

# CHESHIRE EAST COUNCIL

## Cabinet

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<b>Date of Meeting:</b>	24 <sup>th</sup> June 2013
<b>Report of:</b>	Lorraine Butcher, Executive Director of Strategic Commissioning
<b>Subject/Title:</b>	Review of Services Delivered From Mountview
<b>Portfolio Holder:</b>	Cllr Janet Clowes – Health and Adult Care

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### 1.0 Report Summary

- 1.1 The recent review of services delivered from Mountview in Congleton has provided a valuable opportunity to listen to the views and experiences of local people. The Council would like to thank all Mountview customers and carers who have taken the time to contribute their views (72% of whom contributed to this consultation), together with staff, former users of the service and the general public.
- 1.2 A petition of 1608 signatories was also received that requested that Mountview should continue to be retained as a local facility that provides services. In addition to this, an Equality Impact Assessment has also been completed and this is provided for consideration (Appendix 3).
- 1.3 The review has highlighted that:
  - 1.3.1 Service users highly value the day care provided at Mountview and, in particular, the social interaction that it provides. It is, therefore, important to further consider how this service could be delivered by other providers, whilst also ensuring that these social networks are maintained.
  - 1.3.2 Customers and families value respite care close to home. As such, the Council will maintain respite services at Mountview in the immediate future until we have properly sourced other high quality care in the Congleton area (through the wider care and support market).
  - 1.3.3 Many customers of Mountview already access other care and support provision and value having choice and quality care locally. This review work has confirmed that there is a vibrant care and support economy in and around Congleton and that the Council should explore how this market could best support greater customer choice.

- 1.3.4 This review has identified that the use of Mountview remains a high cost choice (particularly in terms of respite care) in comparison to other quality care and support services. By working with the local care and support market on better alternatives, the Council will be able to offer greater choice for local people whilst also offering greater value for money for individuals, and ensuring services are of similar high quality.

## **2.0 Recommendations**

It is recommended that:

- 2.1 with regard to respite services for older people, those with dementia and those with a learning disability, Cabinet approves the adoption of Option 1B below (section 10.1) – that ‘Mountview services continue for a defined period, whilst other facilities are secured locally in the Congleton area’;
- 2.2 the defined period covers a transitional arrangement while alternative care and support services (respite) for older adults are explored in the market through a competitively tendered and block purchasing approach with independent sector care homes;
- 2.3 a further report is considered by Cabinet, when a contract has been secured for the provision of respite care from the private market;
- 2.4 day care provision continues at Mountview for existing service users, to be reviewed at a future date, as the needs/choices of current users change.

## **3.0 Reasons for Recommendations**

- 3.1 This report recognises the changing landscape of care and support for adults, characterised by the national programme for Personalisation (Choice and Control), which is enabling people to choose how their care needs can best be met and by whom. This may be achieved:
- (a) independently through a personal budget allocation;
  - (b) through shared arrangements with the Council’s assistance; or
  - (c) through directly commissioned services by the Council on someone’s behalf.
- 3.2 There is recognition that the arrangements for provision of care and support is changing, with more services now being provided through the voluntary, independent and private sector than are directly provided by the Council through its in-house services. The shaping of local services is something that this Council and its key stakeholders will further develop in partnership with local people. This will ensure that Cheshire East will continue to be able to offer a wide, inclusive and sustainable choice of services for local people.

- 3.3 Individual choice and control is already having an effect in Cheshire East, with take-up of Care4CE services (the Council's in-house care and support services) changing significantly as a result. This is something that the Council understands is likely to continue. Like similar local authorities, we will be considering the options for the future of these services, to enable the skills and experience valued by many who use them to be a continuing part of a vibrant and sustainable social care and health market locally.

#### **4.0 Wards Affected**

- 4.1 Congleton East and Congleton West.

