

Health and Social Care Scrutiny Committee 14th November 2011

Report of the Director of Adult, Community and Housing Services

Consultation process in respect of the Modernisation of Adult Social Care and the Home Closure Programme

Purpose of Report

1. To inform the Health and Social Care Scrutiny Committee of the consultation progress in respect of the Adult Social Care Modernisation Programme.
2. To specifically request the Health and Social Care Scrutiny Committee to approve the consultation process in respect of the re-provision of residential care homes alignment as proposed internal residential home closures (Cabinet Report 14th September 2011 paragraph 12).

Background

3. The modernisation of Adult Social Care forms an essential element of the overall restructure of the Directorate of Adult, Community and Housing Services (DACHS). In response to the current changing demographics of Dudley MBC and the need to reduce costs of social care for older and disabled people, the Adult Social Care Division has realigned management, staff and services. This will enable the Division to be fit for purpose in order to meet future demand and public expectations.
4. There has been consultation and engagement regarding the modernisation of the Division, through the Dudley Older People's Board and the Physical Disability and Sensory Impairment Board. Managers and staff have been consulted both in groups and individually. There has been engagement with Trade Unions. Staff reduction has been successfully managed through voluntary redundancy and vacancy management.

Home Closure Programme.

5. In 2007 Dudley announced a proposal to close its long stay residential care homes. The Council's home closure programme is a major component of the modernisation of Adult Social Care in the Borough, including the development and expansion of Extra Care housing, reablement & intermediate care services and ongoing development of care at home support.
6. Since the 2007 decision three Homes have closed. This was well managed as a result of great care, sensitivity and attention, resulting in a successful transition of care for all concerned.

7. Since the home closures all residents who were moved have been reviewed and the outcome monitored.
8. The specific decision to close New Bradley Hall was considered and made at a Cabinet meeting on 14th September 2011, in open session as part of the final stage of the closure programme. No further referral for ratification of the decision by full Council was required as it was not an issue required under the Council's Constitution for determination by full Council.
9. The clear intention is to ensure that the experience gained through the earlier home closures will assist in the work that we need carry out with residents of New Bradley Hall and their relatives, ensuring they receive the same care, sensitivity and attention. Experienced social workers will be working closely with residents and families, focussing on their individual needs, and we will do everything in our power to make sure that residents and relatives are consulted with sensitively and given every assurance that their interests are at the heart of all that we need to do. In light of this we have set a target date for closure of 2013, to make sure that all options can be explored. All work is undertaken in line with the national good practice guidance provided by Association of Directors of Adult Social Care (ADASS).
10. An article in a local newspaper understandably angered a number of residents and their families. Indeed, the timing of the article is regrettable but it was outside of the control of the Council. The decision regarding New Bradley Hall was discussed in open session where members of the press are entitled to be present to observe. This led to a decision by a newspaper to produce the article in their paper. The Council was not permitted without authority to open dialogue with the residents and relatives until the Cabinet had made the decision.
11. The announced closure of New Bradley Hall is taking place alongside the development of new build Extra Care Housing tenancies in Dudley to provide a high quality alternative to residential care for local older people. As a result, the council has invested in Extra Care Housing to give people increased choice for how they want to live in their later years. The Council also works with forty private sector residential care homes, and 17 different Nursing home care providers.
12. We aim to consult with the residents, their families and carers throughout this process and to keep them as informed as much as possible. Residents and their families must feel free to explore the options open to them during this difficult period. Our experience of assisting residents and families with recent closures of Homes clearly shows that where people are given information, advice and the opportunity to fully explore their options this has very often led to a positive experience for them, with reduced concerns and worries, and good outcomes. Advocates are available where requested.
13. Careful discussions will take place, with every effort going into assisting all concerned to look at the options available in order to meet their individual needs. We will continue to ensure that we help residents to move to alternative homes that offer similar or better standards of care than that which is being provided by New Bradley Hall.
14. We will continue to monitor the services that are provided to the residents. All providers of services must comply with national and locally set standards of quality services and care and this authority will ensure through its contracting and

monitoring systems that these standards are met and maintained to the best standards achievable.

