

Report of: Director of Adult Social Services

Report to: Executive Board

Date: 23rd September 2015

Subject: 'Delivering the Better Lives Strategy in Leeds – Proposed Next Steps'
Progress Report

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): Armley, Beeston & Holbeck, Gipton & Harehills, Killingbeck & Seacroft, Morley South and Pudsey		
Are there implications for equality and diversity and cohesion and integration?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Is the decision eligible for Call-In?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: Appendix number:		

Summary of main issues

1. This report is an account of the work carried out in response to the Executive Board's requirements following November 2014's report, "Delivering the Better Lives Strategy in Leeds – Proposed Next Steps", as outlined in items 2.6-2.8.
2. The cost of purchasing independent sector provision at the actual in-house occupancy at three care homes (Middlecross, Siegen Manor and The Green) / attendance levels at four day centres (Middlecross, Siegen Manor, Springfield and The Green) would offer the Council a saving of £2.186m. Work with the Trade Unions and staff concluded that no other formal service reconfiguration could deliver an equivalent level of value.
3. The decline in demand for residential care over a number of years has been coupled with the increase in alternative models of care and support, such as extra care housing, that offer people greater choice and opportunities for maintaining independence. The decline in demand for day centre places comes as people choose alternative ways to fulfil day support requirements, such as Neighbourhood

Networks, new style services in the community such as Holt Park Active, and the additional choice and control available to people using a personal budget.

4. In conclusion, the viability review found that there were no affordable and sustainable options for alternative in-house service delivery models based on current occupancy / attendance for the aforementioned care homes and day centres.
5. It is proposed, therefore, that consultation be commenced on the recommended proposals to decommission the three care homes (Middlecross, Siegen Manor and The Green) and four day centres (Middlecross, Siegen Manor, Springfield and The Green) that were the subject of the viability review. In addition, it is proposed that consultation be commenced on proposals to decommission Radcliffe Lane day centre and remodel Wykebeck Valley day centre as a complex needs hub for the East of the city. It is proposed that consultation on all services should commence on 1st October 2015 and be completed on 23rd December 2015.

Recommendations

6. The Executive Board is asked to note the work that has been undertaken in compliance with the requirements of the agreement given by the Executive Board on 19th November 2014.
7. Executive Board is recommended to agree the following proposals:
 - 7.1 To begin consultation on the recommended proposals to decommission the three remaining care homes (Middlecross, Siegen Manor and The Green) and associated day centres (Middlecross, Siegen Manor and The Green) and Springfield day centre for older people. It is proposed that consultation on these services should commence on 1st October 2015 and be completed on 23rd December 2015. This recommendation remains unchanged from the November 2014 report.
 - 7.2 To begin consultation on the recommended proposal to decommission Radcliffe Lane Day Centre. Consultation will take place in the same timescale as the services listed above. This recommendation has been altered from the November 2014 report, as set out at items 3.36-3.41.
 - 7.3 To consult on the proposal to remodel Wykebeck Valley day centre over time as a complex needs hub for the East of the city taking a phased approach to accommodate the needs of existing and future customers. Consultation will take place in the same timescale as the services listed above. This recommendation has been altered from the November 2014 report, as set out at items 3.42-3.45.
 - 7.4 To continue and complete the review of the Council's long term community support service (home care) which is currently underway.
 - 7.5 That officers be asked to submit a further report to Executive Board in early 2016 detailing the outcome of the consultation process on the proposals

outlined in this report and in relation to the outcome of the review of options for the residual Community Support Service and make further recommendations in relation to next steps.

7.6 To note that a further report has been submitted to the Executive Board that sets out proposals in relation to Frederick Hurdle and Apna Day Centres.

7.7 To note that the lead officer responsible for implementation is the Director of Adult Social Services.

1. Purpose of this report

1.1. The Executive Board agreed that the progress made on consultation would be reported back in Summer 2015, with annual reports thereafter, alongside progress made on the other proposals detailed in the November 2014 Executive Board report, which did not require consultation. As such, this is the first in a series of reports identifying progress made since November 2014 and requests approval to proceed with further proposals, including the structure of the proposed consultation process.

2. Background information

2.1. The *Better Lives* Programme commenced in 2011 with a remit to review the care and support services directly provided by Leeds City Council. The review criterion was determined by the Adult Social Care Scrutiny Board in 2010. This focused on whether the services were meeting the current and projected needs and aspirations of older people and whether they represented value for money.

2.2. The outcome of the review process has been implemented in two phases and has resulted in the development of new services and the closure of some facilities where the demand has fallen and the cost of maintaining and improving services and facilities has been prohibitive. The people affected by these changes have been transferred to a range of alternative care and support options. The transfer process involved a dedicated team of social care staff whose work was guided by a clearly defined protocol and overseen by a quality assurance group.

2.3. Alternative services were identified for care home and day centre service users at Phases 1 and 2 in response to the closure of: Grange Court, Harry Booth House, Kirkland House and Westholme care homes and Firthfields, Lincolnfields, Rose Farm and Spring Gardens day centres (Phase 1); and Amberton Court, Burley Willows, Fairview and Musgrave Court care homes and Burley Willows, Doreen Hamilton, Naburn Court and Queenswood Drive day centres (Phase 2). Service users and their families were supported to exercise choice of alternative provision and independent advocates were appointed where family members were not available and/or where the service user lacked capacity to make a decision.

2.4. The continued wellbeing of people who had moved into new services at both Phases 1 and 2 was monitored by reviews after three, six and twelve months following transfer.

