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**Health and Adult Social Care Scrutiny Committee Meeting - 17<sup>th</sup> July 2012**

**Report of the Director of Adult, Community and Housing Services**

**Consultation on the future of New Bradley Hall**

**Purpose of Report**

1. To inform the Health & Adult Social Care Scrutiny Committee of the outcome of the formal consultation process regarding the future of New Bradley Hall residential care home.
2. To inform the Health & Adult Social Care Scrutiny Committee of the recommendation resolved by Cabinet on the 20<sup>th</sup> June 2012.

**Background**

3. New Bradley Hall is a council run 31 bedded residential care home currently home to 28 residents aged between 65 and 105.
4. The council has contracts with 40 private residential homes which have capacity for approximately 1,010 beds. Occupancy of these places runs at an average of 94%.
5. It is predicted that by 2030, 75000 people in Dudley (almost one quarter of the total population) will be aged 65 or over. At least 4% of whom will be aged 85 or over. This presents significant challenge to public sector resources, and a significant percentage of people will have complex conditions requiring long term support.
6. National and local policy require that services are commissioned and delivered in a way which ensures the person is at the centre of any decision making process and that individuals have choice and control over how services are delivered in order that maximum benefit is achieved.
7. In order to meet long term support needs of older people, national and local evidence states that the preferred model is to deliver a range of support including Care At Home, Reablement Services and Extra Care Housing with a reduced reliance on the more traditional residential care model.

8. The option of Extra Care Housing enables people to maintain their independence for as long as possible by providing specialist support tailored to meet individual requirements. It also enables people to retain greater control over their financial circumstances.

In response to this evidence, a strategic partnership with Midland Heart Housing Association was established with a view to developing five extra care housing schemes across the borough, two of which opened in 2011.

### Consultation

9. At a Council meeting held on 28<sup>th</sup> September 2011 a motion was proposed 'that the Cabinet decision made at its meeting of the 14<sup>th</sup> September 2011 in so far as it relates to New Bradley Hall to be set aside pending a further report to Cabinet' (see bibliography for details of all relevant reports).
10. Age UK Dudley was commissioned to gather the public's views on the future of New Bradley Hall. The consultation period ran from February 6<sup>th</sup> 2012 and April 27<sup>th</sup> 2012.
  - In total 96 people attended 5 open focus group meetings.
  - Age UK received 141 questionnaires, of these 106 chose B as their preferred option, 23 chose C as their preferred option

### Options Appraisal

11. The Council has publically committed to retaining New Bradley Hall thereby of the 5 Options presented, only Options B and C can be considered.

### **Option B – retain New Bradley Hall as a long term council run residential care home**

12. This option would be to provide long term residential care (31 places) for both existing and future residents

#### Benefits of Option B

- This would give security to existing residents
  - It represents the preferred option of the majority of people who responded to the questionnaire
13. However, this Option would;
    - i) This will not deliver any of the anticipated revenue contribution of £634k towards the care costs of future Extra Care Housing schemes. This would require funding to be found from elsewhere within existing social care budgets which would impact on the

delivery of the Councils strategic direction and other people who rely on adult social care services for their support.

- ii) Incur additional capital expenditure in order to update and maintain the infrastructure of the home. This is currently estimated to be £750,000 in the medium term but if the home is to remain open indefinitely consideration would need to be given to additional improvement to ensure the property is refurbished to a high standard in order to meet long term needs and demands.
  
- iii) The unit costs of directly provided care are significantly higher than those in the independent sector and do not represent value for money (costs in 2011/12 were £531 per week in comparison with £387 in the independent sector). The main reason for the difference in costs relate to the pay and conditions of Local Authority staff. In addition, the full Council costs would need to include the apportioned central overhead costs.

If New Bradley Hall is to remain open indefinitely, with high running costs, we would wish to establish the home as a centre of excellence with additional investment (see 13(i)). We would then need to focus on the delivery of complex care and support primarily in the area of Dementia Services, which is one of our greatest priorities and area of pressure.

### **Option C – New Bradley Hall remains open to existing long term residents**

This option will allow existing residents to remain at New Bradley Hall. Future vacancies will be used for short term care, responding to the growing demand for respite for people who usually receive their care and support in their own homes.

