

Executive

25 January 2018

Report of the Corporate Director of Health, Housing and Adult Social Care

Portfolio of the Executive Member for Adult Social Care and Health

Securing a Sustainable Future for Haxby Hall Older Persons' Home

The report provides information on the consultation undertaken with residents, relatives, staff and care providers on the option to transfer Haxby Hall older persons' home into the ownership and management of a partner organisation and, following transfer, to deliver improved care facilities on the site. Members will be asked to decide if the Council should procure a provider to deliver and operate an improved facility on the site. Should a decision to proceed be made, the report will also ask Executive to sanction the scope of the procurement.

Recommendations

1. The Executive will be asked to:
 - a. Receive and note the results of the consultation undertaken with residents, relatives, staff and care providers on the future ownership and management of Haxby Hall residential care home.
 - b. Make a decision about whether to transfer ownership and management of Haxby Hall residential care home to an independent sector provider.

If Members agree to transfer ownership and management, Executive is asked to:

- c. Agree:
 - i. to procure a developer/operator to take over Haxby Hall residential home as a going concern, with a commitment to deliver improved care facilities on the site;
 - ii. to dispose of the site of the Care Home to the selected bidder by way of freehold sale or long lease in return for payment of a premium/capital sum;
 - iii. to impose a covenant within the transfer deed/lease that the land

can only be used as a Care Home but the Council will not unreasonably withhold approval to a different use subject to the Council receiving an additional sum equal to a fair proportion of any increase in value arising from any alternative use (provided that the Council could refuse any request for alternative use within an initial period of approximately 25 years unless the provider can show that there is no longer sufficient demand for a Care Home on the site);

- iv. to procure a contract under which the Council would seek to purchase access to a specified number of beds in the Care Home at a specified rate for a specified number of years;
 - v. to provide relevant pension indemnities to the preferred partner in respect of the staff who will transfer under TUPE; and
 - vi. that the cost of this procurement be paid for out of the agreed Older Persons' Accommodation Programme budget.
- d. Agree that bids will be considered which allows for the residents and staff of Haxby Hall to move to another location for a fixed period of time while re-development at Haxby Hall takes place, and should this option be favoured by bidders that it is the subject of resident, relative and staff consultation before being adopted.
- e. Agree to receive at the September Executive Committee meeting the recommendation to sell or lease the Haxby Hall site to the preferred partner on the terms agreed via the procurement in accordance with Financial Regulations.

Reason: To secure the long term provision of care at Haxby Hall and progress the Programme's aim of expanding and modernising older people's care provision in the city, while delivering medium and long term efficiencies.

Background

2. Haxby Hall is a 49 bed residential care home, wholly owned and operated by the Council since its construction in 1965. It is situated in the urban village of Haxby, approximately four miles from the centre of York (see plan at **Annex 1**).
3. On 7 December 2016 the Council's Executive committee agreed that the Older Persons' Accommodation Programme be amended and that Officers would seek a sustainable future for the Haxby Hall older persons' home and to consult residents, relatives, interested parties and staff of Haxby Hall on the option to seek a partner who will take over its

ownership and management with a commitment to deliver improved care facilities on the site in the near future to deliver modern residential and dementia care accommodation

4. The home currently has a total capacity of 49 care beds. Within those 49 beds there is provision for approximately 35 residential care beds, eight beds for people living with dementia and up to six step down/short stay beds which are used interchangeably. Services at the home are delivered by 51 staff (31.58 full time equivalents).
5. An options appraisal process conducted as part of the decision making of Executive on 7 December 2016 examined three options:
 - a) consult on the option to close and, if agreed, close the home and sell the site;
 - b) for the Council to develop the site to deliver a new care home; or
 - c) to transfer the property and services with a commitment by the new provider to improve the facilities once transferred.
6. Each option was analysed in relation its alignment with key criteria. The scoring is as follows:

Green = meets the aim/objective, two points.

Yellow = partially meets the aim/objective, one point.

Red = does not meet the aim/objective, nil points.

	Focus on Frontline Services	A Council that listens	Opportunities to partner	Protect the most vulnerable	Delivery of more care beds	Minimise costs to Council	Capital cost of option
<u>Option A</u> Close & sell land 7 points	1	1	0	1	0	2	2
<u>Option B</u> CYC develops 9 points	2	2	1	2	2	0	0
<u>Option C</u> Transfer services 11 points	2	1	1	2	2	2	1

7. This appraisal recommended, and Executive agreed, that the Council takes forward the option to transfer the site and services at Haxby Hall to an independent organisation i.e. Option C. Consultation with other

councils (including Derby City Council, Leicestershire County council, Nottinghamshire County Council and Doncaster Metropolitan Council) has shown that transfer of services can bring a number of benefits when done correctly. Of the councils questioned all had seen a reduction in their operational costs and received a capital receipt.