#### **5.0 Local Ward Members**

- 5.1 Cllr Gordon Baxendale, Cllr David Brown, Cllr Roland Domleo, Cllr Peter Mason, Cllr Andrew Thwaite, Cllr David Topping

#### **6.0 Policy Implications**

- 6.1 None

#### **7.0 Financial Implications**

- 7.1 Local Authority finances are undergoing significant changes as part of the Government's overall deficit reduction programme. The overall grant funding is expected to reduce further in 2015-16, and will vary depending on relative levels of economic growth, which are more unpredictable at a local level. There is no doubt that funding for Councils will further reduce significantly over the next five years, and is likely to continue to reduce beyond this timeframe up to 2020, at a time of growing demand for care services.
- 7.2 The Chancellor's Budget in March 2013, and press articles in advance of the next Comprehensive Spending Review (CSR) (setting out forecast funding levels from 2014/2015), have confirmed that the austerity measures will continue and may have a greater impact than originally envisaged, as funding reduces while statutory responsibility, demand and cost levels increase. The CSR is expected in late June and the Council will be updating its funding predictions as a result.
- 7.3 At this stage, the Council Budget Report reflects funding shortfalls of £8.3m in 2014/2015 and £14.1m in 2015/2016. Further work is required by the Council to develop proposals to bridge these gaps and the Budget Report sets out a framework for this, which includes continuously reviewing management levels and staffing structures, its own services, and also the value for money achieved in its commissioning of services in the wider market.
- 7.4 Within the Council Budget Report for 2013-14, the budget for Adult Services included a proposal to review Mountview services. The Council's

agreed Budget sets target savings on the basis that the services provided from Mountview would cease during 2013-14, with any alternative provision of those services being sourced from the budgets allocated within the Individual Commissioning purchasing budgets. The Council's approved budget assumes that Care4CE would save £1.0m from its budgets, with £325,000 saved in 2013-14 and a further £675,000 saved in 2014-15.

- 7.5 It is important to note that other budgets relating to Mountview, such as premises/corporate landlord costs and overheads, are not included within Care4CE budgets and are managed outside Adult Services. These will be considered separately, when a decision about the future use of the physical building (rather than of the services offered inside it) have been made.
- 7.6 The review of activity and budgets at Mountview has highlighted that the full cost of residential and respite provision for learning disability, older people and dementia care (including overheads and corporate landlord costs) is £1.144m. The levels of usage at Mountview have varied significantly over time, and affect the number of beds (commonly termed as bed weeks) that would need to be provided for differently in future in the independent sector. Put simply, the lower the existing usage at Mountview, the smaller the level of alternative provision required. For example, for the total 35 beds, re-providing beds in the care market would vary from 30 beds at 85% usage levels to 18 beds at 50% usage levels. The table below provides a comparison of the cost of purchasing beds from the independent sector at different usage levels against the current costs associated with Mountview:

<b>Usage Level</b>	<b>Estimated cost per annum in independent sector £'s</b>	<b>Savings against Council cost per annum £'s</b>
85%	904,000	240,000
60%	638,000	506,000
50%	532,000	612,000

- 7.7 Whilst day care provision continues to be offered from Mountview, costs of £130,000 a year will continue to be incurred. However, if the day care was provided differently, depending on both usage and needs of customers, the overall savings range in time from £370,000 to £742,000 a year.
- 7.8 The costs of the alternative provision of residential and respite care, and the shortfall arising from the continued provision of services at Mountview, will be mitigated by actions to reduce spending across the Adult Social Care budgets as a whole.

## **8.0 Legal Implications**

8.1 Consultation has been undertaken in respect of this proposal (see Appendix 2). The general principles that must be followed when consulting are well established:

- The consultation must be at a time when proposals are still at a formative stage;
- The proposer must give sufficient reasons for any proposal to enable intelligent consideration and response. Those consulted should be aware of the criteria that will be applied when considering proposals and which factors will be considered decisive or of substantial importance at the end of the Consultation process;
- Adequate time must be given for consideration and response;
- The product of consultation must be conscientiously taken into account in finalising any statutory proposals.

8.2 Cabinet must satisfy itself that the consultation has been properly conducted in line with the principles above. In addition, Cabinet must ensure that it has clarity with the outcomes of that consultation and therefore, as decision maker, is able to take the results fully into account when making its decision on the proposals contained in this report.

