

Section 4

Equality

Analysis Toolkit

Decision Regarding the Future of
Lower Ridge, Burnley

For Decision Making Items

13 September 2018

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Question 1 - What is the nature of and are the key components of the proposal being presented?

The Cabinet report is titled 'The Future of Lower Ridge.'

Lower Ridge is an older persons' residential care home in Burnley. It is owned by the County Council and managed and operated by Adult Services as part of its Older Peoples Care Services.

At its meeting on 12 April 2018 Cabinet considered a report which called for a consultation to be undertaken on the possible closure of Lower Ridge. That consultation ran from 23 April 2018 to 15 July 2018.

Taking account of the background and the findings from the formal consultation, and the Equality Analysis, this report is asking the council to make a decision about the future of Lower Ridge.

In summary, the proposal recommends the closure of Lower Ridge, Burnley.

Question 2 - Scope of the Proposal

Is the proposal likely to affect people across the county in a similar way or are specific areas likely to be affected – e.g. are a set number of branches/sites to be affected?

The residents primarily affected will be these 15 older people currently living at Lower Ridge. There will be an impact also on their relatives, many of whom will also be living in or near to Burnley, Lancashire.

The closure of the home will also reduce the choice of a County Council run home for older people in the area in future.

Staff employed at Lower Ridge will also be affected.

Question 3 – Protected Characteristics Potentially Affected

Could the proposal have a particular impact on any group of individuals sharing protected characteristics under the Equality Act 2010, namely:

- Age
- Disability including Deaf people
- Gender reassignment
- Pregnancy and maternity
- Race/ethnicity/nationality
- Religion or belief
- Sex/gender
- Sexual orientation
- Marriage or Civil Partnership Status

And what information is available about these groups in the County's population or as service users/customers?

As of August 2018 there are 15 residents living at Lower Ridge, Burnley

- 7 Male
- 8 female

All residents consider themselves as 'White British'.

Five residents are aged 85 years and over.

12 residents have lived at Lower Ridge less than two years. 2 residents have lived at Lower Ridge longer than 10 years.

All residents have some form of disability/health problems which are prevalent in many older people. General themes include Dementia/Cognitive impairment, sensory impairment issues, heart problems and diagnoses of cancer.

A detailed breakdown is provided below

Resident breakdown as of 3rd August 2018

Lower Ridge

Number of Residents	Gender		Needs of Resident			Ethnicity
	Male	Female	Dementia	Mainstream	Rehab	White British
15	7	8	10	5	0	15

Age Group	Length of residency	Gender		Needs of Resident			Ethnicity
		Male	Female	Dementia	Mainstream	Rehab	White British
65-69	<1 year		1				6
70-74	1 year < 2 years						6
75-79	2 years < 3 years		4				
80-84	3 years < 4 years		5				1
85-89	4 years < 5 years						
90-94	5 years < 6 years		3				
95-99	6 years < 7 years		2				
100-104	7 years < 8 years						
Sub Total	8 years < 9 years		15				
Total Number of Residents	9 years < 10 years						
	10 years < 11 years						1
	11 years < 12 years						
	12 years < 13 years						1
	TOTAL						15

Question 4 – Engagement/Consultation

How have people/groups been involved in or engaged with in developing this proposal?

Consultation was carried out for 12 weeks from 23rd April 2018 to 15th July 2018.

Face to face meetings were held with residents and their relatives on 12th April 2018 and 3rd May 2018.

A further meeting was provisionally planned for 3rd June 2018 but it was agreed with residents and families that instead of this a list of frequently asked questions would be produced which gave detailed answers into some of the questions.

The consultation followed the Cabinet Code of Practice on Consultation which sets out a best practice model for consultations.

The consultation was offered to the following groups:

- Existing residents of Lower Ridge, their relatives, advocates and representatives
- GPs and relevant health care professionals
- East Lancashire Clinical Commissioning Group
- Burnley Borough Council
- Care Quality Commission
- County Councillors and other elected representatives such as Borough Councillors and MPs
- Staff at Lower Ridge

Any local individuals or stakeholders who wished to take part could do so.

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.

In total, 214 completed questionnaires were returned (24 paper questionnaire responses and 190 online questionnaire responses).

The key outcomes of the consultation are:

- 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 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.

The full consultation report is attached as an appendix to the main Cabinet report.

