

**TO CONSIDER THE FUTURE PROVISION OF CARE HOMES IN GLOUCESTERSHIRE
AND THE RELEVANT CONSULTATION**

Cabinet Date	24 July 2019
Adult Social Care Commissioning	Councillor Roger Wilson
Adult Social Care Delivery	Councillor Kathy Williams
Key Decision	Yes
Background Documents	Older People Care Home Strategy “Procedure for Managing the Closure of a Care Home Providing Services for Adults”
Location/Contact for inspection of Background Documents	<ul style="list-style-type: none"> • Draft Procedure for Managing the Closure of a Care Home Providing Services for Adults • Older People Care Home Strategy
Main Consultees	Residents and families living at Southfield and Wyatt House care homes, Stroud, care home providers in Stroud, employees of The Orders of St John Care Trust (OSJCT) who work at Southfield and Wyatt House care homes, Stroud.
Planned Dates	It is proposed that there is a consultation period from August 1st 2019 to 1st November 2019 regarding the impact on residents and their families and the arrangements to provide alternative accommodation for residents. The consultation will be jointly led by the Council and The Orders of St John Care Trust.
Divisional Councillor	Stroud Central
Officer	Kim Forey, Director of Integration. Tel. 0300 421 1628 kimforey@nhs.net
Purpose of Report	To seek Cabinet approval to close Southfield and Wyatt House, Stroud and to consult with residents and their families on the impact of the care home closures.
Recommendations	The Cabinet <ol style="list-style-type: none"> 1. Approves the closure of Southfield care home, Stroud. 2. Agrees that any capital receipts arising from the disposal of Southfield care home will be ring-fenced for future developments for older people in

	<p>the County.</p> <p>3. Delegates authority to the Director of Integration, in consultation with the Cabinet Member for Adult Social Care Commissioning to:</p> <p>i) Consults with residents and their families of Southfield care home on the impact of and arrangements for the closure of the care homes.</p> <p>ii) Facilitates moving the residents to an alternative home that meets their needs.</p> <p>4. Approves the closure of Wyatt House Care home.</p> <p>5. Agrees that any capital receipts arising from the disposal of the properties will be ring-fenced for future developments for older people in the County.</p> <p>6. Delegates authority to the Director of Integration, in consultation with the Cabinet Member for Adult Social Care Commissioning to:</p> <p>i) Consult with residents and their families of Wyatt House on the impact of and arrangements for the closure of the care homes.</p> <p>ii) Facilitates moving the residents to an alternative home that meets their needs.</p>
<p>Reasons for recommendations</p>	<p>To ensure that residents and their families are engaged and understand the potential impact of the closure of the two care homes.</p> <p>Supports the key issues identified in the Older People Care Home Strategy.</p> <p>Deliver on the Council’s priorities outlined in “Looking to the Future.”</p> <ul style="list-style-type: none"> •A Magnet county - A growing working age population, with more 18-40 year olds with high level qualifications choosing to live and work in the county. •An Innovative county - More businesses starting up, growing and investing in research and innovation. •A Skilled county - More people with high-level skills and jobs in skilled occupations. •A Prosperous county - Rising productivity and household incomes offering higher living standards. •An Inclusive county - The economic and social benefits of growth to be felt by all.

	<ul style="list-style-type: none"> •A Healthy county - People to have a good work/life balance and improved health and wellbeing. •A Connected county - Improved transport and internet connections so that people and businesses can connect with each other more easily. •A Sustainable county - More efficient use of resources and more use of sustainable energy. •A Resilient county - Active, resilient local communities that keep people safe, provide them with support and help them to make a positive contribution. <p>Southfield is no longer financially viable and provides residential care only, the demand for which is declining and likely to reduce further.</p> <p>Wyatt House is not fit for the future and cannot be refurbished to meet modern standards.</p>
<p>Resource Implications</p>	<p>Within existing budgets.</p> <p>The costs associated with the closure of each care home are estimated to be £200,000. This figure is based on the costs associated with the closure of Townsend House and Trevone House, including the costs associated with the consultation process referred to in this report.</p>

MAIN REPORT CONTENTS

1. Background.

The Council entered into a contract with Gloucestershire Care Partnership in April 2005 for the running of the former Council older person care homes. The contract has a term of 35 years. The contract essentially covers:

- (i) The provision of care services by Gloucestershire Care Partnership in Gloucestershire.
- (ii) The lease of properties where such care will be provided.
- (iii) Arrangements for the development of those and provision of new properties where such care will be provided.
- (iv) Arrangements addressing the transition of care services from the current provider when the Council entered into the contract in April 2005 to Gloucestershire Care Partnership.

Gloucestershire Care Partnership is a joint venture company set up by The Orders of St John Care Trust and Bedford Pilgrim Housing Association for the purposes of provision of care services.

At the outset of the contract Gloucestershire Care Partnership was providing care for 21 care homes within Gloucestershire, 10 of those homes have closed and 4 new homes have been built. Annex 1 – Map of Gloucestershire Care Partnership care homes in Gloucestershire.

Within the contract, the Council has agreed to purchase a guaranteed minimum number (60%) of care home beds across the contracted homes in each District within Gloucestershire. The Council has to pay for the minimum level of care home beds regardless of whether they are occupied by customers funded by the Council or not, unless Gloucestershire Care Partnership is able to sell the care home beds to people who fund their own care.

Within the contract an Estates Committee was established to manage the development of an Estates Strategy for the development of services for older people in Gloucestershire, which covers issues such as:

- (i) Development proposals for new homes.
- (ii) Consider and propose for the Council minor refurbishments for the care homes.
- (iii) When individual homes should be considered for closure, refurbishment or consideration as part of a Proposal within the Estates Strategy.

