

Committee Name and Date of Committee Meeting

Cabinet 20 December 2021

Report Title

The location of Parkhill Lodge Residential Services – outcome of consultation and subsequent recommendations

Is this a Key Decision and has it been included on the Forward Plan?

Yes

Strategic Director Approving Submission of the Report

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Ward(s) Affected

Borough-Wide

Report Summary

The report proposes that the Council's Learning Disability Residential Service for adults, currently providing for 16 people, remains at its current location of Lord Hardy Court Residential Care Home on a temporary basis. The 16 current residents are all supported together in one private 'pavilion' in the building. All the residents were moved to Lord Hardy Court residential care home on the 22nd October 2020, from Parkhill Lodge due to a COVID 19 outbreak in the care home. There are ongoing additional risks posed by the COVID pandemic and infection control challenges.

This report details the health and safety and accommodation standard issues concerning the previous location of the Residential Service at Parkhill Lodge. These concerns following further investigation include the need for asbestos removal, the inability to effectively meet infection control standards, and other essential building work required. This work would require the Parkhill Lodge building to be closed for at least 12 months. The report covers the investment required in the Parkhill Lodge building and the significant concerns that it would still fall short of current Care Quality Commission standards and National Institute for Health and Care Excellence guidance.

The report confirms the Council's commitment to produce an options appraisal for investment, to deliver a new accommodation with support offer for people with Autism and a Learning Disability and the securing of capital funding.

The report details the outcomes of the 6-week Consultation Exercise that was undertaken from 25th August to 6th October 2021, concerning the temporary location of the Parkhill Lodge residential care service. Understandably, there was a range of views about staying at Lord Hardy Court or moving back to Parkhill Lodge, which has been the residents' home for many years. It also provided key information about what was important to the residents and how the Council can ensure that those needs, and wishes are met.

The report considers all the views from the consultation and the relevant reports commissioned and confirms the proposal from officers for the Cabinet to approve the Parkhill Lodge residential service remaining at Lord Hardy Court on an interim basis pending the delivery of a new accommodation with support offer for people with Autism and a Learning Disability.

Recommendations

1. Cabinet notes the views of residents and their families expressed in the consultation and the responses provided by officers to ensure residents' care and support needs are met in Lord Hardy Court.
2. Cabinet approves the Parkhill Lodge residential service being provided from Lord Hardy Court on an interim basis.
3. Cabinet approves the proposal to close the Parkhill Lodge building.
4. Cabinet agrees consultation from May 2022 on options for new council accommodation with support for people with Autism and a Learning Disability. Investment proposals will return to Cabinet in November 2022 following this consultation.

List of Appendices Included

- Appendix 1 Overview of Parkhill Lodge Site and Service
- Appendix 2 Carbon Impact Assessment
- Appendix 3 **EXEMPT** - Infection Prevention and Control.
- Appendix 4 **EXEMPT** - Standard Safety Record.
- Appendix 5 Part A Equality Screening
- Appendix 6 Part B Equality Screening

Background Papers

- Consultation Outcome report.
- Cabinet Paper, The Location of Parkhill Lodge Residential Service 16/08/2021.
- Covid 19: Guidance and interpretation/ consideration of needs in relation to Parkhill lodge relating to Infection Prevention and Control (www.gov.uk).

- Covid 19: Cleaning in non-healthcare settings outside the home (www.gov.uk)
- NHS national plan – building the right support www.england.nhs.uk/learning-disabilities/natplan/
- NICE Guidance www.nice.org.uk/guidance/cg142/resources/autism-spectrum-disorder-in-adults-diagnosis-and-management-35109567475909
- [NICE guidance \(CG142\)](#)
- White paper *Integration and Innovation ‘working together to improve health and social care’* February 2021. www.gov.uk/government/publications/working-together-to-improve-health-and-social-care-for-all
- National Plan – Building the right support - [Building the Right Support](#),

Consideration by any other Council Committee, Scrutiny or Advisory Panel
No.