- 2.5. A total of 260 staff worked at the 16 establishments that closed at both Phases 1 and 2. Most (65%) continued working for Leeds City Council whilst the remaining 35% left on a voluntary basis.
- 2.6. Executive Board members received a report on the 19th of November 2014 entitled –“*Delivering the Better Lives Strategy in Leeds – Proposed Next Steps*”. The report gave an account of a review and option appraisal of Adult Social Care’s directly provided care services. The report restated the objectives for Adult Social Care to refocus and reshape its much smaller scale directly provided services on those that promote recovery, rehabilitation and support those people with complex needs and their carers.
- 2.7. Elected Members were asked to agree to begin formal consultation on the recommended options contained in the report which were to:
- Commence consultation immediately on the proposed decommissioning of the three remaining care homes and associated day centres (Middlecross, Siegen Manor and The Green) and Springfield day centre for older people. The consultation would seek views on the proposals for these establishments when suitable alternative facilities become available in their vicinity.
 - Commence consultation on the proposal to cease providing the in house community support service (long term generic and mental health) with the intention of the service being fully withdrawn by the end of March 2016.
 - Agree to other options being explored in relation to specific BME day services at Apna and Frederick Hurdle day centres and in relation to the Radcliffe Lane Day Centre in Pudsey.
- 2.8. Although the Executive Board approved the report requesting permission to consult on a number of recommended proposals, the Board also agreed that with respect to the future of care homes, day and community support services (as per minutes of 19th November 2014 at Item 104(a)):
- “That it be noted that during the consultation on the future of residential, day and community support services, confirmation will be sought (by means of a further review chaired by the Executive Board member for Adult Social Care or his deputy) that reviews already conducted are robust; and that work with staff and trades unions will be put under way to determine whether alternative service delivery models can be constructed which will deliver the required efficiencies. To note further that staff and trade unions in these areas of service are invited to bring forward workable proposals for alternative service delivery models, for consideration by Executive Board at a future meeting”.*
- 2.9. To address this last point, in relation to the three care homes (Middlecross, Siegen Manor and The Green) and four day centres (Middlecross, Siegen Manor, Springfield and The Green), extensive work has been undertaken with staff, management and Trades Unions to develop a Viability Report (Appendix 1) which would then form part of the later consultation exercise.
- 2.10. A similar process has now begun for the remaining community support service along the same lines.

- 2.11. This report is an account of the work done in response to the Executive Board's requirements as outlined above. It explains how, in relation to the residential and day services, the original review conclusions have been analysed. Work has been undertaken with staff and Trade Unions in developing alternative ways of delivering the required efficiencies and the outcome of this work is presented in the form of revised recommendations.
- 2.12. Demand analysis has been carried out (extending to 2028) on the number of older people in the community and the type of care and support services they may require. This has taken into account the changing expectations and aspirations of people as they grow older. The findings of this research are embodied in the Leeds 'Housing and Care Futures Programme' which is closely aligned to the Leeds *Better Lives* Programme. A report in relation to the next steps in this work programme will be presented to Executive Board at a later date.
- 2.13. The future needs of older people will be met by supporting them to live in their own home independently, safely and for as long as possible. This will be achieved by the Council working more collaboratively and in partnership with other organisations (notably the NHS). If an older person's current accommodation is not suitable, then other forms of accommodation, including an expanded range of extra care housing will be offered as an alternative to a care home. The intention is to move away from institutional models of care by reusing Council funds in the form of personal budgets. Thus people will have more choice and control over the type of care and support that best meets their needs. The Council's role will be to ensure that these services are available by enabling and facilitating their development across the City.
- 2.14. The demand analysis has also identified gaps in services to provide short term interventions to prevent a person's needs escalating to the point where admission to an acute hospital or a long term care home may be necessary. Putting greater emphasis on short term initiatives to aid recovery and respite services to support carers in their essential role is also in keeping with the Care Act (2014) which requires councils to focus on prevention and support to carers.
- 2.15. The Council has already refocused some of its resources on preventative and recovery services many of which have been developed as corporate partnerships or with other organisations from the NHS and 3rd sector. Examples include: the Skills for Independent Living (SkILs) teams offering reablement in the community; Holt Park Active – an integrated and accessible social care, well-being and leisure service developed as a corporate initiative and offering new opportunities to older and disabled people and the South Leeds Independence Centre (SLIC) – an Intermediate Care unit developed and run in partnership with Leeds Community Healthcare Trust.
- 2.16. Adult Social Care will increase the capacity for short-term interventions that support family carers and offer better outcomes for older people – particularly those people with complex or multiple needs, including dementia. In order to do this within a finite budget will require disinvestment in the Council's directly provided long-term care services and reinvestment into short term care and support services. The benefits of integrating these services with the NHS and/or

3rd sector organisations is being fully explored in order to achieve efficiencies and a better experience for service users and their carers. This new offer entails retaining and developing, in partnership, the following community based resources:

- Richmond House (20 bed unit) and Suffolk Court (40 bed unit); Local authority provision of city-wide recovery / reablement / respite / intermediate care services.
- South Leeds Independence Centre (SLIC) – an Intermediate Care unit developed and run in partnership with the NHS (40 beds).
- Three Day Care units providing a city-wide complex needs care and support service to older people and their carers that offer both an ‘in-reach’ and ‘out-reach’ service: Calverlands; Laurel Bank; and Wykebeck Valley (subject to the consultation proposed).
- The Leeds Shared Lives scheme offers both day support and short breaks for people to relieve some of the pressure on their family carers and to afford older and disabled people the opportunity to do something enjoyable during the day.
- The Peer Support Network provides a safe and structured environment for people with dementia and their carers to come together and share experiences.
- The SkILs Team supports people in the community or those recently discharged from hospital to live independently in their own home. Staff support people to regain their independent living skills and offer support for up to six weeks.