The long term contractual arrangements between the Council and Gloucestershire Care Partnership are similar to those introduced by other Local Authorities in the early 2000s. Within adjacent Local Authority areas Oxfordshire and Wiltshire have similar long term contractual arrangements.

2. Introduction.

At the time of the agreement with Gloucestershire Care Partnership in 2005 the health and social care environment was very different to the current situation. In 2005 older people's aspirations, social care solutions and the financial environment encouraged the development and provision of care homes to support people with lower level residential care needs. Since 2005, older people are living longer with more complex needs and the financial pressures on local government and people who fund their own care have changed.

The Government introduced the Care Act 2014 that sets out how people's care and support needs should be met and introduced the right to an assessment for anyone, including carers and people who fund their own care.

The Care Act sets out the Council's duty to ensure people's well being is at the centre of all it does.

The Council's Older People Care Home Strategy in Gloucestershire recognises the changing nature of health and care for older people in the county. The strategy highlighted the following key commissioning intentions:

- The numbers of people placed in residential care will reduce as the Council and the Clinical Commissioning Group work with the market to develop alternative options for people to remain in their own homes and communities, for as long as possible. This is likely to mean the number of care homes that only provide residential care are likely to reduce.

- The Council will discuss with residents and their families the closure of residential only care homes and care homes that cannot provide appropriate built environment to meet the care needs of older people.
- The Council and the Clinical Commissioning Group will utilise and support the market to deliver care that meets high end needs especially for those living with dementia where other options are no longer possible.
- The Council and the Clinical Commissioning Group will look to purchase more short term assessment beds to provide an environment in which we can develop solutions which will allow as many people as possible to return home with a personalised support package.
- The Council will discuss with the care home market the changing commissioning care home needs and the potential implications for care providers.
- The Council will work with the market to provide quality outcomes and ensure there is sufficient capacity in the Care Sector workforce to support older people in Gloucestershire.

3. Gloucestershire Care Partnership Discussions.

The contractual arrangements with GCP confirm that if the Council's demand for care home beds in any care home falls below the minimum levels and Gloucestershire Care Partnership consider that the care home, in their reasonable opinion, is becoming economically unviable, then the care home shall become a priority for consideration by the Estates Committee for closure, refurbishment or for consideration as part of a Proposal within the Estates Strategy.

Gloucestershire Care Partnership has been discussing with the Council a refreshed Estates Strategy. The Strategy will reflect the commissioning intentions of the council as set out in the strategy for Older People's Care Homes.

Discussions with Gloucestershire Care Partnership have included the short and medium term future for Southfield and Wyatt House care homes. The following

provides a summary of the key aspects of each home, including the current demand within the homes and the financial position.

Southfield Care Home

Southfield is a 34 room care home providing residential care only, built in 1960s.

Since January 2019 Southfield's occupancy has varied from 76 % to 84%. For the last 24 months there has been a consistent picture of new residents at the care home, 1 person, on average, per month funded by the Council moving into Southfield.

There are currently (as at 07/07/19) 27 residents at Southfield, 17 people funded by the Council and 10 people who fund their own care home costs.

The Council is contracted to purchase 60% of care home rooms from Gloucestershire Care Partnership for the Stroud district, which is:

- The Elms
- Henlow Court
- Southfield
- Wyatt House

The Council is purchasing 57% of the total rooms in Southfield.

The Care Quality Commission rating for Southfield is "Good", the latest report from the Care Quality Commission is annex 2.

Gloucestershire Care Partnership has informed the Council that for 2019/20 Southfield is forecast to make a loss of £107,000 and if occupancy levels continue at current figures a loss of £118,000 in 2020/21 and £133,000 in 2021/22.

Gloucestershire Care Partnership has informed the Council that there are £600,000 capital building works required to ensure the care home can operate until April 2025, with the majority of these building works needing to be completed within the next 2 years. Examples of the work required include corridor lighting and bedroom upgrades. This would not make the home economically viable and this would not resolve the issue

of oversupply and hence the level of vacant beds at Southfield and other care homes in the Stroud area.

To finance any capital investment in the home Gloucestershire Care Partnership has informed the Council that the home would need to be generating profits sufficient to pay for the investment or alternatively the Council would need to fund the works if it wished to keep the home open.

Wyatt House

Wyatt House is a 30 bed room care home providing residential and nursing dementia care, built in 1970.

Wyatt House occupancy has fluctuated an average monthly occupancy of between 90% and 97% since January 2019, but with some individual days dropping to 86%.

There are currently (as at 07/07/19) 28 residents at Wyatt House, 24 people funded by the Council and 4 people who fund their own care home costs.

The Council is currently purchasing 71% of the total rooms in Wyatt House.

The Care Quality Commission rating for Wyatt House is “Requires Improvement”, the latest report from the Care Quality Commission is annex 3.

Gloucestershire Care Partnership has informed the Council that for 2019/20 Wyatt House is forecast to make a loss of £195,000 and if occupancy levels continue at current figures a loss of £212,000 in 2020/21 and £232,000 in 2021/22.

Gloucestershire Care Partnership has informed the Council that there are £784,000 capital building works required at the home, the majority of these building works need to be completed within the next 2 years. Examples of the work required include corridor lighting and bedroom upgrades. These works would not make the home economically viable.

To finance any capital investment in the home Gloucestershire Care Partnership has informed the Council that the home would need to be generating profits sufficient to pay for the investment or alternatively the Council would need to fund the works if it wished to keep the home open.

