

**MINUTES OF THE CABINET
THURSDAY, 18 AUGUST 2011**

Councillors *Kober (Chair), Reith (Vice-Chair), *Bevan, *Canver, *Dogus, Goldberg,
*Strickland and *Vanier.

*Present

Also Present: Councillor Browne, Jenks and Wilson.

MINUTE NO.	SUBJECT/DECISION	ACTION BY
CAB39.	<p>APOLOGIES FOR ABSENCE (Agenda Item 1)</p> <p>Apologies for absence were submitted on behalf of Councillors Goldberg and Reith.</p>	
CAB40.	<p>DECISION OF THE OVERVIEW AND SCRUTINY COMMITTEE ON 15 AUGUST 2011 REGARDING MINUTE CAB.20 - PROPOSED CLOSURE OF THREE OLDER PEOPLE'S RESIDENTIAL CARE HOMES AND ONE LEARNING DISABILITIES RESIDENTIAL AND RESPITE HOME (Report of the Director of Adult and Housing Services - Agenda Item 3)</p> <p>We noted that the Overview and Scrutiny Committee of 15 August 2011 on consideration of a Call In had referred back to us for reconsideration our decision of 19 July 2011 vide Minute CAB.20 relating to the Proposed Closure of Three Older People's Residential Care Homes and One Learning Disabilities Residential and Respite Home.</p> <p>We also noted that the Overview and Scrutiny Committee had asked that in reconsidering the decision we pay particular attention to the points raised within the written submission to their meeting made by Bindmans (Solicitors) and satisfy ourselves that the Council had fulfilled all legal requirements and had not acted outside of the requirements for consultation and human rights. Further, that we should consider the full financial implications of the closures; not simply in terms of budget strands for residential care homes and for Whitehall Street but also take into account the aggregated impact that increased alternative service provision would have on other budgets within the Council. Finally that we should develop a model of services intended to replace the current provision of respite and residential care based on a comprehensive programme of engagement with service users, their carers and families and other stakeholders.</p> <p>The Cabinet Member for Health and Adult Services informed us that in order to meet the required budgetary savings Adult Services was required to deliver a reduction in expenditure over the next three years. The savings proposals under consideration involved the Council providing less in-house services and instead commissioning more high quality, value for money services from the private and voluntary sector. It was also about services being offered in a different way.</p> <p>It was stressed that if the proposal was agreed, all residents and people who accessed respite care would receive a full assessment and review</p>	

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of their care plan, and an alternative, high quality residential placement found which fully met both their needs and those needs of their carer, in terms of both quality and appropriate geographical location. This would be carried out in such a way as to minimise distress and disruption to a person's care and residents of the care homes who would be affected by these closures would have every support, along with their families, in identifying another suitable care home to which to move.

Our Chair drew attention to the first of the three specific points raised by the Overview and Scrutiny Committee with regard to legal requirements and in this regard it was confirmed that in reaching their decisions on 19 July the Cabinet had been informed by and taken into account the outcome of the consultation with service users, providers and other stakeholders and had followed due process in relation to the legal framework on consultation and human rights.

Our Chair also referred to a letter from Councillor Winskill copies of which had been laid round the table and which advised of concerns expressed about the lack of transparency of the financial case of the closures. The Director of Adult and Housing Services indicated that while he would send a full response to Councillor Winskill outside the meeting he could confirm that the closure of the three residential care homes would result in a net saving of £1.8 million. There were separate figures for the cost of learning disabilities services. If the decision to close the three older people's residential care homes was agreed, the process of closure would not be expected to be complete until the end of March 2013 by which time, having regard to turnover, there should be sufficient funding available for the procurement of alternative placements.

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The process of closure for the learning disabilities residential and respite care services provided at Whitehall Street would not be expected to be complete until 31 March 2012. Plans were already in place for the residents there including moving back to live with parents or moving to adult placements and 24-hour supported living schemes. One resident who was funded by NHS Haringey could transfer to a more suitable placement which is consistent with their health needs, in consultation with the NHS and their family.

With regard to Councillor Winskill's letter it was important to make the distinction between the budget for residential care which was being treated differently to that for the procurement for commissioning services. For as long as there was sufficient in the commissioning budget to allow for the procurement of places in the independent sector care home market for all those meeting the Council's eligibility criteria then the savings arising from the proposed closures could be achieved.

