

Executive Report

Ward(s) affected: All

Report of Director of Service Delivery

Author: Samantha Hutchison

Tel: 01483 444285

Email: samantha.hutchison@guildford.gov.uk

Lead Councillor responsible: Julia McShane

Tel: 01483 837736

Email: julia.mcshane@guildford.gov.uk

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Day Care Provision for the Elderly

Executive Summary

We have two purpose-built day centres providing support and care services for elderly residents. As part of the agreed savings strategy, discretionary services are being reviewed and ways to improve services explored.

As part of this process, public consultation was undertaken on the future of older people's services, including the option of consolidating services at The Hive. The outcome of the consultation exercise and views of key health and social care partners was shared with the Service Delivery Executive Advisory Board (SDEAB) on 13th January 2022.

For the Executive to decide on the future of day care provision for the elderly, this report sets out the

- outcome of the consultation exercise, Equalities Impact Assessment and the views of key health and social care partners
- recommendations of the SDEAB to the Executive.

The report concludes that the best quality of care for our elderly residents can be delivered by consolidating service provision at The Hive, whilst making significant savings to contribute to our savings strategy.

Recommendation to Executive

- 1) That the provision of day care services for the elderly be consolidated at The Hive to maintain high quality service provision for all residents in the borough.
- 2) That the following recommendations for the SDEAB are actioned by the Head of Community Services

- a) The possibility of introducing a lunch provision at Japonica Court be explored to support those residents who previously accessed the lunch club at the Shawfield Centre.
- b) A breakdown of the projected revenue savings of £170,000 be provided to the SDEAB to clarify the amount of funding expected to be saved from the Shawfield Centre closure, balanced against any rise in costs associated with an increase in the use of The Hive and community transport and any ongoing upkeep of the building including utility payments.
- 3) That the Head of Asset Management develops a project mandate in respect of the options for the future use of the Shawfield Centre site without delay to prevent a community facility falling into disuse for a length of time. One of the options should consider the operation of the property by an external organisation such as a parish council, charity or local enterprise

Reason for Recommendations:

To maintain or improve the quality of provision for day centre customers, whilst reducing costs as part of our savings strategy.

1. Purpose of Report

- 1.1 The purpose of this report is to ask the Executive to support the proposal to consolidate day care services for the elderly at The Hive. The report informs the Executive of the outcome of a public consultation and the recommendations made by the SDEAB.

2. Strategic Priorities

- 2.1 As part of our overall savings strategy, we need to reduce expenditure on discretionary services, including community and elderly care. However, these services contribute to our corporate priorities on tackling inequality and working with communities to support those in need. Therefore, the proposals in this report aim to maintain or improve the quality of care for customers whilst reducing costs.

3. Background

- 3.1 The Council is facing a budget deficit of £6 million over the next four years. As part of our overall savings strategy, the need to reduce expenditure on discretionary services by £1.7 million was identified and as reported to the Executive in November 2020, this included delivering savings through reviewing the usage of community and day centres with a view to consolidating sites.
- 3.2 Although community care services are discretionary for the Council and their continued provision must be assessed against what we can afford to spend, we recognise that our support for the elderly and vulnerable is valued highly by residents and contributes to our corporate priorities on tackling inequality and

supporting those in need. Therefore, whilst accepting the need to reduce the cost of day care services, we wish to maintain or improve the quality of provision for residents.

- 3.3 The Council currently has two purpose-built day centres providing care and support services for elderly residents, The Hive (formerly known as the Park Barn Centre) in Guildford and the Shawfield Centre in Ash.
- 3.4 The Shawfield Centre had approximately 60 regular users prior to the pandemic. Most of these users were from Japonica Court for a lunch service. Approximately 25 of these 60 attended the centre for older people's activities and includes customers who accessed specific dementia support funded by Adult Social Care. The space is suitable for its purpose, but the building is tired and in need of refurbishment. The Centre has been closed since the start of the pandemic and was used as a distribution hub for food parcels for some of that time.
- 3.5 Whilst the Shawfield Centre has been closed, its existing customers have been transported to the Hive. Discussions with these customers during this time indicate that they are satisfied with the service provided and have settled in well. Some have found the centre loud at times, but we have created a quiet space for vulnerable customers to use and this has been particularly helpful for those living with dementia. The on-site hairdresser and podiatry treatments are of great health and wellbeing value to all customers, and this is something that was not so readily available at Shawfield.
- 3.6 The Hive has the capacity to absorb the additional numbers from the Shawfield Centre on an ongoing basis. With the improved facilities and services available and by consolidating staffing, we consider that customers would better ongoing support and care at The Hive.

