schools, social care and other agencies are more likely to engage speedily to support the family as a whole, which is helpful in reducing placement breakdown and the pressure for external placements.

## **Statement of SEN**

The number of statemented pupils in Devon is increasing, and there is anecdotal evidence there may be schools that feel they have to permanently exclude pupils to enable them to get the support they need. The message should go out to schools that this is not a good route to accessing additional provision as the pupil's education is severely disrupted by doing so.

Devon also undertakes a Learning Difficulty Assessment (LDA) for all Year 11 learners who have held a statement pre 16. This statutory assessment will assess the needs at the transition into Post 16 and consider all the options available to meet those needs. Moreover the LDA will allow the council to direct the appropriate funding from the High Needs Block in the future funding model.

The County Council is one of the Pathfinder local authorities for the SEN and Disability Reforms being introduced by the Government. The Pathfinder is exploring ways to develop a Single Assessment process leading to a Single Plan which will incorporate the current SEN statementing process alongside health and social care assessments. The aim is to provide a more holistic approach to meeting the needs of children and young people in Devon and provide earlier intervention to try and prevent their level of need escalating to the point at which an external provider would be required.

## **Further Education Colleges**

A number of witnesses to the review questioned why the County Council has historically had so many young people in external placements, where they could be at a local further education (FE) college. Parents do not always recognise the opportunities that these colleges can provide. There is work that FE colleges could undertake to improve their offer to young people, such as improved disabled access, and residential provision. However there are already a significant number of young people with a learning disability accessing FE facilities in Devon. There has been considerable investment across the FE sector in improving facilities and provision. It is also important that the County Council's maintained special schools provide transitional support and outreach to young people as they move into FE. Officers from DCC work closely with FE to develop local mainstream provision that not only focuses on progression to employment but also independent living skills.

College places need to have an emphasis on preparing young people for supported living. Support should be provided by special schools up until 25 to enable young people to succeed in the work place. The expectation should be that many of these young people will go into paid employment and some of Devon's FE colleges were reported to be doing very well in this regard. The new Study Programmes (from September 2013) also give all post 16 education providers greater scope to design a programme that has work experience as the main element. The County Council should be encouraging employment opportunities within its own establishment and also working with the private sector.

# Key Issues - Fostering

## Children in Care

The County Council has escalating numbers of Children in Care, increasing from 556 in 2008/9 to 717 in August 2012. Post Baby P, and possibly through an increase in poverty, more children are coming into care, as well as through the impact of the Southwark judgement. In addition to this rise in numbers, there has been increased use of private sector provision and both in-house and private providers are struggling to meet placement demand. There is a need to better support those children at risk, and to make sure that only those children that require it are going into care at the right time. The 'edge of care support' needs to be improved, with respite units and family support better deployed to reduce the numbers of children and young people entering care.

## Fostering Service

The County Council Fostering Service remains the major childcare resource for children and young people in care to the Local Authority. It includes: Mainstream, Family & Friends, the Family Care Worker Scheme (Complex Cases), Parent/Child, Devon Young People's Accommodation Service and the Concurrency Scheme and provides a range of placement options for social workers via the One Stop Placement Service. Devon's Fostering Service was inspected by Ofsted in March 2012 and Ofsted concluded that Fostering is a "Good service with many Outstanding features".

The County Council pays just above the minimum rate for fostering, but below the rate recommended by the Fostering Network, between £115 and £185 a week with a higher sum for a small group of more complex young people. There are however difficulties in matching the needs of a child in Devon, with the availability of in house fostering placements and it is for this reason that many children go in to external placements. The County Council uses a large number of independent fostering agencies, with Joint Peninsula commissioning arrangements in place. External fostering costs the County Council over £800 a week per placement, of which the carers receive approximately half.

It is recognised that Devon's Fostering Service provides a more comprehensive training and support programme for its carers than many of the independent fostering agencies. There are however issues about the length of time it takes the County Council to process a foster carer's application, compared with the independent sector. While typically carers within the County Council's Fostering Service do feel well supported, cutting birthday and Christmas allowances, as well as the long service award has had an effect on morale, and has not helped foster carer retention..

The County Council does review whether a child can be moved to an in-house fostering provider where places are available to realise savings, but this will only be done where it can be evidenced as being right for the child concerned. Placement stability is an essential issue, and children and young people should not be moved between foster carers when they are settled.

