There are three key threats that are threatening to undermine over 30 years of rights based support for many of the most disempowered people in the Wales.

1. Changes in the law
2. The Chancellor’s new “Living Wage”
3. Time

Throughout this article we will explore all three in more detail.

**Supported living**

Initially one of the key pillars of the All Wales Strategy the “Right to an ordinary pattern of life” became the guiding principle for the development of new patterns of services. Supported Living flourished under the AWS and was instrumental in ensuring that the awful institutions were closed in Wales. The Supported Living approach to domiciliary care has the following main features:

- A small number of people (usually no more than four) live as assured tenants in an ordinary flat or house (usually provided by a housing association).
- Support from a small consistent staff team for the periods that people are home in the day (usually provided by a specialist not-for-profit agency).
- Overnight support in the form of a staff member sleeping in a spare bedroom, or less commonly being awake all night.
- Funding from a combination of social services funds (the largest proportion), housing funds, tenants’ benefits, and occasionally health funds.
- Decisions regarding the planning and approving of the building design, of the support agency’s identity and funding level, and of who lives in the flat or house, are primarily made by social services.

These services have been arguably the greatest achievement of public policy for people with learning disabilities in Wales for the last 30 years. They were an absolutely vital component in the programme to close the old institutions. They enabled people to live in the homely and personalised environment of an ordinary house in the community, instead of being life-long “patients” on a ward, or “residents” in the equally impoverished and remote environment of a large hostel. In addition other key achievements were that people were actively supported to exercise their rights as citizens, the right to vote, the right to actively contribute to and participate in their local communities and decisions in their lives.

**Is there a future for Supported Living?**

Adrian Roper and Chris Bennett of the Community Living Network explain the serious financial threats facing the supported living approach to care and support. They argue that if additional resources are not found many provider organisations could face bankruptcy.
Is there a future for Supported Living?

Thirty years ago, well over a thousand people used to live in long-stay hospitals in Wales. Thanks to Supported Living, all those people, including people with significant physical and intellectual impairments, have been able to enjoy a whole panoply of those things that help to constitute a good life:

- a home of your own,
- security of tenure,
- respect for your privacy,
- your own money and personal possessions,
- the ability to choose what you eat or wear or do,
- daily opportunities for the give and take of social interaction,
- help when you need it, for your mental and physical well-being
- close proximity to your family, friends and community, with help to stay in touch.

Supported Living has also offered people the chance to leave their family home, and given families the chance to live without round-the-clock caring responsibilities.

All of this has been under threat for some years, but the threats are reaching a potential tipping point. This article will examine the threats, and also the potential responses, good and bad. The biggest threats to the Supported Living approach to care and support are financial. But the biggest threat to people with learning disabilities and their families is that we go back 30 years to a society that offers only one alternative to life-long family care: the remote, over-large and dehumanising institution.

Somehow, we have to do better than that.

The threats

Supported Living has always looked expensive, especially to anyone comparing a Supported Living budget with the price of a Home Care package or a placement in a typical Care Home. On the other hand, when you compare a Supported Living budget with the cost of the same number of places in a privately run out-of-area institution, it doesn’t look so bad. There is also a powerful argument for higher investment in support for people with learning disabilities because they are uniquely at risk of a whole lifetime of deprivation and inequality. If financial circumstances had stayed as they were a few years ago, the arguments in defence of Supported Living budgets could have continued to be made. The bigger threat, perhaps, was a growing critique to this approach to care and support and considering it as a “model of Care” a “small institution”, where:

- people were “placed” and “unplaced” regardless of their tenancy rights, and regardless of whether they wanted to live together;
- staff were in control and working patterns dominated lifestyle choices;
- people and their homes and their support were combined into block contracts in which individuality and choice was compromised, and people’s lives could be put out to tender.

This, of course, was a healthy critique, intended to promote some key re-design elements within the approach, rather than rubbingish the whole idea of small-scale community living with support. This critique is still very much an issue, and one which Supported Living needs to address if it has a future that we can be as proud of as we can be of its past. More on this later.

But there has been a danger lurking alongside this critique of Supported Living. Those who simply thought the model was too expensive were only too happy to jump on the bandwagon and argue against its continued existence, even when they had no proposals for its less institutional replacement. The danger is that the healthy critique of Supported Living will be used as a cover for a move in the direction of more institutional models. That danger is now being compounded by new and potentially catastrophic financial changes.

