

Update for Health and Adult Care Scrutiny Committee on the Integrated Adult Social Care consultations on service changes in response to the 2023-24 Council agreed budget

A report from the Director of Integrated Adult Social Care

Recommendations

1. That the Health and Adult Care Scrutiny Committee:
 - a. Receives this report that contains information on the IASC public consultations that concluded, that proposed service changes
 - b. Notes the engagement opportunities that have been provided, the level of engagement we have received, and the themes of the feedback received
 - c. Notes the process of listening, learning and amending

Key Message

2. DCC began a range of public consultation processes on changes to adult social care services. In response to the feedback received during the public consultation period, DCC is now going through a process to analyse what it heard before developing recommendations for Cabinet to consider on 12 July 2023.
3. DCC began six public consultations seeking views on proposed changes to adult social care services. In response to the feedback received during the public consultation period, DCC is now going through a process to analyse what it heard before developing recommendations for Cabinet to consider on 12 July 2023.
4. DCC has a Best Value Duty; the requirement is set out in the Local Government Act 1999 to “secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.”. This is what the public consultations sought to achieve.
5. Legal challenges will always form part of any consultation that seeks views on proposals for change, this has been the case during the course of the six public consultations that were initiated.

6. Through these public consultations we sought views on a set of initial proposals. Having done this and listened to the feedback, the public consultations have been amended and DCC has thought differently about its proposals
7. DCC is currently in the middle of a governance review which includes looking at how we deliver public consultations.

Background

8. On the [16 February 2023, at Full Council](#) the overall Devon County Council budget for 2023-24 was agreed. At the meeting the Lead Member for Integrated Adult Social Care and Health committed to providing all members with information on the subsequent public consultations that will propose changes to some services in Devon in order to achieve the council agreed budget.
9. That information was provided on Wednesday 22 February 2023, via Councillor McInnes' Members Newsletter, to coincide with the launch of five (of the six) public consultations on the Council's 'Have Your Say' pages.
10. Information was also provided to all members, through the same route, on the 9 March 2023 when the sixth public consultation was launched.
11. Members have also been provided with the [impact assessments](#) for each consultation based on the proposals as they currently stand.
12. Nothing was contained within the current proposals that would mean people with [eligible needs as defined within the Care Act](#) will not be met. The proposals sought to:
 - a. improve the way that eligible needs are met
 - b. improve the outcomes people are achieving and in a way that meet their aspirations and expectations
 - c. ensure this is done in a financially sustainable way and ensures DCC statutory duty to deliver a balanced budget is met
 - d. to safeguard the meeting of eligible needs for people in the long-term.
13. On 21 March 2023, the information set out above was [brought together and presented](#) to the Health and Adult Care Scrutiny Committee and a discussion followed.
14. At that meeting, the Committee accepted a recommendation that officers would bring back a report to the committee, in June, that will set out a summary of the consultation feedback, this is that paper.

15. Between the March and June Health and Adult Care Scrutiny Committee all DCC members have been provided with updates via the DCC Members Bulletin and through Councillor McInnes' Members Newsletter.

The structure of this report

16. This report details the public consultation process; what was planned, and what eventually took place. It also provides the level of engagement we have undertaken, and the theme of the feedback received. Those public consultations that were halted are not included in this report.

How the consultation process was delivered

17. We have heard from many people in response to the proposals we have consulted on; from people using the services, their families and carers, and from many more including organisations that represent people with specific conditions and disabilities.
18. We have also received communications stating that a Judicial Review would be sought in relation to the public consultations on our in-house day care and respite centres.
19. Although the threshold to seek a Judicial Review is relatively low, the energy and resources required to contest it are significant, for all those involved. Rather than entering into a Judicial Review process at a time of significant resource pressure, including preparations for CQC Assurance of adult social care, the decision was taken to halt the public consultations on in-house day care, respite centres and carers services.
20. This has enabled us to re-think our approach and future plans in these areas. This demonstrates an open and democratic consultation process.
21. The consultation processes have shone a light on the need to ensure DCC is clear on its duty in terms of when to undertake public consultation, and when it does decide to embark on a process of public consultation, it is clear on the level of information provided.
22. Public consultations require a specific legal and technical knowledge base, as an organisation we may want to consider how we build our corporate knowledge in this technical area.
23. Devon Audit Partnership has subsequently been asked to conduct an audit on the consultation process which will support DCC with learning for future consultations. The audit commenced on 15 May and is scheduled to report back by the 16 June.
24. The table below sets out the initial and eventual timelines of each of the consultations. It also sets out where and what the changes were to the original plans:

