

Valuing People Now: A New Three -Year Strategy for People with Learning Disabilities

Summary

1. This paper provides an update on *Valuing People Now: A New Three-Year Strategy for People with Learning Disabilities* - a cross government strategy, published on 19th January 2008. The strategy set an agenda for people with learning disabilities across a range of issues, including health and wellbeing, housing, employment, education and community inclusion. It builds on the vision set out in *Valuing People* (2001) which was the first white paper on learning disability for thirty years – a vision based on the four main principles of rights, independence, choice and inclusion and sets out "Big Priorities" to be delivered over the years 2009-2011:-
 - Personalisation - real choice and control over lives and services;
 - What people do during the day - ensuring inclusion with a particular focus on paid work;
 - Better health – ensuring full and equal access to good quality healthcare;
 - Access to housing – with an emphasis on home ownership and tenancies.
2. A Key to delivery of each of these is an overarching priority - making sure that change happens. To assist with this, all budgets and commissioning responsibility for learning disability social care services will transfer to local authorities. This set a significant challenge for local authorities and their partners, not least to achieve transfers by the target date of April 2009. This is obviously a major transfer of responsibility and funding for local government which we need to ensure is well handled.

Recommendations

That the Board notes the current developments as outlined in this paper.

Action

For determination by the Board

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Valuing People Now: A New Three-Year Strategy for People with Learning Disabilities.

Background

1. The government published 'Valuing People Now: A New Three-Year Strategy for People with Learning Disabilities' on 28 January 2008. It sets out the government's plans for learning disability services in England until 2011.
2. Key aims include:
 - Improving training, commissioning of services and strengthening local structures to meet the needs of people with learning disabilities, are fundamental elements of the Strategy.
 - ensuring people with learning disabilities get the healthcare they need and the support they want to live healthy lives;
 - supporting more people with learning disabilities, including those with more complex needs, into paid work;
 - ensuring people with learning disabilities have the choice to have relationships, become parents and continue to be parents; and
 - giving people with learning disabilities opportunities to study and enjoy leisure and social activities.
 - Progress will be reviewed annually. A new national Learning Disability Programme Board and Regional Boards will ensure the strategy works, share good practice and provide a forum for stakeholder groups to discuss progress and concerns.
3. Valuing People Now also contains the Government's response to the Independent Inquiry chaired by Sir Jonathan Michael. This was set up by former Secretary of State Patricia Hewitt in response to the Mencap report 'Death by Indifference' in 2007.
 - establish a confidential inquiry to investigate the premature deaths of people with learning disabilities;
 - commission a new Public Health Observatory to provide essential data information at a national and local level; and
 - work with the professional regulatory bodies to ensure medical students and NHS professionals receive training on learning disabilities, equalities and human rights.
 - annual GP health checks for people with learning disabilities and the 'reasonable adjustments' to general health services PCTs were directed to make in the NHS Operating Framework for 2009/10.

Commissioning Learning Disability Services

4. Ever since the closure of the long stay hospitals for people with a learning disability around the country over fifteen years ago, the NHS has continued to fund (and, in some cases, directly commission) social care placements for people resettled into the community from these hospitals - both in the independent /voluntary sector and in services managed directly by NHS provider Trusts.
5. Largely as a result of publicised national scandals involving the revelation of poor standards of care for adults with a learning disability placed in NHS commissioned and/or provided social care placements over the last three years, the Government determined that the commissioning responsibility and the associated funds for these placements should be transferred on a “once and for all time” basis to Local Authorities.
6. This decision has been taken on the basis that the Government believes that Local Authority Adult Social Care Commissioning bodies are much better placed than the NHS to commission good quality social care services for people with a learning disability. They also want the NHS to concentrate their efforts on providing high quality specialist and generic health services to this group of people.
7. All Local Authorities and their NHS Primary Care Trust partners are required to formally agree and publicly declare to the Department of Health by the 31st March 2009 the amount of funding that will need to be locally transferred to comply with this national policy decision. The actual once and for all transfer of these funds will take place, it is currently envisaged, from the 1st April 2011. The guidance issued by DH outlined that agreement needed to be reached by 1st December 2008 and that those agreements would be based on the actual spend in 2007/08 with adjustments made for any known plans to be effective in the current year.
8. Implementation of this proposal will mean that all people with a learning disability whose needs are primarily social care will have their care commissioned and funded by the Council.
9. Some local authorities have reported that it has been difficult to establish a baseline for transfer, despite huge goodwill between PCTs and councils, because of the variation in arrangements which have developed over many years and that resources based on need rather than historical arrangements may be the most satisfactory way of developing services in the future.
10. We understand that a small number of authorities are having significant problems with finalising this year’s transfer. We are currently undertaking some work with ADASS to understand the scale of this problem. We are not

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aware of any support at a regional level being provided to enable these areas to reach resolution, but will take this up with DH when more detailed information is available.

11. Of greater concern for all councils are the long term consequences of this transfer. There are two overarching concerns. The first is how in future years the transfer will reflect demographic and cost pressures on this budget. In many areas of the country this part of the social care budget is already the most pressurised. Secondly for a number of councils the suggestion that in two years time the transfer would move from a local transfer to a national redistribution causes concern about the loss of significant funding while continuing to be responsible for above average numbers of people with learning disability. This situation was explained to the Minister for Care Services at the Board's November meeting by Jim Couchman. We understand that he has asked officials to present him with some detailed work on both the preserved Rights Grant and this transfer as a result of that conversation.

LGA View

12. Councils are positive about this transfer at a service level, recognizing it represents the potential for both better quality services for people with learning disability and the most effective use of NHS and council budgets for these services. With proper leadership from DH to ensure resolution of the local issues, the problems around the next two years' local transfers can most probably be resolved and councils can take on local commissioning responsibility.
13. However there is no such reassurance for the longer term. Now there is more detail about the immediate transfer, it is recommended that LGA take up the question of the longer term with DH with a view to supporting member councils to achieve confidence that they can continue to support their local population of people with learning disabilities beyond 2011.

Financial Implications

Clearly there are significant financial implications for member authorities. PCTs spend an estimated £2bn directly on people with learning disabilities, about 85% of which is on social care.

Implications for Wales

None, since this is a devolved matter.

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