

HAMPSHIRE COUNTY COUNCIL

Decision Report

Decision Maker:	Executive Member for Adult Social Care and Health
Date:	18 March 2020
Title:	Outcome of the consultation and recommendations on proposed changes to Hampshire County Council's learning disability respite services
Report From:	Director of Adults' Health and Care

Contact name: Jessica Hutchinson

Tel: 01962 847966

Email: Jessica.hutchinson@hants.gov.uk

Purpose of this report

1. The purpose of this paper is to report to the Executive Member for Adult Social Care and Health the outcomes of the consultation on the future of Orchard Close respite service and Hampshire County Council's other three learning disability respite services and to make recommendations relating to the future of all four services

Recommendations

2. That the Executive Member for Adult Social Care and Health:
 - a) Agrees to the reduction in the number of respite beds offered at Orchard Close respite service from 13 to 10.
 - b) Agrees to the proposals to generate income from Hampshire County Council's other learning disability respite services by marketing a limited amount of spare bed capacity to increase their income from other public bodies as set out in this report.
 - c) Agrees that the changes to the four respite services as set out in this report should come into effect from 1 October 2020.

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 included proposals to close the respite service at Orchard Close, which were estimated to deliver savings of approximately £617,000.
4. Following this consultation, a recommendation was put forward to close the respite service at Orchard Close. However, at the meeting of the County Council's Health and Adult Social Care Select Committee on 11 February

2019, the Committee asked that the Executive Member for Adult Social Care and Health consider other options for the future of the respite service.

5. At the Decision Day on 29 March 2019, the Executive Member for Adult Social Care and Health asked that further work be undertaken on all possible wider options, and that further reports would be submitted not before autumn 2019. Two working groups were set up:
 - Members of the County Council's Health and Social Care Committee (HASC) considered options for the respite service at Orchard Close.
 - A working group was tasked with engaging with parents, carers, service users, staff, and other interested parties. It was chaired by an independent organisation (Healthwatch Hampshire). Independent representatives from Carers Together and Speakeasy Advocacy were also invited to attend.
6. One conclusion reached by the working groups was that they wanted Hampshire County Council to continue to run the respite service at Orchard Close. This was agreed by the Executive Member for Adult Social Care and Health on 3 December 2019.
7. 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 equates to 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.
8. As a result of these savings requirements, and following the engagement set out above, the proposals to reduce the number of beds at Orchard Close from 13 to 10 and to market capacity in the County Council's other three learning disability respite services were developed. Together it was estimated that these proposals would save an estimated £285,000, leaving an additional £332,000 to be found from services for people with learning disabilities.
9. On 3 December 2019, the Executive Member for Adult Social Care and Health approved opening an eight-week public consultation on these proposals.
10. A public consultation ran from 16 December 2019 until 9 February 2020 (see sections 18-21). A total of 212 responses were received, either online or via paper copies, as well as two letter and email responses. Three public consultation events were held allowing members of the public, particularly people using these services and their parents and/or carers to meet senior officers from the County Council's learning disability service. The key findings from the consultation are explored in sections 33-51 of this report, with the full consultation findings at Appendices D (i) and D (ii).
11. Speak Easy Advocacy ran three independent workshops as part of their usual advocacy sessions, without input from the County Council, and

submitted these findings to the County Council. A summary of these findings is included as part of the consultation findings.

Overview of Hampshire County Council learning disability respite services

12. Hampshire County Council currently runs four residential respite services for people with learning disabilities. These are Hindson House in Basingstoke, Jacob's Lodge near Totton, Newcroft in Locks Heath and Orchard Close on Hayling Island. The respite services are for people who live at home with family carers and no one lives at the respite services permanently. The number of nights respite that an individual receives, is dependent upon an assessment of the eligible need of themselves and their carers for respite.
13. Orchard Close respite service is currently registered with the Care Quality Commission (CQC) to provide respite for up to 13 people at any one time. In 2018/19 a total of 134 people with learning disabilities received respite at Orchard Close.
14. 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. 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
15. The other three respite services are purpose-built and are each registered with the CQC for 8 beds. Details of their occupancy levels can be found in section 30 of this report.
16. Additionally, the County Council runs a residential service called West Street (in Havant) which is an emergency short stay service. This service is registered with the CQC for 15 beds.
17. In addition to the County Council's own respite services, there is a range of other respite options available for people with learning disabilities in Hampshire. These include private sector building-based respite, the Shared Lives services or taking a direct payment which allows an individual to purchase their own respite, such as an accessible holiday.