Question 5 – Analysing Impact

Could this proposal potentially disadvantage particular groups sharing protected characteristics and if so which groups and in what way? This pays particular attention to the general aims of the Public Sector Equality Duty:

- To eliminate unlawful discrimination, harassment or victimisation because of protected characteristics;
- To advance equality of opportunity for those who share protected characteristics;
- To encourage people who share a relevant protected characteristic to participate in public life;
- To contribute to fostering good relations between those who share a relevant protected characteristic and those who do not/community cohesion;

Impact on prospective future residents and their families

The closure of Lower Ridge would mean that there would be no county council run Older People's residential home in the town of Burnley itself.

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>

However 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.

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 their 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

Impact on Current Residents and Families

The current residents' care needs could be met in alternative residential care settings which offer a similar 'Good' quality of service. However it must be acknowledged that Lower Ridge is 'home' for the residents and they would be moving to another community, with mostly different residents and staff, leaving behind some, perhaps many, of their fellow residents and the staff with whom they may well 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 some of their relatives may experience some added inconvenience in travelling to a new location to visit them. For some this may be significant. However, it is possible that for others a move may make it easier for relatives to visit.

So although every care would be taken to minimise the impact it must be recognised that if this home closure goes ahead it is likely to be highly upsetting for some people.

There is a possibility that the physical move to another residential home could be detrimental to a resident particularly if the move were to take place in adverse circumstances such as in the midst of a harsh winter.

There may not be places immediately available in the homes which residents and/or their families would prefer to move – whether County Council homes or those run in the independent sector.

Depending on where an individual resident moves it may also require that new arrangements with GPs and other primary care services are established, therefore impacting in the short term on the continuity of care of some individuals.

Sometimes the fees in other care homes will be higher than those charged at Lower Ridge, and this may impact on the financial resources of individuals or their families.

Question 6 –Combined/Cumulative Effect

Could the effects of this proposal combine with other factors or decisions taken at local or national level to exacerbate the impact on any groups?

No other imminent changes have been identified at this stage which may impact adversely on affected people.

Government is scheduled to publish a Green Paper on the future of Social Care in the autumn 2018. This may have an impact on wider resourcing and models of care and support for older people, but its implementation will be some years away and it is too difficult at this stage to speculate on what it may mean for older people in Burnley.

Question 7 – Identifying Initial Results of Your Analysis

As a result of the analysis has the original proposal been changed/amended, if so please describe.

The proposal was originally formulated with the benefit of experience of earlier closures and local and national guidance together with the Council's professional duty of care. But careful note has also been taken of the results of the consultation process and of the opportunity presented by the development of the County Council's draft Housing with Care Strategy 2018-2025.

This has led to addition of some additional recommendations that could be agreed if the decision is to close Lower Ridge as follows:

The proposal was originally formulated with the benefit of experience of earlier closures and local and national guidance together with the Council's professional duty of care. But careful note has also been taken of the results of the consultation process and of the opportunity presented by the development of the County Council's draft Extra Care strategy.

This has led to addition of four additional recommendations that could be agreed if the decision is made to close Lower Ridge. These are as follows:

To support existing residents

- Ensure the timescale for closure is sensitively managed. Too long a period would create uncertainty and risk operational effectiveness deteriorating, but it is vital that individuals have the time they need to take such important decisions about their future
- Hold vacancies in any Lancashire County Council care homes in East Lancashire until families and/or advocates have had an opportunity to visit and consider their suitability for their own relative currently resident in Lower Ridge
- Endorse the use of reasonable discretion and flexibility by the Head of Service (Community) and onwards to Area Operations

Manager in negotiating fee rates payable in whole or part by the County Council

To address the concerns of consultees and statutory partners regarding the availability of services that meet the longer term needs of the older population of Burnley, it is further proposed that the County Council makes it a priority to develop Extra Care Services for older people in Burnley

Question 8 - Mitigation

Will any steps be taken to mitigate/reduce any potential adverse effects of the proposal?

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 home closures that arise in the independent sector. There are established protocols and a guidance for managing such closures.

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.

- Other local LCC homes would stop any new admissions as soon as management is advised that Lower Ridge is to close. This is in order to minimise the numbers of older people potentially affected if the closure does eventually go ahead. To ensure there is no ambiguity about this, this is included in the report's recommendations to Cabinet
- 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. Again to ensure there is no ambiguity or doubt about this, it is included in the report's recommendations to Cabinet.
- 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 may be 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.