8. A feasibility study conducted in 2016 showed that a care home of up to 70 beds could be delivered on the site. One key issue for development is access to the site, which is constricted by the adjacent ambulance station. Alternative options to improve the development potential of the site include achieving access via the Ethel Ward playing fields which are immediately to the south of Haxby Hall and under the control of Haxby Town Council. Work is ongoing with Yorkshire Ambulance service and other stakeholders to identify opportunities for improving site access for any new provider.
9. Planning and highways colleagues have provided guidance regarding any potential redevelopment of a care home on this site, and state:
 - a) The main considerations in relation to this proposal would be: the impact on designated heritage assets, namely the setting of the adjacent conservation area; design considerations and the visual impact on the character and appearance of the area; the affect on the amenity of existing and future occupants; and the impact on highway safety.
 - b) It is considered that any replacement buildings on site should adopt a scale, design and use of materials that are sympathetic to the village. They should follow the grain of development with a consistent built frontage that is domestic in its scale. Opportunities should be taken to improve the site's frontage by re-siting car parking to the rear and providing enhanced soft landscaping adjacent to the site's front boundary with the public highway.
 - c) The Council's Highway Officer has requested that any redevelopment of the scheme should seek to rationalise the amount of vehicle accesses to the site, with the removal of the entrance to the existing car park and utilising the possible southern access point for ingress and egress of vehicles to the car parking area. Approximately 19 vehicle parking spaces are along the lines accepted at other care homes of a similar size.
 - d) Whilst the site is not at risk of river flooding, a drainage assessment should demonstrate that the site could be adequately drained and, in particular, how surface water would be disposed off without increasing flood risk elsewhere.

Consultation

10. Extensive consultation with residents, relatives and staff as well as with potential partners has guided our approach to this matter.
11. A six week consultation period with staff, residents and relatives started in September and was concluded in November 2017. This began with a meeting with staff at the home 25 September 2017. This was followed by a meeting with residents, their relatives and friends later that day. One to one engagements also took place.
12. The resident's meeting was well attended and the majority of feedback on the proposal was positive. The consultation event held with residents, relatives and friends was attended by approximately 40 people. A summary of the outcome is provided below:
 - a) The overall response was positive with the potential transfer being the preferred option when compared to closure.
 - b) The majority of the feedback related to how the transfer might affect those at the home and what would be done to mitigate it. A recurring question was whether people would have to move out of the home after the transfer. The preference from all concerned was a phased redevelopment that meant residents and staff could continue to be at the home.
 - c) People were very optimistic about the benefits of redevelopment, so long as it meant they could continue to live at the home. This was particularly the case when it was confirmed that fees for Council funded placements would remain the same. However, some residents were concerned about a fee increase after a two year period for self-funders.
 - d) Residents were also concerned that any new provider may not deliver the same quality of care. They asked how the council would make sure that this was the case. It was also discussed as to whether the council could maintain oversight of the home after transfer.
 - e) Lastly, residents were concerned about the possible closure of the home if a suitable provider was not identified and they asked if they could be given regular updates on the projects progress.
13. The option of moving residents and staff to another location for a fixed period of time was discussed in the context of the potential for redevelopment. However, as it was not fully explored during the current consultation it is proposed that this option is consulted upon should the

procurement process identify that it is useful and viable.

14. A supplier engagement was held on 6 September 2017 to promote the opportunity to the market and receive feedback on the proposal. The event was well attended with twenty-eight visitors from fourteen different organisations attending. Further feedback was gathered through structured conversations and fed back into the decision making process. Key issues raised include:
 - a) Interest in the opportunity and positive comments about the location.
 - b) The need to for the Council to provide as much information about the current service and buildings as possible.
 - c) A preference for planning matters to have been tested via pre-application.
 - d) A view amongst some that the opportunity to decant residents to another location will speed up redevelopment and reduce the development cost.
 - e) A mixed view as to the preferred number of beds that the Council buys back in a block contract, with some preferring more and some preferring less.
15. The re-development potential of the Haxby Hall site has been explored via a pre-planning application. Their views are summarised in the “Background” section above.

The Proposal

16. Based upon the feedback from consultation with residents, relatives, interested parties and staff we propose that the Council procures the following, as a minimum:
 - a) The transfer of the freehold ownership (or grant of a long lease) of the property as well as services, staff and residents to the new provider as a going concern and with a requirement to deliver, as a minimum, residential care including for people living with dementia.
 - b) The Council will offer at least the pension indemnity if appropriate as drafted (but not used) for Burnholme or as used on similar transfers, such as those to Be Independent.
 - c) Council will “spot purchase” back residential care beds and residential care beds for those living with dementia in respect of existing residents funded by the authority, and at the Actual Cost of Care (ACOC) rate, for as long as they choose to stay. When an

existing resident moves on, their bed will not necessarily be re-purchased on a “spot purchase” basis but if it is, it will be at a rate agreed during the procurement process.

