



**CABINET – 12 JUNE 2018**

**RECONFIGURATION OF IN-HOUSE LEARNING DISABILITY  
RESIDENTIAL ACCOMMODATION**

**REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES**

**PART A**

**Purpose of the Report**

1. The purpose of this report is to advise the Cabinet of the outcomes of the public and resident consultation exercise on proposals to reconfigure the County Council's in-house learning disability residential accommodation and to recommend changes to provision of these services in Coalville and Hinckley.

**Recommendations**

2. It is recommended that:
  - a) Long-stay residential services at The Trees in Hinckley continue to be provided subject to reconfiguration and refurbishment of the existing buildings;
  - b) Long-stay residential services at Hamilton Court in Coalville be closed and the residents be supported to find appropriate alternative accommodation;
  - c) A new short breaks service be developed on the Hamilton Court/Smith Crescent site to replace the existing short breaks building;
  - d) It be noted that the development of the seven-bed accessible short breaks service on the existing Hamilton Court/Smith Crescent site will be funded from discretionary capital funds, including the Council's Future Developments Fund;
  - e) That it be noted that the use of the Hamilton Court/Smith Crescent site for supported living housing will continue to be explored.

**Reasons for Recommendations**

3. The existing accommodation at The Trees is not considered to be satisfactory for continued provision of long-stay accommodation, but a feasibility study confirms that the property can be reconfigured and refurbished to modern standards. The buildings at Hamilton Court and Smith Crescent (adjacent to each other in Coalville) have also become unsuitable, with particular issues for people with physical and/or sensory disabilities. A feasibility study has confirmed that to reconfigure these buildings is not possible, but given the continued need for short break services and the opportunity for funding, the development of a new service on the site is recommended.

4. The original proposals to reconfigure the services in Hinckley were planned to compensate for a reduction in short break beds in Coalville. The revised proposals to retain long stay accommodation in Hinckley would leave a shortfall in short break beds, hence the proposal for the Hamilton Court/Smith Crescent site.

### **Timetable for Decisions (including Scrutiny)**

5. The Adults and Communities Overview and Scrutiny Committee received a report on 6 March 2018. It will consider this report on 5 June 2018 and its comments will be reported to the Cabinet.

### **Policy Framework and Previous Decisions**

6. On 9 February 2018, the Cabinet agreed to consult on the proposals to close the Hamilton Court and Smith Crescent residential care homes in Coalville and reconfigure two units at The Trees residential care home (Ashwood and Beechwood) in Hinckley from long stay accommodation to a short breaks facility. The Cabinet also agreed to explore further options for the future use of the Hamilton Court and Smith Crescent sites, should they be closed, including providing accommodation for people in need of adult social care services.
7. Over recent years, the adult social care services provided directly by the Council have been subject to review, initially through the 'Review of In-House Services', and more recently the 'Review of Direct Services'. The approach has been to ensure services are financially viable, maximising productivity, and focusing on providing support for eligible people with complex and multiple needs.
8. The Adult Social Care Strategy 2016-2020 and Accommodation Strategy for Working Age Adults 2017-2022 (approved by the Cabinet in September 2015 and March 2017) set out the Department's strategic direction for accommodation-based services for working age adults with a targeted shift away from residential care to alternatives such as supported living.

### **Resources Implications**

9. At its Budget meeting on 21 February 2018, the County Council noted that there were a number of projects which would potentially require funding over the next four years. Examples of projects that would require investment included infrastructure for schools and roads as a result of population growth, further investment in supported living schemes, upgrading the Authority's IT infrastructure etc. The available funds for future developments were estimated at £39m by 2021/22.
10. To support the proposals outlined in this report, £1.4 million funding will be sourced from discretionary capital funds, including from the Council's Future Developments Fund, to enable the development of the seven-bed accessible short breaks service.
11. The continued usage of the Hamilton Court and Smith Crescent site would mean that a capital receipt in the region of £520,000 would not be realised.
12. The reconfiguration and refurbishment of The Trees, Ashwood and Beechwood units, is expected to cost approximately £390,000 and can no longer be funded through the capital receipt from the Hamilton Court and Smith Crescent site.