In terms of local alternatives, as of August 2018 there were 24 Care Quality Commission registered care homes in Burnley offering accommodation for older people. As of 12th August 2018 these have a total of 40 residential and 14 dementia vacancies but this number obviously fluctuates on a week by week basis.

In addition the nearest County Council home is 3.7 miles away with a further 5 County Council homes within a 12 mile radius of Lower Ridge.

Question 9 – Balancing the Proposal/Countervailing Factors

This weighs up the reasons for the proposal – e.g. need for budget savings; damaging effects of not taking forward the proposal at this time – against the findings of the analysis.

There is agreement within the county council from both a care and property perspective that this home cannot continue to operate in its present state for much longer without significant investment. It falls short of expected standards of care in terms of layout and the fabric of the building will require significant expenditure imminently to maintain a suitable and safe environment for residents.

In the context of the scale of the financial challenge facing the Council the retention of the home in its present condition and with current levels of occupancy will mean that losses of circa £374,000 per annum (out turn 2017/18) will continue to be incurred. These losses will therefore have to be funded by the Council either from other Older People Services income or by a subsidy arrangement from elsewhere within the Council's budget. However, in any event the need for investment means that capital funding would be needed to allow the homes to continue to operate.

In 2012 four options were considered for investment in Lower Ridge. These were (a) refurbish at existing capacity, (b) increase capacity within the site constraints to potentially lower the average costs per place (c) undertake a new build on site or (d) undertake a new build at another site in Burnley

In 2012 the following capital costs were estimated for these options

Lower Ridge

a. Refurbish (existing places 35) £2.470m

b. Refurbish (increased places to 48) £2.89m

c. New build (places for 48 residents) on existing site £5.12m

d. New build off site (places for 70 residents) £5.37m

All these costs would have risen significantly in the years since these estimates were presented. Current 2018 estimates indicate a more realistic figure for a new build might be over £8m.

The business case for choosing any of the above options is very weak. With regard to options (a) and (b), these would not provide the best long term and cost effective solution but it would be possible to make some improvements and even expand to the current building. However the scale of the structural work required and the time it would take to complete we still believe make it unrealistic, impractical and unsafe for current residents to stay living at Lower Ridge during this work. So if major work was to be undertaken at Lower Ridge as an alternative to a complete rebuild, it would still require the current residents to move to live at another care home or place where their needs can be safely met.

With regard to options (c) and (d) it is estimated that the cost of a new build residential home would be upwards of £8m. Of course both of these options would require residents to move from Lower Ridge

These options and their significant costs needs to be balanced against the practical impact of closure on residents and others who are affected as set out in question 3 and mitigated in question 6.

Essentially, the major impact on people could take the form of

- Significant anxiety for everyone involved in moving those affected from their home and immediate community, including the residents themselves,
- The potential and understandable upset that people may experience during and after any move,
- The concerns of relatives and staff, including potential significant inconvenience to relatives and visitors
- The impact on the loss of jobs for paid staff at Lower Ridge itself.
- Any of these could also impact on the health and well-being of the residents and their families or friends

Question 10 – Final Proposal

In summary, what is the final proposal and which groups may be affected and how?

That, taking account of the consultation and the Equality Analysis, as well as the other factors set out in the report and this document, Cabinet approve the closure of Lower Ridge, Burnley.

In support of this, that Cabinet be recommended to authorise the Director of Adult Services:

- To 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.
- To hold any appropriate vacancies within County Council operated care homes in East Lancashire until current Lower Ridge residents with their families have had an opportunity to decide to which home they would prefer to move
- To delegate responsibility to the Head of Social Care (Community) to exercise oversight, discretion and flexibility in agreeing fee levels for Lower Ridge residents who wish to move into independent sector homes
- To endorse as a priority that the County Council should work intensively and creatively with local government and NHS partners in Burnley to develop Extra Care services

Question 11 – Review and Monitoring Arrangements

What arrangements will be put in place to review and monitor the effects of this proposal?

If the closure is approved a project team will be formed and led by the Head of Older People's Services and appropriate social work managers. This will also ensure that any resident moves occur in a managed, safe and sensitive way with full involvement of the family and friends of the individuals concerned to assist them in making choices of where to move.

Equality Analysis Prepared By Chris Bagshaw

Position/Role Head of Older Peoples Care Service

Equality Analysis Endorsed by Line Manager and/or Service Head

Tony Pounder (Director of Adult Services)

Decision Signed Off By

Cabinet Member or Director

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