Best value review into the provision of services for adults with learning disabilities

Report by the Project Board:

Councillor John Livings (Chairman)
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March 2006
‘This is a good idea to help me with my life’

(Service User talking about Person Centred Approaches)
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**Best Value Review of provision for Adults with Learning Disabilities in East Sussex**

**An overview:**

The Board has found that the Learning Disability service faces significant and increasing challenge to the delivery of services. There are a number of reasons for this:

1. An increase in the numbers of new service users coming through transition;
2. A longer life span for people with learning disabilities;
3. An increase in the complexity of needs of adults with learning disabilities.

These are positive developments, as they signal greater life expectancy and life chances for people with learning disabilities, especially those people with complex needs. However, this leads to a position where a finite budget combined with a traditional conception of the provision of services is unlikely to be sustainable with this increase in demand.

**The findings in this review must be understood in this context.**

1 **Recommendations**

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<tr>
<th>Measure</th>
<th>Time Scale</th>
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<tbody>
<tr>
<td><strong>Person centred planning and approaches</strong></td>
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<tr>
<td><strong>1</strong> The Board endorse the Person Centred Approach and recommend that it should continue to be present and promoted throughout the whole service</td>
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<td><strong>2</strong> The Board support the maintenance of Person Centred Planning in line with the departmental target, and recommend an increased focus, particularly in the areas of a. Transition for Children’s Services to Adult Social Care, and, b. Service users living with carers who are aged over 65 years.</td>
<td>Person Centred Plans to be completed for these groups of people</td>
<td>2007</td>
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<td><strong>3</strong> The Board recommend that the use of Person Centred Plans is encouraged with external providers of learning disability services.</td>
<td>The completion of plans by service users in external provision.</td>
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<td>4  The Board recognise the good progress made by the department in finding employment for adults with learning disabilities, but recommend consideration is given to a more consistent application, by directly provided and independent services, in seeking training and employment opportunities.</td>
<td>Consideration should be given in reconciling policy and resources to the feasibility of employing an officer with overall responsibility for finding employment for adults with learning disabilities.</td>
<td>2007/08 budget</td>
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<td>Strengthening links with external organisations that help to find employment for adults with learning disabilities.</td>
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<th>Planning for future need</th>
<th>Measure</th>
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<td>5  The Board have identified the need for a review into all Learning Disability high cost placements to establish best value, and are pleased to note that the Adult Social Care department have independently come to the same conclusion.</td>
<td>Progress report back to the Audit and Best Value Scrutiny Committee</td>
<td>September 2006</td>
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<td>6  The Board recommend that, in conjunction with reducing reliance on residential accommodation, Adult Social Care continue to focus on increasing the provision of supported accommodation.</td>
<td>This report to be shared with district and boroughs housing group</td>
<td>January 2007</td>
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<td>7  The Board recommend that Adult Social Care continue to expand and further promote the use of the direct payment scheme.</td>
<td>Report back to the project Board with progress</td>
<td>September 2006</td>
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<th>Transport</th>
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<td>8  The Board recommend that a review be undertaken by the Audit and Best Value Scrutiny Committee which considers the co-ordination, potential efficiency savings and future development, of the provision of transport for all people with a disability.</td>
<td>Report to the Audit and Best Value Scrutiny Committee</td>
<td>Before 2007/2008 budget</td>
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<tr>
<td>Measure</td>
<td>Time Scale</td>
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<td>Funding</td>
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<td>9  The Board are aware of a review of Health Pool Funding and request a progress update in six months to the Adult Social Care scrutiny committee.</td>
<td>Report submitted to the Board</td>
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<td>September 2006</td>
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<td>Actions for the County Council</td>
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<td>10 The Board recommend that the work initiated by the Disability and Diversity Officer is expanded.</td>
<td>Work is continued beyond 2006</td>
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<td></td>
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2 Background

National Perspective

2.1 Learning disability is defined by the Department of Health as including the presence of:
- a significantly reduced ability to understand new or complex information, to learn new skills (impaired intelligence), with;
- a reduced ability to cope independently (impaired social functioning);
- which started before adulthood, with a lasting effect on development

2.2 There are about 210,000 people with severe learning disabilities in England (0.4% of the population), and about 1.2 million with a mild or moderate disability (2.4% of the population). Health and social services expenditure on services for adults with learning disabilities stands at around £3 billion.

2.3 Government strategy suggests that the number of people with severe learning disabilities may increase by around 1% per annum for the next 15 years as a result of:
- increased life expectancy, especially among people with Down’s Syndrome;
- growing numbers of children and young people with complex and multiple disabilities who now survive into adulthood;
- a sharp rise in the reported numbers of school age children with autistic spectrum disorders, some of whom will have learning disabilities;
- greater prevalence among some minority ethnic populations of South Asian origin.

2.4 In April 2001, the government published the white paper ‘Valuing People: A New Strategy for Learning Disability for the 21st Century’. It is the first white paper for people with learning disabilities in thirty years and sets out proposals for improving the life chances of all children, young people, adults and older people with learning disabilities and their families.

2.5 The purpose of the white paper is to outline the government’s objectives for the future provision of services for people with learning disabilities (see appendix 3) based on the key aims of choice, independence and inclusion, and equal legal and civil rights.

2.6 ‘Valuing People’ instructed local authorities to establish Learning Disability Partnership Boards (LDPB) to lead and co-ordinate the implementation of ‘Valuing People’ at a local level. The East Sussex LDPB was established in October 2001 and is chaired by the Head of Service for Learning Disabilities. The LDPB meets eight weekly and brings together representatives of local people with learning disabilities and their carers, and representatives of the key statutory, voluntary and independent agencies.
East Sussex perspective

2.7 National estimates of the prevalence of different degrees of learning disability in the general population indicate that there are approximately 9,500 adults with a mild learning disability and approximately 1,500 adults with a moderate or severe learning disability in East Sussex.