13. The original proposal contributed £100,000 towards the Council's Medium Term Financial Strategy requirement (savings line AC6). This can no longer be achieved and therefore additional savings will be required elsewhere within the Adults and Communities Department. As part of the refresh of the MTFs consideration will be given to whether the 'Savings under Development' previously identified can be brought forward.
14. The Director of Corporate Resources and the Director of Law and Governance have been consulted on the content of this report.

### **Circulation under the Local Issues Alert Procedure**

15. This report has been circulated to all Members of the County Council via the Members' News in Brief.

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**PART B****Background and Proposals**

16. The Care Act 2014 and the Care and Support Statutory Guidance issued under it sets out local authorities' obligations towards adults with needs for care and support and carers. The implementation of the Act from April 2015 represents a shift from the previous duties on local authorities to provide particular services to the concept of meeting needs. This recognises that everyone's needs are different and personal to them, and that local authorities must consider how to meet each person's specific needs rather than simply considering which service they will require.
17. The buildings and services included in the proposal are owned and operated by the County Council and provide on-site support to eligible people with learning disabilities. Residential homes provide long term care for individuals; short breaks provide overnight stays which can range from one night to two weeks, sometimes longer when required.
18. Due to low utilisation, demand and accessibility challenges, proposals were developed that ensure continued provision of services through re-focussing direct provision on services not readily available from the independent social care market.
19. The provision of current long-stay services at The Trees and Hamilton Court is not in line with the Council's strategic direction of accommodation based services for adults, where there is a targeted shift away from residential care to a broader range of personalised options such as supported living and for this reason the proposal submitted to Cabinet on 9 February 2018 was developed.

The Council considered long-term care could be met by the independent sector, but the existing and future demand for short breaks could not be met by independent providers and would need to continue to be provided by the local authority.

20. Original plans involved the sale of the Coalville site; however, there is significant interest in using the site for supported living development.
21. The proposals set out in this report have been amended from those considered by the Cabinet on 9 February. The original proposals were to:
  - a) Close Hamilton Court in Coalville and The Trees (Ashwood and Beechwood units) in Hinckley and support the 11 long term residents to access suitable alternative accommodation that maintains or improves their outcomes. This included consideration of the need to meet essential and basic social care requirements of these individuals (for example being closer to family or a more suitable service model).
  - b) Close the six-bedded short break service at Smith Crescent in Coalville and support the 25 individuals accessing the service to make use of the short breaks facilities elsewhere in the county;
  - c) Expand short break facilities at The Trees through the closure, reconfiguration and refurbishment of The Trees (Ashwood and Beechwood units).

## **Consultation Process**

22. Public consultation took place from 19 February to 15 April 2018.
23. The consultation comprised of:
  - An online questionnaire open and available to the general public of Leicestershire published on the County Council's website;
  - A dedicated telephone number and email address was set up and was included in all consultation associated material;
  - Targeted workshops for those individuals directly affected by the proposals which were promoted through individual invitation letters.
24. The proposals were the subject of local media coverage during February.
25. Relatives of those individuals affected by the proposals were contacted directly, and paper copies of the consultation documents were distributed. Discussions took place with relatives and staff from the affected services to ascertain how best to involve individuals in the consultation process, considering individual mental capacity and communication needs.
26. Consultation workshop sessions were held with relatives of those individuals using the services at Hamilton Court, Smith Crescent and The Trees (Ashwood and Beechwood), for them to meet and discuss the proposals with officers. Separate sessions were held for staff based at these services.
27. The availability and accessibility of short breaks accommodation has influenced the development of the proposals, so workshop sessions were arranged for people who use the Council's short breaks services based in Melton, Wigston and Hinckley.
28. The consultation was promoted in advance of and during the consultation period to stakeholders and partners including:
  - Healthwatch;
  - Voluntary Action Leicestershire;
  - West Leicestershire Clinical Commissioning Group;
  - East Leicestershire and Rutland Clinical Commissioning Group;
  - Leicester City Council;
  - District Councils across Leicestershire;
  - Adult Social Care contracted providers including residential care supported living and community life choices;
  - Children and Family Services;
  - Adult Social Care Commissioning Teams;
  - Leicestershire Learning Disability Partnership Board.

