

## Report to Cabinet

---

<b>Title:</b>	<b>Residential short breaks (respite) – proposal to relocate service from Seeley’s House to Aylesbury Opportunities Centre</b>
<b>Date:</b>	30 September 2019
<b>Date can be implemented:</b>	8 October 2019
<b>Author:</b>	Cabinet Member for Health and Wellbeing
<b>Contact officer:</b>	Jane Bowie, Director Integrated Commissioning
<b>Local members affected:</b>	All Electoral Divisions
<b>Portfolio areas affected:</b>	All Portfolio areas

*For press enquiries concerning this report, please contact the media office on 01296 382444*

### Summary

The purpose of this report is to seek approval to agree, following a consultation process, the proposed transfer of the residential short breaks service on to the present site of the Aylesbury Opportunity Centre (AOC); to jointly commissioning with Buckinghamshire CCG an integrated residential short breaks service; and to the temporary relocation of current AOC service users to suitable, alternative support options. The details to support this paper are set out in 4 appendices and are as listed below:

- Appendix 1 - End of Consultation Report
- Appendix 2 and 3 – HASC correspondence
- Appendix 4 – Equality Impact Assessment

### Recommendations

**Cabinet is asked to agree:**

- 1. The proposal to release £3.5 million of capital to invest in a new residential short breaks service in Aylesbury, and move the service from the current location at Seeley’s House in Beaconsfield**
- 2. The building and reconfiguration of the Aylesbury Opportunity Centre to provide day opportunities and a 12 bedded integrated health and social care residential short breaks service**
- 3. The temporary relocation of current Aylesbury Opportunity Centre service users to suitable, alternative support options until the build and reconfiguration of the new provision is complete.**

## **A. Narrative setting out the reasons for the decision**

### **Background**

1. Buckinghamshire has a particular opportunity to put in place a forward-thinking, best practice joint health and social care residential short breaks service for people with a learning disability or autism which would offer service users and carers a significantly improved level of support. People with complex and multiple needs and their carers would be able to access high quality provision irrespective of whether their care was funded by health or by the Council and irrespective of where they live in the county. Using needs analysis of current and future demand in the county and releasing £3.5m capital investment to build a facility of excellence, the Council in partnership with key stakeholders is in the position to commission a new flexible and seamless service to better assist people in the county.
2. The current residential short breaks provision in Buckinghamshire is provided from Seeley's House in Beaconsfield. The level of service Seeley's House is able to provide is significantly restricted. Its configuration limits its ability to deliver appropriate and flexible capacity. It cannot safely manage clients simultaneously with multiple and complex needs and those who have behaviours that challenge. This impacts on the level of occupancy, which is often low. The Seeley's House residential short breaks service is unable to provide suitable provision for service users with complex health needs as funded by continuing healthcare (CHC). Subsequently, health and social care are making individual out of area spot placements to make sure people get the short breaks on which carers rely.
3. Usage of Seeley's House since January 2017 has fallen. From January to December 2017 total attendances for the year were 1,851, compared with 1,554 between January and December 2018. People with needs for a short break and funded by health have also been required to use alternative provision from January 2017 and some families are exercising their choice through use of Direct Payments to arrange short break support with providers other than Seeley's House.
4. The Council is not proposing to close the residential short breaks services but to replace the current 12 bedded service at Seeley's House (only 8 beds are currently functional), with a fully operational 12 bedded facility. This would, at maximum capacity, equate to 4,368 bed nights a year. This allows for the capacity the CCG has modelled it requires of on average two beds per annum. It would be able to support all Buckinghamshire people who have an assessed eligible need for residential short breaks.

### **Demographics and anticipated rises in demand**

5. The broad term 'learning disability' can cover a spectrum of conditions, from a mild learning disability where someone can manage independently but might take longer to learn new skills, to a profound and severe learning disability where a person may need substantial care and support with every aspect of their life.

6. It is estimated that around 1.5 million people in the UK have a learning disability, and around 350,000 people have a severe learning disability. Studies indicate that 1.1% of the population in the UK (over 695,000 people) may be on the autism spectrum and people with learning disabilities or autism are living longer than was the case in the past. National models are suggesting associated growth in the need for social care services of 3.2% per year.
7. In Buckinghamshire, there are an estimated 5,870 working age adults with learning disabilities, of which approximately 910 (16%) have complex and multiple needs. The number of working age adults with a learning disability is expected to increase by approximately 2% by 2033, with the number of people with more complex needs expected to increase by 37%.
8. It is anticipated that the number of people with a learning disabilities aged 65 years will increase by 55% by 2033, and by 164% in adults with learning disabilities over 80. In the younger age range, over the next 5 years there will be approximately 220 young people reaching the age of 18 who may require accommodation, a support service or both. Some of these young people will require residential short breaks.
9. With 67% of housing development planned in Aylesbury Vale, in future a greater proportion of people with needs will live in the north of Buckinghamshire.
10. People living at home with their families or friends are the client group for whom residential short breaks can make the difference between continuing to live in the community or being placed in long term residential care.