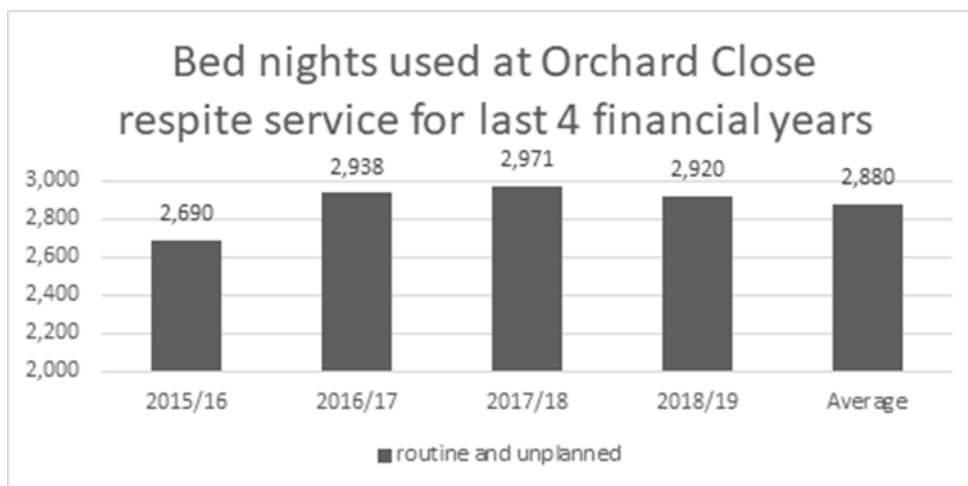
The consultation

18. The consultation sought the views of service users, parents, carers, other stakeholders and the wider general public on proposals to reduce the number of beds at Orchard Close respite service from 13 to 10 and to generate income through marketing spare capacity at the County Council's other learning disability respite services. The consultation started on 16 December 2019 and closed on 9 February 2020. Responses received until 11 February 2020 have been considered in this report.
19. A wide range of stakeholders were informed about the consultation, including users of the respite services, their parents and/or carers, staff working in the services, local politicians, local engagement forums for people with learning difficulties as well as voluntary and community organisations and groups.

20. The consultation was published online on Hampshire County Council's website, *Hantsweb*, in both easy-read and standard formats. Easy-read paper copies of the consultation document along with an easy-read response form and a pre-paid return envelope were sent to the users of the four services. Parents and/or carers of the people who use the services were sent standard copies of the consultation document and response form along with a pre-paid return envelope. Feedback to the consultation was also accepted in the form of letters and emails.
21. Three consultation events were held during the consultation period, aimed at service users and their parents and/or carers, allowing them to meet with officers from the County Council's learning disability service to discuss the proposals. The events were held in Basingstoke, Fareham and Havant. An independent advocate was available at each event to support attendees to participate in, or respond to, the consultation if required.

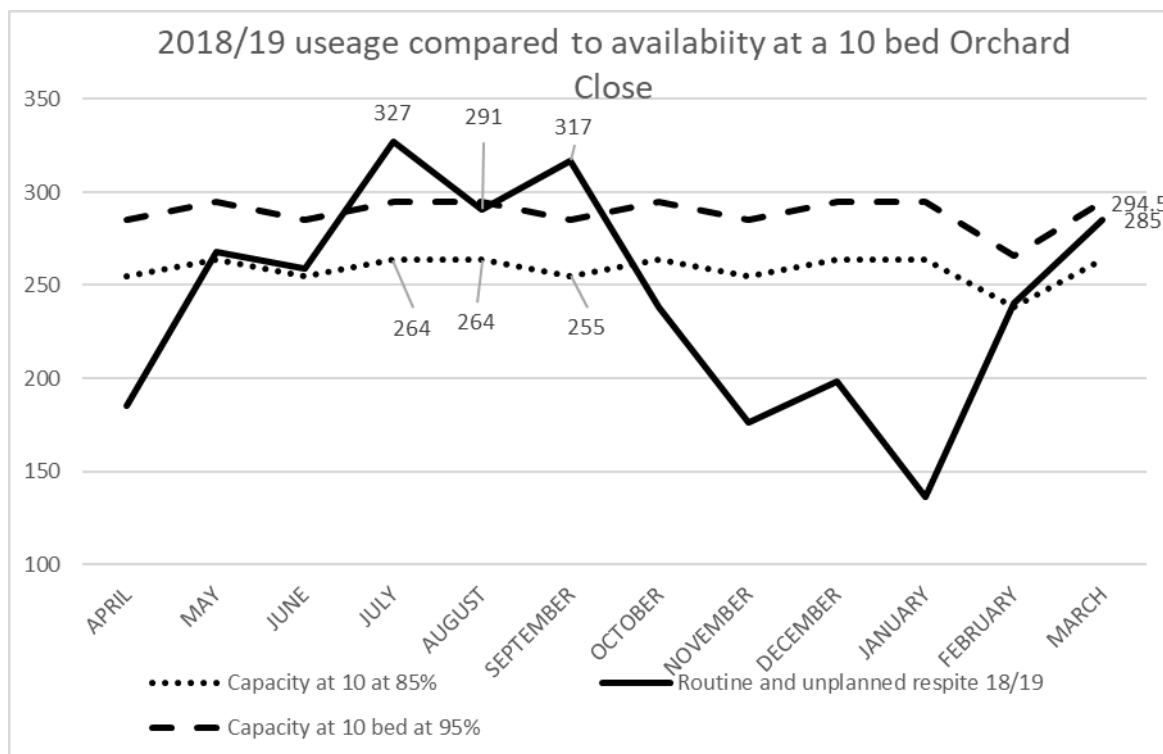
Proposal to reduce the number of beds at Orchard Close

