

Report to Cabinet

16 November 2021

Shaw Day Services Review

Report by Executive Director Adults and Health (DASS)

Electoral division(s): All

Summary

West Sussex County Council has a strategic long-term contract with Shaw Healthcare (West Sussex) Ltd to provide twelve Care Homes with 590 residential and nursing beds in West Sussex. Six of these services also have a day service offer. The day provision is accessible by people living in the community and utilisation is variable across the services. At the outset of the Covid-19 pandemic all Shaw day service provision was suspended and the day services have subsequently remained closed since 25 March 2020.

In May 2018 as part of a Shaw contract variation, the Cabinet Member decision approving the variation referenced the Council's intention to review the six adjoining day services to offset the costs of the bed reconfiguration. More recently in the Council's financial savings plan which was considered at Health & Adult Social Care Scrutiny Committee on 13 January 2021, approved at Cabinet on 22 January 2021 and agreed by County Council on 12 February 2021 further savings were identified. This made the total scope of savings from the review of the Shaw Healthcare day service provision £0.75m.

A full review has been undertaken with a public consultation. The majority of respondents did not agree with the proposal to terminate the Shaw Day Services and feel there will be a negative impact. The review however does not indicate that it would be a good use of public money to continue with the services. Therefore, following consideration of all the information, the proposal is to permanently close the day services but to ensure that alternatives are available from a mix of existing provision and the development or adaptation of existing services.

Recommendations

Cabinet is asked to approve the:

- (1) Permanent closure of the Shaw Day Services and undertaking of a contract variation to remove the provision of day services from the Shaw Healthcare contract.

- (2) Utilisation of existing provision as alternatives for current and future potential customers.
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Proposal

1 Background and context

- 1.1 The West Sussex County Council 'Our Council Plan 2021 – 2025' outlines an intention to "develop and deliver a new model that uses fewer building-based day services but ensures that people have support to access the right activities and opportunities in their local community."
- 1.2 The Council has a strategic long-term contract with Shaw Healthcare (West Sussex) Ltd to provide twelve Care Homes with 590 residential and nursing beds in West Sussex; six of these services also have a day service offer. These are located at; Rotherlea in Petworth, Warmere Court in Yapton, Forest View in Burgess Hill, Burleys Wood in Crawley, Deerswood in Crawley and Mill River Lodge in Horsham.
- 1.3 In 2018 a Cabinet Member decision ([Report ref:AH2 18-19](#)) was taken to enter into a contract variation with Shaw Healthcare to reconfigure 129 of the contracted beds. The report included the decision to conduct a strategic review of the Shaw day service offer with identified savings anticipated of £0.5m.
- 1.4 The County Council agreed it's Medium-Term Financial Strategy in February and to deliver the required savings the strategic review was undertaken to assess whether Shaw Healthcare day services are required, whether they provide best value for public money, and, if not, what should change in order to deliver better outcomes for people. This review incorporates the whole Shaw day service offer, including considerations of a further £0.25m in savings. The total scope of savings is therefore £0.75m.
- 1.5 Due to the Covid-19 pandemic all six day services were closed as of March 2020 in response to the national lockdowns and restrictions, as was other day service provision across the county and indeed the country. These services have remained closed and will remain so until a decision is taken on the future of the provision.
- 1.6 At the point of closure, 91 customers were attending the Shaw day services. Customers and their family or friend carers have been supported with interim and alternative care and support arrangements whilst the services remained closed. This number has significantly reduced over the intervening period as a result of customers passing away or needs increasing to the point where other care services were required. 36 of those customers remain although the majority have suitable alternatives in place and would therefore not be likely to return to the day services if they were to open. The alternative support has included other day centre provision, increases in Direct Payments, increased care and support at home, increased breaks for carers, informal care and support from family and friend carer networks and residential services where needs increased to this level.
- 1.7 A public consultation ran from the 24 June to 5 August 2021. A summary of findings from the consultation is included at section 4, and the full report is

attached at Appendix B. In summary 158 responses to the public consultation were received. 81% (25 people) of current and former customers and 89% (40 people) of family and friend carers felt the day service was very important to them or the person they care for. 74% (23 people) of current and former customers, 84% (38 people) of family and friend carers and 76% (59 people) of stakeholders disagreed with the proposal to close the services with 58% current and former customers and 76% of carers thinking the proposal to close would have a negative impact. 70% of current and former customers and 87% of family and friend carers said it would be difficult to travel to activities in different locations.