2.17. This report also deals with extensive feasibility work undertaken with Health colleagues in relation to the potential alternative use of Radcliffe Lane day Centre as a staff base for a new model of integrated care alongside the local primary care practice. That work has shown that the level of investment required by the Local Authority and health partners is too great and the potential level of return too uncertain for the proposal to proceed.

3. Main issues

3.1. Many factors were taken into account in developing the initial proposals outlined in the Executive Board report in November 2014 and were subject to further analysis as part of the follow-up review. These included:

- Aspirations, needs and dependencies of the residents and older people who use services at present and in the future;
- Trends in the demand for Council services and the availability of alternative providers across the City and crucially alternative options nearby;
- Costs of the in-house service compared with the cost of re-providing the service in the independent sector;
- The current and planned range and location of intermediate care, rehabilitation and respite facilities;
- Whether and when buildings are in need of significant investment due to their age and funds required to maintain and improve the care home / day centre; and
- Impact of other initiatives in the local community.

- 3.2. The main objectives of the new review were:
- To seek confirmation that reviews already conducted were robust.
 - To work together with staff and Trade Unions to find affordable and sustainable options for alternative service delivery models in line with what it would cost the Council to re-provide the care in the independent sector.
- 3.3. Direct service costs of the care homes and day centre services under review (Middlecross, Siegen Manor and The Green care homes and day centres and Springfield day centre) have been considered and compared with both independent and third sector providers and use of personal budgets. For simplicity, corporate and directorate support costs and capital costs of maintenance and refurbishment of the buildings have not been factored in.
- 3.4. **Care Homes – Unit Cost Comparisons (Middlecross, Siegen Manor and The Green care homes)**
- 3.5. Unit cost comparisons with the independent and third sector have been calculated based on the actual occupancy figures for the in-house services. There has also been an analysis of what 95% occupancy rates would achieve as this is the target maximum occupancy rate of independent sector homes – 100% occupancy (maximum occupancy) is unattainable in reality, a factor that has been acknowledged by service managers.
- 3.6. The current direct cost of provision at Middlecross, Siegen Manor and The Green is £3.144m, excluding directorate and corporate support costs (see updated Financial Update – Appendix 2).
- 3.7. To re-provide the care home services in the independent sector on the basis of the actual permanent beds occupied (i.e. 61 beds), would cost £1.526m based on the enhanced dementia framework rate with uplift (£481 per week per bed). Purchasing a service of comparable quality from the independent sector, rather than directly providing it, would save the Council £1.618m. If the Council care homes above were running at 95% occupancy the saving would be £0.791m.
- 3.8. **Day Centre – Unit Cost Comparisons (Middlecross, Siegen Manor, Springfield and The Green day centres)**
- 3.9. The current direct cost of the four day centres at Middlecross, Siegen Manor, Springfield and The Green is £0.904m, excluding directorate and corporate support costs (see updated Financial Update – Appendix 2).
- 3.10. In addition to these direct service costs, attendance at day care centres, as opposed to other community based day services, incurs extra costs relating to transport. When these costs are added to the overall costs of running the day centres it makes it a more costly option compared to other forms of community support such as ‘managed’ personal budgets, dementia cafes, Peer Support Network, Shared Lives and Neighbourhood Networks. In the short to medium term the re-provision of day care for people currently attending the day centres

that are subject to review will incur similar costs for transport. The actual cost of transport related to the day centres under review is £0.267m.

- 3.11. If day services (based on actual attendance) were purchased from the independent sector rather than directly providing them, it would cost £0.603m. This would offer the Council a saving of £0.568m. Based on maximum attendance, re-providing in-house day centre services in the independent / 3rd sector would generate £0.071m in savings, however, the service has rarely operated to anywhere near maximum attendance levels and there is a declining demand for places at in-house day services as people are actively choosing alternatives.
- 3.12. **Care Home and Day Centres (Combined) – Unit Cost Comparisons (Middlecross, Siegen Manor, Springfield and The Green)**
- 3.13. The combined cost across the portfolio of care home and day services under review is £4.315m, including transport costs.
- 3.14. The combined cost of independent sector re-provision at the actual in-house occupancy / attendance levels is £2.129m. The cost of purchasing independent sector provision at the actual in-house occupancy / attendance levels would offer the Council a saving of £2.186m.
- 3.15. At target and maximum occupancy levels the cost envelope for financial viability of the in-house services is £3.914m. The cost of purchasing, rather than directly providing, this same level of service from the independent sector at the target and maximum occupancy levels would offer the Council a saving of £0.833m.
- 3.16. The cost of responsive and planned maintenance at the services has not been included in the cost comparisons given above. However, if the services above remain open, there would be estimated responsive and planned maintenance costs of £70k annually. The capital investment costs over 5 years to meet legislative standards at these buildings listed above are estimated at £1.1m.
- 3.17. **Analysis of potential proposals to make services affordable (Middlecross, Siegen Manor, Springfield and The Green)**
- 3.18. The staff group offered a range of proposals with the aim of making their services affordable and sustainable. Their feedback has been gathered and categorised into four key themes:
- 3.19. Management restructure – structures, roles and numbers of employees
- 3.20. As part of the analysis into potential savings, the current management structure was reviewed. This was an area highlighted for possible change during the staff engagement sessions and the analysis took into account a number of factors, including the potential to reduce management roles and have one manager covering multiple sites and the minimum staffing levels required to maintain a safe, high quality service. There have already been some reductions in numbers of managers across provider services and this trend will continue.

