

# Bath & North East Somerset Council

MEETING/ DECISION MAKER:	<b>Children's and Adults Health and Wellbeing Policy Development Scrutiny Panel</b>	
MEETING/ DECISION DATE:	<b>05 February 2024</b>	EXECUTIVE FORWARD PLAN REFERENCE:
TITLE:	<b>The outcome and recommendations following a consultation on the future delivery model for the council's three Community Resource Centres</b>	
WARD:	<b>Keynsham South, Twerton and Radstock</b>	
<b>AN OPEN PUBLIC ITEM</b>		
<b>List of attachments to this report:</b> Appendix 1 Community Resource Centres (CRCs) Consultation Report Appendix 2 Equality Impact Assessment		

## 1 THE ISSUE

1.1 The report will set out the outcomes following a consultation on the future delivery model for the Council's three Community Resource Centres (CRCs) at Cleeve Court, Combe Lea and Charlton House. The online consultation took place between Thursday 9 November 2023 to 5pm on Monday 18 December 2023 and included the following proposals:

- To develop Cleeve Court residential home into a centre of excellence for dementia care including nursing care
- To enhance our offer at Combe Lea residential home to enable younger people with more complex needs to remain closer to home
- To close (de-register) the remaining 10 places at Charlton House Nursing home and then develop the site to provide alternative care provision and/or housing options that would meet the needs of the local community now and into the future
- To offer community groups/charitable organisations use of the day centre spaces at the community resource centres at a reduced rental rate if the organisations offer services that are accessible to the care home residents and the community

## 2 RECOMMENDATION

2.1 Scrutiny Panel is asked to give feedback to Cabinet on the following recommendations:

**Recommendation 1:** To develop Cleeve Court residential home into a centre of excellence for dementia care without nursing.

**Recommendation 2:** To enhance our offer at Combe Lea residential home to enable younger people with more complex needs to remain closer to home.

**Recommendation 3:** To de-register the remaining 10 places in use at Charlton House nursing home and then develop the site to provide a residential school for young people with complex needs.

**Recommendation 4:** To offer community groups/charitable organisations use of the day centre spaces at the community resource centres at a reduced rental rate.

**Recommendation 5:** To commence a full feasibility study in relation to the change of use for Charlton House to a residential school.

## 3 THE REPORT

### 3.1 Overview of Services

3.1.1 The Community Resource Centres (CRCs) were part of the original integrated community services contract held by Virgin Care Services Limited (jointly commissioned by B&NES Council and Bath and North East Somerset Clinical Commissioning Group which commenced in April 2017. In September 2019 Sirona, as a sub-contractor in the prime contract, gave notice on the CRC contract to Virgin Care. B&NES then undertook an options appraisal and Cabinet took the decision to transfer the service back to be run by the Council. The contract value at the point of transfer did not reflect the actual costs of delivering the service.

3.1.2 Since transferring the service back in-house in 2020, B&NES has invested significantly across all areas of CRC services, including increased pay for staff and training and equipment to support care.

3.1.3 The CRC provision includes Charlton House which is registered to provide 30 nursing care beds over 2 separate floors, Combe Lea which provides 30 registered care beds and Cleeve Court which provides 45 registered care beds. Following a CQC inspection in October 2022, which identified a number of concerns, the council took the decision to temporarily close 15 nursing care beds on one floor at Charlton House. Significant improvement progress has been made since this time and the Care Quality Commissioner (CQC) currently rate the service as 'requires improvement'.

3.1.4 However, the budget for the 3 homes remains underfunded and, when using the actual costs of delivery of care, the block budget is only sufficient to provide 1 floor at Charlton House. In addition, the budget does not cover any agency cost

pressures over and above 17% contingency costs. The 2023-24 CRC outturn forecast at Q3 is a balanced budget. If the second floor was opened there would be a budget pressure of circa £1 million.

3.1.5 It is worth noting that there is ample alternative provision of general nursing care home services for adults in B&NES but there are shortfalls in complex needs services and services for younger age groups. There are currently 25 available nursing care home vacancies and 30 residential care home vacancies in the B&NES area for over 65s. There are 3 nursing homes in the Keynsham area with available beds.