2.8 Around 1,600 adults with moderate or severe learning disabilities are known to be using learning disability services across the county. It is estimated that up to 300 others are unknown to the department, in addition to a considerable number with mild learning disabilities. Using Social Services records, the needs analysis report also identified:

- 483 people who have physical health needs in addition to a learning disability
- 235 people who have mental health needs in addition to a learning disability
- 173 young people aged 16-19 who will require transition to adult services in the next three years, of whom 34% have severe and profound disabilities and 13% have challenging behaviour.

2.9 In East Sussex the number of cases transferring from Children's Services to Adult Services is significantly increasing. In 2004/2005 the number of transition cases totalled 36; this is expected to increase to 57 in 2005/2006 and increase again to 90 in 2006/2007. Approximately 55-60% of transition cases require a learning disability service, the balance having mental health or physical disability needs.

2.10 An analysis of clients receiving community based services indicates that there are approximately 125 service users over 50 years of age living in the community and receiving a social care service. About 50 of these service users are over 60 years. Approximately 50% live with elderly carers.

2.11 Available funding is not increasing at the same rate of demand and unlike older people’s services; there is a negligible amount of money freed through attrition.

2.12 Not only are there more cases to fund, the increasing nature of complexity require greater financial outlay. Adult Social Care estimates that the council would have to spend £1.2 million extra each year to meet new cost pressures.

2.13 The result is that the future service faces controversial decisions and cannot sustain the same level of funding that it has historically done. This will have significant ramifications for all services.

2.14 Adult Social Care directly provides the following services:

- day opportunities co-ordinated from seven locations across the county;
- twelve residential care services;
- three respite units, and;
- three Community Support Teams.
3 Key Findings

More choice and control for adults with learning disabilities

1. Person Centred Planning (PCP) and Approaches (PCA)

3.1 The Board found that a Person Centred Approach is present throughout the service. The Board noted the large amount of information released in an accessible format as well as the involvement from service users through forums. The Board also witnessed service user attendance and contribution to a Partnership Board meeting.

3.2 Person Centred Plans are not yet embedded and with the available resources it would be years before everyone who needs or wants a plan has one. The objective for the department is to work differently with the individual, and to conceptualise services from the user’s point of view.

3.3 All service users do have a care plan and regular reviews. The care plan includes all information on the practical needs of the service user.

3.4 PCP and PCA put the individual at the heart of the service; this is about giving individuals real choice and enabling them to improve their lives. The approach requires a commitment from staff to work in a way that facilitates the service user’s daily choices and longer term aspirations.

3.5 Guidance issued from central government through the ‘Valuing People’ white paper and support team identifies the key principles of PCP:

- Listening to and learning about what people want from their lives
- Helping people to think about what they want now and in the future
- Family, friends, professionals and services working together with the person to make this happen

3.6 East Sussex County Council’s target is to increase the number of people with a PCP from 42 to 60 by 31 March 2006. Adult Social Care are on track to achieve this target through the following actions:

- Three manager workshops were run in January/February.
- Two PCP consultants have been appointed to assist with training and raising awareness across all sectors.
- PCP locality meetings are being organised with facilitators from Children’s Services.

3.7 PCP and PCA are part of the modernisation agenda for day services. Service users are able to influence the provision they receive, and the service is becoming much better at listening. This marks a key change in the attitude of the service.
2. Employment:

3.8 Nationally, the creation of employment opportunities for people with learning disabilities has been a key development area since the 1980s. By 1995, an estimated 5,000 people with learning disabilities were being supported in employment by over 200 agencies. More recent informal surveys suggest that this number has risen to over 7,000 though many of these are in part-time jobs. ‘Valuing People’ said that nationally fewer than 10% of people with learning disabilities are in employment.

3.9 ‘Valuing People’ identified employment as an important route to social inclusion. It provides income, social contacts and helps people contribute to their communities. ‘Valuing People’ stated that all those who wish to work should have the opportunities and support to do so. Paid employment will not be a realistic option for all those with learning disabilities, but real jobs with real wages are a major aspiration for many people.

3.10 The supported employment model, originating in the USA, has been adopted by employment agencies in the UK. It assumes that anyone can be employed provided they are appropriately supported. Sometimes described as a ‘place, train and maintain’ model, individuals are taught to carry out a specific job, in a specific workplace, with a specific set of routines and social expectations.¹

3.11 Currently East Sussex County Council’s directly provided day services have helped to facilitate:

- 50 people to be engaged in voluntary work.
- 29 in permitted work of less than 16 hours per week.

3.12 East Sussex County Council also has a duty to become a better employer of adults with learning disabilities. Failure to meet the duties and failure to comply with the new Disability Discrimination Act (2005) can lead to legal proceedings, and there is no limit on the amount of damages that can be paid.