In relation to the question of re-provision of services, it was noted that the proposed closure of the residential care homes was in line with a general shift within the Council to become a commissioning organisation, with the Council providing much less in-house services and instead commissioning services from the private and voluntary sector. With regard to Whitehall Street alternative service provision would be made in

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line with national policy. Of the 9 residents, 3 were moving on to a more independent setting. While another 4 had expressed a wish to stay together and plans could potentially be put in place to support them to move into their own home with 24 hours community-based support. There would be a full assessment of all residents and the Service would be working closely with residents, their carers and their families. A range of options would be considered including placements at the Council's Linden House facility which was being retained.

A review of respite provision for people with a learning disability was already underway with the aim of providing more person-centred respite care in the Borough. There were a number of existing providers of care who had the capacity to provide this service, based on individual assessed need and the wishes of service users. All service users who were currently provided with a bed based respite service were encouraged to go on personal budgets and buy in alternative services. Each service user who has been assessed as needing bed based respite due to complex needs will have an individual needs based package of respite. These bed based respite options were being developed with independent and voluntary sector providers to support the implementation of personalisation. In addition the "shared lives" scheme where people spent time in family settings was being extended. A range of respite / short break options was also envisaged which individuals could purchase with their personal budget. These included sitting service/ sleep in service/ accompanying service users to activities/outings/ holidays.

At 14.40 hours the Chair adjourned the meeting to hear representations from Celia Webster who expressed concern that that appeared to be a general view that residential homes were not the best care for the elderly or disabled. While it was accepted that there were some older people who liked their own units many did not and thrived on seeing other people, more like in a family. Disquiet was also voiced that if many of these elderly or disabled people lived separately the general public very rarely befriend them and they become socially isolated. She suggested that the process followed had been flawed in relation to the way in which the information had been communicated rather than the proposed re-provision of services. It was felt that there had been a lack of proper advocacy and that a number of residents at Cranwood House had experienced difficulty hearing what was said at meetings held there. It was claimed that a letter advising of the changes had been given to residents on Christmas Eve.

Our Chair thanked Celia Webster for her attendance and contribution and asked that officers determine the date on which the letter had been issued and advise her accordingly. The Cabinet then re-convened at 14.50 hours.

Councillor Wilson expressed concern about the need for clearer communication and also in relation to the clarity of the saving arising from the closures having regard to other budget lines. He also referred to the costs of services at Broadwater Lodge and of their re-provision as

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commissioned services.

We noted that Adult Services had developed and followed a protocol to communicate the closure of these residential services and had planned carefully to ensure appropriate support of people with learning disabilities and older people involving the provision of alternative provision.

With regard to the savings, we were informed that these were made up from a combination of lower number of residents in-house and less expensive costs of private and voluntary sector provision. It was reiterated that the saving of £1.8 million shown was valid in relation to older people's homes but there would be additional costs elsewhere in the budget. The significant point in relation to Broadwater Lodge was that of fixed and marginal costs. While the home was full at the present time even a small reduction in the numbers would result in the unit cost increasing significantly. It was confirmed that from a corporate perspective the savings would be realised on the basis set out in the report.

In response to questions about transition arrangements and about the preparation of individual care plans we noted that it was accepted that it was difficult to consider the proposals and contact had been made with researchers in the University of Birmingham to ensure any potential movements of remaining residents complied with best current practice. There was no change to the Council's eligibility criteria. Adult and Community Services would continue to provide services to individuals who are assessed as having needs that were substantial or critical need and there are no plans to change this threshold. The preparation of individual care plans could not begin until after the decision to close the homes had been confirmed.

In response to a question about the option of selling 100 Whitehall Street to the private or voluntary sector it was explained that this would not be economically viable. In response to a further question about the provision of in house residential services by other London Boroughs we were informed that the results of a recent survey revealed that such provision was generally very small and most authorities were moving towards the commissioning of older people's residential care in the private sector.

Having considered the reference back from the Overview and Scrutiny Committee with particular regard to the points made in relation to the written submission from Bindmans (Solicitors); financial transparency; and consultation and engagement we

RESOLVED

That the decisions (vide Minute CAB.20 – 2011/12) in relation to the proposed closure of three Older People's Residential Care Homes and Learning Disabilities Residential and Respite Care Home be re-affirmed.

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The meeting ended at 15.15 hours.

CLAIRE KOBER
Chair