15. The modernisation of Adult Social Care Services and associated re-provision of long term residential care supports the Dilnot Commission's recommendations to reform the social care system. "Local Authorities are increasingly focusing on enabling residents to remain independent and active members of the community rather than relying on registered residential or nursing care. Naturally there will be a residual need for residential, nursing and dementia care services". (The Commission on Funding Care and Support, July 2011).
16. ADASS recently commissioned the University of Birmingham's Health Services Management Centre (HSMC) to produce a good practice guide aimed at helping local councils re-assess and resettle older people in care homes when they close. The guide stresses the importance of not making rushed decisions, offering practical advice on managing closures and providing a series of helpful checklists.

Finance

17. The proposed changes in relation to the modernisation of adult social care are included in the Council 2011/2014 three year strategy for the Directorate.

Law

18. The Human Rights Act 1998. Convention Rights
The right to life (Article 2)
The right not to be inhumanly or degradingly treated (Article 3)
Right to respect for private and family life, the home and correspondence (Article 8) (*necessary to explore the impact on the human rights of the person and consider whether any improvement on these rights is legitimate and proportionate*)
Freedom of thought, conscience and religion (Article 9)
No discrimination (Article 14)
19. The National Assistance Act 1948 and the National Health Service and Community Care Act 1990, places a duty upon Local Authorities to assess people for social care and support, and to provide arrangements for these needs to be met. The Chronically Sick and Disabled Persons Act 1970 (Section 2) makes it a duty to provide care services.
20. 'A vision for adult social care: Capable communities and active citizens' (November 2010), sets out how the Government wishes to see services delivered for people, a new direction for adult social care, putting personalised services and outcomes centre stage.
21. The first National Health Service outcomes framework, 'The NHS Outcomes Framework 2011/2012' sets out the outcomes and corresponding indicators that will be used to hold the NHS Commissioning Board to account for the outcomes it delivers through commissioning health services from 2012/13.

Equality Impact

22. The modernisation is subject to a number of Equality Impact Assessments which are peer reviewed through the Corporate Equality and Diversity Group to ensure the requirements of the Equality Bill are met. These ensure social care services are available for all sectors of the community and that people who use our services are free from discrimination.
23. The Equality Impact Assessment in relation to the closure of Shenstone has been completed. An Equality Impact Assessment for the closure of New Bradley Hall forms part of the consultation progress.

Recommendation

24. It is recommended that the Health and Social Care Scrutiny committee:-
 - Note and scrutinise this report
 - Approve the consultation process in relation to care home closure
 - Specifically scrutinise the consultation process in relation to the closure of New Bradley Hall.



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List of Background Papers

Report to Cabinet October 2004

Report to Cabinet November 2005

Report to Cabinet 12th February 2007. Extra Care Housing – Current Phase

Report to Council 5th March 2007. Revenue Budget Strategy and Setting the Council Tax 2007/2008

Cabinet Report 31st October 2007. Continuing Development of Local Authority Residential Home and Day Care Services

Report to Council 7th March 2011. Revenue Budget Strategy and Setting the Council Tax 2011/2012

Cabinet report 14th September 2011. The Modernisation of Adult Social Care

Equality Impact Assessment. Older People Residential Home Closures 2011

'Achieving closure': good practice in supporting older people during residential care closures is a joint publication by the Health Services Management Centre (HSMC), University of Birmingham and the Association of Directors of Adult Social Services (ADASS), published in association with the Social Care Institute for Excellence (SCIE).

<http://www.birmingham.ac.uk/Documents/news/BirminghamBrief/AchievingClosureReport.pdf>

The Commission on Funding Care and Support. www.dilnotcommission.dh.gov.uk