- d) Council will “block” purchase [eight] residential care beds for people living with dementia for [10+5] years at ACOC. The block contract will include payment for void beds for a variable period of time and in line with the provisions offered during the Burnholme procurement.
 - e) Existing residents at the time of transfer who fund their own care will be allowed to remain in the home with the provider guaranteeing that they will pay the current rate for their care, plus inflation, for the first two years after transfer. After two years the cost of their care bed will increase towards the normal rate charged by the care provider but with a limit placed upon the increase of no more than 5% over the charge paid in the previous year.
 - f) A requirement to complete improvements to the existing building (as required to achieve Care Quality Commission Standards and subject to obtaining any necessary planning permission) within [2] years (to improve the care delivered to transferring residents) and with a longstop date of [3] years.
 - g) That the evaluation of bids is weighted 60:40 in favour of quality.
 - h) That the Council receive from the provider a capital payment for the land with the competitive process seeking to obtain the best receipt available.
17. Bidders will be encouraged to provide bids which deliver the minimum requirements but which also deliver additional, viable, enhancements to this minimum. This will enable bidders to propose alternatives which might further improve the longer term redevelopment and expansion of care at the site and/or bring additional social benefit to the site. For example, alternative and viable bids will be acceptable if they also deliver
- Additional dementia residential care beds and/or nursing care and dementia nursing care beds at the ACOC rate over and above the minimum [eight] required.
 - A new build care home on the site rather than an improvement of the exiting home either using the “remain and develop option” or the “decant and develop” option.
18. Additional proposals may demonstrate that they will:

- a) Increase the numbers of care beds and/or some Extra Care homes at the site.
 - b) Bring other services onto the site, which deliver added social benefit
19. To facilitate redevelopment and minimise disruption to residents of the home, the Council will make available to the provider (by way of lease at a pepper corn rent) for an agreed and limited time an existing empty care home in the Council's ownership so that they may use it to temporarily move Haxby Hall resident and staff ("lock, stock and barrel") while the current home is demolished and a new home built in its place. This will only be made available on the explicit understanding that the home will be returned to the Council, with vacant possession and in a timely manner. This arrangement would benefit only those permanent residents who choose to move under such arrangements as any alternative home could not accommodate short stay residents as it would be smaller than Haxby Hall.
20. By offering the option to offer a temporary move for Haxby Hall "lock, stock and barrel" we are aware that this could mean additional disruption for residents who have already moved home once (or more). It is for this reason that we would want bidders to clearly state the benefits for existing and new residents of this approach and why we also propose further consultation should this option find favour during the bidding process.
21. The freehold transfer/long lease of the Haxby Hall site could incorporate a covenant that the land can only be used as a Care Home provided that the Council will not unreasonably withhold approval to a different use subject to the Council receiving an additional sum equal to a fair proportion of any increase in value arising from any alternative use (provided that the Council could refuse any request for alternative use within initial period of approximately 25 years unless the provider can show that there is no longer sufficient demand for a Care Home on the site).
22. Should the proposed procurement not attract a suitable bid then the Council would need to revisit the evaluation of options which took place in 2016. The most likely outcome could be reversion to the original plan which was consultation on the option to close the home; however, other options will be re-visited.
23. The current proposal is to procure this through a compliant procurement process including the advertising of the Contract Notice in the Official Journal of the European Union (OJEU) and the publication of the Award Notice in the OJEU. The procurement will be categorised under the

“Light Touch Regime” because we are commissioning residential and dementia care beds for Adult Social Care. This gives us the opportunity and discretion to modify the procurement method and approach to most effectively match the market we are operating in. For this reason we are considering a two stage Competitive Procedure including Negotiation which will allow us to firstly select suitably qualified bidders which propose solutions which meet our minimum requirements and, once these are evaluated, to ask them, as a second stage, to propose additional solutions. Solutions are evaluated on the basis of quality and cost. This process will allow us to select the best solution from the market.

24. Throughout the tender, providers will be evaluated on their ability to provide a high quality of care to existing and future residents. Bids will only be considered from bidders who meet a benchmark for the quality of care to be delivered. The larger proportion of scoring (60%) will be in favour of the quality of the offer rather than the financial element of the bid. However, the price offered for the site and the quantity and cost of care beds offered will be taken into consideration and will attract 40% of the evaluation marks. Of key financial interest to the Council is the securing of a block contract for care beds at our Actual Cost of Care.
25. If this proposal is approved by Executive, then the council will look to start the procurement process in Q1 2018 and to choose a provider within Q2. Executive will be engaged in Q3 2018 to sanction any relevant property transfers. The aim is then to transfer the home to a new provider in Q4 of 2018.

The Proposal in the Context of the Overall Programme

26. Should Executive agree to pursue the “transfer” option for Haxby Hall, the following actions will follow:

Action	Timescale
Procurement of a care provider	March to August 2018
Executive approval to transfer assets to the preferred bidder	September 2018
Transfer of Service	Q4 2018
Improvement/re-development	2019 to 2020 (or beyond)

27. The changes considered for Haxby Hall should be viewed in the context of the overall Older Persons’ Accommodation Programme. The Programme aims to deliver 861 new units of accommodation with care – both Extra Care accommodation and care beds – by 2020. To date,

242 units have been delivered and by 2019 a further 385 will have been provided, with the rest by 2020. 148 care beds have been closed over the last two years because the buildings they were in are no longer fit for purpose.

