

Report to the Cabinet

Meeting to be held on Thursday, 13 September 2018

Report of the Director of Adult Services

Part I

Electoral Division affected:
Burnley

The future of Lower Ridge, Burnley - Older Person's Residential Care Home (Appendix 'A' refers)

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Executive Summary

Lower Ridge is an older persons' residential care home in Burnley owned by the county council and managed and operated by Adult Services.

This report sets out the results and implications from a recently completed consultation exercise about the future of Lower Ridge.

It also sets out the rationale for making a recommendation to close Lower Ridge during 2018.

Recommendation

Cabinet is asked:

- (i) To note the background and rationale for considering the possible closure of Lower Ridge as set out in the report.
- (ii) To note the results of the consultation process conducted between 23 April and 15 July 2018.
- (iii) To approve the closure of Lower Ridge Older Person's Residential Care Home, Burnley.
- (iv) Subject to the approval of (iii) above, to authorise the Director of Adult Services to:
 - i. Ensure a schedule is drawn up for the home closure, that balances the need for each individual and their family to have appropriate time to make decisions against the overall need for the closure process, to be managed

- within a timescale that minimises uncertainty for residents, families and staff affected.
- ii. Hold any appropriate vacancies within county council operated care homes in East Lancashire, until current Lower Ridge residents and their families have had an opportunity to decide to which home they would prefer to move.
 - iii. Ensure appropriate delegation of responsibility for officers to exercise oversight, discretion and flexibility in agreeing fee levels for Lower Ridge residents who wish to move into independent sector homes.
- (v) To endorse the county council's proposal to collaborate with local government and NHS partners to develop Extra Care services for older people in Burnley in response both to the strategic needs of the area and the views of local people and stakeholders expressed through this consultation.

Background

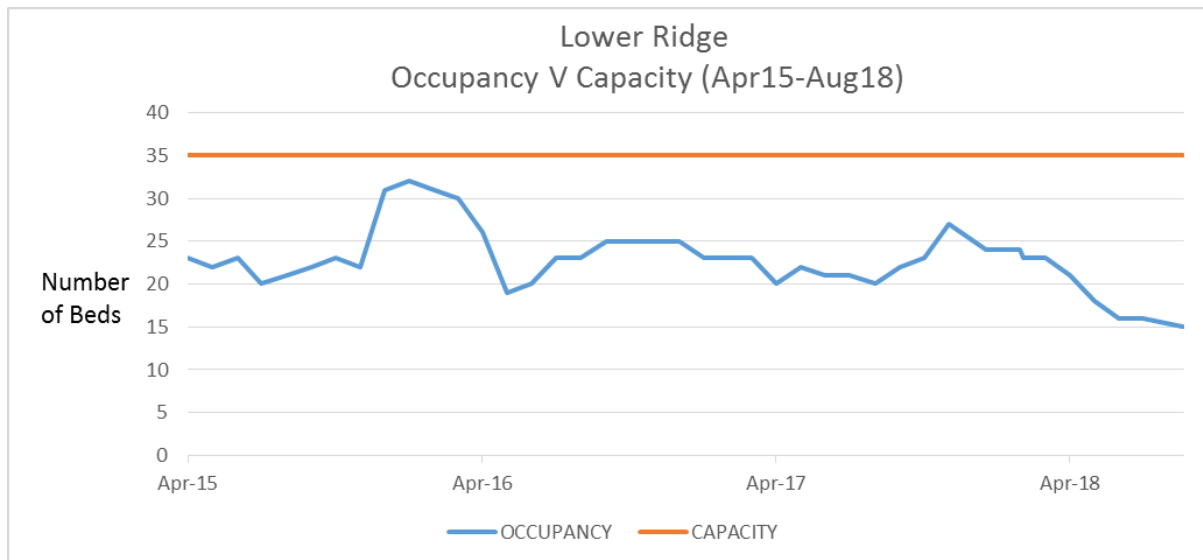
Lower Ridge, Burnley is one of 18 residential care homes for older people currently operated by the county council. All of these homes are registered with the Care Quality Commission and Lower Ridge itself was judged as 'Good' at its most recent inspection in July 2016. The report can be accessed at <http://www.cqc.org.uk/location/1-147345461> and it contains many positive comments about the quality of the service provided to the older people living at Lower Ridge.

