

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Adult Social Care and Health
Date:	3 December 2019
Title:	The Future of Orchard Close Respite Service - consideration of all wider options
Report From:	Director of Adults' Health and Care

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Purpose of this report

1. The purpose of this report is to present the further work that has been undertaken on the wider options since the 27 February 2019 and provide recommendations for the future of Orchard Close, Hayling Island respite service.

Recommendations

2. That the Executive Member for Adult Social Care and Health:
 - a) Acknowledges and thanks staff at Orchard Close, Healthwatch, Carers Together, Hampshire Advocacy and Orchard Close carers and service users for their contributions to the engagement process and the Healthwatch engagement report (see Appendix 1).
 - b) Confirms there are no proposals relating to the closure of the Respite Service at Orchard Close within the Transformation to 2021 plans considered by Full Council on 7 November 2019 and that the County Council will continue to run a respite service at Orchard Close.
 - c) Gives permission to go out to consultation on the proposals contained in this report including the reduction in the number of respite beds offered at Orchard Close respite service from a total of 13 to 10 beds.
 - d) Notes that the proposals for other Hampshire County Council Learning Disabilities respite services to increase their income from other public bodies will be included in the consultation as set out in this report.
 - e) Notes that Officers will continue to support carers to explore further the possibility of a Friends of Orchard Close group.
 - f) Notes that an advisory group for the Orchard Close Charitable Trust will be formed following a request by the Leader of the County Council. Any proposals in relation to the Orchard Close Charitable Trust will be subject to agreement by the Executive Member for Policy and Resources.

Executive Summary

3. In autumn 2018, a public consultation was undertaken on the future of Orchard Close respite service for people with learning disabilities. This was in the context of the financial climate in which the County Council is operating and the associated need to make savings, across all Departments, including learning disability services within adult social care.
4. Since 2010/11 there has been an ongoing significant net reduction in the level of grant funding that central Government has provided to councils with further reductions confirmed for 2019/20. To mitigate this reduction in national funding, all councils, including the County Council, have been required to make unprecedented levels of savings.
5. The County Council is still required to make savings of £140million annually from the financial year 2019/20 to balance the budget, which translates to a net reduction in spend across service budgets of 19%. For the Adults' Health and Care Department this has meant a reduction of £55.9million, in addition to the £84million that the Department has had to save since 2013. The Department has planned for the Learning Disabilities service to contribute £11.4million.
6. Other factors leading to Orchard Close being identified for potential closure, included:
 - The lack of suitability of the building at Orchard Close to meet the needs of people with more complex needs and the number of unused beds there at certain times of the year
 - The requirement to ensure services are modern, viable, sustainable and person-centred
 - That there was sufficient capacity in the County Council's other respite services and alternatives to meet need whilst still providing the same amount of respite for carers;
 - That people with more complex needs would receive respite in Hampshire County Council purpose built modern services
 - That more able people would have a wide choice of person-centred respite alternatives that promote independence
7. A consultation was held from 28 September until 21 December 2018. Following this consultation, a recommendation was put forward to close the respite service at Orchard Close. This was presented to the Health and Adult Social Care Select Committee (HASC) on 11 February. However, at the 11 February HASC, this recommendation was not supported, and the Committee asked that the Executive Member look to other ways to make the savings.
8. Following the outcome of the 11 February Committee, a revised report was presented to the Executive Member for Adult Social Care and Health on 27 February recommending that further work be undertaken prior to any decision being made, as to all possible wider options and that further reports

would be submitted not before Autumn 2019 to the relevant Executive Member for consideration.

9. This recommendation was approved. However, following this meeting, a Call in was requested and the meeting to consider the request for a Call in was held on 14 March. At this meeting the Committee agreed to refer the original decision (27 February) back to the Executive Member for reconsideration.
10. A further report was subsequently presented at the 29 March Executive Member Decision Day when the Executive Member confirmed the decision made on 27 February.
11. The HASC requested that a Member Task and Finish Group be established. In addition, officers established the Voluntary Sector, Carer and Officer Working Group (Voluntary Sector Group) to maximise engagement as wider options were explored. A piece of wider engagement also took place coordinated by Healthwatch (Appendix 1).
12. The conclusion of the groups and the key finding from engagement was that they wished Hampshire County Council to continue to run the service at Orchard Close in preference to another provider (see paragraph 35).
13. The County Council have responded to this feedback by recommending that Hampshire County Council should continue to run the service. However, the County Council need to consider affordability given the continued financial challenges and need to ensure equity of service across learning disability services and the wider Adults' Health and Care Department.
14. Therefore, additional proposals have been put forward including a consultation on a reduction in beds from 13 to 10 at Orchard Close, as well as a proposal to attract income from other public bodies at other Hampshire County Council respite units. These proposals aim to mitigate the saving gap from retaining Orchard Close and improve equity across services.
15. The proposed consultation would commence in December 2019 after the general election with an Executive Member decision in March 2020.
16. It is estimated a combination of the proposed reduction in beds at Orchard Close and the attraction of income from other public bodies could save a total of £284,932, leaving an additional £332,068 to be found from services for people with learning disability. This is a pressure in addition to current established savings targets.

Orchard Close and other Hampshire County Council Care respite – service details

17. Orchard Close respite service is a residential respite service on Hayling Island, for adults with learning disabilities. It is registered with Care Quality Commission to provide respite for up to 13 service users at any one time.
18. Hampshire County Council respite services are for people living at home with family carers and no one lives at Orchard Close respite service permanently.

19. At Orchard Close, in 2018/19 134 people with learning disabilities received a range of respite nights a year according to assessment of eligible need for them and their carers’.
20. The respite service operates from the Orchard Close building which is owned by a charity and the County Council is the sole trustee of the Charity.
21. The Charity is a separate legal entity distinct from the respite service. Decisions in respect of the Charity are made in the best interest of the Charity.
22. Orchard Close respite service is one of 4 Hampshire County Council learning disabilities residential respite services – the other 3 all being registered for 8 beds and are Newcroft (in Locks Heath) Hindson House (nr Basingstoke) and Jacobs Lodge (nr Totton). There is an additional learning disabilities Hampshire County Council residential service called West Street (in Havant) which is an emergency short stay service. Details of these services are found in Appendix 2.