Gloucestershire Care Partnership and the Council agree that Wyatt House is no longer fit for purpose to support the needs of dementia residents. Specifically:

- Whilst a lovely garden, it is considered as having limited external space for the number of residents with noise potentially causing disorientation. More importantly the significant level changes make it unsafe and inaccessible for people in wheelchairs and there is no option to create any other external space. The importance of being able to go outside is widely documented as benefiting an individual's physical and mental health.
- The small number of communal areas and break out spaces mean that this can sometimes cause distress due to noise generation.
- There are narrow corridors (in places down to 0.85 m and up to a max of 1.30 metres) whereas the ideal is 1.90 metres to allow for wheelchair users and semi-ambulant individuals with walking frames to pass.
- Whilst the circular design allows people to walk freely, this layout means that staff cannot see long distances meaning that residents cannot be easily observed.
- Common issues with a building of this age include corrosion of metal reinforcements, poor ventilation, poor thermal qualities and damp and are uneconomic to rectify.

There is significant research on design to support individuals with dementia. For the last twenty-five years the University of Stirling (i) has championed the importance of design in creating spaces which actively support and enable people with dementia. Stirling has promoted the identification and dissemination of good practice both through the work of its renowned Dementia Services Development Centre (DSDC) (ii) and through rigorous applied academic research. They have published a Good Practice in Design for Dementia and Sight Loss (iii) as well as a Virtual Care Home with design ideas.

(i) <https://dementia.stir.ac.uk/design>

- (ii) <https://dementia.stir.ac.uk/design/good-practice-design-dementia-and-sight-loss>
- (iii) <https://dementia.stir.ac.uk/design/virtual-environments/virtual-care-home>

4. Officer Actions.

Advice was sought from the Consultation Institute regarding how discussion with residents, families and employees of The Orders of St John Care Trust should be undertaken to explain the potential closure of Southfield and Wyatt House care homes.

The Consultation Institute advised that the Council should commence a short engagement with residents, families and employees of The Orders of St John Care Trust, setting out the reasons for the possible closure of Southfield and Wyatt House, and seek their views on alternative options the Council could consider and the possible impact on them if the two care homes were closed.

Discussions with the Consultation Institute advised that the engagement with residents and families should be undertaken independently from the Council.

The Consultation Institute also advised the Council should seek some independent view on the care market in Stroud.

Following the advice from the Consultation Institute the following actions have been taken:

Resident and Family Engagement

The Council commissioned ASV, who employed Andy Wright, an Associate of the Consultation Institute to discuss with residents and families the possible closure of Southfield and Wyatt House. Meetings occurred on 26th June 2019. The report from ASV is attached as Annex 4. The key findings from the report are summarised below.

Conclusions for Consideration	Council Response
Overwhelming opinion from both care home settings, irrespective of the	The Council recognises the views of residents and families regarding the

condition of the building, the difference being at either Southfield or Wyatt is the care provided by the staff of The Orders of St John. It is also important to note that this group are not 'novice' buyers; generally they report trying between three and five care homes before choosing the current residents of their loved ones. Various factors cited including the overall hygiene and cleanliness, the atmosphere, most importantly the consistency of relationship with the staff. OSJ staff are viewed as being invariably friendly, irrespective of their role, providing consistent and excellent care.

This perception of care compares poorly when considered against other homes where participants report rapid changeover of staff, perceptions of difficulties in maintaining relationships with staff and a very high reliance on agency staff, of course this must be recognised as anecdotal but because of the consistency of its expression in both groups it is a factor that many worry will be impossible to replicate if residents are moved to other care home beds. In summary, leadership and management from The Orders of St John is viewed as outstanding leading to continuity of staff and consequential care, people are concerned that this will no longer be available to them, despite assurances in the briefing that other OSJ

quality of care provided at Southfield and Wyatt House.

The proposal to close the two care homes is not about the quality of care being provided by The Orders of St John Care Trust.

care beds would be considered as an alternative placement. One resident spoke of the staff as...

'...angels without wings...our friends, or family....'

In terms of the engagement process itself, there was overwhelming consensus 24 hours is not a long enough period of notice for the meetings called to discuss these proposals with residents, families and carers. In addition, there was widespread criticism of the briefing letter provided to call the meeting. The view expressed being that not enough information is provided as the basis of discussion and in addition it was neither clear nor comprehensive leading to confusion during discussions.

A balance had to be struck with ensuring residents, families and employees of The Order of St John Care Trust were made aware of the proposals to enable them to give us their views before the Council considered whether to close the homes whilst avoiding a lengthy engagement exercise which would have resulted in a period of greater anxiety in the care home.

Consultation meetings regarding the impact of the closure of Southfield and Wyatt House will be held during the day, in the evening and at weekends. Notice for these meetings will be circulated following the Cabinet meeting on 24th July. If Cabinet accept the recommendation provisional dates for meetings between 1st and 5th August 2019 are proposed.

