

KENT COUNTY COUNCIL – RECORD OF DECISION

DECISION TO BE TAKEN BY:

Graham Gibbens
Cabinet Member for Adult Social Care and Public Health

DECISION NO:

16/00007

For publication or exempt – please state

Key decision

The need to modernise services and to respond to changing demands

Subject: Closure of the Dorothy Lucy Centre, Maidstone

Decision: As Cabinet Member for Adult Social Care and Public Health, I agree

- a) to close the Dorothy Lucy Centre, Maidstone
- b) to re-provide elderly frail services (currently provided by the Dorothy Lucy Centre) through existing external provision
- c) to re-provide dementia day services (currently provided by the Dorothy Lucy Centre through a block contract
- d) to re-provide the short term beds (currently provided by the Dorothy Lucy Centre) in the independent sector
- e) that Dorothy Lucy Centre day provision continues to operate as is until at least March 2017, to allow time to complete a procurement exercise for a block contract and implement a transition plan
- f) that existing services will not close until alternative provision is available for the current service users
- g) to give consideration to leasing the Dorothy Lucy Centre day centre part of the building to an external provider as an interim measure if they are unable to secure a suitable venue within the procurement timetable, with the understanding that they identify an alternate venue within a given timeframe
- h) to delegate authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement this decision.

Reason(s) for decision:

The main drivers for the proposal to close the service are:

- People are living longer with more complex conditions and they rightly expect more choice in care.
- People wish to remain in their own homes with dignity and expect high quality care.
- Residential care should be in high quality buildings. Our older buildings have reached the end of their useful life.
- Good quality care can be commissioned for less money in the independent sector. Unit costs for in-house services are substantially higher.

Cabinet Committee recommendations and other consultation:

A recommendation report was presented to the Adult Social Care and Health Cabinet Committee on 14 January 2016. The Committee resolved that further work be undertaken and a formal proposal brought to the next meeting of the Committee.

The proposed decision was discussed at the Adult Social Care and Health Cabinet Committee Meeting on 10 March 2016.

Mr B E Clark, County Council Member for Maidstone South, was present for this item, and Ms C Holden, Head of Commissioning for Accommodation Solutions, was in attendance for this and the following item.

Mrs Marian Reader and Ms Anna Ralph were present at the invitation of the Cabinet Member, as they had been the lead petitioners in opposing the proposed closure.

1. The Chairman welcomed Mrs Reader and Ms Ralph to the meeting and explained that the role of the Cabinet Committee was to comment on and/or endorse the decision proposed to be taken by the Cabinet Member, which was set out in detail in the recommendation report.
2. The Chairman then asked Members if, in debating agenda items B1 and B2, they wished to refer to the information set out in the exempt appendices to these items, F1 to F3. Members confirmed that they did not wish to refer to this information and discussion of these items therefore took place in open session.
3. Ms Holden introduced the report and summarised the consultation process and the further work undertaken since then to identify need and alternative provision. It had not been possible to make a recommendation to the January meeting of the committee but a detailed proposal was now being presented for the committee's comment, prior to a formal decision being taken by the Cabinet Member. The proposal was that use of the Dorothy Lucy Centre for short-term respite care would end in August 2016 and for day services in March 2017.
4. Mrs Reader addressed the committee to represent the views of local people about the proposed closure and made the following points: alternative provision to be made should be local so that friends and family could visit easily; money could be raised to extend and upgrade the centre to provide more accommodation, particularly as the elderly population was increasing; it was short-sighted to close a popular facility at which many local people had received excellent care from dedicated staff; the centre's respite care was particularly helpful and popular; staff there lived locally and their families' livelihoods would be affected by the closure and subsequent loss of jobs; the day services were a lifeline for elderly people locally; the centre was irreplaceable for local people.
5. Ms Ralph then addressed the committee, supported many of the points made by Mrs Reader and added the following: the respite care given at the centre was a vital support to those caring for a relative 24 hours a day; the centre had been assessed by the Care Quality Commission in 2013 as being 'good', so the proposal to close it was questionable; people living with dementia did not cope well with change and it would be difficult for them to travel to access services provided elsewhere, hence day services provided elsewhere would not work for those currently using the Dorothy Lucy Centre; there were many families which would suffer through the proposed closure and some people did not have a family to support and fight for services for them; the Dorothy Lucy Centre could be given to someone other than the County Council to run.
6. Mr Clark referred to the points he had raised at the January meeting and added the following: the Dorothy Lucy Centre was very well regarded within the community; there was concern that there would be sufficient alternative provision for all current users to be able to transfer, especially those needing services for dementia, as there were not yet like-for-like services for all clients; day care services were proposed to remain open for one more year, until March 2017, so the whole centre could perhaps stay open for another year; to fragment the services now would make closure an inevitable choice in a year's time, if alternative provision of the remaining service was found not to be viable; the fact that the centre would stay open for a while longer was to be extended was welcomed, to allow the establishment of like-for-like services.