Member Scrutiny Task and Finish Group (TAFG)

23. The Member TAFG consisted of 5 members of the County Council’s HASC and was attended by County Council officers as well as the Healthwatch manager. The TAFG was chaired by the chair of the HASC. The Group met 5 times between April and November 2019.
24. The Group was established to provide oversight, scrutiny and comment to progress with the review of alternatives to closure of Orchard Close. As stated in the terms of reference for this Group, “it is not possible for HASC to recommend a course of action which fetters the professional discretion of Officers to perform their professional roles, or which fetters the discretion of the County Council to take action in future”.
25. Members of the TAFG attended the Voluntary Sector Working Group to observe and report back to the wider TAFG. The Healthwatch Manager attended the TAFG to report back on progress in the Voluntary Sector Group.

The Voluntary Sector, Carer and Officer Working Group (Voluntary Sector Working Group) and service user and carer engagement

26. The Voluntary Sector, Carer and Officer Working Group (Voluntary Sector Group) membership included independent representatives from Carers Together, service users represented by Speakeasy Advocacy and carers who were members of the ‘Save Orchard Close’ campaign. The Group was chaired by an independent organisation (Healthwatch Hampshire) and attended by officers from Hampshire County Council Departments with representation from staff at Orchard Close. The Group was used as a forum to openly discuss the alternatives available other than closure and to establish a stakeholder engagement strategy. This Group met 7 times between June and October.
27. Alternatives considered were divided into three main areas:

- Hampshire County Council continuing to provide a service at Orchard Close
- Commissioning another organisation to run a respite service at Orchard Close.
- Potential for parent carers and / or service users to run the respite service.

The option of closing Orchard Close had already been considered and consulted on in Autumn 2018 so was not part of the work of the group.

28. The Voluntary Sector Group considered the three areas applying agreed principles of affordability, quality, equitability and sustainability.
29. The Voluntary Sector Group devised the service user, staff and carer engagement. The engagement, and the resulting report, was coordinated and delivered by Healthwatch Hampshire. Speakeasy Advocacy led work on engagement with service users and Carers Together led work on engagement with carers. The full findings can be found in the Healthwatch Hampshire Orchard Close Engagement report (Appendix 1).
30. Speakeasy Advocacy captured the views of 51 people who use Orchard Close respite service and the service user representatives from the learning disability partnership board. In summary, feedback was that stays at Orchard Close respite service provided people with valuable opportunities to “..[make] friends” (Healthwatch engagement report, page 6, Appendix 1) for some Orchard Close “is the only place I see them”. Participants reported that they “really enjoy[ed] the activities” with some saying that they would like more and “different activities offered” (Healthwatch engagement report, page 9, Appendix 1). People enjoyed the “great relationships with staff” (Healthwatch engagement report, page 7, Appendix 1), the location and the food which was described as “great” (Healthwatch engagement report, page 8, Appendix 1).
31. Carers Together captured the views of 71 parents and carers. In summary they felt safe leaving their relative at Orchard Close respite service and really trusted the service. Carers particularly appreciated the “continuity of staff” (Healthwatch engagement report, page 16, Appendix 1). Others said that respite there was “vital....as we care for her 24/7” (Healthwatch engagement report, page 18, Appendix 1) and was a key support in their caring role.
32. Healthwatch captured the views of 12 staff using a survey. In summary they were proud of the personalised approach to care that they provided at Orchard Close respite service (Healthwatch engagement report, page 29, Appendix 1).
33. The Voluntary Sector Group considered the option of commissioning another organisation to run a respite service at Orchard Close. The most important theme common across service users, carers and staff within the Healthwatch Hampshire Orchard Close Engagement report is the view that Hampshire County Council should continue to provide the service at Orchard Close, as opposed to another organisation and that the service should remain open.

34. All members of the Group felt that procurement of the respite service at Orchard Close from another provider would not necessarily deliver any identified benefits, although it was recognised that this may have provided some modest cost reduction.
35. The Group considered carefully the idea of a parent/carer led entity taking on the running of the respite service at Orchard Close. Officers facilitated meetings with organisations who had taken this approach. Although parent carers suggested that they would consider this, it would only be a contingency option, should Hampshire County Council not run the service and would not be a first choice. A number of parent carers highlighted the fact that their own caring responsibilities meant that taking on more responsibilities would be challenging with one respondent commenting “parent carers need support not more work” (Healthwatch engagement report, page 27, Appendix 1). A service user commented “I don’t think family would work, because they wouldn’t get a break because they’d be organising too much and worrying about it.” (Healthwatch engagement report, page 13, Appendix 1).

Hampshire County Council response to feedback

36. Officers have carefully considered feedback from the Members Group, the Voluntary Sector Group and the Healthwatch engagement report. The primary theme of the feedback was that Hampshire County Council continue to provide the service at Orchard Close.
37. Officers understand the importance of respite at Orchard Close for service users who remain at home with family carers. The County Council have co-produced a carers strategy and have carers actively involved in Local Implementation Groups and the Learning Disability Partnership Board.
38. The County Council provide significant funding for carers in addition to provision at Orchard Close. The overwhelming majority of people who attend Orchard Close, also receive other services from the County Council. The County Council spends approximately £3million on Hampshire County Council learning disability bed-based respite other than Orchard Close, £1million on learning disability commissioned bed-based respite and £15million in learning disability day opportunities per year with 1620 days per week provided.
39. Originally the County Council estimated that the proposal for the closure of Orchard Close respite service would have resulted in a recurrent budget saving of £0.6million. During the consultation tentative further work suggested a potential saving just under this amount (£570,000). A recurrent saving amount of £617,000 was allocated to the potential closure.
40. It is important to consider affordability of the decision to retain Orchard Close, given that £617,000 of recurring savings will need to be found from elsewhere within learning disability services. Hampshire County Council have therefore explored additional changes to the service that would make Hampshire County Council retaining the service there more affordable.