22. One of the proposals that has been consulted on is to reduce the number of beds that are registered with CQC at Orchard Close from 13 to 10. This would enable a reduction in staffing blueprint, resulting in a saving of £159,000.
23. There are significant levels of under occupancy in Orchard Close during the year. The target occupancy for Orchard Close is 85%, which equates to 4,033 bed nights per year.
24. The chart below shows how many nights were used in each year since 2015/16. On average, between 2015/16 and 2018/19 there were 2,880 bed nights used each year leaving 1,153 bed nights available annually.



25. 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 anticipated 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

fewer people to use it during these months and an increase in usage in other months.



26. To support equitable access, should the decision be made to reduce beds, changes to booking respite in busy months might be required. The consultation also sought opinions both on how usage could be reduced during these periods as well as how the service could be made more attractive to people during the less busy months.

Income generation in other Hampshire County Council respite services

27. The second proposal that has been consulted on, is to market spare capacity at the County Council's other three respite services for people with learning disabilities. The recommendation is to market 466 bed nights per year (approximately 25% of the spare capacity). This could attract an estimated income of approximately £126,000 per annum, based on a nightly fee per bed of £270 per night. This is intentionally cautious to have minimal impact on Hampshire respite users.
28. Initial exploratory enquiries with other local authorities and the NHS have shown there is potential interest in buying bed-based respite from Hampshire County Council for people with learning disabilities requiring higher levels of support needs. These people would have their needs best met at Hindson House, Jacob's Lodge and Newcroft.
29. Because of the structural nature of the building at Orchard Close, the respite service there can only support a limited number of people with higher levels of support needs. Therefore, the marketing of beds at Orchard Close was not proposed.

30. There is under occupancy at the County Council's other three respite services; Hindson House, Jacob's Lodge and Newcroft. The table below shows the level of capacity for 2017/18 and 2018/19 (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 2018/19 at Newcroft House was 1,403. However, the 2017/18 figures were used as the unit was closed for some months whilst being relocated

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

31. Changes at West Street (the County Council's emergency respite unit in Havant) in 2019 mean that four additional bedrooms are now used for emergencies, taking total available emergency beds from 11 to 15. With fewer bed nights in the other services being used for emergencies, this has effectively further increased the capacity of beds for planned respite within these services.
32. In addition, 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 monitor and adjust the use of beds by other public bodies dependent upon this demand.

Key findings of the consultation

33. In response to the overall approach of continuing to run the respite service at Orchard Close and at the same time looking at ways of reducing the running costs of the service, a clear majority of respondents (83%) were in favour.
34. The reasons respondents gave for disagreeing with the County Council reducing running costs of the service were that the current service levels should remain, and that there should not be any changes or efficiencies. Some felt that the service is highly valued and respondents did not want anything to jeopardise this and there could be a negative impact on the level of service received, such as a lack of availability or a negative impact on service quality. Some respondents that agreed with the County Council reducing the running costs of the service agreed that efficiencies need to be made, but that only 'operational' costs should be reduced, and this should not affect the level of service received.
35. In terms of the proposal to reduce the number of beds at Orchard Close from 13 to 10; 41% of people were in agreement, with 34% disagreeing and 25% with either no view either way or didn't know. Some respondents were concerned about the increased pressure that this would put on Orchard Close whilst others mentioned that the number of beds at Orchard Close shouldn't change. The view that having a reduction in beds is preferable to a complete closure of the respite service at Orchard Close was also raised.
36. A number of concerns were raised when asked about the impact of potential reductions in availability at Orchard Close over the summer period. These included one week respite not being sufficient to allow a one week family break and forcing families to take breaks in term time. These are addressed in sections 48 and 54 of this report.
37. As part of the consultation, people were asked what they thought would allow people more equitable access to Orchard Close across the year. The two most popular options were to temporarily increase occupancy levels to above 85% during the summer months and to allow groups of service users to book together, where possible, so that friends can take respite at the same time in the quieter months. Full responses can be found in Appendices D (i) and D (ii).
38. People were also asked what would make staying at Orchard Close more attractive to people outside of the main summer period. People were presented with a range of options as well as the ability to make other suggestions. The most popular choices were cooking classes, home cinema, arts and crafts, trips to exercise activities such as swimming and music and singing sessions. Respondents were also given the opportunity to suggest other ways that Orchard Close could be made more appealing outside of the peak summer period. The most common suggestions included Bowling and trips to activities such as the theatre and the cinema. Full responses can be found in Appendices D (i) and D (ii).
39. In response to the proposal to market spare capacity at the County Council's other 3 respite services, 55% of respondents were in agreement; 22% disagreed and 23% either with no view either way or didn't know. The table

below shows the responses for the users of each of the services, their carers or family members. It should be noted that only users of Jacob's Lodge, their families and carers, showed higher levels of disagreement than agreement to this proposal.

