

**SURREY COUNTY COUNCIL****CABINET****DATE: 22 JULY 2014****REPORT OF: MR MEL FEW, CABINET MEMBER FOR ADULT SOCIAL CARE****LEAD OFFICER: DAVID SARGEANT, INTERIM STRATEGIC DIRECTOR - ADULT SOCIAL CARE****SUBJECT: BADGERS WOOD SURREY COUNTY COUNCIL RESIDENTIAL CARE HOME****SUMMARY OF ISSUE:**

Badgers Wood is a Surrey County Council in-house residential care home for people with learning disabilities (PLD).

Factors outlined in this report signal that the future of the home needs to be explored in partnership with key stakeholders. Issues around the physical structure of the property, high vacancy rate and changes in service users' expectations of what services look like and deliver need to be addressed.

The report recommends that a consultation on the future of the home is undertaken, with the preferred option clearly indicated. The preferred option is that the home be closed and new services are sourced for the individuals supported by the home.

**RECOMMENDATIONS:**

It is recommended that Cabinet agrees that the Council will consult on the proposal to close Badgers Wood Home and that following the consultation a further report will be presented to Cabinet for a decision on the future of the home.

**REASON FOR RECOMMENDATIONS:**

- The existing service does not fully provide the opportunity for residents to maximise their independence and live in a supported living environment. It is recognised the building is too large to provide a sufficiently individualised service.
- The current service does not accord with the strategic direction of Surrey Adult Social Care, in terms of a shift from residential care to a broader range of personalised accommodation options such as supported living.
- The vulnerability of people living in the home due to age and infirmity has increased and their needs will be difficult to meet appropriately within the present service
- The service in its current form has experienced a lack of demand in at least the last 5 years.
- Reviews of the 10 residents care and support needs have found that at least

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2 residents will move-on from the service as part of Adult Social Care annual review and reassessment processes.

- A high and increasing vacancy level compromises the financial viability of the existing service. Given the concerns about the building and the lack of fit with current commissioning priorities, there is no expectation that new referrals will be made and so demand is projected to continue to decline over time.
- Significant financial investment in the building is required and it presents a number of challenges to adaptation and refurbishment. New Learning Disability schemes are generally developed on the basis of accommodation for 4 to 8 people.
- Young adult (18+) and their parents / carers would not choose a service that comprises 17 bedrooms and does not provide an environment for personalised services.

## **DETAILS:**

### **Background**

1. The national vision for adult social care is for services to be delivered in a way that is:
  - a) personalised
  - b) focused on choice and control for individual service users
  - c) is reflective of new and differing expectations and needs
2. Adult Social Care continues to support people to live independent and fulfilling lives by developing and transforming the Council's Adult Social Care services to deliver care and support which reflects local need, supports personalisation as well as delivering efficiency savings, in line with Surrey County Council's Medium Term Financial Plan (MTFP 2014-19)
3. The 2012 Learning Disability Public Value Review (LD PVR) proposed a number of strategic objectives to deliver the shift in trend and investment namely:
  - A shift from contracted residential care to a broader range of personalised accommodation options across Surrey
  - Better understanding of the current and future accommodation needs of people with learning disabilities in and out of Surrey.
4. A clear commissioning intent emerged to progress the re-registration of residential care homes from residential to supported living.
5. SCC's current PLD Commissioning Strategy intention is for:
  - All individuals with a learning disability in Surrey who are eligible for support have self-supported assessment;
  - All individuals are entitled to have personalised, high-quality person centred support plans;

- More people to live in their own homes;
- More people to live in individualised accommodation;
- More people to access employment, education and social supports;
- More people able to live in their locality.