Income generation at Orchard Close

41. Feedback within the Healthwatch engagement report and from the Voluntary Sector Group has included attracting alternative income in order to improve the affordability of the service. Some ideas have been explored and have had to be discounted for example, in response to the suggestion that Direct Payments could be used to purchase extra nights at Orchard Close. As stated in the Care Act statutory Guidance, “as a general rule, direct payments should not be used to pay for local authority – provided services from the ‘home’ local authority”.
42. Another respondent suggested that “some carers are willing to pay more toward their respite care” (Healthwatch engagement report, page 19, Appendix 1). It is not possible to introduce inequitable charging arrangements where those who attend Orchard Close pay more. Under the Care Act 2014, a local authority has the power to charge for most care services. Where a local authority has decided to charge, then the amount paid by each individual is determined by a financial assessment in line with legislation.
43. An alternative suggestion was “for carers to be able to buy extra days if there is room available” (Healthwatch engagement report, page 19, Appendix 1). This is not within the core business of the Hampshire County Council respite service which is there to meet eligible needs for respite. It is also unlikely that the 3 bedrooms under discussion could be consistently full to justify the cost of the provision.
44. People throughout the engagement made suggestions about “allow[ing] people from outside the county to use Orchard Close” (Healthwatch engagement report, page 33, Appendix 1).
45. Initial enquiries have shown that interest from other public bodies has been in respite services for those who have challenging needs and/ or additional physical disabilities in addition to their learning disability. There are just 4 accessible rooms at Orchard Close of which 2 have ceiling track hoists and none have ensuite facilities. These rooms are in regular use by Hampshire residents, and are therefore not available to be used by other authorities.
46. Service users at Orchard Close said that one of things they valued was the “quiet, calm situation for someone with autism ..” (Healthwatch engagement Report, page 17, Appendix 1). Meeting a higher level of need at Orchard Close is likely to result in the service being busier and less calm. Hampshire’s modern and purpose built services are better placed to meet this need, and have sufficient capacity.

Income generation in other Hampshire County Council respite services

47. In the previous report analysis of the 3 other Hampshire County Council respite services showed that there was under occupancy across Newcroft, Hindson House and Jacobs Lodge. Changes at West Street (the County Council’s emergency respite unit in Havant), means that 4 additional

bedrooms will be used for emergencies; taking total available emergency beds to 15 and increasing the capacity of planned respite beds. The table below shows the level of capacity for 17/18 and 18/19 (assuming 85% occupancy);

Respite Home	2017-18 Actual Occupancy (bed nights)	2017-18 Spare bed nights available (85% occupancy)**	2018-19 Actual occupancy (bed nights)	2018-19 Spare bed nights available (85% occupancy)**
Croft House and Newcroft House	2,002	480	2,002*	480
Hindson House	1,631	851	1727	755
Jacobs Lodge	1,842	640	1,465	1,017
TOTAL	5,475	1,971	5,194	2,252

*Actual occupancy 18/19 at Newcroft House was 1,403. However, last year's figure substituted as the unit was closed for some months whilst relocated

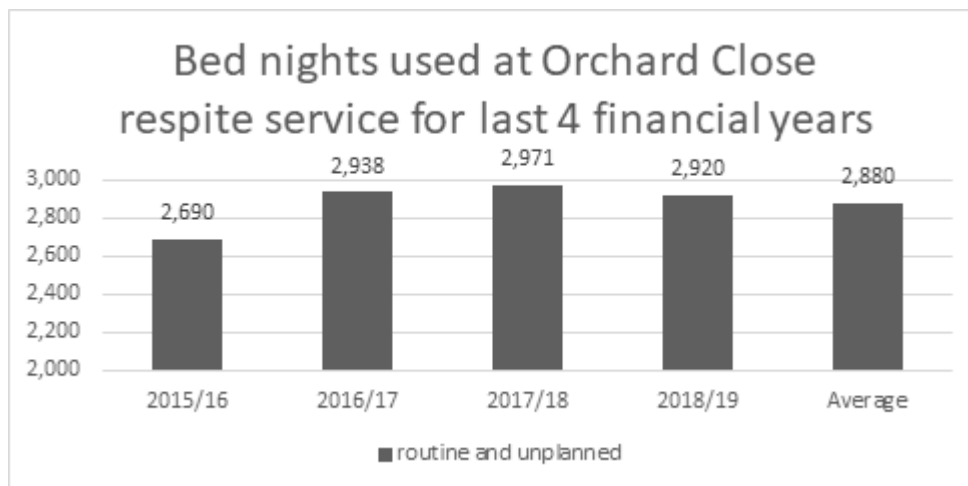
**85% is the lower end of the ideal capacity for these services which is between 85% and 90%.

48. Members in the Task and Finish Group suggested that some of the spare capacity in Jacobs Lodge, Hindson House and Newcroft may be more successful in attracting income from a wider pool of local authorities and or the NHS. Initial exploratory enquiries with some of these public bodies have shown potential.
49. It is therefore proposed that Hampshire County Council consult upon marketing some of the additional capacity to other public bodies. The target would be that we could attract income for 466 bed nights per year (the equivalent of approximately block booking 1.5 beds per annum at 85% capacity). This could attract an income of approximately £125,820 per annum, based on a nightly fee per bed of £270 per night.
50. A public consultation would run from December 2019 with an Executive Member decision day in March 2020. The proposal to consult upon using 466 bed nights per year (equivalent of approximately 1.5 beds per annum at 85% capacity) out of the current spare capacity is intentionally cautious to have minimal impact on Hampshire respite users.
51. In addition, as described in the last report, demographic data on people with learning disabilities, collected by Adults' Health and Care, shows that the

number of people in Hampshire who will require respite in the coming years is likely to remain static or slightly reduce. However, the various factors influencing demand for respite are complex and hard to predict precisely beyond the next few years. Should the marketing of beds go ahead, Hampshire County Council would wish to monitor and adjust the use of beds by other public bodies dependent upon this demand.