Service	Strongly Disagree / Disagree	No View Either Way	Agree / Strongly Agree	Don't Know
	%			
Hindson House	32	18	41	9
Jacob's Lodge	54	21	25	0
Newcroft	43	11	46	0
Orchard Close	12	11	67	11

40. Respondents mentioned that priority should be given to Hampshire County Council service users; some were concerned about capacity issues and whether there is sufficient capacity to market. (see section 51).
41. Concerns were raised in relation to both proposals about the impact they may have on the availability of short-notice / emergency booking of respite. As set out in section 31 of this report, the County Council operates a residential service in Havant, called West Street, which offers emergency respite. This has recently been expanded from a 11 bed to a 15 bed service, alleviating much of the emergency respite pressure from the other 4 services.
42. When asked if they had alternative suggestions about how the County Council could make additional savings, people suggested that the County Council should also market spare capacity at Orchard Close. It was also suggested that the County Council should look for operational efficiencies elsewhere, including reducing staff salaries, reducing the costs of consultations or that savings should be made from other departments in place of these proposals. A number of individuals also suggested that no budget cuts be made to the service.
43. It was also suggested that charges could be introduced at Orchard Close or that the County Council should charge people for respite care. Under the Care Act 2014 a local authority has the power to charge for the majority of care services. However, where a local authority has decided to charge, which Hampshire County Council has, then the amount paid by each individual is determined by a financial assessment in line with legislation.
44. When asked what impact the proposals could have on them generally, respondents mentioned that there could be an impact on parents and carers specifically that parents and carers may not be able to cope as a result of the proposals and that the changes could impact on their mental health. Others mentioned that there could be an impact on the service user as a result of the proposals such as having less time with their friends, and that staying at

another respite service could be stressful. Full details of all suggestions can be found in Appendices D (i) and D (ii).

Common concerns raised during the consultation

45. There were a number of common concerns which have emerged during the course of the consultation. This section examines the key concerns and the County Council's response to them.
46. *The future of Orchard Close beyond the current Transformation to 2021 plans*
At the Executive Member Decision day meeting on 3 December 2019, the decision was made that there would be no further plans to close the respite service at Orchard Close as part of the current round of savings plans (Transformation to 2021). During the consultation concerns about the future of the service beyond that date (March 2022) have been raised. The County Council continually re-assesses the services that it provides and commissions to ensure that they are fit for purpose and are able to meet current and future demand, therefore no assurances about the future of the respite service can be given beyond that date.
47. *The ability of the respite service at Orchard Close to accommodate current respite users with 10 beds*
The proposal to reduce the number of beds at Orchard Close from 13 to 10 is designed to ensure that the service can continue to accommodate all of the people who currently use the service at their current levels of usage (see sections 22-26). As set out in sections 54 and 55 of this paper, it may mean that less respite could be booked during busier periods, particularly July to September with a corresponding increase in usage in other months. In order to facilitate this, changes to how respite is taken may be required. Such changes would be likely to include limiting the number of nights respite that can be booked during these busier periods.
48. *Constraints on summer usage and the impacts this would have on families, particularly those with school age children; especially the ability to book 9 nights to allow parents to take a 7-night break*
There could be impacts upon individuals, in terms of the number of nights respite that they could take during this period, however the respite services would continue to assess requests for respite and match them against availability to ensure that access would be as fair and equitable as possible. Although this may require discussions with some individuals about the timings of some stays, the aim would be to continue to maintain a personalised approach.
49. *Losing expertise amongst the staff at Orchard Close*
Although the staffing reductions that would be required to deliver the savings at Orchard Close equate to approximately five full time equivalent posts, the vacancies that currently exist at Orchard Close would mean that it would be likely that only two of the current members of staff working in the service would be significantly impacted. One would see a reduction in their current hours at Orchard Close and the other would be redeployed to fill a vacancy in another HCC Care service.