¹ The foundation for people with learning disabilities: Employment for people with learning disabilities http://www.learningdisabilities.org.uk/page.cfm?pagecode=ISEEEMMT

March 2006
Accommodation needs of people with learning disabilities

1. Information

3.13 This table represented the no of people living in supported people funded supported accommodation.

3.14 In East Sussex, there is a higher reliance on residential accommodation than the national average. The figures are estimated based on the overall prevalence of learning disabilities in the population, the breakdown is as follows:

<table>
<thead>
<tr>
<th>Adults living in:</th>
<th>East Sussex</th>
<th>%</th>
<th>National profile</th>
<th>%</th>
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<tbody>
<tr>
<td>Parent’s home</td>
<td>665</td>
<td>42%</td>
<td>90,000</td>
<td>49%</td>
</tr>
<tr>
<td>Residential Care Home</td>
<td>648</td>
<td>41%</td>
<td>60,000</td>
<td>32%</td>
</tr>
<tr>
<td>Supported housing</td>
<td>202</td>
<td>13%</td>
<td>22,000</td>
<td>12%</td>
</tr>
<tr>
<td>Adult Placement</td>
<td>65</td>
<td>4%</td>
<td>5,000</td>
<td>3%</td>
</tr>
<tr>
<td>NHS Care</td>
<td>0</td>
<td>0%</td>
<td>7,000</td>
<td>4%</td>
</tr>
<tr>
<td>Long Stay Hospital</td>
<td>0</td>
<td>0%</td>
<td>1,000</td>
<td>1%</td>
</tr>
<tr>
<td>Totals</td>
<td>1,580</td>
<td>100%</td>
<td>185,000</td>
<td>100%</td>
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3.15 The government performance target, PAF C30, is specifically to increase the number of adults with learning disabilities to live at home: The authority currently supports 629 people to live at home. This is measured as 2.3 adults with learning disabilities (per 1,000 population aged 18-65).

3.16 The Board has found that for this indicator departmental performance is below the national average of 2.7, but performance is moving in the right direction (up from 1.9 last year) and the department is on track to achieve the target. The department reports that work is continuing to increase opportunities for people to be supported at home with the opening of a number of supported housing initiatives. Performance has marginally improved reflecting the department’s commitment to seek community based service options for people with a learning disability.

3.17 A housing strategy and action plan for people with learning disabilities was presented to the Learning Disability Partnership Board and the Department of Health in September 2004. The focus was on the development of a greater choice of housing and support options to promote independent living and reduce reliance on residential care. The key aims of the strategy were that adults with learning disabilities should:

- Have the same choices as everybody else
- Be able to maximise their independence
- Be included in their community
- Have their human and legal rights respected

3.18 The realisation of these aims will take some time to implement. The department is working towards identifying what service users want and need and this forms part of a person centred approach to the service.
3.19 In March 2005, as part of a county-wide Housing Need Survey commissioned by the District and Borough Council Housing Departments, 115 people with learning disabilities were interviewed using a specially developed accessible questionnaire. The interviews were conducted either in day centres or the respondents’ homes with the accompaniment of a carer or parent.

3.20 This survey identified a high level of satisfaction among service users both with the service provided and the accommodation itself. However 20% of the respondents wanted to move. This move was most commonly identified as a desire to move into independent accommodation such as a cluster flat.

3.21 However, the Board have found that not all individuals are in the most appropriate housing. Some people live in residential care which is not the optimum accommodation for them, adults live with elderly carers, and some individuals live in flats where they may face intimidation and bullying.

2. Residential care position

3.22 East Sussex County Council has 1,343 adults with learning disabilities living in residential accommodation. Although this is not the highest number of residential places among the authorities’ Audit Commission cluster (Kent have significantly more), this is a higher number per 1,000 population than any other authority. (Demonstrated on the graph below)

3.23 The graph compares the numbers of adults with learning disabilities per 10,000 population aged 18-65 with the gross spend on residential accommodation per adult with learning disabilities per week across the nearest neighbour cluster.

![Graph showing comparison of numbers of adults with learning disabilities per 10,000 population aged 18-65 with the gross spend on residential accommodation per adult with learning disabilities per week across different areas.]

March 2006
3.24 Spending on residential care consumes the largest amount of the budget, 49% or £16.3 million.

3.25 The unit cost as an average across all authorities is £1,543 per person per week and £1,715 in East Sussex County Council's Audit Commission group cluster. The Council spends £1,162 per person per week on residential services.

3.26 Although East Sussex has a comparatively low unit cost, there is a higher reliance on residential care than other authorities. This means that ESCC has a comparatively high expenditure on residential care.

3.27 Historically East Sussex has had a high reliance on residential placements, whilst other councils have more balanced accommodation provision. Supported accommodation is more cost effective than residential places.

3. Supported accommodation position

3.28 The ‘Valuing People’ objective is to enable service users to live as independently as possible, as well as giving them choice over their accommodation.

3.29 The model of supported accommodation has a number of variations from supported flats to supporting people tenancies. The Supporting People Team commission and regulate the housing related support services.

3.30 East Sussex provision has a high reliance on residential accommodation, but do have a slightly higher percentage of supported accommodation than the national average. (Demonstrated by the chart on page 11)

3.31 Total shared housing and supported lodgings are in the highest concentration in Hastings, the highest number of flats in clusters is in Eastbourne.

3.32 ‘Valuing People’ states that a key aim of the strategy should be to ensure that people with learning disabilities are aware of the range of housing
options available to them and that housing providers take into consideration the housing needs of individuals when planning new developments.

**Planning and supporting future need**

3.33 The Board has found that Adult Social Care is aware and anticipating the pressures outlined. Measures in place to meet the challenge of increased demand include:

- The department is developing a commissioning strategy and is seeking to improve procurement of services – particularly through the funding matrix.

- The department is improving its internal business systems as well. It plans to review every residential placement and may re-commission some of them. The department will continue to focus on people at the high end of need and look for developing partnerships with other agencies to supply services.

3.34 Ultimately the Board have found excellent work by the department in response to challenging problems. However, this does not change the position of an increase in the numbers of adults with learning disabilities requiring a service, and the trend of an increase in the complexity of needs.
Recommendation: Person Centred Plans (PCP) and Approaches (PCA)

1. The Board endorse the Person Centred Approach and recommend that it should continue to be present throughout the whole service.