- 3.21. All of the posts outside of the management team are required to deliver the service in a safe and professional manner. With this in mind, it was felt that the only safe model – and this would need to be tested in practice – would be to remove the Service Delivery Manager post and reduce the number of Registered Managers from four to two. This would result in a total saving of £159,858. Some management posts, including that of Head of Service, are required to provide safe and effective support to existing services and at the same time support the review and potential service reduction.
- 3.22. These changes would require the remaining Registered Managers to manage more than one service. There would be one Registered Manager for Middlecross and The Green care homes and day centres and the Registered Manager for Siegen Manor care home and day centre would also be the Manager for the standalone day centres, including Springfield. Staffing levels in care homes are not prescribed although as a regulated activity the Care Quality Commission inspects and monitors in accordance with its own guidance on compliance and with regulation 22 of the Health and Social Care Act 2008 (regulated activities) which states:
- “In order to safeguard the health, safety and welfare of service users, the registered person must take appropriate steps to ensure that, at all times, there are sufficient numbers of suitably qualified, skilled and experienced persons employed for the purposes of carrying on the regulated activity”.*
- 3.23. Transferring the facilities management of the residential and day care units to Civic Enterprises Leeds was also proposed and in fact this has already taken place with associated savings factored into this year’s budget.
- 3.24. *Efficiencies gained through a change in working practice*
- 3.25. Changes to working practice could bring about savings, though the majority of these changes would impact on the terms and conditions of the staff which largely replicate National Terms and Conditions. Discussions about amending terms and conditions of employment would usually take place with the recognised Trade Unions within Leeds City Council. Whilst potentially changes could be put into effect locally, its implementation would have wider implications for all Council employees – as such, it is unlikely that a collective agreement would be considered by the Trade Unions which would adversely impact on National Terms and Conditions.
- 3.26. However, some staff felt it may be necessary to change their terms and conditions if that would enable an in-house service to continue. Whilst changes to terms and conditions would be unpalatable to many staff, a series of suggestions have been assessed for their viability. Consideration has been given to the impact on staff and the service provided, the potential financial saving and whether any savings could bring the service in line with the cost of commissioning an alternative from the independent sector. A financial analysis of the impact of different levels of change, to the current terms and conditions of service has been undertaken (analysis shown in Viability Report – Appendix 1). The level of savings from making these changes alone would not see the services meet the cost of commissioning alternatives through the independent sector.

- 3.27. *Improved bed management and increasing take up of places*
- 3.28. The current services are all under-occupied and a number of suggestions were raised as to why this may be the case and how demand could be increased and bed management carried out more effectively to increase the occupancy of care homes and attendance of day centres. It had been suggested that the potential closure of services has had an impact on the take up of services, with customers being discouraged from accessing services which were under review. However, since the Executive Board in November 2014, new admissions have been registered at both the care homes and day centres during the viability review.
- 3.29. The under-occupancy of care homes can be linked to a general decrease in demand for this type of service both regionally and nationally. Permanent occupancy of total beds at the homes under review has been at a low average of 64%. The financial analysis of the current homes suggests that even at 95% occupancy (target maximum level), they would not be as cost efficient as beds commissioned in the independent sector through the quality framework.
- 3.30. There is also a declining trend for places in the six remaining traditional day centres (Middlecross, Siegen Manor, Springfield, Radcliffe Lane, The Green and Wykebeck Valley). The decline in demand comes as people choose alternative ways to fulfil day support requirements. These include Neighbourhood Networks, new style services in the community such as Holt Park Active, and the additional choice and control available to people using a personal budget.
- 3.31. *Offering a different business model*
- 3.32. The current service delivery model for the remaining local authority care home services and day centres cannot match the costs of commissioning alternatives in the independent sector. Alternative business models do exist that would take services out of the direct control of the Council, for example, the 'Delivering the Better Lives Strategy – ASC BME Day Services' report which is being considered elsewhere on the Executive Board agenda today, refers to proposals for services to be managed by one or more external providers once the service model is re-designed in co- production with service users, carers, staff, and the wider communities working with ASC Commissioning.
- 3.33. Current Community Intermediate Care (CIC) bed usage has been reviewed under the Leeds Community Bed Strategy. Continued discussions have taken place between NHS and LCC commissioning colleagues to consider Middlecross, Siegen Manor and The Green as viable dedicated intermediate care units. At a Community Bed Strategy meeting held on 18th June 2015, it was confirmed by Health commissioners that the three care homes under review would not be required within their strategic plan for community beds.
- 3.34. Social Enterprises were mentioned at the staff workshops as a potential alternative way of continuing to run the services but outside of council control. Based on the financial analysis carried out as part of this review it is unlikely that simply 'spinning out' and becoming a Social Enterprise will make the services more viable. The costs would still be higher than the independent sector and the issues of decreasing demand would still present considerable challenges

3.35. If an alternative service model could have been developed, or if the current service could have been supplemented by other income streams then there may have been opportunities for a Social Enterprise to be developed but this would have been dependent on a robust business case and staff buy-in. No viable proposals in line with this aspiration could be constructed.

3.36. **Radcliffe Lane Day Centre**

3.37. During 2014, Radcliffe Lane had been identified as a potential joint health and social care service, developed in partnership with the Robin Lane GP practice in Pudsey. A working group was established to progress discussion around the proposal, which was based on a two-year pilot 'Passport to Health' scheme. The pilot would offer an opportunity to trial an integrated service providing an alternative to traditional day centre services.