## **User and Carer Engagement**

29. Six targeted workshops were held specifically for those directly affected, their relatives and staff. Information about the meetings, the consultation and how to provide feedback along with a paper copy of the questionnaire were sent directly to over 200 relatives/carers. Paper copies of the questionnaire, including easy read versions were also available at all of the services. Information was produced and distributed including frequently asked questions, a transition case study and staff

guidance to support individuals affected by the proposals. Information and communication was focussed around providing reassurance and explaining how the changes would be managed effectively by understanding the needs of each individual. A total of 20 relatives and 30 staff attended these sessions.

30. Three workshops were arranged across the county for current users of in-house short breaks (Melton Short Breaks, Carlton Drive and The Trees) indirectly affected by the proposals. These were organised on different days and times of the week to accommodate different circumstances, invitations were sent directly to families who use the services and posters were displayed at all short breaks sites. However, there were no attendees at these workshops.
31. In week two of the consultation, all relatives were offered one to one meetings with the Lead Member for Adult Social Care and Heritage Leisure and Arts and the Director of Adults and Communities. Following this offer, 11 one to one meetings were held (plus one conference call with the Director).
32. Independent advocacy was available to support individuals who were directly affected by the proposals to maximise their involvement in the consultation. Four individuals via their relatives requested advocacy and were supported to express their views and wishes in relation to what is important to them and how the service they receive facilitates this.
33. All feedback in workshops and meetings was recorded and key themes were identified.

### **Consultation Outcome**

34. Appendix A to this report details the consultation responses, a summary of which is given below.
35. A total of 107 completed questionnaires were received and 94 people attended workshops and meetings. The following table shows the number of contacts/responses by respondent:

<b>Participants</b>	<b>Face to face (workshops, meetings etc)</b>	<b>Completed questionnaire</b>
Individuals directly affected by the proposals (users and families)	53	38
Staff at Hamilton Court, Smith Crescent and the Trees	30	15
Social care organisation or care professional	11	9
Public	N/A	37
Other stakeholders	N/A	6
Unspecified	N/A	2
<b>TOTALS</b>	<b>94</b>	<b>107</b>

36. The following responses were received during the consultation:

Method by which response was submitted	Number of responses received
Online Questionnaires	73
Paper Questionnaires	24
Easy Read Paper Questionnaires	10
Formal written responses (electronic or paper) and telephone calls	30
Petitions (number of signatures at close of consultation)	(4,025 and 127)

### **Overview of Responses**

37. The following themes were identified in particular during the consultation:

a) Relatives of residential care residents

- Concerns that there are not suitable, good quality alternatives in the independent sector (particularly for the long stay services);
- Concerns about the process of deciding whether an alternative is right for the individual, the transition process and potential for disagreements between families and professionals;
- Loss of relationships with staff and other residents (this was specific to The Trees);
- Desire to stay in the local area for the majority due to relationships with the community and other services accessed locally and, for some by proximity of family.

b) Users of short breaks at Smith Crescent - There were mixed views held by those accessing short breaks services. Some opposed the changes due to the potential additional travel required and expressed the expectation that short breaks services should always be available locally. Underlying this were concerns about the ability of the individual(s) to cope with the extended travel due to their complexity of need, and the additional cost of transport. Others were more open to the proposal generally because they had previous positive experience of other short break services elsewhere and some wanted to visit other services to determine which one(s) could best meet their needs.

Consistently, families of users valued the service in supporting them to continue in their caring roles and they were concerned about any reduction in availability.

c) Staff Feedback - Staff at Hamilton Court and Smith Crescent expressed support for the closures of these services due to the limitations and challenges of the buildings, recognising that change for the individuals would be difficult but manageable. Staff had been supporting relatives of those in long stay services to explore potential benefits of a move. Staff at The Trees also expressed support for the service reconfiguration on the basis that an increase in suitable short break beds is required and because of the challenges associated with the layout and facilities of the building. However, some staff strongly opposed the proposal on the basis that the existing accommodation related to people's homes and that independent sector provision would be less satisfactory.

