

SURREY COUNTY COUNCIL**CABINET****DATE: 27 JUNE 2023****REPORT OF CABINET MEMBER: MARK NUTI, CABINET MEMBER FOR ADULTS AND HEALTH****LEAD OFFICER: LIZ BRUCE, JOINT EXECUTIVE DIRECTOR, ADULT SOCIAL CARE AND INTEGRATED COMMISSIONING****SUBJECT: ARUNDEL HOUSE, SURREY COUNTY COUNCIL RESIDENTIAL CARE HOME****ORGANISATION STRATEGY PRIORITY AREA: EMPOWERING COMMUNITIES / TACKLING INEQUALITIES****Purpose of the Report:**

This report sets out the background and strategic context behind the formal consultation recently conducted on the proposed closure of Arundel House, a Residential Care Home for people with learning disabilities run by Surrey County Council. The report also provides details on the feedback from the consultation and other relevant information that inform the officer recommendation to Cabinet that Cabinet agrees to the closure of services operating from the Arundel House site.

It is important to acknowledge and state in this report that the care provided by the staff at and from Arundel House is of a high quality and that the consultation and recommendations in this report are not a reflection or response to the care and support being provided by the staff team. Residents are happy where they live and the support they receive. However, Cabinet needs to make a decision about the future of the services provided at or from Arundel House as the building is dated and has a layout that is institutional. This would need to be addressed to ensure that it meets current and future expectations of residents and families. Knocking down and rebuilding a new service of a similar size is not an option as it would not be registered by the regulator, the Care Quality Commission (CQC) as it would not meet the expectations of their guidance for services for people with learning disabilities and autism, 'Right support, right care, right culture'. It is therefore, with regret, that Adult Social Care is bringing this report to Cabinet for them to consider.

Recommendations:

It is recommended that Cabinet agrees:

1. That all services operating from the Arundel House site are closed and people are supported to move to new homes and alternative support providers.
2. That, subject to recommendation 1 being agreed, the alternative use of the site should focus on essential worker housing with the scope to incorporate some supported independent living units into the overall development to support wider delivery of the Accommodation with Care and Support programme. This would be subject to full feasibility studies.

3. That should the site be considered unsuitable for the purposes defined in the second recommendation above, the options appraisal process (as set out in the Council's Asset and Place Strategy 2019) will be used to determine future use of the site.

Reason for Recommendations:

The Council's ambition, set out in SCC's Accommodation with Care and Support Strategy is to increase independence, modernise care and improve outcomes for residents by transforming the range and quality of accommodation with support on offer to Surrey residents. Arundel House is the last in-house institutional service run by the Council for adults with learning disabilities. The building is no longer able to fully respond to the needs and expectations of people with learning disabilities or their families. Adult Social Care wants to support people to have more choice and independence. This includes supporting people to live in supported living arrangements rather than in residential care. SCC commissioners are supporting this approach by not choosing to place people at Arundel House, which is large and institutional.

Executive Summary:

Background

1. Arundel House is an in-house residential care home in Banstead for people with learning disabilities run by Surrey County Council. It has the capacity to provide accommodation and personal care for up to 18 people. There are two supported living facilities on the site, which can support five people. Support to people in the community is also provided from a base on the site. All buildings are managed from the main building and the fire alarm system is linked to all areas.
2. There are nine people currently living in the residential service, three in supported living on the site and eight people supported in their own homes in the community. There are 39 members of staff working at Arundel House. The service was last inspected by CQC in March 2019 and was rated 'Good'.
3. The Council's ambition is to increase independence and modernise care, so people can lead independent and fulfilling lives in their own homes for as long as possible. The Council's Accommodation with Care and Support Strategy sets out plans for modern supported independent living accommodation and extra care housing in the community to enable people to live their lives in their own way and reduce reliance on residential care.
4. Arundel House operates effectively with highly trained staff but continuing to provide the service as it presents challenges operationally and financially. The setting is no longer able to fully respond to the needs and expectations of people with learning disabilities and their families. It does not fit with the Council's strategic aim to support people with learning disabilities to move from residential care to supported independent living and is not the type of provision that would be built now. If an application was made to register this as a new service with CQC it is considered that it would be refused as it does not meet CQC's current guidance 'Right support, right care, right culture.'
5. The original two-storey building was built in the 1930s. When first used as a care home the building met the needs and expectations of the time. The number of extensions that have been added subsequently means that the service has become an institutional environment. There are long corridors, the bedrooms are small,

communal space is limited with combined kitchen and living areas, which are not large enough to support people with complex needs.

