

## SLOUGH BOROUGH COUNCIL

<b>REPORT TO:</b>	<b>Cabinet</b>
<b>DATE:</b>	<b>21<sup>st</sup> March 2022</b>
<b>SUBJECT:</b>	<b>Adult Social Care – Closure of directly provided services update</b>
<b>PORTFOLIO:</b>	<b>Cllr Natasa Pantelic, Social Care and Public Health</b>
<b>CONTACT OFFICER:</b>	<b>Marc Gadsby</b>
<b>WARD(S):</b>	<b>All</b>
<b>KEY DECISION:</b>	<b>No</b>
<b>EXEMPT:</b>	<b>No</b>
<b>DECISION SUBJECT TO CALL IN:</b>	<b>No</b>
<b>APPENDICES:</b>	<b>None</b>

### **1. Summary and Recommendations**

- 1.1 On the 20<sup>th</sup> of September 2021 Cabinet moved to close the remaining Adult Social Care directly provided services consisting of Lavender Court, a small care home, Respond, a short breaks unit and Priors, Phoenix and The Pines, all Day Centres. Cabinet requested that an update regarding the progress of closure be brought back for information.

#### **Recommendations:**

Cabinet is requested to note the update report and that the affected services are now closed.

**Reason:** Provider Services closures

#### **Commissioners Review:**

Commissioners have reviewed this report.

### **2. Report**

#### **2.1 Introductory paragraph**

On the 20<sup>th</sup> September 2021, Cabinet agreed the proposal to close the remaining Adult Social Care Provider Services. This included three day services, Lavender Court, a small residential home for people with Learning Disability and Respond, a building based replacement care service.

It was agreed that everyone using the services would have a reassessment of need and that they would be supported to access alternative provisions to meet their needs.

- 2.2 It was noted that this action would save Slough Borough Council in excess of £1m, whilst supporting the Council's strategy to build on individual strengths, promote choice and independence and offer more personalised and flexible support.

### **3. Options considered**

This report is for information only.

### **4. Background**

Following agreement to close Provider Services, a programme based on 3 workstreams was developed:

- Re-assessment of client need and identification of alternative provision
- Staff consultation regarding the proposed closure of internal Provider Services
- Service de-registration and premises hand back

#### **4.1 Re-assessment of client need and identification of alternative provision**

A working group was established to manage the re-assessment and care planning process for all people registered to use Provider Services.

#### **4.2 Lavender Court Residents**

Initial work focused on the seven residents of Lavender Court. Social Work and Functional Occupational Therapy assessments were completed during October and November. These documents informed the process of identifying a number of potential solutions to meet the individual care and support needs.

Placements were discussed carefully within the working group and family members were engaged in the process. New care plans and services were approved at funding panels at the beginning of December and transition planning commenced.

Two residents moved to their new homes on the 7<sup>th</sup> and 9<sup>th</sup> of December 2021, the final person was due to leave Lavender Court on the 16<sup>th</sup> of December.

Unfortunately, on the 13<sup>th</sup> of December 2021 a Covid outbreak occurred in the Lavender Court delaying the move dates for the remaining five residents. All residents were however supported to move safely by the 30<sup>th</sup> of December.

3 of the residents moved to Supported Living placements which provided them with tenancies and greater choice and control. 4 moved into alternative residential provision. All people bar one, continue to live in Slough. The exception is as a result of one person moving out of the area to be closer to family. All providers we worked with have a 'Good' CQC rating.

#### **4.3 Day Care and building based replacement care**

All assessments were allocated by early December. Three people chose not to engage at this time and asked that we revisit them in the New Year owing to change

in family circumstances. All the remaining assessments were finalised by 24<sup>th</sup> December.

43 people have alternative services in place as a result of this work. The remaining people either already had something else in place, no longer wanted traditional day care or no longer require support from Slough Borough Council.

#### 4.4 **Respite**

An interim building-based replacement service has been in place for some time. A Procurement exercise to source a Slough based alternative went live in February 2022. This exercise does not require a separate Cabinet decision.

The Learning Disability Services is engaging with individuals and families to plan short break requirements. Early 2022 dates honoured for existing users.