Parent and child placements have also increased significantly post Baby P. It is difficult to predict the number of these coming through the system at any one time, and the independent sector is used to purchase placements at huge cost. 3 placements at the moment are each costing £6,000 a week. The County Council does not have Peninsula commissioning arrangements with these providers. These placements are often determined by the court, who may rule against the County Council's care plan and decide residential independent provision is needed.

## Fostering Service Redesign

The Head of Social Care Provision has commissioned a redesign of Devon's Fostering Service to increase the number of in-house placements, as well as to improve placement

stability and the quality of provision. While recognising the quality of the existing offer, the redesign is looking at how the service can be improved in such a way as to reduce the number of young people going into expensive external placements. There will always be some children whose needs are so specialist that it is not in any way economical for the Local Authority to operate an in-house scheme, but there are in Devon a large number who could be accommodated in-house if the Fostering Service is redesigned. There is a need to review the recruitment, retention and remuneration of foster carers in Devon.

As the figures (see page 9) demonstrate, in house fostering is the best value option, assuming the County Council has the right mix of carers with the skills to support the needs of children and young people. The County Council has been somewhat reluctant in promoting its Fostering Service, which has been a factor in the number of external foster placements it has been forced to make. Independent fostering agencies meanwhile have exploited opportunities to aggressively market themselves.

The County Council needs to have a more professional, business approach to its Fostering Service. A new strategy should recognise career foster carers, with retained paid foster carers as part of a robust recruitment strategy. The County Council needs to promote its quality offer with its unique selling point, which is the support and training it can provide its carers. The new strategy for foster care should include improved foster carer practice support, wrap around care, and intervention for families in crisis.

## Placement Strategy

Leadership Team People recognised in September 2012 the need to revise its Placement Strategy. If the new Placement Strategy is adopted by the County Council, officers reported it will only take 12-18 months for savings to be realised. The scope of this strategy covers five key objectives, these are:

1. **To support families to stay together** and reduce the need for children and young people to be looked after by ensuring a focus on early help.
2. **To manage risk confidently and provide support at the edge of care** to make sure the right children and young people come into care at the right time.
3. **To provide and commission a flexible and affordable mix of high quality placements** so that all children and young people have a positive experiences in care, whatever their needs.
4. **To ensure all children and young people in care get a good education**, whether this is in mainstream schools or in alternative arrangements.
5. **To give children and young people clearly planned journeys through care** which enable them to be reunited with family and friends where possible, have stable placements and exit the care system positively.

## Joint Agency Panel for Children's Placements

Despite its name, this Panel agrees all placements being made to external providers whether they are sole funded by one service or joint funded between Education, Health and Social care. Operational managers should be examining all in-house options before approaching the Joint Agency Panel for external placements. There have been issues of cases coming to the Panel where in-house resources had not been exhausted. In some cases, planning was often ineffective for Children in Care between the ages of 16-18 and external residential placements were being sought to address this failing. The new Panel will only be attended by budget holders.

Integrated Children's Services (ICS) deals with hugely expensive placements, some of which may be emergency and often highly complex. Placements are made from the joint agency panel with representatives from health, social care and education. From next year ICS becomes an independent provider with Virgin, which the Task Group recognise as a potential risk. The changes that occur when Virgin take over ICS need to be understood and monitored.

# **Key Issues – Adults with a Learning Disability**

## **Adults with a Learning Disability**

There is a joint planning mechanism with health, which includes a specialist group on commissioning. The adult learning disability commissioning budget is just over £40m - the funds from which the County Council purchases care packages across the social care / adult market place, including residential care and supporting people in their own homes, for 1,865 adults with a learning disability. The NHS, through Continuing Health Care, contributes approximately £10.5m. Officers advised that it is a failure within the system if anyone with a learning disability has to have services commissioned outside Devon for health needs.

Devon has a below average number of young adults living outside the geographical area, and spends less than most local authorities, although there remains over 350 placements in the County costing in excess of £1800 a week on average per individual, with some costing as much as £6000 a week. Devon is a net importer of adults with a learning disability, and the numbers entering adult services is rising

There were huge variations in prices from providers for the same types of service. Brokerage has resulted in a more regulated market with cost being brought down significantly. There appear to be capacity issues in terms of brokerage to adequately negotiate around placements for children's services. Good rates need to be negotiated long before service users are placed with providers. Geographically Devon has difficulties through its isolation as well.