Lower Ridge has the capacity to accommodate 35 older people. However, at the beginning of March 2018, only 23 older people were permanent residents there, and this was fairly typical of the occupancy levels in the home over recent years. Other county council care homes have a typical average occupancy of about 94%, while Lower Ridge's occupancy had typically been at 65 – 70% for an extended period.

The graph below shows how occupancy has fluctuated over the last three years.

The figures for occupancy from April to August 2018 should be ignored for comparative purposes because during this period a freeze had been placed on new admissions.

The relatively high occupancy figures from December 2015 to March 2016 are due to the use of NHS 'Winter Pressures' funding to block book a number of beds at Lower Ridge to facilitate the flow of discharges from the local hospital. In subsequent winters, alternative and more effective arrangements have been put in place in East Lancashire to meet the demand for extra capacity to support discharge of older people and the NHS has not sought to commission beds at Lower Ridge.



Based on feedback from prospective residents and their relatives, management believe that this relatively low occupancy over the longer term has been a reflection on the state of the building, and particularly the living accommodation for older people at Lower Ridge.

As a result of a previous report to Cabinet on 12 April 2018, a 12 week consultation process with residents, families and other key stakeholders concerning the potential closure of Lower Ridge was agreed. The proposal concerning Lower Ridge's closure hinged on the current poor physical condition of the building, the severely limited scope to make significant structural improvements, and the considerable capital costs which would be involved in undertaking any necessary work.

While the consultation was underway, a hold was placed on further admissions, and at the time of writing this report, there are 15 residents currently living at Lower Ridge.

This report consists of four further parts.

The first section focuses on the building related issues and costs which provided the main background and context for the consultation to commence.

This is followed by a section on the consultation process. This provides details of the key messages from the consultation and offers responses to the key issues raised.

There is then a section on the plans which will be put in place to ensure the impact on residents and families if the closure of Lower Ridge does secure approval.

The main body of the report then concludes with a careful weighing of the arguments which have led to the recommendations for this report.

The Building

Lower Ridge itself dates from 1967, and the building design reflects the design standards, typical resident profile and the wider expectations of older people from that period. This unfortunately translates in today's terms into a poor layout which makes it increasingly difficult to meet modern quality standards and older people's expectations. For example, there are no en-suite facilities in bedrooms which means all residents rely on using communal toilets. The home has just one large dining area which all residents must use for their meals.

During the day, residents spend their time in relatively close proximity to one another in lounges which are all situated on the ground floor. It is, in fact, difficult for the frailer residents to get to and from their bedrooms independently since they are all situated on the 1st and 2nd floor. Consequently, residents all tend to spend their days on the ground floor and only access bedrooms when they go to bed in the evening. Corridors and bedrooms can appear dark, creaky and isolated from the hub of the home, particularly during the winter months.

In contrast, in the 17 other county council residential care homes for older people, accommodation is typically split into 3 or 4 group living areas of 10-15 residents. This is conducive to a more person centred and "family" style of living – with all bedrooms, lounges, dining area, residents' kitchen, activities, garden space and a dedicated staff team accessible within each separate group living area. This means residents know and support each other in a less institutional setting within each separate unit/area. Their living area is then the hub of their lives making movement between their own bedrooms, lounges and dining room/kitchens easier to negotiate and more homely. This further encourages and promotes independence for all the older people living in these homes.

The Options: Refurbishment, New Build Options or Closure

Lower Ridge has been subject to review on previous occasions, when the county council has considered the future of its own residential care homes for older people.

In fact, as long ago as 2002, Lower Ridge was one of a number of care homes initially proposed for closure as part of a strategic review of the then much larger county council estate of residential and day services for older people. This was because the home was not one that could readily or economically be adapted to match the more modern design standards of the other care homes the county council's wished to retain in its ownership. However, following widespread and full public consultation it was decided at that point to retain it as one of two care homes in the Burnley Borough Council area.