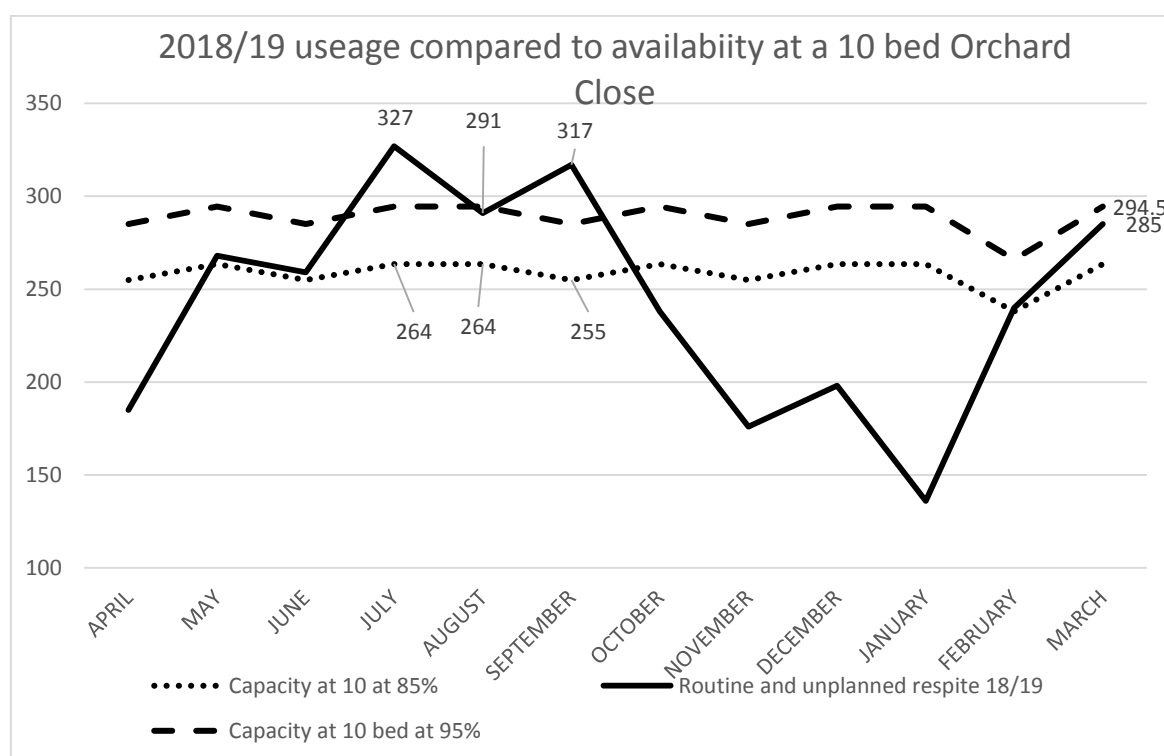
Occupancy and potential reduction in beds at Orchard Close

52. The continuation of a Hampshire County Council service at Orchard Close, would result in a shortfall of savings against the original amount of £617,000. This could be partially offset should the income generation in other units go ahead, but there would continue to be an estimated shortfall of £491,180 per annum which would disproportionately increase the savings pressure in other areas. It is therefore necessary to consider other alternative options to achieve further efficiencies beyond income generation.
53. One of the options explored for further savings has been a reduction in the number of beds, and therefore the staffing costs at Orchard Close. This is because the previous report highlighted that there are significant levels of under occupancy in Orchard Close during the year. The number of nights available at Orchard Close currently is 4,033 bed nights with the service running at 85%.
54. The below chart shows how many nights were used in each year since 2015/16. On average there are 2,880 bed nights used leaving 1,153 bed nights available per year.



55. Consideration was given to reducing the service at Orchard Close to 9 beds (a reduction of 4 beds). Running at 85% capacity would have resulted in 2,792 bed nights being available per year. However, after concerns expressed by carers in the working group and further consideration by officers, it is proposed that permission be given to consult on reducing the number of beds from 13 to 10 beds. This reduction would enable a reduction in staffing blueprint, equivalent to a further saving of £158,572.

56. Reducing beds from 13 to 10 beds would leave 3,102 bed nights available with a target of 85% occupancy, which is more than sufficient to meet the needs of all those currently using Orchard Close over a year.
57. The chart below demonstrates that currently Orchard Close is busier in certain months than in others. At current usage patterns there are 4 months when Orchard close would not be able to meet demand if it was running at 85% capacity which are July, August, September and March. If Orchard Close became a 10-bed service, then there would be a need for a slight decrease in use during these months and an increase in other months.



58. To support equitable access, should the decision be made to reduce beds, changes to booking respite in busy months might be required. The consultation on the proposals relating to Orchard Close becoming a 10-bed unit would need to ask respondents to consider the impact of alternative booking methods and allocations over the summer months and whether it would be possible to make the quieter months more popular.
59. For example, to promote usage outside of the summer, some carers at the Orchard Close Voluntary Group have suggested developing theme weeks, especially in the quieter months which would make these times of years more attractive. In addition, Orchard Close could also deliver “friendship weeks” in line with service user’s comments about being able to “see friends and make new friends” (Healthwatch engagement report, page 8, Appendix 1). Some carers at the Orchard Close Voluntary Group also suggested encouraging people to take regular respite which not only has a beneficial

impact to them as carers but would also reduce the risk of people using the last of their allocation in March, the end of the financial year.

