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Report of: *Executive Director of People Services Portfolio*

Report to: *Co-operative Executive*

Date of Decision: *16 March 2022*

Subject: *Proposal to consult for the future of Buckwood View Nursing Home*

Is this a Key Decision? If Yes, reason Key Decision:-	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
- Expenditure and/or savings over £500,000	<input checked="" type="checkbox"/>
- Affects 2 or more Wards	<input type="checkbox"/>
Which Cabinet Member Portfolio does this relate to? <i>Health and Social Care</i>	
Which Scrutiny and Policy Development Committee does this relate to? (Healthier Communities and Adult Social Care Scrutiny Committee)	
Has an Equality Impact Assessment (EIA) been undertaken?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If YES, what EIA reference number has it been given? 1158	
Does the report contain confidential or exempt information?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:-	
<p><i>“The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended).”</i></p>	

Purpose of Report:

This report sets out a proposal for the council to consult then use results from that process and a simultaneous due diligence exercise to develop options then prepare a detailed options appraisal for the future Buckwood View Nursing Home that can be brought to the Executive Cooperative for a decision.

Recommendations:

It is recommended that the Co-operative Executive:

Approves the proposal to Continue the due diligence process with Guinness Partnerships and carry out consultation with current residents and staff in the nursing home and any other identified affected groups

Delegate authority to the Director for Adult Social Care to design develop and implement the consultation

Background Papers:

(Insert details of any background papers used in the compilation of the report.)

Lead Officer to complete:-	
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.
	Finance: Liz Gough
	Legal: Marcia McFarlane
	Equalities: Ed Sexton
<i>Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.</i>	
2	EMT member who approved submission: John Macilwraith
3	Cabinet Member consulted: Cllr Lindars-Hammond
4	I confirm that all necessary approval has been obtained in respect of the implications indicated on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.
	Lead Officer Name: Caroline Stiff
	Job Title: Commissioning Officer, Adult Services
Date: 16/2/22	

1. PROPOSALS

- 1.1 Buckwood View Nursing Home (BVNH) is an 18-bed care home located in Gleadless in the city.
- 1.2 BVNH does not have the 'traditional' layout typical for a care home of this nature. Instead, it consists of a 'main' building that has 2 x four bedroomed flats and 2 x two bedroomed flats. Also on that site is a four - bedroomed bungalow and a two-bedroomed flat. Both are currently unoccupied. The set up may be described as like a 'campus-type' arrangement.
- 1.3 In addition to the buildings that are used as accommodation, there is an onsite office space and another building that has in the past been used as a day service.
- 1.4 BVNH is adjacent to 'general needs' bungalows and these buildings are shown in Appendix 1 which illustrates the site, showing clearly marked care home buildings.

Lease arrangements

- 1.5 The land was owned by Sheffield City Council (SCC) then transferred on a long leasehold basis to Northern Counties Housing Association (which became part of Guinness Partnerships), who paid market value for the land then subsequently constructed the development.
- 1.6 The lease between Guinness Partnerships and SCC is a 99-year lease, signed on 26/10/76. It is restricted to residential use, which means no permission would be required to change it for other uses.
- 1.7 SCC is under no obligation to accept the surrender of the lease. This is subject to a negotiation process.
- 1.8 The Council will have to undertake diligence process, to clarify with Guinness Partnerships information about parts of the site shown at Appendix 1 that they propose surrendering to the council.
- 1.9 There are areas of the care home which are current vacant. These are:
 - 4 bedroomed bungalow
 - 2 bedroomed flat
- 1.10 We need to carefully consider the future use of these areas of the care home. There is potential to use them for other kinds of services, for example, short-term respite provision. For shared properties, it can be difficult to find the right combination of occupants to share, so the future of these buildings needs to be carefully considered.
- 1.11 In addition to the accommodation, there is the day service building. We need to carefully consider how this could be used to maximum benefit for the residents and the wider community.

Care arrangements

- 1.12 The care home was developed as part of the closure programme for Sandleigh hostel. It was opened in 2003. The funding and Commissioning responsibility was transferred from the (then) Primary Care Trust (PCT) to SCC in 2011, as part of the National Learning Disability funding transfer.
- 1.13 Guinness Partnerships are the provider for the care home and are registered with the Care Quality Commission (CQC). Guinness Partnerships subcontract the care and the management of the care to Sheffield Health and Social Care Trust (SHSCT).
- 1.14 There is a contract between Guinness Partnerships and Sheffield City Council (SCC) for the provision of the service in the care home which was signed in 2003, it allows termination in limited circumstances including service of 12 months' notice and provisions on fee determination for each financial year.
- 1.15 The Council proposes working with Guinness Partnerships to determine the fee payable for 2022/23, while undertaking options appraisal and consultation process to allow proper consideration of the future for the premises and the service.

Current considerations

- 1.16 Guinness Partnerships has indicated that it wishes to surrender the lease to SCC.
- 1.17 There are currently 11 residents in the care home. Many of these residents have lived at BVNH for many years and at least two of the residents have lived in the accommodation since the care home opened in 2003.
- 1.18 All residents live in the 'main' building, which has 12 of the bed spaces. The other buildings, which are the four bedroomed bungalow and two bedroomed flat, are currently empty.
- 1.19 There are currently 7 bed spaces which are vacant, and due to the contractual obligations, SCC are paying a 'block' contract fee which includes the cost of the vacant bed spaces.
- 1.20 The average age of the residents is 67, the oldest is 82 and the youngest is 59. At least three of the residents has a severe Learning Disability, and many have physical disabilities. At least four residents can't communicate verbally. The residents in this care home are extremely vulnerable.
- 1.21 In terms of funding for their care, Sheffield Clinical Commissioning Group (CCG) and SCC jointly fund the care for one of these residents. Sheffield CCG funds the care for one of these residents. The remaining nine residents receive Funded Nursing Care (FNC) payments towards their nursing needs.