Public Consultation	Start	Scheduled Close	Revised Closure date	Additional actions
Learning disability day services	22 Feb	8 April	Halted	Halted. Re-evaluating proposals
Learning disability respite offer	22 Feb	8 April	Halted	Halted. Re-evaluating proposals
North Devon Link Service	22 Feb	8 April	9 May	Extended to support wider contributions
Homelessness 18+ prevention fund	22 Feb	19 April	19 April	Delivered to original timeline
Wellbeing Exeter	9 March	22 April	22 April	Delivered to original timeline
Carers support and offer	22 Feb	17 May	Halted	Halted. Re-evaluating proposals

Consultation 1: North Devon Link Services

Recap of proposals

25. Devon County Council completed a public consultation process on the proposal to:

- Close the North Devon Link Service Drop-in centres in Barnstaple, Bideford and Ilfracombe.
- Close the North Devon Link Service drop-in service that run out of those buildings and work with current service users to confirm their needs and agree alternative support.
- Targeted investment in the voluntary and community sector may be considered to support the development of alternative services if not readily accessible.
- To cease the current outreach support to those people in receipt of Care Act eligible services, including assessments, and instead provide the support in different ways to be agreed with current service users.

Recap of the engagement mechanism and timeframe

26. Details of the proposal and the consultation document were posted to the 133 people who have used the service since July 2022, with pre-paid envelopes included for their responses.

27. We heard from some people accessing the service that due to their social anxiety, a large public meeting would not be appropriate for them, people using the service were given the opportunity to request a personal meeting, this offer was not taken up.
28. Although 237 people are on the North Devon Link Service caseload, only 130 people have used the service since the drop-in sessions reopened after the pandemic. A letter with the consultation document, a hard copy questionnaire and a pre-paid envelope were sent to this group of 130 people.
29. The 237 people on the caseload, even if not currently attending the centres, has been offered a face-to-face review. Part of the conversation during these reviews is about the proposal and its implications, what services might be suitable if the proposal were to be approved.
30. A Frequently Asked Questions document was prepared and made available to the public and people using the services. A separate Frequently Asked Questions document was prepared for staff.
31. Details of the proposal were shared with Link Centre staff and they were given the opportunity to complete a questionnaire. In addition, there were two face-to-face staff meetings (on 1 March 2023 and 14 March 2023) where staff were able to raise any questions about the proposal and put forward any proposals. The subject has also been discussed at the Joint Consultative Committee where the unions were engaged.
32. A number of key stakeholders were also sent the consultation including local district and town councillors, local MPs, local health, community and voluntary organisations, all who have been involved with previous consultations.

Level of engagement

33. The vast majority of responses came from people living in Barnstaple, Bideford and Ilfracombe
From the survey responses 56 people said they received a copy in the post/via email, 34 heard about the survey from a friend or family member, 24 from local media, 10 from the Devon County Council website and 7 from social media/Facebook
34. 126 on-line responses, 49 postal responses and a further 18 letters or emails in response to the consultation were received, including from the following organisations:
 - Ilfracombe Town Council
 - Coombe Coastal Practice
 - Braunton Parish Council
 - Vista well being
 - Creative Communities Ilfracombe CIC
 - One Ilfracombe

- A petition, signed by 4000 people a percentage of whom live outside the administrative county of Devon, was handed into Cabinet on 10 May.

Themes of feedback received

35. The Link Centres should remain open, they offer activities that are beneficial to support people's mental health, and a safe place to go.
36. If the Link Centres close then alternative services need to be offered, as increased pressure will be placed on other existing services that were felt to be lacking.
37. There are opportunities to be more creative with the buildings or consolidate into a single Link Centre.
38. Further training could be provided to staff, and the services could increase the reach they are having.
39. One-to-one support in beneficial, particularly face-to-face, and in people's homes.
40. Staff feedback was focused on understanding the implication of the proposals on their on-going employment and how it might impact the terms, conditions and entitlements of their employment.
41. If the proposal went ahead, staff wanted to understand what the process of closing the Link Centres would look like.

Consultation 2: 18+ Homeless Prevention Contribution and Contract Fund

Recap of proposals

42. Devon County Council sought views on the proposal to cease the adult social care 18+ homelessness prevention contribution and contract, across the Devon County Council geographical boundary (excluding Torbay and Plymouth). The contract budget is £1,454,478.48 per year and purchases support hours. The contract does not pay for building or accommodation costs.

