

Learning Disability Voices.

THE CARE CRISIS MANIFESTO



Learning Disability Voices comprises charities, not-for-profit and independent sector companies that provide learning disability services in the UK, including Voyage Care, United Response, Lifeways, The Wilf Ward Family Trust, Hft and Mencap. We represent 20% of the total sector provision for learning disability care.



The Care Crisis Manifesto

Foreword from Sam Jefferies



People like me with a learning disability have a right to choose how we live. And a right to the support we need to live a good life. I get a Personal Budget which means I can attend a project run by Isle of Wight Mencap four days a week. Through my Personal Budget I also get help with transport because of my mobility issues, and I have a support worker for help with going to appointments like to the Jobcentre Plus.

I have been lucky to have had good people working with me and good Care Managers reviewing my Personal Budget to get the right amount of money to meet my needs, but unfortunately for others that is not the case at all.

I know there have been cuts to people with a learning disability's Personal Budgets and they have lost days at projects like the one I go to, or they have had to leave altogether because of transport cuts. Cuts to support mean we can't go out, see friends or be part of our community. No one else would put up with that, but the government and councils seem to think we should.

It's down to cuts to local councils' resources that Care Managers are being pressured to make cuts to learning disability services. This means they're not getting the support they need. The government needs to invest and give money to local councils so they can spend money on social care for people with a learning disability to get their support to meet their needs.

This manifesto talks about lots of things, but the bottom line is that politicians need to step up and make sure that there is more money to pay for the support people need. If they don't then we're going backwards- to when people with a learning disability weren't part of society and were hidden away. I'm not about to let that happen, I hope you aren't. So read this and do something about it.

Sam Jefferies

The Care Crisis Manifesto

Foreword from The Rt Hon Norman Lamb MP



In other parts of the world, being born with a learning disability puts one at risk of being rejected from society, institutionalised and cruelly abused. In Britain, millions of dedicated carers and professionals have worked hard to ensure that people with care needs are able to live at the heart of their community and lead a full life, as independently as possible.

The horrific abuse uncovered at Winterbourne View in 2011 challenged our thinking about the way we deliver care in this country. The response was a roadmap for reform set out in NHS England's Transforming Care programme; this made community care a priority for people with learning disabilities.

There has been progress and, broadly, the direction of travel led by policy makers has been the right one. But to realise the vision outlined by the Transforming Care programme, we need to ensure the sustainability of our frontline services.

Now we are facing a looming crisis in learning disability care. By 2020, it will outstrip other services to take up the majority of the adult social care budget. Yet the financial pressures on the health

service have meant that local authorities are increasingly unable to afford learning disability care packages. This is putting high quality services at risk and undermining the transition of people with learning disabilities from inpatient to community settings.

Care for people with learning disabilities is highly specialist. Providers do not have the benefit of private fees and long-term contracts; the sector will dwindle as more and more of them leave.

The Government is burying its head in the sand over a growing crisis in our communities, where our most vulnerable citizens risk losing vital care and support. We must not let the clocks turn back to the days before personalised and high quality support became the norm.

Put simply, learning disability care is underfunded and more money is needed. This manifesto brings together the perspectives of providers and articulates their call on Government with a six point proposal to safeguard the provision of high quality care for people with learning disabilities.

I welcome this manifesto by Learning Disability Voices as an important contribution to the debate on how we might secure a proper settlement from the Government, to ensure that the sector can continue to provide the quality care that people need and deserve.

Rt Hon Norman Lamb MP

The Challenge

Providers of support to people with a learning disability are particularly vulnerable to central government's decisions on funding for local government and for vital care and support services, because our income differs from other care sectors in three key ways:

- Staffing accounts for the vast majority of our costs, because our clients often have complex needs and require 1:1 or 2:1 support, 24 hours per day.
- There are virtually no self-funders among our clients, so we cannot 'cross-subsidise' with private fees, which other care sectors have been forced to do; nor is there any 'market opportunity' based on growing demand.
- We are paid to provide hours of care, and do not receive a guaranteed weekly fee: as a result, when we are successful at reducing the needs of our clients through better outcomes, the savings flow to commissioners and not to us.