4. Proposal to consolidate day care services for the elderly at the Hive

- 4.1 The Executive Liaison Group was consulted on options for the future of day care services in March 2021 and accepted that the consolidation of day care services at The Hive could make more effective use of our assets, reduce costs and improve service quality.

It was agreed that consultation should be undertaken on the proposal.

Consultation

- 4.2 Consultation ran from 20th September until 31st October 2021. The consultation questionnaire is attached in Appendix 1.
- 4.3 The Head of Community Services met with NHS colleagues, including the independent chair of the Guildford and Waverley Integrated Care Partnership and Adult Social Care commissioners as well as two community volunteers who provide services to the elderly in Ash. NHS and Adult Social Care partners indicated that a consolidated service at The Hive was the best option.

- 4.4 Partners were impressed with the services on offer and felt that The Hive provided a better model of care than could be offered at the Shawfield Centre due to the limitations of the building. They were also aware that most social care referrals across the borough are made to The Hive - even before Covid - and that there is adequate space to accommodate the allocated commissioned spaces for all residents. They also noted the health and wellbeing benefits of customers being in a multi-generational, multi-purpose space as well as the integrated care provision available to people living with dementia and physical disability.
- 4.5 However, the wider consultation showed concerns about the perceived loss of services at the Shawfield Centre. This geographical focus perhaps overshadowed the improved facilities and services that could be provided at The Hive. Some feedback indicated that the provision of more information on the services available at The Hive could have led to a more positive response.
- 4.6 The outcome of the consultation can be seen in Appendix 2. Headline results were
- 58% of respondents felt any unified provision would have a negative effect.
 - 51% disagreed that with the right support in place, while taking a person's own strengths and capabilities into consideration, we would achieve a better outcome for the older person and their families if we provided a more modern wide-ranging service.
 - 75% of respondents thought it better to offer two services with limited provision.
- 4.7 When considering the results, it should be noted that there were 25 regular users of older people's care at the Shawfield Centre prior to the pandemic. Most people using the Centre were residents of neighbouring Japonica Court who attended for daily lunch and did not receive any care services. All previous customers are able to access elderly care provision at The Hive.
- 4.8 Feedback received during the consultation did identify a number of ways that Ash residents could be supported to access and benefit from services at The Hive, including:
- ensuring community transport journeys from Ash are direct to The Hive by avoiding several pickup points.
 - alternative smaller community transport vehicles could be used to collect vulnerable people living with dementia on an individual basis; and
 - shorter days could be offered at The Hive to enable the most vulnerable customers to return home after lunch.
- 4.9 It also became clear that Japonica Court residents would benefit from increased activities being offered within the sheltered housing scheme. Our Sheltered

Housing and Community Services teams have identified ways in which this can be delivered.

- 4.10 Considering the results of the consultation with health and social care partners, customers and the wider community and the suggestions received to help Ash residents, there is still a strong case that the best way to improve service quality for day care would be through consolidating provision at The Hive.
- 4.11 In addition to this we need to consider the requirement to reduce expenditure on discretionary services as part of our savings strategy. Consolidating service provision at The Hive would deliver savings in the region of £170,000 per annum.

Service Delivery Executive Advisory Board (SDEAB)

- 4.12 To assist the Executive with their decision, the SDEAB considered a report on 13th January 2022 (Appendix 3) which outlined the proposal and the consultation responses.
- 4.13 The full minutes of the SDEAB are attached in Appendix 4.

In summary, some of the councillors had visited The Hive and were impressed with the services on offer and achievements realised in recent years. The SDEAB acknowledged that whilst any closure or decrease in service was regrettable, the council's financial position necessitated the review of discretionary services with a view to identifying budget reductions.