Recap of the engagement mechanism and timeframe

43. Devon's District and City Council CEOs, and service providers were notified of the consultation. While the consultation took place online, one provider requested a meeting as part of the consultation; this was honoured, and the offer of a meeting was extended to all providers. The notes from the meetings have formed part of the consultation responses
44. The proposal was also discussed with Team Devon, Leaders and Chief Executives, and was raised by Devon's District and City Councils at adult social care 'Housing Forums': a meeting of adult social care Commissioners, and Housing Leads of the District Councils.

Level of engagement

45. The consultation received a total of 990 responses made up of 904 responses via the online form, of which 29 were blank responses. In addition, 78 emails, 3 letters, a YouTube video and notes from 4 provider meetings conclude the extent of the responses.
46. Responses were received from a variety of interested individuals, organisations and groups. The analysis found 822 responses were from concerned citizens, 47 from Providers and/or their staff or volunteers, 42 from third sector and other agencies, 27 from people who currently use the services, 21 from Local Authorities (Members and Offers) and 1 Trustee.

Themes of feedback received

47. The responses to the consultation were almost entirely against the proposal (925), with 3 responses identified as neutral, with respondents stating that there would be an impact should DCC's contract come to an end.
48. The proposal would result in an increased demand and cost to other public bodies and partners including the NHS, police, Devon's District and City Councils, as well as to DCC statutory services; indicating DCC would end up paying more.
49. The increase in demand and cost was attributed, in part, to the ending of the countywide floating support service and closure of hostel building, as there isn't sufficient time for planning or management of the proposed change.
50. The possibility of poorer outcomes and risk of harm to people, including risk to life.
51. Potential loss of skilled workers should the services cease.
52. There would be an increase in levels of safeguarding, homelessness and rough sleeping, homeless people being impacted by anti-social behaviour, crime and exploitation, mental health issues, including suicide ideation, drug, and alcohol dependence.
53. The services provide good value for money, and they limit health and care need, and give people a chance to contribute to society.
54. Respondents did not understand the rationale for the proposal, or what would replace the current services funded by the DCC contract.
55. There wasn't sufficient information to submit an informed response and, the consultation lacked alternative options.
56. Acknowledged the financial challenge facing DCC and recognised that the Homelessness is not a statutory duty for the council.

57. DCC re-consider the proposal and maintain the funding, suggesting that DCC work in partnership with Devon's district, city, and borough councils in consideration of the negative impacts on other public bodies and individuals who are at risk of homelessness.
58. The timing of the proposal was questioned due the housing crisis in Devon which makes is harder for Providers to support people to move onto their own accommodation, alongside the cost-of-living crisis.
59. Other alternative funding source may be available for providers.

Consultation 3: Wellbeing Exeter

Recap of proposals

60. Devon County Council sought views on the proposal to cease its funding contribution to the Wellbeing Exeter programme delivered in Exeter and Cranbrook.
61. The funding is £395,000 per year and this contribution is made into a strategic partnership agreement with Exeter City Council, Sport England, Devon Community Foundation, NHS Primary Care Networks and VCSE organisations to deliver a long-term community health and wellbeing service.

Recap of the engagement mechanism and timeframe

62. There were pre consultation discussions with the Exeter City Council lead officer who helped shape the consultation document. The impact assessment was produced jointly with Exeter City Council. Exeter City Council CEO was notified that the consultation had started

Level of engagement

63. The consultation received 136 responses to the Have your Say questionnaire, and a letter was received from Wellbeing Exeter Commissioning Board Members.

Themes of feedback received

64. Positive feedback on Wellbeing Exeter as a highly valued service that effectively supports people during the pandemic.
65. Importance of continuing Wellbeing Exeter's vital work during the cost-of-living crisis to build resilient communities and protect vulnerable people.
66. Wellbeing Exeter is heavily used, preventing visits to GP or emergency departments, and reducing service waiting times.

67. Concerns about the impact of ceasing funding on already stretched services, compromising people's health and wellbeing, and putting them at risk of needing more intensive support in the future.
68. Challenges to the rationale behind the proposal, suggesting that removing this service would put vulnerable people at risk and questioning why alternative provision has not been secured before.
69. Minority view that Wellbeing Exeter is not cost-effective and does not add value to the community.
70. Negative experiences with Community Builders, who may not organise activities suitable for everyone and spend too much money.
71. Issues with the effectiveness of the partnership, and equality of outcomes, and workers not having enough experience working with vulnerable people.
72. Report of other providers who offer this service without funding from DCC, suggesting that Wellbeing Exeter may not be required

[Next step](#)

73. Recommendations are being developed to present to Cabinet on the 12 July.

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