People with learning disabilities and their families rely on our support – it is a lifeline. The right, high quality support also makes the difference between someone simply existing (at best) or fulfilling their potential to live as full a life as possible, as independently as they can, at the heart of their community.

We have managed for five years to adapt to the funding challenges being experienced by local authorities, which have had to make spending cuts of around 40% since 2010. We have been driving operational efficiencies to keep our fees static, but we have no further scope to cut our costs without reducing the quality of the services we provide. This is not a moral or viable choice for us, because the

people who we support would suffer the potentially fatal consequences of reduced-quality care.

As a result of these funding conditions, we are being hit particularly hard by the introduction of the National Living Wage (NLW). We would be eager to be able to pay our staff a better wage to recognise the vital work that they do (indeed, this is something we have been struggling with for many years), but we need to be properly funded to do so by our only customer: local government. On top of this, we are facing new legal challenges regarding the wages paid for 'sleep-in' shifts, because government regulations remain ambiguous despite its original intentions, and the fact that the current arrangements have worked well for the past 35 years. If sleep-ins were deemed to be "working time" for NLW purposes, this would cost the provider sector an additional £800M by 2020, with unintended knock-on effects on the people we support.

The combined impact of the NLW and local government funding cuts means that we are already seeing care packages being withdrawn and services closed. If this continues, quality providers will cease to operate in this sector, and commissioners will be left with limited choices to ensure that some the UK's most vulnerable people continue to receive the support that they need.

The Government's Response isn't Working

Our most conservative calculation of additional funding needed in 2020 is £1.166bn. Today, support for people with a learning disability comprises 30% of social care funding. If this persists, based on an additional £800mn raised for social care from the precept, there will be a £926mn funding shortage for LD support services in 2020.

We welcome the introduction of the 'social care precept' as a means for councils to generate additional revenue (through a council tax uplift) to support local older and disabled people. Coming on top of five years of spending cuts and the introduction of the NLW, however, this is nowhere near sufficient to cover the shortfall in funding.

In addition, the experiences of LD Voices members indicates strongly that this extra revenue is not being passed onto providers, with many commissioners offering a 0% uplift for 2016/17 from an already low base, despite wide take-up of the precept. And despite being described as social care funding, the Better Care Fund has yet to reach any of the organisations represented by LD Voices.

The government's response runs contrary to its own policy objectives. The Winterbourne View abuse exposed the widespread misuse of assessment and treatment provision as a form of long term placement for people with learning disabilities. As a result, the government's Transforming Care programme has recognised that community provision is the best environment for people with a learning disability, autism, and behaviour that challenges, as well as the most cost-effective solution.

However, if funding is not available for us to transition people into the community safely and effectively, as we would like to do, the Transforming Care agenda will fail, with devastating consequences for people with learning disabilities and their families. These individuals are, by definition, at the highest intensity of care provision, and will require significant support packages. Around £600m is currently being spent on in-patient provision, and this money must follow people as they move back into the community. Adequate capital must also be made available, however, to ensure that the right housing options can be developed to meet people's needs.

£926m
FUNDING SHORTAGE FOR
LD SUPPORT SERVICES IN
2020



Supported Housing is Under Threat

The Minister for Disabled People, Justin Tomlinson MP, recently informed Parliament that the limit on Local Housing Allowance (LHA) rates will not be applied to supported housing tenancies before April 2017, to allow Ministers to analyse the results of a research project into supported housing costs. If the cap is implemented, as many as 82,000 specialist homes will become unviable and will be forced to close, at a time when the need for supported housing is greater than ever. This also undermines the Transforming Care agenda. Planned supported housing developments are already being put on hold while we wait for this situation to be clarified.

Our Asks of Government

As a coalition of organisations caring for individuals with learning disability across the UK, we call on the government to:

1

Play its role in ensuring sufficient extra money is put into social care, to close the large and growing funding gap;

2

Give local authorities the freedom to raise the social care precept above 2%, to enable them to compensate for the shortfall created by the National Living Wage and make a greater contribution towards funding for social care;

3

'Front-end' the extra £700m from the Better Care Fund to this year, rather than waiting until 2017, to recognise the additional costs borne by the introduction of the National Living Wage;