- 1.8 Most frequently expressed concerns were on the loss of service which was valued as a 'highlight of the week', an opportunity to get out of the home, human interaction and support for people with complex needs.
- 1.9 The Council has completed the strategic review of these services which incorporated considerations of the occupancy and demand data, population projections, service costs, feedback from staff at the services, social care teams and the voluntary sector, customer engagement and an analysis of alternative provision.
- 1.10 This shows the service is under-utilised and there is insufficient demand for places meaning that the existing block payment in place under the contract with Shaw does not represent good value for money. The number of places utilised was at 40% prior to the outbreak of Covid-19. Demand for the service prior to closure as a result of the pandemic had remained at a consistent level with an average of 66 customers per month. On average there were 4 new customers entering the service and 4 customers leaving the service each month.
- 1.11 The service provides a traditional model of service and activities which provide breaks for family and friend carers and personal care alongside activities for customers. Transport and time to arrange a day service offer were highlighted as challenges but general feedback was that the service provided a positive experience with the main reasons including socialising, having a change of scene and a meal. Reports since the closure identified challenges for customers in maintaining friendship groups and relationships, impacts on wellbeing of customers and family and friend carers.
- 1.12 The review of alternative provision (outside of directly provided services) confirmed that there are thousands of community groups (community provision mapping data from 2018 contained information of over 4000 community and voluntary sector groups operating across West Sussex at either a local or countywide level across all ages) and around 100 day activity groups and organisations across the county. Some areas however have better levels of provision than others, for example Arun and Chichester. 31 private market and voluntary and community sector day services were identified through the analysis, 17 of the 31 day services had a personal care offer and the majority of those were not accepting referrals currently due to either closing to limit the spread of Covid-19, currently only opening the offer to their own residents or that they had no capacity for referrals. The remaining had limited or no availability. This analysis however did not include the directly provided day services which are not currently fully utilised because of the Covid-19 pandemic restrictions limiting full capacity, as set out in section 1.15 below, and would be able to provide alternative services for those with high levels of need within a building-based service.

- 1.13 In each area where the Shaw day services are located, a review of the types of alternatives for day provision, both available now and in the future, were considered, with a focus on low level need day activities through to high level need for personal care provision. There are community groups available in all areas, although with some limitations on availability. In all areas these community groups are for independent people but individuals are able to be accompanied by a personal assistant or family or friend carer to enable attendance if the individual has personal care needs which can be met through their accompanying person.
- 1.14 For those with a higher level of need and with personal care provided on site, the Council directly provides day services in seven locations across the county in Bognor Regis, Chichester, Littlehampton, Worthing, Shoreham, Horsham and Burgess Hill. The 'Choices for the Future' project was launched in 2016 and this programme of work set out to modernise the directly provided services. This work ensures the council provides services that meet the changing needs and aspirations of people requiring support and focus on need rather than customer groups.
- 1.15 Except for Strawford in Horsham and Burnside in Burgess Hill these facilities now provide services for a full range of need including older people with dementia, learning disabilities including autism, acquired brain injury and physical and sensory impairments, thus providing an alternative day service for people with high level personal care needs. The intention for the directly provided services was a model of modernisation that met the changing needs and aspirations of people requiring council support, no longer segregating customers by label and focusing on need rather than customer group. These day services are not fully utilised currently due to the pandemic and whilst just over 100 older customers are registered around half are not currently attending. There is potential to review the places available for older people within these services to ensure provision across each of the locations is available. It is therefore recommended that as an interim solution whilst this review is completed, four places per day are commissioned in Strawford and the same number in Burnside, which will align with the original intentions for the model. This will accommodate some existing customers in those areas whose needs are best met within a building-based day service and further customers as is required.
- 1.16 The Council Plan makes clear the intention to develop new models. There is also an intention to ensure that a range of high quality provision of services is available across the county to support residents with a range of needs. A wide range of work and developments are already underway or planned which will increase capacity and breadth of service offer, including:
- a review of services which provide a break for carers and work with partners to address any gaps,
 - a community led support focus to secure solutions for people within their own communities,
 - ongoing work with the voluntary and community sector to understand the needs of people supported within community and prevention level services,
 - development of a Market Position Statement to inform the market of areas where less day activity opportunities or solutions are identified,
 - further development of the personal assistant market and the take up of direct payments,