The briefings provided gave an overview of the proposals. The key issues for the two care homes are:

Southfield – is a care home that only provides residential care and has had low

	<p>occupancy, which impacts on the financial viability of the care home. The occupancy figures are not improving and there are a number of other care homes in Stroud with empty rooms.</p> <p>Wyatt House – is a care home built in 1970 and Gloucestershire Care Partnership and the Council agree that Wyatt House is no longer fit for purpose to support the needs of dementia residents. Wyatt House is also forecast to lose £195,000 in 19/20 and similar figures in the next two years if occupancy and fee levels remain at current figures.</p>
<p>Overall, the feeling was that the quality of care has not been considered as one of the criteria on which these proposed discussions are being discussed. Based on the information provided in the briefing document, the process overlooks CQC scores and more importantly the levels of pastoral care delivered in the GCP care homes. Participants in the groups were very concerned that their choice would be significantly limited because the other care home beds available in the Stroud district are in settings that CQC do not require improvement against at least one of the areas Safe, Effective, Caring, Responsive, and Well-led.</p>	<p>The Council recognises the quality of care being provided at both care homes and other Gloucestershire Care Partnership care homes.</p> <p>There are 25 older people care homes in the Stroud district. The Care Quality Commission at the last inspection for each home have concluded the following:</p> <p>Good – 21 care homes.</p> <p>Requires Improvement - 3 care homes.</p> <p>No Inspection Yet – 1 care home.</p>
<p>Serious concerns were expressed over the impact on residents through breaking up</p>	<p>Both homes provide accommodation for adults who require nursing or personal</p>

friendship networks and resident-to-resident support built up over many months and years. This extended to concern over disrupting the environments of frail and elderly people many of whom have dementia and in the case of Wyatt House has very complex needs and comorbidities. The anecdotal view from those present at meetings of both locations, based on personal experience with other relatives, was that moving people will lead to earlier death. This extended to the impact on resident's family, many of whom felt that any change in location would remove the remaining connections to their 'old' life and social networks.

care. Because of the age, physical and mental disabilities and other care and support needs of the individuals concerned, any move would need to be managed sensitively. We do not underestimate the anxiety and concern that may be felt by residents and their families by this proposal. Our engagement and consultation with residents and their families will help us to better understand any negative impact based on the protected characteristics that the proposals may have and how we may mitigate this.

The Council will also try to ensure that any moves to new care homes are planned so that friends can move to the same new care home.

The view of most is that the council is not making an effective case for the closures. People generally accepted there may be a valid business case for considering closures the closures. However, with the information provided at short notice the council had not made that case and people were largely unconvinced.

Likewise any arguments about the unsuitability of the fabric of the buildings, particularly Wyatt House, were not seen to have been made conclusively. Relatives and carers were more than happy to offer their services on a voluntary basis to

This Cabinet report sets out the key reasons why Southfield and Wyatt House have been considered for closure.

address many of the issues with the building, for instance to level the garden at Wyatt House to make it safe for residents.

In addition the case made was thought to significantly overlook likely increases in dementia cases and the growing demand on care homes from an ageing population, without providing adequate information on the alternatives for care at home participants in the meeting remained unconvinced that in the medium term Stroud was oversupplied with beds.

Participants were keen to offer alternatives

- Increased marketing and publicity activity to increase the bed occupancy Southfield;
- Closing Wyatt house and moving residents into Southfield which has a higher CQC rating; and
- Utilising volunteers to address issues with the buildings through applications of their skills and labour.

It was clear that these suggestions were offered from 'front of mind' thinking with participants not having sufficient time to formulate any clear alternatives. However, the groups were very keen to be provided with the opportunity to further explore alternative options to closure with the council.

<p>In terms of the final decision and recommendations to Gloucestershire County Council cabinet there was an overwhelming feeling that any decision needed to involve decision-makers in seeing the conditions at each of the care homes. The tangible but incredibly important elements such as atmosphere, staff attitudes and residents interaction cannot, in the groups' views, be judged solely on statistics and the paper report.</p>	<p>The two Cabinet Members for Adult Social Care have been fully briefed on the key issues affecting both care homes and are aware of the condition and limitations of both care homes.</p>
<p>Finally, the groups - while recognising that their own loved ones were at the stage at which care at home was no longer practical expressed significant reservations over the current capability of the social care system to provide adequate services in this area. In their view three 15 minute visits per day to look after frail and elderly people was inadequate.</p>	<p>The Council does not commission "15 minute" care visits. The Council works with domiciliary care providers to ensure that people's outcomes drive the care provided.</p>

The Council commissioned Evolving Communities to understand the potential equality impact issues for residents and families. Evolving Communities is an independent and impartial community interest company who are experts in health and social care. They offer a professional consultancy service specialising in research, evaluation and public engagement that combines top academic research and service evaluation. They also run three local Healthwatch services in Gloucestershire, Somerset and Dorset.

The Evolving Communities report “An Independent consultation on the potential closure of Southfield and Wyatt House, Stroud: A resident and relatives / representatives viewpoint of the likely impact” is attached as Annex 5 and the key findings are summarised below.

Key Findings / Recommendations	Council Response
<p>Cabinet Members should consider the emotional and physical impact on both residents and their relatives or representatives, both now and in the future of any potential closure.</p>	<p>This is recognised and the recommendation recognises that a full consultation with those residents and their families about the impact which the proposed closure is likely to have. This will involve appropriate support being provided to relatives and their relatives or representatives during the period the care homes are closing and after people move to new care homes.</p> <p>The Council has developed a “Procedure for Managing the Closure of a Care Home Providing Services for Adults” which has been developed by examining best practice from the social care sector.</p>
<p>Cabinet Members should acknowledge what residents and their relatives have said about the potential closure through this report</p>	<p>The full report from Evolving Communities and the ASV Report set out in Annexes 4 and 5 set out a summary of the residents, relatives and staff views. The views of residents have been considered in exploring the options available for Southfield and Wyatt House as set out in this report.</p> <p>If the Cabinet accept the recommendation there will be a consultation exercise to further assess the impact of the proposed closures and to ensure the Council follows</p>