All service users are subject to 6-week formal review within their new services to ensure their needs continue to be met effectively.

#### 4.5 **Staff Consultation**

The staff consultation commenced on the 12<sup>th</sup> October 2021 and closed on 8<sup>th</sup> December 2021. All staff were offered a one-to-one session with managers and provided with opportunity to meaningfully discuss options and gather any alternative proposals to avoid the proposed redundancies. In addition, staff were sent regular FAQ's to ensure they were kept up-to-date. Vacant SBC jobs were published and available for people to apply for.

The council worked with DWP, Job Centre Plus and the National Careers service to organise a redundancy and benefits meeting for all staff on 11 November 2021. The council reached out to its partnership with Frimley and NHS colleagues where all providers sent through in total 22 external job vacancies across a wide range of providers which included care homes, care providers and NHS organisations. In addition, the council organised two job fairs on 15 and 17 November 2021 for providers to share information about opportunities in their organisations and for staff to discuss external vacancies. Furthermore, we provided a consultation hub facility at the Pines Day centre for staff who did not have access at home to use IT equipment to enquire about vacancies or required support in addition to the DWP support on CV writing and to read or look up information.

A response to the consultation feedback was shared on the 10<sup>th</sup> December 2021 confirming that the responses received during the formal consultation period had not resulted in any significant changes to the implementation of the closures. Redundancy meetings concluded on 13<sup>th</sup> December and the last day of service for all employees who were made redundant was 31 December 2021. 11 staff applied for alternative roles within the Council and 6 were successful in this process, 37 staff were made redundant.

#### 4.6 **Service de-registration and premises hand back**

Notice was given of de-registration of the regulated premises and for the registered manager on 1<sup>st</sup> December 2021.

Conversations regarding the handing over of the buildings to Building Management began 7<sup>th</sup> December. All stakeholders have been informed that ASC no longer require the buildings beyond 31<sup>st</sup> December.

The premises will now be considered as part of the asset disposal process.

#### 4.7 **Lessons Learnt**

In February we shared lessons learned with People Scrutiny, which the Council is looking to consider when reviewing processes for future decisions. Key themes were,

- Early engagement with Legal, H.R and Communications is essential
- Change can lead to better outcomes for service users, however communicating this to service users and families during the process can be challenging
- Challenge and anxiety is inevitable with any large scale change programme
- Time taken to ensure a transparent audit trail is time saved later
- Implementing a difficult decision, in difficult services, has strengthened our team
- Consult early and ensure there are multiple opportunities for interested parties to be engaged meaningfully
- Pre-decision scrutiny provided a good opportunity for public debate and challenge by elected members
- Ensure clear and concise communications with Trade Unions

#### 4.8 **Feedback from Service User Reviews**

6 weeks following commencement of a new service, our Social Work teams undertake a review to ensure individual needs are being met.

- There were a total of 63 people who have accessed different services as a result of the closure of this group of these services
- As at 28<sup>th</sup> February 42 reviews had been completed
- In total 11 people did not require a review. Reasons included provision fully funded by health and no alternative service now required
- 10 reviews to be completed in March 2022 following families requesting delays in service start dates

At review, service users, families and carers were asked how they felt about the new support in place and if needs are being met. Generally, people were happy with the services provided and are settling in well. Some people have asked about the feasibility of increasing the number of days available, others about extending the range of community based activities available and 2 families are interested in focusing more on learning opportunities. Our teams will continue to work with Providers to shape solutions that meet the needs of service users in the way they prefer.

Two families chose to support their loved ones within their own networks rather than explore an alternative building based service.

Permission has been granted for an application to judicially review the decision to close Priors Day Centre and the assessment process. In summary, the concerns include the lack of receipt of a hard copy survey and that relevant information was not taken into account (particularly around consultation), plus the assessment of needs

process. As this is an ongoing legal case, no further information can be provided in a public report.

## 5. Implications of the Recommendation

### 5.1 Financial implications

The timely closure of the in-house provider facilitates, identification of alternatives to in-house provider services and redirecting budget to deliver personalised, strengths-based support packages, reduces the risk associated with the achievement of the target expenditure savings of £1.15m over two financial years. (£300k in 2021/22 and £845k in 22/23)

The Adult Social Care transformation programme will be monitoring and reporting on a monthly basis, the delivery of the savings target.