2. The Board support the maintenance of Person Centred Planning in line with the departmental target, and recommend an increased focus, particularly in the areas of
   a. Transition for Children’s Services to Adult Social Care, and,
   b. Those service users living with elderly carers.

3. The Board recommend further exploration of the use of person centred plans is undertaken with external providers of learning disability services.

Information

3.35 ESCC began to introduce Person Centred Plans and Approaches following the agenda set by ‘Valuing People’, after its publication in 2001.

3.36 Service users can access PCP through directly provided services including day centres, community support teams or residential services.

3.37 ESCC have produced guides to PCP for service users, managers and staff. These guides help to explain the purpose of Person Centred Plans and approaches, and the roles that staff and service users have whilst working in a person centred way.

3.38 ESCC purchases 245 (42% of day service users) discrete day service packages from 32 providers whilst 424 (58%) people are placed in directly provided services across ESCC’s seven learning disability day centres. These figures do not reflect the numbers of individuals living in residential care who also have a PCP.

Findings

3.39 The Board visited five of the seven learning disability day services provided by the council and spoke to staff and service users in each one. From this consultation with service users the Board found that those who had a PCP had ownership of it, and felt that the document and the process of making the plan was very helpful. The Board spoke to a number of service users who said they would also like a PCP, but currently did not have one.

3.40 The Board found that there are a comparatively low number of people who have or are working towards a PCP on average this equates to approximately 8% of individuals in day centres. Overall there are about 50 PCPs in place.

3.41 To be completed accurately and to be a worthwhile activity each PCP requires a significant amount of time and resources. On average a PCP
takes between three to six months to develop. This is based on a maximum of half a day a week with 1:1 support.

3.42 The Board attributes this low number to the lack of additional funding to implement PCP, combined with the significant resources required to complete one. The department has found capacity for PCP facilitation through care officer's time. But this time is vulnerable to disruption following unavoidable circumstances, such as staff absence, and care officers being needed for the running of the service.

3.43 The Board found that the part time, dedicated PCP facilitator is a successful post and has increased the ability for service users to have a PCP. Service users and staff consulted on the success of this post unanimously agreed that it had raised the profile of PCP and enabled service users to create a plan, who had not previously been able to do so. The role also works to support and promote PCP in some sessions in day centres, helping to provide a joined up approach. This is particularly necessary when working with service users who have limited communication skills.

3.44 Since not all service users are able to have a PCP, individuals are identified on the basis of need. The focus of this need varies slightly between day centres, but the Board found that this is generally in line with the groups that ‘Valuing People’ identifies. These are as follows:

- People still living in long-stay hospitals;
- Young people moving from children’s to adult services;
- People using large day centres;
- People living in the family home with carers aged over 70;
- People living on NHS residential campuses.

3.45 The Board have found that although only a low number of service users have the formal PCP, the use of a PCA was consistent throughout the service. The Board have discovered that a commitment to putting the service user at the heart of the service is more important than having a PCP. This represents a new way of conceptualising provision - attitude, decisions, and services all operate with the service user first.

3.46 The independent providers that the Board visited offer an excellent PCA to all service users. The Board found service users to have a high degree of autonomy over the activities they participate in. The Board spoke to service users and discussed their timetables and relationship with staff. Service users have a weekly plan that they determine, but not the essential lifestyle plan or PCP. The Board noted that whilst service users continue in the same service they benefit from the PCA. However, if they move provision to a different day service or have disruption in another area of their life they will not have the advantage of having a PCP to facilitate the transition.

3.47 The Board understand that not having a PCP could mean the duplication of work, and avoidable disruption to the individual.

3.48 Most fundamental is that the whole service continues to operate with a Person Centred Approach.
3.49 The Board were impressed with the packs on PCP for service users, staff and managers, created by staff in East Sussex County Council directly provided services. The Board recommend that independent providers should take note of these packs.
Information

3.50 'Valuing People' identifies a very small number of people in paid work, nationally and locally. 10% are employed in paid employment, voluntary work, supported work, or valued occupation.

3.51 Locally there are eleven percent of people with a learning disability (out of the total number that are known to the authority) in paid employment, this compares with the national average of thirteen percent in paid work. 'Valuing People' has a specific objective focused on moving to employment:

'To enable more people with learning disabilities to participate in all forms of employment, wherever possible in paid work and to make a valued contribution to the world of work.'

3.52 The new approach to Corporate Performance Assessment expects the council to show evidence of how it supports employment in the local economy. In particular, the council is expected to focus effort on support of disabled people.

3.53 The majority of adults with learning disabilities currently access work opportunities through day services. Adults with learning disabilities can also be supported directly by other support services for example, Community support teams, RBLI employment solutions.

3.54 Currently service users identify the desire for employment through the process of PCP. Then the responsibility falls to the resource officer for the centre to find the individual a suitable placement.

Findings

3.55 The Board have found evidence of good progress in directly provided day services of getting adults with learning disabilities into employment. However, the picture is patchy and in some day centres service users have more opportunity to access work than in others. As with PCP, the drive to promote employment is often sidelined by more immediate concerns. The Board has found that service user aspirations for employment are not always achieved.

3.56 The Board has received evidence that parents may be hesitant to allow their adult children to work in paid employment. Service users themselves may be unsure as to what employment entails. Some people do not understand the system, believing that they will loose benefits and be worse
There is a need for more information to address concerns and allow service users to make informed decisions.

3.57 Through discussion with staff, the Board also found that the impact of peer experience on the desire to work was significant. Service users who witnessed successful outcomes of work placements among their peers requested a work placement as well.

3.58 Potential employers can be resistant to employing adults with learning disabilities. Some have prejudiced and uninformed views surrounding disabilities, and learning disabilities in particular. This needs to be challenged, and changed. As the Board has found, it is possible to build strong links with local businesses.