### **Badgers Wood Residential Care Home**

6. Surrey County Council has owned and managed Badgers Wood in Ottershaw, a residential care home for people with learning disabilities, for almost 40 years.
7. This home is registered for 17 people but currently has 10 individuals living there. The home has run below capacity for at least 5 years.
8. The home also provides a short-break service. There are 11 individuals that occasionally book to stay for a weekend or a week. It should be noted that the Learning Disability PVR required separation of residential care (people's homes) and short breaks, in keeping with Care Quality Commission guidance.
9. There are nine permanent members of staff (including the Home Manager) and ten bank staff.
10. The property itself is no longer considered to be an attractive or appropriate physical environment. Notable expenditure would be required in the short term to address ageing building infrastructure.
11. In its current form the building is not a service that would of interest to individuals and their parents / carers looking for a service, and in particular young adults (18+) as modern services are generally developed on the basis of accommodation for 4 to 8 people, in response to what individuals and parents carers prefer. Consequently, to become a modern service that may attract interest from young adults and their parents / carers, the current building would in all likelihood need to be demolished and rebuilt.
12. While Badgers Wood is able to operate a good quality service for current residents, there has only been one new referral to the home in the last 18 months. Given the challenges with the building and the availability of alternative services which better fit current commissioning intentions, there is no expectation that there will be any new referrals into this service.
13. The PLD Commissioning team continue to work with the external provider market to develop more modern local accommodation for people with learning disabilities requiring care and support. At the time of writing it appears that there is sufficient capacity in the market to accommodate individuals as part of a re-provision programme.
14. In order to determine future services as part of any re-provision programme, current and future support needs would be determined through the social care assessment process. All of the permanent residents at Badgers Wood have recently been reviewed (as part of their annual review process) and as a result:
  - One individual has decided to move to a shared lives service to provide greater independence – this is being progressed currently.

- One individual has declared an interest in moving closer to their family – this will be examined in detail by the social care practitioner
15. Both individuals are being managed as part of Adult Social Care annual review and reassessment processes and not subject to any re-provision programme. This highlights that the occupancy levels are likely to reduce from 10 to 8 in the near future.

**Option considered**

16. Since summer 2010, the Adult Social Care management team have been aware of the limitations and maintenance problems with the property.
17. The option to take no action was considered and discounted because:
- The physical layout of the building will need significant changes to ensure adequate future provision
  - Badgers Wood cannot meet the needs of people with multiple disabilities.
  - The service will incur significant property related costs, see a reduction in occupancy levels and become financially non viable.
  - The service does not conform with the commissioning shift from residential care to a broader range of smaller personalised accommodation options, which are being developed in response to individual and parent / carer preferences.
18. Consequently, the proposal is that the service close

OPTION	Summary Impact	Comment
<p><b>Close Badgers Wood and find alternative services for people</b></p>	<p>Full reassessments will identify 'appropriate' future services for residents based on a range of considerations including – support needs, local links, friendships and community activities.</p> <p>Staff would be concerned about their future.</p>	<p>Provides the opportunity to proactively manage a closure programme.</p> <p>Provides new opportunities for residents.</p> <p>New services would be vetted and approved by experienced social care practitioners</p> <p>Staff would be subject to the Council's redeployment policy and process, with the aim of avoiding redundancy and offer alternative employment.</p>

## Key implications

19. The welfare of the residents is of paramount consideration:
- That new services would be tailored to the needs of individuals, their families / carers.
  - Residents, staff and family members and carers should be involved in a consultation; proposed to last for a 6 week period.
20. The consultation would include a full programme of engagement with stakeholders through which reasons for the recommendation would be explained and views sought on the best way forward for residents and the Badgers Wood community as a whole. To facilitate timely progress, work has already been undertaken to develop joint plans with the Council's Adult Social Care, Property and HR Teams.

### **CONSULTATION:**

21. A full list of those consulted regarding the recommendation within this report is set out at the end of this report.
22. Given that this report will be publically available via the Council's website prior to the meeting, it is essential that residents, families / carers, trade unions, staff and other stakeholders are informed that a report is going to Cabinet to approve the consultation on the closure of the home.

### **RISK MANAGEMENT AND IMPLICATIONS:**

23. People with learning disabilities can sometimes find it hard to adapt to change and continuity of care is important. In particular, arrangements would be put in place to provide:
- additional staffing resources to be deployed if required during the transitional period to offer additional support to the residents and staff at Badgers Wood.
  - advocacy resources to support individual residents will be actively engaged if residents chose to have advocacy services or where families / carers cannot provide support.
  - following a decision to close the home, it would be expected that all staff will be offered re-deployment opportunities.