The target expenditure savings is profiled between the service provisions as detailed below.

Service	Estimated Savings
LD Residential Care & Respite Care	£101k
LD Day Opportunities	£715k
OP Day Opportunities	£337k
<b>Total</b>	<b>£1,153</b>

In order to deliver the savings it was necessary to finalise closure and redundancy activity by the 31<sup>st</sup> December 2021.

This was achieved and savings were delivered within the 21/22 financial year, as agreed.

The total severance pay for the employees made redundant was £204k.

### 5.2 Legal implications

The Council has a statutory duty to meet eligible needs assessed under the Care Act 2014. Where a person has identified eligible care needs in relation to accessing facilities and services in the local area or support with accommodation needs and developing and maintaining personal relationship, the Council will calculate a personal budget that will meet the market rate for provision of that service. The Council can meet the needs by offer of a direct payment where appropriate or services can be commissioned on the service user's behalf where a direct payment is not appropriate. Service users can access services via the use of a personal assistant or by attending a building-based service or services run by voluntary or community groups.

The Council has an important role in market shaping and commissioning. The statutory guidance confirms that high quality, personalised care and support can only be achieved where there is a vibrant, responsive market of service providers. The Care Act places a duty on local authorities to promote the efficient and effective

operation of the market for adult care and support as a whole and the ambition is for local authorities to influence and drive that pace of change for their whole market, leading to a sustainable and diverse range of care and support providers, continuously improving quality and choice, and delivering better, innovative and cost-effective outcomes that promote the wellbeing of people who need care and support.

### 5.3 Risk management implications

A Risk Register was established before closure decision was made. Project team have met twice weekly to review actions and to mitigate risk. The Risk Register was comprehensive and included items such as impact of Covid-19, availability of staff, suitability of vacancies at the time we were looking at the market, impact of further challenge etc.

The individual assessments of need took into consideration risks associated with vulnerability and suitability of alternative resources being considered. Placements and proposals were discussed at funding panel, assessments were reviewed by Practice Leads, and placements will be reviewed 6 weeks following start.

### 5.4 Environmental implications

None

### 5.5 Equality implications

The Council has a duty contained in section 149 of the Equality Act to have due regard to the need to:

- a) eliminate discrimination, harassment, victimisation, and other conduct that is prohibited by or under this Act;
- b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

The broad purpose of this duty is to integrate considerations of equality into day-to-day business and to keep them under review in decision making, the design of policies and the delivery of services.

Equalities Impact Assessments were completed for both staff and people using services. Equality implications were set out in the September 2021 cabinet report. With the move to more personalised services, this workstream has resulted in a positive outcome for people with physical and learning disabilities.

The aims set out in the EQIA were largely achieved. 6 week reviews undertaken to ensure needs are met within new resources and social work teams continue to work with individuals and their families as required.

### 5.6 Procurement implications

Individual placements for residents of Lavender Court were identified following assessment of need and identification of options within the wider market. Social Workers and Occupational Therapists worked with Commissioning colleagues to firm up best options and negotiate rates with providers. The approach was replicated for Day Care options however with a broader list of providers. The Dynamic Purchase

System route was used to commission alternative respite or building based replacement care.

Ongoing conversations with providers has progressed market shaping activity as we continue to plan for the needs of local people going forward. This workstream has identified further significant capacity and opportunity.

#### 5.7 Workforce implications

The outcome of the staff consultation has resulted in some staff being made redundant. There were opportunities for staff to apply for internal vacancies and we were able to retain some valuable experience within the department in Social Work Assistant and Occupational Therapy Assistant roles. The Jobs Fairs arranged specifically for this group supported staff to secure external vacancies.

#### 5.8 Property implications

Planning for the handing back of buildings commenced on the 8<sup>th</sup> of December. Lavender Court, Priors and Phoenix have now been handed back as part of SBC stock. 'Breakaway', a Children's respite service will continue to occupy the 'Respond' building until end of the financial year whilst renovations to their building are finalised. The Pines building will continue to be used by the Reablement service.