### **Care Quality Commission inspections**

11. In January 2017, Seeley's House was rated as inadequate by the regulator, the Care Quality Commission (CQC) and was subsequently closed to new referrals. The inspection report triggered the decision that the service was not able to meet the needs of CHC clients given the particular level of skill and expertise they required. To ensure the safe operation of the service, the decision was taken to reduce the number of beds from 12 to 8 which remains the functioning capacity. There was focused support to improve knowledge and skills of the workforce through a robust action plan and ongoing training, and this has significantly raised the quality of care and experience of the service users in the provision since that time. The following inspection in June 2017 found the service had progressed and the overall rating was "Requires Improvement". The CQC visited Seeley's House in May 2019 and in their subsequent report of July 2019 they rated the service as "Requires Improvement". Their assessment of the building was that significant improvements had been made to the environment since the previous inspection.

### **Seeley's House short breaks operational update**

12. Seeley's House provides residential short breaks to 37 clients. There are ongoing quality issues at Seeley's which the service is undertaking focused work to address. A temporary suspension has been put in place to allow for the improvements to be made and it is expected that the service will re-open around October this year.

## **Our proposal**

13. The Council is proposing to build a new facility which will provide a high quality residential short breaks service, fully integrated across health and social care. It will include the provision of nursing services on site. This will be the first time in Buckinghamshire that resources from both health and social care can be used to provide a residential short breaks facility.
14. The new facility will deliver a significant improvement to the residential short breaks service for Buckinghamshire residents, meeting the needs of all clients with continuing health care needs, as well as social care.
15. The quality of the built environment will be considerably better, being purposely built and designed to meet the needs of service users and not limited by the facilities available, as is currently the case. The new building will be future proofed so that it can be easily adapted should the needs of the clients change over time. The design will embrace best practice in service delivery and provide an opportunity to continue previous co-production with service users, families and carers.
16. Locating the new facility more centrally in the county will mean that the service will be more accessible.

## **Health and Adult Social Care Select Committee**

17. The Health and Social Care Select Committee convened a task and finish group in January 2019 to explore the proposal and emerging issues in more detail. The group requested information on the plans and formally met with officers on three occasions to interrogate the plans, risks and issues. They visited the Seeley's House site and other services and looked at best practice elsewhere. To facilitate their work, they requested an extension to the timeline to afford them the time to enable an in-depth appraisal of the proposal.
18. Their advice and input provided a valuable perspective and led to a number of revisions of process and greater analysis of concerns. This included an extension to the period of consultation to 8 weeks to enable service users and carers to properly understand and engage fully with the suggested plans. They recommended additional focused engagement with service users and carers at Aylesbury Opportunity Centre. A further period of six weeks involvement was carried out through the summer and the feedback obtained was extremely useful in highlighting the extra reassurance needed for service users, their families and carers that they would continue to receive a service to meet their eligible social care need during any period of temporary closure of the centre.
19. The group suggested a letter be sent to service users, their families and carers at Seeley's day centre to confirm for them that Seeley's day centre was not under review at this time: that to date there are no plans in place either to stop it operating or to sell the land on which it is based. To reinforce the letter and for consistency, the group asked the current Medium Term Financial Plan be revised and assumptions of income from the potential sale of the Seeley's site be removed.
20. The task and finish group has summarised their findings in a letter to the Cabinet Member (appendix 3).