3.38. In November 2014, Executive Board gave approval to progress with the development of a service specification and business case for the new model of service, which was required to show the benefits it would bring to the Council and service users. As agreed in the November Executive Board, a further report was to be brought back to the Executive Board in autumn 2015 advising on progress with the initiative and the revised proposal.

3.39. The Radcliffe Lane working group consisted of representatives from Adult Social Care, Robin Lane Health and Wellbeing Centre, Leeds Community Healthcare and the Clinical Commissioning Group. The working group investigated the feasibility to use Radcliffe Lane Day Centre as the base for an integrated 'Passport to Health' pilot for older people and drafted a service specification and business case for the pilot scheme.

3.40. The work in relation to Radcliffe Lane concluded with the outcome that the level of investment required by the Local Authority and health partners is too great and the potential level of return too uncertain for the proposal to be supported to proceed. Therefore, this report recommends that consultation on the decommissioning of this facility should commence.

3.41. The current direct cost of Radcliffe Lane day centre is £0.342m, including transport but excluding directorate and corporate support costs. To re-provide the day services in the independent sector on the basis of the actual attendance would be cost neutral. However, the continuing falling demand and the potential value to the council of the capital receipt provides a better value option for the future.

3.42. **Wykebeck Valley Day Centre**

3.43. In November 2014, Executive Board gave approval to decommission Wykebeck Valley day centre when an alternative use for the building is identified and when a Holt Park style of day service is available in the locality.

3.44. As part of the new offer detailed at item 2.16 above, and in order to provide city wide coverage of specialist day time care for people with complex needs, it is now

proposed to change the recommendation that the role of Wykebeck Valley day centre becomes the complex needs hub for the East of the city, taking a phased approach to accommodate the needs of existing and future customers. Wykebeck Valley would then complement the two retained complex needs units at Calverlands (North West) and Laurel Bank (South) and enable them to develop as community based 'hubs' offering care and support within and outside of the unit.

3.45. Wykebeck Valley day centre currently operates as a non-specialist centre and the existing 36 people registered to use this facility would be assessed and may either choose to use direct payments to access different activities to meet their needs should they wish to or remain at the centre with the service changing over time. Staff and Trade Union representatives will also be part of the consultation process.

3.46. **Potential alternative day support for services users**

3.47. Experience gained in previous phases of the *Better Lives* Programme indicated that people using day services which have been decommissioned have chiefly chosen to take advantage of other community activities, often using direct payments to meet their eligible care needs (such as Holt Park Active). In a few instances, people chose to use alternative Adult Social Care Services, such as Laurel Bank and Calverlands (both providing care to people with complex needs). These services continue to have sufficient capacity to accommodate any people who might wish to move in the future.

3.48. **HR Implications**

3.49. The viability review has a direct impact on the employees who manage and deliver the services under review. HR Managers have been involved in the review process and their advice and support will continue as part of any future stage of the *Better Lives* Programme.

3.50. During the viability review, members of the staff group affected raised specific concerns about their future and what may happen if the outcome of the review leads to consultation on the transfer of the management or the decommissioning of care homes and day care facilities.

3.51. Detailed responses to these concerns have been given, with guidance from HR Managers, and are included within the Viability Report (Appendix 1). However, the issues that were raised can be summarised as follows:

- The availability of support to staff concerned about the future of their service.
- Opportunities available to staff to take ELI.
- Staff involvement in the consultation process.
- The availability of re-deployment opportunities within Adult Social Services.
- The availability of re-deployment opportunities within the wider Council.

4. Corporate Considerations

4.1. Consultation and Engagement

4.1.1. Viability Review

4.1.2. Throughout the period of the *Better Lives* Programme, stakeholders have been encouraged to bring forward options to be considered for each service. This latest review represented another chance for stakeholders to identify further ways of making services affordable and sustainable.

4.1.3. Seven Steering Group meetings chaired by the Executive Member and attended by Trade Unions have taken place to date. The meetings commenced on 29th January 2015. The last meeting took place on 14th July 2015. The meetings were arranged to carry out new reviews in order to identify potential ways of continuing to deliver in-house services in a sustainable, affordable way and within a defined cost envelope.

4.1.4. A staffing workshop was held on 10th February 2015 that also focussed on identifying potential ways of continuing to deliver services in a sustainable, affordable way and within a defined cost envelope (i.e. for a price no greater than it would cost to re-provide services using independent sector providers).

4.1.5. The suggestions put forward by workshop attendees fell into four major categories:

- Management Restructure;
- Efficiencies gained through a change in working practice;
- Improved bed management and increasing take up of places; and
- Offering a different business model.

4.1.6. As a result of the workshop, staff were encouraged to develop their ideas, presenting a model of service incorporating the changes suggested and full and detailed savings they could achieve.

4.1.7. Further comments and suggestions have been raised by staff at engagement sessions held at each of the services under review since the workshop. These have also been considered as part of the review. As a result of the review, a viability document was produced, providing details of all the suggestions and options identified and responses taking into account the financial, organisational and strategic impacts of implementing these suggestions. All suggestions are recorded within the Viability Report (Appendix 1).

4.1.8. Proposed Formal Consultation (Phase 3)

4.1.9. It is proposed that formal statutory consultation will begin on 1st October 2015 following endorsement of proposals contained in this report by Executive Board and a short period of planning and preparation. It will be completed on 23rd December 2015, allowing twelve weeks for people to express their views on the proposals.