28. Amongst this new provision are 80 new residential and nursing care beds at Burnholme, of which the Council will “block purchase” 25, as well as Extra Care provision already in place at Auden House, Glen Lodge and Marjorie Waite Court.

Analysis

29. Executive have concluded that the Haxby Hall Care Home cannot continue in its current condition in the medium term due to poor facilities including lack of en-suite bathrooms and general poor environmental quality. In addition the home continues to have a number of ongoing maintenance issues, including a damaged roof, prone to leaking.
30. A successful transfer of the home as a going concern will ensure the ongoing provision of care at Haxby Hall for the long term. In addition, by securing redevelopment by a partner, the quality of care at the site could be enhanced beyond what is currently available at the site. There is acceptance of this approach from consultees and interest from the market in taking over the operation of care at Haxby Hall.
31. The proposed transfer is in line with the Council’s shift to becoming a purchaser of care services. Through redevelopment of the home, the city can secure more of the specialist care it requires. This will also allow the council to be more focused in the type of care it pays for. This is a key purpose of the Older People’s Accommodation Programme, which is already delivering on planned long term revenue savings.
32. Should the option be adopted to temporarily move Haxby Hall residents and staff while a new care home is built on the site, this move would be to an existing closed care home. While it is recognised that the temporary accommodation will be no better than that currently provided at Haxby Hall, it will only be temporary and with the benefits of the new accommodation on the Haxby Hall site set as a clear future goal.

Council Plan 2015-2019

33. The Programme is set in the context of the Council Plan for 2015-19 and will contribute to achieving its ambitions. Based on our statutory responsibilities and the aims of the new administration, the plan focuses on three key priorities:
 - a prosperous city for all - where local businesses can thrive and

residents have good quality jobs, housing and opportunities

- a focus on frontline services - to ensure all residents, particularly the least advantaged, can access reliable services and community facilities
- a council that listens to residents - to ensure it delivers the services they want and works in partnership with local communities

34. To support these corporate priorities and under the guidance of the Health & Wellbeing Board, York has developed proposals to achieve a new focus for adult health and social care which delivers:

- a) self care and self management;
- b) better information and signposting;
- c) home is best;
- d) early intervention and prevention;
- e) reablement and intermediate care (targeted resources);
- f) managing long term conditions; and
- g) delivering services at a community level where this is desired and possible;
- h) to reduce loneliness and increase social interaction amongst older persons and their communities;
- i) that York becomes a dementia friendly environment.

IMPLICATIONS

Balancing Competing Priorities

35. 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 including residents and their relatives, staff working at the home and their union representatives and members of the Older Persons' Accommodation Programme reference group including Age UK and York Older Persons' Assembly.
- Legal responsibilities such as those pertaining to the Human Rights Act and Equality Act. A copy of the Equality Impact Assessment dated 24th November 2016 is attached at **Annex 2**.
- 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.
36. All these issues have been considered extensively in the work to date on this Programme and covered in the reports to Executive on the matter and listed at the end of this report.

Equalities

37. In considering this matter the Council must have regard to the public sector equality duty. In summary, those subject to the equality duty must, in the exercise of their functions, have due regard to the need to:
- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equalities Act 2010.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
38. The Equalities Act 2010 explains that having due regard for advancing equality involves:
- Removing or minimising disadvantages suffered by people due to their protected characteristics.
 - Taking steps to meet the needs of people from protected groups where these are different from the needs of other people.
 - Encouraging people from protected groups to participate in public

life or in other activities where their participation is disproportionately low

39. An Equality Impact Assessment for the Older Persons' Accommodation Programme was produced for the 15 May 2012 Executive Report and was reviewed and most recently updated in November 2017. It particularly highlighted the potential implications of the programme for the health, security and wellbeing of frail residents and also female members of staff who are older and also carers themselves.
40. The Equality Impact Assessment for the Older Persons' Accommodation Programme has been further reviewed and updated in November 2016 to take account of the specific circumstances at Haxby Hall and the following additional considerations addressed:
 - a) The need to keep disturbance for residents, relatives and staff to a minimum during the transfer and improvement works and/or redevelopment. A key element will be the delivery of regular and clear updates on the progress of change and the adherence to a timetable for that change so that everyone knows what to expect, and when.
 - b) The project team will continue to work with OPH managers, staff, trade unions and Human Resources to ensure a fair and transparent process for staff should the Haxby Hall transfer take place. A relevant indemnity will be provided to any successful bidder in order to ensure that accrued pension rights are safeguarded.
41. The Equality Impact Assessment for the Older Persons' Accommodation Programme dated 24th November 2016 is attached as **Annex 2**.
42. An OPH Wider Reference Group has been established to act as a sounding board for the development of plans as the implementation of the Programme unfolds. The project team also continues to use established channels to communicate with, and gather the views of, OPH managers and staff, care management staff and Health colleagues.