3.59 The council does not currently fund an employment support service for permitted work (less than 16 hours per week that will not affect an individual’s social security benefits). In neighbouring boroughs, such as West Sussex and Brighton and Hove, these support services have proved successful in supporting people with higher support needs to access a wider variety of paid employment opportunities.

3.60 West Sussex County Council have utilised funding through the European Social Fund to help facilitate the employment services for adults with learning disabilities.

3.61 Surrey County Council has a dedicated team; ‘EmployAbility’ whose remit is to work to find mainstream paid employment for adults with learning disabilities. There is one manager, and one administrator with 14 full time equivalent staff. This is funded entirely by the County Council. Some of the supported individuals would not be eligible for a day service. The scheme has been running for five years and in that time the numbers of adults with learning disabilities attending a day service has dropped from 13,000 to 950. Although there have been no closure of day centres, despite this drop in efficiency. Surrey envisage this as the future of services having noted that a number of younger people coming into the service do not want to go into day centres.

3.62 Adults with learning disabilities who want to work need to be given the opportunity to do so. The approach and opportunity must be equal across services.

3.63 Currently the gaps in information are presenting a barrier to employment, to address this standard guidance needs to be given to:

- Parents/Carers
- Potential employers
- Service users
Recommendation: Planning for future need

5. The Board have identified the need for a review into all Learning Disability high cost placements to establish best value, and are pleased to note that the Adult Social Care department have independently come to the same conclusion.

6. The Board recommend that, in conjunction with reducing reliance on residential accommodation, Adult Social Care continue to focus on increasing the provision of supported accommodation.

Information

3.64 The Board understands that a new project has been commissioned to review the commissioning, procurement and care management of residential learning disability services.

3.65 The remit of this post is to improve commissioning by reviewing existing placements and delivering greater efficiency. The project brief outlines the remit as; identifying priorities for the largest possible gains in value for money, improvements to quality, and reductions in use of residential care.

Findings

3.66 The eligibility criteria for placing individuals in residential care are restricted to funding only substantial and critical need. Funding pressures dictate that the department can only provide a service to those cases that are most in need.

3.67 The Board has found that there may be a number of service users who are placed in accommodation that does not best meet their needs or best value. Many service users were put in residential accommodation decades ago, however it is likely that these service users would not meet the eligibility criteria had they been assessed today. Although the Board recognise that the same individuals are likely to be eligible, as their needs will have changed from the time they were placed. By assessing existing placements, the service provided may need to be adjusted, and this should be done in consultation with service users and carers.

3.68 In particular the Board has concerns with residential accommodation in the following areas and would like the project to consider these;

- Placements that have been established many years ago, when funding criteria were very different and the options were more limited;
- High cost placements, especially those that are placed out of county and require specialist services, e.g. sensory impairment;
- Placements that more than meet the need of the individual, but are the only ones available. Where the individual is in a place with more support than is required.

3.69 To enable the transition from residential accommodation or from a parent/guardian’s residence into supported living requires a choice of available housing that will allow supported living.
3.70 The Board has found that currently there is not enough supported housing in East Sussex to meet the demand, and to reduce the heavy reliance on residential accommodation. The authority is working with housing partners and districts and boroughs to increase the amount of supported accommodation.

3.71 Across the county there is a patchy service for accessing accommodation needs. Lewes District Council and Wealden District Council have developed a system to identify and meet needs but the situation is not mirrored across the county.

3.72 The Board recognise that moving service users who have been placed in the service for many years will be controversial. Adults with learning disabilities may not be able to fully comprehend the justification for change, and any review will have to carefully manage any change in care packages with all parties to be kept informed of any decisions.
Recommendation: Planning for future need

7. The Board recommend that Adult Social Care continue to expand and further promote the use of the direct payment scheme.

Information

3.73 A review of direct payments was completed in November 2004 by a Project Board set up by the Scrutiny Committee for Social Services and Health. The Project Board comprised of Councillors Michael Tunwell (Chairman), David Neighbour, and Trevor Webb. Three client groups were considered in the review – older people, people with a physical disability, and people with a learning disability. The outcome was nine recommendations to further roll out direct payments.

3.74 The report stated: “Direct Payments are given to Social Services clients to enable them to make their own care arrangements and provide an alternative to social care services provided by the County Council’s Social Services Department. The purpose of providing Direct Payments is to give recipients more control over their own lives. Legislation states that Direct Payments must be made available to people who are:

- eligible (specified by legislation – ‘Community Care, Services for Carers and Children’s Services (Direct Payments (England) Regulations 2003))
- able to give consent
- able and willing to manage the Direct Payment, either alone or with help”

3.75 East Sussex County Council has a Performance indicator to measure the adults and older people receiving direct payments at 31st March per 100,000 population aged 18 or over. East Sussex Performance is in the median quartile.

Findings

3.76 As part of a Person Centred Approach, direct payments offer service users the opportunity to have financial control over the services they need and want.

3.77 It has been suggested to the Board that direct payments may be more cost effective than the traditional model of East Sussex County Council commissioning services on behalf of the service user. This is because individuals will be able to prioritise the services they want and manage their money to make it go as far as possible.

3.78 West Sussex County Council is one of six pilot counties for a project supported by the Valuing People support team called ‘In Control’. The project was funded by the six participating councils and Mencap. The main focus of the project is to enable and support individuals to arrange their own support.
3.79 East Sussex County Council previously decided not to participate in the ‘In Control’ project; however, there may be an opportunity for East Sussex County Council to become a pilot in the future.

3.80 Direct Payments are one way that the self directed support identified in ‘In Control’ can be achieved.
**Recommendation: Transport**

8. The Board recommend that a review be undertaken by the Audit and Best Value Scrutiny Committee which considers the co-ordination, potential efficiency savings and future development, of the provision of transport for all people with a disability.