Sleep in costs

The first financial change came in 2014 when an employment tribunal case known as Whittlestone ruled that every hour of a “sleep-in” shift needs to be treated as work-time and used in calculations of the National Minimum Wage. Prior to Whittlestone, staff were paid a lump-sum of about £30 a night when they slept-in. Commissioners paid for these lump sums. Post Whittlestone, provider agencies who wish to be assured that they are operating legally are topping up wages at a much higher cost and, in most cases, are not being reimbursed by their commissioners. As an example, one major Welsh not-for-profit provider is paying £125,000 in unfunded top-ups every quarter.
Minimum wage

The second financial change came in July 2015 when the Chancellor of the Exchequer announced that the National Minimum Wage will increase in April 2017 to £7.20 per hour. That represents an increase of 70p per hour from the level set in April 2015. Normally the National Minimum Wage goes up by about 20p per year so this new rise is quite a hike, but the real problem arises from the fact that the funding of outsourced Supported Living providers has been frozen for so long that the majority of their staff are now about to become Minimum Wage earners. Before now, they were paid above the Minimum so the annual 20p uplift to the Minimum Wage was irrelevant. Now it is extremely relevant. Thousands of staff will need to have their basic pay increased, and on top of that, the option of topping up wages in relation to sleep-in shifts will disappear and effectively they will have to be paid the same for a sleep-in shift as if they were working a normal shift.

By way of an example of the implications, the same Welsh provider has calculated that its wage bill for 2016/17 will rise by £1,000,000. Unless this is funded, or some other solutions are found, it will be heading for oblivion. So will every other law-abiding provider.

The third threat is time, as previously outlined threats one and two are happening between now and April many support services are running out of money to meet the new financial requirements.

Local authorities will have to decide what to do with hundreds and hundreds of learning disabled tenants whose support agencies have collapsed through no fault of their own. Will they terminate people’s tenancies and either send them home to families or away to institutions? If not, what will they do? What can we all do to stop that happening?
Is there a future for Supported Living?

Lobbying

Firstly, we must continue to lobby government following the Chancellor’s November Public Spending Review statement. As this article goes to print, all we know is that English local authorities have been given the option of raising an extra 2% in council tax to fund social care, and some extra funds are going into NHS England. The council tax rise option needs to be considered by the Welsh Government and... if it is adopted in Wales, each council will need to vote for the rise... if they are prepared to face the local political consequences. That’s two big “ifs”. As for the NHS England increase, that will mean some more funds for Wales via the Barnett Formula... but whether any of it reaches social care is by no means certain. The pressure on the Westminster government needs to continue, not least because it alone has the power to rewrite unhelpful laws relating to sleep-ins. Lobbying and collaboration is now also needed with Welsh Government and local government. God knows, support staff deserve better pay, but one way or another, governments at every level need to address the need to fund these legally required wage rises or else Supported Living and many other vital social services will collapse.

Constructive discussion

The second thing we can do is start engaging in constructive discussions about how to reduce the bill for Supported Living and thereby ensure that small-scale community living with support remains an option for people with learning disabilities and their families. Let’s turn the threat into an opportunity to refresh the model, giving all stakeholders a meaningful opportunity to contribute to planning, design and commissioning decisions. An approach based on inclusive principles of co-production and co-design would not only be less institutional in itself, but it stands a real chance of identifying solutions which commissioners on their own would not. Individuals and families and person-centred support staff have much more to offer than is usually acknowledged, and they are also in the best position to embrace positive risk-taking and to find ways of reducing paid support without detriment to people’s well-being. Can we do sleep-ins in different ways? Can a smaller number of better paid staff deliver better outcomes? Can we commission support to deliver outcomes for people rather than hours on a rota?

In the next issue of Llais, after the Chancellor has made his November announcement, we will revisit this topic again. Whatever the Chancellor says, the financial situation is not going to be easy, and the future of Supported Living will remain in doubt. In the meanwhile, our encouragement to everyone is this:

• Learn from the past don’t repeat it
• Talk to each other and listen.
• Urgently.
• Start finding practical ways to protect and improve Supported Living.

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Key Points

• Supported living services have faced significant reductions in funding over the past 20 years. Many services are barely sustainable

• Changes to the way ‘sleep-in’ rates are calculated and the proposed increase in the minimum wage will see provider costs rise significantly. It will cost more to provide the service than the contract pays for.

• If these additional costs are not met many supported living services will collapse and this could lead to the re-emergence of institutional care

• These threats need to be taken seriously by commissioners and Welsh Government before it is too late.

• Finding solutions also needs to involve meaningful discussions with all stakeholders, and is an opportunity to underline the rights and status of tenants.