Council Approval Required
No

Exempt from the Press and Public
No

The location of Parkhill Lodge residential Services – outcome of consultation and subsequent recommendations

1. Background

- 1.1 Parkhill Lodge is a 22-bed residential care home for adults with a learning disability situated in Maltby, originally built as a hostel in the 1970's to provide temporary accommodation.
- 1.2 On 22nd October 2020, a significant Covid-19 outbreak occurred at Parkhill Lodge, where twelve residents were infected and positive tests in the staff team led to staff having to isolate, rendering the service unsafe.
- 1.3 The building design and layout was unsuitable to safely care for the number of residents who tested positive and prevent further transmission. This was compounded by unsafe staffing levels due to the levels of infection and the need for isolation of the staff.
- 1.4 A strategic management decision was made to urgently move the residents to an empty pavilion at Lord Hardy Court on the grounds of limiting the spread of infection, health, and safety and to ensure that the service continued, as otherwise the residents may have been accommodated across a range of provision resulting in the 16 residents being separated to keep them safe. This decision was endorsed by the formal Incident Management Meetings (IMTs) process which is part of the response to all Covid outbreaks.
- 1.5 The Learning Disability Residential service remains an individual service but located within one of the 4 Pavilions within the Lord Hardy Court building. The residents are supported by the same staff team. Any access restrictions to the local community and other services have been due to the Covid pandemic and would have been the same irrespective of whether the residents had been at the Parkhill Lodge building or at Lord Hardy Court. The residents have experienced the COVID restrictions whilst living at Lord Hardy Court but not for any significant time at Parkhill Lodge prior to moving.
- 1.6 Staff, residents, and families were informed that the initial stay at Lord Hardy Court would be until the end December 2020, to ensure adequate closure time for the outbreak infection risk to subside.
- 1.7 As the country subsequently went into a further national lockdown a management decision was made to extend this period. As the government has published its roadmap to ease lockdown restrictions in England, the Council is now able to review the decision for people from the Parkhill Lodge service to temporarily reside at Lord Hardy Court.
- 1.8 In August 2021, Cabinet agreed for a formal consultation to be carried out lasting a period of 6 weeks with people and their families on the location of the Parkhill Lodge Service remaining at Lord Hardy Court.

1.9 It is important to note that in May 2018, Cabinet agreed the vision for Rotherham's Learning Disability Services following consultation. Since then, the Council has been working to a range of key objectives. The Council:

- Will provide high quality care and support to people with a learning disability and their families.
- Will actively promote people's wellbeing, helping them have a good life and be as independent, healthy and well as possible.
- Will be more diverse so all people with a learning disability in Rotherham, whatever their age, background, or level of need, will have more choice in their support.
- Will move away from traditional building based or institutional form of support and will focus on support, which is personalised, flexible and meets people's individual needs.
- Will help people work together and pool their personal funds so they can share their support and sustain meaningful and rewarding relationships.
- Will provide the best value for the people of Rotherham.

Any decisions or outcomes by the Council regarding people with a learning disability will adhere to these principles.

2. Key Issues

2.1 Consultation Overview

The Council has conducted a 6-week consultation exercise from 25th August 2021, to 6th October 2021. To assist with the consultation, Cloverleaf, an Advocacy organisation were commissioned to ensure residents had a voice to provide independence from the Local Authority. This was critical due to the communication needs that some residents have and to ensure, their views were understood and no decisions about them are made without them.

Cloverleaf help people to:

- Find information and understand and uphold their rights.
- Consider their options and get the support they need.
- Speak up about the issues that matter to them.

The Council has endeavored with its advocacy partner to ensure that the consultation was:

- Clear, concise, be easy to understand and easy to answer.
- Informative, gave enough information to ensure that those consulted understand the issues and can give informed responses.
- Included validated impact assessments of the costs and benefits of the options being considered when possible.
- Targeted and so considered the full range of people, business and voluntary bodies affected by the policy.
- Tailored to reflect the needs and preferences of people using the services,

their families, and carers.

Each resident was provided with an individual easy read pack and supported by an advocate to provide their response to this consultation exercise. The advocates visited the residents on six occasions during the consultation period to ensure that they built up a relationship and trust with the residents. Residents were also given time to fully understand as far as possible and think about the questions they were being asked and to ensure that any other views were captured. The advocates were very well received by residents and family carers, especially in their approach and understanding of the needs of the residents.

Families were also provided with a full consultation pack and were invited to participate in a consultation meeting and had a period of 6 weeks to consider and respond to the documents provided.

2.2 Consultation Report and Results

The consultation process began on 25th August 2021 and closed on 6th October 2021.

2.3 Findings

The consultation findings relating to residents have been taken from a report completed by Cloverleaf (Absolute Advocacy).

It is acknowledged that residents have lived at Parkhill Lodge between a range of 5 and 42 years with 40% having lived there for over 20 years. Therefore, many residents do not know any other building as 'home'.

2.4 Issues and Challenges during the consultation exercise

Some individuals understandably found it difficult to engage in the consultation and were at times upset by it.