3.1.6 Links to the Care Quality Commissioner (CQC) inspection reports for each of the CRC's are provided below:

Charlton House - <https://www.cqc.org.uk/location/1-9633487397>

Combe Lea - <https://www.cqc.org.uk/location/1-9633487460>

Cleeve Court - <https://www.cqc.org.uk/location/1-9633487324>

## **3.2 Consultation Proposals**

3.2.1 The online consultation took place between Thursday 9 November 2023 to 5pm on Monday 18 December 2023 and included the following proposals:

- To develop Cleeve Court residential home into a centre of excellence for dementia care including nursing care.
- To enhance our offer at Combe Lea residential home to enable younger people with more complex needs to remain closer to home.
- To close (de-register) the remaining 10 places at Charlton House Nursing home and then develop the site to provide alternative care provision and/or housing options that would meet the needs of the local community now and into the future.
- To offer community groups/charitable organisations use of the day centre spaces at the community resource centres at a reduced rental rate if the organisations offer services that are accessible to the care home residents and the community.

## **3.3 Outcomes of Consultation**

3.3.1 A full report on the outcomes of the consultation is attached at appendix 1. The council received 45 submissions on the CRC proposals. Over half (53%) of responses were positive towards council proposals for CRCs, nearly a third (31%) disagreed and 16% were unsure. Pages 2-3 Appendix 1.

3.3.2 When considering those who supported the proposals, there was acknowledgement that the council needed to respond to the changing social care landscape, particularly around provision of specialist dementia nursing care. The importance of a stable workforce and its impact on morale, service provision and budget were also recognised.

3.3.3 The comments where respondents answered 'don't know' centred on staffing levels, the amount of information provided and requests for further information.

3.3.4 Negative responses focused on the impact on staff, residents, and family members if Charlton House were to be de-registered. It was felt families would be forced to travel further for visits and there would be a long term under provision if Keynsham was to lose a care home. Any potential future use for Charlton House was felt to be unclear.

### **3.4 Recommendations**

3.4.1 As part of the approach to service development at CRCs, our aim has been to improve services for the most vulnerable and ensure we are focusing on areas of highest and most complex need.

**3.4.2 Recommendation 1:** To develop Cleeve Court residential home into a centre of excellence for dementia care without nursing:

- The proposal to develop Cleeve Court residential home into a centre of excellence for dementia care including nursing generated several positive comments. The delivery of nursing services however has been a considerable challenge given that it is unusual for a local authority to provide nursing care and nursing care can only be provided through a section 75 agreement with the ICB and RUH
- The respondents who did not agree with the Cleeve Court proposals felt that it would place additional pressure on staff who struggle to deliver existing services and would require further training
- The challenge associated with the recruitment of nurses was also highlighted, the council has struggled to attract qualified nurses despite market supplements and pay grades that are comparable to the NHS. Additionally, the council does not have the clinical infrastructure required to deliver nursing services within the budgets available
- Therefore, the recommendation is to continue to develop the service to support people with complex dementia who can be supported in a residential setting, including those with early onset dementia and to not seek nursing registration from CQC. As a specialist dementia home, Cleeve Court will be able to accommodate more complex dementia needs than a non-specialist facility which will reduce the need for transfers to nursing care

**3.4.3 Recommendation 2:** To enhance our offer at Combe Lea residential home to enable younger people with more complex needs to remain closer to home:

- When considering the supportive responses to the Combe Lea proposals, respondents welcomed the principle of enabling younger people with more complex needs to remain closer to home
- Concerns were expressed through the consultation, regarding younger and older people living together. However, there is significant research that demonstrates Intergenerational activities can provide a range of benefits for both older adults in care homes and younger generations. By bringing together

different age groups, this can combat loneliness, improve physical and cognitive health, and increase empathy and understanding

<https://www.carehome.co.uk/news/article.cfm/id/1694110/the-3-benefits-of-intergenerational-activities-for-care-home-residents>

- Therefore, the recommendation is to develop Combe Lea into a home that can offer placements to both older and younger adults, with care given to the mix of residents at any one time

**3.4.4 Recommendation 3:** To de-register the remaining 10 places at Charlton House Nursing home and then develop the site to provide a residential school for young people with complex needs. To work closely with residents and their families during the process of moving to ensure a smooth and safe transition:

