

**SURREY COUNTY COUNCIL****CABINET****DATE: 22 FEBRUARY 2022****REPORT OF CABINET MEMBER: SINEAD MOONEY, CABINET MEMBER FOR ADULTS AND HEALTH****LEAD OFFICER: SIMON WHITE, EXECUTIVE DIRECTOR ADULT SOCIAL CARE AND INTEGRATED COMMISSIONING****SUBJECT: FUTURE OF THE EIGHT RESIDENTIAL CARE HOMES FOR OLDER PEOPLE RUN BY SURREY COUNTY COUNCIL****ORGANISATION STRATEGY PRIORITY AREA: EMPOWERING COMMUNITIES****Purpose of the Report:**

This report provides information regarding each of the eight residential care homes for older people, the council's commissioning strategy for older people and feedback received following a 13-week public consultation titled 'The Future of the Eight Residential Care Homes for Older People Run by Surrey County Council', that ended on 5 January 2022.

The eight care homes are:

Care Home	Location	Care Quality Commission Rating	No. of Bedrooms	No. of Residents Supported (31/01/22)
Abbeywood	Ash Vale	Good	51	27
Barnfield	Horley	Good*	63	26
Birchlands	Englefield Green	Good	52	17
Chalkmead	Merstham	Good	50	22
Heathside	Woking	Good*	51	16
Keswick	Bookham	Good*	52	17
Meadowside	Staines-upon-Thames	Good	51	10
Orchard Court	Lingfield	Good	63	12

\* Care homes not yet inspected by The Care Quality Commission following transfer to the council, the ratings relate to the homes when operated by Anchor Hanover Trust.

Cabinet is asked to:

1. consider the information provided in this report and take a decision about the future of each care home
2. confirm or otherwise the recommendation made for each care home, on a home by home basis

## Recommendations:

That Cabinet confirm the option to be taken forward for each care home, on a home by home basis.

### 1. Abbeywood, Ash Vale

- Option 1: Maintain and sustain Abbeywood and continue to meet building compliance standards
- Option 2: Modernise and refurbish Abbeywood
- Option 3: Support residents to move to an alternative care home and close Abbeywood
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey
  - ii. Explore opportunities with the NHS regarding potential future use of the site

#### **Recommendation:**

The council continue to operate Abbeywood while options are explored regarding development of the site for alternative adult social care services or a joint development with NHS/partners, accept that the building may need to close if large scale essential maintenance or development is required, and if no alternative developments are identified, Option 3 – support residents to move to an alternative care home and close Abbeywood.

### 2. Barnfield, Horley

- Option 1: Maintain and sustain Barnfield and continue to meet building compliance standards
- Option 2: Modernise and refurbish Barnfield
- Option 3: Support residents to move to an alternative care home and close Barnfield
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey
  - ii. Development of the site for alternative adult social care services

#### **Recommendation:**

Option 3 - that residents are supported to move to new care homes, Barnfield is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.

### 3. Birchlands, Englefield Green

- Option 1: Maintain and sustain Birchlands and continue to meet building compliance standards
- Option 2: Modernise and refurbish Birchlands
- Option 3: Support residents to move to an alternative care home and close Birchlands
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey

**Recommendation:**

Option 3 - that residents are supported to move to new care homes, Birchlands is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.

## 4. Chalkmead, Merstham

- Option 1: Maintain and sustain Chalkmead and continue to meet building compliance standards
- Option 2: Modernise and refurbish Chalkmead
- Option 3: Support residents to move to an alternative care home and close Chalkmead
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey

**Recommendation:**

Option - 3 that residents are supported to move to new care homes, Chalkmead is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.

## 5. Heathside, Woking

- Option 1: Maintain and sustain some Heathside and continue to meet building compliance standards
- Option 2: Modernise and refurbish Heathside
- Option 3: Support residents to move to an alternative care home and close Heathside
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey

**Recommendation:**

Option 3 - that residents are supported to move to new care homes, Heathside is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.

## 6. Keswick, Great Bookham

- Option 1: Maintain and sustain Keswick and continue to meet building compliance standards
- Option 2: Modernise and refurbish Keswick
- Option 3: Support residents to move to an alternative care home and close Keswick
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey

**Recommendation:**

Option 3 - that residents are supported to move to new care homes, Keswick is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care, community or NHS services.

## 7. Meadowside, Staines-upon-Thames

- Option 1: Maintain and sustain Meadowside and continue to meet building compliance standards

- Option 2: Modernise and refurbish Meadowside
- Option 3: Support residents to move to an alternative care home and close Meadowside
- Other options raised in consultation
  - i. Informal enquiry from one independent care providers who wishes to expand their capacity in Surrey

**Recommendation:**

Option 3 - that residents are supported to move to new care homes, Meadowside is closed and further investigation is undertaken to confirm if the site can be redeveloped for alternative adult social care services.