- d) Independent Advocacy - Independent advocacy was available to the residents at The Trees (Ashwood and Beechwood) and Hamilton Court to ensure support was provided in addition to that provided by staff and relatives and to maximise participation in the consultation. Meetings took place with the four individuals from The Trees who agreed to receive advocacy support. The format of the discussions recognised the sensitivities associated with the proposals and focussed on things that the individual liked/disliked about where they live, who they live with, the physical environment, their community, current opportunities and previous experience of change.

During these conversations none of the individuals expressed an interest or wish to move, and although some areas of dissatisfaction were shared, it was not conclusive that a move would be preferred. Individuals demonstrated a varied ability to cope with change.

- e) Petitions The following petitions have been received:
- A petition by Hinckley and District Mencap to stop “permanent residents at The Trees, Deveron Way from losing their homes” with 127 signatures;
  - A petition to “Stop Leicestershire County Council evicting seven vulnerable adults” (online) with 4,025 signatures as of 15 April 2018. This petition remains open and the final number of signatures is expected to be reported to the Cabinet.
- f) Adults and Communities Overview and Scrutiny Committee – The Committee received a report on the proposals on 6 March. Members welcomed the commitment given by the Director and Lead Member to undertake a re-assessment of the needs of the current residents at the Trees and Hamilton Court and to have regard to the friendships and relationships built up over the years. The Committee was pleased to note that it was proposed to reinvest some of the resources released by the planned reconfiguration into respite and short breaks. The Committee will consider this Cabinet report at its meeting on 5 June and its comments will be reported to the Cabinet.
- g) Other Communication - Throughout the consultation, regular communication was received by members of the Cabinet, Adults and Communities Overview and Scrutiny Committee, County Councillors, the Council Leader, Director of Adults and Communities and officers of the Council expressing general concerns about the proposals, similar to those put forward elsewhere throughout the consultation period. The table overleaf shows correspondence received during the eight week consultation period, by service.

<b>Service</b>	<b>No. of submissions</b>
The Trees (Ashwood and Beechwood)	21
Hamilton Court	1
Smith Crescent	6
All services	2
<b>Total</b>	<b>30</b>



## Options Considered

38. The following options were considered in light of consultation feedback and rationale for original proposals and requirements.

### Hinckley Properties and Services: The Trees Residential Home (Ashwood and Beechwood units) and Cedarwood Short Breaks

39. Option H1: Continue to provide the services being delivered in the existing buildings (no change) - NOT RECOMMENDED - Ashwood and Beechwood are not ideal environments for the provision of care and support in the medium to long term. The internal layout does not make the best use of the space available and is not conducive to supporting people to maximise their independence or promoting dignity. Particular issues include:
- Shared/inaccessible bathing facilities;
  - Narrow corridors and doorways not suitable for wheelchair users;
  - Some bedroom sizes not suitable for safe use of specialist equipment.
40. This option means that there would be no disruption to existing service provision. However, continuing to operate these services “as is” does not support the Department’s intention to withdraw from direct provision of residential care, and fails to ensure that the building provides suitable facilities to make the service ‘fit for the future’.
41. Option H2: Continue with the original proposals identified in the Cabinet report dated 9 February 2018 – NOT RECOMMENDED - This would mean supporting the seven individuals residing at The Trees (Ashwood and Beechwood) to access suitable alternative accommodation. Alternatives would include long term residential provision that maintains or improves outcomes for individuals, as well as meeting essential and basic social care needs for example, being closer to family or a more suitable service model. Ashwood and Beechwood would be reconfigured to provide eight short break beds, in addition to the existing four on The Trees site at the Cedarwood unit. Reconfiguration and refurbishment costs are likely to amount to £390,000.
42. This option supports the Department’s objective to withdraw from direct delivery of residential care in keeping with the Adult Social Care Strategy 2016-2020 and Accommodation Strategy for Working Age Adults 2017-2022. It also allows the Department to continue to provide accessible short breaks within the existing resources available, which is a provision which is not readily available from the independent sector.
43. This option is strongly opposed by families of those directly affected.
44. Option H3: Reconfiguration and refurbishment of existing buildings and continue to provide current services – RECOMMENDED - This option satisfies that part of the consultation feedback which strongly opposes change to the provision of long term residential care for the seven individuals currently residing at Ashwood and Beechwood. However, this option does not support the original objective of withdrawing from direct provision of residential care, nor does it enable the provision of sufficient short break beds within existing resources.