Some individuals happily engaged in the consultation, but it was not always clear whether they fully understood the questions or the implications of their answers. But everyone was given the opportunity to have their say and the advocates ensured it was carried out in the most accessible way possible.

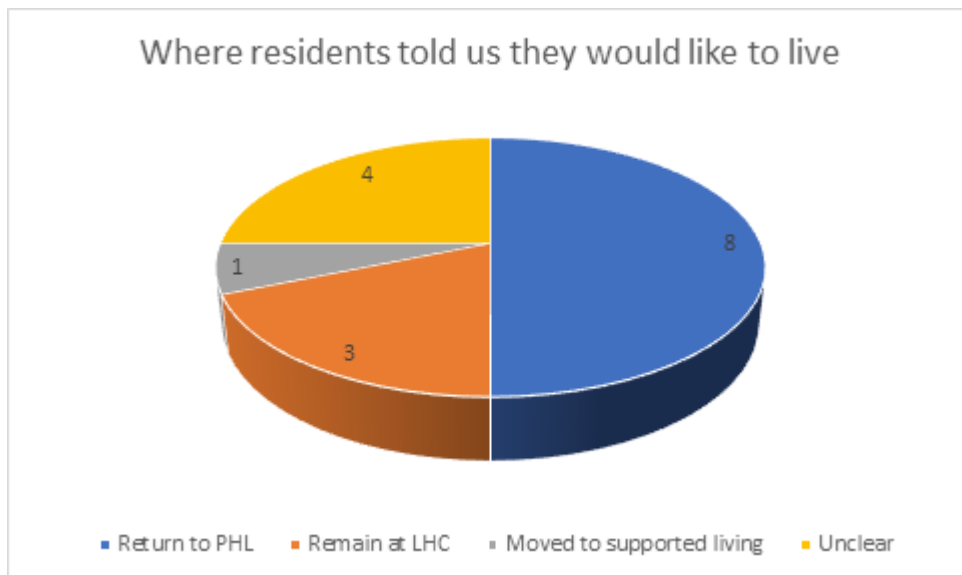
2.5 Key Outcomes

In addition to answering the questions from the questionnaire, the residents expressed additional views which were recorded by the advocates. A number of common themes came to light:

- 8 out of 16 residents said they would like to go back to live at Parkhill Lodge.
- A number of those who completed questionnaires found Lord Hardy Court to be restrictive in comparison to Parkhill Lodge where they had more

freedom e.g., the freedom to go out into the local community.

- Residents had concerns about the communal area at Lord Hardy Court. It was thought by some residents that the communal area was too small. In comparison, some said that Parkhill Lodge has more than one communal area which allowed residents to spread out.
- Some residents said that activities at Lord Hardy Court were limited and that they missed the activities they did at Parkhill Lodge such as: pool table, football table, more than one communal TV, dart board and an activities room.
- The lack of windows at Lord Hardy Court was a concern for some residents who said they missed being able to look out of the window and watch the world go by.
- More than one service user said that the ensuite bathrooms at Lord Hardy Court were unsuitable due to slippery, tiled floors. One resident said there is only one bath at Lord Hardy Court, and it is not useable.



Responses to specific questions

- 8 residents knew they were living at Lord Hardy Court
- 3 residents knew why they had moved from Parkhill Lodge
- 7 relatives also shared their views with the Advocates

What the residents told us they like about Lord Hardy Court?

- I like to have a shower
- The food is nice
- The people who look after me are nice
- The bedrooms are nice, I have a good view and can see the squirrels
- I enjoy washing the pots
- The lounge is okay, but I prefer the lounges at Parkhill Lodge
- I like it at Lord Hardy Court and want to live here

- I like living at Lord Hardy Court, I like the staff, food, garden and the bed
- I like the food, the staff, the shower and the nice colour of my bedroom
- I like living here, it feels like I am on my holidays
- I like it here better than Parkhill Lodge
- It is easier to get in and out of the shower
- I like to go into the garden in the wheelchair
- I like the garden and the food
- It's alright here

What the residents told us they don't like about Lord Hardy Court?

- Do not get to go out very often
- The building need decorating
- The balconies need repairing
- I don't like the wallpaper
- I don't like the balcony it is dangerous
- I feel sad living at Lord Hardy Court
- I miss the staff at Parkhill and miss having a bath
- I don't like my room although the bathroom is nice
- One resident kept stating he does not like it at Lord Hardy Court but no reason for not liking it just that he wants to return to Maltby.
- The outside wood is a mess and needs more paint
- I don't like it and want to go back home, my mood is very low
- My mood is low, and I am anxious

What the residents told us they like about Parkhill Lodge?