8. Orchard Court, Lingfield

- Option 1: Maintain and sustain Orchard Court and continue to meet building compliance standards
- Option 2: Modernise and refurbish Orchard Court
- Option 3: Support residents to move to an alternative care home and close Orchard Court
- Other options raised in consultation
  - i. Informal enquiry from one independent care provider who wishes to expand their capacity in Surrey
  - ii. Rebuild in the grounds and knock down the existing home
  - iii. Work with the neighbouring Lingfield GP Surgery to improve local amenities by creating a modern health centre and a 40 bedded care home on the existing sites.

**Recommendation:**

Option 3 – support residents to move to an alternative care home and close Orchard Court and explore opportunities for developing the site for alternative adult social care services or a joint development in partnership with the NHS or other organisations.

It is also recommended that Cabinet agree the following:

9. That the responsibility for implementing the decisions agreed at this meeting is delegated to the Cabinet Member for Adult Social Care and Health in consultation with the Executive Director of Adult Social Care and Integrated Commissioning.
10. After considering all aspects of each recommendation and it is decided that more than one care home should close, a phased approach to care home closures will take place with a view for care home closures to be concluded by the end of 2024. Planning will recognise the need for a staff consultation and be supportive of resident and staff needs. Please note that the council will follow the good practice principles detailed below in the 'What Happens Next' section of this report and ensure comprehensive support is provided to residents, their families, advocates and staff.
11. A principle that if the decision is taken to close any of the homes, the alternative use of any site will be prioritised in the context of Adult Social Care's Accommodation with Care & Support Strategy that has already been endorsed by Cabinet as a key priority. Should any of the sites be considered unsuitable for a new service as part of the Accommodation with Care & Support strategy, the options appraisal process (as set out in the Council's Asset and Place Strategy 2019) will be used to determine future use.

12. Cabinet should note that there maybe a provider interested in vacant possession of one or more of the buildings and further discussion will take place regarding this which may necessitate an additional report coming back to cabinet in the future.

<b>Reason for Recommendations:</b>
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13. It is recognised that through the consultation process most people indicated a preference that the council modernise and refurbish the care homes. However when everything is taken into consideration; the challenges with the properties, best use of taxpayers money and the strategic aims of the council, we regret to say that we are recommending that care home residents are supported to move new homes and all eight care homes are closed before the end of 2024.
14. The council's Health and Wellbeing Strategy is based on a community vision for Surrey that describes what residents of Surrey and partners think Surrey should look like by 2030: By 2030 we want Surrey to be a uniquely special place where everyone has a great start to life, people live healthy and fulfilling lives, are enabled to achieve their full potential and contribute to their community, and no one is left behind.
15. The detail provided in this report provides evidence to suggest that the eight care homes are at the end of their natural life span and investing in the services will not provide environments that are fit for the future. Deciding to support care home residents to move to new care homes and then closing the care homes will enable to council to work with partners and invest in services, detailed in the next paragraph, that will empower older people in Surrey to lead physically and emotionally healthier lives and reach their potential.
16. The council:
- is committed to working with NHS and private care providers to develop specialist facilities to support people who need intensive support and as Surrey's population grows and ages, appropriate care is available to support people who have complex care needs
  - is investing in more preventative services to help people stay healthy and happy in their local communities for longer
  - is committed to providing 725 apartments by 2030 in extra care housing, offering people their own front door with care and support always on hand
17. The council continues to help transform social care to enable people who do not need to be supported in a care home to lead independent lives and work with our partners to ensure that people with complex needs can receive care which is truly tailored to their needs.
18. The council's commissioning strategy for older people 2021-2030, recently approved by the council's Cabinet, aims to champion greater choice, quality and control for older people through:
- meeting the increasing demand for care home placements offering personalised care for high and complex needs
  - helping to ensure that people eligible for social care support are offered the same standard of care as those who can afford to pay privately, reducing health inequalities
19. The eight care in-house homes run by the council are not best placed to meet the aspirations and commitments outlined above as they are operating towards the end of their economic life span and will require significant investment to maintain them over the

coming years. Major investment is needed in all of the homes in some or all of the following areas:

- replacement of boiler and heating distribution system
- roof replacement
- replacement of hot and cold-water systems
- kitchen refurbishment
- bathroom modernisation and updating
- replacement of flooring
- replacement of windows and doors
- updating electrical systems
- updating of lifts
- remodelling of open staircases in 6 of the 8 homes (to support people living with dementia)

20. Expectations of what a residential care service can provide have changed since the services were opened and the council's codesigned long-term commissioning intentions for services for older people focusses on supporting people to live in their own homes or extra care settings for as long as possible and access specialist residential care services if needed later in life.