50. *The suitability of people, who are not Hampshire County Council service users, who may use Hindson House, Jacob's Lodge and Newcroft, under the proposals to market available capacity in these services*
The same rules and practices around compatibility and suitability apply that currently apply for Hampshire County Council service users in these services would apply to anyone who is placed there by another local authority or by the NHS.
51. *The impacts on current capacity and future capacity at Hindson House, Jacob's Lodge and Newcroft and current Hampshire users having priority in terms of access to these services*
The County Council is being intentionally cautious in terms of the number of bed nights it is proposing to market (25% of the annually available / unused capacity or 466 bed nights per year) in order to have minimal impact on Hampshire respite users. Additionally, there will be ongoing monitoring of the situation to ensure that there is sufficient capacity to meet the respite needs of Hampshire residents. The proposal is based upon not having any unintended impact upon Hampshire residents who need the support of these services.
52. A full copy of the consultation findings is detailed at Appendices D (i) and D (ii).

Implications of the recommendations for people who use the respite service at Orchard Close

53. If the recommendation to reduce the number of beds from 13 to 10 at Orchard Close is agreed, then the change would not happen until 1 October 2020.
54. If this recommendation is taken forward, then service users at Orchard Close would be expected to use their allocation for respite proportionately across the year to give everyone access to the service in the summer months, should they wish to. For instance, if someone has three weeks of allocated respite per year, and they currently use all of their respite in the summer months, in future, they may need to spread their allocation more evenly throughout the year. If there were any remaining capacity over the summer then this could be booked closer to the time.
55. The booking of weekends in isolation may also need to be reduced. Some people, for example, prefer to use their respite allocation mainly at weekends. A consequence of this could be that the service is unable to fill that room for the remainder of the week. To avoid this, service users may not be able to book respite solely for a weekend during the peak periods.
56. Through the respite booking system, the County Council would aim to work with individuals to ensure resources could best be matched with demand, whilst maintaining a personalised approach.
57. There are alternative services for people should they wish to access respite at a time when there may not be availability at Orchard Close. These alternatives include the County Council's other in-house respite services at

Hindson House, Jacob's Lodge and Newcroft (all of which offer 8 beds), as well as the County Council's Shared Lives service, whereby individuals or families offer long-term accommodation or short-term stays (respite) in their own homes. This takes into account the potential reduction in capacity at the respite services, should the recommendation be agreed to market spare bed capacity in the respite services.

58. Further opportunities for respite would also be available for individuals who wish to take a direct payment to purchase their own respite, in the form of accessible holidays or bed-based respite from independent providers.
59. Reducing the bed numbers at Orchard Close from 13 to 10 would not affect the overall amount of respite received by any individual.

Implications of the recommendations for people who use Jacob's Lodge, Hindson House and Newcroft respite services

60. If the recommendation to market spare capacity at Hindson House Jacob's Lodge and Newcroft respite services is agreed, then this would not happen until October 2020.
61. It is expected that there should be no difference in the level of service available to existing service users, as the recommendation is to market only approximately 25% of the spare capacity in total across all of these services.
62. Forecasts show that demand from Hampshire's service users is anticipated to remain static or reduce slightly over the coming years. Therefore, the offer to other local authorities and the NHS could be maintained. Hampshire County Council would monitor and adjust the use of beds by other public bodies dependent upon the demand from Hampshire service users.
63. Concerns were raised during the consultation regarding the suitability of people who the NHS or other local authorities may place in the Hampshire services. The same rules and practices around compatibility that currently apply to Hampshire service users in the three services would be applied to service users placed by other organisations.
64. Marketing spare bed capacity at these three respite services would not affect the overall amount of respite received by any individual.

Staffing implications

65. These recommendations only impact staff at the respite service at Orchard Close. There are currently 16 members of staff working at Orchard Close (this equates to 12.2 full-time members of staff, referred to as FTEs).
66. A staff consultation was carried out alongside the formal public consultation. This consisted of 3 staff briefings at Orchard Close with senior managers from the HCC Care (internal care provision) service as well as a representative from the County Council's human resources department. Drop-in sessions were also held over a two day period which allowed members of the staff team at Orchard Close to discuss any concerns or

issues they may have had on an individual basis with either a senior manager or someone from human resources.

67. Should the recommendation to reduce the number of beds at Orchard Close be accepted by the Executive Member for Adult Social Care and Health, there would be a small reduction in the staff blueprint at Orchard Close.
68. Changing the respite service at Orchard Close from a 13 to a 10 bed 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.
69. Should the decision be made to reduce the bed numbers to 10, the impact to staff in post would be mitigated because several of the posts are vacant. The impact to the staff currently in post would mean a reduction of hours for one member of staff and the need to redeploy another member of staff to a vacancy elsewhere in the service.

Financial implications

70. The original proposals to close the respite service at Orchard Close were designed to generate savings of £617,000. The continuation of a Hampshire County Council service at Orchard Close, would therefore result in a shortfall of savings against this original amount.
71. If the Executive Member for Adult Social Care and Health accepts the recommendations set out in this report it is estimated that they would make a total recurring annual saving of £285,000 leaving a shortfall against the original savings target of £332,000 which would need to be met from elsewhere in the department's learning disabilities budget.
72. The proposed reduction from 13 to 10 beds would enable a reduction in staffing blueprint, as outlined in sections 67 and 68, saving approximately £159,000 as a result of staff moving to existing vacancies within other existing Hampshire County Council services.
73. The proposal to market capacity in Hindson House, Jacob's Lodge and Newcroft respite services could generate income estimated at approximately £126,000 per annum. This is based on marketing 466 bed nights per year at a rate of £270 per night.