- development of day opportunities offered within current and new extra care schemes in line with the Extra Care Strategy,
- A longer-term review of the places utilised and needed within directly provided day services,
- feedback of the outcomes and intelligence gathered from the Shaw day service review insight on transport into the Transport Co-ordination team to inform the longer term offer for access to social care services.

1.17 A recent review of older people who were customers of the Shaw day services and would still have been attending had they still been open, concluded that alternative solutions had been found for the majority of customers. There are two customers who would like to return to a building-based service although there is an alternative which is working well and there are five customers in respect of whom an alternative long-term solution has yet to be confirmed or they specifically require a building based service if one were available. Proposals to develop the existing the existing service model of the Strawford and Burnside facilities would support the majority of these customers. For the remaining two customers support plans can be agreed that reflect the circumstances and needs of those individuals.

1.18 A focus on supporting individuals within their local communities through a range of provision, including care at home, personal assistants and accessing local community groups and resources is expected to have a positive impact.

2 Proposal details

2.1 The review has taken into account the ongoing development of community-based services, consultation responses, the needs of the current remaining customers and the alternative provision available, to develop the proposals set out below.

2.2 The majority of respondents to the consultation disagree with the proposals to close the day services and a number of concerns were raised about this including the importance of supporting carers in their caring role, avoiding isolation and supporting people with higher level needs. This information has been taken into consideration and whilst the strength of feeling is recognised, the wider review and information does not indicate that it would be a good use of money to continue to provide these services given the constraint on available funding and growing demand. The proposal therefore is that Shaw day services are permanently closed and the contract varied to reflect the closure of the provision.

2.3 That the directly provided services provide four places per day over five days for older people at the Strawford site in Horsham and the same number of places at the Burnside site in Burgess Hill. This will enable these services to be focused on wider need and provide a further option for a building-based day service for older people. These services already provide services to people with a learning disability and autism. This will provide one of a range of alternative options for current and future customers and would be expected to start accepting older people from November 2021 to January 2022, if the proposals are agreed.

- 2.4 Upon completion of decommissioning of the services, a full analysis will be undertaken to determine the best use of the vacant building space that meets the strategic objectives of the Council in partnership with Shaw Healthcare.

3 Other options considered (and reasons for not proposing)

- 3.1 Do nothing and retain the day services. This option is not proposed as the services are underutilised and therefore do not provide good value for public money. If the proposal is not approved the savings target will not be realised and the services will continue with low utilisation presenting a higher relative cost to the Council. It will also impact on the strategic aim to take a strengths and place based approach with customers, focusing on using new models of care and fewer building-based day services.
- 3.2 Retain one service in Crawley. With no directly provided service offer in Crawley that could be utilised and one other service that has currently limited or no capacity, retaining one service in Crawley was considered following the review. There is however not sufficient current demand to justify the cost of retaining the service. The focus therefore for Crawley will be on utilising an alternative privately provided service, personal assistants to enable customers to access other services and exploring potential for development within the extra care services within the local area.