The proposals to reform the NHS represent a threat to the County Council's relationships with specialised commissioners. Questions remain as to who will fulfill that role. Collaborative working and a lead commissioner is very important.

Over half of the residential beds in Devon are now commissioned by other local authorities. There is a risk where a person with a learning disability moves into a private home and the County Council has to then fund this, when previously they were being paid for by another local authority. Although there is £1,000,000 in the budget this year officers fear an overspend.

## **Independent Living**

Department of Health measures Devon as 'over represented' in residential care but moving in the right direction, in that there has been a significant reduction in numbers going into long-term residential care due to the increased focus on independent living and supported budgets, even with learning disability numbers rising

One way of reducing external placements is to increase the numbers of service users who are being cared for within their own homes. Devon's approach is to encourage independent living. A Disabled Facilities Grant can be applied for, where capital input can be accessed. In other cases accommodation may already be available within the family home. Direct payments and personal budgets do not just save the County Council money, but also offer the service user control and flexibility to find the service most suitable to meet their needs. There are savings to be realised where people are kept in their own homes, but is also fundamentally about offering people choice and independence. Service users should have more say about their lives, and freedom to choose the type of services they receive.

## **Spot Purchasing**

Spot purchasing of placements has in some areas been reviewed and reduced, although there are still emergency placements, but much fewer than there was previously. Block

contracts are difficult with the offer of individual budgets for educational services. As commissioners the County Council does however need to be creative, and to ensure services are of the highest possible quality. Commissioners need to consider contracts guaranteeing a number of placements with a provider as a way of reducing costs.

## **Data and Information**

Given the variability that exists in the placing of individuals there is no one system that is constantly updated and captures the information on people placed out of area. The data stream for external placements is currently poor in Devon, with no single source of information available on numbers or cost, but this is something that officers are seeking to address.

## **Winterbourne View**

Learning disability commissioners in Devon, Plymouth and Torbay have been working together to look at the recommendations following the report on Winterbourne View. The safety and quality of care is very important. After Winterbourne View, CQC cannot be relied upon alone. Smarter ways of working have to be implemented to try to ensure the highest standard of care possible. Key actions have been developed and form part of a work plan focussing on 4 main work streams:

- Contracting & Contact
- Data & Information
- Commissioning of local services
- Safeguarding

Councillors Vanessa Newcombe (Joint Chair)  
Saxon Spence (Joint Chair)  
Alison Boyle  
Bernard Hughes  
Michael Lee  
Liz Wilson (Primary Parent Governor)

*Copies of this report may be obtained from the Democratic Services & Scrutiny Secretariat at County Hall, Topsham Road, Exeter, Devon, EX2 4QD or by ringing 01392 382232. It will be available also on the County Council's website at:*

**[http://www.devon.gov.uk/index/councildemocracy/decision\\_making/scrutiny/taskgroups.htm](http://www.devon.gov.uk/index/councildemocracy/decision_making/scrutiny/taskgroups.htm)**

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## Appendix 1:

# Brokerage

There are currently separate brokerage systems operating for children's and adult's external placements. The principles and responsibilities are broadly similar but the application is very different and achieves different results. Placements for children are made through the One Stop Shop and for adults complex placements (above £500 per week) are made through the Personal Brokerage Team. There is a much stricter procurement process for adult social care, than there has been for children and young people's placements. There is a proposed redesign of the Children and Young People's Brokerage Team, with the One Stop Shop re-designed to incorporate the procurement and negotiation approach undertaken by Adults Personal Brokerage. The timescale for completion of this is currently April 2013.

Adult brokerage is split into standard (lower value packages of care i.e. domiciliary) and personal which is for complex packages of care, residential and community based support. Adult brokerage was set up approximately 4 years ago, with the last 2.5 years having a dedicated manager and centralised team. Adult brokerage is undertaken on strict procurement principles with evaluation of 60/40% quality and price with a shortlist which presents the most cost effective option to the Care Manager to be considered first. It is important to establish how the cost of the placement is comprised to ensure value for money. Placements are for a huge range of different needs, from relatively low level to extremely complex. One placement recently was for over £300,000 a year. There have been many changes to improve efficiency and to reduce costs of placements which include:

