

NORTH YORKSHIRE COUNTY COUNCIL

CARE AND INDEPENDENCE OVERVIEW AND SCRUTINY COMMITTEE

8 SEPTEMBER 2011

VALUING EMPLOYMENT NOW

1.0 Purpose of Report

- 1.1 To report the work undertaken by the Members examining the implications of the National Strategy – Valuing Employment Now.
- 1.2 To set these discussions in the context of conclusions around priorities for day services and supported employment services in the future for people with disabilities, mental health needs and other vulnerable adults.
- 1.3 Time constraints at the last meeting meant consideration of the task group's report had to be deferred. The Director of Health and Adult Services will comment on the matters raised in this report and broader issues around the Learning Disabilities Strategy.

2.0 VEN Task Group

- 2.1 A Task Group, comprising County Councillors David Peart (Chairman), Melva Steckles, Brain Marshall and Herbert Tindall undertook the following
 - A training session, attended by your Chairman, organised by Inclusion North on meeting the aspirations of Valued in Public.
 - Two meetings with Adult and Community Services Directorate representatives and officers from Supported Employment.
 - A workshop facilitated by Inclusion North including County Councillors, representatives of NYCC directorates and Supported Employment.
 - Briefing meetings with key ACS personnel.
 - Involvement with local Partnership Boards.

2.0 Objectives of the Task Group Review

- 2.2 The review started on the basis the scope of its work would be to assess and contribute to our and our partners' preparedness for the implications of Valuing Employment Now. So throughout 2010 and this year, the Task Group considered the scale of service change in the community that could result from VEN, but conclusions were deferred during ACS budget preparations.

- 2.3 What became clear as we began to reach conclusions is that a response to valuing employment could not be taken forward in isolation. Our present model of care is expensive and with more people needing support, particularly those with profound needs we have to create a new more affordable model of support. The national reduction in public sector funding now places further pressures and urgency in bringing about a transformation.
- 2.4 Therefore, whilst we have been able to identify the main implications of VEN, they reach beyond the specific aims of that strategy; they will be the driver for a different approach from Adult and Community Services for supporting people in the community, not just those with a Learning Disability.
- 2.5 We have therefore come forward with proposals about how we might respond but these must be set within the context of a service model that prepares us for the implications (of the recent Government Paper Vision for Social Care – Capable communities and Active Citizens¹ - now commonly referred to as the 7Ps. Firstly, however some understanding of Valuing Employment Now.

3.0 Valuing Employment Now: Real Jobs for People with Learning Disabilities.

- 3.1 Joblessness is one of the key indicators of social exclusion. Getting a job has to be seen as a central feature in helping individuals to achieve their aspirations. This is informed by best practice in the UK and the USA that people can work, and the knowledge that they will be better off financially and socially if they do. We know that 65% of people with learning disabilities would like a paid job.²
- 3.2 Valuing Employment Now³ established a cross Governmental employment strategy for the next 15 years. The relative lack of progress in improving the employment rate of people with learning disabilities compared to progress in this area with the disabled population generally is a key reason for this strategy being produced.
- 3.3 Public bodies, like the County Council should set an example to other employers in employing people with learning disabilities. The overall goal is to increase radically the number of people with moderate and severe learning disabilities in employment by 2025.⁴ The strategy aims to close the employment gap between those with learning disabilities and the disabled population as a whole by increasing the number of real jobs available and ensuring appropriate support.

¹ A vision for adult social care: Capable communities and active citizens – Dept of Health Nov 2010

² Adults with Learning Difficulties in England 2003/4, Eric Emerson (2005)

³ Valuing Employment Now

⁴ Improving the Life Chances of Disabled People, Prime Minister's strategy unit (2005)

- 3.4 It set the objective at the same level of employment that currently exists for people with a disability generally – 48% - should be in place for people with moderate and severe learning difficulties by 2025. Valuing Employment Now requires all local services to ensure that their future focus is towards securing paid employment for people they work with.
- 3.5 The new Coalition Government has confirmed the importance of people with disabilities gaining employment and has confirmed the principles underpinning Valuing Employment Now and New Horizons⁵. Indeed, it is likely that the drive for this will be accelerated in the months and years to come.
- 3.6 There is a powerful business case to be made for supporting somebody in employment as well as the improved outcomes for the individual. Supporting somebody in employment is far cheaper than providing day service support and activity as demonstrated in a Scottish authority, North Lanarkshire⁶, and in US studies.
- 3.7 Supported employment can produce savings at the local authority and tax payer levels. However, the difference in net cost between supported employment and day service costs at a local authority level will only represent a real reduction in cost if one service is replaced by another and the saving is realised.
- 3.8 Our work on VEN took longer than originally planned as we made sure that it was consistent with early thoughts on the overall strategy within Adult and Community Services on learning disabilities.