- When considering the respondents who were positive towards the Charlton House proposals, they noted that delivering services from the home had been challenging. In November 2022 the service received a rating of inadequate from CQC this has now been revised to requires improvement, following significant changes to the operational running of the home, including the closure of 15 beds (1 floor) in December 2022
- The cost of delivering nursing care is significantly higher for the Council compared to the independent market, due to on-costs such as pensions and corporate overheads. There is sufficient capacity in the residential and nursing home market coupled with the commissioning plans for further nursing care
- Those respondents who did not support the proposals voiced concern about the impacts of relocating residents, losing the Keynsham based facility and staff having to move to work from the remaining CRCs. The lack of clarity around the future use of Charlton house was also raised

### **3.5 Vision for New Residential Special School**

3.5.1 Through the Government led Safety Valve Project, B&NES was offered the opportunity to bid for additional capital funding. The bid is based on catering for the highest need children and young people (CYP) that are currently placed residentially out of the area and funded through the Joint Agency Panel (JAP). It was successful in securing £4m towards the project with an additional £1m being allocated through the High Needs Grant allocation. The bid was for a 16-place school (age range 11-16) with attached children's home catering for 8 places in two 4 bed units.

3.5.2 In-line with the SEND Education Strategy & Action Plan for Transformation and Sufficiency 2021-2024, B&NES is committed to increasing the number of places for children and young people with an Education, Health and Care Plan within the local area.

3.5.3 Following a review of the joint agency pool (JAP) funding arrangements in B&NES, one of the recommendations was for B&NES to have SEND residential provision within area. "There is currently no residential provision in the area that caters for the needs of the most complex and therefore most expensive placements made through the JAP panel".

3.5.4 As a unitary authority with a high number of EHCPs we need to ensure that the needs of the CYP can be met locally. Achieving this will ensure that the needs of this vulnerable young people can be met within their local area, supporting close family ties and giving these young people access to the local community, local friendships and local employment and training. We will be more efficient with the use of resources offering more local provision, freeing up places in our over-subscribed special schools and preventing out of county placements.

3.5.5 As part of the Safety Valve bid for additional capital funding, with no site or location identified, a high-level Feasibility Study (FS) has been completed by Council Officers, Project Managers, Quantity Surveyor and Professional Architects. The estimated full project cost to build a new small special school and residential unit has been calculated at £9.6m. This cost estimate did not include any specific site costs, to purchase a site would be an additional cost.

3.5.6 To ascertain the cost of adaptations to an identified building within the existing B&NES portfolio a full feasibility study will need to be carried out on the identified building. If Charlton House were available, the building does lend itself to a small SEND residential school in size and location and is already set up with a residential element. Expected costs of adaptations would fall well within the secured £5m budget and would be a cost neutral project for the council.

3.5.7 Education would work closely with ASC to utilise the kitchen within the building. This is currently used to cook the meals needed for various care homes. This could continue, with the addition of providing the meals for the residential school, together with some vocational opportunities for the young people attending the school.

3.5.8 The highest costs currently to B&NES are places for the most complex young people being placed in residential special out of county provision. The average educational cost per pupil for 2023 was £78,575 and for the care side the average cost per pupil for 2023 was £193,791. The highest cost placement being a total of £712,520. The cost per placement at the new provision would need to be agreed between the provider running the provision and the Local Authority. The educational element would be between £20k and £40k per pupil with the care side at approximately £170k per pupil for a 38-week placement. This would result in an overall saving in the region of £72k per pupil per year.

3.5.9 A change of use for Charlton House to a small residential school, catering for young people from the start of secondary school – NCY 7 (age 11) would be a positive use for this building. Due to the size of Charlton House, it is also proposed that the offer of day and residential placements would be increased. It is imperative that B&NES makes savings in relation to the Safety Valve Project in line with the proposals made. Savings would also be achieved in relation to the children's social care budget and the transport budgets. As a new build for this provision would cost in the region of £10m, repurposing of this existing building will ensure that a new residential provision is feasible within the allocated funding and within a shorter timescale.

3.5.10 The next steps to be agreed would be for a full feasibility to go ahead to ascertain exactly the adaptations required and the full costs. This could then be provided for a SMD on the potential for this project to go forward.