60. Respondents in the Healthwatch engagement report have asked for “more flexibility around booking..”(Healthwatch engagement report, page 18, Appendix 1). There were other requests around more flexibility around “drop off times,” and “overnight, or two nights stays” (Healthwatch engagement report, page 18, Appendix 1). Whilst It is acknowledged that the proposed reduction in beds could decrease some flexibility in busy months, these suggestions could be given further consideration and included in the consultation.
61. Depending upon the outcome of the consultation and decision by Executive Member in March 2020, implementation of a bed reduction would be introduced no earlier than the 1 October 2020.

Public consultation

62. It is proposed to carry out an eight-week consultation that would start after the general election and conclude in February 2020. This is judged to be an appropriate period for consultation given the number of people that may be affected by the proposals. It will also allow other stakeholders, service providers and other interested parties to participate.
63. It is proposed to carry out an online consultation via the County Council’s website www.hants.gov.uk. Paper copies of the proposals, in the form of a consultation document and response forms would be made available on request; these would include an easy-read version.
64. The consultation would be publicised on the Hampshire County Council website.
<https://www.hants.gov.uk/aboutthecouncil/haveyoursay/consultations>
65. Three drop-in sessions will be provided across Hampshire. Details of the proposals, including how to take part in the consultation would be sent to the users of Orchard Close respite service and their parent carers, MPs, County Councillors and District and Borough Councillors. Local Members would be offered the opportunity to have written and personal briefings on the proposed plans.

Equalities impact assessment- service user and carer

66. The proposal to reduce bed numbers at Orchard Close from 13 to 10 at Orchard Close and the selling of 466 bed nights to other authorities would not affect the overall amount of respite received by any individual. Because Orchard Close, Jacobs Lodge, Hindson House and Newcroft House are respite services for people primarily with a learning disability, acknowledging some may also have other conditions such as a physical disability or autism, these proposals would impact upon people with a disability. These proposals could mean that the distribution of respite for individuals may need to change (with the highest impact at Orchard Close) to ensure that everyone could access their service during the more popular summer period

and the booking of weekends in isolation would be reduced (with the highest impact at Orchard Close).

67. The recommendation to consult on marketing 466 bed nights out of the current spare capacity (equivalent to approximately 1.5 beds per annum at 85% capacity) only equates to approximately 25% of the total available capacity. This low estimation of potential bed nights would minimise the impact to Hampshire residents and their carers.
68. The potential implementation date of 1 October 2020 would also allow for proper planning and transition further mitigating risks.
69. The full equalities impact assessment can be found on pages 17-20.

Staffing Implications

70. The proposals only impact staff at Orchard Close where there are currently 23 (17.2 full-time equivalent) members of staff working at Orchard Close.
71. Changing Orchard Close from a 13 to a 10 beds service would require a 3.1 FTE reduction in Residential Service Officers, 2 FTE reduction in Senior Residential Service Officers, 0.3 FTE in Domestic Assistant staff and 0.2 FTE in Administration staff.
72. Should the proposal go ahead following the consultation, there would be a small reduction in staff blueprint at Orchard Close. It is envisaged that there would be alternative employment in other HCC Care (internal care home provision) services available for all staff and given the number of HCC Care services in the South East there would be local options available.
73. A staff consultation would be held that will conclude in February 2020 with Executive Member decision in March 2020. There would be HR drop ins and staff meetings during the consultation.

Equalities Impact Assessment- staff

74. A separate staff Equalities Impact Assessment has been carried out focussing on the staff who currently work at Orchard Close respite service. A formal staff consultation would also run alongside the public consultation.
75. The key impacts would be around gender (medium) and age (medium). It was been identified that over 85% of the staff who work at Orchard Close are women, however there is a clear gender bias towards women being employed in such services across Adults' Health and Care. The key activity in terms of mitigating will be to ensure that all staff affected have as much opportunity as possible to be actively involved in the staff consultation, in order that they are as informed as possible about their future career options. Additionally, if the decision is taken to reduce the beds at Orchard Close, there would be time to transition to alternative employment.
76. An age profile analysis of the staff working in Orchard Close has been undertaken. The profile revealed that over 50% of the staff are aged 50 or above. All staff affected will have as much opportunity as possible to be actively involved in the staff consultation, in order that they are as informed as possible about their future career options.

77. A full staff equalities impact assessment can be found on pages 20-22.

Financial Implications

Impact of Income from other public bodies

78. If Hampshire County Council took forward the proposal to market some of the additional capacity to other authorities, the target would be that we would attract income for 466 bed nights per year or the equivalent of block booking 1.5 beds at 85% capacity. This could attract an income of £125,820 per annum, based on a nightly fee of £270 per night.

Impact of potential reduction in beds at Orchard Close

79. The proposed reduction from 13 to 10 beds would enable a reduction in staffing blueprint, saving a further £158,572 with staff moving to existing vacancies within existing Hampshire County Council services.

Financial impact of retaining Orchard Close

80. It was estimated the original proposals for the closure of Orchard Close respite service would have resulted in a recurring budget saving of £617,000 saving. This forecast saving has been accounted for in learning disability revenue budgets for 2019/20 and for all subsequent years.
81. The proposals in this report to keep Orchard Close respite service open and run by HCC Care will result in a significantly lower savings total than initially anticipated. The forecast savings make a total recurring saving of £284,392. This would leave a shortfall in the original forecast of £332,068 per annum.
82. The £332,000 additional savings would be required alongside existing transformation to 2019 and Transformation to 2021 programmes. The combined requirements of these two programmes have been to make efficiencies of £21.6million against a learning disability revenue budget of circa £110million.
83. In total £5.548million of the £21.6million have already been achieved, just over a quarter of what is required by the end of Transformation to 2021.
84. The County Council mitigates the impact of savings on people with learning disabilities through use of innovative new models of care and preventative strategies to reduce and delay need. For example, the development of Younger Adults Extra Care accommodation and access to older person's accommodation where appropriate, increased use of technology, increased access to employment and specialist work to reduce challenging behaviour. Unfortunately, the scope for these more innovative programmes has already been maximised and there is no scope to add to these. It is therefore not possible to find the additional £332,000 through these means.
85. To give an indication of the scale of additional savings of £332,000 is equivalent to a further reduction of 353 hours per week of domiciliary care at £18 per hour or 115 fewer days of day service per week at an average of £55.15 per day.