21. Ongoing significant investment will be required to maintain or to make changes to the structure of each care home to ensure that:

- a. a more dignified and safer environment, to live and work in, can be provided
- b. each care home can continue to comply with building and other regulatory requirements.

22. The council's 2030 Net-Zero Strategy focuses on reducing scope 1 emissions (Green House Gas) and scope 2 emissions (production of energy used by a building) from buildings. It is estimated that the care homes currently contribute 1,371 tonnes CO<sub>2</sub>-eq emissions annually and decisions on the future of the care homes has the potential to impact on meeting targets.

23. It is considered that investment would be better made in supporting the development and use of modern services that can meet the aspirations of Surrey residents and are in line with council strategies.

## **Executive Summary:**

### **Background**

24. The eight care homes were built by Surrey County Council in the 1970s and early 1980s. Surrey County Council initially ran the homes before their management was transferred to Anchor Trust in the late 1990s on a long-term contract. The contract with Anchor Hanover Trust ended on 31 March 2019 and the council took back the responsibility for operating the care homes.

25. All eight care homes provide residential care and short-term respite care. Two homes also provide day services. The number of people who are currently supported at each care home is provided on the front page of the report and at Annex 2.

26. Anchor Hanover Trust currently operate nine care homes on behalf of the council and Care UK operate a further six. These contracts are due to end in 2027/28 and 2028/29 respectively. Planning for the end of both contracts is in place.

27. Issues with the buildings were identified soon after transfer and it has been a difficult balance between operating the care homes with the risk of a major infrastructure failure in one or more of the buildings and the COVID-19 pandemic. The consultation about the future of the homes was delayed taking both factors into consideration. It is not known when the pandemic will end, and the council has a duty to plan and make investments that will best meet the future needs of older people in Surrey.
28. The challenges with each of the buildings means that the infrastructure could potentially fail at any time and it is therefore important that we plan for closures rather than having to respond in a crisis and the significant impact that this would have on the wellbeing of residents, families and staff.

## **Land and Property**

29. Since taking back the care homes from Anchor Hanover Trust it became apparent that the condition of each of the buildings is of concern. The council therefore commissioned independent property surveyors, Savills, to undertake building surveys for each care home. The building surveys identified key issues regarding the design and condition of the buildings and can be found here: [The Future of the Eight Residential Care Homes for Older People Run by Surrey County Council - Surrey County Council - Citizen Space \(surreysays.co.uk\)](https://www.surreysays.co.uk/the-future-of-the-eight-residential-care-homes-for-older-people-run-by-surrey-county-council)
30. The building surveys also considered the costs of demolishing and rebuilding each home. This option was not considered in the public consultation as the sites are not large enough to build a care home of a similar size that will provide the same services that are offered currently and meet modern expectations. It should be noted that some sites may be appropriate for building new smaller specialised services.
31. When built, the homes met the needs and expectations of the time. It is now a challenge to accommodate additional equipment, such as hoists or other mobility aids that many people need to safely get in and out of bed or move around the building as some of the bedrooms are small. Only 25 of 433 bedrooms (available in two of the eight care homes) have ensuite facilities. 408 bedrooms across the eight care homes lack access to ensuite facilities meaning bathrooms and toilets are shared by the people living in that area of the home. Many people today prefer having their own en-suite facilities, as these afford greater privacy and dignity. The council's aim is to provide an environment where people living in a care home live in comfort and in a home where the design of the building, with support from staff, ensures privacy and dignity is maintained.
32. Since running the homes it has also become evident that shared facilities present more of a challenge when managing the control of infections such as norovirus, flu and COVID-19.
33. The building condition surveys concluded that each building is reaching an age where operating costs are higher due to wear and tear with the potential for failure of the buildings' infrastructure and equipment. The maintenance or repair of the buildings would be a considerable cost to Surrey County Council. Such investment would not represent value for money, as the expenditure would simply maintain services that do not meet modern day standards of care for complex needs and are therefore not fit for the future.