4

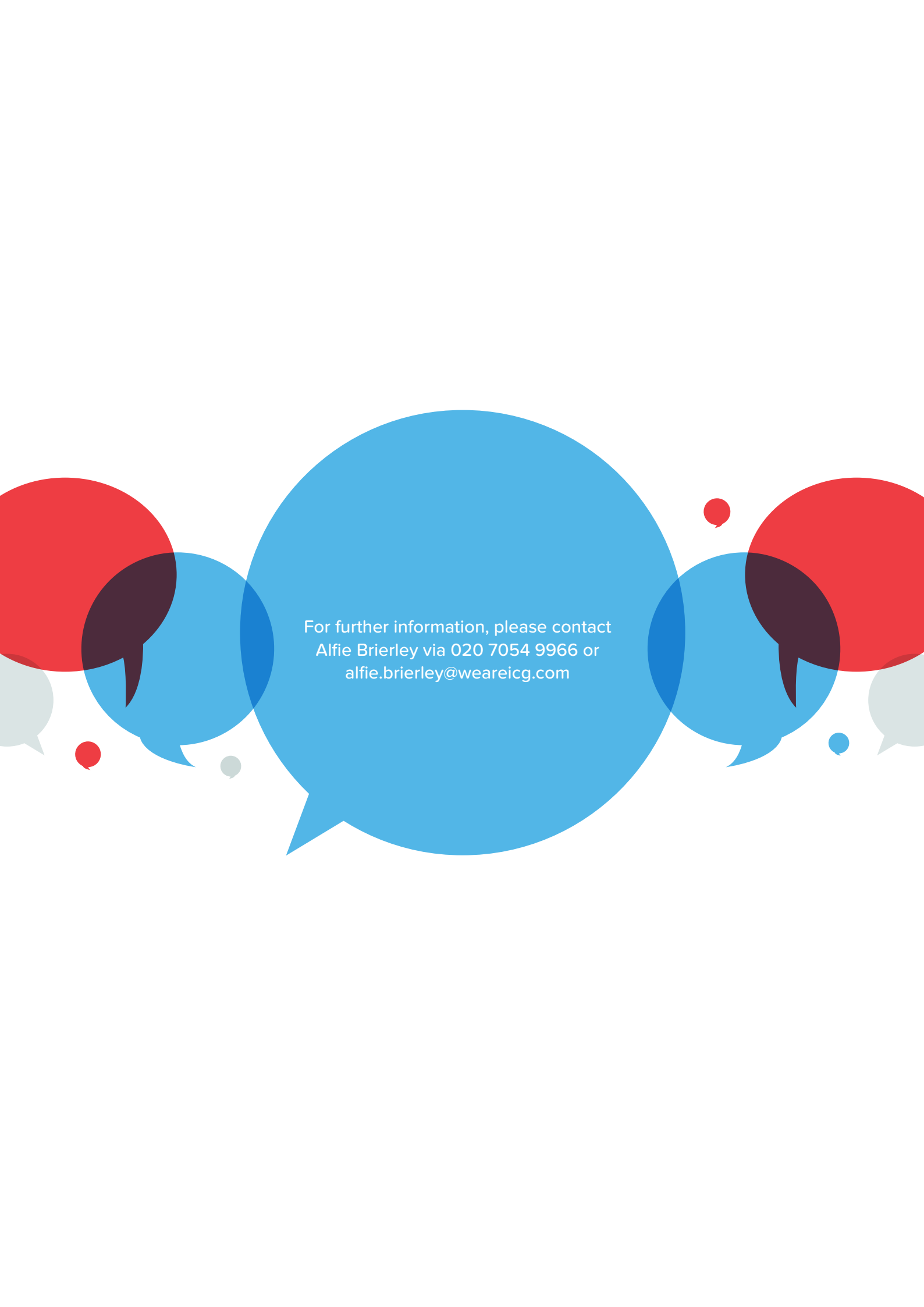
Amend the policy requirements for the Better Care Fund, so that it can be used by local authorities to support care packages for individuals with learning disabilities, rather than restricting it to efforts to reduce pressures on the NHS;

5

Ensure that supported housing remains exempt from the cap on housing benefit to be applied to the social housing sector; and

6

Urgently look again at the 2015 National Minimum Wage regulations, to make it clear that time spent asleep on an overnight shift is exempt from the National Living Wage rate, as was originally intended.



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