- 4.14 The Older People's Champion's views were shared with the SDEAB and contributed to the recommendations made to the Executive, particularly highlighting the need to help elderly residents in sheltered housing access the social contact they need for greater health and wellbeing.
- 4.15 The Lead Member for Housing and Community agreed that following a decision by the Executive, a working group would be established with key officers, the Older People's Champion and Lead member to ensure these issues were addressed and actioned.
- 4.16 The SDEAB have made the following recommendations to the Executive about the future provision of day care services for the elderly.
 - (a) The provision of day care services for the elderly be consolidated at The Hive to maintain high quality service delivery for all residents in the Borough.
 - (b) The possibility of introducing a lunch provision at Japonica Court be explored to support those residents who previously accessed the lunch club at the Shawfield Centre.
 - (c) A mandate be developed in respect of the options for the future use of the Shawfield Centre site without delay to prevent a community facility falling

into disuse for a length of time. One of the options should consider the operation of the property by an external organisation such as a parish council, charity or local enterprise.

- (d) A breakdown of the projected revenue savings of £170,000 be provided to clarify the amount of funding expected to be saved from the Shawfield Centre closure, balanced against any rise in costs associated with an increase in the use of The Hive and community transport and any ongoing upkeep of the building including utility payments.

5. Key Risks

- 5.1 There is a reputational risk related to the perceived loss of service to elderly residents in the Ash area. With support for those in need being a key corporate priority. The SDEAB agreed that the purpose of the consolidation is to provide an improved quality of service to all customers at The Hive.
- 5.2 We also need to ensure that residents in Ash are able to continue to access services. Measures to support this are set out in the SDEAB recommendations.
- 5.3 The Hive and the Shawfield Centre are both currently rest centres as part of our Emergency Planning response. In consolidating services, The Hive could remain as a small rest centre, but the Shawfield centre would no longer act in that capacity.
- 5.4 During Covid 19, we identified the risks around having small rest centres due to the ability to maintain social distancing and wider infection control and management. We have identified that it is important for us to utilise Spectrum and Surrey Sports Park as our main rest centres.
- 5.5 The risk therefore of no longer using Shawfield as a rest centre is reduced because we will have these two larger venues at our disposal as well as The Hive to ensure our residents have a place of safety in an emergency. Community Services would continue to support the infrastructure of an emergency response through provision and storage of equipment and the use of community transport.

6. Financial Implications

- 6.1 We need to review discretionary services as part of our agreed savings strategy. It currently costs approximately £250,000 to run the Shawfield Centre. If older people's services were to consolidate at The Hive, there is the potential to save in the region of £170,000 per annum. In addition, the need to meet the costs of refurbishing the Shawfield Day Centre estimated at £100,000 would be removed.

7. Legal Implications

- 7.1 When a Council is contemplating changes to elderly day care service provision in the way that is proposed, there are a number of legal aspects that need to be fully considered. There are three areas of law which are significant in relation to these decisions.
- a. The duty to consult: there is a requirement that the Council conducts a consultation before making a decision.
 - b. Obligations under the Human Rights Act 1998 (HRA): the Council has obligations to ensure that any actions it takes do not infringe the human rights of persons that were using the day care services.
 - c. The Public Sector Equality Duty (PSED): in coming to a decision about the future of the service the Council must be aware of its duty to promote equality.
- 7.2 The obligations placed on the Council have been considered in the actions of officers and in the preparation of this report.
- 7.3 Case law sets out a number of principles for the conduct of consultation. These are:
- a. Consultation must take place when the proposal is still at a formative stage.
 - b. Sufficient reasons must be put forward for the proposal to allow for intelligent consideration and response.
 - c. Adequate time must be given for consideration and response.
 - d. The product of consultation must be conscientiously taken into account.
- 7.4 The consultation and decision-making process has been designed to ensure that these principles are adhered to, for example, consultation about the future of the service took place at a formative stage. While there is an obligation to consult on all realistic alternatives, the Council is of the view that the two options consulted on were the only realistic options. The Council will continue to engage customers and other stakeholders on the detailed implementation of any changes to day care services. Executive Members will need to consider the consultation responses when reaching their decision.
- 7.5 The Human Rights Act 1998 sets out a number of rights that individuals have. Most relevant in relation to the matter in question are Articles 2 (the right to life), 3 (freedom from torture and inhuman or degrading treatment), 5 (the right to liberty and security) and 8 (respect for your private and family life, home and correspondence).
- 7.6 A decision which potentially interferes with a human right does not necessarily mean that it will be incompatible with the Human Rights Act 1998. Public bodies must also take into account other general interests of the community. Some