- 4.1.10. The consultation process will draw from the successes of the process followed during Phases 1 and 2 of the review of older people's residential and day care services. It will also consider the lessons learned from those previous consultation exercises.
- 4.1.11. The aim of the detailed consultation on the proposals for the residential care homes and day centres is to consult with those directly affected. This includes ensuring the existing residents of care homes, day centre service users and their families and carers are aware of the proposals and are engaged throughout the consultation process to understand how they may be affected. Detailed consultation will take place with affected care staff and Trade Unions and also with related stakeholders within the locality, including Elected Members and partner organisations. The consultation will seek views about the process and ensure that the needs of individuals are adequately assessed and met.
- 4.1.12. How will we consult?
- One-to-one interviews with those directly affected and use of a questionnaire.
 - Fact sheets will be produced setting out options and how these have been arrived at.
 - Ward Member briefings.
 - Attendance at Health & Well-Being and Adult Social Care Scrutiny Board.
 - Effective feedback arrangements.
 - Group Q&A sessions for people who use services and all interested parties
 - Documentation that gives background information about each unit and options available.
 - Staff meetings.
 - Meetings with key partner organisations, particularly NHS partners.
 - Newsletters and web-based information.
 - A media protocol.
 - Telephone helpline.
 - Dedicated e mail address.
- 4.1.13. Formal advocacy will be provided for residents and day centre users when required and as requested.
- 4.1.14. Feedback from the consultation will be reviewed and the responses recorded and circulated to those involved in the consultation process. The responses collected during the consultation and the outcome of the equality impact assessment will be used to draw up recommendations for future residential and day care services, to be considered by Executive Board in early 2016. The recommendations will include detailed proposals on implementation.
- 4.1.15. **Residents, service users, relatives and carers**
- 4.1.16. The aim of the consultation will be to determine the impact of the proposed future options on those residents and service users directly affected and ensure that the rationale behind the proposals is clearly understood. The information received from the various groups and people consulted will assist the Executive Board to make a decision as to whether to proceed with the recommended proposals or to amend or develop new proposals. It is intended that the consultation will be a two way process with the objective of securing stakeholder engagement at every

stage. For people who are not able to make decisions for themselves, or have no relatives or friends to be present, an independent advocate will be present to ensure any contributions made on their behalf are in their best interests.

- 4.1.17. Letters were sent to those residents, service users, their families and carers (of services subject of the viability review only) on 21st July 2015 advising them of the conclusions arrived at by the Viability Report (Appendix 1) and the Council's intention to seek Executive Board approval to begin consultation on the proposed options and prior to any breaking news stories. On the date of agenda publication, a further letter was also sent to all residents, service users, their families and carers subject of this Executive Board report advising of its publication, including service users and next of kin at Radcliffe Lane and Wykebeck Valley. It is proposed that a further letter be sent following Executive Board's decision.
- 4.1.18. Providing residents, day centre users their relatives and carers with the appropriate level of information and consulting with them at key stages of the process will be a key component of the consultation process. This is particularly relevant at the beginning of the process as residents, day centre users and relatives are likely to be anxious about the proposals. A telephone helpline is already set up and available, staffed by experienced officers in the Programme Team.
- 4.1.19. The consultation will be undertaken in a person-centred way and one to one interviews offered to everyone affected. The manager in each home or day centre will arrange a suitable future date and time for the one-to-one interviews to take place. Relatives, carers or friends will also be invited to attend. A questionnaire, available in a range of formats will be used to capture people's responses to the proposed changes and determine the impact on individuals and how this might be reduced as plans are developed. A comprehensive suite of information will explain how the decisions to consult on the decommissioning of the services has been reached.
- 4.1.20. Care and consideration will be given to any communication issues for each individual resident and day centre user. The programme team will work with each manager of the home or day centre prior to the start of the consultation to identify individual's communication needs. A consultation plan has been developed that incorporates the need to be mindful of engaging with older people who may be inevitably anxious about the proposals, particularly those with complex needs, such as those with dementia. The programme team will draw on experience gained during consultation in Phases 1 and 2 of the *Better Lives* care home and day centre programme, in which people with dementia were affected by proposals, to ensure their needs are met.
- 4.1.21. The capacity of residents and day centre users to participate in the consultation will be determined by the home/day centre manager. Guidance notes will be issued designed to prompt and guide managers in obtaining the views of residents and service users with dementia. Semi-structured interviews where a relaxed, one to one meeting takes place is the proposed method of doing this. Feedback from the first phase of consultation indicates this is the preferred method for residents and their families.

- 4.1.22. At the services subject to the proposed consultation, there are currently 65 permanent residents, 34 respite residents, 232 people registered to attend the respective day centres and 326 relatives / next of kin. Consultees within this category total 657 people.
- 4.1.23. **Elected Members**
- 4.1.24. As a likely first point of contact from those directly affected, Ward Members in wards of services subject to the viability review (details of services are contained in recommendation 7.1) were sent a briefing note on 21st July 2015 advising them of the Council's intention to seek Executive Board approval in September 2015 to begin consultation on the proposed options. This briefing note was also sent to Cabinet, Scrutiny Chair and Opposition Portfolio Leads.
- 4.1.25. With regards to the changes in recommendations from the November 2014 Executive Board Report for Wykebeck Valley (Gipton and Harehills) and Radcliffe Lane (Pudsey) day centres, individual briefings have also been offered prior to agenda publication to Ward Members in these affected wards to provide an update on the changes to these proposals as outlined in this report.
- 4.1.26. A full briefing note outlining all the recommendations and changes to proposals contained within this report was sent to all Elected Members upon agenda publication on 15th September 2015. This will be followed by regular briefings throughout the consultation process as and when required.
- 4.1.27. **Scrutiny Board**
- 4.1.28. It is proposed, at an appropriate point in the process and subject to approval to proceed by the Executive Board today, that the Health & Well-being and Adult Social Care Scrutiny Board be invited to consider the consultation and its conclusion to ensure they are relevant, focused and purposeful.
- 4.1.29. **Staff consultation**
- 4.1.30. As stated above, staff at the homes and day centres subject to the viability review, have been engaged throughout the process (items 4.1.4-4.1.7). Staff meetings led by the Head of Service took place at the homes and day centres subject to the viability review on 21st July 2015. Letters were sent to these staff on the same day advising them of the intention to seek Executive Board approval on the proposals. Further staff meetings led by the Head of Service took place at Radcliffe Lane and Wykebeck Valley day centres in September 2015. A further letter was also sent to all staff directly impacted by the proposals in this Executive Board report advising of its publication. It is proposed that a further letter be sent following Executive Board's decision. Staff affected by the proposals will continue to be consulted with via their Trade Unions and individually where appropriate. Separate briefings on employee matters will take place concurrently with managers from adult social care.
- 4.1.31. There are 154 staff (113 FTE) that currently work at the services subject to the proposed consultation.
- 4.1.32. **Trade Unions**
- 4.1.33. As stated above, Trade Union representatives have provided positive contributions throughout the viability review process (item 4.1.3), chaired by the Executive