Financial

43. The cost of the procurement is already budgeted in the Older Persons' Accommodation Programme.
44. The financial model which guides the Programme reflects the proposed approach at Haxby Hall and still delivers the agreed savings by 2019/20.

45. The capital cost of achieving improved access to the site, if this is possible, has already been agreed by Council and forms part of the capital programme.

Legal

46. Both the Legal Services and Procurement teams are fully engaged in this project. Key issues examined include the procurement method to be used, State Aid implications, property matters and care contract formulation.
47. The transfer of site ownership and operation of the care home to another entity will trigger the application of the TUPE legislation in relation to staff employed at or involved in the operation of Haxby Hall.
48. As Haxby Hall is to be transferred as a going concern comprising not just the existing building but also stock, third party contracts etc and an Asset Sale Agreement will be necessary, as well as the relevant contracts for service.
49. Any requirement for/obligation on the successful bidder to carry out substantial redevelopment of the site will need to be conditional upon them being able to obtain planning permission for such alterations on terms reasonably acceptable to them. Although the transfer deed/long lease could impose an obligation on the buyer/tenant to use all reasonable endeavours to obtain any necessary planning permission, if they fail to obtain this despite using all reasonable endeavours then any bidder would probably expect any substantial redevelopment obligation to expire/end. However the ownership/lease would remain vested in them to run the home with just the minimum requirements being satisfied. If the minimum requirements were not achieved, the Council would have an option to take the service and site back.

Human Resources

50. Staff have been consulted on the proposals. Formal consultation will guide subsequent steps.
51. It is proposed that we offer the same pension indemnities as were offered for the Be Independent and other, similar, transfers.

Property Services

52. The site has been valued for its outright sale potential and this valuation will be used as a guide to the value "sacrificed" in favour of the longer term revenue and the social and other economic benefits which will flow from the procurement. This is the same approach as was taken for the Burnholme care home procurement and land sale.

53. The development of the site and the benefits which flow from acquiring additional land and/or alternative access rights will be factored into the evaluation of the bids which are obtained via the proposed procurement.
54. The need for a new library site to be secured in Haxby is being pursued via negotiations with the Trustees of the Haxby Memorial Hall.

Planning

55. A pre-planning application has been obtained to assess planning risk. This has examined the issues related to car parking on the site, vehicle access issues and the quantity of development permissible on the Haxby Hall site. The Planning team favour a re-development of the site which focuses buildings to the northern and eastern end of the site. Therefore, if additional parking was to be provided it may need to be at the south and accessed via land owned by the Town Council.

Better Decision Making Tool

56. This matter forms part of an existing project agreed by Executive and which has been the subject of extensive scrutiny of the Business Plans and Equality Impacts and, therefore, a Better Decision Making Toolkit form has not been prepared.

Other Implications

57. There are no other implications arising from this report.

RISKS

58. The procurement of a partner to take over the ownership and management of Haxby Hall, should that be the decision made, has risks associated with it; these have been identified, will be kept under review and will be carefully managed.

ref	Risk	Mitigating Action
a)	Lack of provider interest in the opportunity	Extensive soft market testing and structured conversations with potential bidders indicate that, subject to some concerns detailed above, which are being addressed to the extent possible, there is market interest in the opportunity.
b)	Pension liabilities.	A level of indemnity has been

ref	Risk	Mitigating Action
		offered previously by the council when transferring employees to alternative organisations. These are being explored.
c)	Site assembly (i.e. use of adjoining land).	Discussions with Yorkshire Ambulance Service have elicited the requirements of that organisation with regard to the ambulance station in Haxby.
d)	Planning consent.	Responding to concerns raised during soft market testing, the council has submitted a planning pre-application for the site. The advice from which will be shared with potential bidders within the published tender pack

End

Contact Details

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		Report Approved	✓	Date
				15 January 2018
Specialist Implications Officer(s)				
Legal – Walter Burns (Ext 4402)Gerard Allen (Ext 2004) Finance – Debbie Mitchell (Ext 4161) and Steve Tait (Ext 4065) Property – Philip Callow (Ext 3360) and Ian Asher (Ext 3379)				
Wards Affected: Haxby and Wigginton				
For further information please contact the authors of the report				

Annexes:**Annex 1** – Plan of the Haxby Hall site**Annex 2** – Updated Equality Impact Assessment as it relates to the Haxby Hall transfer proposal**Abbreviations:**

ACOF - Actual Cost of Care

HR – Human Resources

OPH – Older Persons' Home, previously referred to as – Elderly Persons' Homes

OJEU - Official Journal of the European Union

TUPE - Transfer of Undertakings (Protection of Employment) Regulations 2006, as amended by the 2014 amendment regulations

Background Papers:

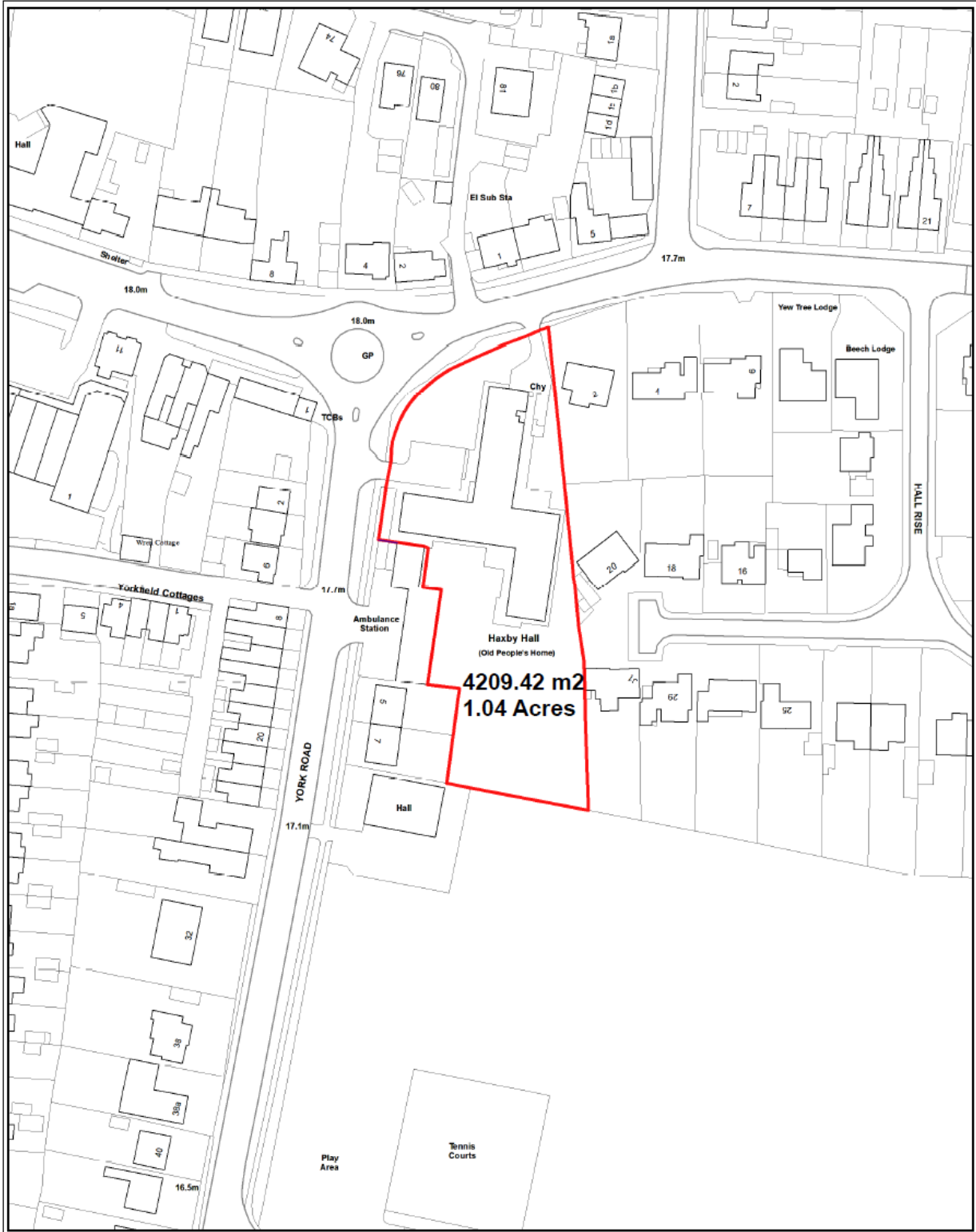
19 July 2011	Report to Executive giving formal approval for the commencement of the Programme.
1 Nov 2011	Report to Executive giving the results of consultation and proposed a programme of closures, supported by a further consultation period on proposed closures of Oliver House and Fordlands.
10 Jan 2012	Report to Executive authorising consultation with staff, residents and their families and carers on proposal to close Fordlands and Oliver House, including changes to day care services as a result. Recommendation to close Fordlands and Oliver House.
15 May 2012	Report to Executive noting the successful homes closure and transition for residents
4 June 2013	Report to Executive seeking agreement on modernisation programme. The Council to fund the building of the two new care homes and so retain ultimate ownership of the buildings and the land with care homes designed, built, operated and maintained by an external provider.
3 Mar 2015	Report to Executive seeking approval of revised proposals based on creating new Extra Care Housing and reforming the Council's existing ECH stock; building a new care home on the Burnholme site as part of wider health and community facilities; and working more closely with current care providers to deliver more specialist dementia accommodation across the city.
30 July 2015	Report to Executive seeking approval of the Business Case for the Older Persons' Accommodation Programme and agreement to proceed.
29 Oct	Report to Executive providing the results of the consultation