	best practice in supporting residents through the changes.
Cabinet members should consider visiting both the homes in person.	The two Cabinet Members for Adult Social Care have been fully briefed on the key issues affecting both care homes and are aware of the condition and limitations of both care homes.
GCC should include CQC reports and resident reviews in any further decision-making process.	This report includes details of the most recent CQC reports. Residents and families will be provided access to CQC reports and resident reviews as part of the process to choose a new care home.
GCC should provide residents and their relatives or representatives clearer information regarding the exact reasons and rationale for the potential closures.	The Council recognise the views of residents and their relatives and representatives. The Cabinet report sets out in detail the options considered and why Southfield and Wyatt House are being recommended for closure.
GCC should provide residents and relatives and representatives with a cost comparison between other available care options and Wyatt and Southfield House.	Residents and relatives or representatives will be provided with the information on the potential cost of alternative care home placements as part of the formal process. Residents and families will be able to meet officers from Adult Social Care to discuss the options for alternative care homes and the potentials costs.
In the event that closures are agreed, GCC should consider and take into account current friendships and	The Council will look to ensure that where people want to move to the same care home as a friend this is arranged.

<p>relationships between residents and staff in any relocation decision.</p>	<p>Each resident will have a care home movement plan.</p> <p>The Council will follow the “Procedure for Managing the Closure of a Care Home Providing Services for Adults” which has been developed by examining best practice from the social care sector.</p> <p>Decisions regarding relocation of staff will be an individual decision for employees of The Orders of St John Care Trust.</p>
<p>In the event that closures are agreed, GCC should carry out a detailed risk assessment, undertake appropriate planning and offer training to staff to help residents adjust.</p>	<p>If the Cabinet accept the recommendation there will be a further consultation exercise to further assess the impact of the proposed closures and The Council will follow the “Procedure for Managing the Closure of a Care Home Providing Services for Adults” which has been developed by examining best practice from the social care sector.</p> <p>Individual advocacy support will be provided to residents and families.</p> <p>Each resident will have a care home movement plan.</p>
<p>GCC should strongly consider giving residents and relatives or representatives substantial notice before any future consultation meetings are held. It would be preferable if meetings could also be held on weekends or evenings.</p>	<p>The Council will consider this recommendation for any future engagement and consultation meetings.</p> <p>Consultation meetings regarding the impact of the closure of Southfield and Wyatt House will be held during the day</p>

	and in the evening.
Ensure that any communication about potential closures is handled in a timely and sensitive manner, and with clear and detailed information.	The Council will consider this recommendation for any future communication.
Engage with all residents and relatives or representatives in the consultation process; this may mean using different engagement methods to contact them.	The Council will consider this recommendation for any future consultation meetings.

Residents and families have been offered opportunities to meet with officers, either in the care home or at peoples' homes to discuss the potential closure of the two care homes and to explain the potential impact on them in advance of the Cabinet meeting.

Issues raised by residents and families not covered in the reports from ASV and Evolving Communities were:

Issue	Response
The Council should consider working with more not for profit care home providers, similar to The Orders of St John Care Trust rather than private care home providers owned by shareholders.	The Council has a long term contract with The Orders of St John Care Trust, who manages 19 care homes in the County. The Council need to promote and encourage care provision from across the market and welcome further involvement of charity and third sector care home providers.
The latest Care Quality Commission report for Wyatt House does not state the care home cannot meet the care needs people	The Care Quality Commission inspection report is focused on the quality of care and leadership of the care home. Comments made by CQC regarding the use of the

with dementia.

garden are positive but only make reference to a limited area of the garden. Residents are not able to utilise all aspects of the garden due to the gradient of the paths and different levels in the garden.

Employees of The Orders of St John Care Trust Engagement

The Orders of St John Care Trust met with their employees on 26th June 2019. The meetings were attended by officers of the Council. The meetings explained the reasons for the possible closure of the two care homes and advised that employees would have an opportunity to express their views to the Council through a survey.

The key messages in The Orders of St John Care Trust employee survey are summarised below:

- General disagreement and sadness with the possible closure of the two care homes.
- It feels like the Council are making a money decision before considering the needs of older and vulnerable people.
- Feel the residents have been forgotten.
- Staff will lose their “family”, residents, their families and colleagues.
- The impact on some of the older people if they have to move could be awful.
- Staff will be made redundant as there are no local Orders of St John Care Trust homes.
- Staff feel let down by senior officers in The Orders of St John Care Trust.
- Why cannot the Council and The Orders of St John Care Trust invest in the buildings – is it not cheaper to repair the existing building?
- Why is the Council closing a specialist dementia care home?

- Could the Council build a new care home and then close Wyatt House?
- The Council and The Orders of St John Care Trust should encourage more people to choose Southfield care home. Why cannot people who are in hospital not move to Southfield to free up a hospital bed or open up a day centre to demonstrate the benefits of living in a care home.
- Can The Orders of St John Care Trust buy Southfield and combine it with Wyatt House?
- Refurbish Southfield care home to offer placements for people with nursing and dementia needs.
- Spend money on Southfield to make it more attractive to future residents.

Stroud Care Home Market

The Council met with Gloucestershire Care Providers Association on 4th July to discuss the Stroud Care Home Market and to understand the impact of the possible decision to close the two care homes on the Stroud Care Market.

There are 25 care homes in the Stroud district, which are set out in Annex 6.

It is difficult to ascertain exactly how much oversupply there is in Stroud care home market as generally care providers consider information regarding people who fund their own care to be commercially sensitive and not usually disclosed to the Council. From the information provided by care homes in the Stroud district during the week ending 26th June 2019 there were 77 empty rooms. The care home vacancy data for Stroud shows:

- Within 6 miles of both care homes there are 55 vacancies.
- Under 2.5 miles of both care homes there are 21 vacancies.
- Between 2.5 miles and 3.5 of both care homes there are 4 vacancies.