interference with rights can, therefore, be implemented where it is necessary and proportionate to do so in order to achieve a legitimate aim. Provided the interference of such a right has a legitimate aim and the restriction itself does not go any further than necessary to protect this aim, then it is likely that it will be compatible with the Human Rights Act 1998. In this way the Human Rights Act 1998 recognises that there are certain situations where a public body is allowed to limit individual rights in the best interests of the wider community.

- 7.7 In this situation, the Council is proposing changes to service configuration which is aimed at achieving an overall improvement of day care facilities for older people (which would ultimately benefit many hundreds of people) whilst acknowledging that in doing so there would be some unavoidable disruption to the lives of its users. Providing that the Council does all that can reasonably be done to minimise the effect on the users then closing the service is not incompatible with the requirements of the Human Rights Act 1998. The actions to minimise the effect to date and proposed are set out in a number of paragraphs including 3.1 to 3.6 and 4.1 to 4.16 above.
- 7.8 Discussion of the Council's duties in relation to equalities is set out in paragraph 9.1. An Equalities Impact Assessment has been completed and is contained at Appendix 5. Consideration will need to be had of the content of the impact assessment by the Executive Members before making any final decision on this matter.
- 7.9 The Council has a funding agreement in place with Surrey County Council for older people's day care provision that sets out how many allocated funded care places must be delivered by the Council. In consolidating services at The Hive, the Council remains compliant with this and has the support of Adult Social Care.
- 7.10 There is a Legal Charge in place on the title of the Shawfield Centre which requires that the Centre is used as a 'day centre' for the elderly, so this may potentially limit the options for future uses on the site unless a release is agreed. The Charge also requires that 60% of the proceeds of any sale are paid to the beneficiary so this will potentially impact the financial advantages of disposing of the site unless a favourable release is agreed. Negotiations should take place with the relevant NHS body who is the beneficiary of the Charge at an early stage.

8. Human Resource Implications

- 8.1 As part of the consolidation of older people's services at The Hive, a staffing restructure will be needed. This will contribute to the savings to be delivered through the proposal but may result in staff redundancies.

9. Equality and Diversity Implications

- 9.1 An Equalities Impact Assessment was completed prior to the consultation exercise. This demonstrates that we are able ensure equality of opportunity to access day care services by consolidating provision at The Hive.

10. Climate Change/Sustainability Implications

- 10.1 Consolidation of older people's service in one location would reduce energy consumption compared to continuing provision at two premises. The transportation of customers from Ash to The Hive would result in a small increase in the number of vehicle journeys, although the minor carbon impact of this will be reduced by the planned move for the community transport fleet to become entirely electric.

11. Conclusion

- 11.1 Following the consultation on the future of day care services for the elderly in the borough and the recommendations of the SDEAB, consolidating day care services for the elderly at The Hive is the best way to improve service quality for our residents.
- 11.2 To support consolidation of services, it is important to action the further recommendations of the SDEAB, by firstly continuing our support for elderly residents in the borough as best we can through the development of lunch provision at Japonica Court and a working group that will help enhance the wider health and wellbeing needs of our elderly in sheltered units and secondly; quickly develop a mandate for the future use of the Shawfield Centre.
- 11.3 Consolidating day care services for the elderly at The Hive will also deliver financial savings in the region of £170,000 per annum as part of the Council's agreed savings strategy and if agreed, the Head of Community Services will report back to the SDEAB with the breakdown of savings following implementation.
- 11.4 The Executive is therefore asked to approve the recommendations made in this report.

12. Background Papers

Day Care Provision for the Elderly Mandate (31st March 2021)

13. Appendices

Appendix 1: Older People's Consultation Questionnaire
Appendix 2: Summary of Older People's Consultation
Appendix 3: SDEAB report on Day Care Services for the Elderly 13 January 2022
Appendix 4: SDEAB summary response 13 January 2022
Appendix 5: Equalities Impact Assessment