

Appendix 3

Call In of the Cabinet Decision taken 1st July 2014

Title of agenda item/report: Mountview Services Review item 11 agenda pages 99 to 102

Reason for Call In

“inadequate consultation relating to the decision

There was a consultation carried out and the results of the consultation were that Mountview should be kept open for dementia care and respite care. The current decision ignores the consultation results.

If it is claimed that the alternative provision provided is adequate and addresses concerns raised in the consultation then that should be the subject of further consultation.

relevant information not considered

a care home in Congleton has recently closed (I believe that this was as a result of Care Quality Commission activity). This will impact on the availability of care beds in Congleton and therefore this should be taken into account before deciding to cease respite care at Mountview.

At full Council Cllr Clowes said in response to a question about Mountview “We will take our lead from the coroner and the CQC”

Council was told that we would take our lead from the coroner and the CQC. Therefore no decision on the closure of Mountview for respite care should be taken until the coroner and/or CQC have reported.

The report from the coroner and CQC must be relevant information (as confirmed by Cllr Clowes at full council). Therefore by making the decision before the coroner has reported Cabinet is ignoring relevant information.

justification for the decision open to challenge on the basis of the evidence considered.

It is widely acknowledged that dementia care provision will have to increase as the number of dementia sufferers increases. Therefore the decision to cease respite care at Mountview before alternative provision in the area has expanded is perverse.”

Response to the Call In

The decision to cease the provision of residential respite care from Mountview was taken on 24th June 2013, this decision cannot be subject to call in.

Appendix 3

The decision was that residential respite services at Mountview would continue for a defined period until such time that alternative support was secured.

That decision in June 2013 is the authority for the subsequent actions outlined in the cabinet report of 1st July 2014.

The decision taken on 24th June 2013 was:

“RESOLVED

That

- (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 in section 10.1 of the report – that ‘Mountview services continue for a defined period, whilst other facilities are secured locally in the Congleton area’;
- (2) the defined period cover a transitional arrangement while alternative care and support services (respite) for adults are explored in the market through a competitively tendered and block purchasing approach with independent sector care homes;
- (3) **a further report be considered by Cabinet, when a contract has been secured for the provision of respite care from the private market;** and
- (4) day care provision continue at Mountview, to be reviewed at a future date as the needs/choices of users change.”

The decision taken on 1st July 2014 which is the subject of this call in was:

“RESOLVED

That

1. Cabinet notes the block purchase of three residential respite care beds in the independent sector in the Congleton Area representing 1,095 respite bed nights per annum to be reviewed in 12 months’ time; and
2. officers be authorised to take all necessary steps to implement the decision taken by Cabinet on 24th June 2013 to commission residential respite care in the independent sector.”

This report provides a response to the reasons for call in stated above that relate to that decision on 1st July 2014 as follows.

Officers had been required by cabinet to bring a report to 1st July 2014 cabinet that confirmed that practical issues were addressed, as in the minutes above of the decision taken on 24th June 2013, to allow the decision to cease residential respite services at Mountview to now be implemented.

That decision at 24th June 2013 (as above in bold) required that a further report be considered by cabinet “when a contract has been secured for the provision of respite care from the private market”. This is the action that was taken by officers through a Request for Quote on the CHEST and resulted in 1095 bed nights per annum of residential respite being secured from the private market as required by cabinet in that 24th June 2013 decision.

Appendix 3

The purpose of the cabinet report of 1st July 2014 was to confirm to cabinet that the requirements of the 24th June 2013 decisions had been met and request a decision to now implement all the further practical steps that would be needed to effect the ceasing of residential respite services at Mountview (see the decision at 2.2 in the minutes of 1st July 2014).

(see Appendix 1 for the key steps)

Response to Specific Points in the Call In Request Form

Call In form point 1:

“inadequate consultation relating to the decision

There was a consultation carried out and the results of the consultation were that Mountview should be kept open for dementia care and respite care. The current decision ignores the consultation results.

If it is claimed that the alternative provision provided is adequate and addresses concerns raised in the consultation then that should be the subject of further consultation.

Response:

The decision on services provided at Mountview was taken on 24th June 2013 and cannot be subject to call in.

Call In form point 2:

relevant information not considered”:

“a care home in Congleton has recently closed (I believe that this was as a result of Care Quality Commission activity). This will impact on the availability of care beds in Congleton and therefore this should be taken into account before deciding to cease respite care at Mountview.”

Response:

The decision on services provided at Mountview was taken on 24th June 2013 and cannot be subject to call in. The report of 1st July confirms that 3 beds have been secured.

Call In form point 3:

“At full Council Cllr Clowes said in response to a question about Mountview “We will take our lead from the coroner and the CQC”

Council was told that we would take our lead from the coroner and the CQC. Therefore no decision on the closure of Mountview for respite care should be taken until the coroner and/or CQC have reported.

Appendix 3

The report from the coroner and CQC must be relevant information (as confirmed by Cllr Clowes at full council). Therefore by making the decision before the coroner has reported Cabinet is ignoring relevant information.

Response:

The decision on Mountview was taken on 24th June 2013 and cannot be subject to call in.

The findings of CQC or the coroner have no bearing on the decisions taken at the cabinet of 1st July 2014. Their only relevance is to the management decision to suspend admissions to Mountview.

Call In form point 4:

“justification for the decision open to challenge on the basis of the evidence considered.

It is widely acknowledged that dementia care provision will have to increase as the number of dementia sufferers increases. Therefore the decision to cease respite care at Mountview before alternative provision in the area has expanded is perverse.”

Response

The decision on Mountview was taken on 24th June 2013 and cannot be subject to call in.

The further paper to cabinet on 1st July 2014, The Dementia Commissioning Plan, brings forward a proposed strategy to fully address the anticipated future increase in dementia.

Appendix 3

Appendix 1

The practical steps to implement the decision of cabinet of 24th June 2013 include:

- 1) Placing all staff in the residential service at Mountview at risk of redundancy.
- 2) Conducting a staff consultation, as required when there is a risk of redundancy, to ensure that all staff have an opportunity to understand and comment on the new arrangements.
- 3) Identifying alternative potential posts for staff placed at risk
- 4) Supporting staff placed at risk with a range of advice and information and personal support.
- 5) Releasing any suitable posts currently being covered by agency/temporary staff to be available for staff placed at risk
- 6) Preparing briefings for users and carers and social work teams to ensure they understand the range of new service options and can access appropriate respite care, including booked residential respite in the block purchased beds.
- 7) Making arrangements to ensure the block purchased beds are fully utilised and that utilisation is monitored for 12 months.
- 8) Considering options for alternative uses of the space at Mountview.
- 9) Reorganising the management arrangements at Mountview and within Care4ce to enable an efficient day care provision at Mountview to continue.