Gloucestershire Care Providers Association provided the following information and advice:

- For some care homes there would be no impact as they do not tend to take people funded by the Council but they do have empty rooms and would be willing to take people who fund their own care.
- Many care homes saw the potential closure of Southfield and Wyatt House would have a positive impact as they have empty rooms and work with Council.
- Data on vacant rooms was similar to the Council but some care homes indicated to Gloucestershire Care Providers Association that they had more vacant rooms than what had been declared to the Council.

When Townsend House, Forest of Dean was closed by the Council and Gloucestershire Care Partnership in September 2018 most people moved to Westbury care home. These two care homes are 5 miles apart, shortest route or 6.6 miles apart on an A road.

5. Options Considered.

The Council has considered a range of options regarding the future of both the homes, including proposed options suggested by residents, their families and staff as part of the engagement process. An assessment of the options is set out below:

Southfield Care Home

5.1. Keep the care home open as a residential care home only.

Southfield is a 34 room care home providing residential care only. Since January 2019 Southfield's occupancy has varied from 76 % to 84%. For the last 24 months there has been 1 person, on average, per month funded by the Council moving into Southfield. . There are currently (as at 07/07/19) 27 residents at Southfield, 17 people funded by the Council and 10 people who fund their own care home costs.

People have a right under the Care Act 2014 to choose between different care providers providing that:

- the accommodation is suitable to meet the person's assessed needs
- the accommodation is available

- the provider of the accommodation is willing to enter into a contract with the Local Authority to provide care at the rate to meet the person needs.

Consequently the Council cannot request people to move to Southfield to ensure occupancy of the home improves.

The Council could consider covering the projected deficit forecast for future years until April 2025. As an example, based on the projected loss for 2019/20 of £107,000 for Southfield House and the current Council funded occupancy levels of 17 residents, this would mean an increase on the weekly bed price, if all factors stay the same, of £121.04.

If the Council considered covering the project deficit, then other care home providers would expect to be treated in a similar way, with an increase in their care home fees.

5.2. Keep the care home open and support people with residential and nursing care needs.

There is a national and local shortage of qualified nursing staff who wish to work in the care home sector. The Orders of St John Care Trust, like other larger providers, are concentrating their nursing care provision in fewer homes. If the Council agreed to keep Southfield open and offer nursing the Estates Committee of GCP and the Council with The Orders of St John Care Trust would have to review whether nursing care was provided at Southfield or the Elms, because it would not be economic based on current demand to have both. The Elms has a similar “good” Care Quality Commission rating as Southfield, however it has more rooms than Southfield. The Council, GCP and The Orders of St John Care Trust would support retaining the Elms as a nursing home, rather than developing Southfield, subject to financial viability decisions.

5.3. Keep the care home open and provide specialist dementia care.

Southfield could not meet the complex needs of people with dementia. The key issues that limit Southfield ability to support people with dementia are:

- There are not enough communal areas or break out spaces to support people with challenging behaviour who can sometimes cause distress and anxiety to other residents.
- There are narrow corridors. The ideal is 1.90 metres to allow for wheelchair users and semi-ambulant individuals with walking frames to pass.
- The care home is not designed to support people with dementia, for example a dementia care home requires a layout for people to walk freely.
- Common issues with a building of this age include corrosion of metal reinforcements, poor ventilation, poor thermal qualities and damp and are uneconomic to rectify.

5.4 Take back Southfield Care Home from Gloucestershire Care Partnership and the Council take on the management and provision of care.

The Council can manage a residential care home. If the Council took back management of Southfield then the care home would need to operate in a financially viable manner. Due to the low occupancy levels for Southfield, the forecast capital building works and the supply of residential care by other providers within Stroud a financially viable care home could not be provided.

5.5 Take back the Care Homes and re-procure to a new provider.

A new care provider would want to ensure that the care homes were able to deliver a financial return. Due to the older style nature of the care homes, over supply of residential care home rooms, as evidenced in our care home strategy, resulting in low occupancy levels this would not be achieved on the current care home fee levels within Stroud. If the Council was to increase care home fees to provide a financial viable model for Southfield then this would have a significant impact for the Council and on the care market in Stroud and throughout Gloucestershire.

5.6. Partially Close the Care Homes.

The Council has considered keeping part of Southfield open but due to the layout and the care standards set by the Care Quality Commission the care home would still be

projecting significant financial losses as it would generate less income to cover the fixed costs.

Conclusion

The following key issues have been considered:

- The views of resident and families and their responses explaining the impact on them if Southfield is closed.
- The views of staff and their views on the impact on them if Southfield is closed.
- The care market in Stroud, the availability of care home rooms and the views of Gloucestershire Care Providers Association.
- The revenue financial forecast for Southfield – including the impact on the wider care market if the Council considered additional financial support to the care home.
- The historical and forecast occupancy and the impact on the financial viability of Southfield.
- The need to ensure that nursing care home provision is provided at The Elms through the contract with Gloucestershire Care Partnership in the Stroud locality.
- The capital building works required at Southfield and the duty of the Council to make best use of public monies.

In the original agreement of 2005 there was mention of developing The Elms at Stonehouse. In our discussions with GCP and The Orders of St John Care Trust about Southfield we have agreed to revisit this as a potential development in line with our strategy.

Wyatt House

5.7 Retain Wyatt house care home.

The Council could consider covering the projected deficit forecast for future years until April 2025. As an example, based on the projected loss for 2019/20 of £195,000 for

Wyatt House and the current Council funded occupancy levels of 24 residents, this would mean an increase on the weekly bed price, if all factors stay the same, of £156.25.