86. It is important to note that the learning disability population is relatively static, and the scope to reduce services decreases over successive transformation programmes, as new people entering our services are limited. It is therefore likely that these levels of saving will be hard to achieve and may lead to an increased financial pressure in Adults' Health and Care in future years.

Building improvements and the Charitable Trust

87. As part of the Healthwatch engagement on Orchard Close, service users and carers were asked about any improvements that could be made. Feedback provided suggested a theme around the building: Whilst people enjoyed the location and grounds, several service users mentioned updating the decoration or facilities, such as "installing a lift, better Wi-Fi, a PlayStation and more pictures upstairs" (Healthwatch engagement report, page 9, Appendix 1).
88. Staff said, "the Wi-Fi is non-existent at best - although apparently its being updated shortly...A lift maybe, to make upstairs more accessible to all. A lick of paint" (Healthwatch engagement report, page 31, Appendix 1). Another staff member said, "adaptions to the building to make supporting service users with disabilities a bit easier e.g. widen downstairs corridor, add hoist facilities in other downstairs bedrooms Room 1 and 5.. the walls, doors, need to be painted, renew toilets, bathrooms, bedrooms. General refreshment will be great" (Healthwatch engagement report, page 31, Appendix 1).
89. There were mixed views from carers about the importance of accessibility with some saying "maybe put in a lift or stairlift" with other views such as "If wheelchair users are the problem don't offer Orchard Close, use one of the other respite centres" (Healthwatch engagement report, page 19, Appendix 1).
90. As already explained, no participants in the Healthwatch engagement report wanted carers/parents/family/staff to run Orchard Close. However, carers and family members did say that they would like to become more involved in the decision-making processes. Some members of the Voluntary Sector Group discussed forming a Friends of group in order to fundraise. Some carers suggested that "it would be beneficial if parent carers or family members had the opportunity to act as "extra trustees" or be involved in a Parent Carer Forum" (Healthwatch engagement report, page 19, Appendix 1).

Hampshire County Council response to feedback - building

91. Officers have carefully considered feedback from the Members Group, the Voluntary Sector Group and the Healthwatch engagement report on the theme of the building.
92. The County Council will continue to make minor building improvements to maintain the building at Orchard Close as they have done up until now. The wi-fi system was upgraded after the engagement exercise, as part of a planned programme of work across HCC Care. As result of feedback about

the décor at Orchard Close, Hampshire County Council will review the current decoration and provide a refresh where this is required.

93. The County Council will work with interested family members to explore carers setting up a “Friend of Orchard Close” group, should the carers and service users wish to do so. Similar fundraising groups exist for a number of Hampshire County Council care homes. This could provide opportunities to raise funds to further improve the quality of experience and environment at Orchard Close, although would be up to the group themselves to decide what they would like to fund-raise towards.
94. With regard to consideration of more major adaptations - it is important to note that the Orchard Close building is owned by a charity and the County Council is the sole trustee of the Charity. The Charity is a separate legal entity distinct from the respite service. Decisions in respect of the Charity are made in the best interests of the Charity.
95. It would be for the County Council as sole trustee of the Charitable Trust to make any decision in respect of the land and building in consultation if required with the Charity Commission. In response to feedback around the land and building, as well as the request for carers to have greater involvement in the Charitable Trust, the Leader, has asked that an advisory group is established for the Trust.
96. It is proposed that a report be presented to the Executive Member for Policy and Resources at a future Decision Day to this effect.

Conclusions

97. The County Council have worked in partnership with the voluntary sector, carers, services users, staff at Orchard Close and HCC Care to explore all wider options. The conclusion of the Groups and the key finding from engagement are that the County Council should continue to run the service at Orchard Close.
98. The County Council have responded to this feedback by recommending that Hampshire County Council should continue to run the service in preference to another provider.
99. In response to feedback around the land and building, as well as the request for carers to have greater involvement in the Trust, the Leader has requested that the County Council form an advisory group on behalf of the Charitable Trust.
100. Additional proposals have been put forward including a consultation on a reduction in beds from 13 to 10 at Orchard Close, as well as a proposal to attract income from other public bodies at other Hampshire County Council respite units.
101. The proposed consultation would run until February 2020 with an Executive Member decision in March 2020.

REQUIRED CORPORATE AND LEGAL INFORMATION:

Links to the Strategic Plan

Hampshire maintains strong and sustainable economic growth and prosperity:	No
People in Hampshire live safe, healthy and independent lives:	Yes
People in Hampshire enjoy a rich and diverse environment:	Yes
People in Hampshire enjoy being part of strong, inclusive communities:	Yes

Other Significant Links

Links to previous Member decisions:	
<u>Title</u> Findings from the Consultation and recommendations on respite services at Orchard Close, Hayling Island Recommendation to reconsider the decision of 27 February 2019	<u>Date</u> 27 February 2019 29 March 2019
Direct links to specific legislation or Government Directives	
<u>Title</u> Care Act	<u>Date</u> 2018

Section 100 D - Local Government Act 1972 - background documents

The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)

<u>Document</u>	<u>Location</u>
None	

EQUALITIES IMPACT ASSESSMENT:

1. Equality Duty

The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited by or under the Act with regard to the protected characteristics as set out in section 4 of the Act (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation);
- Advance equality of opportunity between persons who share a relevant protected characteristic within section 149(7) of the Act (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic within section 149(7) of the Act (see above) and persons who do not share it.