4.0 Policy Background and Rationale

- 4.1 Put simply, only services that can evidence their success in moving people into employment will be sustainable in the context of rising demand and increasing pressure on budgets. The recently published 'Vision for Adult Social Care: Capable Communities and Active Citizens' emphasises priorities that will require the majority of providers to radically change their business models. In summary they are:
- All service users will have Personal Budgets (preferably Direct Payments by April 2013. This will potentially be embedded in a new legal framework for community care legislation.
 - Providers to move away from traditional block contracts to facilitate a more diverse market.
 - Small social enterprises, User Lead Organisations (ULO's) and voluntary organisations should be encouraged to compete to deliver personalised services.

⁵ New Horizons: a shared vision for mental health 7 December 2009

⁶ An evaluation of the outcomes of supported employment in North Lanarkshire (2007) Dr. Stephen Beyer June 2008

- There should be more choice in the market about how people spend their own budgets.
- An emphasis on Prevention and Reablement. 'Employment is an important part of helping people to stay as independent as possible.'
- A White Paper on the future of social care will be published next year which is likely to take these changes further.

5.0 Future demand and service user aspirations

- 5.1 Whilst most attention has focused on the rise in the older people's population there is a smaller but nonetheless significant rise in the population of people with a learning disability.
- 5.2 There are two particular pressure points within the system. First, there is a growth in the numbers of children born who survive with profound and multiple disabilities. Secondly, there is increased longevity amongst the learning disability population which means greater pressure on care services, and some new care needs to meet – for example the increasing number of people with down's syndrome who survive to get early onset dementia. Further details can be found in the Joint Strategic Needs Assessment (JSNA) published by NYCC and NHS North Yorkshire and York.
- 5.3 The JSNA also emphasises the views of local people that may need to use services that they require them to be as much a part of mainstream services as possible. Increasingly younger people with learning disabilities or mental health problems are looking at employment with support as the core of their support need.

6.0 Aims/Principles of the Strategy

- 6.1 VEN is about more than just locating and supporting employment, it covers a range of community based approaches beyond social care:
- Growing the presumption of employability, people with LD can work and have careers, this is a message that we must move to get across from an early age, ie, in transition from child to adulthood.
 - All sectors must look to joint working to create employment paths for individual.
 - Better work preparation at school, college and adult learning.
 - The role of personal budgets and social care - Personal Budgets can and should be used to buy support to get and keep a job. Person Centred Planning should be used to help individuals think about their aspirations for work.

- Increasing high quality job coaching.
- Clearing up confusion about the benefits system.
- Promoting self employment.
- Encouraging employers to see the business case.
- Transport to get to work.
- Addressing barriers where people live.
- Better support for the most excluding adults with learning disabilities.
- People with learning disabilities and their families leading the way.
- Better data and performance management - The Government will publish targets and milestones for this strategy.

7.0 Current Position

- 7.1 North Yorkshire County Council spends approximately £1.7 million per year with external providers on day occupation and sheltered employment services for people with a learning disability. Around 400 people are supported in such services at any one time. A smaller sum of around £ 585k is spent on similar services for people with mental health needs. The average length of stay in sheltered employment is over 5 years.
- 7.2 The National Development Team for Inclusion report that only 7.5% of people nationally with a learning disability are in paid employment and even fewer of them are in employment of over 16 hours. The situation is similar for people with mental health needs who are often excluded or marginalised when accessing employment.
- 7.3 This is reflected in North Yorkshire with only a small number of people making the transition into paid employment. Last year 57 people with learning disabilities were supported to find paid employment. Over the last two years 82 individuals have moved into paid employment. The progress that has been made to date now has to increase rapidly and to take place across all service providers in North Yorkshire.

8.0 Some Definitions

- 8.1 Paid employment is generally defined as employment in the mainstream sector, waged and paid at national minimum wage levels or higher. Individuals should be working for 16 or more hours per week. This can include work in private industry, social enterprises or self

employment as long as remuneration to at least the level of the national minimum wage is achieved.

- 8.2 Other arrangements, such as permitted work, volunteering or education are included as part of the spectrum of support that should lead to this goal but they are not satisfactory outcomes in themselves.
- 8.3 Sheltered work or day time occupation is generally is not waged but is the dominant model of provision in North Yorkshire. We would expect this type of service to reduce over coming years.

9.0 Commissioning Priorities

- 9.1 Since the publication of its long-term commissioning strategy in 2008 NYCC has emphasised the importance of prevention, promoting social inclusion and more personalised services with increased choice. Producing services more cost effectively and developing different service models to meet new was identified as the way of meeting new and growing demand.
- 9.2 Transforming daytime occupation services is a way of achieving these objectives. Securing employment is a preventative service as it reduces long-term demand for services and allows resources to be concentrated on those with eligible community care needs, but more importantly allows people to live full lives within society. The Supported Employment Service has enabled 82 people to access paid employment in the last two years. Those individuals would have probably have otherwise required long-term ACS support in daytime occupation. If that figure were to be replicated in the current commissioned sector it would be the equivalent of each current provider enabling 20% of their current service users to obtain paid employment.