A decade later in 2012, the issue of Lower Ridge's future was again considered by county council officers. A brief was provided by what was then termed Lancashire County Care Services for the Lancashire County Council (Property Group) to undertake a 'Development Option Appraisal'. The Summary in this 2012 report suggested that *"the building was still in generally useable condition but its useful future life would appear to be limited if substantial refurbishment is not undertaken.*

Four alternatives were considered and costed (all 2012 figures)

- a. Leave the existing building structure unchanged but undertake a major refurbishment. This was estimated at £2.4m in 2012.
- b. Reconfiguration of Lower Ridge, maintaining it at its existing capacity of 35 places, but providing at least one self-contained 10 bed dementia unit with ideally three separate units. This was estimated to cost £2.89m in 2012.
- c. Re-development / rebuild of Lower Ridge on the same site to increase its capacity within the limitations of the footprint of the site to 48 places. This was estimated to cost £5.1m in 2012.
- d. Redevelopment on another site somewhere in Burnley of a purpose designed care home of 70 beds. This was estimated to cost £5.37m in 2012.

Recent advice is that the cost to implement the works set out in the 2012 study could reasonably be expected to increase by circa 42%. Although the scope of the Development Option Appraisal has not been revisited for the purpose of this report, economic logic suggests that the costs would have also risen roughly in line with inflation during the last 6 years.

However, no proposals were brought forward to Cabinet for formal consideration on the basis of the 2012 Development Option Appraisal and so Lower Ridge has continued to operate as a care home since that time.

It is however worth noting that the assessment of the authors of the Development Option Appraisal was that *'the amount of repairs and maintenance work required to keep the premises in an acceptable condition will be continue to grow as time passes'*. In fact over recent years approximately £0.380m has been spent on essential repairs and maintenance work.

There are now again a number of significant and relatively urgent repairs needed at Lower Ridge which were identified in 2017, and estimated to cost £0.580m to fully address. The scope of these works took into account the service's operational requirements; modern good practice in providing dementia friendly settings; the building condition; and the findings of a detailed fire risk assessment.

In October 2017, and on the basis of similar building surveys across the other 16 county council owned care homes for older people, Cabinet approved funding for a major programme of works which included financial provision for the capital repairs at Lower Ridge.

Review of the Options

Lower Ridge could continue to be operated as it is now and indeed the improvement work identified and costed in 2017 at around £0.580m would do much to improve the home as a place to live and receive care for a further number of years.

However this would not do anything to correct the fundamental design features or expand the size of the home, both of which already lagged behind modern standards and business viability as far back as 2002. The gap between Lower Ridge and best modern standards elsewhere is only growing larger as time progresses and the needs of the older population typically accommodated in residential care homes increase in terms of acuity and complexity. Furthermore, it is clear that without a significant increase in the size of the home, and much improved occupancy levels, Lower Ridge would probably continue to run an operating deficit in the longer term.

Realistically, the options described above in the 2012 Development Option Appraisal Report as (a) and (b) above would involve such a scale, duration, and type of work in the property that closure of the service would be the best and safest option while it was undertaken. To try to keep the service running whilst such work was carried out could jeopardise the safety of staff and particularly the residents. Closure of the service would therefore necessitate movement of the existing residents at whatever point that work commences.

Option (c) above would mean the demolition of the existing Lower Ridge building and new build on the same site and would clearly mean all current residents would need to move out while this occurs. However, the small and restricted footprint of the Lower Ridge site does not make this a good place to choose for a new build.

This has previously led to the conclusion that Option (d) - a new build replacement for Lower Ridge on a separate site in Burnley - would be the only sensible financial option, if the county council regarded running an older persons' care home in the town of Burnley as a priority.

However, to provide some additional context to the costs of new build care homes it may be worth noting the examples of two care homes, one public sector, one private sector which have been built in the last two years elsewhere in England, particularly since their costs were reported in the local press at that time.