## Vacancies and recruitment

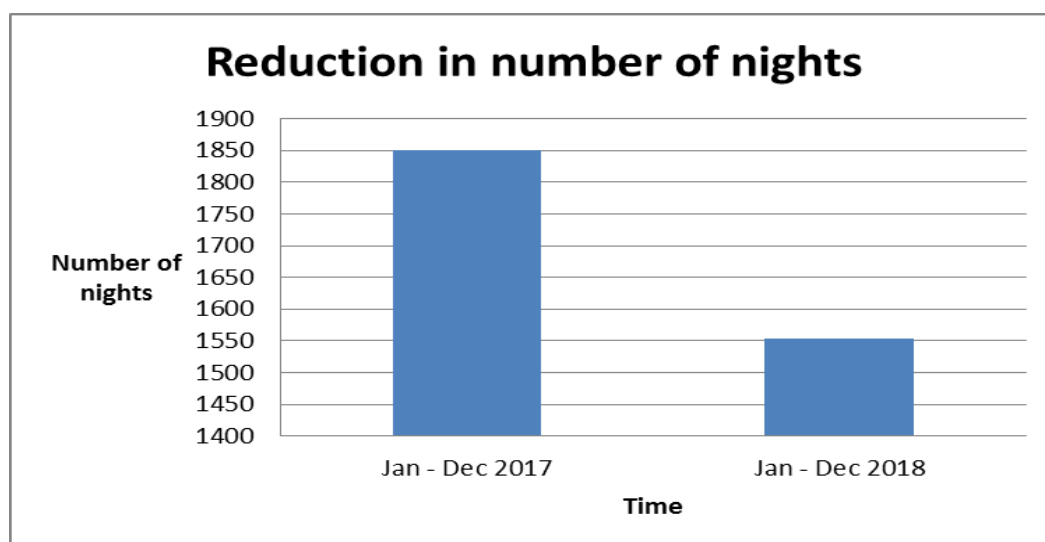
21. Recruitment to care and support roles across the county can be challenging. Each of the day opportunity centres is operating at different client capacities at this time however, maintaining staffing levels in the Beaconsfield area continues to be particularly problematic. Staff turnover and retention is a far bigger challenge at Seeley's House than with other services. Data taken in August 2019 is shown in the table below.

Role	Service				
	AOC	Buckingham	Seeley's Day	Seeley's Respite	Burnham
Staff in place	30	9	16	23	23
Support worker vacancies	3	3	13*	12*	6
Other vacancies	1 kitchen assistant	0	0	1 Team Leader	1 senior support worker

\*These vacancies are ongoing, despite continuing rolling recruitment.

## Current Occupancy and Future Demand

22. The service has seen a decline in the use of residential short breaks at Seeley's House. This is a decline both in the numbers of people using the service and the number of nights of care being provided.



23. Usage of Seeley's, as recorded since it returned to being managed by the County Council in January 2017 has fallen. From January to December 2017 total attendances for the year were 1,851: from January to December 2018 total attendances for the year were 1,554.

24. Health colleagues are expecting to use the equivalent of 2 beds every night over the course of the year which would equate to them using a maximum of 730 nights per annum. The proposal is to replace the current 12 bedded service at Seeley's House (only 8 beds are currently operational), with a fully operational 12 bedded facility. At 100% usage this would equate to 4,368 bed nights a year.

25. Short break services are not limited to residential stays. For example they can also include day activities, taking a break in the family home of a Shared Lives carer or a carer coming to the services users home. The number of respite nights spent in a Shared Lives provision increased from 209 in 2017-18 to 316 in 2018-19.
26. This trend aligns with the changing aspirations of service users, parents and carers coming through transitions. Some carers are looking for different solutions for the person with needs and our new strategy broadens the offer for short breaks to include community based activities and other short breaks models including Shared Lives.

**Where service users live**

27. According to the Joint Strategic Needs Assessment (JSNA) and in line with the general population figures for Buckinghamshire, of the people with learning disabilities aged 18-64:
- 37% live in Aylesbury Vale
  - 33% live in Wycombe
  - 17% in Chiltern
  - 13% in South Bucks
28. The numbers of people with needs living in the north of Buckinghamshire is likely to increase to a greater extent than the numbers living in the south because of the greater level of housing expansion in Aylesbury Vale.

Population growth in Buckinghamshire

Source: MYE Housing led Model This file was produced using the scenario file C:\Forecast\1. POPGROUP v4.0\2016 MYE\_inp\scenario\_2016 MYE New Dwell Nos SS.xls

Population projections	% Growth				
	Buckinghamshire	Aylesbury	Chiltern	South Bucks	Wycombe
In 5 years	4.8%	8.8%	1.4%	2.0%	3.3%
In 10 years	10.7%	15.8%	6.4%	11.5%	7.1%
In 15 years	15.9%	21.7%	11.1%	19.8%	10.5%

**Financial Appraisal**

29. The costs of operating a short breaks facility are fixed (in March 2019 Seeley’s budget was £899k) but the cost of a bed per night is related to the level of occupancy of the unit. The size of a unit, the design of an environment, the nature of the user group a unit supports and whether a facility offers permanent or respite placements, all impacts on the effective occupancy level. For example an older person’s residential care home with 50 beds should be able to expect to achieve 90% occupancy but a smaller unit, offering short breaks for people with multiple and complex needs even operating efficiently, would be unlikely to reduce its vacancy levels much below 15%.
30. As has been detailed, Seeley’s has been severely constrained by its environment, by operating to the CQC action plan and has experienced reducing demand. It has 12 beds but has maintained 8 functioning respite beds. On 8 beds, occupancy from January to December 2018 was 54%. At this level of operation, the cost per bed night is over £573.