**3.6 Recommendation 4:** To offer community groups/charitable organisations use of the day centre spaces at the community resource centres at a reduced rental rate

- Over two thirds of respondents supported this proposal. This was illustrated within the written responses which identified how the proposal addressed local need, provided opportunity for intergenerational groups and offered benefits to residents
- This reinstates the original purpose of the CRCs as pre covid all the community space was used by a wide of voluntary and community groups

#### **4 STATUTORY CONSIDERATIONS**

4.1 There is a clear expectation in public law that a council will carry out a public consultation whenever it is considering making any significant changes to service provision. This is especially important where it is proposed that a service is withdrawn or reduced.

4.2 The proposed changes to CRC's within this report and in particular the de-registration of Charlton House referred to was the subject of consultation during the period 9 November 2023 to 18 December 2023. Care was taken to ensure that the consultation material was presented in an accessible format that could be understood by potential consultees. In addition, officers from Adult Social Care offered a consultation engagement event with residents and families.

4.3 In order that Cabinet Members take the outcome of the consultation process into account when reaching their decisions, they should read Appendix 1 where there is a detailed summary. In considering the recommendations in this report Members must give due regard to the outcome of the consultation and conscientiously take it into account when making their decision.

4.4 The public sector equality duty also applies to the decision that Members are being asked to make. Section 149 Equality Act 2010 requires them to have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it and
- Foster good relations between persons who share a protected relevant characteristic and persons who do not share it

4.5 An Equality Impact Assessment (EIA) has been completed and can be found in Appendix 2. Members must read the EIA and take its findings into account when reaching their decision. Members should note that negative impacts have been identified and they will need to take account of these and the mitigating actions that have been highlighted.

4.6 Article 8 Human Rights Act protects an individual's right to respect for private and family life. The implementation of the recommendations in this report will impact residents Article 8 rights. However, this right may be lawfully impacted having regard to the fair balance that has to be struck between the interests of individuals and the community as a whole.

4.7 The Mental Capacity Act governs consideration of Best Interest Decision making for those residents deemed as lacking capacity with no person with legal authority to

act in relation to health and welfare. The EIA confirms that Independent Mental Capacity Advocates duty will be appointed in the event any resident lacks capacity.

4.8 If Members accept the recommendations in this report and in particular the decision to de-register Charlton House, Members must be satisfied that a better use of public resources can be achieved.

4.9 Should recommendation 3 be upheld this would be undertaken in line with the CQC process to de-register Charlton House.

## 5 RESOURCE IMPLICATIONS (FINANCE, PROPERTY, PEOPLE)

5.1 In October 2022 a decision was taken to close the 2nd floor of Charlton House reducing the bed base to 15, as referenced in section 3.1.3 of the report. There are currently 10 people living at Charlton House all requiring nursing care. Following the closure of the second floor of Charlton House, the staffing was decreased and a focused recruitment drive enabled the service to reduce its reliance on agency staff. The budget available for the 3 CRCs is £5,031,349 gross. This budget was overspent in 2021/22 and 2022/23, this was largely due to increased overheads, staffing costs and agency spend.

CRC BUDGETS NET EXP	2020/21	2021/22	2022/23	Q3 2023/24
Profiled Budget CRCs	£922,500	£3,529,867	£4,706,431	£5,031,349
CRCs Outturn against budget	£637,392	£3,839,007	£5,769,873	£5,031,349
<b>Overspend*</b>	<b>(£285,108)</b>	<b>£309,140</b>	<b>£1,063,442</b>	<b>£ 0</b>

5.2 If all the recommendations were to be approved, there is estimated to be a total saving to the council of £300k in 2024/25, in line with the published budget saving proposals. This estimate assumes that if Charlton House is no longer used for nursing care, all current residents have (following an individual assessment of need) been accommodated in alternative nursing care at market rates.

## 6 RISK MANAGEMENT

6.1 A risk register related to the issue and recommendations has been developed in compliance with the Council's decision making and risk management guidance and monitored as part of the Adult Social Care Risk Register process.

6.2 A risk assessment for each individual, if they are impact by the outcome of the consultation, will be undertaken in line with the Care Act duties and best interest decision making process. There are no changes to the existing risk assessments for each of the services as a result of the recommendations.

## 7 EQUALITIES

7.1 The equalities profile of service users is:

- 66 people currently living at the CRC's (10 Charlton House, 27 Cleeve Court and 29 Combe Lea)



- 62 of the individuals are over the age of 65
- 66 of the individuals identify as White British
- 66 of the individuals have some level of physical disability
- Of the 10 people living at Charlton House 5 are originally from Keynsham, 3 from Radstock and 2 from Bath

7.2 An Equality Impact Assessment (Appendix 2) has been completed following the outcome of the consultation and subsequent recommendations.