Firstly there is a Cumbria County Council operated scheme in Barrow which opened in November 2016 and was reported as costing £7m for 60 older people.

<http://www.nwemail.co.uk/news/barrow/First-glimpse-inside-multi-million-pound-Barrow-care-home-e6ac201f-fe6c-4150-ab6f-bf23a3d02a30-ds>

Secondly, there is a Nottinghamshire care home which is to be run by private sector operators and will be for 66 older people. This was reported in July 2018 as costing £12m to build. <http://www.thebusinessdesk.com/eastmidlands/news/2015861-12m-care-home-opens-notts>

It is important to note that the county council has regularly invested significant sums in improving or expanding its own care home estate and in services for older people over many years. For example, the county council has undertaken works to increase the number of beds available in its other 16 longstanding care homes. These amount to an increase of 49 beds, with a further 3 beds available from later this year. It has also opened an entirely new care home in the north of the county although that property is owned and maintained by the NHS. In 2017, Cabinet approved significant

capital investment in repairs and improvements in all its care home as recently as October 2017.

So it is reasonable to conclude that over the years when the county council has seen a good case to approve capital investment in its own care homes and other services for older people it has done so. The case for making such capital investment at Lower Ridge has, however, simply not been regarded as strong enough to take forward such a proposal for approval. This was the also the view expressed in the previous report to Cabinet in April 2018 which led to the recommendation to consult on the closure of Lower Ridge.

With the benefit of further reflection, county council management still consider that the business case to incur the significant capital costs involved in a new build care home in Burnley is weak. This is particularly so since there continues to be surplus capacity in the local residential care market for older people. Furthermore, the approval and implementation of the draft Housing with Care and Support Strategy 2018-2015 (which is also on the agenda for this same Cabinet meeting) should in due course lead to an expansion of Extra Care options for older people in Burnley.

The Consultation

This section summarises the formal response to Lancashire County Council's consultation on the possible closure of Lower Ridge.

Process

For the consultation, paper questionnaires were distributed to Lower Ridge Care Home residents. Paper questionnaires were also made available for stakeholders, including the relatives of residents and Lower Ridge Care Home staff. An electronic version of the consultation questionnaire was available online at www.lancashire.gov.uk .

PDF, Microsoft Word, large print and easy read versions were also available at www.lancashire.gov.uk .

The consultation fieldwork ran for 12 weeks between 23 April 2018 and 15 July 2018. In total, 214 completed questionnaires were returned (24 paper questionnaire responses and 190 online questionnaire responses).

A consultation meeting for residents' relatives was held on Thursday 3 May 2018.

Key findings

Nearly nine-tenths of respondents (87%) strongly disagree with the proposed closure of Lower Ridge Care Home.

- When asked why they agree or disagree with the proposal, respondents were most likely to say that the residents are settled/content at Lower Ridge (39%), it's a well-run care home (29%), disagree with the closure of Lower Ridge (27%), and relocating the residents will have a negative impact on their health and wellbeing (27%).

- Half of respondents (50%) said that the closure would have a negative impact on the health and wellbeing of residents, when asked how it would affect them, if the proposal to close Lower Ridge happened.
- Respondents who are not residents at Lower Ridge Care Home were asked how they thought it would affect the residents of Lower Ridge Care Home if the proposal to close the home happened. Over nine in ten respondents (93%) said that moving the residents will have a negative impact on their health and wellbeing.
- Respondents were most likely to say renovate/invest in the existing building (48%) and keep Lower Ridge Care Home open (40%) when asked if there is anything else that we need to consider or that could be done differently.
- The nine respondents who are residents at Lower Ridge Care Home all strongly disagreed with the proposed closure.
- We received a group response signed by 33 members of staff at Lower Ridge Care Home opposing the proposed closure of Lower Ridge Care Home and outlining their case for improving how the site is utilised.
- We received two petitions opposing the proposed closure of Lower Ridge Care Home, one with 45 signatories and one with 1,668 signatories.
- We received a letter from Burnley Borough Council opposing the closure of Lower Ridge Care Home and arguing for an internal re-design and refurbishment of the existing building.
- We received a letter from a resident's relative opposing the closure of Lower Ridge Care Home and arguing for alternative options of renovation and extension, or a new build altogether on the existing site.
- A consultation event meeting for resident's relatives was held on Thursday 3 May 2018 with county councillor Graham Gooch and county council officers.