2015	undertaken with the residents, relatives and staff of Grove House and Oakhaven residential care homes to explore the option to close each home with current residents moving to alternative accommodation. Executive agreed to close Grove House and Oakhaven.
29 Oct 2015	Report to Executive regarding securing a viable future for the Burnholme school site in Heworth ward. Following extensive public consultation Members agreed to sanction further work to identify partners to progress the continued community and sports use of the site, complemented with wider health and enterprise services, the building and operation of a residential care home for older people and the provision of housing.
19 May 2016	Report to Executive that obtained consent to begin to deliver the Burnholme Health & Wellbeing Campus and secure a viable future for the former Burnholme Community College site (the Site) in Heworth ward.
14 July 2016	Report to Executive by the Director of Adult Social Care. Agreement to move forward with examination of the development potential for Lowfield, alternatives to closure of Haxby Hall and sanction to consult on the closure of a further two older persons' homes.
28 th Sept 2016	Report to the Audit & Governance Committee by the Programme Director, Older Persons' Accommodation, providing an update on progress of the Programme and actions taken to address External Audit recommendations.
24 th Nov 2016	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the consultation undertaken with the residents, relatives and staff of Willow House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreement to close Willow House and sell the site.
7 th Dec 2016	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The report obtained consent to complete the next phase of delivery of the Burnholme Health & Wellbeing Campus including sanction for the investment of £4.73m in new and refurbished community and library facilities, subject to Department for Education (DfE) approval to dispose of redundant land, as well as £200,000 in urgent repairs and works to the sports facilities on site.
9th Feb 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive agreed to sell the site of the former Fordlands Road older persons' home to Octopus Healthcare who propose to develop a residential and nursing

	care home on the site.
16 th March 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received an update on progress made towards delivering health & wellbeing services at Burnholme and agreed to enter into a long lease with a care home developer over a portion of the Burnholme Health & Wellbeing Campus site. Executive also agreed to enter into a head lease over the Community & Library facilities and the disposal of the Tang Hall Library site.
16 th March 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received an update on progress made towards delivering an Extra Care facility at Oakhaven on Acomb Road. Executive agreed to sell the Oakhaven site to an Extra Care developer. As part of this procurement the Council will secure nomination rights to 25 affordable rented and discount sale apartments.
31 st August 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the consultation undertaken with the residents, relatives and staff of Woolnough House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreed to close Willow House and the site be examined in accordance with the revised Corporate Asset Strategy and should it be concluded that sale is the preferred option that it be sold forthwith in order to generate a capital receipt to support the wider Older Persons' Accommodation Programme.
31 st August 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care and the Corporate Director of Children, Education and Communities. Executive received information on the outcome of public consultation concerning the future of Burton Stone Lane Community Centre and agreed to confirm its closure and approve investment into the provision of a 33 home extension to Marjorie Waite Court Extra scheme to provide accommodation for older people and new community facilities.
28 th September 2017	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care and the Corporate Director of Children, Education and Communities. The Executive received information that demonstrated the progress of the Older Person's Accommodation Programme towards delivering over 900 new units of accommodation with care for older people. The Executive gave consent to undertake consultation on the option to close two further Council run older persons' homes.
7 th December	Report to Executive by the Corporate Director of Health, Housing and Adult Social Care. The Executive received the results of the

2017	consultation undertaken with the residents, relatives and staff of Windsor House residential care homes to explore the option to close the home with current residents moving to alternative accommodation, and agreed to close Windsor House and the site to be use being for the Centre for Excellence for Disabled Children and their families and, should this use not be feasible, for housing use and should this use not be possible, then for the site to be sold forthwith in order to generate a capital receipt to support the wider Older Persons' Accommodation Programme.
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Annex 1 – Plan of the Haxby Hall Site



 <p>CITY OF YORK COUNCIL</p>	<h2>Haxby Hall Elderly Persons Home</h2>	
<p>CBSS Asset & Property Management</p>	<p>SCALE 1:1,250 DRAWN BY: DH</p> <p>Originating Group:</p> <h3>Asset & Property Management</h3>	<p>DATE: 06/01/2016</p> <p>Drawing No. E00644</p>
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Annex 2 - Updated Equality Impact Assessment as it relates to the Haxby Hall transfer proposal

City of York Council EQUALITY IMPACT ASSESSMENT

1	Name and Job Title of person completing assessment	Programme Director, Older Persons' Accommodation
2	Name of service, policy, function or criteria being assessed	Haxby Hall older persons' home: a sustainable future
3	What are the main objectives or aims of the service/policy/function/ criteria?	To continue to provide care at the Haxby Hall site in a modern and fit for purpose environment. The continued provision and modernisation of care accommodation at Haxby Hall will improve the quality of services at the site and have modern standards of accessibility that the current site does not have. The Council will seek a partner, with whom to work to develop a scheme, which is both commercially viable and which delivers the maximum community benefit.
4	Date	24th November 2016