Legal implications

74. Local authorities have a duty under the Equality Act 2010 section 149 to have due regard to the need to: eliminate discrimination, harassment and victimisation; to advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it; and foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Equalities Impact Assessment (EIA): service users and carers

75. A separate Equalities Impact Assessment has been done for each individual proposal for service users and carers. These can be found at Appendices A and C.
76. The EIAs for both proposals indicate that they will impact on people with disabilities. This is because all four respite services are for people primarily with a learning disability, although some may also have other conditions such as a physical disability or autism.
77. The proposal relating to Orchard Close could mean that the distribution of respite for individuals may need to change to ensure that everyone could access the service during the more popular summer period and the booking of weekends in isolation may need to be reduced.
78. The recommendation to market spare capacity at Hindson House, Jacob's Lodge and Newcroft respite services 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.
79. The potential implementation date of 1 October 2020 would also allow for robust planning and transition to further mitigate any potential issues.

Equalities Impact Assessment: staff

80. A separate staff Equalities Impact Assessment has been carried out focussing on the staff who currently work at Orchard Close respite service. The full EIA can be found at Appendix B.
81. The key impacts would be around gender (medium) and age (medium). It was been identified that 14 of the 16 members of 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. 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 55 or above.
82. If the decision is taken to reduce the beds at Orchard Close, there would be time to transition to alternative employment for anyone affected. Although there would a reduction in full time positions of five posts, because of current vacancies in the service it is likely that only between 1 and 2 people are likely to be affected.

Conclusions

83. The feedback on the consultation on the future of the learning disability respite services revealed that 41% of people were in agreement with the proposals to reduce the number of beds at Orchard Close whilst 34% disagreed. With regards to the proposals to market spare capacity in the other three learning disability services, 55% of people were in agreement with the proposals whilst 22% disagreed.

84. The recommendations contained within this report would enable the County Council to continue to run a respite service at Orchard Close, whilst still achieving estimated savings of £285,000. However, they still leave a £332,000 shortfall against the original savings target of £617,000.
85. Should the decision be made to reduce the number of beds at Orchard Close, then the suggestions to ease pressures on the service during the summer period and to make the service more attractive outside of this period, would be taken into consideration.

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>	<u>Date</u>
Findings from the Consultation and recommendations on respite services at Orchard Close, Hayling Island	27 February 2019
Recommendation to reconsider the decision of 27 February 2019	29 March 2019
The Future of Orchard Close Respite Service - consideration of all wider options	3 December 2019
Direct links to specific legislation or Government Directives	
<u>Title</u>	<u>Date</u>
<u>Care Act</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:

Please see Appendices A-C

Appendix A:

Proposal to reduce the number of beds at Orchard Close from 13 to 10

Equalities Impact Assessment (service users and carers)

Name of accountable officer: Stuart Outterside

Name of Assistant Director: Jess Hutchinson

Department: AH&C

Is this a detailed or overview EIA: Detailed Overview

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.

Geographical impact

All Hampshire

Describe the proposed change

It is being recommended that the number of beds registered with CQC at Orchard Close be reduced from 13 to 10.

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.

Who does this impact assessment cover?

Service users and carers HCC staff

Has engagement or consultation been carried out?

Yes No Planned

Describe the consultation or engagement you have performed or are intending to perform

A public consultation ran from 16 December 2019 until 9 February 2020. The consultation sought the views of service users, parents, carers, other stakeholders and the wider general public on proposals to reduce the number of beds at Orchard Close respite service from 13 to 10 as well as a proposal to generate income through marketing spare capacity at the County Council's other learning disability respite services.

A wide range of stakeholders were informed about the consultation, including users of the respite services, their parents and/or carers, staff working in the services, local politicians, local engagement forums for people with learning difficulties as well as voluntary and community organisations and groups.

The consultation was published online on Hampshire County Council's website, *Hantsweb*, in both easy-read and standard formats. Easy-read paper copies of the consultation document along with an easy-read response form and a pre-paid return envelope were sent to the users of the four services. Parents and/or carers of the people who use the services were sent standard copies of the consultation document and response form along with a pre-paid return envelope. Feedback to the consultation was also accepted in the form of letters and emails.

Three consultation events were held during the consultation period, aimed at service users and their parents and/or carers, allowing them to meet with officers from the County Council's learning disability service to discuss the proposals. The events were held in Basingstoke, Fareham and Havant. An independent advocate was available at each event to support attendees to participate in, or respond to, the consultation if required.