Management response to the key points

1. Scale of opposition to Lower Ridge's proposed closure

Overwhelmingly people responded in the consultation and petitions to say the county council should not close Lower Ridge. There are many well-argued and heartfelt reasons offered in support of that position, and it would be popular and well received by local people, existing residents and families if the decision was made to keep Lower Ridge open.

All the arguments advanced have some validity in themselves but they have to be set in the context of past reviews of Lower Ridge, the present position and its potential future. The building is 50 years old, it has a limited useful life without major redesign to match the increasing needs of older people in the future. It does not serve the current needs of older people as well as it should and that will be an increasing challenge in terms of quality of care and the business viability of the service with each passing year.

2. The current residents are settled / content and should not be moved

It is clearly positive that the 15 older people currently living at Lower Ridge are well settled and content with their accommodation and care at Lower Ridge. Each of them will have made a decision at some point in recent months or years to have left their own home to come and live at Lower Ridge. It is a testament to the skills and commitment of the staff at the home that this is the case and the residents are happy there.

However, there are occasions when older people do have to move care homes even when they are previously well settled. This can occur when the needs of an individual resident changes such that they need a more specialist provision, or when the home itself can no longer operate. With careful, compassionate and sensitive management of the move, and the full involvement of families and existing staff, the evidence suggests that any potentially adverse impact of a move into a new care home can be mitigated.

3. The care home is well run and therefore shouldn't close

Lower Ridge is indeed well run and the most recent Care Quality Commission (CQC) in 2016 inspection reached the judgement it was a 'Good' care home.

However within Burnley there are a further 17 independent sector care homes for older people that are judged 'Good' by CQC. The county council care home in Padiham, 3.7 miles away, is also rated 'Good'.

So Lower Ridge is not the only Good care home in Burnley. There are other choices of 'Good' care homes in Burnley.

4. Relocation of the residents will have a negative impact on their health and well-being.

This is a genuine risk that has been recognised by academic researchers and practitioners. However, individuals do sometimes have to move from the care home they are living in and as a result of extensive learning approaches to these challenges and social care practice has improved.

There is also a range of good practice guidance such as https://www.nhs.uk/NHSEngland/keogh-review/Documents/quick-guides/1577_QuickGuide-CareHomes_9.pdf and experienced county council staff who can ensure this risk is minimised.

5. Why wasn't more money spent on renovating Lower Ridge in the past?

Consideration has been given to investment at Lower Ridge over the years and indeed as set out earlier in the report about £0.380m has been spent in recent years

on essential repairs and maintenance. A further capital sum of £0.570m has been earmarked as part of the county council's capital programme.

However, those sums have not been sufficient to address the more fundamental design and structural issues that management of older people's services have wished to address as far back as 2002. The 2012 Development Options Appraisal set out the issues in greater detail and this has been summarised earlier in this report. The sums of money needed to make changes on the scale required to meet modern design requirements are high by any measure and given the county council's financial position and the availability of other care homes in the area it has not been a priority to borrow the capital needed to build a new care home.

6. Lower Ridge is the only county council care home for older people in Burnley – Padiham is not the same

Many consultees have emphasised that Padiham and Burnley are distinct and distinctive communities and travel between the two towns is not easy for some people.

If Lower Ridge closes there will be no county council care home in the town of Burnley itself. Woodside at Padiham is 3.7 miles away but it is acknowledged that for many people this will not be seen as a 'Burnley' care home.

However there are many other independent sector care homes in Burnley, many of them are 'Good'. Elsewhere in East Lancashire there are other county council run care homes.