Stage 1: Initial Screening

5	What evidence is available to suggest that the proposed service/policy/function/criteria could have an adverse impact on quality of life outcomes (as listed at the end of this document) for people (both staff and customers) with protected characteristics? Document the source of evidence, (e.g. past experience, anecdotal, research including national or sectoral, results of engagement/consultation, monitoring data etc) and assess relevance of impact as: Not relevant / Low / Medium / High.
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Protected Characteristic	Not relevant		Low / Medium / High		Source of evidence that there is or is likely to be adverse impact	
	Cust	Staff	Cust	Staff	Customers	Staff
a Race	X	X			n/a	n/a

Protected Characteristic		Not relevant		Low / Medium / High		Source of evidence that there is or is likely to be adverse impact	
b	Religion / spirituality / belief	X	X			n/a	n/a
c	Gender	X			L	n/a	The OPH staff profile shows that the majority of the current workforce are women.
d	Disability	X	X			n/a	n/a
e	Sexual Orientation	X	X			n/a	n/a
f	Age	M			L	Change of care provider and construction of a new care home may cause disturbance to residents at the existing Haxby Hall.	The OPH staff that are older may suffer adversely if seeking alternative work.
g	Pregnancy / maternity	X	X			n/a	n/a
h	Gender reassignment	X	X			n/a	n/a
i	Marriage and civil partnership	X	X			n/a	n/a
j	Carers of older and disabled	X	X			n/a	n/a

Protected Characteristic	Not relevant	Low / Medium / High	Source of evidence that there is or is likely to be adverse impact
people			

If you assess the service/policy/function as **not relevant across ALL the characteristics**, please proceed to section 11. If you assess the service/policy/function as **relevant for ANY of the characteristics**, continue to Stage 2, Full Equality Impact Assessment.

Stage 2: Full Equality Impact Assessment

6	Are there any concerns that the proposed or reviewed service/policy/function/criteria may be discriminatory, or have an adverse impact on members of the public, customers or staff with protected characteristics? If so record them here	
a	Public/customers	Yes – possible negative effects on health and well-being of frail residents.
b	Staff	Yes – older staff especially those who are also carers in their home environment with limited ability to move and find other jobs.

If there are **no concerns**, go to section 11.
 If **there are concerns**, go to section 7 and 8 amend service/policy/function/criteria to mitigate adverse impact, consider actions to eliminate adverse impact, or justify adverse impact.

7 Can the adverse impact be justified? E.g. in terms of community cohesion, other legislation, enforcement etc. **NB. Lack of financial resources alone is NOT justification!**

Customers
 Our quality assurance studies as well as the results of consultation showed that the current OPHs, whilst in reasonably good condition, are 40-50 years old and no longer meet current residents' needs and also are not fit for the future. Their size and design make it more difficult for staff and other practitioners to care for people with dementia and high dependency care needs.

Staff
 Looking at experiences at other councils, there were no forced redundancies however, staff would be offered a fair severance package under TUPE law. Staff also recognise the need to improve and modernise the care

environment for customers.			
8	What changes will you make to the service/policy/function/criteria as result of information in parts 5&6 above?		
There will be no changes to the proposed policy.			
9	What arrangements will you put in place to monitor impact of the proposed service/policy/function/criteria on individuals from the protected characteristics?		
<p>Assessment & Safeguarding Care Managers and OPH Managers will monitor the impact of any changes on individual residents. They will also track feedback from relatives and, where appropriate request independent advocates looking out for the interests of individual residents.</p> <p>OPH Managers, Human Resources, and Trade Unions will support OPH staff through the transfer process if this decision is approved by the Members’.</p>			
10	<p>List below actions you will take to address any unjustified impact and promote equality of outcome (as listed at the end of this document) for staff and other people with protected characteristics. Consider action for any procedures, services, training and projects related to the service/policy/function/criteria which have the potential to promote equality in outcomes.</p>		
	Action	Lead	When by?
	<p><u>Customers</u> The Council will endeavour to keep disturbance during to transfer to a minimum; the new operator of the home will do the same during any construction works. The development work is crucial to maintain the long term operation of services at Haxby Hall and the transfer will be of much less disturbance than closure</p> <p><u>Staff</u> We will work closely with</p>	<p>Head of Service (Operations)</p> <p>Care Home Operator</p> <p>Head of Service (Operations)</p>	<p>Until transfer of property and services has occurred.</p> <p>Until new construction is complete</p> <p>Until transfer of services has occurred.</p>

<p>OPH Managers and staff, the Trade Unions and Human Resources to ensure that there is a fair, open and transparent process for dealing with staff moves between current homes, and into the new care homes, when built.</p>		
11	Date EIA completed	24 th November 2016
<p>Author: Roy Wallington Position: Programme Director, Older Persons' Accommodation Date: 24/11/2016</p>		
12	Signed off by	Signed by Martin Farran [signature removed for publication]
<p>I am satisfied that this service/policy/function has been successfully equality impact assessed. Name: Martin Farran Position: Corporate Director, Health, Housing and Adult Social Care Date: 24/11/2016</p>		