6. The building environment of Arundel House is not suitable for people coming through the transition from children to adult services because of the layout. It does not meet modern expectations for people to live in a more home like environment as part of the community. The space provided would not be adequate to manage people with complex needs, autism and challenging behaviour without compromising the safety of others living and working in the service. The small communal areas in the units mean that any disruptive behaviour from one individual impacts everyone else and there is limited space for individuals to be on their own apart from in their bedrooms. There are no en-suite facilities, which can afford greater privacy and dignity to the individual.
7. Current occupancy of the residential service is 50% and of the on-site supported living is 60%. As the people living in the service get older, it is likely that their needs will increase, and the environment may no longer be suitable because more space is needed for equipment to support them or because their needs cannot be accommodated at Arundel House.
8. Based on user and family choice, as new placements are not being made the service occupancy is likely to decrease further resulting in the service becoming unsustainable and the building will be too large for the number of people living there.
9. Major repairs to the buildings are expected to be required so it is important to plan for the future rather than respond in a crisis or emergency situation should any of the infrastructure of the building fail.

Land & Property

10. Following a review of Arundel House Residential Care Home along with building surveys from 2021 Surrey County Council's Land & Property department assessed that substantial investment of £1.3 million was required for ongoing maintenance over the next ten years. In May 2023, Land & Property advised that the cost of the works identified has increased by 20% to £1.5 million. In addition, the team have considered four options for the works needed at the home to bring the property up to good condition and to make it fit for the future: repair, refurbish, remodel and redevelop.
11. Repair and / or refurbishment will not make the property fit for the future as it would still be a large institutional building. Should repairs be undertaken to bring the property up to a good condition, internal refurbishment of areas to modernise the decoration into a comfortable living environment will not deliver the type of building needed for the future.
12. Remodelling and redevelopment may deliver what is required from the site to make it fit for the future at a similar cost, but this would potentially create a campus provision, which would be contrary to CQC's current guidance 'Right support, right care, right culture.' It would also mean the current residents moving out of the building for a substantial period of time whilst the work is completed. The Council would wish to avoid a double move for individuals. Given the age of the people living at Arundel

House the aim is that they should only move once so they feel settled within their new accommodation rather than maintain any expectation of returning to the site.

Summary

13. When the Council has closed large institutional homes for people with learning disabilities in the past, the outcomes for the people who move have generally been positive. Here are some of the experiences of individuals:
- One person expressed that if their home closed, they would want to live in a house with three of their friends, the Council were able to support this to happen.
 - Another said they would want to live in their own flat supported by staff, the Council enabled this to happen too.
 - For a group of individuals whose families advocated for them to move together, the Council also enabled this to happen.
 - Individuals who had been unable to access their garden, now all had access to a garden and were living in homes in the community rather than institutions.

If the Cabinet decides to close Arundel House, all of the Council's in-house services for adults with learning disabilities will be in ordinary homes in ordinary streets in Surrey, as the other large institutional settings have already closed.

14. If closure is agreed, social care practitioners will work with individuals living on the site, their families and carers to carry out social care assessments to determine what is important for them in order to move to alternative accommodation and with those in the community to transfer their support to other local providers.
15. The recommendations in this report link to the Adult Social Care commissioning intentions for adults living with a learning disability and / or autism, and the aim to support people to lead independent and fulfilling lives for as long as possible. They also support the Empowering Communities priority objective in the Organisation strategy by enabling Surrey residents to live in their own homes within a community, the Greener Futures agenda by proposing the decommissioning of a large inefficient building, and to Tackling Inequalities through people with disabilities having the opportunity to live in ordinary homes in ordinary streets within Surrey's varied and thriving communities.
16. With the cost of ongoing maintenance over the next ten years alongside the need for current residents to move out for an extensive period whilst any work required beyond minor decoration is completed, Adult Social Care believes that the only viable and best option is the closure of Arundel House.
17. Adult Social Care has considered whether to retain the supported living provision based at Arundel House. However, it is currently only supporting 11 people, and there are no other CQC regulated in-house learning disability services in the local area to take over the management of this provision. Adult Social Care's view is that it would not be cost effective to maintain such a small service with associated costs such as staffing, Council overheads, provision of office space and CQC registration fees. In addition, the current supported living provision does not provide a comparable quality and standard of accommodation that can now be provided and is

being secured through the delivery of the Council's Accommodation with Care and Support Strategy.