Overall across the county there is at least one county council care home in each of the 12 districts of Lancashire, but there is not one in each and every major town.

7. The Impact of job losses on the great staff at Lower Ridge

The county council will seek to redeploy any staff who wish to continue to work for it

Staff meetings will be arranged as soon as possible to describe the process and explain their options. Trade Unions will be invited to attend these staff meetings so that they are fully appraised of the situation and can in turn provide support to the affected staff.

As part of this process Management and HR colleagues will work with the staff affected; this could be to secure suitable redeployment opportunities, and support those who are potentially at risk of redundancy. As part of this they would also look to give staff early access to the redeployment vacancy list, and vacancies in local residential homes would be ring-fenced in the first instance to any affected staff.

Staff would have the opportunity and be encouraged, where possible, to be redeployed with relocated older people residents moving from Lower Ridge to nearby county council homes.

8. Cost of privately run care homes can be high

The county council provides 770 places in its care homes for older people but this is only 5% of the care home places across Lancashire. It does however provide funding support to many thousands of older people each year, and it does this at fee levels which it sets on an annual basis.

For some individuals and their families the preferred care home placement might cost more than the county council normally pays. In the particular circumstances of the potential closure of Lower Ridge, the council may choose to exercise a greater level of flexibility about the extent to which it will support residents. This will need to be considered on a case by case basis. One of the recommendations contained in this report now seeks explicit authorisation for the Director of Adult Services to ensure discretion is exercised where necessary.

9. Accessibility of the location of Lower Ridge

For some individuals, families and staff, Lower Ridge's location will be the prime or significant reason for choosing to live or work there.

This is a factor that is difficult to address other than by highlighting again the range and number of care homes across Burnley in various locations. If location is the overriding issue then hopefully a place can be secured in a home that is convenient for families to visit, but clearly that cannot be absolutely guaranteed.

10. The importance of existing relationships

It is reasonable to expect that the care needs of the current residents at Lower Ridge could be met in alternative care settings of similarly good quality. However, it must be acknowledged that Lower Ridge is 'home' for the residents and that any of the alternatives would involve moving to another care home, which could involve leaving behind some, perhaps many, of their fellow residents and the staff with whom they may have developed significant relationships.

Even a carefully planned and sensitive closure process is likely to create anxiety, sadness or concern amongst some of the older people resident at Lower Ridge. Their relatives, visitors or advocates, as well as the staff at Lower Ridge, may share some of those feelings. Residents would also move, albeit probably only a few miles, from their present neighbourhood and their relatives may experience significant inconvenience or extra costs in travelling to a new location to visit them.

There are no easy answers to this. Any moves of residents will need to be planned carefully to do as much as possible to preserve existing significant relationships. The county council's staff will work closely with residents and families to achieve this.

11. The council should build another care home on another site

This option has been considered earlier in the report and it was argued that the capital costs are considered prohibitively high given the existence of significant capacity in the care home market in East Lancashire and specifically in Burnley.

However, discussions of other possible developments for older people in Burnley have continued to occur and this report does recommend that support is offered to the development of an Extra Care scheme in Burnley. This would genuinely expand the range of options available to older people in Burnley, and it would build on the Housing with Care and Support Strategy 2018-2025 that is recommended for approval at this same Cabinet meeting.

Minimising adverse impact

If the recommendation is accepted to close Lower Ridge then plans would be put in place to ensure affected individuals are closely supported to minimise any adverse impact on people

There is extensive experience in Adult Services of relocating older people from the implementation of previous care home change programmes over the last 15 years. In addition, county council staff also regularly play a lead role in managing home closures that arise in the independent sector. There are established protocols and a guidance for managing such closures. This will be shared as part of the consultation process to provide reassurance to residents and relatives.