31. The fixed budget of the new proposed model would be £1.14m (£240k revenue contribution from CCG). Running 12 beds at 85% occupancy, the cost per bed night would be £307.
32. One point raised has been that if carers aren't able to access a new facility because an increased travel time would not be manageable for the service user then the service user would have to go in a permanent residential placement which would be more expensive for the Council.
33. The needs of the individuals who currently use Seeley's respite vary considerably as do their particular circumstances and their individual packages of support. Similarly, alternative placement costs can differ hugely. The average weekly cost of a Shared Lives placement is £343 and the average weekly residential learning disability placement is £1,600. A sample case, client A with high needs, accessing Seeley's 100 nights a year, attending a Bucks day centre 5 days a week with supported travel would have a community package costing £2,208 per week (assuming no additional support at home or support for carers).

### **Out of county placements**

34. Not all short breaks are taken with services delivered in Buckinghamshire. For some carers a service over the border in another authority is closer than Seeley's or they may prefer the particular support offered. Typically however placements are commissioned elsewhere for individuals because their needs are highly complex and cannot be accommodated locally at the moment. The proposal for the integrated health and social care service is intended to meet the needs of all Buckinghamshire clients and avoid the need for out of county placements.
35. The total cost of out of county short breaks placements for the Council in 2018-19 was c£50k, with individual placement costs varying between £2509.78 and £3229.52 per week.

### **Travel Implications**

36. One of the significant concerns voiced by carers and family members of people who use Seeley's respite service is the additional distance service users will have to travel and the time this may take.
37. Analysis of the travel implications from current County Council day centres to Aylesbury as compared to their journey to Seeley's House has been undertaken. Service users at Buckingham and Aylesbury day centres would travel between 20 and 36 miles less. Service users using Burnham will travel 20 miles more.
38. In November 2018 there were 40 clients accessing short breaks at Seeley's House. Of these, 25 were eligible for social care transport. On average, there is an extra 7 miles travel per person per trip for these clients. However with the housing growth in Aylesbury, the proportion of future service users is expected to increase.
39. As operates at the moment, if an individual service user needed support that was closer to where they lived, there would be a commitment to source and arrange that service for them. Also if an individual qualifies for support with transport, that will also be provided.

## Consultation Process

40. A six week consultation was started on 16th January 2019 and following an extension of 2 weeks, concluded on 13th March 2019. The consultation sought the views of stakeholders about the impact on services users and carers and their family members of the following proposals:-

- To transfer residential short break services from the Beaconsfield site to Aylesbury.
- A partial new build on the Aylesbury Opportunities Centre site following the temporary closure of the Aylesbury Opportunity Centre to facilitate the build.
- An integrated service jointly commissioned with Buckinghamshire Clinical Commissioning Group to be based at Aylesbury Opportunities Centre.
- The reduction in day service capacity at Aylesbury Opportunities Centre on reopening the facility.

41. During the consultation stakeholders were asked:

- What do you think about the proposed plans for residential short breaks?
- What do you want us to consider?
- Have you any suggestions?

42. The consultation was promoted via:

- Dedicated web page
- Press releases
- Social media – Facebook, twitter
- Information displayed at Seeley's House and Aylesbury Opportunity Centre
- Engagement events for stakeholders
- Letters to key stakeholders including parents and carers distributed by the services\*

43. Early feedback highlighted that AOC users may not have recognised the relevance of the consultation letter for them. As a result, a further letter was sent to AOC carers and parents in January to clarify the proposal and implications for them. The consultation was subsequently extended for a period of two weeks giving AOC service users and carers over 7 weeks where they had individually been informed they were included in the proposals. A further period of engagement was undertaken with the service users of the centre, their families and carers, commencing 5<sup>th</sup> July and completing 19<sup>th</sup> August. This was to be certain that they had every opportunity to feedback their thoughts about the temporary closure of the centre during the proposed period of build.

## Participation

44. The number of people who participated in this consultation was quite small. In 2018/19 there were 1,060 people with learning disability in receipt of services from adult social care. Of these, 88 people responded in the consultation exercise. Most of the people who got involved were family members or carers and, for the people who did participate, the proposals were a significant issue.

45. Throughout the 8 weeks consultation, a large amount of feedback was received. Some individuals contacted us on numerous occasions. For example, one person contacted us on 6 separate occasions about a single issue which concerned them. Questions were submitted throughout the period and were themed to enable issues raised multiple times to be addressed. The Frequently Asked Questions were refreshed to cover the breadth of questions raised and uploaded onto the "Have your Say" pages.



46. The consultation feedback came largely from carers and family members of those using the current service at Seeley's House, specifically 33 respondents. They made 128 contacts (emails, letters or phone calls) and 75% of contacts came from 6 individuals. The detail of this contact is in appendix.