#### **Benefits of Option C**

- This would give security to existing residents
- It represents the preferred option of Adult Social Care as it more closely supports the strategic direction of Adult Services within the Council
- It would reduce the spend on respite care in the independent sector providing a contribution towards the care costs of Extra Care Housing. For every place that is used for respite care there would be an estimated saving of £20k in the respite care budget.
- The provision of Extra Care Housing has received considerable support in other consultation processes
- Easy access to respite care not only safeguards individuals, but equally offers a short term break for carers

However, this Option would;

- Incur additional capital expenditure in order to update and maintain the infrastructure of the home. This is estimated to be £750,000 in the medium term
- Mean that the unit costs of directly provided care are significantly higher than those in the independent sector and do not represent value for money ( costs in 2011/12 were £531 per week in comparison with £387 in the independent sector)

### **Finance**

14. The proposed changes in relation to the realignment of Residential Care Homes form part of the Councils 2011 – 2014 Three Year budget strategy. These changes not only include the realignment of residential care but will enable increased investment in Extra Care Housing.
15. The financial impact of Options B and C are contained above. Both would entail some capital investment in order to update and maintain the infrastructure of the home; this is projected to be in the region of £750,000 in the medium term of which at least £250,000 would need to be spent in the short term in order to refresh the décor.
16. The estimated gross annual budget for New Bradley Hall in 2012/13 including the impact of pay and grading is around £958,000, this gives a weekly unit cost based on 31 places of £593 in comparison with £388 in the independent sector.

### **Law**

17. The Council is bound by the Human Rights Act 1998 as are all public authorities.
18. The covenant relating to New Bradley Hall requires the Council to ensure the owners erect and maintain cattle proof fencing. It also prohibits noisy, noxious or offensive trades or businesses on the premises.
19. The Council has taken counsel advice to ensure that the approach taken meets legal requirements and has taken account of all recent judicial reviews, for example, eg Birmingham; Isle of Wight.
20. The consultation undertaken complied with the requirements specified following R(Coughlan) v N&E Devon Health Authority (1999) EWCA clV1871.

## **Equality Impact**

21. The Equality Act 2010 applies to everyone providing a service to the public regardless of whether a charge is made for that service. It covers statutory, private, voluntary and community sector organisations. Everyone has the right to be treated with dignity and respect. The Equality Act 2010 prohibits discrimination on named grounds. (See attached detailed Equality Impact Assessment).

## **Recommendation**

22. A report of the Director of Adult, Community and Housing Services was submitted to Cabinet on the 20<sup>th</sup> June 2012, on the outcome of the formal consultation process regarding the future of New Bradley Hall residential care home. The recommendations resolved were;

That New Bradley Hall remain open as a residential care home for long term residents; for the duration of their stay for current residents and for the foreseeable future.

That a Stakeholder Working Group is comprising Members of both political groups and other stakeholders be set up to consider the full range of the wider implications for all older people in the Borough.

That deliberations around New Bradley Hall be fed into a much wider review in the light of the impending White Paper and Social Care Bill for a complete review of adult social care strategy, this to be carried out at the highest level by a relevant Scrutiny Committee and that the Stakeholder Working Group, feed into the wider review.



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## List of Background Papers

Consultation on the future of New Bradley Hall, Kingswinford report of Findings (May 2012). <http://www.ageuk.org.uk/dudley>

Equality Impact Assessment - Consultation on the outcome of residential service provision at New Bradley Hall – 1<sup>st</sup> June 2012

Briefing Report to the members of the Health & Social Care Scrutiny Committee and all the ward members January 2012: Consultation process in respect of New Bradley Hall Residential Care Home.

Report to Cabinet 7<sup>th</sup> December 2011: Consultation with regard to the re-provision of care homes.

Report to the Health and Social Care Scrutiny Committee 14<sup>th</sup> November 2011:  
Consultation process in respect of the Modernisation of Adult Social Care and the Home Closure Programme.

Cabinet report 14<sup>th</sup> September 2011. The Modernisation of Adult Social Care.

Council Report 5<sup>th</sup> March 2011. Revenue Budget Strategy and Setting the Council Tax 2011/2012.

Cabinet Report. 31<sup>ST</sup> October 2007. Continuing Report of the Development of Local Authority Residential Homes and Day Care Services – next steps.

Cabinet Report 12<sup>th</sup> September 2007. Extra Care Housing - Partnership Agreement.

Council Report 5<sup>th</sup> March 2007. Revenue Budget Strategy and Setting the Council Tax 2007/2008.

Cabinet Report 2<sup>nd</sup> November 2005. Report on Consultation in respect of Future Development of Local Authority Residential Homes and the Further Development of Housing with Care.

Cabinet Report 15<sup>th</sup> June 2005. Future Development of Local Authority Residential Homes and the Further Development of Housing with Care.

Cabinet Report. 9<sup>th</sup> November 2003. Residential Care of Older and Disabled People in Dudley. *'Achieving closure': good practice in supporting older people during residential care closures* is a joint publication by the Health Services Management Centre (HSMC), University of Birmingham and the Association of Directors of Adult Social Services (ADASS), published in association with the Social Care Institute for Excellence (SCIE).

<http://www.birmingham.ac.uk/Documents/news/BirminghamBrief/AchievingClosureReport.pdf>