## **Investing in services for Older People**

34. The council is committed to developing modern fit for purpose accommodation settings to support people with adult social care needs and set out in 2019 an ambitious programme to develop services in its Accommodation with Care and Support

strategy. This includes developing 725 units of extra care housing and 500 units of supported independent living accommodation for people with a learning disability or autism and supported independent living for people who need support to manage their mental health. The council is also working in partnership with the NHS to consider the need for specialist care settings for people with dementia and more complex needs to support the local health and social care system including the hospital discharge pathway. Cabinet is committed to progressing this ambitious agenda and therefore will ensure that any of the in-house homes sites that are closed are considered and prioritised for the potential to use to fulfil the objectives of the Accommodation with Care and Support strategy and to deliver the strategic priorities for our local social care and health system.

35. Cabinet considered and approved the council's long-term vision for the commissioning of care and support for older people living in Surrey in November 2021, see Annex 3. A key message from the codesign of the strategy was that the council continues to work closely with residents of Surrey, independent care providers, the NHS and other strategic partners to help shape the social care market of the future.
36. 85% of nursing and residential care beds in Surrey are purchased privately by individuals and their families. The remaining 15% are purchased by the council to meet the care needs of people that the council supports. Services purchased by the council are purchased through block contract arrangements or in negotiation with care providers.
37. Feedback from Surrey residents when codesigning the commissioning strategy was that they want to remain at home as long as possible. Since the COVID-19 pandemic, the number of people being supported in their own home has increased significantly. Of new services provided to older people between April and September 2021, 55% of residents were supported to live in their own home, 26% moved to homes providing nursing care, 13% were supported by services providing residential dementia care and 6% of people moved to care homes providing low level residential care. See Annex 3, Annex B for more detail.
38. As part of monitoring the services information providing the reasons why people were not able to or chose not to move into care homes run by the council has been collected since the eight care homes transferred back to the council in 2019. It should be noted that all care homes have been impacted by the pandemic and many have been closed to new admissions at times because of COVID-19 outbreaks.
39. Further information on referrals and reasons why an in-house care home was not deemed appropriate is provided in Annex 3, Annex C. In summary, a total of 170 people considered in-house services and went on to be supported by independent sector care providers. The top three reasons for a person not moving into an in-house service were:
- decision made by the care home as physical care needs were too high: risk of falls or had nursing care needs (64)
  - decision made by the care home as behavioural needs were too high: verbal, physical or antisocial (42)
  - decision made by the person or family due to personal compatibility with the home or the home environment or location was not suitable (26)
- (It should be noted that care homes registered with the Care Quality Commission have a legal duty to assess and only accept residents whose needs they can safely meet)

40. Where an in-house care home was not considered to be appropriate because of dementia care needs, people generally moved to care homes that were smaller (approx. 26 beds).
41. It is recognised that some people will still need support in residential care homes, nursing homes and specialist services. There are currently 406 registered care and nursing homes in Surrey, offering a total of 11,599 registered beds. As of 10 November 2021, Surrey County Council commissioned a total of 2268 residential and nursing beds in the county, just under 20% of all registered beds. There is a lot more capacity available in the Surrey care home market and, in addition to the extra care and specialist services, it is anticipated that there will be sufficient care choices for older people in Surrey. Surrey County Council also has a block contract of 293 beds for residential dementia care across seven homes with a private sector provider. There is capacity available in these homes and it is not envisaged that there will be shortage of places across the county.
42. Across the county there is an increased requirement for more provision to support specialist care needs in nursing and residential care.
43. The council is committed to investing in services for older people, making sure that investment is made in the best possible way. The council is already investing in extra care apartments with support staff always on hand.

<b>Consultation:</b>
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44. A public consultation entitled 'The Future of the Eight Residential Care Homes for Older People Run by Surrey County Council', accessible via Surrey Says, took place between 11 October 2021 and 5 January 2022.
45. Details of briefings and meetings undertaken as part of the consultation are provided at Annex 4. Below is a brief summary:
  - One-to-one conversations with residents were conducted by staff in the care homes where residents had capacity to discuss
  - Residents were also invited to complete an on-line or paper questionnaires
  - A group of residents at Meadowside requested a meeting and some residents attended a meeting with staff at Barnfield
  - Meetings with Relatives by phone, on-line and in person (group and individual meetings) took place. The on-line meetings allowed relatives living too far away to attend in person (including several in other countries) to engage in the consultation. 50 relatives attended 11 group briefings
  - A further three follow up meetings were held and attended by five individuals
  - Nine one-to-one meetings were held with relatives or advocates
  - Two meetings were held with staff groups at each of the care homes, one of these meetings was virtual. The first eight meetings were attended by 138 staff and five staff attended virtual briefings. In six of the eight homes a second meeting was held. In two homes, Abbeywood and Chalkmead, the second meeting took the form of staff drop-in sessions
  - Meetings with other stakeholders including the Care Quality Commission, Healthwatch Surrey, Union representatives, Dementia Strategy Action Board
  - Other stakeholders who were advised of the consultation included health partners, local district and borough councils, local Members of Parliament and key contacts identified by each care home