47. Councillors were contacted by relatives concerned by the proposals and 6 received letters which required responses from Commissioners.

48. Members of Parliament (MPs) were also contacted by constituents and 4 MP enquiries were received by the County Council and answered.

- In the period of engagement with AOC service users, their carers and family members, 71 letters were sent asking 3 questions
  - How do you think the temporary closure of AOC could affect your loved one, you or your family
  - Have you had any information or thoughts about alternative placements which you might be interested in
  - What actions could the County Council take to help reduce the impacts on your loved one or you

A stamped return envelope was included to facilitate written responses. All current AOC service users also received a telephone call to invite them to speak with commissioners about the proposal if they chose.

49. Telephone feedback was received from 59 people and we were unable to make telephone contact with 12.

50. Written feedback was received from 35 people, this included a combination of client, family and carer feedback.

### Consultation findings and Council response

51. The Council has carefully considered all consultation feedback. A summary of the Council's response to the key issues arising is set out in the table below:

Consultation Finding	Proposed Response
1. People supported an integrated health and social care residential short breaks service	For Cabinet to agree to the proposal for an integrated short breaks provision.
2. People supported that people with needs should be able to access a residential short breaks service wherever they live in the county	For Cabinet to agree to the new more central location for the residential provision in Aylesbury.  The new Adults Short Breaks Strategy will enable individuals to identify and access different types of support in their local communities.
3. Some people felt that Seeley's House was adequate and a service should remain where it was.	The Council will identify suitable alternatives for any present Seeley's House service user who are not able to access a new service in Aylesbury.
4. Some consultees proposed alternative locations and models – particularly two	New suggestions put forward during the course of the consultation were considered. However none of those proposed would have been able to deliver the outcomes outlined for the new provision.

<p>units, one in the south and one in the north of the county - were suggested by consultees.</p>	<p>High-level costs were modelled for commissioning two 6-bedded units and it was estimated the capital and revenue expense would be doubled, which is unaffordable.</p> <p>The Council will identify suitable alternatives for any present Seeley's House service user who are unable to access a new service in Aylesbury.</p>
<p>5. Some people felt that the proposal would cause anxiety and distress to current users and carers</p>	<p>Each service user will have their own transition plan and Council officers will work with families and carers to develop individual arrangements to ensure any risks or issues are mitigated on a personal basis.</p>
<p>6. Respondents were concerned where would people go when AOC closed temporarily</p>	<p>Existing day services have capacity for all those who currently use AOC and there is additional provision in local communities that can offer further choices, including for friendship groupings. This provision has been scoped and listed by commissioners.</p> <p>All service users would have a personal review of their needs and would be enabled to identify suitable, alternative support until AOC reopens.</p> <p>The redevelopment of the AOC building would not start until everyone currently using the day activities there had alternative provision in place.</p>
<p>7. Some respondents were concerned about how clear the Council had been in its proposals and length of time given to respond</p>	<p>The Council initially set out to complete a 6-week consultation but on request, extended the period of engagement to 8 weeks. Specific letters were sent to AOC service users and family members after it was raised that they were not sure the consultation include them.</p> <p>A range of different methods of communication were used to maximise involvement including sending individually addressed letters; a number of engagement events being held at Seeley's House and at AOC; information displayed at both centres; and press releases and social media promotions.</p> <p>The consultation plan was developed against best practice communications guidance.</p>
<p>8. Concern there was confusion about whether the proposals would impact on Seeley's Day Opportunity Centre</p>	<p>It was clarified at events, through direct email and in written communications that proposals did not include Seeley's day activities - these would continue to operate as usual. The position was also set out in the Frequently Asked Questions published on the "Have your say" pages of the County Council's website.</p>
<p>9. People were worried about additional travel time and expense service users could be subject to if the service relocated to Aylesbury</p>	<p>For those in Buckingham and beyond, the current journey to Seeley's House in Beaconsfield is 55 miles. The journey to Aylesbury from the far south of the county e.g. Iver is 28 miles. The Council will review each individual travel arrangements for existing Seeley's service users and will organise alternative suitable options for people who are unable to access the new provision. For anybody with an eligible need for transport, the County Council would fund any additional travel costs.</p>
<p>10. Some people were worried about how</p>	<p>This journey is walkable within about 20 minutes as a reasonably slow pace. It was confirmed that the journey on foot can be</p>

accessible Aylesbury town centre is from the AOC site	achieved on footpaths and avoiding major roads by two alternative routes.
11. Some respondents were worried that staff may leave the service rather than relocate	<p>Recruitment for Seeley's in Beaconsfield has been very challenging – appointing permanent staff in Aylesbury has been easier.</p> <p>The County Council is keen to retain staff and will work with current staff as far as possible to support them to move to another County Council location. Staff have been regularly briefed on progress on proposals.</p>

**52.** The feedback from the further engagement with AOC service users, carers and family members. As this period of engagement was targeting the service users at AOC, many of whom don't use the residential respite service, many of the comments received aligned with the themes covered in points 5 and 6 in the table above (point 5 some people felt that the proposal would cause anxiety and distress to current users and carers and point 6 respondents were concerned where would people go when AOC closed temporarily).