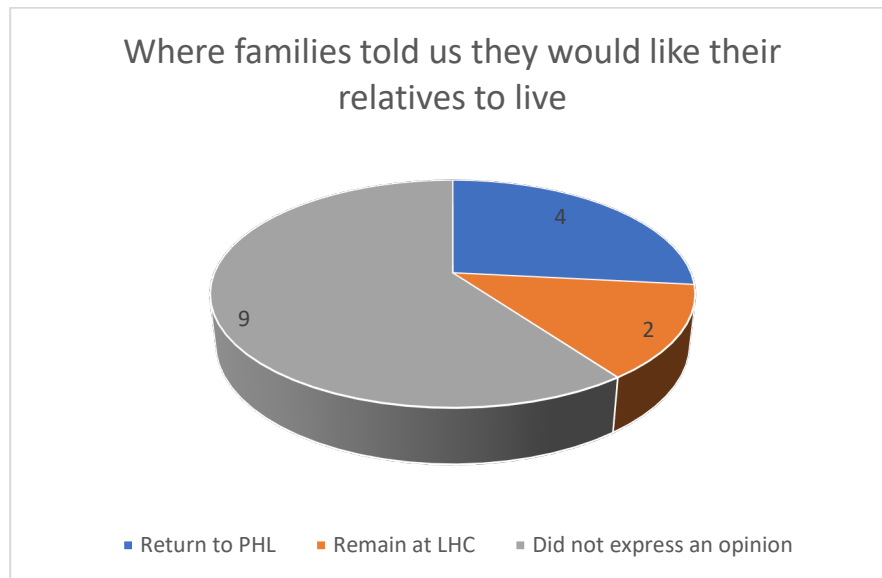
- Having a bath
- Spending time in the upstairs lounge
- It's my home and I miss it
- I like to walk between the lounges
- Being out and about in the community and going to the cinema
- I like to walk to the shops
- I miss Maltby
- Parkhill is a nice place, and it makes me happy
- Parkhill Lodge is okay, the bedrooms are okay
- I like the food

Residents did not tell us anything they disliked about Parkhill Lodge.

Although the residents were moved at very short notice, overall, they adjusted well and adapted to their new surroundings. They very much felt they were going on holiday. Unfortunately, the move did take place during the height of the Pandemic restrictions and life at Lord Hardy Court is partly judged against those restrictions and subsequent impact on the individual's activities. This would have been the situation at Parkhill as well. There is plenty of communal space at Lord Hardy Court and more opportunity to undertake activities indoors as required, such as pool and darts. The residents have

benefitted from the larger bedrooms where there is more space for personal belongings and opportunity to create a more attractive personal space. The ensuite facilities have enabled greater dignity with personal care and privacy. Section 2.7 contains details of how the service has responded to meet areas of concern and the options appraisal in section 3 clearly illustrates the benefits of the proposal.

2.6 Outcome of the consultation with families



As part of the consultation a meeting was held on 20th September 2021, by the Assistant Director for Adult Care and Integration and Head of Provider services with families. The families raised a number of key points. These were confirmed in writing to those who attended to ensure people agreed the outcome of the meeting that would be included within the consultation report.

It should be noted that family representation was in respect of 33% of the residents as many residents do not have close relatives.

Individual consultation feedback was given by 4 relatives (3 of whom also attended the above meeting). This is a representation of 26% of the residents.

Feedback was both in relation to the proposals, but also about wider issues relating to both the Lord Hardy Court building and the Parkhill Lodge building.

Relative's feedback relating to the proposals within the Cabinet report:

- 1 Relatives understood why residents were initially moved to Lord Hardy Court
- 2 Parkhill Lodge – There are more separate communal areas, friendly, happy environment and atmosphere, this is home where people have

lived for many years. The bedrooms are smaller and do not have any ensuite facilities, but this is what the residents are used to. Parkhill lodge does have its limitations, but it is home to the residents. Parkhill Lodge is in need of some repairs and relatives accept there is work to be done to the building to make it safe.

- 3 Lord Hardy Court - the bedrooms are more spacious, and all have ensuite facilities which is a good thing, and the standards are very good. There is also a lift. However, there is less space and a lack of windows/natural light. Relatives thought the layout/design of the building is not ideal for people with a learning disability.
- 4 Some relatives told us that Lord Hardy Court is a safer environment for the residents to live in at the current time others believe that residents are more at risk of Covid at Lord Hardy Court than Parkhill Lodge
- 5 Relatives feel that the majority of residents would prefer to return to Parkhill Lodge as it is their home. Some residents are happy staying at Lord Hardy Court but only if their friends are there with them.
- 6 Less activities were taking place at Lord Hardy Court; however, it was acknowledged that some of this was due to the Covid pandemic.
- 7 Relatives agree that a new facility would better meet residents needs in the longer term, however, do not wish for them to remain at Lord Hardy Court in the interim and would prefer for them to return back to their home at Parkhill Lodge.