46. The consultation outlined why the council was consulting at this time, provided information on each of the care homes and asked people to complete a survey. (see link in Paragraph 5. above for detail).
47. The aims of the consultation were to:
- a. provide information about the care homes
  - b. listen to people's views on the following options:
    - i. Option 1: Maintain and sustain some or all of the eight residential care homes and continue to meet building compliance standards
    - ii. Option 2: Modernise and refurbish some or all of the eight residential care homes for older people owned and operated by the council
    - iii. Option 3: Support residents to move to an alternative care home and close one or more of the residential care homes
  - c. consider any other options proposed as part of the consultation
48. To ensure a full response could be made, residents who requested support to complete the survey were helped by staff\*, independent advocates and their next of kin were involved in conversations where requested. Feedback was also received via face to face meetings in small groups or as individuals, video meetings and email responses.

\* following clear guidance to ensure the view of the resident was recorded

### Consultation Feedback

49. The council's Response to the Consultation (Annex 5) summarises feedback received regarding each care home is available here: [The Future of the Eight Residential Care Homes for Older People Run by Surrey County Council - Surrey County Council - Citizen Space \(surreysays.co.uk\)](https://www.surreysays.co.uk/the-future-of-the-eight-residential-care-homes-for-older-people-run-by-surrey-county-council)
50. 325 survey responses were received via Surrey Says or in paper format. A further 31 questions and queries were received via email, letter or telephone from individuals or organisations.
51. Most people who responded favoured Option 2 (modernising the care homes). There was also a high level of support for Option 1 (maintaining and continuing to run the homes). Option 3 (closing the care homes) was the least favoured. Annex 5, Section 3.1.3 provides a breakdown of responses.
52. The 10 areas that were commented on most were:
- d. The negative outcomes for residents (338)
  - e. Future demand and care at home not suitable for all (136)
  - f. Support for Option 2 – modernise and refurbish the care homes (111)
  - g. Buildings and facilities require improvement (86)
  - h. The quality of the care provided now (70)
  - i. Finance/Investment in the care homes (65)
  - j. Support for Option 1 – maintain and continue to operate the care homes (61)
  - k. Data provided with the consultation (62)
  - l. Council agenda/management of the care homes (43)
  - m. The negative outcomes for families (33)
53. Questions that were raised in the consultation were responded to by the team working on the consultation, with input from other council departments through a series of Frequently Ask Questions. These were updated and circulated at points in the

consultation with a final update to answer questions that were asked towards the end of the consultation process. (Annexes 6A to 6F)

## Member Engagement

54. The Executive Director Adult Social Care and Integrated Commissioning, in discussion with the Cabinet Member for Adults and Health took the delegated decision on 28 September 2021, to publicly consult on the future of the in-house residential care homes for older people.
55. The Cabinet Member for Adults and Health emailed to details of the consultation to all county councillors on 15 October 2021.
56. The Adults and Health Select Committee reviewed the Evaluate In-house Services programme on 14 January 2022 and the Chair and Vice Chair of the Committee were further briefed by The Cabinet Member for Adults and Health and Executive Director Adult Social Care and Integrated Commissioning.
57. The Cabinet Member for Adults and Health provided an update to Full Council on 18 January 2022.
58. The Cabinet Member for Adults and Health liaised closely with the following members who have a care home located in their Division; Abbeywood, Ash Vale: Carla Morson, Barnfield, Horley: Jordan Beech, Birchlands, Englefield Green: Marisa Heath, Heathside, Woking South East: Liz Bowes, Keswick, Great Bookham: Clare Curran, Orchard Court, Lingfield: Lesley Steeds.
59. Responses to questions raised in the consultation were provided to councillors Paul Deach, Sinead Mooney, Carla Morson, Lesley Steed and Fiona White.
60. All Surrey MP's were advised of the consultation and responses were received from Angela Richardson (Guildford) and Dr Ben Spencer (Runnymede and Weybridge).