- Use of benchmarking to assist with correct budget setting
- Use of estimated budget to inform market
- Greater partnership working with Care Managers
- Emphasis on SMART outcomes including the use of time limits where appropriate
- Strict procurement principles followed
- Reduction in status offered to preferred provider
- Better relationship with market – involvement with Provider Engagement Network
- Increased negotiation of submissions with providers

A review of existing placements has been undertaken, with approximately £500,000 of efficiencies having been achieved in 15 months. Formalised in February 2012, efficiencies achieved of over £500,000 annualised to approximately £1m over 9 months with all savings repeated each year unless needs change. It was reported to members that these savings have been made without a reduction in quality, and often with better outcomes achieved as the emphasis is on efficiency and increased independence. The aim being to ensure value for money quality services at a fair price.

## Appendix 2:

### Task Group Activities

- A1.1 The first meeting of the Task Group took place on **27 February 2012** to discuss the scope of the review and meet the Head of 14+ Learning & Skills Strategic Team, People.
- A1.2 On **3 April 2012** members met with the Interim Assistant Director – Learning Disabilities, People; Senior Manager - Children's Social Care Provision, People and Head of Education and Learning, People.
- A1.3 On **16 May 2012** the Task Group met with the Headteacher, Barley Lane School; Headteacher, Ellen Tinkham School; Chief Executive West of England School and College for young people with little or no sight and the Assistant Director of Integrated Children's Services, People.
- A1.4 On **25 July 2012** members met with the Senior Education Officer (Special Educational Needs), People and the Head of County Special Education Team, People.
- A1.5 On **3 September 2012** the Task Group met to discuss its draft findings and recommendations.
- A1.6 On **8 October 2012** members met with the Interim Commissioning Manager, People; Lead Commissioner, NHS Devon; Senior Manager - Children's Social Care Provision, People; Advanced Professional (Fostering), Fostering Team, People; Head of Education & Learning, People and the LDP Associate (LAB Lead).
- A1.7 On **23 October 2012** the Task Group met to discuss its findings to date and draft report.
- A1.8 On **26 November 2012** members met with the Senior Manager, Education & Learning People; Countywide Personal Brokerage Manager, People and the Head of Social Care Commissioning, People.
- A1.9 On **10 December 2012** the Task Group considered its draft final report.

## Appendix 3:

### Contributors / Representations to the Review

Witnesses to the review (in the order that they appeared before the Task Group / provided written evidence)

<b>Witness</b>	<b>Position</b>	<b>Organisation</b>
John Peart	Senior Manager, Education and Learning, People	Devon County Council
Michael Lloyd	Interim Assistant Director – Learning Disabilities, People	Devon County Council
Karen Cleave	Senior Manager - Children's Social Care Provision, People	Devon County Council
Sue Clarke	Head of Education and Learning, People	Devon County Council
Michael MacCourt	Headteacher	Barley Lane School
Jacqui Warne	Headteacher	Ellen Tinkham School
Tracy De Bernhardt-Dunkin	Chief Executive	West of England School and College for young people with little or no sight
Brenda Bartlett	Assistant Director of Integrated Children's Services, People	Devon County Council
Anne Porter	Senior Education Officer (Special Educational Needs), People	Devon County Council
Rebecca Beale	Head of County Special Education Team, People	Devon County Council
Sherrylyn Peck	Interim Commissioning Manager, People	Devon County Council
Helen Toker-Lester	Lead Commissioner	NHS Devon
Charles Sumner	Advanced Professional (Fostering), Fostering Team, People	Devon County Council
Julie Stuchbery-Ullah	LAB Lead	LDP Associate
Thomas Gould	Policy Development and Statutory Performance Management Officer, People	Devon County Council
Tim Golby	Head of Social Care Commissioning, People	Devon County Council
Denise Fardon	Countywide Personal Brokerage Manager, People	Devon County Council

## **Appendix 4:**

### **Bibliography**

- Out of County Placements, Report of the Head of Social Care Commissioning, People's Scrutiny Committee (2012, DCC)
- Devon Children's Services Placement Strategy 2011-2013 (2011, DCC)
- Transitions Task Group: Final Report, People's Scrutiny Committee (2012, DCC)
- Comparative Cost Review of Non-Maintained and Independent Special Schools with Local Authority Maintained Special Schools from the National Association of Independent Schools and Non-Maintained Special Schools (NASS) (2011, NASS)
- Placement Strategy, People's Services (2012, DCC)