

Southend-on-Sea Borough Council

Agenda
Item No.

Report of Corporate Director for
People
to
Cabinet
on
17th September 2013

Report prepared by: Simon Leftley, Corporate Director for
People

Consultation on the futures of Priory House and Delaware House - Request from Council

Relevant Scrutiny Committee: People
Executive Councillor: Cllr Lesley Salter
Part 1 (Public Agenda Item)

1. Purpose of Report

- 1.1 To consider the request made by Council on 18th July 2013 to suspend the consultation exercise concerning the futures of Priory House and Delaware House.
- 1.2 This report is not to consider the futures of the Priory House and Delaware House which will be the subject of a report to the Cabinet in November.

2. Recommendation

- 2.1 That Cabinet notes that the consultation process carried out in respect of the futures of Priory House and Delaware House was both proper and lawful.

3. Background

- 3.1 On 19th March 2013, Cabinet received a report on the options for the future of the Council's two long term care homes, Priory House and Delaware House, including the options review undertaken by the cross-party Task and Finish Panel.
- 3.2 The Task and Finish Panel recommended that formal consultation be commenced on 4 possible options for the future of each of the two care homes; namely:-
 - (1) Continue As Now
 - (2) Alternative Ownership
 - (3) Modernisation and Re-Provision, using 3rd party funding.
 - (4) Close 1 or both homes.

Although the Panel did have a preferred option, there was no question of any decision being taken until the views of current residents, their relatives and carers, members of staff, their trade union representatives, key stakeholders and the general public had been obtained and duly considered.

3.3 The Cabinet's decision was as follows (Minute 871 refers);

"That the findings of the Task and Finish Panel be accepted and that officers be instructed to commence a formal consultation on all 4 options, with the preferred option being the planned closure of Priory House and further exploration of the opportunities to develop the Delaware House site to offer some dedicated facilities for older people".

3.4 The consultation commenced on 3rd June 2013, with a closing date of 1st September 2013.

Great efforts were made to ensure that the consultation document and the consultation process were not only lawful, but also complied with good practice including the Council's own Consultation Strategy.

There are four key principles from that Consultation Strategy which have been applied in the following way:

Consultation will only be carried out when necessary: The consultation on Delaware House and Priory House was necessary as both homes are beginning to show their age and are expensive to run. The consultation was timed to take place at the formative stage of the options development in order for the feedback to be given at the most meaningful stage.

Consultation will be robust and carried out to the highest standard: The agreed consultation period for the consultation on Delaware House and Priory House was 12 weeks, which is the recommended length for a formal consultation. The consultation comprised of four options, each was set out clearly with their respective implications.

Activities will be fit for purpose: To ensure all stakeholders could participate, there has been a carefully thought through approach including:

- an online questionnaire open to everyone;
- paper copies of the consultation documents posted to all relatives of residents in the two care homes;
- two public meetings;
- two relative meetings;
- one-to-one sessions with relatives;
- supported sessions for residents;
- meeting about the capital costs of Delaware & Priory and the building works needed to support these homes remaining safe in the coming years;
- on site meeting at both homes with property services to explain further works needed and costs
- visits to comparable homes in the Southend area, arranged by our contracts manager.

Findings will be influential: The consultation was designed to take place at the formative stage of the options. Four proposed options had been scoped by the nine Member cross-party Panel.

The remaining five principles in the Council's Consultation Strategy are around partnership work, civic participation and building better relationships with local people.

- 3.5 It is very important to note that the consultation process was designed to ensure that;
- stakeholders fully understood the proposals and process;
 - stakeholders were provided with information they required; and
 - concerns and issues raised could be addressed.

This would then enable stakeholders to respond to the consultation in an effective way.

- 3.6 At full Council on 18th July 2013 the future of the 2 Homes was debated as opposition business. This resulted in passing of the following resolution:

"In the light of concerns from Members and residents (and their relatives) of Priory House and Delaware House about the content of maintenance reports, financial information, non-inclusion of all possible options and the potentially flawed consultation process (because the questions posed are not clear), the Council requests Cabinet to suspend the consultation exercise to enable further consideration to be given to the process."

- 3.7 Following the Council meeting on 18th July, Officers undertook a review of the consultation document and the consultation process to make absolutely sure that it was lawful and proper, so that the position could be reported to the next meeting of Cabinet on 17th September 2013.

As explained above a great deal of work had been put into the wording of the document and the design of the process, but everything was re-checked to ensure it was all sound and lawful.

No defects or deficiencies were identified which would necessitate the cessation of the consultation process midway through its course.

However at each further stage, particularly at meetings with relatives and others, great efforts were made to ensure that everything was explained clearly and fully, taking on board the contents of the Council's request on 17th July.

Additional information which had been requested has been duly provided

Extra meetings were arranged as necessary with relatives and others.

Advocacy support has been provided for relatives, residents and service users. Social workers have carried out reviews on all service users involved to ascertain their views. Where people have been deemed to lack capacity, Mental

Capacity Assessments have been carried out and in most instances families have been the right people to speak on their behalf.

Changes were made to the Council's e-mail and petition facilities to make it easier for two or more members of the same household to submit responses.

In conclusion, the Council has gone to great lengths to ensure that the consultation process was as good as possible and that stakeholders had the information and opportunity to make their responses.

3.8 The Consultation period ended on 1st September 2013.

The process of analysing the consultation responses is continuing, so that a report can be submitted to the People Scrutiny Committee on 8th October (or to a special meeting of the Committee) for pre-Cabinet Scrutiny.

A comprehensive report will then be submitted to Cabinet in November. The Cabinet will then be in a position to take a decision on the future of the 2 Homes in the light of the responses to the consultation, the views of the People Scrutiny Committee and all other material considerations.

4. Other Options

This report only deals with the adequacy of consultation process. The consultation period has now ended and the responses are being analysed. A decision on the future of the two care homes will be taken at a later stage.

5. Reasons for Recommendations

To respond to the request made by Council on 18th July 2013

6. Corporate Implications

6.1 Contribution to Council's Vision & Corporate Priorities

6.2 Financial Implications

No immediate financial implications arose from this report

6.3 Legal Implications

The consultation process was reviewed and based upon legal advice

6.4 People Implications

None immediately arising from this report

6.5 Property Implications

None immediately arising from this report

6.6 Consultation

The details of the consultation process are set out in this report

6.7 Equalities and Diversity Implications

6.8 Risk Assessment

A risk assessment has been completed as part of the consultation process

6.9 Value for Money

The purpose of the consultation was to achieve value for money in delivering residential care for older people

6.10 Community Safety Implications

None

6.11 Environmental Impact

None

7. **Background Papers**

None

8. **Appendices**

None