### **Risk Management and Implications:**

61. The key risks associated with each of the three options are broadly similar for each of the eight care homes as detailed in Annex 7. To summarise:
  1. Option 1: Maintain and sustain some or all of the eight residential care homes and continue to meet building compliance standards:
    - A residents' dignity may not always be maintained as non sex specific toilets and shared bathing facilities continue to be used
    - Infection control continues to be more challenging to manage because of shared toilets and bathing facilities
    - Investment is made in buildings that are not of a standard expected of a modern care home
    - Continued investment will not support the council to deliver its commissioning intentions as the facilities and layout of the care homes will not enable people with specialised care and support needs to be supported
    - Due to their age, the care homes will continue to deteriorate and require increasing investment as the likelihood of the building infrastructure failing

increases. The money required to maintain services in these homes could be better spent on commissioning placements in modern care home facilities

- Due to a combination of the issues listed above, the number of people who decline an offer to move into one of the eight care homes or who cannot be cared for due to the nature of their care needs may increase. However, as set out in the more detail in the Part 2 report, even with low level occupancy it is not possible to significantly reduce the running costs of the homes. Low occupancy combined with buying placements externally therefore creates significant financial pressures on the Adult Social Care budget.

2. Option 2: Modernise and refurbish some or all of the eight residential care homes for older people owned and operated by the council:

- Modernising the care homes may provide ensuite facilities through a reduction in the number bedrooms by one third. Bedroom sizes could only be increased by a further reduction in the number of bedrooms in each care home. It would be a challenge for the care homes to be able to support people with complex care and support needs unless the bedrooms are made bigger
- Modernisation as presented may not bring the care home environments up to a standard required to support people with complex care needs
- Providing ensuite facilities would reduce the number of bedrooms in each care home. Less residents could be supported, and operational costs would very likely increase to a level that costs the taxpayer more to maintain than commissioning care from the independent sector. However, there is the potential for them to become specialised services following adaptations and modernisation e.g. for people living with dementia
- The ageing building infrastructure and potential failure of it may not be fully addressed
- Current residents may be required to move to a new care home while building alterations take place
- Residents and staff working in the care home will be disrupted by building works if alterations are carried out with residents continuing to live on site
- Staff redundancies may still be required and there would certainly be considerable disruption and additional expenditure that could be better invested elsewhere if buildings are required to close, in part or in full

3. Option 3: Support residents to move to an alternative care home and close one or more of the residential care homes:

- Existing residents will experience the anxiety such as moving to a new care home. (Adult Social Care is experienced in supporting people through significant life changes)
- An extensive 'resident centred' support plan would be put in place to support a move that minimises the risk and impact to the resident and their families)
- Respite care services provided at all eight homes will no longer be available impacting on people who currently use or may have expected to access these services in the future
- Day care service provision at Barnfield (Horley) and Keswick (Bookham) will no longer be provided and will require existing day care users to be supported to find alternative services if still required. These services have not been offered since April 2020 due to COVID-19 and people may have accessed alternative services
- Residents paying the full cost of their care home fees may incur higher costs if the cost of living in a new care home was more expensive. The council's aim will

- be to support residents who are paying full cost of their care home fees to find an alternative home at or close to an equivalent rate that is currently paid
- Some staff redundancies would be expected as there are insufficient vacancies across the council that would be considered suitable alternative roles for all the staff to be redeployed into

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

62. All eight care homes are operating with a higher than usual vacancy rate. Prior to COVID-19 in 2019/20 the average occupancy rate was 84%. The service has adhered to Government guidance regarding COVID-19 and all eight homes have not been able to admit new residents for periods because of COVID-19 'outbreak' situations that have occurred since March 2020. It was also agreed that all care homes would not admit residents requiring long term care from the point the 13-week public consultation on the future of the care homes was being planned. Both factors have led to the in-house older people homes running at an occupancy of 40% on average since April 2021. Despite the low occupancy levels, the cost of running the homes has increased from the 2019/20 pre pandemic position. This is causing a significant pressure on the Adult Social Care budget, as it means that placements that would otherwise be accommodated in-house have been placed in external care homes. The estimated cost of this in financial year 2021/22 is £8m. It is evident therefore that the council cannot continue to bear this level of financial pressure, and so a decision to either continue to operate the homes and increase occupancy as far as this is possible or close the homes is urgently required.
63. Clearly, lower occupancy levels due to not taking new long-term admissions during COVID-19 and the consultation period has had an added pressure on the Adult Social Care budget. However, even at 90% occupancy it is more expensive to operate the in-house homes than the cost of purchasing older people residential care from independent care providers, noting that as outlined earlier in this report the facilities do not meet modern care home standards. Further details of the actual weekly cost of each home compared to rates paid to the external market are shown in Part 2 of this report due to commercial sensitivity. As of 7 January 2022, there were 21 full cost paying residents within the eight older people homes, an annual income of £1m.
64. The current financial position of operating the homes, demonstrates the acute need to act as soon as possible to reduce these cost pressures. The Medium-Term Financial Strategy includes savings of £10.1m over the period 2022-25 in relation to the in-house older people homes, and these savings are dependent on a cabinet decision in relation to the future of the homes. Should the homes close then there will be subsequent revenue savings on the operating costs of the homes. Should they continue to operate then the aim would be to increase occupancy levels which will enable savings on external placement costs, although as set out below there would be challenges in significantly increasing occupancy.
65. Although it would be possible to reduce the extent of the current financial pressures and deliver some of the MTFs savings in the short term by continuing to operate the homes, increasing occupancy and therefore reducing the additional "double running" costs of buying care home placements externally whilst at the same time operating the in-house homes, this would only be a temporary measure. It is unlikely to be possible to increase occupancy to the previous budgeted assumption of 90%, and even if this was possible for a short period, the cost of running the homes would still very likely remain above the cost of externally commissioned care home placements. Even with refurbishment, the homes would continue to fall behind modern care home