4 Consultation, engagement and advice

- 4.1 As part of the review process, the council commissioned Impact Initiatives to engage with customers and carers, prior to public consultation. This engagement aimed to identify the outcomes customers want to achieve and gather feedback on how needs have been met during the service closure and how they could potentially be met differently in the future. The feedback helped to construct the wider consultation, supported reviews of individual customers and consideration of alternatives in the interim, and was taken into account in the development of proposals.
- 4.2 A public consultation on the proposal to close the Shaw day services ran from 24 June 2021 to 5 August 2021. Current customers, their family and friend carers and community and voluntary groups were encouraged to respond with their views. In addition, the Council commissioned Independent Lives to offer support to customers and their family and friend carers who had recently attended a Shaw day service to respond and engage with the consultation. The public consultation also included feedback and responses from focus groups and an engagement session with the voluntary and community sector.
- 4.3 The public consultation findings analysis can be found in appendix A.
- 4.4 A Health and Adult Social Care (HASC) Scrutiny Committee scrutinised the proposal prior to the Cabinet decision being taken through a Task and Finish Group meeting. Comments and recommendations from the Task and Finish Group will be noted and provided to Cabinet when the decision is taken.

5 Finance

- 5.1 The proposed decision will result in a reduction of £0.78m in the Council's block contract payment to Shaw. An allowance of £30k is made for the cost of reprovision, for which the need is limited because the alternative arrangements that have been put in place since March 2020 for those customers who have not

been able to attend Shaw day services has been funded within the budget. With effect from the start of the 2022/23 financial year, the outcome is that the recommendation will deliver savings of £0.75m, which is the overall amount that the council had planned to achieve.

	Year 1 2022/23 £m	Year 2 2023/24 £m	Year 3 2024/25 £m	Year 4 2025/26 £m
Savings target	0.75	0.75	0.75	0.75
Amount delivered by the proposal	0.75	0.75	0.75	0.75
Difference	Nil	Nil	Nil	Nil

5.2 Separately to this, various one-off costs are likely to be incurred in changing the contract. Under its provisions, the County Council is responsible for funding, amongst other things, Shaw’s external legal fees together with any redundancies that are necessary. All such expenditure will be met from the Improved Better Care Fund.

5.3 The effect of the proposal:

(a) How the cost represents good value

The proposed decision represents good value for money by reducing the block contract payment for services under the contract with Shaw that are not fully utilised. Customers and family and friend carers will be supported to access alternative provision at a lower overall cost to the Council and according to customer need. Customers will receive more tailored support and will be enabled to access local community provision, including through the use of personal assistants.

(b) Future savings/efficiencies being delivered

The proposed decision will deliver on-going annual savings of £0.75m from 2022/23, subject to completion of the necessary contract variation with Shaw. In addition there will be potential for further benefits once a decision is made about alternative uses of the building space that will become vacant.

(c) Human Resources, IT and Assets Impact

The proposed decision has an impact on human resources. There is potential for redeployment and redundancies and associated costs, staff have been temporarily redeployed within the residential services since the day services closed in March 2020. Shaw Healthcare will undertake a consultation with staff and will redeploy staff where possible and appropriate to mitigate any additional liability falling to the Council.

6 Risk implications and mitigations

Risk	Mitigating Action (in place or planned)
Insufficient alternative provision and capacity within the affected areas of the community	Analysis of community provision undertaken to identify potential alternatives, potential capacity and services including where a personal assistant could accompany customers. Amendment to Service Level Agreement for in-house service places at Strawford and Burnside. Ongoing development of day opportunities.
Impact to customers and family and friend carers of day services permanently closing.	Services have remained closed since March 2020. Customers and family and friend carers have been supported with alternative arrangements in the interim. Customers and family and friend carers supported to access alternative services post easing of COVID-19 lockdown restrictions.
Delay of legal contract variation to achieve savings.	Resources and timescales outlined and incorporated into project delivery plan to achieve variation. The Council will work with Shaw Healthcare to achieve the legal contract variation by the end of 2021/22 to enable a full year savings for 2022/23.

7 Policy alignment and compliance

- 7.1 The statutory requirements to meet the eligible needs of residents in West Sussex have been considered in relation to the closure of services and in considering and arranging alternative service solutions for existing customers and family and friend carers and future customers.
- 7.2 A full equality impact assessment was undertaken throughout the review process to fully consider the impacts on equality and human rights. The full assessment can be found in appendix B.

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Appendices

Appendix A – Consultation Findings Analysis
Appendix B – Equality Impact Assessment

Background papers

None