It must be acknowledged that significant emotional issues can and are likely to arise. However, if a decision is ultimately taken to close Lower Ridge, the management of the relocation process will build on the experience and learning from similar occurrences in the past. The following would be key measures:

- The closure would take place in a spirit of full and open co-operation between the county council, healthcare practitioners, families and other stakeholders.
- All current residents at Lower Ridge would have an Adult Social Care re-assessment in order to determine current needs.
- All residents would be given a choice over where they wish to move to.
- If a resident wishes to remain in a county council care home, we would hold a vacancy in the relevant home to ensure a move can take place in a timely way.
- If an existing resident wishes to remain as close as possible to their existing locality, he/she may need a place in an independent sector care home. In such cases the council would consider whether to pay any additional 'top up' costs for particular older people if those are needed.
- Residents may request to move in 'friendship groups' and this will be facilitated, where possible. Given the current level of vacancies in the care home sector in

East Lancashire, this is considered quite realistic and has been successfully achieved in the past.

- Staff could have the opportunity and be encouraged, where possible, to be redeployed with residents to nearby county council homes. This would support existing Lower Ridge residents settling into their new homes.
- The county council would regularly review progress and outcomes for each older person for 12 months following their move to assist in settling in, or determine whether further changes are required.

The nearest county council home to Lower Ridge is Woodside which is 3.7 miles away in Padiham. Woodside is also within the boundaries of Burnley Borough Council. Woodside is rated 'Good' by CQC and its latest inspection report is available at <https://www.cqc.org.uk/location/1-147345580#accordion-1>

There are also a further 6 county council homes within a 12 mile radius of Lower Ridge in other districts of East Lancashire. As of 12th August 2018 the county council residential care home vacancies are as follows:

	Dementia	Residential
Woodside, Padiham	0	5
Woodlands, Clayton le Moors	1	1
Cravenside, Barnoldswick	3	4
Favordale, Colne	1	0
Castleford, Clitheroe	0	1
Olive House, Bacup	1	0
Total	6	11

Considering the independent sector care homes, there are 24 residential care homes for older people in Burnley. As of 12th August 2018 these have a total of 40 residential and 14 dementia vacancies.

Current CQC ratings for these homes in total are

Outstanding	0
Good	17
Requires Improvement	7
Inadequate	0

Conclusion

The trend in admissions into residential care homes over the last 50 years shows the demand for places is coming from older people with health needs of increasing acuity and complexity. There is no indication that this pattern will slow down or reverse. Any decisions about the future of Lower Ridge needs therefore to focus not just on the immediate term and the existing 15 residents, but just as importantly it must look ahead at the likely needs of older people in Burnley over the future decades.

The development of the Housing with Care and Support Strategy provides an opportunity for the county council to mark out its clear preference for a much greater scale of extra care housing for older people across Lancashire. This could and should be seen as a very positive alternative to residential care for older people, and it ought to be a priority for significant collaborative work between statutory organisations operating in Burnley to make things happen

For most, probably all, of the current residents and their families a planned closure of Lower Ridge is likely to be a source of concern and anxiety, and this should not be underestimated. Overwhelmingly people who have commented are opposed to the closure proposal. The consultation process has of course allowed many people to express their views and concerns clearly and openly and these are recorded both in Appendix A and in the main body of the report above. It is likely that similar views and sentiments would be expressed at any point that a closure of this or any other county council run care home was being tabled for discussion.

However Lower Ridge is not a care home that appears to have a long term future in its current building. This is clearly not just a recent view, but with the passage of time, it is becoming increasingly critical that the county council reaches a decision about the future of this care home.

This report therefore recommends that Cabinet now takes a decision to approve the plans set out earlier to close to Lower Ridge.

Consultations

A formal consultation exercise was undertaken between 23 April and 15 July 2018.

Further details can be found on the county councils website

[http://council.lancashire.gov.uk/ecSDDisplayClassic.aspx?NAME=SD1977&ID=1977&RPID=14221980&sch=doc&cat=14561&path=14252%2c14561&\\$LO\\$=1](http://council.lancashire.gov.uk/ecSDDisplayClassic.aspx?NAME=SD1977&ID=1977&RPID=14221980&sch=doc&cat=14561&path=14252%2c14561&LO=1)

Implications:

This item has the following implications, as indicated:

Risk management

The potential closure of this care home is a significant issue for the county council, the service itself and most of all for those who live in Lower Ridge.

