

Nottingham City Council Delegated Decision



Nottingham
City Council

Reference Number:

3335

Author:

Linda Sellars

Department:

Children and Adults

Contact:

Linda Sellars

(Job Title: Director of ASC - Quality and Change, Email: linda.sellars@nottinghamcity.gov.uk, Phone: 01158764150)

Subject:

Closure of Oakdene Residential Care Home and the Transfer of the Short breaks provision from Oakdene to Barkla Close

Total Value:

£497,358 in Total

£340,286 Revenue

£157,072 Capital (Type: Capital and Revenue)

Decision Being Taken:

To approve the closure of Oakdene Residential Care Home

To approve the transfer of short breaks provision currently delivered by Oakdene to Barkla Close in Clifton, Nottingham from February 2019.

To approve a programme of works to refurbish the property on Bakla Close to bring it to the required level to provide the short breaks provision.

To declare Oakdene Residential Home, 10 Woodborough Road, Nottingham NG3 1AZ as surplus to requirement of Nottingham City Council.

Delegate authority to the Director of Strategic Assets & Property to approve the method of sale and sale terms in relation to the disposal of Oakdene Residential Care Home.

To reduce the staffing provision for the service provided from 30.39 to 10.29 FTE. (Non-executive decision)

Reasons for the Decision(s)	<p>Oakdene care home is fast approaching the latter stages of its economic life and will require significant investment within the next 1-2 years simply to maintain it in a safe and habitable condition. The age, design and construction of the unit does not lend itself to either cost effective refurbishment or modernisation and is furthermore expensive to maintain. Therefore a replacement venue to deliver short breaks is required as soon as reasonably practicable within 2 years.</p> <p>Oakdene Residential Care home is registered with the CQC to provide care for up to 28 learning disabled citizens. 22 beds at the home are dedicated to long term care, 4 beds for short breaks and 2 beds for emergencies. Over the past year the number of long term residents has reduced from 22 to 4 as of 13.7.2018. The remaining 4 residents and their advocates are being consulted with about suitable alternative supported living accommodation and this is planned to be ready for them to move into late August or early September 2018.</p> <p>Short breaks for people with learning disabilities and their families are seen as a vital intervention to keep families together and stop premature long term residential placements having to be made. Premature long term residential placements not only cause distress to those involved but also cost the council significant amounts of money, ranging from £750 to £3000 a week.</p> <p>Attempts to outsource the short breaks provision have failed due to private sector providers either not expressing an interest or when they have done for one off packages they have commanded highly inflated prices which adds pressure to an already stretched purchasing budget.</p> <p>In March 2018 Adult Provision started a lease with Nottingham City Homes to rent a bungalow in Clifton on Barkla Close as a venue to deliver short breaks as a replacement to Oakdene. The bungalow requires significant refurbishment to make it suitable for learning disabled adults to use the facility for short breaks. Plans for refurbishment were drawn up in June 2018 and quote £157,072 as the total capital outlay required to complete the works. refer to end stage report 2 attached.</p> <p>At the Adult Social Care portfolio holder briefing (25.6.2018) the portfolio holder, Cllr Sam Webster, agreed with the proposal to stop long term care at Oakdene once the remaining long term citizens have moved on, then to move the short breaks service to Barkla Close as a replacement base for short breaks once it has been refurbished . It was agreed this ddm would initiate this action.(see PHB actions log 250618 attached).</p>
-----------------------------	--

Briefing notes documents:	Copy of Copy of Addendum 1 Copy of Oakdene Barkla EIA staffing.xlsx, SS126_End of Stage Report_Stage 2.pdf
Other Options Considered:	<p>Continue to use Oakdene Residential Care home to deliver long term care and short breaks. This option was rejected as Oakdene is fast approaching the latter stages of its economic life and will require significant investment within the next 1-2 years simply to maintain it in a safe and habitable condition. The age, design and construction of the unit does not lend itself to either cost effective refurbishment or modernisation and is furthermore expensive to maintain. Therefore a replacement venue to deliver short breaks is required as soon as reasonably practicable within 2 years.</p>
Background Papers:	Proposed floor layout

Unpublished background papers:	SS126-DS-00-GF-DR-A-00102 Proposed Arrangement.pdf
Published Works:	n/a
Affected Wards:	Citywide
Colleague / Councillor Interests:	N/A
Consultations:	<p>Date: 02/02/2018</p> <p>Unions: Unison, GMB, Unite</p> <p>Met with unions to advise them of the proposal and inform them that there would be formal collective consultation undertaken in line with restructuring principles including formal collective consultation with (45 days) should the proposal go ahead.</p>
	<p>Date: 25/04/2018</p> <p>Other: Affected citizens and their advocates</p> <p>Met with affected citizens and stakeholders, who were happy with the proposals, eg supported living.</p>
	<p>Those not consulted are not directly affected by the decision.</p>
Crime and Disorder Implications:	N/A
Equality:	Please login to the system to view the EIA document: Cessation of long term care at Oakdene residential care17.7.2018.doc
Relates to staffing:	Yes
Relates to Council Property Assets:	Yes
Relates to Building Services:	Yes
Decision Type:	Portfolio Holder
Subject to Call In:	Yes