**53. Feedback from the engagement and mitigation is summarised below**

Concern	Counter concern or mitigation
Concern that suitable alternative provision would not be found	People felt if an alternative placement was found that the impact would not be too great. Service users, family members and carers have been assured that alternative provision which meets their eligible need will be identified.
Alternative provision would be close to Aylesbury	Market engagement has identified a wide range of alternative services in the Aylesbury area and across the whole of the County. Services are in development which will offer a diverse range of meaningful activities.
People were worried that their loved one would be left at home and become socially isolated which could have a negative impact on their loved one and stress and wellbeing impact on families and carers.	Service users, family members and carers have been assured that alternative provision which meets their eligible need will be identified.
Service users struggle to cope with change and may not adapt well	A transition plan will be developed once an alternative care and support plan has been developed and people will be supported with e.g. taster sessions to enable a safe transition
Lack of knowledge about alternative options	A booklet is being developed which will provide an up to date map of provision with the detail of services and what they can offer. This will be made available to AOC service users, and front line social work staff.

**54.** Some people have welcomed the proposed relocation stating that it would be beneficial for them to have a short breaks service in their locality. Others stated that the residential home will provide meaningful day time activities for their residents.

## **B. Other options considered, and their pros and cons**

55. The concept of moving residential short breaks from Seeley's House is not new. Extensive consultation, design and planning work was undertaken on the previous proposed move to Orchard House in High Wycombe, which was subsequently halted. These plans were co-produced with carers and families and architects and operational staff and will form the basis of the new build.

56. In April 2018, Cabinet resolved to explore sites which could accommodate a new residential short breaks facility. Officers were asked to identify potential options and make a recommendation.

57. A review of the County Council's Land and Asset Strategy Review (LASR) was undertaken. Aylesbury provided a number of potential sites and was a preferred location from the perspective of officers for a number of reasons:

- Central location within a long county making equitable access for residents
- Accessible from north as well as south of the county
- Better access to countywide transport links
- Recruitment of social care staff tends to be less challenging in the Aylesbury area than other parts of the county. This could lead to a more stable staffing cohort, greater consistency of care, reducing reliance on costly agency staff
- Suitable sites are available in Aylesbury
- Future housing growth in Buckinghamshire will be greater in the north of the county
- Ability for some people to continue accessing respite to access a day service on the same site.

58. Three potential sites were identified. These were:

- Aylesbury Opportunity Centre (AOC) – the site houses a day centre which is underutilised as the number of service users at AOC has declined in recent years. It is close to Aylesbury town centre, is accessible from the north and south and the County Council owns the site and would not need to spend capital on acquiring the land. The buildings on the site would be reconfigured alongside a partial new build. The designs compiled previously for Orchard House will fit on this site and much of the previous planning and design work could be used. Building on this site would maximise the use of the currently underutilised site.
- Bucks Sports and Social Club site – also an underutilised site, the existing services were being de-commissioned. The land had the potential for a number of other disposals. Any development was likely to take longer than the proposals at the AOC site. This was going to be a more expensive option than the AOC site.
- Quarrendon School site – this proposal did not fit with the wider plans already in place for the use of this site. It would also be a more expensive option than AOC site.

59. One Public Estate Property Group for Buckinghamshire was approached, but there were no suitable buildings or sites available in Aylesbury. Oxford Health Foundation Trust had some land available however this did not have suitable planning permission and would have been very costly to acquire the land. The possibility of utilising the former Ridgeway site in High Wycombe was raised however NHS England had already made plans for the site.

60. The funding required for commissioning two 6-bedded units was modelled on a high-level basis and it was estimated the capital and revenue costs would be double of that of a single 12-bedded scheme, which would be unaffordable.