Relatives are concerned about the health and wellbeing impact of residents not being in their own home (Parkhill Lodge). Residents are familiar with the Maltby area.

- 8 Relatives feel that Parkhill Lodge staff are not happy being at Lord Hardy Court resulting in some leaving and therefore residents losing some of the people they trust and who know them really well. Relatives believe that staff at Lord Hardy Court are more experienced with working with dementia rather than learning disabilities.
- 9 Parkhill Lodge building has been in need of repair for a number of years, not just now, relatives feel that the council is using Covid as an excuse and question why the repairs were not carried out previously.
- 10 The Council does need to invest money into new modern services, but these should be for new people needing support, and the Council should make sure that current residents can remain at Parkhill Lodge as it is their home.
- 11 Supported living schemes need to be promoted for younger people coming onto service.

2.7 **Feedback relating to wider issues**

What relatives told us	Actions taken by the Council
Some relatives would like further confirmation of the visiting arrangements at the Lord Hardy Court building – both for visits in and out of the premises	Regular communications have been sent to all relatives across provider services each time there has been a change in government guidelines, and we have been in a position to update our approach to both visits in and out of care homes. The latest version is being resent to the relatives of Parkhill Lodge residents
Happy with the care received and the staff are very good	Positive feedback given to staff Staff across both services are skilled, dedicated and committed and always have the resident's wellbeing, safety and best interests at heart.
Staffing levels did not seem sufficient	We always operate at safe staffing levels in accordance with Care Quality Commission guidelines and compliance. We do have some current vacancies and are in the process of recruitment.
There is a lack of natural light in the communal area (atrium)	Unfortunately, the design of the building is that the communal area is in the centre of the unit and as such there is a lack of natural light. Residents do not have to remain in this area and have the use of a sunlounge, the ballroom area and the café area at the front of the building, all of which have windows and natural light. However, the residents are choosing not to use these areas, but this is being continually encouraged.
One resident has suffered 2 falls whilst at Lord Hardy Court	Both of these unfortunate incidents occurred during the period when the residents were becoming familiar with the new surroundings. The incidents were fully investigated, and action plans put in place to ensure the resident did not suffer any further falls.
Lack of activities at Lord Hardy Court	Residents have now returned to day services as part of phase 2 of the Covid safe reopening of such services. Residents are also in the process of transferring from Addison to their new support providers within the community. The staff at Parkhill Lodge support with activities, however, to enhance this, staff from day services have also been visiting to provide activity support and we are in the process of including 2 support workers specifically to

	<p>support with activities across our care homes within Provider Services.</p> <p>If a decision is reached for the residents to remain at Lord Hardy Court, the pool table and football table will be relocated from Parkhill Lodge to the sunroom at Lord Hardy Court.</p>
Difficulties reaching the Parkhill Lodge service by telephone	The manager at Lord Hardy Court has written to relatives providing details of all contact telephone numbers for the service and how to use the intercom in reception if visiting out of office hours. The unit has a landline but also a mobile phone is carried by the senior worker on shift at all times.
The balconies at Lord Hardy Court are in need of maintenance	Maintenance of the balconies has been included within the council's programme of works for 2021/22
Residents do not know the area that Lord Hardy Court is situated in	As with the wider population, external activities and outings have been restricted due to the Covid Pandemic. However, following the easing of restrictions residents are now able to participate more in external activities. This means that residents can start to get out and about in the local community to become familiar and benefit from the local amenities and resources available
Staff at Lord Hardy Court are not experienced working with people with a learning disability	Residents are cared for by the existing staff from the Parkhill Lodge service. Staff employed at Lord Hardy Court are only providing support related to any staffing issues due to sickness and holidays etc. All staff have completed a robust mandatory training programme and are well thought of experienced carers.
Lord Hardy Court is a larger building than Parkhill Lodge with more people, therefore this is more of a Covid risk	Lord Hardy Court is much larger than the Parkhill Lodge building, however its design is made up of 4 separate and independent units. Therefore, each unit only has the footfall relevant to that particular service.
Residents do not have access to the outdoors at Lord Hardy Court	Residents have direct access to the outdoors via a door on the unit. This garden area is very pleasant with seating and a pergola. During the nice weather residents have been using this area.

