

SCRUTINY BOARD (ADULTS,HEALTH & ACTIVE LIFESTYLES)

FRIDAY, 9TH JULY, 2021

PRESENT: Councillor A Marshall-Katung in the Chair

Councillors C Anderson, L Cunningham,
Gibson, N Harrington, C Hart-Brooke,
G Latty, J Lennox, E Nash and E Taylor

Co-opted Member present - Dr J Beal

9 Appeals Against Refusal of Inspection of Documents

There were no appeals.

10 Exempt Information - Possible Exclusion of the Press and Public

Appendix 7 to the Executive Board report entitled, 'Adults and Health Service Review 6: Care Delivery: Care Homes, Post Consultation Recommendations Report', provided as part of Item 7 on the agenda was designated as exempt from publication in accordance with paragraph 10.4(3) of Schedule 12A(3) of the Local Government Act 1972.

11 Late Items

There were no late items.

12 Declaration of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary or other interests.

13 Apologies for Absence and Notification of Substitutes

Apologies for absence were received from Councillors J Dowson, M Iqbal and W Kidger. Councillors J Lennox and E Nash were in attendance as substitutes.

14 Call In Briefing Paper

The Head of Democratic Services submitted a report advising the Scrutiny Board on the procedural aspects of Calling In the decision.

Members were particularly advised that the Call In is specific to the relevant report considered by the Executive Board, and issues outside of the decision, including other related decisions, were not to be considered as part of the Board's decision regarding the outcome of the Call In.

Members were also advised that the options available to the Scrutiny Board in respect of this particular called in decision were as follows:

Option 1- Release the decision for implementation

Having reviewed this decision, the Scrutiny Board may decide to release it for implementation. If the Scrutiny Board chooses this option, the decision will be immediately released for implementation and the decision may not be called in again.

Option 2 - Recommend that the decision be reconsidered

The Scrutiny Board may decide to recommend to the decision maker that the decision be reconsidered. If the Scrutiny Board chooses this option a report will be submitted to the decision maker.

In the case of an Executive Board decision, the report of the Scrutiny Board will be prepared within three working days of the Scrutiny Board meeting and submitted to the Executive Board. Any report of the Scrutiny Board will be referred to the next Executive Board meeting for consideration.

In reconsidering the decision and associated Scrutiny Board report, the Executive Board may vary the decision or confirm its original decision. In either case, this will form the basis of the final decision and will not be subject to any further call in.

Failure to agree one of the above options

If the Scrutiny Board, for any reason, does not agree one of the above courses of action at this meeting, then Option 1 will be adopted by default, i.e. the decision will be released for implementation with no further recourse to call in.

RESOLVED – That the report outlining the call in procedures be noted.

15 Adults & Health Service Review 6 - Care Delivery: Care Homes, Post Consultation Recommendations Report

The Head of Democratic Services submitted a report that presented background papers to an Executive Board decision which had been called in in accordance with the Council's Constitution.

The decision had been called in for review by Councillors Caroline Anderson, Amanda Carter, Simon Seary, Trish Smith and Dawn Seary.

The Scrutiny Board considered the following written information:

- Copy of the completed Call In request form
- Report of the Director of Adults and Health presented to Executive Board at its meeting on 23rd June 2021

- Extract from the draft minutes of the Executive Board meeting held on 23rd June 2021

The following were in attendance:

- Councillor Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Councillor Caroline Anderson
- Councillor Amanda Carter
- Cath Roff, Director of Adults and Health
- Shona McFarlane, Deputy Director of Adults and Health
- Sarah Buncall, Programme Manager, Service Transformation, Adults and Health
- Richard Des Forges, Legal Adviser to the Scrutiny Board

As the Nominated Lead Signatory to the Call In, Councillor Anderson addressed the Board. Councillor Anderson acknowledged the financial challenge faced by the Council, but perceived the decision to close Richmond House and Home Lea House care homes to have placed budgetary concerns above the personal impact on vulnerable older people who use the facilities for both long-term and respite care. Councillor Anderson questioned the meaningfulness of the consultation when the responses received to both the consultation and three petitions clearly demonstrate the opposition to the decision. Councillor Anderson also highlighted that occupancy rates of care homes during the Covid-19 pandemic are not reflective of usual occupancy, and therefore should not be used to inform decisions of this nature.

Councillor Amanda Carter, also signatory to the Call In, was also given an opportunity to address the Board. Councillor Carter advised the Board of several conversations with local residents with caring responsibilities who rely on Richmond House and Home Lea House care homes for respite care, some of whom had not been aware of the consultation, and the distress they have experienced following the decision to close the homes.

Members were given the opportunity to ask questions / provide comment at this stage. Discussions included:

- *Meeting the needs of service users.* Members discussed the needs of service users and acknowledged how the pandemic had particularly influenced the way people with care and support needs are choosing to receive care, with more opting for community-based care whilst remaining in their own homes. Members particularly emphasised the importance of choice. Linked to this, reference was made to the Leeds Left Shift Blueprint model that aims to give families the autonomy to decide on their own care and that this would also include more options for long term health and social care needs than traditional care homes.
- *Viability of Richmond House and Home Lea House care homes.* Members discussed a range of factors surrounding the long-term viability of the two homes, including occupancy levels both during and

prior to the Covid-19 pandemic; financial challenges; and the availability of alternative provisions.

The Executive Member for Adult and Children's Social Care and Health Partnerships addressed the Board to respond to the issues that had been raised and in doing so had advised Members that the decision to close the two homes was not taken lightly. Moving forward, Members were also assured that transfer of residents will be carefully planned and carried out professionally, sensitively, and safely, in accordance with the Council's Care Guarantee and in consultation with families. In addition, those who use the homes for planned respite will be supported to ensure this provision can be continued in a new location suitable to meet the individual's needs. Members were also advised that the programme will continue to work closely with all affected staff and Trade Unions with a view to redeploying staff into other council services, so that their good practice is retained.

Members were given the opportunity to ask questions / provide comment at this stage. In doing so, Members sought assurance that families would be engaged with, not only throughout the decision making for rehoming residents, but also during and after residents move to a new home. Particular reference was also made to the importance of friends and family visits during the rehoming process. Members were advised that some Covid-19 restrictions for visitation have been lifted, and that programme support workers and care home staff will work with families through the transition process with compassion, recognising the need for flexibility around visits for families.

In conclusion to the Board's discussions, the Chair invited both the Executive Member and the Nominated Lead Signatory to provide a final summing up before moving to the decision of the Board.

RESOLVED – That the contents of the report, along with comments from Members, be noted.

16 Outcome of Call In

The Scrutiny Board considered whether or not to release the decision for implementation. A vote was subsequently held and the Scrutiny Board agreed (by majority decision) that the decision be released.

RESOLVED – That the decision be released for implementation.

17 Date and Time of Next Meeting

The Adults, Health and Active Lifestyles Scrutiny Board is holding a remote consultative meeting on Tuesday 27th July 2021 at 1.30 pm (pre-meeting for all Board Members at 1.00 pm)