### **C. Resource implications**

61. The proposed partial build on the existing AOC site is a partnership project with Buckinghamshire CCG. Funding will be from both health and social care. The Asset Strategy Board (now called The Property Board) received a report requesting the funding for the provision of a new, fit for purpose, short breaks facility at Aylesbury Opportunities Centre (part new build and part refurbishment) for an estimated cost of £3.5m. The Property Board will also receive the business case and updates through any project programme. In addition, approval has been received to deploy NHS England capital grant of £335k, subject to final confirmation. The CCG supports the development of an integrated health and social care short breaks service and has agreed that it will re-commit its current revenue budget to the project. This was re-confirmed in a recent CCG meeting on 25th April 2019 and is in the order of £240k revenue commitment per annum.
62. South Bucks Association for the Disabled (SBAD) made a large and generous donation to Seeley's House site in the early 1980s. If this proposal is agreed, SBAD agrees the day opportunity services will continue to operate from the site and its financial contribution will continue to be represented against those services.

### **D. Value for Money (VfM) Self-Assessment**

63. The current model of short breaks respite does not enable the service to meet the needs of all Buckinghamshire residents. Seeley's House cannot meet the needs of continuing healthcare clients, nor can it necessarily meet the needs of those with multiple and complex needs and those with behaviours that challenge simultaneously and there is some evidence people with needs living in the north of the county haven't been using the facility as its not accessible. This can result in expensive out of county placements being required, whilst capacity exists in Seeley's House, but is not useable. The proposed new service will be able to meet the needs of health clients and because of the proposed flexible design, it will enable the service to be compartmentalised, and therefore will be able to meet the needs of those with multiple and complex needs, and those who exhibit behaviours that challenge simultaneously. This will improve occupancy and value for money. There is also the opportunity to sell bed space to other neighbouring authorities in any occasions of under-usage.

### **E. Legal implications – Statutory duties:**

64. There are statutory duties and principles that are relevant to this decision set out in the Care Act 2014 and related Care and Support Statutory Guidance.
65. The Local Authority is under a duty to provide or arrange services that help prevent people developing needs for care and support or delay people deteriorating such that they would need ongoing care and support.
66. In meeting this duty the Local Authority is not required to directly deliver services but must help develop a market, using a wide range of approaches that delivers a wide range of sustainable high-quality care and support services that will be available to the community.

67. The market for care and support services is part of a wider system in which much of the need for care and support is met by people's own efforts, by their families, friends or other carers, and by community networks.
68. Local authorities should commission services having regard to the cost-effectiveness and value for money that the services offer for public funds and must have regard to a sufficiency of provision – in terms of both capacity and capability – to meet anticipated needs for all people in their area needing care and support – regardless of how they are funded.
69. The Care Act 2014 created a single, consistent route to establishing an entitlement to public care and support for all adults who need care and support. Under the Care Act 2014 the County Council has a legal duty to meet an adult's 'eligible needs'. The Care Act 2014 introduced a national eligibility threshold, which must be met for a person's needs to be eligible. Whether an adult has eligible needs is determined by a Care Act Assessment, including a financial assessment where necessary.

## **E Legal implications – Consultation:**

70. The consultation undertaken by the Council was in the context of the Gunning principles as set out in relevant case law:

R v Brent London Borough Council, ex parte Gunning (1985) 84 LGR168 identified what are known as Gunning principles; these are that:

- Consultation must be at a time when proposals are still at a formative stage;
- The proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- Adequate time must be given for consideration and response; and
- The product of consultation must be conscientiously taken into account in finalising any statutory proposals.

These principles were specifically endorsed by Lord Wilson in R (Moseley) v London Borough of Haringey (2014) UKSC56 and noted as a "prescription of fairness".

**Gunning Principle 1** – Consultation must be at a time when proposals are still at a formative stage.

The consultation sought to determine the impact on individuals, of the proposal to move the service from the current site in Beaconsfield to Aylesbury. The purpose of the consultation was to enable consideration of mitigations which might need to be put in place, as well as the raising the potential to identify issues which may yet not have been considered. The proposal to move residential short breaks is not in itself new. Previous plans to relocate the service in High Wycombe, on the Orchard House site, had been extensively explored with service users, carers and parents in 2014/15. This involved the co-design the new building in detail. When the proposal paused, the plans were retained and form the basis of the proposal on the Aylesbury Opportunity Centre site. Ahead of this consultation, service users, their parents and carers were engaged in discussion to inform the development of the draft short breaks strategy and policy, during which there were a number of engagement events and opportunities, ahead of the formal consultation for both the strategy and policy.

