

Leeds City Council Scrutiny Support

CALL IN REQUEST

Date of officer key decision/Executive Board minute publication: 26th July 2024

Delegated decision ref:

Executive Board Minute no: 21

Decision description: Adults and Health - In House Care Homes Service Review: Knowle Manor and Dolphin Manor: Post Consultation Recommendations Report

Discussion with Decision Maker:

Prior to submitting a Call In, a nominated signatory must first contact the relevant officer or Executive Member to discuss their concerns and their reasons for wanting to call in the decision. Part of this discussion must include the Member ascertaining the financial implications of requesting a Call In.

Please identify contact and provide detail.

- Director/author of delegated decision report.
 Executive Board Member

Detail of discussion (to include financial implications)

The call in was discussed with Director Caroline Baria by Cllr Stewart Golton on Thursday 25th July. The financial consequences of the call in being successful were confirmed as those identified in the report, namely £100k in this financial year, and £400k thereafter. However, the delay by calling the decision in for reconsideration has no financial impact at all

Reasons for Call In:

All requests for Call In must detail why, in the opinion of the signatories, the decision was not taken in accordance with the principles set out in Article 13 of the Council constitution (decision making) (principles of decision making) or where relevant issues do not appear to be taken into consideration. *Please tick the relevant box(es) and give an explanation.*

<input type="checkbox"/>	Proportionality (ie the action must be proportionate to the desired outcome)
<input checked="" type="checkbox"/>	Due consultation and the taking of professional advice from officers
<input checked="" type="checkbox"/>	Respect for human rights
<input checked="" type="checkbox"/>	A presumption in favour of openness
<input checked="" type="checkbox"/>	Clarity of aims and desired outcomes
<input checked="" type="checkbox"/>	An explanation of the options considered and details of the reasons for the decision
<input type="checkbox"/>	Positive promotion of equal opportunities
<input checked="" type="checkbox"/>	Natural justice

Explanation

We are calling for the decision to be reconsidered based on the following grounds:
(Clarity of aims and desired outcomes)

The title of the decision says that the closure of Knowle Manor and repurposing of Dolphin Manor is the result of a review of the In House Care Homes Service. However, such a review of the service should take into consideration all the residential care homes currently provided by Leeds City Council. This service review excludes the Spring Gardens care home in Otley, and through its omission fails to clarify the Council's commitment to its future status as the last remaining in house residential home.

A service review should also take into consideration what role the Council sees their in house provision playing within the residential care market in the city in the future. It is absent from this report. In particular, there is no consideration of the value of a mixed economy in residential care provision, nor the risk of reliance on the private sector to provide residential accommodation in the city. Officers often refer to a current 'saturated' provision in the city, however recent data suggests a significant reduction in care homes nationally, and instability within the private care market due to staffing pressures and profitability. There is no longer term consideration of the value of retaining a sufficient level of inhouse provision to counter the potential for care cost inflation when overly reliant on the private sector, as is currently the case in Children's Services.

This is all the more surprising as this 'Review' was introduced as a budget proposal. There is no risk assessment or consideration that a modest budget saving this financial year, through closure and reprovision of two thirds of the in house provision, might precipitate higher costs for council care packages in the future through greater reliance on a smaller number of private providers.

(An explanation of the options considered and details of the reasons for the decision)

No alternative options were offered for the each of the affected homes in the Council's In House provision. The only option for Knowle Manor was closure, and the only option for Dolphin Manor was repurposing. There was no option for understanding how retention as residential care facilities might be improved to deliver a better financial outcome for the Council through a different approach.

(explanation continued)

It appears that the overriding motivation for the review of care home provision was the ability to bid for an ICB contract for the sole provision of intermediate care facilities in the city, and that the only criteria for consideration for the site of the intermediate care facility was the level of refurbishment already achieved. Furthermore, the decision to close Dolphin Manor as a residential care home was taken without the contract mentioned having been won. The contract award has still yet to be decided, and if unsuccessful, the Council has not identified in this decision alternative future use plans for this facility if it not to be an intermediate care facility

(Due consultation and the taking of advice from officers/A presumption in favour of openness)

The consultation process has not been applied consistently within the service review. Knowle Manor was allowed a full stakeholder consultation including elected member and community engagement on the principle of closing the facility. However, no wider stakeholder consultation has taken place on the principle of repurposing Dolphin Manor to an intermediate care facility, despite this also meaning the closure of the facility as a residential care home. The only consultation has been a closed process between residents and families and adult social care to explain the consequences of repurposing, and to oversee the transfer to alternative accommodation of current residents. This has led to unnecessary confusion as to whether consultation engagement would alter the decision to repurpose the facility.

(Respect for human rights/Natural justice)

In house care home residents are effectively council tenants, as these facilities are their homes. As their landlord we have a duty of care. The Council has made a point of opposing no fault evictions by private landlords. However, in forcing people out of their home to create a vacant asset to enable the Council to increase their income from a possible outside contract, this is effectively a no fault eviction, with the Council placing business needs above the collective individual care needs of residents.

The 'service review' has therefore actually been an asset rationalisation plan based on maximising income generation from partner agencies, rather than a strategy to secure the best value and quality care either for current residents within the facilities, nor the immediate communities that they serve, nor the wider city in terms of the Council being a participant in the direct delivery of residential care. On these grounds, this decision needs to be reconsidered.

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A Call In request may be made by a **minimum** of:

5 non-executive Members of council from the **same political group**;

or;

2 non-executive Members of council if **they are not from the same political group**.

This Call In request should be submitted to Scrutiny Support, 1st Floor West, Civic Hall by 5.00pm by no later than the fifth working day after the decision publication date. The following signatories (**original signatures only**) request that the above decision be called in.

Nominated Signatory



Print name Councillor Stewart Golton
Political Group Liberal Democrat Group

Signature



Print name Councillor Trish Smith
Political Group Local Independent Group

Signature



Print name Councillor Colin Campbell
Political Group Liberal Democrat Group

Signature



Print name Councillor Ryk Downes
Political Group Liberal Democrat Group

Signature

Print name Councillor
Political Group

Leeds City Council Scrutiny Support

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Political Group.....

Leeds City Council Scrutiny Support

For office use only: (box A)

Received on behalf of the Head of Democratic Services by:

Angela Brogden.....(signature)

Date: 1st August 2024 Time: 3.35 pm SSU ref: 2024/25 – 82(i)

For office use only: (box B)

Exemption status checked:

Call In authorised: Yes

Date checked:

Signed: Angela Brogden

Signatures checked:

Date: 1st August 2024

Receipts given:

Validity re article 13