Consultation:

18. A public consultation entitled 'Consultation on the Closure of Arundel House Residential Care Home run by Surrey County Council' accessible via Surrey Says, took place from 24 January 2023 to 18 April 2023.
19. The consultation outlined why the Council was consulting on closure and asked people to complete a survey. To enable people living in and supported by the service to respond, an accessible version of the consultation document and survey was available in an easy read format. People were given hard copies and, those who wanted to, responded themselves or were supported to respond by members of staff or their families.
20. During the consultation conversations were held with people living on the site and with those supported to live in the community. There were meetings with families / carers by phone and in person. Meetings were held with staff, who were also offered the opportunity for one-to-one conversations with the Senior Manager and HR.
21. Stakeholders, who were advised of the consultation included health partners, the Care Quality Commission, the local district and borough council and the local Member of Parliament. The full list of those consulted is included in Annex 2.
22. Some families asked to meet with Mark Nuti, the Cabinet member for Adults and Health following the consultation and they raised with him their concerns that they:
 - are worried that moving will be destabilising for their relatives
 - will be rushed into a new home that they don't like by a certain deadline
 - want their loved ones to stay in or close to an area they have become comfortable and familiar with

If Cabinet agrees to the recommendation in the report Adult Social Care is committed to work with individuals and their families to ensure that they are content with any future service. This will not be rushed and the voice of individuals and their families will be front and centre in any decisions about future care services.

Consultation Feedback

23. Feedback from the consultation is included in Annex 3. 43 responses were received through Surrey Says, there were 16 hard copy easy read survey responses and a further seven emails were received with feedback on the consultation.
24. From the 59 Surrey Says and hard copy surveys completed regarding the understanding of why the proposal to close had been made:
 - 34 understood
 - 20 didn't understand
 - 4 didn't know
 - 1 didn't answer
25. From the 59 Surrey Says and hard copy surveys completed regarding agreement with the proposal to close Arundel House:

- 20 agreed
- 32 disagreed
- 5 didn't know
- 2 didn't answer

26. The areas that were commented on the most in all 66 responses were:
- Support for the current service (24)
 - Support for the current staff (20)
 - Impact on the wellbeing of people supported (19)
 - The building not being suitable / not being in a good condition (11)
 - Concern about alternative provision (11)
 - Preferences about the future if closure is agreed (11)
 - Keeping the supported living service (9)
 - Support for the current location (i.e. Banstead) (9)
 - Support for the proposal to close (8)

Member Engagement

27. The Joint Executive Director for Adult Social Care & Integrated Commissioning, in discussion with the Cabinet Member for Adults and Health, took the delegated decision on 18 January 2023 to publicly consult on the closure of Arundel House Residential Care Home.
28. The Cabinet Member for Adults and Health emailed the details of the consultation to all county councillors on 25 January 2023.
29. The Chairman of the Adults and Health Select Committee was further briefed by officers and the Cabinet Member for Adults and Health.
30. The Cabinet Member for Adults and Health emailed the local Reigate & Banstead councillors.
31. The Cabinet Member for Adults and Health also emailed the Member of Parliament for Reigate.

Risk Management and Implications:

32. The risk register is attached at Annex 4. The key risks associated with closure are listed below, but there is mitigation in place to minimise them:
- Negative impact on the people living in and supported by the service because of the uncertainty. This is mitigated by regular conversations to ensure any signs of negative impacts are identified early, a person-centred approach at the heart of all conversations, dedicated Social Workers and working closely with individuals, families and carers throughout the process.
 - Potential loss of staff compromises the ability to provide care, impacts safe staffing levels and CQC compliance. This is mitigated by a daily review of staffing requirements against care and support needs, ongoing communication, discussion with SCC unions, engagement with CQC and quality assurance audits as required.
 - Inability to source suitable alternative provision. This is mitigated by people continuing to live at Arundel House and current services remaining in place until appropriate alternatives are found, commissioners identifying alternative

services in the area and discussion with the market to develop options as care and support needs are established.

33. Although not listed on the risk register, the service considers that if Arundel House remains open, the occupancy will fall below 50% due to people's changing needs.