8.3 In making its decision, Cabinet must have due regard to the Public Sector Equality Duty as set out at S149 of the Equality Act 2010, which states:

“(1) A public authority must, in the exercise of its functions, have due regard to the need to—

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it... “

8.4 To assist Cabinet in respect of the Public Sector Equality Duty, an Equality Impact Assessment has been carried out in respect of the proposals within this report. Appendix 3 provides the completed Equality Impact Assessment.

8.5 Section 10.3 of this report proposes that alternative care and support services for older adults be procured through a competitive tendering exercise. It is not possible to ascertain the value of any contract/s that would be put out to tender from the information provided in the report (i.e. the estimated budget for older care provision has not been separated out

from the costs and savings information). However, on the basis that a competitive tendering exercise for block purchasing of care and support services for older people is being proposed by the report and, given the overall budget levels discussed in the financial implications, it has been assumed that the contract value/s will be over EU threshold and that, whilst care services are Part B services, the Council will follow EU Procurement Regulations and conduct either an open or restricted tendering process in accordance with the Council's Finance and Contract Procedure Rules (E44 to E53). Under the Public Services (social Value) Act 2012 there is a duty to consider the social value of any services contract which is above OJEU threshold before a procurement exercise is undertaken.

## **9.0 Risk Management**

- 9.1 The estimated savings in the budget proposals may not be met, or only achieved in part. The Adult Services budget holders will consider, with the Director of Adult Social Care and Independent Living, how such business proposals could be achieved and advise on the risk impact in the subsequent report to Cabinet covering the work with the wider care and support market and options for the future use of Mountview as an asset.
- 9.2 Decision making on this matter needs to take account of the risk to the reputation of the Council. The proposal to consider ceasing to offer some services at Mountview and to provide other local alternatives has generated substantial opposition from service users, carers and the public within Congleton Town and the surrounding areas. Work with the wider care and support market, that we know to be vibrant, should mitigate this risk, both for the Council and for current and future service users and carers who rely on such services.

## **10.0 Background and Options**

### **10.1 The Review**

- 10.1.1 A review was conducted of current services provided at the Mountview building. These services are:

- Day Care for Older People – up to 16 places (per day)
- Residential Respite Care for Older People – up to 22 beds
- Residential Respite Care for Dementia – up to 10 beds
- Residential Respite Care for Adults with a Learning Disability – up to 3 beds

- 10.1.2 The aim of the review was to establish the future of services at Mountview, whilst considering data related to the running of the centre and the views of customers, carers and the general public. Supporting material is included in the Options Appraisal Report (Appendix 1), the Consultation Report (Appendix 2) the Equality Impact Assessment (Appendix 3) and the background data pack (Appendix 4).

10.1.3 Feedback from users was received through an extensive consultation exercise utilising a variety of mechanisms. These included; one to one meetings, a questionnaire, telephone line and correspondence. This feedback is summarised in the Consultation Report in Appendix 2. In addition, a petition was also received containing 1,608 signatures (see 10.4).

10.1.4 As part of the review, options for how these services might be delivered in the future were evaluated. This was conducted against the following criteria:

**1A) Mountview Services stay as is**

**1B) Mountview Services stay as is – but for a defined period**  
(whilst other facilities are secured locally in the Congleton area.

**2A) Day Care only to be provided at Mountview**  
respite care at Mountview to cease and instead to be provided alternatively locally in the Congleton area.

**2B) Day Care only, to be delivered at Mountview but with a plan to phase this out**  
as the needs/choices of current users change

**3) Deliver no services from Mountview**  
but provide alternatives locally in the Congleton area.

10.1.5 These options were assessed against criteria agreed by the Portfolio Holder and the Executive Director for Strategic Commissioning, in order to produce the final recommendation (see Appendix 1 for the Options Appraisal work). These factors were:

- The wellbeing of current users and carers
- Feedback from customers/carers/general public
- Effectiveness of services in meeting needs
- Personalisation (choice and control)
- Future proofing support for changes in need
- Value for money

10.1.6 A summary of how it is proposed that services are taken forward is given next.

## **10.2 Proposals for the Provision of Mountview Services**

### **10.2.1 The Day Care Service**

There is a clear need to continue to provide a daytime support service in the Congleton town area for current users of the service who reside locally. The service is effective and valued by service users, carers and by social care managers. Any disruption to this service would impact on the wellbeing of current users whose needs are complex and who are

also frail. In addition to this, there is no current comparable service in the independent sector.