If the Council considered covering the project deficit, then other care home providers would expect to be treated in a similar way, with an increase in their care home fees.

Wyatt House care home Care Quality Commission rating is “Requires Improvement “. The Gloucestershire Care Partnership has informed the Council that for Wyatt House to remain open until April 2025 the home requires capital investment of £784,000. This investment would still not result in the home being one that is purposely designed and fit for purpose to support the dependencies of dementia residents today.

As the care home is forecast to make a deficit, Gloucestershire Care Partnership has informed the Council they would not be able to invest in the projected capital figures outlined above and would require the Council to provide this funding, but more importantly whilst this investment may elongate the life of the building it would not result in an environment that was fit for purpose for dementia residents for the future.

Gloucestershire Care Partnership and the Council agree that Wyatt House is no longer fit for purpose to support the needs of dementia residents. Specifically:

- Whilst a lovely garden it is considered as having limited external space for the number of residents with noise potentially causing disorientation but more importantly the significant physical angle of the garden makes it unsafe and inaccessible for people in wheelchairs and there is no option to create any other external space. The importance of being able to go outside is widely documented as benefiting an individual’s physical and mental health.
- The small number of communal areas or break out spaces mean that this can sometimes cause distress due to noise generation.
- There are narrow corridors (in places down to 0.85 m and up to a max of 1.30 metres) whereas the ideal is 1.90 metres to allow for wheelchair users and semi-ambulant individuals with walking frames to pass.

- Whilst the circular design allows people to walk freely, this layout means that staff cannot see long distances meaning that residents cannot be easily observed.
- Common issues with a building of this age include corrosion of metal reinforcements, poor ventilation, poor thermal qualities and damp and are uneconomic to rectify.

The Council is working with developers and providers to facilitate the development of Extra Care Housing schemes.

The Stroud MP David Drew has indicated that Stroud requires new affordable Extra Care Housing and the Wyatt House site could be suitable for such a development. This would also meet the ambition of the Council's strategy.

5.8 Take back Wyatt House Care Home from Gloucestershire Care Partnership and the Council take on the management and provision of care.

The Council cannot manage a nursing home because it cannot employ nurses. If the Council took back management of Wyatt House it could only support people with residential care support needs. Wyatt House would need to be financially viable. Due to the lower demand for residential care, the forecast capital building works and the supply of residential care by other providers within Stroud a financially viable care home could not be provided.

5.9 Take back the Care Homes and re-procure a new provider.

A new care provider would want to ensure that the care home was able to meet the needs of residents. A change of care home provider would not change the inadequacies of the building to meet the needs with people with dementia.

Conclusion

The following key issues have been considered:

- The views of residents and families and their views on the impact on them if Wyatt House is closed.
- The views of staff and the forecast impact on them if Wyatt House is closed.
- The care market in Stroud, the availability of care home rooms and the views of Gloucestershire Care Providers Association.
- The revenue financial forecast for Wyatt House – including the impact on the wider care market if the Council considered financially supporting the care home.
- The inadequacies of Wyatt House to support people with dementia, supported by Gloucestershire Care Partnership.

6. Consultation.

The Council will consult with residents, families and employees of The Orders of St John Care Trust on the impact of the closure of Southfield and Wyatt House. Under the principle of ‘fairness’, the Council will need to ensure that people have been consulted about the impact of the care home closure – i.e. which residents are moved to which new homes; timescales; degrees of choice of new location; criteria for distance from current location to new location; criteria for judging most urgent transfers etc. These options will be developed through engagement with residents and their families.

The Consultation Institute suggested that the consultation on the impact of the care home closure should not turn into a long, drawn-out process. Such moves are very unsettling for both residents and their families (and the effects on elderly people of moving from one environment to another can be profound) and a lengthy process will prolong the uncertainty and worry. In this respect, the Council needs to balance best practice consultation with its duty of care and make the process as quick as possible. Following advice from The Consultation Institute in 2018 the Council has developed a “Procedure for Managing the Closure of a Care Home Providing Services for Adults” which has been developed by examining best practice from the social care sector.

It is proposed that there is a consultation period from August 1st 2019 to 1st November 2019 regarding the impact on residents and their families and the arrangements to provide alternative accommodation for residents. The consultation will be jointly led by the Council and The Orders of St John Care Trust.

The consultation will involve:

- Meetings on an individual basis or with a group of residents and families for each care home – these meetings will explain the reasons for the closure of the care home, the options available to move to an alternative care home, likely timescale for the potential closure and to understand the potential impact for each resident.
- Meetings with The Orders of St John Care Trust employees - these meetings will explain the reasons for the closure of the care home and the likely timescale for the closure. Employment matters will be between The Orders of St John Care Trust and their staff.
- Briefings for local Councillors - these meetings will explain the reasons for the closure of the care homes, the options available for residents to move to an alternative care home, the timescale for the closure and the wider care home issues for their constituents.
- Care Providers – these meetings will discuss the wider care home strategy and implications and opportunities for local care providers as a consequence of the care home closures.

7. Risk Assessment.

The key risk for the Council is associated with the impact which the potential closure of the two care homes will have on residents and their families.

Both homes provide accommodation for adults who require nursing or personal care. Because of the age, physical and mental disabilities and other care and support needs of the individuals concerned, any move would need to be managed sensitively. We do not underestimate the anxiety and concern that may be felt by residents and their families by this proposal. Our engagement and consultation with residents and their families will help us to better understand any negative impact based on the protected characteristics that the proposals may have and how we may mitigate this.