standards meaning occupancy would likely fall to low levels, thus increasing financial pressures on already constrained Adult Social Care resources. As such, the best value for money decision in the medium to long term would be to close the homes and invest funding in purchasing care in facilities that meet the modern-day care standards for people with complex needs.

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

66. Although significant progress has been made over the last twelve months to improve the council's financial position, the medium-term financial outlook beyond 2021/22 remains uncertain. The public health crisis has resulted in increased costs which may not be fully funded. With uncertainty about the ongoing impact of this and no clarity on the extent to which both central and local funding sources might be affected in the medium term, our working assumption is that financial resources will continue to be constrained, as they have been for the majority of the past decade. This places an onus on the council to continue to consider issues of financial sustainability as a priority in order to ensure stable provision of services in the medium term.
67. As such, the Section 151 Officer supports the recommendation for each home set out in this report. This will enable delivery of the efficiencies set out in the council's Medium-Term Financial Strategy (MTFS) in relation to the older people in-house homes. This will also ensure that the council's constrained resources are invested more appropriately to meet the needs of older people in Surrey in line with the council's commissioning strategy for older people.

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

68. Save for where there is a specific statutory requirement (which is not present in this case), 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. The options referred to within this report were the subject of consultation during the period 11 October 2021 and 5<sup>th</sup> January 2022. 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 individual meetings to residents and families and there were a number of meetings with groups of residents.
69. In order to assist Cabinet Members to take the outcome of the consultation process into account when reaching their decisions, the individual responses have been summarised in the body of this report and further information is appended at Annex 5. In considering the recommendations in this report Members must give due regard to the outcome of the consultation and conscientiously take these matters into account when making their final decisions.
70. The public sector equality duty also applies to the decisions 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.

An Equality Impact Assessment (EIA) has been completed and can be found within Annex 8. Members must read the EIA and take its findings into account when reaching their decisions. 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.

71. 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 limited having regard to the fair balance that has to be struck between the interests of individuals and the community as a whole. If they accept recommendations to close any of the homes, Members must be satisfied that a better use of public resources can be achieved.

### **Equalities and Diversity:**

72. An Equalities Impact Assessment covering the three options consulted on is provided at Annex 8. Key points to note are that when the EIA was completed:

- Resident Information
  - a. The care homes provide services to people living in all district and borough council areas across Surrey
  - b. 165 residents lived in the eight homes as at 20 December 2021
  - c. 89% of care home residents are aged 75 or over, 19% are aged over 95
  - d. 100% of residents require support with personal care, and it is thought that 82% live with memory or cognition issues
  - e. 92% of residents consider themselves to be of white ethnicity
  - f. 53% of residents consider their religion to be Christian and a further 37% did not associate with a religion or is unknown
  - g. 73% of residents are female and 27% are male
- Workforce information
  - a. 453 staff are employed across the eight care homes
  - b. 42% are aged over 50
  - c. Less than 1% have declared a disability
  - d. 15% are recorded as being from an ethnic minority group
  - e. 80% have not stated their religion or preferred not to say
  - f. 86% of staff are female and 14% are male
  - g. Most of the workforce live close to the care home they work in and 40% are considered to work part time

### **Other Implications:**

73. As such, the Section 151 Officer supports the recommendation for each home set out in this report. This will enable delivery of the efficiencies budgeted in the council's Medium-Term Financial Strategy (MTFS) in relation to the older people in-house homes. This will also ensure that the council's constrained resources are invested more appropriately into the future to meet the needs of older people in Surrey in line with the council's commissioning strategy for older people.