Financial

The closure of Lower Ridge would result in a net revenue saving of £0.250m per annum, which arises from its longstanding and continued pattern of under-occupancy and size. The part year effect if closure occurred by the end of the third quarter would be a net revenue saving of £0.070m in 2018/19.

There will be some other one-off costs, and these could include redundancy payments, which would be funded from the county council's Downsizing Reserve. The closure of the site and subsequent possible sale or transfer of the building may result in a future capital receipt.

All existing residents who receive full or part funding from the county council, based on a financial assessment and who currently live at Lower Ridge, will of course continue to have their places funded whether in a county council run or independent sector care home. At any given time the proportion of county council funded placements versus those who self-fund may vary, but it is typically in the ratio of 70% to 30%

There may be some additional costs associated with paying higher fees to secure places in independent sector care homes. Using the average weekly top up rate this could amount between £0.038m and £0.052m for a full year on the basis of all 15 residents requiring top ups. This would reduce therefore the saving of £0.250m reported above.

There is also a sum earmarked within the county council's capital programme for work at Lower Ridge. If the recommendation for closure contained in this report is adopted it will be a matter for the Capital Board to make a recommendation as to whether this should be reallocated within the care home capital programme towards other county council homes or whether it should be regarded as a saving.

Legal

The consultation was conducted in line with the Gunning Principles.

Cabinet must now fully consider the consultation responses when considering the proposal.

Equality and Cohesion

S.149 of the Equality Act 2010 sets out the equality duty that public authorities must comply with. This duty requires the decision maker to have due regard to: the need to eliminate discrimination, harassment, victimisation or other unlawful conduct under the Act; to advance equality of opportunity between persons who share a "protected characteristic" and those who do not share it; and to foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

An Equality Analysis is set out at Appendix 'A' which provides a more detailed explanation of what the duty requires and which analyses the potential impact of the recommendation to undertake a consultation exercise on the possible closure of the homes. In summary the analysis concludes whilst a decision to close Lower Ridge would impact on residents with protected characteristics, in particular age and disability, the impact can be significantly mitigated by the measures identified in the report.

Human Rights

Cabinet should be aware that a decision to close a care home may engage a residents Human Rights under Article 8 of the European Convention - the right to respect for one's private and family life, his home and his correspondence.

Public authorities may only interfere with Article 8 rights where this is in accordance with the law and is necessary in a democratic society. This can include consideration of the economic well-being of the country. For a public authority this would include decisions in the best interests of its residents.

The Convention recognises that there are situations where a public authority is allowed to decide what is in the best interests of its citizens and may therefore restrict individual rights in the interests of the wider community.

Human Resources Implications

There are currently 20 FTE care posts at Lower Ridge, and employees total 29 permanent members of staff in various roles. A further 6 staff are employed at Lower Ridge by catering services and facilities management and will be included in all staff meetings and communications.

Staff meetings will be arranged as soon as possible to describe the process and explain their options. Trade Unions will be invited to attend these staff meetings so that they are fully appraised of the situation and can in turn provide support to the affected staff. As part of this process Management and HR colleagues will work with the staff affected who are potentially at risk of redundancy and will work with them to identify suitable redeployment opportunities, where these are available. As part of this they would also look to give staff early access to the redeployment vacancy list, and vacancies in local residential homes would be ring-fenced in the first instance to any affected staff.

Staff would have the opportunity and be encouraged to be redeployed with relocated older people residents moving from Lower Ridge to nearby county council homes, wherever possible.

Property Asset Management

If the decision is made to cease delivery of the older people's residential service from Lower Ridge, consideration will be given to alternate use of the site in support of county council priorities.

However, if this is not forthcoming, the site will be declared surplus to operational requirements.

The county council will continue to be liable for property-related holding costs until the premises is either re-used or disposed of.

List of Background Papers

Paper	Date	Contact/Tel
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None		
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Reason for inclusion in Part II, if appropriate

N/A