**Information**

3.81 East Sussex County Council will spend approximately £733,820 this financial year on providing transport to and from day centres, residential accommodation and respite units. (This figure does not include drivers and escorts)

3.82 Currently, the council spends approximately £617,285 a year on transport to its seven day centres. This money is spent on drivers and escorts, fleet vehicles, fuel and the county rider service.

**Findings**

3.83 Historically service users have automatically been offered transport and an escort to access a day service. Although the Board have found that transport services are essential to enable some service users to access services, it is likely that in some cases a service is offered where alternative transport may be available from parents and carers.

3.84 The Board has concerns over the number of service users who are funded in residential accommodation (with transport) but still require the day service they attend to provide transport.

3.85 The Board acknowledges the challenge posed by rural services, where there is a limited public transport infrastructure.

3.86 Transport was not an issue originally identified in the scope, and as such the Board have not carried out an in-depth examination of transport options.
Recommendation: Funding

9. The Board are aware of a review of Health Pool Funding and request a progress update in six months.

Information

3.87 Health pool income stands at £10.8m

3.88 Health income is fixed and only rises with inflation. The pooled arrangement has been in place for two years. The original aims included strengthening commissioning capacity, ensuring consistent strategic objectives across health and social care and increasing the ability to shift resources from residential care to community based services.

3.89 There is currently a review being undertaken looking at the Inter-Agency Agreement for Care Services for People with Learning Disabilities. This review has a deadline of 31st March 2006. The review will be to consider to what extent the original aims of the agreement have been achieved, what problems have been encountered and how these can be addressed for the future.
**Recommendation: Actions for the County Council**

10. The Board recommend that the work initiated by the Disability and Diversity Officer is expanded and continued beyond 2006.

**Information**

3.90 As of December 2005, all councils have additional duties under the Disability Discrimination Act. This is a legal obligation. There is a general duty to eliminate unlawful discrimination against disabled people and to promote equality of opportunity. The publication of ‘Valued in Public’ is a clear guide for public sector employers on how to successfully employ people with a learning disability.

3.91 East Sussex County Council has a specific duty to publish a Disability Equality Scheme by December 2006. It will now be the responsibility of the Council to promote equal opportunities for all disabled people. The scheme will need to demonstrate how the Council:

- promotes positive attitudes to disabled people;
- encourages participation by disabled people in public life;
- eliminates harassment of disabled people;
- takes account of disabled people's needs even when that involves treating them more favourably.

3.92 In assessing the performance against the duty, the Disability Rights Commission will specifically focus on the involvement of people with learning disabilities.

3.93 In anticipation of the duty, in November 2004 Chief Officers Management Team approved recommendations made by East Sussex Disability Association based on consultation with disabled employees. One of the key recommendations was for a Disability Officer to be employed to act on the findings of the report. The Disability Officer has responsibility for disabled employees, and does not have a remit that includes helping Service users to find employment.

**Findings**

3.94 The Disability Officer's work programme has to date, implemented a number of successful measures to improve the Council's practice as an employer of disabled people including:

- Work placement initiative providing training, work experience and interview coaching to 10 disabled people, in partnership with RBLI (Royal British Legion Industries) Employment Solutions and Job Centre Plus.
- Disabled Employees’ Forum ensuring involvement of disabled people in shaping employment practices and providing peer support.
- ensuring that development of corporate recruitment practices increases equality of opportunity for disabled candidates.
3.95 There is still work to be done; there is currently no information on the number of adults with learning disabilities that the council currently employs. This is equally true of all disabilities, although the council collects information on the number of disabled employees, no further break down is recorded. In promoting the employment of adults with any disability with partner, and other organisations, it is crucial that ESCC are aware of the internal position on employment.

3.96 Specifically information on learning disabilities, but also information on other disabilities should be recorded by the council.

3.97 This work can then form the basis for developing initiatives with particular impairment groups, including people with learning disabilities. This type of targeted approach is established good practice in creating employment opportunities for people with learning disabilities.

3.98 Local employers who display the job centre plus ‘two tick’ symbol were asked to comment on their experiences. There was limited response, but Sussex Down’s College did reply, and identified the ‘two tick’ support as very helpful, particularly drawing attention to the number of charitable organisations that have offered help.
4 Budget and financial issues

4.1 The current East Sussex County Council Learning Disability services budget for 2006/07 is £22.6m. Health pool income stands at £10.8m.

4.2 Health income is fixed and only rises with inflation. The pooled arrangement has been in place for two years.

4.3 The department faces significant challenges due to an increase in numbers of and complexity of adults with learning disabilities and a low rate of attrition. It cannot afford to continue to meet the same needs of service users.

4.4 The majority of the budget is consumed by residential accommodation. 625 independent sector placements cost £24m and of these the 190 out of county placements cost £9.3m. Out of county cases range in cost from £170,000 per year to £5,550 per year. In county placements range in cost from £291,912 per year to £3,157 per year.

4.5 Current spend:

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<th>Provision</th>
<th>Expenditure 005/06</th>
<th>%</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nursing and residential</td>
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<tr>
<td>Home care</td>
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<td>Day Care</td>
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<tr>
<td>Supported and other accommodation</td>
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<tr>
<td>Assessment and Care management</td>
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4.6 Adult Social Care estimate that the council will have to invest £1.2 million (above inflation) extra each year to meet new cost pressures. Increasing demand is a national trend.