Consideration of Impacts - Statutory Considerations:

Age Impact Assessment:

Positive Neutral Low Medium High

Disability Impact Assessment:

Positive Neutral Low Medium High

Impact: Respite provision at Orchard Close is 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 to ensure that everyone could access the service during the more popular summer period. It is also likely that the booking of weekends in isolation may have to be reduced.

Mitigation: During the course of the consultation the views of individuals on the proposals were sought; these are detailed in the full consultation findings and summarised in the Executive Member report.

Through the respite booking system, the County Council would aim to work with individuals to ensure resources could best be matched with demand, whilst maintaining a personalised approach.

As part of the consultation, people were asked what they thought would allow people fairer access to Orchard Close across the year. The feedback from this which can be found in the full consultation findings, would be taken into account when looking at how the approach to booking respite could help deliver a fair and equitable approach to allocation of respite over the summer period.

People were also asked what would make staying at Orchard Close more attractive to people outside of the main summer period. This feedback, also available in full as part of the full consultation findings, would be taken into account when looking at the range of activities offered at Orchard Close.

The potential implementation date of 1 October 2020 would also allow for proper planning and transition further mitigating risks

Sexual Orientation Impact Assessment:

Positive Neutral Low Medium High

Race Impact Assessment:

Positive Neutral Low Medium High

Religion or belief Impact Assessment:

Positive Neutral Low Medium High

Gender reassignment Impact Assessment:

Positive Neutral Low Medium High

Gender Impact Assessment:

Positive Neutral Low Medium High

Marriage or Civil Partnership Impact Assessment:

Positive Neutral Low Medium High

Pregnancy and maternity Impact Assessment:

Positive Neutral Low Medium High

Other policy considerations

Poverty Impact Assessment:

Positive Neutral Low Medium High

Rurality Impact Assessment:

Positive Neutral Low Medium High

Additional information

Reducing the bed numbers at Orchard Close from 13 to 10 would not affect the overall amount of respite received by any individual.

Appendix B:

Proposal to reduce the number of beds at Orchard Close from 13 to 10

Equalities Impact Assessment (staff)

Name of accountable officer: Stuart Outterside

Name of Assistant Director: Jess Hutchinson

Department: AH&C

Is this a detailed or overview EIA: Detailed Overview

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. There are currently 16 members of staff working at Orchard Close (this equates to 12.2 full-time members of staff, referred to as FTEs).

Geographical impact:

All Hampshire

Describe the proposed change

It is being recommended that the number of beds registered with CQC at Orchard Close be reduced from 13 to 10.

Changing the respite service at Orchard Close from a 13 to a 10 bed 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.

Should the decision be made to reduce the bed numbers to 10, then it is envisaged that alternative employment would be found in other *HCC Care* services in neighbouring areas. Exploratory discussions about this have already started to take place during the consultation period.

Who does this impact assessment cover?

Service users HCC staff

Has engagement or consultation been carried out?

Yes No Planned

Describe the consultation or engagement you have performed or are intending to perform.

A staff consultation was carried out alongside the formal public consultation. This consisted of 3 staff briefings at Orchard Close with senior managers from the HCC Care (internal care provision) service as well as a representative from the County Council's human resources department. Drop-in sessions were also held over a two day period which allowed members of the staff team at Orchard Close to discuss any concerns or issues they may have had on an individual basis with either a senior manager or someone from human resources.

Consideration of Impacts - Statutory Considerations:

Age Impact Assessment:

Positive Neutral Low Medium High

Impact: over 50% of the staff at Orchard Close are aged 55 or above

Mitigation: It has been identified that over 50% of the staff at Orchard Close are aged 55 or above.

Although the staffing reductions that would be required to deliver the savings at Orchard Close equate to approximately five full time equivalent posts, the vacancies that currently exist at Orchard Close would mean that it would be likely that two of the current members of staff working in the service would be significantly impacted.

Should the decision be made to reduce the bed numbers to 10, the impact to staff in post would be mitigated because several of the posts are vacant. The impact to the staff currently in post would mean a reduction of hours for one member of staff and the need to redeploy another member of staff to a vacancy elsewhere in the service

All staff have had the opportunity to fully participate in both the staff and public consultations. Work is underway with each individual to agree the solution that would suit them best, should the decision be made to reduce the number of beds in the service. All remaining staff will have permanent contracts and in consultation with them we will need to agree how we cover the service demands in the usual way.

The potential implementation date of 1 October 2020 would also allow for proper planning and transition for the individuals impacted.

Disability Impact Assessment:

Positive Neutral Low Medium High

Sexual Orientation Impact Assessment:

Positive Neutral Low Medium High

Race Impact Assessment:

Positive Neutral Low Medium High

Religion or belief Impact Assessment:

Positive Neutral Low Medium High

Gender reassignment Impact Assessment:

Positive Neutral Low Medium High

Gender Impact Assessment:

Positive Neutral Low Medium High

Impact: 14 of the 16 members of staff who work at Orchard Close are women

Mitigation: It has been identified that 14 of the 16 members of the staff who work at Orchard Close are women.

