

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

4201

Author:

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Department:

People

Contact:

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Subject:

Summerwood Closure

Total Value:

£387,000 revenue saving
£50,000 capital demolition costs. (Type: Capital and Revenue)

Decision Being Taken:

1. To agree the closure of Summerwood day centre for adults with learning Disabilities.
2. To declare the Summerwood site as surplus to requirements and approve the demolition costs of up to £50,000 for the current building.
3. To delegate authority to the Director of Economic Development and Property to determine method of disposal subject to alternative use by the Council.

Reasons for the Decision(s)

In November 2018, the new strategy for Adult Social Care; Better Lives, Better Outcomes (BLBO) was approved by Nottingham City Council Council's Executive Board. This strategy set out the Council's ambition to change the way we work with citizens, communities and partners so that we are able to achieve good outcomes with the resources available. It is based on a principle of promoting independence: that we will work with citizens and communities, their needs, aspirations, skills and resources, to build their resilience and independence.

The option to close Summerwood day centre and reassign citizens currently using that day centre to a combination of Spring Meadow, Martin Jackaman and Acorn centres is the best approach to help the Council meet that aspiration of achieving good outcomes within the resources we have available. The approach we would take to achieve this would be to :-

- Revise day attendance to reflect current care and support needs
- Revise catchment areas so citizens attend the nearest day centre to their home.
- Consider through individual review and reassessment, the current combination of supported living and day service placements, as these citizens live with paid carers.
- Retain the ability to respond to new referrals.
- Revise and reduce the day service staff establishment

Although this option sees a significant reduction of internal day service provision staff it retains a strong foothold in the market to maintain a diverse model of care; and to retain the ability to directly meet the needs of people and their carers.

We have sufficient capacity in our learning Disability Day centres namely Martin Jackaman Centre and Spring Meadow Day centre. Both of these buildings have been recently refurbished to accommodate those citizens with profound physical disabilities. All citizens assessed as eligible for day services will still receive the same level of day service they had been assessed as requiring.

The new Pathway service will meet the demands of learning disabled citizens that no longer want to attend traditional type day services. Citizens will not have a reduced day service as a result. It is accepted that for some citizens there will be increased travel involved.

The funding of the demolition spend will be offset from the sale of the site. Finance colleagues have confirmed that this decision does not include any new Capital spend and therefore does not require the additional consultation with the Section 151 Officer and the Chief Executive

Formal Consultation with Trade Unions and staff will take place in due course.

Other Options Considered:

- 1, Do not close Summerwood Day Centre - This option would mean that learning disability day centre provision would be operating well under capacity. Summerwood would require refurbishment in the very near future and this expenditure is avoidable by optimising the use of spare capacity in the other 2 day centres: Spring Meadow and Martin Jackaman.
- 2, Close Martin Jackaman Centre or Spring Meadow day centres instead of Summerwood. Not an option as there would be insufficient capacity at Summerwood should either of the al larger day centres close. Also both Spring Meadow and Martin Jackaman Centre have been recently refurbished to cater for the most dependant learning disabled citizens.
- 3, Close Summerwood Day Centre - preferred option.

Background Papers:

n/a

Published Works:

Nottingham City Council Executive Board Report - Better Lives Better Outcomes : A New Strategy for Sustainable Adult Social Care in Nottingham - November 2018

Affected Wards:

Citywide

Colleague / Councillor Interests:

There are no Colleague or Councillor Interests.

Any Information Exempt from publication:

Yes

Exempt Information:

Description of what is exempt:

Legal Advice

An appendix (or appendices) to this decision is exempt from publication under the following paragraph(s) of Schedule 12A of the Local Government Act 1972

5 - Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.

The public interest in maintaining the exemption outweighs the public interest in disclosing the information because this part of this proposal relates to the possible closure of the Summerwood Day Care Centre and the consequent employment law implication with regards to employees who are based there. In all the circumstances, the public interest in maintaining the exemption outweighs the public interest in disclosing the information because the information sets out the legal risks inherent in the course of action proposed here, which the Portfolio Holder is arguably entitled to consider without Nottingham City Council's position being affected simply by the consideration of those risks.

Documents exempt from publication:

DDM - advice - 20.04.2021.pdf

Consultations:

Date: 18/02/2021

Ward Councillors: Andrew Rule, Kevin Clarke, Maria Watson

Ward Cllrs informed of proposal to close Summerwood.

Date: 12/02/2021

Other: Citizens, staff and carers who are impacted by changes to service.

Affected citizens and carers attended Zoom meetings 8th, 10th and 12 March 2021.

Staff impacted by potential closure of service consulted on 12th February, formal staff consultation will take place in due course.

Those not consulted are not directly affected by the decision.

Crime and Disorder Implications:

There are no crime and disorder implications.

Equality:

Please login to the system to view the EIA document: EIA Closure Of Summerwood Day Centre and day service review..docx

Any implications affecting IT:

Yes

Relates to staffing:

Yes

Relates to Council Property Assets:

Yes

Decision Type:

Portfolio Holder

Subject to Call In:

Yes

Call In Expiry date:

10/05/2021

Advice Sought:

Legal, Finance, Human Resources, Equality and Diversity, IT, Property

Legal Advice:

This advice is exempt from publication and is contained within an exempt appendix Advice provided by Aman Patel (Solicitor) on 20/04/2021.