10.0 Proposals

- 10.1 **Service transformation**
- 10.2 **We support the notion of a front-end statement covering all client groups and people who come to adult social care for assistance or support.** All will be treated equitable and have access to the same pathways irrespective of disability categorisation, age, gender, sexuality, or belief. While we may continue to have 'specialist' workers with skills and expertise in particular needs area we will not therefore treat people differently or separately.
- 10.3 **We should look to develop a tiered model of service, a pathway if you will, based on the assumption that people will access employment or further education and we will signpost out to these services or other opportunities.**

- 10.4 After an individual's needs have been met, through for example Reablement Services and/or Telecare, yet there remains an ongoing need for support the default position will be to start a discussion about Personal Budgets.
- 10.5 The norm will be that Personal Budgets will be used for a sufficient period to gain support along pathways to employment. Once employment is achieved the need for support and Personal Budget may end or reduce. Access to work funding may be more appropriate.
- 10.6 When people need longer ongoing support even then the expectation is that people will carry out daily activities and occupations which help them gain experience to get into employment.
- 10.7 Where the level of disability or frailty is such that playing an active role contributing to the community is too challenging and people need respite to remain either in their own home or their family home day respite will be offered and occasional respite care away from home again based on assessed need.
- 10.8 ACS will therefore need to continue to work with partners to ensure a range of accommodation is available across North Yorkshire.
- 10.9 **“Employment Matters” – Commissioning Implications**
- 10.10 Getting a job is a central feature in helping individuals to achieve their aspirations and to ensure their inclusion in the wider society.
- 10.11 **Adult and Community Services should seek to maximise employment opportunities for people with learning disabilities, mental health needs and other vulnerable adults.**
- 10.12 This therefore means that future day services be commissioned around the principle of securing paid employment for individuals who access the service. **The ethos of the services should be a presumption of employability for people with learning disability and mental health needs and there must be evidence of joint working to create employment paths for individuals.**
- 10.13 **In the future, services should be explicitly modeled on the requirement to enable people to gain paid employment and to support them in that role. The effectiveness and success of commissioned services in this context should be judged primarily on this criteria.**
- 10.14 In terms of working with providers of daytime occupation services for people with learning disabilities, mental health needs and other vulnerable people **a clear statement should be drawn up which outlines the outcomes that must be achieved by providers and describes the broad service model that the County Council requires to be in place.**

10.15 This statement should be primarily addressed to providers, both present and future. Such providers could be external to the County Council or NHS, i.e.: independent or third sector organisations or they may be internal providers. The objectives of the statement apply equally. By setting what it intends to purchase, the County Council is by definition, also setting out what they do not intend to commission.

10.16 **Implications for Providers**

10.17 The obstacles to change are not underestimated by commissioners but providers will need to make early indications of their willingness to move down this road and to be clearly evidencing how they intend to change the focus of their service.

10.18 Ensuring effective communication with current service users, their families and other carers will be very important and providers will be expected to indicate support for the ethos of employability in all aspects of their communication with users, carers and the wider communities.

10.19 The commissioning intentions and funding framework will require current providers to develop a strategy to substantially change their current models of service and to develop a new business model for their organisations.

10.20 ACS will therefore need to consider the development of new partnerships and the implications for staff development and training.

10.21 **Making the Change and Timetable**

10.22 **ACS prepare a Market Position Statement and enter into a dialogue with providers by way of a discussion forum to consider key issues arising from the market statement. This will be in the public domain before the autumn 2011.**

10.23 **Providers be invited to consider what business model would meet the commissioning requirements and how they might achieve the changes. Providers should have the option of discussing this in more detail with ACS individually. This should be initiated before the autumn 2011.**

10.24 **An options appraisal of the contracting options for post April 2012 be given consideration.**

10.25 **NYCC Corporate Development Issues**

10.26 The 'sister' document to Valuing Employment Now is called 'Valued in Public'. The strong message for us is that local authorities, particularly those that have adult social services responsibilities, are to be exemplar authorities. We need to think carefully and creatively about how we achieve that.

10.27 The Local Authority needs to become exemplar employers of people with learning disabilities (ACS have set a target of 2 people with learning disabilities to be employed per establishment)- however further work needs to be undertaken with recruiting managers and Human Resources across the authority - such as:

- **All vacancies in first instance are directed to NYCC SES – to see if appropriate job matches can be made.**
- **All vacancies to be considered by recruiting line manager for job carving or task trading.**
- **All recruiting line managers and ASO to have training on issues relating to recruiting, selection and induction of disabled people.**
- **All establishments/teams to have a “diversity/disability” champion (not necessarily the line manager) who will support and advise managers on issues such as “reasonable adjustments”/buddying, reducing workforce discrimination, back to work action plans.**
- **Occupational Health Services – should be required to look at issues of ill-treatment of disabled workers and support managers and person to reach solutions.**
- **Contracting and Procurement: more work is required on how we using our influence and power as a procuring organisation to lever businesses to think about doing something for people with learning disabilities?**

11.0 Recommendation

11.1 The Committee is asked to note the work undertaken so far by the Task Group and confirm that it shares the emerging conclusions and that Task Group’s view of what further work is required.

**BRYON HUNTER
SCRUTINY TEAM LEADER**

**County Hall
Northallerton**

30 August 2011

Background Documents: None