

**Cabinet**

**10 January 2012**

Report by the Cabinet Member for Health, Housing and Adult Social Services

## **The Review of City of York Council's Elderly Persons Homes**

### **Background**

1. At its meeting on the 1 November 2011 and in the context of the positive public endorsement of the overall Elderly Persons Homes strategy, Cabinet decided that officers should:
  - (a) consult further and specifically on the possible closure of Fordlands and Oliver House residential care homes, and
  - (b) consult and develop further the overall implementation plan for the phased closure of the remaining City of York Council run care homes and the re-provision of new accommodation on the Fordlands, Haxby Hall and Lowfield sites
2. Cabinet also agreed to receive a further report on 10 January 2012 updating them on progress on the consultation work described above.

### **Feedback from the Consultation**

#### **Consultation feedback from residents and relatives of Fordlands and Oliver House**

3. Council officers have met with all 28 of the residents at Fordlands (17) and Oliver House (11) and their relatives in one-to-one consultation meetings designed to hear their views on (a) the proposed programme of closures and developments, and (b) where they would prefer to move to should the Cabinet make the decision to close their homes. Independent Mental Capacity Advisers have been recruited where appropriate to act for those residents that have impaired mental capacity.

### Themes arising

4. The following themes emerged from conversations about the proposed closure of Fordlands and Oliver House:
  - everyone apart from a couple of residents understood the proposals and why they were being made
  - the majority of people agreed with the proposals and the need to upgrade facilities, but several people expressed understandable disappointment at their home being one of the first two to close. “We can see why it needs to happen but it’s not something we’d choose to happen”. “It would have been nicer to avoid two moves”
  - out of 28 families 4 did not agree with the proposals, feeling that the proposals were financially driven and being done in haste
  - a number of residents and relatives expressed understandable concern at the prospect of a move and the upheaval involved
  - the vast majority of people spoke very positively about the quality of care they currently received and hoped that the same quality would be maintained in the new homes
  - 6 people felt that the new care home should be built first (at Lowfield) so that residents would only need to move once. It is understandable that some people would express this view but it would delay the overall modernisation programme by two years

### Preferences if the proposed closures are agreed

5. Whilst there is an understandable sense of emotional upset and anxiety for residents and relatives around the proposed closures, the consultations have gone as well as could be expected. Several residents and relatives have visited other (mainly City of York Council) care homes as part of this process, to help them choose their preferences. As a result, Officers now have a relatively clear picture of where residents would prefer to move to should the closures be agreed.
6. It seems likely, at this point in time, that all apart from one or two would wish to move to other City of York Council care homes. Council officers are reasonably confident that, should the closures be agreed, that the council will be able to move all of our

Fordlands and Oliver House residents to their first preference home, and accommodate requests for specific friendship groups to stay together. Fordlands and Oliver House staff will also be transferring to most of the other EPHs which will help ensure a degree of continuity in care for residents.

### **Consultation feedback from Fordlands and Oliver House staff**

7. Council officers have completed one-to-one consultation meetings with all 48 members of staff at Fordlands (23) and Oliver House (25), to hear their views on the proposals and to discuss the options for where they might move to should their homes close. All of the staff understood and supported the transformation proposals whilst acknowledging apprehension about the proposed closures and upheaval for residents and themselves.
8. All staff have been allocated to indicative vacancies that have been held open in the other seven EPHs, on the basis of maintaining individuals' contractual hours and also taking into account some personal circumstances. For some posts, and in particular care assistants and care leaders, there was not a great deal of flexibility around the locations we could offer. However, the council has been able to offer all staff a post so there will be no compulsory redundancies. All staff have been offered a 'reasonable alternative' (ie their current post/salary and the same contractual hours) and the vast majority are happy with their proposed move. For the handful of staff that have not been allocated their preference, we have given a commitment that as vacancies arise in the future we will re-visit their situation.

### **Consultation feedback from residents, relatives and staff at the council's other seven Elderly Persons Homes (EPHs)**

9. Council officers wrote to all of our EPH residents, those who use our respite care services, and their relatives, and invited them to have their say on the longer-term programme of home closures and new developments. Each of the other seven EPHs also held a residents and relatives meeting to give everyone the opportunity to feed in their views as part of this phase of consultation. The feedback received was generally very positive. People understood the proposals and were comfortable with the proposed programme. The following themes came through. People:

- felt fully informed and consulted about the proposals
  - sought reassurance that the council will continue to invest in maintaining the EPHs appropriately (eg upkeep and decoration) all the time they remain open
  - are keen, when the time comes, for staff to move with the residents into the new builds and stay together
  - reiterated their preference for the council to run and staff the new care homes
  - wanted to know when the final plans for the new builds will be made public, and when the council will be making the decision as to who will operate the new care homes
10. Staff generally remain very positive about the proposals, their only concerns tending to be around:
- whether there will be enough jobs for everyone in the new developments. It is fully anticipate this will be the case
  - working in new homes/locations and the travelling involved
  - where residents will be relocated to
  - who they will be working for. Everyone wants to stay working for the council

### **Consultation with Day Care service users**

11. In late December, letters were sent out to the 40 people who are currently receiving day care in the council's EPHs outlining the timescale and approach for the transfer of their service to new providers in the community. A care manager has been assigned the task of reviewing these individuals and working with them to implement the changes. Day care for Fordlands and Oliver House customers will be in place by the end of March 2012 should a decision to close be made. It is expected that new arrangements for those attending the other homes will be also be in place at the same time.