10.2.2 In the future, there does need to be more choice and flexibility in the ways that users and carers access support, so that it is more personalised. This may result in this type of day care not being the preferred choice of some customers in the future.

#### 10.2.3 **Residential Respite - Older People**

This review has revealed the opportunity for expanding the choice of respite services for older people within the Congleton area. The Council already does this to some extent, however, it has been established that there is further capacity which could be utilised. Moreover, it is clear that many carers and customers would have no objections to this as long as the alternative services were equivalent.

10.2.4 The financial case for this is also plain. The unit cost of a week in respite in the independent sector is approximately £170 per week less than a week in Mountview, based on highest usage (85%). [Mountview unit cost at 85% usage is £596.44 per bed week, the independent sector cost is £425. When usage is lower (e.g. 67%) then this difference increases to c£300 per week (Mountview unit cost is £756.68 per bed week).]

10.2.5 The development of choice for customers meets the personalisation agenda and user expectations. It could also mean that this type of residential respite might not be the preferred option for some customers in the future.

#### 10.2.6 **Residential Respite: Dementia Care**

It is also the case in the area of dementia respite care that there are opportunities to increase choice for older people in line with their aspirations. Again, research has established that there is capacity in the residential care independent sector to meet this need (see Appendix 4) whilst keeping care local (which was an important requirement of customers/carers in the consultation and of Care Managers).

10.2.7 The financial argument is similarly persuasive. The unit cost of a week in a dementia respite bed in the independent sector would be approximately £215 per week, which is less than a week at Mountview based on highest usage (85%) [Mountview unit cost at 85% usage is £741.78, the independent sector cost is £525. If usage is lower (e.g. 67%) then this difference could increase up to £400 per week (Mountview unit cost is £941.07 per bed week).]

10.2.8 Again, it might also be the case, that the availability of other care options will mean residential respite is not the preferred choice of customers in the future.



#### **10.2.9 Residential Respite for Adults with Learning Disabilities**

The situation for this client group is different from that of older people. The support provided at Mountview is not the type of specialist support that can meet the very complex needs some service users now have. This means work is required to ensure sufficient choice of provision is available. This does not need to be in the Congleton area, as carers understand that, for very highly specialised and skilled support, they may have to travel outside their locality. We already utilise some of this provision at the moment.

### **10.3 Implementing the proposals**

#### **10.3.1 The Care Market**

10.3.2 The suggestion leading on from these findings is that alternative care and support services for older adults are explored in the market through a competitive tendered and block purchasing arrangement with independent sector care homes.

10.3.3 This approach will assist the Council to:

- Increase the choice of provider for service users
- Seek better value for money
- Gain experience in using different contracting methods
- Clarify the quality standards that might be expected.

10.3.4 Work with the wider market and a tender process would take between six and nine months, and would be managed centrally by the Council's Strategic Commissioning Unit. Service users and carers would be fully consulted to establish their priorities and preferences, to inform the development of any service specifications and the selection process led by Commissioners.

#### **10.3.5 Mountview as an Asset**

Whilst we undertake the work required with the wider care and support market, we will also investigate the potential options for alternative use of Mountview (which is a building that the Council has direct ownership of). This will ensure that, when the Cabinet receives the next report in the autumn, they will have a complete overview of both the services currently delivered from Mountview, those that could be provided by the wider care and support market, and the potential future options for Mountview as a capital asset.

### **10.4 The Petition**

10.4.1 A petition was submitted to the Council about Mountview containing 1608 signatures. The heading for this document was as follows:

**10.4.2 "Petition summary and background;** Mountview Community Care Centre is threatened with closure. It provides the only centre in Congleton for respite

and day care for older persons. Without it they would face time consuming and expensive journeys to alternative facilities in Crewe and Macclesfield.

**Action petition for;** We, the undersigned, are concerned citizens who urge Cheshire East Council to keep Mountview open.”

Note: the full petition is also available for Cabinet to refer to.

## **11.0 Access to Information**

Further detailed background papers relating to this report are available from:

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