- Overall, there are more females than males accessing support. We will ensure that we monitor the project through the equality impact assessment and record and consider sex in the allocation of people to the schemes.
- Primary need or disability is collected on the adult social care case management system. As would be expected, the reason for support recorded for the cohort is physical disability, dementia or nursing needs.

7.3 The report in Appendix 1 details the equalities breakdown of the 45 consultation submissions on pages 11-14.

## **8 CLIMATE CHANGE**

8.1 The Charlton House, Cleeve Court and Coombe Lea buildings will continue to be owned by the council and have been retrofitted in line with the council's green agenda which helps reduce their running costs and reduces the council's carbon emissions.

## **9 OTHER OPTIONS CONSIDERED**

9.1 The initial consultation for Cleeve Court was to develop the home into nursing dementia care however respondents who did not agree with the Cleeve Court proposals felt that it would place additional pressure on staff who struggle to deliver existing services and would require further training.

9.2 The challenge associated with the recruitment of nurses was also highlighted. The council has struggled to attract qualified nurses despite market supplements and pay grades that are comparable to the NHS. Additionally, the council does not have the clinical infrastructure required to deliver nursing services within the budgets available.

9.3 Therefore, the recommendation is to continue to develop the service to support people with complex dementia who can be supported in a residential setting, including those with early onset dementia and to not seek nursing registration from Care Quality Commission (CQC).

## **10 CONSULTATION**

10.1 The CRC Consultation started on 9<sup>th</sup> November 2023 and closed 5pm on 18<sup>th</sup> December 2023 and the council received 45 submissions. The consultation was promoted through a number of channels:

- Posted on B&NES newsroom.
- Sent to the local and regional media (picked up by Bath Echo, The Week In and Keynsham Voice)
- Sent to all B&NES Councillors
- Sent to all B&NES town and parish councils.
- Sent to both MP's.
- Published in the weekly e-connect newsletter (about 6,500 subscribers)
- Is being regularly shared on B&NES corporate social media accounts with links signposting to the consultation page (
- Posted on Next-door
- Included in Interagency Bulletin

10.2 A range of consultation engagement activity has been undertaken by officers in the Adult Social Care Team.

<b>Date</b>	<b>Engagement Activity</b>
14.09.23	Staff briefing to inform of intention to consult
10.10.23	Relatives of Charlton House received an individual letter on proposals to consult
07.11.23	Letter to service user families for an invitation to attend consultation engagement session on 23 <sup>rd</sup> November 2023 at Charlton House
09.11.23	Consultation start date and mailbox opened (questions and responses managed by Assistant Director Operations)
23.11.23	Community drop in event and service user families invited to attend
18.12.23	Consultation end date

10.3 A community drop in event was held on 23<sup>rd</sup> November 2023 and 5 families attended the engagement event. Council officers and the Lead Member were able to speak directly to attendees and receive their feedback on the proposals within the consultation. Paper copies of the proposals for consultation were made available at the community drop in event for those that preferred this route over feedback online.

10.4 Engagement sessions have been held with staff at each of the 3 CRCs prior to the consultation questionnaire going live. All staff were given the link to the consultation and hard copies of the consultation provided at each of the CRCs.

10.5 Communication with residents, relatives and staff regarding the recommendations following the consultation and prior to publication of reports to scrutiny and to cabinet are planned for the week beginning the 22 January 2024.

10.6 This report has been approved by the Lead Member, Director Adult Social Services, Monitoring Officer and S151 Officer.

<b>Contact person</b>	<b>Ann Smith – Assistant Director, Operations</b>
<b>Background papers</b>	<ul style="list-style-type: none"> <li>• Lead Member Update to Children’s and Adults Health and Wellbeing Policy Development and Scrutiny Panel on 9<sup>th</sup> October 2023</li> <li>• <b>E3488</b> – Single Member Decision Community Resource Centres: Proposals for Consultation 22<sup>nd</sup> October 2023</li> <li>• 11<sup>th</sup> December 2023 report to Children’s and Adults Health and Wellbeing Policy Development and Scrutiny Panel - Community Resource Centres: Proposal for Consultation</li> </ul>
<p><b>Please contact the report author if you need to access this report in an alternative format</b></p>	