Financial and Value for Money Implications:

34. The cost of operating the residential and supported living services is approximately £1.3m. This does not include utility or property maintenance costs.
35. As set out in this paper, the services do not meet the required modern standards for the type of independent provision in the community that the ASC service needs to commission for Surrey residents with a learning disability and / or autism. As such, new admissions to the services have not been supported meaning occupancy has fallen to low levels and as such the unit cost of operating the services for the remaining residents is much higher. If the buildings were to be maintained and continued to be operated, then the cost of care per resident would remain very high and in excess of market alternatives.
36. Although the site could be redeveloped, as set out in this paper the new provision would still be substantially larger than the CQC's recommended guidance for supporting people with a learning disability and / or autism. There would be a period of "double running costs" when resources would need to be spent on developing the new accommodation whilst at the same time providing care in alternative provision and the current residents would have to move twice.
37. As such, in addition to representing what is considered to be the best option operationally and for residents' long term wellbeing closure of the services currently operating at the Arundel House site is also considered the option that delivers best value for the Council.
38. ASC's budget for the services currently operating at Arundel House will be transferred to the learning disability and autism care package (LD&A) budget to purchase alternative provision for current residents. Latest modelling indicates that the total cost of alternative provision for current residents is likely to be a little lower than the current £1.3m budget for the services at Arundel House. However, it is also important to recognise that alternative services for new LD&A autism clients have already been purchased with independent sector providers instead of placing people in the services at Arundel House. As such, it is appropriate to transfer the full operating budgets for the site to the LD&A care package budget and as such no material savings are expected to be achieved against the budget from the closure of the site.

Section 151 Officer Commentary:

39. Significant progress has been made in recent years to improve the Council's financial resilience and the financial management capabilities across the organisation. Whilst this has built a stronger financial base from which to deliver our services, the increased cost of living, global financial uncertainty, high inflation and government policy changes mean we continue to face challenges to our financial position. This requires an increased focus on financial management to protect service delivery, a

continuation of the need to be forward looking in the medium term, as well as the delivery of the efficiencies to achieve a balanced budget position each year.

40. In addition to these immediate challenges, the medium-term financial outlook beyond 2023/24 remains uncertain. With no clarity on central government funding 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 the stable provision of services in the medium term.
41. As such, the Section 151 Officer recognises that the closure of the learning disability services operating at the Arundel House site represents the best value decision to utilise constrained resources to maximum effect to support some of Surrey's most vulnerable residents. It avoids additional expenditure that would otherwise be required in the long term to maintain services that would not be in line with the Council's commissioning strategy for ASC learning disability and autism or national standards.
42. The Section 151 Officer confirms the outcome will be factored into the Council's Medium Term Financial Strategy.

Legal Implications – Monitoring Officer:

43. 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 proposed closure referred to within this report was the subject of consultation during the period 24 January 2023 and 18 April 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 individual meetings to residents and families.
44. In order that Cabinet Members are able to take the outcome of the consultation process into account when reaching their decisions, they should read Annex 3 where there is a more 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 final decision.
45. 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.

An Equality Impact Assessment (EIA) has been completed and can be found within Annex 5. 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.

46. 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 Members accept the recommendation to close Arundel House, Members must be satisfied that a better use of public resources can be achieved.

Equalities and Diversity:

47. An Equalities Impact Assessment was carried out and is attached at Annex 5.
48. The key points to note at the time of writing the EIA are:
- a. The people supported in or from Arundel House have a disability
 - b. 39 members of staff work at Arundel House
 - c. 77% of staff are female, 23% of staff are male
 - d. 49% of staff work part time, 23% are bank staff
49. Because of the numbers involved the information cannot be broken down further to avoid identification of individuals.

Other Implications:

50. The potential implications for the following council priorities and policy areas have been considered. Where the impact is potentially significant a summary of the issues is set out in detail below.

Area assessed:	Direct Implications:
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	Estate rationalisation is one of the strategies planned to support meeting the Surrey County Council 2030 Net zero target. Estate rationalisation is a strategy that will ensure the Council efficiently utilises its estate to reduce its emissions through continuously reviewing the estate size against current and future service needs. Closure of Arundel House Residential Care Home fits with this strategy.
Public Health	No direct implications identified.

What Happens Next:

51. Following the decision, assuming closure is agreed, the service will:

- a. Hold meetings with the staff and people who live on the Arundel House site in June 2023 to update them on the decision.
- b. Contact families / carers and people living in the community who are supported from the site to advise them of the decision and identify next steps.
- c. Start implementing the Cabinet's decision for the people supported as soon as possible, with the aim of being fully implemented by the end of 2023.
- d. Undertake a staff consultation as soon as possible after the Cabinet decision.

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Consulted:

The list of those consulted is included in Annex 2.

Annexes:

Annex 1 – Consultation document 24/1/23 – 18/4/23

Annex 2 – List of people / organisations consulted

Annex 3 – Summary of the public consultation feedback

Annex 4 – Risk Register – NB this is on a template used prior to the introduction of the new SCC template

Annex 5 – Equalities Impact Assessment

Sources/background papers:

[Accommodation with Care and Support Strategy](#)

[Right support, right care, right culture](#): CQC guidance for learning disability services