4.7 These financial constraints have led to tighter eligibility criteria, East Sussex County Council will only consider funding for those cases demonstrating substantial or critical need. (As defined in the Fair Access to Care Framework)

4.8 Allocation of resources is managed through the funding panel chaired by the Director of Adult Social Care.
5 Reconciling policy and resources

5.1 The reconciling policy and resources agenda was agreed by the County Council on the 21\textsuperscript{st} February 2006 and aims to make the savings identified below:

<table>
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<tr>
<th>Proposed Savings</th>
<th>06/07 Saving (£000's)</th>
<th>Impact</th>
<th>Additional 07/08 Saving</th>
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</tr>
<tr>
<td>Review of eligibility criteria</td>
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<tr>
<td>Review Hastings and Bexhill Mencap services</td>
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<td>Medium</td>
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<tr>
<td>Review Avis Way Day Centre</td>
<td>250</td>
<td>High</td>
<td>100</td>
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<tr>
<td>Reduction in funding to Mencap Advocacy service</td>
<td>100</td>
<td>Medium</td>
<td></td>
</tr>
<tr>
<td>Review of small group homes</td>
<td>450</td>
<td>High</td>
<td></td>
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</table>

5.2 The impacts of these savings are identified as medium or high. The Board has not considered the impact of these savings. The Reconciling Policy and Resources agenda was not identified as part of the scope of the review, and the areas that will be affected have not directly fallen within the remit of the original scope of the Best Value review.
6 Objectives and scope of this review

6.1 The programme of Best Value reviews for 2003/2004 agreed by Cabinet in November 2002 identified a review into local provision for adults with learning disabilities in East Sussex. This review was commissioned by the Audit and Best Value Scrutiny Committee on 14 September 2004. At this point a temporary Project Board prepared the initial scope of the review. The members of this Board were Councillor John Barnes (Chairman), Councillor David Neighbour, and Councillor Trevor Webb, with Mary Hayler as the Scrutiny lead Officer.

6.2 Due to County Council elections, the progress of the review was delayed. The previous Project Board was disbanded and a new Project Board took the review forward, starting in September 2005 with a deadline of reporting to the Scrutiny Committee for Audit and Best Value in March 2006.

6.3 The Project Board has operated with the following scope and terms of reference:

- To review and make recommendations on the process of Person Centred Planning – the reality of meeting the requirements set out in the government white paper; ‘Valuing people’. The Board to examine:
  - Client experience of having a Person Centred Plan and working with organisations who practice a Person Centred Approach
  - Delivery and priority of the Person Centred Plan, against departmental targets
- Work and career opportunities – their impact on clients and on lifetime costs of support.
- Housing support – the extent to which adult social care in partnership with other organisations are working to identify and fulfil the needs of clients. Meeting the requirements outlined in the ‘Valuing People’ white paper, whilst working within a challenging financial climate.
- The capacity and effectiveness of the Learning Disability Service to plan for and meet future need, and the criteria for eligibility.

6.4 The Project Board recognised that the scope of the review is wide-ranging and that consequently not all areas will be addressed in the same level of detail.

6.5 The Board focussed its work on the provision of accommodation and future need for services with aspirational objectives from valuing people set against a challenging financial climate.
7 Membership and background to the review

7.1 The review Board comprised Councillors John Livings, Beryl Healy and Trevor Webb. The Project Manager was Camilla Marlow, the Scrutiny Lead Officer was Gillian Rickels with logistics and support being provided by Sam White.

7.2 The Board met a total of 26 times, made up of 13 Board meetings and 13 visits (appendix 2)

7.3 The Board considered all or part of the following documents:

- Project Initiation Document dated September 2005 outlining the background to the review and its scope.
- East Sussex Learning disability Employment Strategy
- East Sussex Joint agency transition policy and protocol for disabled young people
- East Sussex Transition Protocol
- Fair access to care framework (This was an edited version to give the Board information on the eligibility criteria for funding.)
- Employment position statement
- ESCC Adult Social Care Asset Management Plan, 2005-2009
- Valued in public, helping people with a learning disability work in public bodies, Anne O’Bryan, Stephen Beyer, November 2005
- ‘Valuing People’ White paper

7.4 Information was sourced from the following documents:

- Housing need analysis

7.5 On numerous occasions throughout the duration of this review members of the Board, together with council officers, visited a number of day centres and residential accommodation in East Sussex. (For more detail please see appendix 2)

7.6 The following council officers provided evidence during this review; the Board would like to thank them for their help and participation.

- Sandra Clark: Care Officer, Linden Court
- Jim White: Commissioning manager, Learning Disabilities
- Keith Hinkley: Director of Adult Social Care
- Elizabeth Noble: Disability and Diversity Officer
- Chris Parsons: Head of Financial Services
- Debbie Endersby: Head of service
- Julie Murray: Interim Support Manager, Eastbourne
The Board met with and took evidence from Councillor Keith Glazier and Councillor Bill Bentley.

The Board also conducted a witness session with Sue Carmichael, Regional Advisor for the South East Region from the Valuing People Support Team, and would like to thank her for sharing her expert opinion and valuable experience.

The Board would like to thank the following officers that have provided supporting information during this review:

- Carl Rushbridge: Financial Services Manager
- Grant Smith: Financial Support Officer
- Shirley Bell: Financial Support Officer
- Steve Darvill: Performance Analyst
- Judi Dettmar: Quality Officer

**Contact officer:**

Camilla Marlow
Project Manager
Telephone number: 01273 481577
E-mail: camilla.marlow@eastsussex.gov.uk

**Background papers are available in the Members’ Room or from Sam White, Scrutiny Telephone: 01273 487581 or e-mail:**

scrutiny@eastsussex.gov.uk
8 Appendix 1: Summary of consultation with staff

8.1 60 completed surveys were returned. This gives a response rate of 14%, despite the low response, the comments and suggestions received were detailed and constructive.