Although the staffing reductions that would be required to deliver the savings at Orchard Close equate to approximately five full time equivalent posts, the vacancies that currently exist at Orchard Close would mean that it would be likely that two of the current members of staff working in the service would be significantly impacted.

Should the decision be made to reduce the bed numbers to 10, the impact to staff in post would be mitigated because several of the posts are vacant. The impact to the staff currently in post would mean a reduction of hours for one member of staff and the need to redeploy another member of staff to a vacancy elsewhere in the service

All staff have had the opportunity to fully participate in both the staff and public consultations. Work is underway with each individual to agree the solution that would suit them best, should the decision be made to reduce the number of beds in the service. All remaining staff will have permanent contracts and in consultation with them we will need to agree how we cover the service demands in the usual way.

The potential implementation date of 1 October 2020 would also allow for proper planning and transition for the individuals impacted.

Marriage or Civil Partnership Impact Assessment:

Positive Neutral Low Medium High

Pregnancy and maternity Impact Assessment:

Positive Neutral Low Medium High

Other policy considerations

Poverty Impact Assessment:

Positive Neutral Low Medium High

Rurality Impact Assessment:

Positive Neutral Low Medium High

Appendix C:

Proposal to market capacity at Hindson House, Jacob's Lodge and Newcroft respite services

Equalities Impact Assessment (service users and carers)

Name of accountable officer: Stuart Outterside

Name of Assistant Director: Jess Hutchinson

Department : AH&C

Is this a detailed or overview EIA: Detailed Overview

Description of Service/Policy:

Hindson House, Jacob's Lodge and Newcroft are respite services for people with learning disabilities, 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. There is currently under-occupancy at all 3 units.

Geographical impact

All Hampshire

Describe the proposed change

To market spare capacity at Hindson House, Jacob's Lodge and Newcroft respite services for people with learning disabilities. The recommendation is to market 466 bed nights per year or approximately 25% of the spare capacity.

Who does this impact assessment cover?

Service users and carers HCC staff

Has engagement or consultation been carried out?

Yes No Planned

Describe the consultation or engagement you have performed or are intending to perform.

A public consultation ran from 16 December 2019 until 9 February 2020. The consultation sought the views of service users, parents, carers, other stakeholders and the wider general public on proposals to generate income through marketing spare capacity at Hindson House, Jacob's Lodge and Newcroft learning disability respite services as well as a proposal to reduce the number of beds at Orchard Close respite service from 13 to 10.

A wide range of stakeholders were informed about the consultation, including users of the respite services, their parents and/or carers, staff working in the services, local politicians, local engagement forums for people with learning difficulties as well as voluntary and community organisations and groups.

The consultation was published online on Hampshire County Council's website, *Hantsweb*, in both easy-read and standard formats. Easy-read paper copies of the consultation document along with an easy-read response form and a pre-paid return envelope were sent to the users of the four services. Parents and/or carers of the people who use the services were sent standard copies of the consultation document and response form along with a pre-paid return envelope. Feedback to the consultation was also accepted in the form of letters and emails.

Three consultation events were held during the consultation period, aimed at service users and their parents and/or carers, allowing them to meet with officers from the County Council's learning disability service to discuss the proposals. The events were held in Basingstoke, Fareham and Havant. An independent advocate was available at each event to support attendees to participate in, or respond to, the consultation if required.

Consideration of Impacts - Statutory Considerations:

Age Impact Assessment:

Positive Neutral Low Medium High

Disability Impact Assessment:

Positive Neutral Low Medium High

Impact: Because Hindson House, Jacobs Lodge and Newcroft 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.

Mitigation: The recommendation to consult on marketing 466 bed nights out of the current spare capacity 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. Should the marketing of beds go ahead, Hampshire County Council would monitor and adjust the use of beds by other public bodies dependent upon demand from Hampshire County Council service users.

The potential implementation date of 1 October 2020 would also allow for proper planning and transition further mitigating risks

Sexual Orientation Impact Assessment:

Positive Neutral Low Medium High

Race Impact Assessment:

Positive Neutral Low Medium High

Religion or belief Impact Assessment:

Positive Neutral Low Medium High

Gender reassignment Impact Assessment:

Positive Neutral Low Medium High

Gender Impact Assessment:

Positive Neutral Low Medium High

Marriage or Civil Partnership Impact Assessment:

Positive Neutral Low Medium High

Pregnancy and maternity Impact Assessment:

Positive Neutral Low Medium High

Other policy considerations

Poverty Impact Assessment:

Positive Neutral Low Medium High

Rurality Impact Assessment:

Positive Neutral Low Medium High

Additional information

Marketing spare bed capacity at these three respite services would not affect the overall amount of respite received by any individual.