2.8 Points to be noted regarding the content included within the consultation report

As some responses included specific personal information this cannot be included within this report as the rights of individuals must be protected.

The consultation has prompted some relatives to raise issues of an operational nature. All relevant issues have been included within our cycle of continuous improvement and are integral within our business planning.

The options within this report have also been taken into account alongside the consultation findings, the impact of Covid-19 and the building challenges as detailed in 2.9 and 2.10 below.

2.9 Impact of Covid-19

Covid-19 has presented challenges to residents in that the layout and facilities of the Parkhill Building prevents the necessary preventative infection measures from being fully effective. This is partly due to small bedrooms and shared toilet and bathroom facilities. Following an outbreak of Covid-19 in October 2020, all seventeen residents were temporarily moved to Lord Hardy Court a Council run residential care home in Rawmarsh. Following the initial move a more detailed infection control study was undertaken on the 25th February 2021. The key findings of the Infection Control report and aligned risk assessment are listed below:

- Lack of ventilation, particularly on corridors poses a high risk to limit and control the spread of infections.
- Due to the nature of the building and shared living spaces within the home the service cannot protect service users who have not been exposed to Covid 19 and any other airborne virus.
- People with learning disabilities may be at greater risk of infection because of other health conditions or routines and/or behaviors.
- The Parkhill building does not have any ensuite facilities. These would be strongly preferential due to infection control measures and to maintain personal dignity.
- Parkhill Lodge does not have the facilities to isolate residents who have tested Covid-19 positive. This is a key required component of the Government's four pillar approach to controlling the spread of infection.
- The current Parkhill Lodge staffing compliment would not be adequate to support the safe return of residents to the building and achieve effective infection control. Additional staffing resources would be required prior to residents returning. This includes, care assistants, night staff, cooks and domestics and totals 335 additional hours per week.

2.10 Building Challenges at Parkhill Lodge

- Outdated building design not built to current residential accommodation or accessibility standards. No lifts and shared bathroom facilities.
- Not offering a lifestyle attractive to younger adults, no one has moved into Parkhill Lodge for 5 years. Currently 6 vacancies.
- Very small bedrooms – limiting space for personal possessions

- Asbestos is present in the building. This limits safe and ready access for ongoing maintenance. Removing and replacing the asbestos would require temporary closure. Procurement to completion of removal could take 8 months.
- The Health and Safety Team has recommended that this is removed before the building is reoccupied.
- Removal of the Asbestos would cost circa £200,000
- Needs an estimated £189,000 to be spent on updating the heating system and replacing rotten timberwork.
- Concrete frame, structural walls and shallow floorplan severely limits the scope for extensive re-design work.
- NICE guidance - This guidance has always been set alongside other standards in health and social care - this includes NICE guidance (see link under Background papers) on the definition of 'small' services for autistic people with mental health conditions and/or behaviour that challenges. This states that residential care "should usually be provided in small, local community-based units (of no more than six people and with well-supported single person accommodation)".
- A 22-bed service model would not be deemed permissible under current CQC regulations as does not fit the national direction of smaller more personalised accommodation. CQC state that they register based on care that is person-centred, and promotes choice, inclusion, control, and independence.

3. Options considered and recommended proposal

The residents of the Parkhill Lodge Service are now residing at Lord Hardy Court and a decision is required on the continued service location. Options for consideration arising from the Consultation are listed below.

3.1 Option 1. Relocate back to Parkhill Lodge. However, the challenges with the building remain and if residents return to this location:

- Return would not be possible for approximately 12 months due to removal of asbestos and other remedial work.
- This presents major health and safety concerns due to requirements to mitigate the impact of Covid-19 being limited within the existing building.
- The building contains asbestos, has challenges with the heating system, design and contains only shared bathrooms.
- The model does not fit with current CQC regulations for new services
- The continued provision of residential care at Parkhill does not align with the vision for learning disability services.

3.2 Option 2. Parkhill Lodge building is closed, and the service continues to be provided at Lord Hardy Court on an interim basis. The Council commits to producing an options appraisal for investment, to deliver a new

accommodation with support offer and securing capital funding. All residents will be offered a reassessment of need if the decision is to remain at Lord Hardy Court.

This option would enable services to be delivered in a more Covid safe environment in safer and more appropriate building.

This option would require the Council to continue to support 16 people at Lord Hardy Court which it has the capacity to do.