Category	Risk Description	Mitigation Activity
Service	Consultation with residents and their families / carers could be emotive as the residents have lived in the home for several years	A fair and transparent communications plan is being developed which will include the opportunity to meet with residents and their families / carers as a group and for individual sessions.
	Consultation with the staff will be	Work has already started to identify potential vacant roles for

	unsettling.	staff who wish to remain with the County Council to move to.
Reputational	The consultation on this service may attract local interest from a wide variety of interested parties, including the media. The interest could be adverse	The Communication Plan will include briefings in preparation for enquiries from any party –  County Councillors  Local Borough Councillors (Ward Members)  Parish Councillors  Member of Parliament  Local Borough Leader and Chief Executive
Financial	The service continues to operate at a high cost	Ongoing financial monitoring fed into future options

24. A log of enquiries will be maintained and feed into the consultation process.

#### **Financial and Value for Money Implications**

25. Any investment in the existing building does not address the fact that the property is not what individuals and parents / carers prefer, which are smaller personalised services and not large residential care homes.

#### **Section 151 Officer Commentary**

26. Current indications are that service users can be provided with appropriate alternative services within current revenue costs. Therefore, although the potential options are driven by quality considerations, they do also represent good value for money.

#### **Legal Implications – Monitoring Officer**

27. There is a clear expectation in public law that the Council should carry out a consultation process whenever it is considering making significant changes to service provision, particularly including the closure of any of its resources. Such consultation will need to particularly include residents of the homes and their relatives as well as staff, other interested groups and stakeholders. It will be important that the material presented to consultees provides sufficient information to allow for intelligent consideration and response in relation to the proposals. This information will need to be presented in a way that consultees will understand. The responses to the consultation will need to be conscientiously taken into account when the Cabinet makes any future decision in relation to the home.
28. The public sector equality duty (Section 149 of the Equality Act 2010) applies to the decision to be made by Cabinet in this report. There is a need in

agreeing the recommendation to have due regard to the need to advance equality of opportunity for people with protected characteristics, foster good relations between such groups, and eliminate any unlawful discrimination. These matters are dealt with in the equalities paragraphs of the report.”

**Equalities and Diversity**

29. In accordance with the public sector equality duty the Cabinet will need to take account of the particular needs of those with protected characteristics in proceeding with any consultation. There will particularly be a need to consider age (both the elderly and young people) and disability, and the protected characteristics of residents and their families. The communication plan attached shows how the service is intending to engage with relevant individuals and groups and makes specific reference to consideration of these protected characteristics. An EIA is being created specifically covering the Badgers Wood residential care home. It will be periodically updated as the impact of the consultation becomes clear and presented to the Cabinet when it considers the outcome of the consultation.

**Safeguarding responsibilities for vulnerable children and adults implications**

30. The individuals using in the service are supported by Adult Social Care professional staff. Any safeguarding concerns would be managed through the established Surrey multi-agency safeguarding process.

**WHAT HAPPENS NEXT:**

31. Subject to Cabinet approval of the recommendations outlined within this report, the following timetable for implementation will apply:

Action	Date
Cabinet endorsement of recommendations	22 July 2014
Cabinet call in period	5 working days after publication of the decision
Recommendation	6 weeks of consultation

**Contact Officer:**

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**Consulted:**

*Internal*

**Adult Social Care:**

David Sargeant - Interim Strategic Director, Adult Social Care  
 Anne Butler – Assistant Director, Adult Social Care  
 Jo Poynter – Senior Manager PLD Commissioning  
 Chris Esson – Assistant Senior Manager PLD Commissioning  
 Debbie Aitken – Commissioning Manager  
 Siobhan Abernethy – Communications Manager  
 Caroline Williams – Communications Officer

Steven Ward – Acting Senior Manager North West Surrey  
Gail Petty – Project Manager  
Adele Lawrence – Senior Operational Lead  
Sally Reardon – Home Manager  
Paul Carey-Kent – Strategic Finance Manager (Section 151 Officer)  
Omar Mehtar – HR Relationship Manager  
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Chief Executive's Office

Debbie Chantler– Senior Lawyer, Legal and Democratic Services  
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