Finance Advice:

Due to reasons outlined by the report author, this decision seeks approval to close and dispose of Summerwood Day Centre.

The annual saving of £0.387m is made up of both staffing and running cost budget savings linked to the closure. This saving, linked to a review of all day centres, was captured as part of the 2020/21 Interim Budget Saving process and is incorporated within the Medium Term Financial Plan.

One off costs associated with the demolition of this site estimated to be in the region of c£0.050m will be offset against the capital receipt from the sale of the overall site. If approved, the Capital Programme will be amended to reflect this decision. Once the site has been declared surplus, it will be captured within the asset rationalisation programme with any receipt (net of demolition costs) being used to fund current capital commitments.

Any ongoing running costs post site demolition will need to be met from existing Adult Social Care budgets, incorporated within the Medium Term Financial Plan. Redundancy costs that arise as a result of the staffing element of this decision will be funded Corporately.

Advice provided by Hayley Mason (Strategic Finance Business Partner) on 23/04/2021.

HR Advice:

This proposal seeks to close down Summerwood Day Centre, Summerwood Lane, Clifton.

Management should not place individuals at risk of redundancy in the first instance and should explore options outlined below before looking to make any redundancies (voluntary or compulsory).

Management will need to clearly articulate through the consultation process the staffing impacts, taking into account any vacancies across the wider day centre structure, in order to offer suitable alternative employment to attempt to avoid redundancies in the first instance. If the reductions are not able to be fully met by vacancies across the structure, management should then seek to look at the voluntary redundancy options.

The consultation exercise should first commence with employees working at the Summerwood Day Centre. The proposals should be discussed with the staff and it may be appropriate to offer the opportunity to be considered for VR, if suitable alternative employment is not available or deemed acceptable. Dependant on the initial response from Summerwood employees, management may wish to consider alternative VR applications previously received from other postholders across Day Services (that have been put on 'hold') should it become apparent that sufficient applications may not be reached from Summerwood staff.

After exploring suitable alternative employment and VR, if the number of reductions required is not mirrored by the number of applications, this could result in the need to put employees at risk of compulsory redundancy (CR) once alternative options have been exhausted.

Management must ensure a plan is in place with appropriate timelines to undertake genuine and meaningful consultation with both the Trade Unions and the affected individuals.

Should VR not be achieved, employees selected for compulsory redundancy should be given access to redeployment opportunities. Any costs relating to time on the redeployment register such as potential work trials and pay protection must be picked up by the exporting department. If individuals are not redeployed into alternative roles prior to the termination of their contracts, they must be given appropriate contractual notice to terminate their employment and consideration will need to be given for redundancy costs and in addition there may also be pension strain costs if the affected individuals are between the age of 55 and 60.

Advice provided by Leanne Sharp (Service Redesign Consultant) on 19/04/2021.

Property Advice:

Property support the proposals discussed in this report.

Summerwood Day Centre and the adjacent outbuildings are the only remaining buildings on the former Fairham College development site. The removal of this building will facilitate the sale of the overall site. Property recommends that the building is demolished as soon as possible after it is vacated to avoid vandalism and anti-social behaviour which has been an issue on this site. The cost of demolition is around £50,000, it is recommended that this is paid from the General Fund recovered from the capital receipt from the Fairham site.

Holding costs pending demolition will be the responsibility of Adult Social Care and it is recommended that budget is allocated to cover additional security measures. Advice provided by Deborah Millar (Property Business Partner) on 16/04/2021.

**Equality and Diversity
Advice:**

Initial comment were provided on EIA.

Need to ensure that information is communicated to all citizens/ their carers individually and that individual assessments are carried out to determine how level of care and support required, in a consistent manner.

For citizens that will require day service, need to discuss and agree alternative place. Spring Meadow Day centre will be recommended with it being the closest geographically. Citizens will need to be consulted with to ensure they are happy with this and be allowed the option to attend other day centres if they wish. Also need to ensure that citizens are given same level of support in maintaining independence.

Prior to any changes taking place in service provision, citizens need to be consulted. Changes will need to be implemented at a pace that will minimise distress and impact on citizens.

Need to also ensure that citizens are continually consulted and monitored to ensure that their care packages reflect their specific needs.

Staff at Summerwood will also need to be consulted and provided with support throughout the process.

Advice provided by Nasreen Miah (Equality & employability consultant) on 26/04/2021.

IT Advice:

The IT Service support the proposals made in this delegated decision.

In terms of IT deployment the Summerwood site is a small site with some telephones and a basic network connection. These services can all be discontinued when the site is closed, although the alarm line will need to be continued until the building is handed over for development. Colleagues from the IT Service will visit the site to terminate connections and remove equipment by arrangement with the project manager for the closure. The cost of termination of lines with the providers of network services will be a part of the project cost of this work.

Advice provided by Paul J. Burrows (IT Change, Projects & Strategy Manager) on 16/04/2021.

Signatures

Adele Williams (Portfolio Holder for Adults and Health)
SIGNED and Dated: 28/04/2021
Catherine Underwood (Corporate Director for People)
SIGNED and Dated: 28/04/2021