## **Other Consultation Feedback**

12. The council has received very few additional comments on the proposed programme of closures and new developments from other interested parties or the wider public. This may reflect the scale of consultation undertaken previously and the level of positive support for the modernisation programme. The only two responses received have related to the wider issues of the accessibility of extra care housing options for older people in York, and the viability of private sector care homes. This relates in part to the public concern and media coverage over the viability of two large private sector residential care providers. These issues continue to be carefully monitored by the council's commissioning team as well as colleagues both regionally and nationally. A question was asked whether the council should pay top up fees for any resident that wishes to move to the private sector and that the starting fee should be at the cost of a care bed to the council. It was considered that top ups should not be paid so long as the council is able to provide alternative residential accommodation that can meet residents' needs within its other seven care homes.

### **13. Summary of Good Practice and Risk**

There is a substantial body of advice and information available to social work staff which would allow for a robust and detailed plan to be drawn up for any resident who has to move home. This plan will be underpinned by a full assessment of the individual which would involve families, carers, staff and, where appropriate, health professionals.

This is included in the Moving Homes Safely Protocol which was developed in accordance with good practice and local older people's representatives. (Annex B)

### **14. Balancing Competing Priorities**

In order to make a decision on the future of the residential homes, members must take into account a number of factors.

The following is a summary of matters which Members are asked to consider:-

- The views expressed in the consultation process by participants.

- Legal responsibilities such as those pertaining to the Human Rights Act and Equality Act.
- Potential impact on residents and families.
- Financial impact on the authority and its Council Tax payers.
- Responsibilities to staff.
- Future demand and needs as expressed through commissioning strategies.
- Research and knowledge about demand for older people's accommodation.
- Central Government policies, directives and financial targets.
- Value for money in service delivery.
- Current standards of care.
- Supply and demand for residential care in City of York
- Occupancy levels of each home.
- The estimated cost of maintaining or improving the buildings.
- The availability of alternative provision.
- The service development opportunities in that location.

All these issues have been considered extensively in the work to date on this review and covered in the three reports to Cabinet on the review in July, November 2011 and now January 2012.

### **Options/Analysis**

15. In the absence of any alternative options, the strength of support given following original widespread consultation and the views expressed through the more targeted consultation described above it is recommended that Oliver House and Fordlands should close. In making that recommendation the council is confident of its ability to mitigate the impact on current residents and relatives through following the "Moving Homes Safely" protocol along with Council's ability to offer suitable alternative accommodation in the Council's other care homes. Council officers would expect that residents will transfer to those alternative facilities identified by them and their care managers and that this would be completed by the end of March 2012.
16. Cabinet is asked to agree to the implementation of the overall programme of development for the modernisation of the council's residential care homes as shown in table 1.

**Table 1 Programme of Development**

<b>Phase 1 April 2012</b>	<b>Phase 2 April 2014</b>	<b>Phase 3 April 2015</b>
Oliver House closes Fordlands closes	Lowfield Village opens New Fordlands opens Haxby Hall closes Oakhaven closes Windsor House closes Morrell House closes Willow closes	New Haxby Hall opens Grove House closes Woolnough closes

17. The closure of Fordlands will allow the site to be demolished and prepared for the construction of a new 55 bed residential care facility. This is in line with feedback submitted to Cabinet after the wider consultation and the desire for the council to fund, build and operate the new care home. The closure of Oliver House reflects the very low occupancy and the welfare concern and impact that emerge from such a small number of residents living in a large and outdated care home.
18. Irrespective of any closure of Fordlands and Oliver House there will be no reduction in the total number of respite and winter pressure care beds currently provided which ensure that the council continue to support carers and hospital discharge.

### **Lowfield Care Village**

19. A working group has been established to consider how best to proceed with the proposed care village development on the Lowfield site. This group has carefully considered all aspects of this including the density and mix of accommodation and how it may be developed and funded. However, the group recognised that there were very many permutations around how the best development could be achieved. It has proved impossible to determine the most suitable solution for the council without engaging in dialogue with specialist developers and organisations that work in this area. It is therefore recommended that Cabinet agree to a soft market testing exercise that will be conducted throughout January and February 2012.