Call In Expiry date:

07/12/2018

Advice Sought:

Legal, Finance, Human Resources, Equality and Diversity, Property, Building Services

Legal Advice:

This proposal involves changes to a service and a change to the location of the service. Appropriate consultation should be carried with affected parties. In relation to the proposed new location, reasonable adjustments should be made in relation to users or potential users that are disabled as defined in the Equality Act 2010.

It is proposed that the number of staff involved in the service will be reduced (in two stages). For the staff that continue to be employed in the service, if the proposal is implemented there would need to be a change to their terms and conditions. Individual and collective consultation with affected staff and the relevant trade unions should be undertaken, therefore, with a view to obtaining the employees' consent in relation to the changes, if possible.

As part of any redundancy process that could arise from the proposal, if implemented, individual and formal collective consultation should take place. Volunteers for redundancy would need to be requested in an effort to avoid compulsory redundancies. Any selection for redundancy should be carried out using fair and non-discriminatory methods. Suitable alternative employment would need to be considered for any employees selected for redundancy. If the Council do become aware that an employee is disabled within the meaning of the Equality Act 2010 then reasonable adjustments would need to be made for that employee both during any redundancy process and during any ongoing employment.

Advice provided by Aman Patel (Solicitor) on 27/07/2018.

Finance Advice:

See attached for finance advice.

Advice provided by Darren Revill (Senior Commercial Business Partner) on 26/09/2018.

Advice documents: Closure of Oakdene & Tfr of Short Breaks Service - Finance Advice.doc

Building Services Advice:

There are no significant concerns with the decision being sought and Building Services are supporting this project.

It should be noted that the Council are seeking to balance the accountability for buildings sitting with building managers alongside the technical and professional input of the Building Services team and all Property/Building Managers (and Budget Holders) are asked to direct works through the Building Services team.

Building Services will support projects with technical skills as well as undertaking the make or buy assessment. Projects that involve architectural design, quantity surveying, CDM, structural or construction project management services - should be discussed as early as possible, and where the choice is to buy, Building Services will advise as necessary and access contractors/consultants via approved procurement routes.

This will help ensure that the service and project information from providers is robustly challenged against design, cost and technical content as necessary, and will help offer the Council greater value for money in the services and performance received.

Advice provided by Asaad Raoof (Design Services Manager) on 20/08/2018.

HR Advice:

Service are proposing a staged reduction in staff as part of decision to close Oakdene and relocate Short Breaks provision. The proposed reductions should be undertaken in line with NCC restructuring principles including appropriate formal collective consultation with TU's. (45 days).

It is understood that approved vacancies within the service are being held to offer as opportunities for affected staff. This approach is supported to help mitigate potential redundancies.

Following the outcome of formal consultation and selection processes (if required) should any colleagues remain at risk, colleagues should be referred to redeployment for a 3 month period. Management should put a plan in place to ensure staff are effectively utilised during this period.

The service will need to take into account the potential redundancy costs including Pension strain implications.

The second phase of the proposal includes a permanent change of work location for a grouping of staff. Informal consultation should take place with affected staff and reasonable notice of the change given. Details of the proposed relocation should be included in the formal collective consultation outlined above. Management will need to consider whether employees will experience any costs in re-locating and determine whether any Disturbance Allowances are payable under the proposal. Advice provided by Andrew Griffiths (Service Redesign Consultant) on 19/07/2018.

Property Advice:

Strategic Assets and Property support the decision to dispose of a building which no longer meets requirements and is likely to have a high maintenance liability in the future.

Advice provided by Deborah Millar (Property Business Partner) on 31/07/2018.

Equality and Diversity Advice:

Whilst the proposal offers equality of opportunity for residents (some of whom will be moving onto supported living, the proposal leaves a number of key staff in a potential redundancy situation. It will be important for the Authority to fully support staff and ensure that all options are explored and that Equal Opportunity guidelines and processes are managed and applied effectively. Advice provided by Adisa Djan (Equalities and Diversity Consultant) on 23/07/2018.

Signatures

Sam Webster (PH for Adult Social Care and Health)

SIGNED and Dated: 29/11/2018

Alison Michalska (Corporate Director for Children and Adults)

SIGNED and Dated: 29/11/2018