Due regard in this context involves having due regard in particular to:

- The need to remove or minimise disadvantages suffered by persons sharing a relevant protected characteristic that are connected to that characteristic;
- Take steps to meet the needs of persons sharing a relevant protected characteristic that are different from the needs of persons who do not share it;
- Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

2. Equalities Impact Assessment:

Equalities impact assessment- service user and carer

Description of Service / Policy

Orchard Close respite service is a residential respite service on Hayling Island, for adults with learning disabilities. The service is run by Hampshire County Council. It is registered with Care Quality Commission to provide respite for up to 13 service users at any one time. At Orchard Close, in 2018/19 134 people with learning disabilities received a range of respite nights a year according to assessment of eligible need for them and their carers.

Jacobs Lodge, Hindson House and Newcroft House are also run by Hampshire County Council and each are registered with Care Quality Commission to provide

respite for up to 8 service users at any one time. Between these three services, in 2018/19 they provided respite for 184 service users with learning disabilities each of whom received a range of respite nights a year according to assessment of eligible need for them and their carers. The County Council's respite services are for people living at home with family carers and no one lives at Orchard Close respite service permanently.

Geographical impact* All Hampshire

Description of proposed change

To open a public consultation on proposals to reduce the number of respite beds at Orchard Close respite service from 13 to 10 and sell to other authorities a total of 466 bed spaces per year across Jacobs Lodge, Hindson House and Newcroft House. Under these proposals, all respite services could still meet current levels of respite received by those people currently using them. A reduction in bed numbers at Orchard Close from 13 to 10 would mean that the distribution of respite for individuals may need to change for some people to ensure everyone could have some access to the service during the more popular summer period. The selling of beds at the other respite units will not have a significant impact in terms of how respite is distributed. The proposals to reduce beds at Orchard Close and the selling of beds to other public bodies will not affect the overall amount of respite received by any individual.

Engagement and consultation

Has engagement or consultation been carried out?

Planned

It is proposed to carry out an 8-week consultation for service users, family members and other stakeholders concluding in February 2020. This has been judged to be a realistic and proportionate timeframe to allow for consideration of, and response to, the proposals. This follows a previous consultation on proposals to close Orchard Close, which were not taken forward, and subsequent intensive engagement with service users and other stakeholders. Advocacy services would be made available to support service users to participate in the consultation if required.

Impacts of the proposed change

This impact assessment covers service users and their parent carers.

Statutory considerations

Age – Medium

Impact – Although all these services are open to adults of all ages, approximately 40% of the people who use Orchard Close are under 30 and at Jacobs Lodge, Hindson House and Newcroft House approximately 45% of the people who used them are under 30.

From looking at the age profile of the people that use Orchard Close, Jacobs Lodge, Hindson House and Newcroft House we know that a significant number of their parent carers are older and therefore are likely to be impacted by any changes to the respite that their cared-for person receives.

Mitigation

Everyone who currently accesses Orchard Close, Jacobs Lodge, Hindson House and Newcroft House would still be able to do so. During the consultation we would seek views as to the sort of additional activities that people would like to see offered at Orchard Close, including some that may be more age-appropriate. We are also seeking views on the proposal to sell 466 bed nights to other authorities.

Disability – High

Impact HCC respite provision at Orchard Close, Jacobs Lodge, Hindson House and Newcroft House are primarily for people with a learning disability, although some may also have other disabilities such as autism or a physical disability. These proposals could mean that the distribution of respite for individuals may need to change (with the highest impact at Orchard Close) to ensure that everyone could access their service during the more popular summer period. It is also likely that the booking of weekends in isolation will be reduced (with the highest impact at Orchard Close). Regarding the selling of beds at Jacobs Lodge, Hindson House and Newcroft House as this is only 6.3% of available capacity (if these services were run at 85% occupancy) revisions to booking distribution may need to be considered but impact is deemed as minimal.

Mitigation - During the consultation period, it is proposed that the County Council explores options as to how to ensure equitable access to the respite service at Orchard Close during peak times.

It should also be noted that the proposal to sell 466 bed nights out of the current spare capacity (equivalent to approximately 1.5 beds per annum at 85% capacity) is intentionally cautious to have minimal impact on Hampshire County Council respite users. Ongoing, and in future years, Hampshire County Council will be able to monitor and adjust the use of beds by other public bodies dependent upon demand to further reduce potential impact.

Sexual Orientation Neutral

Race - Neutral

Religion and Belief - Neutral

Gender Reassignment - Neutral

Gender - Neutral

Marriage and civil partnership – Neutral

Pregnancy and Maternity – Neutral

Other policy considerations

Poverty – Neutral

Rurality - Neutral

Additional Information

A decision on these proposals will be taken in March 2020 by the Executive Member for Adult Social Care and Health. If the decision is taken to reduce the number of beds at Orchard Close and agreement to sell 466 bed nights then it is proposed this would not happen until after September 2020 (although some limited trial of other authorities using respite beds at Jacobs Lodge, Hindson House and Newcroft House may take place before March 2020 to test viability and the market).

Equalities Impact Assessment- staff

Description of Service / Policy

Orchard Close respite service is a residential respite service on Hayling Island, for adults with learning disabilities. The service is run by Hampshire County Council. It is registered with Care Quality Commission to provide respite for up to 13 service users at any one time. At Orchard Close, in 2018/19 134 people with learning disabilities received a range of respite nights a year according to assessment of eligible need for them and their carers.

Jacobs Lodge, Hindson House and Newcroft House are also run by Hampshire County Council and each are registered with Care Quality Commission to provide respite for up to 8 service users at any one time. Between these three services, in 2018/19 they provided respite for 184 service users with learning disabilities each of whom received a range of respite nights a year according to assessment of eligible need for them and their carers. The County Council's respite services are for people living at home with family carers and no one lives at Orchard Close respite service permanently.