In addition, the Council is mindful that reasonable adjustment and support and assistance will be required to enable residents to engage in the consultation process. The Due Regard Statement identifies that where necessary Independent Advocacy will be offered to ensure they are able to participate in the consultation.

If the proposal to close either care home is not agreed by Cabinet the Council will need to discuss with Gloucestershire Care Partnership how the care homes will be able to operate as they are both forecasting a significant financial loss for the next 3 years.

8. Officer Advice.

The Commissioning Director, Adults and DASS's professional opinion based on all available evidence and subsequent analysis is that the Cabinet approve the closure of Southfield and Wyatt House care homes and consult with residents and the families affected regarding the impact of the home closures.

9. Equalities considerations.

In developing the proposal to close Southfield and Wyatt House, the service has referred to available demographic data and completed a Due Regard statement to accompany the report. The Evolving Communities report referred to in section "Resident and Family Engagement" provides an independent assessment of the impacts which the proposed closure might have on those with the protected characteristics and has been taken into account in completing the due regard statement.

The consultation programme will also ensure that any issues identified in the Due Regard statement are addressed.

The people affected by the potential closure of Southfield and Wyatt House are:

- Residents and families living at Southfield and Wyatt House.
- Staff employed by The Orders of St John Care Trust at Southfield and Wyatt House.
- People who in the future may require an older persons care home in Stroud.
- Care home providers operating in Stroud.

Cabinet Members should read and consider the Due Regard Statement in order to satisfy themselves as decision makers that due regard has been given.

6. Consultation Feedback.

- The Consultation process is outlined above. On completion, there will be careful consideration of the comments and observations made to ensure that residents and families are appropriately supported to move to an alternative care home.

7. Performance Management and Follow-up.

7.1 Oversight during consultation with residents and their families.

To maintain the necessary levels of oversight and scrutiny, it is intended that there will be weekly briefings for the Cabinet member for Adult Care Commissioning, Councillor Roger Wilson on feedback from discussions with residents and their families.

7.2 Post implementation.

A report will be discussed with the Gloucestershire Joint Commissioning Executive and Board on the outcome of the care home closures and the impact on residents and families. The report will identify the key impact on residents and families and how the impacts have been managed. Any learning from the consultation on the impact on residents and families will be considered for any future consultation exercises.

Report Title	To consider the future provision of care homes in Gloucestershire and the relevant consultation
Statutory Authority	The Care Act 2014.
Relevant County Council policy	The Council's Older People Care Home Strategy.
Resource Implications	<p>Within existing budgets.</p> <p>The costs associated with the closure of each care home are estimated to be £200,000. This figure is based on the costs associated with the closure of Townsend House and Trevone House, including the costs associated with the consultation process referred to in this report.</p>
Sustainability checklist:	
Partnerships	There will be extensive consultation with care home providers and various NHS stakeholders.
Decision Making and Involvement	<p>A formal decision is required of the Cabinet regarding the closure of the two care homes.</p> <p>The CCG Governing Body will need to consider the implications of the closure of the two care homes.</p> <p>The Council will undertake extensive consultation with residents and their families regarding the impact of the closure of the two care homes.</p>
Economy and Employment	A sustainable older peoples' care home market will provide employment opportunities across Gloucestershire.
Caring for people	A sustainable older peoples' care home market will support the needs of older people.
Social Value	A vibrant and sustainable care home is an essential part of local communities.
Built Environment	Consideration will need to be given to the future use of the two care homes sites, particularly in respect of Extra Care Housing.
Natural Environment' including Ecology (Biodiversity)	N/A

Education and Information	The consultation sessions with residents and their families will provide an understanding for the reasons for the closure of the two care homes.
Tackling Climate Change	Carbon Emissions Implications? / Neutral Vulnerable to climate change? / Maybe
Due Regard Statement	<p>Has a Due Regard Statement been completed? Yes. Yes - considerations included in main body of report.</p> <p>A copy of the full Due Regard Statement can be accessed on GLOSTEXT via http://glostext.gloucestershire.gov.uk/uuCoverPage.aspx?bcr=1</p> <p>Alternatively a hard copy is available for inspection from Jo Moore, Democratic Services Unit, e-mail: jo.moore@gloucestershire.gov.uk.</p>
Human rights Implications	<p>Public Authorities have a duty under the Human Rights Act 1998 not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms (the Convention) when they are carrying out 'functions of a public nature.</p> <p>The implementation of the decision should not result in the violation of any person's rights under the European Convention on Human Rights. Three Articles of the European Convention are capable of being relevant to any decision to close a residential care home and relocate residents. These are</p> <ul style="list-style-type: none"> • Article 2 which provides that everyone's right to life will be protected by law, • Article 3 which provides that that no one shall be subjected to torture or inhuman or degrading treatment and • Article 8 under which everyone has the right to respect for his family life and his home. Article 8 rights are not absolute and can be justified by public interest considerations including economic factors. <p>The report explains the balance which has had to be struck between the overall rationale for the closures, including the economic factors, against the potential impact on individual residents in proceeding to close the homes and consult on the impact. Best Practice will be followed during the relocation of residents, including consultation on any impacts which the changes might have on residents and their families, so that the</p>

	risks of any breach of human rights to residents are minimised.
Consultation Arrangements	<p>Residents and families living at Southfield and Wyatt House care homes, Stroud, care home providers in Stroud, employees of The Orders of St John Care Trust (OSJCT) who work at Southfield and Wyatt House care homes, Stroud.</p> <p>It is proposed that there is a consultation period from August 1st 2019 to 1st November 2019 regarding the impact on residents and their families and the arrangements to provide alternative accommodation for residents. The consultation will be jointly led by the Council and The Orders of St John Care Trust.</p>