**Gunning Principle 2** - The proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response

Service users, their parents and carers were alerted to the publication of the papers on the proposal to relocate residential short breaks, several weeks before the papers were published. They were invited by letter to two pre-consultation engagement events where they received some information about the proposal ahead of the publication of the papers. The meeting on 20<sup>th</sup> December was held at Seeleys House. A further meeting was held on 3<sup>rd</sup> January, ahead of Cabinet on 7<sup>th</sup> January. Senior Commissioning Officers attended the meeting and service users, parents and carers were given information about the proposal. Following Cabinet approval to go to consultation, a series of six engagement events were held at Seeleys House and Aylesbury Opportunity Centre in order provide opportunities for the proposal to be discussed and stakeholder could ask questions and express their views. A list of Frequently Asked Questions was maintained on the consultation page of the county council website and this was reviewed regularly and updated approximately on a weekly basis throughout the consultation

**Gunning 3** – Adequate time must be given for the consultation

Cabinet approved a 6 week consultation. However during the consultation, requests were received for more time and the Cabinet Member agreed to extend the consultation for a further 2 weeks.

**Gunning 4** – The product of the consultation must be conscientiously taken into account

The End of Consultation report has considered all the feedback received during the consultation and the further post consultation engagement with AOC service users, their families and carers. This report is presented to Cabinet as an appendix to this report, in order to assist them in their decision making.

## **F. Property implications**

71. If agreed, the proposal would be to close Aylesbury Opportunity Centre for a period of approximately 14 months whilst the partial build of the residential short breaks facility is undertaken and the remaining day services space is reconfigured to continue to provide day activities. Once the building is completed, a phased transition of clients back into the Day Opportunities centre and the short breaks facility will be planned and undertaken. Until the review of day services is completed and any decisions are taken in relation to that, the Seeley's House site will continue to operate a day service.
72. Alternative base arrangements will be considered and identified longer-term for Branching Out and the Spectrum service users.

## **G. Unitary Council**

73. No unitary implications are envisaged. As this is a long term project which spans the transition to the new authority, a briefing will be provided to new Cabinet and Elected Members as required.

## **H. Other implications/issues**

74. Families wanted to draw the attention of Councillors to the fact that any level of disruption can have an impact on those people who currently use the service.

75. The proposed move from Beaconsfield to Aylesbury will mean that some people who access residential short breaks and reside in the south of the county will need to travel further to access this service. However, people who reside in the north will need to travel less.
76. People who reside in the north of the county and currently do not access residential short breaks due to the travel distance to Beaconsfield may be able to benefit from the service. Service users who have continuing health care needs cannot currently access a service in Buckinghamshire, and the new service will address this.
77. The capacity at the day opportunities provision within AOC will be reduced. The extent of this will be determined when further design and planning commences on agreement to proceed with the project.
78. There may be an impact on travel costs for interim care plan arrangements for service users temporarily displaced from AOC. This will not be understood until all clients have been reviewed or reassessed and alternative placements agreed with them and their carers or family members. For some people who do not have an assessed need for travel, the costs of additional travel may fall to the individual.

#### **I. Feedback from consultation, Local Area Forums and Local Member views**

79. The End of Consultation report is appended to this paper and summarises the feedback received.
80. Consideration was given to the petition received at the end of the consultation. A petition was signed by 743 people in support of the sustaining a short breaks service on the Seeley's House site. The petition was entitled "Save Seeleys Respite Unit Beaconsfield". The petition asked the County Council to "keep Seeleys Respite unit open in Beaconsfield or open a smaller one in the car park."
81. All member divisions are impacted as this is a Buckinghamshire wide service. The proposed move from Beaconsfield to the AOC site has precipitated interest. Both MPs and local Councillors have had approaches from parties (7 families are in the main the ones who are most concerned). All member briefing events were held on 17<sup>th</sup> April and on 3<sup>rd</sup> September 2019.

#### **J. Communication issues**

82. A detailed internal communications plan was put in place to provide an operating framework for all communications. Service users, carers, families and staff operating in AOC have been given updates during the course of the consultation phases.
83. This has been by letter or in person. During the course of the consultation, officers met with service users and carers and family members.

#### **K. Progress Monitoring**

84. If the proposal is agreed, a comprehensive delivery and transitions plan will be developed with time lines and key milestones. A highlight report will be produced monthly and progress will be monitored through the Direct Care and Support Programme Board and the Adult Social Care Transformation Board.



## L. Review

85. The design and build programme will take 14 months from commencement of the project. Officers will keep the Cabinet Member briefed on progress.

---

### Background Papers

1. [Decision to go out to consultation on Residential Short Breaks](#)
2. [Short Breaks Strategy](#)
3. [Short Breaks Policy](#)

---

### ***Your questions and views***

*If you have any questions about the matters contained in this paper please get in touch with the Contact Officer whose telephone number is given at the head of the paper.*

*If you have any views on this paper that you would like the Cabinet Member to consider, or if you wish to object to the proposed decision, please inform the Democratic Services Team by 5.00pm on Friday 27<sup>th</sup> September. This can be done by telephone (to 01296 382343), or e-mail to [democracy@buckscc.gov.uk](mailto:democracy@buckscc.gov.uk)*