Geographical impact* All Hampshire

Description of proposed change

To open a public consultation on proposals to reduce the number of respite beds at Orchard Close respite service from 13 to 10 and sell to other authorities a total of 466 bed spaces per year across Jacobs Lodge, Hindson House and Newcroft House. Under these proposals, all respite services could still meet current levels of respite received by those people currently using them. A reduction in bed numbers at Orchard Close from 13 to 10 would mean that the distribution of respite for individuals may need to change for some people to ensure everyone could have some access to the service during the more popular summer period. The selling of beds at Jacobs Lodge, Hindson House and Newcroft House will not have a significant impact in terms of how respite is distributed. The proposals to reduce beds at Orchard Close and the selling of beds to other public bodies will not affect the overall amount of respite received by any individual.

Engagement and consultation

Has engagement or consultation been carried out?

Planned

The proposals will only impact staff working at Orchard Close so a 6 week formal HR consultation process on the proposals alongside the public consultation is planned for these staff members. Sensitive and timely support would be available for these staff during this period. Managers and designated HR support would ensure staff are given every opportunity to ask questions and offer feedback throughout the process. Given the small reduction in staff numbers required at Orchard Close, staff here would have the option of redeployment in local services.

Impacts of the proposed change

This impact assessment covers Staff working at Orchard Close

Statutory considerations

Age – Medium

Impact – over 50% of the staff at Orchard Close are aged 50 or above.

Mitigation - An age profile analysis of the staff working in Orchard Close has been undertaken. The profile revealed that over 50% of the staff here are aged 50 or above. All staff affected will have as much opportunity as possible to be actively involved in the staff consultation, in order that they are as informed as possible about their future career options.

Disability – Neutral

Sexual Orientation Neutral

Race - Neutral

Religion and Belief - Neutral

Gender Reassignment - Neutral

Gender – Medium

Impact – Over 85% of the staff who work at Orchard Close are women.

Mitigation - It was been identified that over 85% of the staff who work at Orchard Close are women, however there is a clear gender bias towards women being employed in such services across Adults' Health and Care. The key activity in terms of mitigating will be to ensure that all staff affected have as much opportunity as possible to be actively involved in the staff consultation, in order that they are as informed as possible about their future career options.

Marriage and civil partnership – Neutral

Pregnancy and Maternity - Neutral

Other policy considerations

Poverty – Neutral

Rurality - Neutral

Additional Information

A decision on these proposals will be taken in March 2020 by the Executive Member for Adult Social Care and Health. If the decision is taken to reduce the number of beds at Orchard Close and agreement to sell 466 bed nights then it is proposed this would not happen until after September 2020 (although some limited trial of other authorities using respite beds at Jacobs Lodge, Hindson House and Newcroft House may take place before March 2020 to test viability and the market).

Appendix 2 – Information on Hampshire County Council Respite and Crisis Care (an extract from 11 February 2019 HASC Report)

The County Council operates three other respite units, in addition to Orchard Close, as well as a service focused on providing emergency/crisis care and emergency respite. The other units are Hindson House, Newcroft House, Jacob's Lodge and West Street, which is the emergency / crisis service. With the exception of Jacob's Lodge, these were all part of a capital improvement programme partly funded from the capital receipts from disposal of outdated learning disability accommodation agreed in 2011. These units provide modern yet homely environments which are able to accommodate people with wide range of needs, including complex needs. Both Hindson House and the Newcroft House were designed with input from people with learning disabilities. All of the County Council units offer a full range of activities to guests, including access to local community facilities, day trips and skills development. Staff receive the same training as staff at Orchard Close with intensive core and induction training supplemented with additional specialist training as required.

Hindson House - Hindson House is a purpose built 8-bedded unit in Winklebury, Basingstoke, providing respite and short breaks for adults with learning and physical disabilities. Communal facilities at Hindson House include a lounge, sensory room, dining room, kitchen, toilet/bathroom/shower room and a toilet /changing room. The guest rooms are linked via tracking to the 'Jack n Jill' style en-suite bathrooms. This is where two bedrooms are separated by an en-suite bathroom which they share, but which has lockable doors. All the bathrooms are adapted for use to meet a range of needs. Hindson House also has several landscaped garden areas for guests to enjoy. Hindson House was last inspected by the Care Quality Commission on 10 May 2018. It was rated good in all categories.

Jacob's Lodge - Jacobs Lodge is a purpose built 8-bedded unit in Totton, providing Respite and Short Breaks for adults with learning and physical disabilities. Communal facilities at Jacobs Lodge include a number of shared lounges and sitting areas as well as a sensory room. There are high specification bath and toilet facilities, which can accommodate people who are wheelchair users. Jacobs Lodge also has a spacious garden and external summer house. Jacobs Lodge was last inspected on 7 September 2017. It was rated good in all categories with the exception of one, where improvement is required. An improvement plan is in place.

Newcroft House (formerly Southern respite) - This is a new respite service at Locks Heath which replaces Croft House, a former respite unit based in Fareham. It has been developed on the same model as Hindson House, although lessons learnt from Hindson House have been factored into its design. It is a purpose built eight-bed unit, providing respite and short breaks for adults with learning and physical disabilities. Communal facilities include a lounge, sensory room, dining room, kitchen, toilet / bathroom / shower room and a toilet / changing room. The guest rooms are linked via tracking to the 'Jack n Jill' style en-suite bathrooms. All the bathrooms are adapted for use to meet a range of needs. The respite service is located next to the County Council's learning disability day service at

Locks Heath, where facilities can be made use of at weekends and in the evenings. People can also access a small community centre and shopping centre. Croft House, where this service was previously based, was inspected by the Care Quality Commission on 8th November 2016 and was rated good in all categories.

Hampshire County Council crisis service - West Street Havant West Street is a unique 14 bed service conveniently located within two minutes walking distance of Havant town centre, meaning people using the service can access the town's facilities. West Street provides emergency, crisis and assessment accommodation to adults with a learning disability, who may be in crisis or have experienced a breakdown in their long-term placement. The crisis service can currently accommodate up to ten individuals in two settings. It currently has a five bed house and five self-contained flats where individuals can live on their own, receiving the support they require. It was inspected by the Care Quality Commission in March 2017 and was rated overall outstanding with outstanding ratings for effective, caring and responsive.