

CABINET

8 MARCH 2016

REVIEW OF THE LORDSWOOD COMMUNITY HUB

Portfolio Holder: Councillor David Brake, Adult Services

Report from: Barbara Peacock, Director of Children and Adults Services

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Summary

This report provides information relating to the Community Day Activity Service for adults with a learning disability, known as the Lordswood Community Hub, and its sustainability in the current economic climate.

The report seeks approval from Cabinet to go ahead with a public consultation in respect of closing this provision and finding appropriate alternative care and support services for the clients using this service.

1. Budget and Policy Framework

- 1.1 This report supports the Council Plan priority “Supporting Medway’s people to realise their potential”. It promotes the following way of working “Giving value for money”.
- 1.2 The information in this report provides Cabinet Members with an overview of the service and the proposal to decommission the service as it is no longer financially sustainable in the current economic climate, as set out in the savings proposals in the revenue budget 2016/2017 agreed at Council on 25 February 2016.

2. Background

- 2.1 The Lordswood Community Hub service is provided for adults with a learning disability who formerly attended the Strood Day Service, Greatfield Lodge, before its closure.
- 2.2 Clients meet at Lordswood Leisure Centre before they start their day of community activities. Activities include cooking, bowling, swimming, library, bingo, shopping - using public transport, dancing, art, sing & sign; as well as full days out in the summer. The activity programme is refreshed every few months to take into account seasonal changes.

- 2.3 Transport is provided by Medway Council. The transport service collects people from their homes and takes them to the hub and at the end of the day, returns them home.
- 2.4 Originally, 26 clients used the service; this has now reduced to 12. The service is provided to the 12 clients as follows:-
- Monday – 6 clients
 - Tuesday – 9 clients
 - Wednesday – 7 clients
 - Thursday – 7 clients
 - Friday – 9 clients
- 2.5 The Lordswood Community Hub service actively seeks to promote greater choice, opportunity and independence in the way in which each service user decides to use their day.
- 2.6 Two full time Support Workers are employed in the provision; annual leave and sickness is covered by agency staff.
- 2.7 Four driver/escorts are employed for 25 hours per week each to provide the transport service. Drivers work 2½ hours in the morning and 2½ hours in the afternoon. They also take the vehicles for any repairs or planned maintenance needed.
- 2.8 The total cost of this service for 2015/16 is £192,344, a daily rate of £97.34 per client. It is, therefore, clear that the cost of the service in relation to the number of clients is no longer financially viable.
- 2.9 The introduction of an alternative and appropriate service, such as a Group Direct Payment would enable clients to carry out the same type of activities in the same groups, if they so wished. This would ensure the clients continue to achieve their outcomes and promote choice, opportunity and independence.
- 2.10 The proposed rate of the Group Direct Payment for each client is £45 per day. This rate is comparable to day services for clients with dementia.
- 2.11 Based on the days activities that clients are currently in receipt of, the annual cost of this service would be £88,920.
- 2.12 This is a potential saving to the Council of £103,424.
- 2.13 It is, therefore, proposed to Cabinet that the necessary steps are taken to decommission the Lordswood Hub.
- 2.14 There will clearly be implications for staff working at the unit if this proposal is carried forward.

3. Options

- 3.1 There are three options available with regard to the proposal:
- Option1 – Do nothing and continue providing the service at its current cost.

- Option 2 – Decommission the service without carrying out a consultation.
- Option 3 – Follow the Local Government Association’s guidance and formally consult on the proposed changes.

4. Advice and analysis

4.1 As this proposal to close a service provision directly affects clients and staff the proposed consultation is vital.

4.2 A Diversity Impact Assessment has been partially completed and will be completed in full (and included in the report back to Cabinet following consultation) if Cabinet agree to the recommendations in section 9 of this report.

4.3 The information below provides analysis for Cabinet to make a decision whether we should consult.

- Option 1 – Continuing to provide the current service in the current financial climate is no longer sustainable. The cost for each client is disproportionate to those receiving similar services.
- Option 2 – The LGA guidance advises that we should consult if proposed changes have an impact on clients. This proposal has a direct impact on clients and staff and if we choose to implement the proposed charge without consultation, it is extremely likely to cause significant complaints by both the public and the trade unions.
- Option 3 – By following LGA guidance and carrying out a consultation, whilst complaints may still occur, the ability to advise that a meaningful consultation has been carried out will enable the authority to respond appropriately and the outcome of the consultation will enable Cabinet to make an informed decision.