The Parkhill staff team would continue to work at Lord Hardy Court, and they would need to be consulted with. The options appraisal will form an integral component of a new accommodation offer for people with Autism and Learning Disabilities.

The appraisal will consider a much wider range and choice of accommodation with support options to enhance modern living, promote inclusivity; independence and embrace integrated approaches described in the white paper *Integration and Innovation 'working together to improve health and social care'* February 2021.

It will take into account guidance published by the National Institute for Health and Care Excellence (NICE) and comply with the national plan (see link under Background Papers) developed jointly by NHS England (NHSE), the Local Government Association (LGA) and the Association of Director of Adult Social Services (ADASS)

The national direction endorsed by CQC and NICE is for the provision of 'small' services for autistic people with mental health conditions and/or behaviour that challenges. This advises residential care "should usually be provided in small, local community-based units (of no more than six people and with well-supported single person accommodation)".

Building on national models of good practice the strategy will be cross cutting inclusive of the following cohorts: learning disability, autism, mental health, physical disability and older people.

There is a well evidenced link between a person's living accommodation and the quality of their life, health and wellbeing.

3.3 Options Appraisal

Option 1 (Not Recommended)– Return to Parkhill Lodge	
Positives	Negatives
<ul style="list-style-type: none"> • This has been 'home' for many years, is familiar and a comfort zone • Some residents go out 	<ul style="list-style-type: none"> • Return not possible for at least 12 months • Lack of ventilation poses a high risk to infection prevention and control

<p>independently and are familiar with the local area</p> <ul style="list-style-type: none"> • Located nearer to where staff live • Residents feel safe 	<ul style="list-style-type: none"> • Building design and layout not suitable to manage/prevent spread of infection. • Very Small bedrooms • No ensuite facilities • Small communal areas • No facility to self- isolate/segregate in accordance with Govt four pillar approach, if an outbreak occurred likelihood that residents and staff would be required to leave the building and reside somewhere more suitable to stop the spread of the virus • Staffing levels not adequate to safely care for residents in a Covid safe manner within the building • Building improvements have been recommended prior to the building being reoccupied. This has both cost and time implications
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Option 2 – (Recommended Option) Parkhill Lodge remains closed, and the service continues to be provided at Lord Hardy Court on a temporary basis. The Council commits to an options appraisal for investment to deliver a new accommodation with support offer and securing capital funding.

Positives	Negatives
<ul style="list-style-type: none"> • The building is an infection prevention and control safe environment for both residents and staff • Residents feel safe • Three residents would prefer to remain at Lord Hardy Court • Ensuite and modern facilities to support personal hygiene • On site management support 5 days per week • Good ventilation • More spacious environment • Large communal spaces • Facilities for residents to self-isolate if required • Overall larger staff compliment to support Covid safe working practices. • Building better supports compliance with duty of care 	<ul style="list-style-type: none"> • Residents do not perceive Lord Hardy Court as 'home' • Main entrance has a security system which cannot be removed due to the safety of dementia clients who also reside at Lord Hardy Court. Parkhill Lodge residents are free to leave at any time but may need to ask for assistance with the keypad • Internal doors to and from dining area are heavy and some have keypads therefore it can take longer to move residents around the building

<p>obligations (care facilities and environment, safety and wellbeing) and aligns with the vision for Learning Disability Services.</p> <ul style="list-style-type: none"> • Enables the Council to more closely deliver the service according to some of the consultation feedback • Potential for new, purpose-built accommodation with support. • Potential to fully deliver a service that meets the Councils commitment to the Learning Disability transformation. • Potential to utilise this or other existing council sites 	
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4. Consultation on Proposal

4.1 The proposals within this report have all been consulted upon with those likely to be impacted, their families, and carers.

5. Timetable and Accountability for Implementing this Decision

5.1 As residents are currently based at Lord Hardy Court approval of the recommended option will not involve any further change.

5.2 A further 90 consultation will begin in May 2022 on a new accommodation with support offer and an options appraisal, would return to Cabinet in Nov 2022.

6. Financial and Procurement Advice and Implications

6.1 **Financial Implications** - There is sufficient budget for the continued provision of the Parkhill Service at Lord Hardy Court. The financial implications for options for the re-design and potential re-location of the service as part of a wider review of Learning Disability services will be subject to a future report.

6.2 **Procurement Implications** - There are no direct procurement implications arising from the recommendations detailed in this report.

7. Legal Advice and Implications

7.1 Process and Approach

The consultation has been targeted, and every person affected has been

given a specific pack setting out relevant information as to why the local authority states the building has had to close. Information has been given in an accessible format for each person such as 'easy read'.