- 95% of respondents agreed with the statement ‘I am effective in my role’ (5% didn’t know)
- 84% of respondents agreed with the statement: ‘The area in which I am based works well’ (5.5% disagreed)
- 74% of respondents agreed with the statement; ‘The area of the service where I am based works well’
- 65% of respondents agreed with the statement: ‘We meet the needs of Service users in the area where I am based’

8.2 Staff:

- Positive comments about the training on offer and would like more
- Teams work well together, but there could be better communication between teams and from management:
- More staff to fill vacancies would improve working: especially if these were more qualified staff:

8.3 Property and resources

- More equipment and resources required particularly electronic kit e.g. many staff have no access to email:
- Better accommodation required:

8.4 Service users

- Social activities were universally praised, and the suggestion was to have more
- Users need more mobility and travel training:
- Some staff felt that the services were not appropriate for all Service users, particularly the more severely disabled:

8.5 PCP

- Staff felt that a Person Centred Approach meant that Service users’ were listened to, however, the service would benefit from more information about users being shared between services:
- Staff identify the service as increasingly working with a Person Centred Approach, although concerns were raised on the limited support/resources to enable Service users to have a plan and to fulfil its aspirations:
### Staff role * effective in role Crosstabulation

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<th>Your role</th>
<th>I am effective in my role</th>
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March 2006
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### Area of work * service user needs Crosstabulation

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<td>Topic</td>
<td>Place to visit/ Organisation</td>
<td>Witnesses*</td>
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<tr>
<td>all day</td>
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<td>Housing</td>
<td>Wilmington Room, St Mary’s House,</td>
<td>-Community Learning Disability Teams&lt;br&gt;Sue Parson or Steve Macmillan,</td>
<td></td>
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<tr>
<td>afternoon</td>
<td></td>
<td>Eastbourne</td>
<td>Team Manager Eastbourne&lt;br&gt;Jackie Bennett, Team Manager, Hastings and Rother</td>
<td>Julie Murray, Team Manager, Lewes and Wealden</td>
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<tr>
<td>7th November</td>
<td>Housing</td>
<td>Gambia House, Service users to come</td>
<td>Sue Parsons, staff and Service users – supported housing</td>
<td></td>
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<tr>
<td>am 10:00</td>
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<tr>
<td>Date/time</td>
<td>Topic</td>
<td>Place to visit/ Organisation</td>
<td>Witnesses*</td>
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<tr>
<td>8\textsuperscript{th} Nov 9:30</td>
<td>PCP</td>
<td>Linden Court</td>
<td>Laura Waters</td>
<td></td>
</tr>
<tr>
<td>7\textsuperscript{th} November pm</td>
<td>Housing</td>
<td>In house residential services</td>
<td>Val Marchant Service users in residential accommodation</td>
<td></td>
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<tr>
<td>16\textsuperscript{th} November</td>
<td>Housing</td>
<td>Service users in supported housing</td>
<td>Royal Mencap Society</td>
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<td>LD Housing providers</td>
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Objective 1: Maximising Opportunities for Disabled Children
To ensure that disabled children gain maximum life chance benefits from educational opportunities, health care and social care, while living with their families or in other appropriate settings in the community where their assessed needs are adequately met and reviewed.

Objective 2: Transition into Adult Life
As young people with learning disabilities move into adulthood, to ensure continuity of care and support for the young person and their family and to provide equality of opportunity in order to enable as many disabled young people as possible to participate in education, training or employment.

Objective 3: Enabling People To Have More Control Over Their Own Lives
To enable people with learning disabilities to have as much choice and control as possible over their lives through advocacy and a person-centred approach to planning the services they need.

Objective 4: Supporting Carers
To increase the help and support carers receive from all local agencies in order to fulfil their family and caring roles effectively.

Objective 5: Good Health
To enable people with learning disabilities to access a health service designed around their individual needs, with fast and convenient care delivered to a consistently high standard, and with additional support where necessary.

Objective 6: Housing
To enable people with learning disabilities and their families to have greater choice and control over where and how they live.

Objective 7: Fulfilling Lives
To enable people with learning disabilities to lead full and purposeful lives in their communities and to develop a range of friendships, activities and relationships.

Objective 8: Moving into Employment
To enable more people with learning disabilities to participate in all forms of employment, wherever possible in paid work and to make a valued contribution to the world of work.

Objective 9: Quality
To ensure that all agencies commission and provide high quality, evidence based and continuously improving services which promote both good outcomes and best value.

Objective 10. Workforce Training and Planning
To ensure that social and health care staff working with people with learning disabilities are appropriately skilled, trained and qualified, and to promote a better understanding of the needs of people with learning disabilities amongst the wider workforce.

**Objective 11: Partnership Working**
To promote holistic services for people with learning disabilities through effective partnership working between all relevant local agencies in the commissioning and delivery of services.

11 Glossary:

- **LDPB, Learning Disability Partnership Board,**
  The White Paper instructed local authorities to establish Learning Disability Partnership Boards (LDPB) to lead and co-ordinate the implementation of Valuing People at a local level. The East Sussex LDPB was established in October 2001 and is chaired by the Assistant Director for Social Services (Adults). The LDPB meets six weekly and brings together representatives of local people with learning disabilities and their carers, and representatives of the key statutory, voluntary and independent agencies.

- **PCP, Person Centred Plan**
  A formal plan that identifies the Service User’s dreams and aspirations. It can also include preferences, and taken with a Care plan can provide a very comprehensive picture about an individual.

- **PCA, Person Centred Approach**
  This is more difficult to define than the PCP; the approach refers to a way of working and interacting with individuals where they are at the centre of all services. This means thinking about Service Users first, and enabling them to make decisions and choices about their own lives.