7. Members then made the following comments and asked questions, to which Ms Holden responded:

- a) concern had been expressed at the January meeting of the committee that the County Council was withdrawing from residential and day care provision at the Centre, and this concern was repeated. Moving all service provision to the private sector could compromise its long-term sustainability and the quality of care provided. Such a move was a retrograde step. Kent should instead retain a mixed economy of elderly care provision, with the County Council continuing to provide some services, alongside the private and voluntary sectors. Ms Holden explained that the County Council was currently to retain four of its centres as integrated care centres;
- b) a view was expressed that, to continue to keep open premises which had been assessed as 'substandard', was not what the County Council wanted to be seen to be doing. Instead, it should look to develop a long-term strategy for services for the elderly and those with dementia and how those services could be provided by different means. The challenge of providing services for these client groups was the same across the county, and making changes to service provision was never popular with those who used them. However, the proposed changes seemed to present a sensible way forward;
- c) the Dorothy Lucy Centre had been spared closure some years ago when other premises had been closed, but it seemed that there was still no solution in place. The report referred to things which 'could be' provided, but the certainty that these things would be provided and would be of suitable quality was questioned. A view was expressed that there was not currently sufficient capacity in the private sector in Kent to cover the needs of those with dementia, who found such uncertainty difficult and distressing;
- d) no good, sound reason had been given for closing the centre. Media coverage had highlighted cases of substandard elderly care provision around the country, yet a centre delivering good-quality care was to be closed; and
- e) provision of care to the elderly was inevitably an emotive subject, and the views of those campaigning to keep the centre open were understood. However, the County Council had a duty to look at care provision for the whole of Kent within the budget which was available, and to apply a strategic view to what was viable and what was not.

8. The Cabinet Member, Mr Gibbens, gave a commitment that, if the proposed decision to close the centre was indeed taken, no closure would happen until alternative care provision was established and operating to his satisfaction. This same commitment to continued provision had been established in the past when making changes in service provision, for example, of day services for people with learning disabilities, and was applied strictly in each case. Mr Gibbens emphasised that cost was not the main issue in the proposal. He acknowledged and said he appreciated Members' concerns about the closure of a service against a background of an ageing population and increasing levels of dementia. It was vital to plan now for services which would be needed in 20 years' time, and how those services could best be delivered, and put in place provision which supported this. For this purpose, the County Council had developed its Accommodation Strategy. Work on this strategy had highlighted a shortage both of extra care sheltered housing and nursing care beds and had shown that people had greater needs at the time that they entered such facilities. He assured the committee and the public that he would not allow the Dorothy Lucy Centre to close until he was satisfied that suitable alternative provision was in place. He thanked Mrs Reader, Ms Ralph and Mr Clark for attending to address the committee and said he understood the views they had presented. He assured them that he would not be taking a decision until later in March, and that he had not yet decided what decision this would be.

9. RESOLVED that:-

- a) the content of the report and the work undertaken to date be noted, and
- b) the decision proposed to be taken by the Cabinet Member for Adult Social Care and Public Health:
 - i) to close the Dorothy Lucy Centre, Maidstone;
 - ii) to re-provide elderly frail services (currently provided by the Dorothy Lucy Centre) through existing external provision;
 - iii) to re-provide dementia day services (currently provided by the Dorothy Lucy Centre) through a block contract;
 - iv) to re-provide the short-term beds (currently provided by the Dorothy Lucy Centre) in the independent sector;
 - v) that Dorothy Lucy Centre day provision continue to operate as is until at least March 2017, to allow time to complete a procurement exercise for a block contract and implement a transition plan;
 - vi) that existing services not close until alternative provision is available for the current service users;
 - vii) to give consideration to leasing the day centre part of the building to an external provider as an interim measure if they are unable to secure a suitable venue within the procurement timetable, with the understanding that they identify an alternate venue within a given timeframe; and
 - viii) to delegate authority to the Corporate Director of Social Care, Health and Wellbeing, or other nominated officer, to undertake the necessary actions to implement this decision,

be endorsed.

Carried, 7 votes to 4.

Social Care Health and Wellbeing entered into formal consultation on the future of its registered care home at Dorothy Lucy Centre, Maidstone on 28 September 2015. The consultation ran for twelve weeks to 20 December 2015 and followed the agreed protocol on proposals affecting its service provision. On 28 September 2015, SCHW officers met with members of staff, service users and their relatives, trades unions and other key stakeholders to discuss the proposals.

A breakdown of the responses by type and organisation is included in the table below:

Consultation responses from	No. of Emails	No. of Letters	No. of Phone calls	No. online responses	No. complaints	No. petitions	No alternative proposals
Relatives	7	7	3	37	3		
Staff				7			
Wider Public		10	4	76		1	
MPs/ Councillors	2	2		1			
Organisations		2	3	7			2
West Kent CCG	1	1					

Total Number of Responses	10	22	10	128	3	1	2
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Any alternatives considered:

During the consultation, there was interest from two providers who are looking to purchase the vacant site and build or refurbish facilities to continue to deliver residential care services for different client groups which would require closure of the existing service.

At the present time, KCC does not struggle to find residential care services for those with General Frailty needs in the Maidstone district, hence the proposal to close the Dorothy Lucy Centre. Kent has developed an Accommodation Strategy which confirms the future need for residential services across Kent and in relation to services in Maidstone there may be a future need to develop different residential services such as dementia care. We know that for standard residential care for the future general frailty population, their needs can be met in Extra Care Housing and there is more likely to be a need for dementia care or nursing provision, neither of which could be accommodated in the existing Dorothy Lucy Centre service.

Any interest declared when the decision was taken and any dispensation granted by the Proper Officer:



signed

24. MARCH 2016

date