<b>Area assessed:</b>	<b>Direct Implications:</b>
Corporate Parenting/Looked After Children	No direct implications identified
Safeguarding responsibilities for vulnerable children and adults	No direct implications identified
Environmental sustainability	No direct implications identified
Compliance against net-zero emissions target and future climate compatibility/resilience	<p>The council's 2030 Net-Zero Strategy focuses on reducing scope 1 and 2 emissions. Decisions on these care homes will have a great impact on meeting targets.</p> <p>It is estimated that the care homes currently contribute 1,371 tonnes CO<sub>2</sub>-eq emissions annually to SCC's scope 1 and 2.</p> <p>Impacts of decisions:</p> <p>Maintain, Refurbish or Remodelling : work needs to focus on improving energy efficiency and ensure low carbon heating solutions are selected. The works should also add measures to ensure resilience of the property to future climate risks e.g. temperature changes, flooding etc. and reduce risks to vulnerable residents.</p> <p>Closing the care homes: ideally, alternative homes should meet high energy efficiency standards and future proofed against risks encountered because of climate change.</p>
Public Health	No direct implications identified

#### **What Happens Next:**

74. The decisions taken by cabinet will be communicated to all residents, their families, staff and all other stakeholders who indicated they would like to be updated.
75. If a decision is taken to close one or more care homes:
- ASC will initiate the council's Care Provider Support and Intervention Protocol in relation to each service (Annex 9)
  - Adult Social Care will use its significant experience of supporting residents, their families and staff when individuals have needed to move to a new care setting, for

example from a care home to a nursing home or where services have closed in the past.

- Residents and families will be at the centre of discussions.
  - Staff in adult social care will make themselves available to support families and care home residents to make informed decisions.
  - Advocates will be arranged to support discussions where needed.
  - Staff in the care homes will also work closely with residents, their families and new care providers; facilitating visits to potential new homes where appropriate and developing 'move packs' to support a seamless transition.
  - Discussions and decisions will be overseen by a board that will ensure a person-centred approach is taken with residents, their families, advocates and others who may hold Power of Attorney. The council will also support people to move closer to their families, including those who may wish to move outside of Surrey or would like to consider any of the new developments in extra care that are being supported by the council.
76. Staff in the council's care homes will also have dedicated HR support allocated to minimise the impact of any decisions and help staff to be redeployed into other roles within adult social care or the wider council. The service will also work closely with trade unions.
77. The Service and Adult Social Care will follow the applicable principles outlined in the following good practice guide [Quick guide: Managing Care Home Closures \(www.nhs.uk\)](http://www.nhs.uk)
- The needs of people using services must be at the heart of everything we do
  - Choice, dignity, compassion and respect - People using services should have their choices supported, and they should be placed at the centre of the process and kept safe throughout. They, their families, carers and representatives, should be treated with dignity and compassion at all times and have their rights respected.
  - Safeguarding - Safety and the best interests of residents should be at the forefront of all decisions taken and, where possible, residents should be supported to choose where they move to.
  - Confidentiality - Data about people should be handled in line with Caldicott principles
  - In the best interests of residents, all partners need to know what to do and to work effectively together
  - Communication is key
78. A report outlining actions and timescales for taking forward each decision agreed by cabinet will be provided to the Lead Member for Adult Social Care and Public Health and the Executive Director for Adult Social Care and Integrated Commissioning for their review and agreement.
79. Adult Social Care monitor the capacity in the independent care home market on a regular basis and will continue to monitor capacity and to support planning based on Cabinet decisions.

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**Consulted:**

A full list of people consulted on this issue can be found at Annex 4.

**Annexes:**

Annex 1 Glossary of types of care referred to

Annex 2 Care home occupancy information and details of other services provided

Annex 3 Commissioning Information

Annex 4 People Consulted

Annex 5 Response to Consultation

Annex 6 FAQ's

Annex 7 Risk Register

Annex 8 Equalities Impact Assessment

Annex 9 Care Provider Support and Intervention Protocol

**Sources/background papers:**

[National Service Framework for Older People.](#)

[Changes in the Older Resident Care Home Population between 2001 and 2011 - Office for National Statistics \(ons.gov.uk\)](#)

[The Surrey Context – People & Places – Surrey-i \(surreyi.gov.uk\)](#)

[40573\\_2902364\\_DH Care Guidance accessible pdf \(publishing.service.gov.uk\)](#)

[Using CQC data | Care Quality Commission](#)

[Surrey Health and Wellbeing Strategy \(healthysurrey.org.uk\)](#)

[Surrey's climate change strategy \(surreycc.gov.uk\)](#)

[Accommodation with Care and Support strategy - Surrey County Council \(surreycc.gov.uk\)](#)

[Quick guide: Managing Care Home Closures \(www.nhs.uk\)](#)

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