5. Risk management

5.1 The following risks have been identified.

Risk	Description	Action to avoid or mitigate risk	Risk rating
The proposed closure of this service may not be received well.	<p>The Lordswood Hub was created when Greatfield Lodge was closed to enable clients to continue receiving a specified service.</p> <p>The closure of the Hub may cause anxiety for clients, their parents/carers and families.</p>	The proposed consultation will include meetings with those affected where alternative and appropriate services can be discussed. This could include, if the client is willing to, the option of a Group Direct Payment that could allow clients to continue participating in their activities in their current groups.	C2

<p>The Council could be criticised for proposing the closure of a frontline service as part of its budget cuts.</p>	<p>Whilst it is recognised that the Council's funding from Central Government is being cut, the proposed closure of a frontline service is not likely to be well received by Medway residents and the local press.</p>	<p>The completion of the proposed consultation will not avoid this risk, but will ensure that Medway residents, stakeholders and partner organisations will be aware of challenge due to the sensitive nature of charging for care.</p> <p>However, should the outcome of the proposal determine that the hub be closed, the ability to advise that a meaningful consultation has been carried will enable the Local Authority to respond appropriately to any queries or complaints.</p>	<p>C2</p>
<p>The proposed closure will deem employees roles at risk.</p>	<p>The proposed closure will deem that the support workers and Drivers/Escorts at the hub will no longer have roles at this service.</p>	<p>The proposed consultation will include meetings with staff, HR and Union Reps.</p> <p>Alternative employment opportunities within the Council will be reviewed.</p> <p>Redundancies will only be made as a last resort.</p>	<p>C2</p>

6 Consultation

6.1 Advice from our legal department recommends that an 8 week public consultation should be carried out. Should Cabinet agree to this proposal, the following clients, boards and partner organisations will be included in the consultation, although responses to the consultation from any interested parties will be welcomed.

- Lordswood Community Hub clients and their parents/carers.
- Staff at the provision
- Trade Union Representatives
- Carers First
- The Learning Disability and Physical Disability Partnership Boards

7 Financial implications

7.1 Should the outcome of the proposed consultation lead to the closure of this service, with alternative and appropriate services provided to clients to meet their eligible needs, the Council has the potential to make savings in the region of £103,000.

8 Legal implications

- 8.1 Section 10.27 of the Care and Support Statutory Guidance issued under the Care Act 2014 states:

In determining how to meet needs, the local authority may also take into reasonable consideration its own finances and budgetary position, and must comply with its related public law duties. This includes the importance of ensuring that the funding available to the local authority is sufficient to meet the needs of the entire local population. The local authority may reasonably consider how to balance that requirement with the duty to meet the eligible needs of an individual in determining how an individual's needs should be met (but not whether those needs are met). However, the local authority should not set arbitrary upper limits on the costs it is willing to pay to meet needs through certain routes – doing so would not deliver an approach that is person-centred or compatible with public law principles. The authority may take decisions on a case-by-case basis which weigh up the total costs of different potential options for meeting needs, and include the cost as a relevant factor in deciding between suitable alternative options for meeting needs. This does not mean choosing the cheapest option; but the one which delivers the outcomes desired for the best value.

- 8.2 Where a consultation is necessary in the interests of fairness but is not actually held, if there is a third party challenge it is likely that a court could hold the change of practice or policy involved to be unlawful.
- 8.3 Medway Council has a legal obligation under section 149 Equality Act 2010 to have due regard to the need to eliminate discrimination, advance equality, and foster good relations between those with a protected characteristic (pregnancy and maternity, age discrimination, disability, gender reassignment, marriage and civil partnerships, race, religion or belief, sex and sexual orientation) and those who do not share it.

9. Recommendations

- 9.1 It is recommended that Cabinet agree to a public consultation being carried out for a period of 8 weeks which will propose the closure of the Lordswood Community Hub.
- 9.2 It is recommended that the outcome of the consultation is returned to Cabinet to enable the consideration of consultation responses and decisions to be made in respect of the proposed closure.

10. Suggested reasons for decision(s)

- 10.1 The public consultation is recommended to provide feedback to Cabinet and enable an informed decision about the proposed closure of the Lordswood Community Hub. This will, in turn, minimise risk of challenge and enable the authority to respond to potential complaints appropriately.

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Appendices

None

Background papers

Budget report to Council – Appendix 2a – 25 February 2016

<http://democracy.medway.gov.uk/mgIssueHistoryHome.aspx?IId=15761>

Care and Support Statutory Guidance issued under the Care Act 2014

<http://democracy.medway.gov.uk/mgIssueHistoryHome.aspx?IId=16412&PlanId=245>