Member. A letter was sent to Trade Union representatives advising of the publication of this report to Executive Board.

- 4.1.34. Trade Union representatives play a key role in supporting employees through organisational change and consultation meetings will take place to ensure that employee concerns and issues are addressed.
- 4.1.35. The implications for staff arising from the proposed decommissioning of establishments will be managed in accordance with the Council's Managing Staff Reduction policy. If appropriate, depending on the proposals and numbers of staff involved, formal consultation will take place with the Trade Unions. Workforce planning is embedded within the Directorate and, through controlled vacancy management, suitable alternative employment opportunities will, wherever possible, be made available for any potentially displaced staff. In addition the Council's Early Leavers Initiative (ELI) is being used as an additional opportunity to enable posts to become available for any displaced staff. Discussions are also taking place with health partners to explore re-skilling and employment opportunities in the health and social care sector.
- 4.1.36. **Negotiations with the NHS**
- 4.1.37. The primary focus of the negotiations with the NHS has been in relation to the development of intermediate care, which is a range of integrated services to promote faster recovery from illness, prevent unnecessary acute hospital admission, prevent premature admission to long term residential care, support timely discharge from hospital and maximise independent living.
- 4.1.38. There has been support for the proposals to provide an increasingly broader range of options for older people in improved facilities, using technology, re-ablement and home care services (working in an integrated way with community health services) to provide the support and care people need to remain in their own home wherever possible.
- 4.1.39. The current Community Intermediate Care (CIC) bed usage has been reviewed under the Leeds Community Bed Strategy. Continued discussions have taken place between NHS and LCC commissioning colleagues to consider Middlecross, Siegen Manor and The Green as viable dedicated intermediate care units. At a Community Bed Strategy meeting held on 18th June 2015, it was confirmed by Health commissioners that the three dementia care homes under review did not fit their strategic plan for community beds and as such Health would not be requiring existing or any further CIC beds at these establishments.

4.2. **Equality and Diversity / Cohesion and Integration**

- 4.2.1. An Equality Impact Screening (Appendix 3) was undertaken as part of the initial review of services and this concluded that the proposals would potentially give rise to equality impacts relating to older and disabled people their families and carers – particularly those service users of the care homes and day centres under review. Staff will also be affected, particularly women, who make up 90% of the workforce.

4.2.2. Subject to the Executive Board's decision a full Equality Impact Assessment would be undertaken on the services affected as a parallel process to the consultation.

4.3. **Council policies and the Best Council Plan**

4.3.1. The review of the directly provided care home and day care services for older people has been undertaken as part of the Adult Social Care's *Better Lives* Programme. This strategy focuses on the Council's capacity to help support the growing number of older people with their care and support needs. It recognises the changing expectations and aspirations of people as they grow older and the need to match these with appropriate and affordable responses. Giving people more choice and control over the type of care and support that best meets their needs that offer greater choice and opportunities for maintaining independence is a priority outlined in 'Leeds Joint Health and Wellbeing Strategy 2013-2015'.

4.3.2. Delivering the Better Lives Programme is one of the priorities in the Council's '*Best Council Plan 2015-2020*' out of which the Breakthrough Project '*Making Leeds the Best place to Grow Old in*' has been established. The viability review also supports the Best Council Plan priority to "become a more efficient and enterprising council".

4.4. **Resources and value for money**

4.4.1. As central government funding to local authorities decreases and demand for services increases councils are under pressure to find more efficient and cost effective ways of doing things. The review recognises the need to refocus resources on affordable and sustainable models of service delivery that offer a personalised approach and better outcomes for older people.

4.4.2. Sections 3.4 to 3.16 and 3.41 outline the financial comparisons of in-house services and independent sector provision. The cost of purchasing independent sector provision at the actual in-house occupancy / attendance levels would offer the Council a recurrent saving of £2.186m.

4.4.3. As stated within the report, if the management and directorate support costs and capital costs of maintenance and refurbishment of the buildings are factored in, overall cost differentials between in-house provision and the independent sector would be significantly higher.

4.5. **Legal Implications, Access to Information and Call In**

4.5.1. The review of care homes and day services has taken into consideration the Council's statutory duties and Adult Social Care's specific duties – including duties contained in the Care Act (2014) to meet the needs of those members of the community who require care services. Subject to the Executive Board's decision public consultation will be undertaken in accordance with guidance.