Care Quality Commission (CQC) Registering the Right support

- 1.22 The NHS/LGA/ADASS published 'Building the right support' and 'Building the right home' in 2015 & 2016 respectively. To support the delivery of these strategies, CQC have published 'Registering the Right Support', which aims to embed the principles in new services.
- 1.23 According to that published guidance, providers considering providing care for people with Learning Disability and/or Autism or who display behaviour that challenges, the service should be small, ideally for 6 people or less.
- 1.24 A new provider, seeking to register any care service (either supported living or a Registered Care home) at BVNH, will need to consider this and other guidance from CQC. The CQC will need to be involved and consulted as part of the registration process.
- 1.25 It appears that CQC would like to move away from the 'campus' style of accommodation models which are prevalent in existing care services for people with a Learning Disability. BVNH could be viewed as a 'campus' style of accommodation.
- 1.26 The Council has used provisions within its contract with Guinness Partnership to request limited information about the building.
- 1.27 The Council needs to now undertake a thorough options appraisal, that takes into consideration outcomes from consulting with the CCG, SHSCT, the residents and the other key stakeholders.
- 1.28 In addition, the Council will need to undertake a due diligence exercise that examines information supplied by Guinness Partnerships, so that the council can give regard to the full implications of each option with regard to legal, commercial, financial and reputational implications.
- 1.29 Consequently, much work must be undertaken to gather this information and understand how the care home is currently managed and operated.

Vision for the Service

- 1.30 For the current, and any future residents, we want to continue with the high quality of care which the residents are currently receiving.
- 1.31 For any future care service (either supported living or Registered Care), we want to develop a model of care which can deliver good quality outcomes for the existing residents. This model should be person centred and enable the individual resident to be able to fulfil their needs and wishes.
- 1.32 We want the residents of this care service to maximise their independence and be able to develop independent living skills, and activities in the community.

2. HOW DOES THIS DECISION CONTRIBUTE?

- 2.1 SCC adopted its One Year Plan in July 2021.
- 2.2 The Plan contains 4 key areas, and the areas which this proposal will contribute towards is Education, Health and Care. The development of these options for BVNH will ensure that the existing residents have a chance to be involved in the consultation for the future. During this period, the residents will continue to receive good quality care.

3. HAS THERE BEEN ANY CONSULTATION?

- 3.1 In terms of consulting with the current residents, due to the sensitivity of the proposals for any potential change at BVNH, it hasn't been possible to begin this work.
- 3.2 In order that consultation can be effective, consideration will be given to the needs and vulnerabilities of those who will be consulted. These include, but are not limited to:
 - Communications will be carefully synchronised with information reaching the residents, families and SHSCT staff at the appropriate time
 - Detailed conversations with each resident and relative individually
 - We will offer a range of communication options, including home visits, meetings at a location of people's choice, one to one telephone conversations
 - We will involve the Advocacy Hub, to offer support to residents
 - Families will have a named contact who they can contact at any time if they have questions, concerns, or ideas
 - We will use Plain English in all documents
 - We will invite written contributions from family members
- 3.3 We will also be engaging with other stakeholders, such as the CCG and SHSCT. We will be working closely with Guinness Partnerships throughout. We will also be keeping the Local Area Committee up to date with progress.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

Equality of Opportunity Implications

- 4.1 Some of the current residents have lived in the care home for many years. All have a Learning Disability and a range of other health conditions and tend to be over 50s.
- 4.2 An Equality Impact Assessment has been completed. This is Appendix 2 to the report.

Financial and Commercial Implications

- 4.3 At this stage the financial and commercial implications of each proposal will be dependent on the undertaking of the due diligence process and consultation. This will include impacts on staffing, building and management costs. This will include impacts on staffing, building and

management costs and, if the service is to close, the reprovision of services for current residents.

- 4.4 As set out in the Background section 1.15, there is a requirement to resolve the fee payable for 2022/23, whilst the options appraisal is undertaken.
- 4.5 For 2021/22, the budget for the service is £1,805,942. Of this, £130,942 is contributed by the CCG, for the FNC and jointly funded packages of care. Service where SCC are paying voids is subject to a review as part of the 2022/23 budget.

Legal Implications

- 4.6 This report proposes consultation and due diligence. The Council's constitution anticipates consultation with affected groups and proper consideration of risks for the council that could arise from each option under consideration.
- 4.7 After the council receives the outcome of consultation and due diligence there will have to be further consideration of legal implications for any recommended course of action.

Other Implications: HR

- 4.8 This will be informed by the due diligence process. We have no further details on the number of permanent and bank staff at BVNH.
- 4.9 Care staff are employed by the SHSCT. There are approximately 46 care staff working in the service. The staffing model is based on 1 member of staff to 2 residents, with some variation due to moving and handling needs.
- 4.10 The staffing implications for Guinness Partnership and others will be considered following the proposed due diligence process

5. ALTERNATIVE OPTIONS CONSIDERED

- 5.1 Once provided with findings from the due diligence, and consultation, the options appraisal will be developed.

6. REASONS FOR THE RECOMMENDATIONS

- 6.1 The recommendations contained in the report will enable Adult Care, and other teams, to carry out a thorough options appraisal process and consider the future of this care home.