45. A temporary move for around five to six months would be required for the seven current residents whilst work is carried out. Refurbishment costs are likely to amount to £390,000.
46. This option is recommended subject to agreement of the funding and development of short breaks provision in Coalville referred to in Option C4 below, to ensure sufficiency of county short break beds which are not available from the independent sector.
47. Option H4: Partial reduction of long stay beds – NOT RECOMMENDED - A reduction in the long term bed capacity at the Trees to four beds enabling an increase to provide eight short break beds in total on the site. This option would require at least three of the current seven residents at The Trees to find suitable alternative accommodation and support. A temporary move for around five to six months would be required for the four remaining residents whilst work is carried out.
48. Steps towards the Department's objective of withdrawing from direct provision of residential care can be made with this option, and it partially satisfies consultation feedback. However, the identification of the three individuals at The Trees who would be required to move is likely to be problematic and extremely sensitive. Similar to Option H3, H4 allows the Department to continue to provide accessible short breaks within existing resources, however with four beds less than option H3.
49. Option H4 is likely to be opposed by the families of those directly affected and identifying those people who would be required to move whilst other residents remained would be problematic. During the consultation some families demonstrated an interest in considering options for their relatives which would mean they lived closer to them. Intensive work with families would be required focusing on involvement, building trust to ensure confidence in decision making and future provision of care and support.

#### Coalville Properties and Services: Hamilton Court Residential Home and Smith Crescent Short Breaks

50. Option C1: Continue to provide the services being delivered in the existing buildings (no change) – NOT RECOMMENDED - Hamilton Court and Smith Crescent are unsuitable buildings to continue to operate care and support services from short to medium term. They are not purpose built, accessible or suitable for people with physical and sensory disabilities. Particular issues include:
- Narrow and steep stairs which are difficult to navigate for someone with no physical or visual impairment. Therefore safety for those using the services that may have visual and mobility needs is compromised. This is managed currently by the upstairs rooms not being made available to the majority of those who use the service;
  - Bathroom facilities are small and not accessible to people who need support from another person or those with mobility needs and/or with behaviour that challenges;
  - Communal spaces are not conducive to supporting a range of different people with different needs. This is a particular issue for Smith Crescent which provides services to different people on a daily basis whose compatibility requires a risk assessment to ensure the individuals safety is not compromised by the proximity of others or by the behaviour of others.

51. All of the issues mentioned above negatively affect the usability of these services. There is also a negative impact on efficiency as the service cannot operate cost effectively; it is not possible to meet the range of needs of the people who require use of the services but costs for the provision continues. Suitability and safety issues were referenced by staff and management prior to and throughout the consultation.
52. This option would result in the existing North West Leicestershire site not being available for the development of supported living.
53. Option C2: Proceed with the original proposal identified in the Cabinet report dated 9 February 2018– NOT RECOMMENDED - Support the four individuals residing at Hamilton Court to access suitable alternative accommodation and close Hamilton Court. Alternatives would include provision that maintains or improves outcomes for individuals, as well as meeting essential and basic social care needs, for example, being closer to family or moving to a more suitable service model.
54. Close the six bedded short breaks service at Smith Crescent and support the 25 individuals accessing the service to make use of the short breaks facilities elsewhere in the county.
55. Option C2 is dependent on increasing the number of short breaks beds in Hinckley (either option H2 or H4).
56. Option C3: Reconfiguration and refurbishment of the existing buildings and to continue to provide current services from existing buildings – NOT RECOMMENDED - Reconfiguration of Smith Crescent and Hamilton Court properties in Coalville is not feasible. The layouts of the existing buildings mean that any improvements would be limited and not comparable to outcomes required to ensure effective service delivery. This is mainly due to the properties not being single storey and having smaller footprints than comparable purpose built properties. There is inadequate space for support and equipment to be provided for the same number of people on a single level based on the existing footprint and movement of the staircases would reduce living spaces which is already limited. The reconfiguration would be extremely complex, high in cost, and would result in reduced capacity, all of which would make both services financially unviable.
57. Option C3 would result in the existing North West Leicestershire site not being available for the development of supported living.
58. Option C4: Proceed with the original proposal included in the consultation (Option C3) plus develop a new seven-bed accessible short breaks services on the existing site – RECOMMENDED - Original proposals relied on the expansion of short break beds in Hinckley to meet the continued need for short break services across the county, and mitigate for the reduction of provision at Coalville. The expansion of short breaks at Hinckley is not recommended therefore this option provides an alternative mitigation.
59. This option is dependent on capital funding of approximately £1.4 million. Plans to develop the building will consider the possibility of maintaining the existing short breaks service in Coalville whilst building work is undertaken. If this is not possible current users will be supported to access other services in the county whilst the building is developed.