4.5.2. The Executive Board's decision is a key decision and will be subject to call-in.

4.6. Risk Management

- 4.6.1. A risk log has been maintained throughout the review in-keeping with the *Better Lives* Programme approach to managing projects. All risks are recorded and are escalated as required to the Directorate Leadership Team. The main risks relate to:
- Risk that a decision by Executive Board not to proceed with the consultation on the closure and remodelling of services subject of this report will not deliver the required savings for the directorate and the council. It is estimated that approximately annual revenue savings of £2m can be made.
 - Risk that the proposed closure of in-house services (subject to the outcome of the consultation) may lead to issues regarding demand and supply for care homes and day services. This has been mitigated as follows:
 - Demand analysis has been carried out which demonstrates that there is sufficient care beds without nursing within the independent sector to meet the demand requirements of the future.
 - Holt Park Active and the complex needs hubs at Laurel Bank, Calverlands and Wykebeck (as proposed within the report) will continue to have sufficient capacity to accommodate any people who might wish to move in the future.
 - Risk that mis-communications or delay in process leading to stakeholders becoming disengaged with the programme – this has been mitigated by the production of a Stakeholder Engagement strategy document which is being maintained throughout the process.

5. Conclusions

- 5.1. Following extensive collaborative working with service managers, staff, representatives from HR and finance, Trade Unions and other key stakeholders, the *Better Lives* Programme Team has compiled a Viability Report (Appendix 1) detailing the costs of current services and the potential savings initiatives that could reduce overall costs for the Council.
- 5.2. The *Better Lives* Programme Team would like to note the very extensive and wide ranging engagement in the viability review process and thank all contributors – especially staff – for their thoughtful and helpful comments which have informed the recommended outcomes.
- 5.3. All staff suggestions have been analysed in detail to assess the impact on the quality and cost of the service. The suggestions of reducing the management structure has been fully explored and the potential negative impact of changes to the employees' terms and conditions of employment indicate that such an approach would deliver potential savings but they do not meet the comparable cost of services available from the independent and third sector. On that basis this option has not been proposed for further consideration.
- 5.4. Whilst there is a financial imperative for re-provision in the independent sector, other important factors also need to be taken into account. The decline in the trend in demand for residential care over a number of years has been coupled with

the increase in alternative models of care and support, such as extra care housing, that offer greater choice and opportunities for maintaining independence. Greater numbers of older people are being supported to live safely in their own home due to Leeds Adult Social Care having invested in a range of preventative services such as the reablement teams, outcome focused home care, assistive technology and joint initiatives with the NHS.

- 5.5. Leeds approach to the care and support of people with complex needs and their carers is based on a model of inclusion where people with long term complex conditions, such as dementia can access a range of community activities in the same way as other citizens. Subject to the outcome of the consultation, residents at Middlecross, Siegen Manor and The Green will have a choice of a number of care homes within the independent sector. In the longer term, it is proposed that there will be a still wider range of housing and care options for older people with complex needs including extra care housing.
- 5.6. The trend for demand for day centre places has declined over a number of years. This is due to the attraction of alternative options available including services which can be bought using a Personal Budgets (e.g. Personal Assistant role), the development of Neighbourhood Networks, emerging service models such as Holt Park Active and a range of other community based services.
- 5.7. Leeds Adult Social Care continues to have a significant role to play in providing short-term care and support that offers recovery / reablement to older and disabled people, specialist support to people with complex needs and respite / short breaks to provide effective support to carers. These targeted short term services can be provided to more people with better outcomes and greater efficiencies than the Council's existing service offer. This approach also offers the opportunity to develop and deliver integrated recovery services with NHS provider organisations. To further the development of the directly provided short term care and support services it is intended to retain two care homes (Richmond House & Suffolk Court), three complex needs day care hubs, the Shared Lives service, peer support network and SkILs Team.

6. Recommendations

- 6.1. The Executive Board is asked to note the work that has been undertaken in compliance with the requirements of the agreement given by the Executive Board on 19th November 2014.
- 6.2. Executive Board is recommended to agree the following proposals:
 - 6.2.1. To begin consultation on the recommended proposals to decommission the three remaining care homes (Middlecross, Siegen Manor and The Green) and associated day centres (Middlecross, Siegen Manor and The Green) and Springfield day centre for older people. It is proposed that consultation on these services should commence on 1st October 2015 and be completed on 23rd December 2015. This recommendation remains unchanged from the November 2014 report.

- 6.2.2. To begin consultation on the recommended proposal to decommission Radcliffe Lane Day Centre. Consultation will take place in the same timescale as the services listed above. This recommendation has been altered from the November 2014 report, as set out at items 3.36-3.41.
- 6.2.3. To consult on the proposal to remodel Wykebeck Valley day centre over time as a complex needs hub for the East of the city taking a phased approach to accommodate the needs of existing and future customers. Consultation will take place in the same timescale as the services listed above. This recommendation has been altered from the November 2014 report, as set out at items 3.42-3.45.
- 6.2.4. To continue and complete the review of the Council's long term community support service (home care) which is currently underway.
- 6.2.5. That officers be asked to submit a further report to Executive Board in early 2016 detailing the outcome of the consultation process on the proposals outlined in this report and in relation to the outcome of the review of options for the residual Community Support Service and make further recommendations in relation to next steps.
- 6.2.6. To note that a further report has been submitted to the Executive Board that sets out proposals in relation to Frederick Hurdle and Apna Day Centres.
- 6.2.7. To note that the lead officer responsible for implementation is the Director of Adult Social Services.

7. Background documents¹

None

¹ The background documents listed in this section are available to download from the Council's website, unless they contain confidential or exempt information. The list of background documents does not include published works.