The process has fully complied with The Gunning Principle which consists of four rules that are designed to make consultation fair and a worthwhile exercise:

- That consultation must be at a time when proposals are still at a formative stage.
- That the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response.
- That adequate time is given for consideration and response; and
- That the product of consultation is conscientiously taken into account when finalising the decision.

There are two further points of law that the Council has followed, and these are particularly relevant in the Parkhill Lodge consultation given that the customers using the service will have varying degrees of cognitive impairment as they will have a diagnosis of a Learning Disability or Autism: -

1. The degree of specificity with which the Council should conduct the consultation exercise may be influenced by the identity of those whom it is consulting; and
2. The demands of fairness are likely to be higher when an authority contemplates depriving someone of an existing benefit or advantage than when the claimant is a bare applicant for a future benefit.

7.2 Timings and Reporting

A 6-week consultation was implemented.

- This included the 16 Residents.
- Each resident was provided with an individual easy read pack and supported by an advocate to provide their response to this consultation exercise,
- Immediate family members were all provided with consultation documentation.
- 6 weeks enabled sufficient time to consider and respond to the documents provided.

7.3 Learning from the previous Consultation

This report ensures that due regard is given to the potential impact of the proposals under consideration upon those with protected characteristics. By utilising the services of Cloverleaf – we have sought to strengthen the rigor of the Consultation and fully take account of those with protected characteristics.

We have completed an Equality Analysis ("EA") as part of the overall

consultation process, and it is included in the final decision report. In addition, we are publishing the results of the exercise within 12 weeks of its completion.

7.4 Human Resources Advice and Implications

The staffing establishment supporting the current Learning Disability service model will need to be reviewed in line with the transformation of the service. As such, a robust consultation will need to commence with all affected employees as per Council policy on restructure and change management.

8. Implications for Children and Young People and Vulnerable Adults

8.1 The new delivery models for Learning Disability and Autism services that the Council is implementing, and the co-produced service specifications (including for Physical Disability services and Mental Ill-health), will improve the service offer for all the adult cohorts supported by the Council. The proposals contained within this report support positive steps to meet objectives in the Council Plan to develop alternatives to traditional care, maximize independence and stimulate the market requirement in terms of the Joint Health and Wellbeing Strategy (Priority 2 - Promoting independence and self-management and increasing independence of care for all people).

8.2 Young People who are in Rotherham's Preparing for Adulthood Cohort are in scope, though the impacts of the proposed changes will be for people aged 18 and over. The Strategic Preparing for Adulthood Planning Group will oversee the new delivery models, and this will ensure better outcomes for young people who have SEND, mental health, physical and complex needs.

9. Equalities and Human Rights Advice and Implications

The proposals in this report support the Council to comply with legal obligations encompassed in the:

- Human Rights Act (1998), to treat everyone equally with fairness dignity and respect with a focus on those who are disadvantaged as a result of disability and
- Equality Act (2010) to legally protect people from discrimination in the wider society.

The Equality Analysis provides further detail, though the primary focus of the proposal will be to support the organisations who provide services to people with Disabilities and Long-Term Conditions together with their Unpaid Carers as the services form part of the Council's statutory duties under the Care Act 2014.

10. Implications for CO2 Emissions and Climate Change

Nil – proposal is for a targeted consultation exercise.

11. Implications for Partners

The funding responsibilities for the 16 people remains with the Council and local health care agreements are in place with Primary Care for people who live at Lord Hardy Court.

12. Risks and Mitigation

Risk 1: The Consultation Exercise and recommendations in this paper are challenged on a range of criteria as not being compliant with best practice nor the law.

Mitigation 1: For officers to work with advocacy / inclusion specialists to support the design phase ensuring accessibility. Engagement with officers in legal and policy and performance to ensure the consultation exercise in compliant with the Equalities Act 2010 and applicable case law regarding consultation.

Risk 2: Customers, their families and carers are not supportive of any decision to remain at Lord Hardy Court.

Mitigation 2: A communication and engagement plan has been developed to cover this next period of service delivery, focusing on the principles of co-production and adhering to the requirements of the Care Act in offering a reassessment of need and ensuring residents social care needs are met.

13. Accountable Officers

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Ian Spicer, Assistant Director of Adult Care and Integration. Adult Care, Housing and Public Health. ian.spicer@rotherham.gov.uk

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	
Strategic Director of Finance and Customer Services (S.151 Officer)	Judith Badger	02/12/21
Assistant Director of Legal Services (Monitoring Officer)	Philip Horsfield	01/12/21

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