## **Conclusion**

60. The consultation exercise and the opportunity to obtain capital funding has informed the revised recommendations to continue to directly provide long stay residential care in Hinckley and develop suitable short breaks facilities in Coalville. This will result in a net increase of one short break bed but the positive impact on service provision is likely to be higher as several of the existing beds are unusable because of inadequate access.
61. Whilst it will be necessary for the seven residents at The Trees to move for up to six months whilst the improvement work is carried out, the result will be a facility with suitable access and better bedroom sizes (e.g. to accommodate equipment needed), making best use of the space available. Residents, their families and staff will be involved to ensure that the temporary accommodation and support continues to meet individuals' needs.
62. It has not been possible to recommend an option that involves the continued use of Hamilton Court for long stay accommodation. The four individuals living there will be supported, with their families, by a dedicated social worker to look at options available for the future provision of care and support.
63. The Hamilton Court and Smith Crescent sites are adjacent to each other and provide an opportunity to develop supported living, which would also support the objectives of the Adult Social Care Strategy 2016-2020 and Accommodation Strategy for Working Age Adults 2017-2022 previously approved by the Cabinet. A locational assessment of the site and mapping of other provision shows the site to be suitable for a new supported living scheme due to being in a residential area, the proximity of amenities and public transport which will meet some of the identified need.

## **Background Papers**

Report to the Cabinet – 5 February 2016 - Adult Social Care Strategy 2016-2020

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=4599#AI46650>

Report to the Cabinet – 10 March 2017 - Accommodation Strategy for Working Age Adults 2017-2022

<http://politics.leics.gov.uk/ieListDocuments.aspx?CId=135&MID=4859#AI50923>

Report to the Cabinet – 9 February 2018 – Reconfiguration of in-house learning disability residential accommodation

<http://politics.leics.gov.uk/documents/s135469/Reconfiguration%20of%20Accommodation.pdf>

## **Appendices**

- Appendix A– Changes to In-House Residential and Short Breaks Service Report Consultation Summary
- Appendix B - Equality and Human Rights Impact Assessment

## **Relevant Impact Assessments**

### **Equality and Human Rights Implications**

64. Councils have a statutory duty to have due regard for the need to promote equality as part of the Public Sector Equality Duty and to be compliant with the Human Rights Act 1998. This means that when making any decision about the future of the provision in due course, the Cabinet must have due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations between people who share a protected characteristic and those who do not. Advancing equality includes removing or minimising disadvantages suffered by people due to their protected characteristics, taking steps to meet the needs of people from protected groups where these are different from the needs of other people and encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low.
65. An Equality and Human Rights Impact Assessment (EHRIA) has been completed in relation to the outcome of the consultation and recommendations and is attached as Appendix B to this report. The EHRIA has identified a disproportional impact on people with learning disabilities, but that this does not amount to unlawful discrimination against anyone with a protected characteristic. It concludes that the recommendations should have a positive or neutral impact on the services.
66. The EHRIA has reiterated the need for attention to be paid to the management of change processes to ensure people are supported well through any temporary or permanent moves required.

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