20. This exercise will seek to determine the level of interest and gather ideas from organisations that have previous experience in designing and building innovative state of the art care villages. It will also seek to determine what range of funding arrangements might be available to support the development. The soft market testing exercise is not part of the formal procurement phase and as such does not commit the council to anything further. It is intended that Cabinet receive a report on the outcome from the soft market testing in April 2012. That report will contain sufficient information and financial detail to allow the Cabinet and the council to decide whether they issue a formal tender document. A decision in April would also allow enough time to undertake the planning and procurement stages and award any contract for the construction of the site in November/December 2012 with an aim to complete the residential care accommodation build by April 2014. Annex A provides more detail on the process and timeline for the soft market testing exercise.
21. Cabinet have already committed to delivering a modernisation programme to replace the existing nine residential care homes. A fully detailed analysis of the financial and operating options will be presented to Cabinet along with the results of the soft market testing for the Lowfields Care Village in April. This will enable Cabinet to decide on the best approach to deliver the overall modernisation programme. In the meantime officers will continue to engage a variety of stakeholders

### **Council Plan**

22. The protection of vulnerable people lies at the heart of the council's priorities. Over 7,000 vulnerable adults receive social care services in York. The council's overarching objective is to safeguard such adults, to promote their independence, enable them to make real life choices and give them control over their daily lives

### **Implications**

#### **Financial**

23. The capital cost of building a new care home at Fordlands and Haxby Hall is estimated to be £3.7m each. This figure includes build costs as well as planning, architect, quantity surveyor and



project management fees. The savings associated with the closure of Fordlands and Oliver House are expected to produce £1.1m in the full financial year 2012/13.

24. Due to the complexities involved in different bed provision costs a detailed financial analysis needs to be undertaken to ensure the savings estimated in later years can be realised. This work shall be undertaken over the coming months and will feed into the April report.
25. At this stage the estimated cost of building the 90 bed roomed residential care element of the care village has been calculated to be £6m, including project management associated fees and costs. The overall cost of the care village is not expected to be determined until the soft market testing exercise is complete and further more detailed financial modelling is undertaken and informs options for affording the modernisation programme in the April report.
26. The operating costs will be determined within the overall financial model and operating options will be included in the April report.

### **Human Resources (HR)**

27. Formal individual consultation has taken place with all staff at Fordlands Road and Oliver House. The closures of both of these homes can be achieved without the need to make compulsory redundancies, and we have identified a “suitable alternative” for each member of staff. We have been able to achieve this by taking forward a number of voluntary redundancies across the other seven homes, and the careful management of vacancies. It is anticipated that this process will be followed for the subsequent phases of the project.

### **Equalities**

28. Since the November Cabinet meeting, officers from the EPH Review project team attended the Equality Advisory Group’s ‘Help us to get it right’ day on 10 November to discuss the second phase of consultation on the proposed programme of closures and developments, and the ‘Moving Homes Safely’ protocol (Annex B). The delegates who attended were supportive of the proposed approach to consultation, and welcomed the prospect of continued

involvement via a proposed Wider Reference Group that will act as a sounding board for the development of the specifications for the Fordlands and Lowfield Care Village developments. They also supported the 'Moving Homes Safely' protocol with only one minor addition being suggested, to reflect the need to capture resident's cultural needs as part of any re-assessment.

## **Legal**

29. Legal Implications are contained within Annex C

## **Property**

30. The Lowfield site has been identified for disposal and the anticipated capital receipt is being used to fund the overall capital programme. The use of this site for a care village could mean that the capital receipt will have to be found from elsewhere. One option currently being examined is to look at the development of the remainder of the Lowfield site, and relocating the playing field provision to an alternative location.

## **Other**

31. There are no Crime and Disorder or Information Technology implications at this stage.

## **Risk Management**

32. The council recognises that moving very elderly people can be detrimental to their health and well being but there is much that can be done to reduce the impact of a move. The council has a 'Moving Homes Safely' protocol - developed with input from Age UK York and Older Citizens Advocacy York - that builds on best practice identified in NHS Guidance and recently published national research. The protocol explains how the council would ensure that any move is well planned and carefully managed and how residents and their relatives would be involved in all aspects of the decision as to where they move.

## **Recommendations**

33. That Cabinet agree:
  - a) to the closure of Oliver House and Fordlands residential care homes and that residents' moves to their new homes are carefully planned and managed in line with the "Moving Homes Safely" protocol
  - b) to the implementation of the overall programme of development for the modernisation of the Council's residential care homes
  - c) to receive a more detailed business case in April 2012 for the development of a new residential care home on the Fordlands site which shows the possible build and operating options
  - d) that officers undertake a soft market testing exercise for the development of the Lowfield site and report back to Cabinet with the outcome along with a financial model of the operating and design options in April 2012
  
34. Reason: The review highlighted the need for changes to the current provision and proposed options for consultation on how it could be replaced by modern facilities. There was overwhelming support in the consultation of the need for change and the vision of the new facilities in the city. These recommendations form the next steps toward implementing that vision.

## Contact Details

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	<b>Report Approved</b>	✓	<b>Date</b> 29 December 2011
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<b>Wards Affected:</b>			<b>All</b> ✓
<b>For further information please contact the author of the report</b>			

## Background Papers

### Annexes

Annex A - Process and timeline for soft market testing

Annex B - Moving Homes Safely Protocol

Annex C - Legal Implications