

**By:** Graham Gibbens, Cabinet Member for Adult Social Care and Public Health  
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**To:** Adult Social Care and Health Cabinet Committee – 14 January 2016

**Subject:** **OUTCOME OF THE FORMAL CONSULTATION ON THE CLOSURE OF KILN COURT**

**Decision Number:**

**Classification:** Unrestricted (Appendix is exempt)

**Previous Pathway of Paper:** Social Care, Health and Wellbeing DMT – 6 January 2016

**Future Pathway of Paper:** Adult Social Care and Health Cabinet Committee – 10 March 2016

**Electoral Division:** Faversham

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**Summary:** This report considers the outcome of a period of public consultation that took place from 28 September - 20 December 2015 proposing the closure of the registered care home, Kiln Court, Faversham.

**Recommendations** The Adult Social Care and Health Cabinet Committee is asked to:

a) **CONSIDER** the content of the report and the work undertaken to date, and

b) **NOTE** that further work will be undertaken (as detailed in section 5.4 of the report) and a report seeking a formal Cabinet Member decision will be presented to this Committee in March 2016.

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## 1. Background

- 1.1 Kent County Council (KCC) is transforming the way older people are supported and cared for in the County.
- 1.2 KCC Social Care, Health and Wellbeing (SCHW) entered into formal consultation on the future of four of its registered care homes at Kiln Court, Faversham, the Dorothy Lucy Centre, Maidstone, Blackburn Lodge, Sheerness and Wayfarers in Sandwich 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. This report relates to the Kiln Court Care Home in Faversham.
- 1.3 The proposal for Kiln Court is to close the service and purchase services in the independent sector to provide alternative accommodation. It is expected that this could be achieved by the end of August 2016.

1.4 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.

1.5 This proposal was anticipated to generate net savings of £500,000 in 2016/17 however this will be reduced depending on the timescales that the alternative services can be achieved.

1.6 Kiln Court is a detached 29 bed unit built in 1988. It offers residential care, short term rehabilitation, assessment and respite care and has a dementia wing with 8 beds. It is freehold and has no known restrictive covenants. It was purpose built in a residential area in Lower Road, Ospringe, Faversham. The building would not meet the national minimum standards of the Care Standards Act 2000 as regulated by the Care Quality Commission if it were to be built today. There is, however, protection against these standards being applied for as long as significant structural improvements are not required. The building may, very soon because of its age, require considerable investment to maintain services and meet future needs and expectations.

1.7 Kiln Court is fully compliant with all Regulations following an unannounced inspection by the Care Quality Commission (CQC) on 17 September 2013.

1.8 Kiln Court is surrounded by a considerable amount of KCC owned land.

1.9 The unit cost (gross) based on 100% occupancy (29 beds) for one bed is £652.98 per week. The annual gross expenditure for 2014/15 was £984,700.

1.10 As at 13 December 2015, there were two permanent residents and eight short term (respite) residents in Kiln Court. In 2014/15, the building was operating at 64% of its residential capacity making the unit cost approximately £949 per week. For the period April to November 2015, the occupancy rate was 71% adjusting the unit cost to approximately £877 per week.

1.11 The maximum charge for individuals accessing the beds in the units is currently capped at £463.07 per week. Everyone that accesses residential and respite services is financially assessed for a contribution towards their care in line with the Care Act (Care and Support Charging and Assessment of Resources) Regulations 2014. This means that individuals who have savings of more than £23,250 are charged £463.07 per week and anyone with less than £23,250 is assessed against their means to determine their level of payment .

1.12 SCHW has a guide price for the independent sector and can buy services in the Swale District for £352.18 per week for standard residential care and £440.30 for services for people with dementia. Provisional guide prices have been agreed from April 2016 (not including the impact of the National Living Wage) of £367.99 for Residential and £448.72 for Dementia Residential respectively). Recent

vacancy data suggests that, dependent on the individual's choice, there should be sufficient alternative supply, at a cost of around £407 per week for Respite care and £426 per week for Dementia care.

## 2. Consultation Process

2.1 The County Council has a duty to undertake formal consultation on any proposed changes to services. The procedure for consultation on modernisation/variation or closure of establishments in SCHW was followed as set out below:

<b>Process</b>	<b>Date Action Completed</b>
Obtain agreement from members of the Adult Social Care and Health Cabinet Committee to formally consult on the proposals for each of the care homes.	11 September 2015
Cabinet Member for Adult Social Care and Public Health to chair a meeting to discuss the proposals The Chairman of the Cabinet Committee Vice Chairman Opposition spokesman Local KCC member(s) District members Lead Director in Social Care Assistant Directors Area Personnel Manager/HR Business Partner	11 September 2015 11 September 2015 2 & 10 September 2015 2 September 2015 Letter sent 22 September 2015 2 September 2015 11 September 2015 2 September 2015
Stakeholders informed in writing and invited to comment: - Users, relatives and carers  Head of Service Staff  Trades Unions Local KCC member(s) District Council Parish/Town Council Relevant NHS bodies Any other relevant person or organisation and the Local MP Healthwatch Kent Patient and Public Participation Group (PPG)	Letter sent 21 September; meeting 28 September 2 September 2015 Letter sent 21 September; meeting 28 September 22 September 2015 22 September 2015 22 September 2015 30 September 2015 22 September 2015  22 September 2015 30 September 2015 30 September 2015
Media Communication- press release	23 September 2015
Consultation Period	28 September 2015 to 20 December 2015
Stakeholder events :	
Faversham Town Council Swale Local Engagement Forum Faversham Health Matters Kent CAN newsletter	16 November 2015- Presentation 1 December 2015- Presentation 2 December 2015- Presentation 12 October 2015 and subsequent circulation
MP meeting and tour of Kiln Court	13 November 2015

Recommendation reports presented to Adult Social Care and Public Health Cabinet Committee for discussion	14 January 2016
Key decision taken by Cabinet Member for Adult Social Care and Public Health	Week commencing 18 January 2016
Instigate any change programme	From February 2016

2.2 The 12 week consultation period for the future of in-house provision concluded on 20 December 2015. Residents, carers, staff, unions and relevant bodies have been involved with meetings and their views have been considered.

2.3 The consultation concerning Kiln Court received a total of 136 responses. A summary table by type of response and organisation is included below. A number of letters were copied to the local MP, local councillor, Cabinet Member and Leader, and officers within KCC. Each letter was responded to either by a standard acknowledgement or a more detailed letter responding to any queries or inaccuracies in their statements.

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

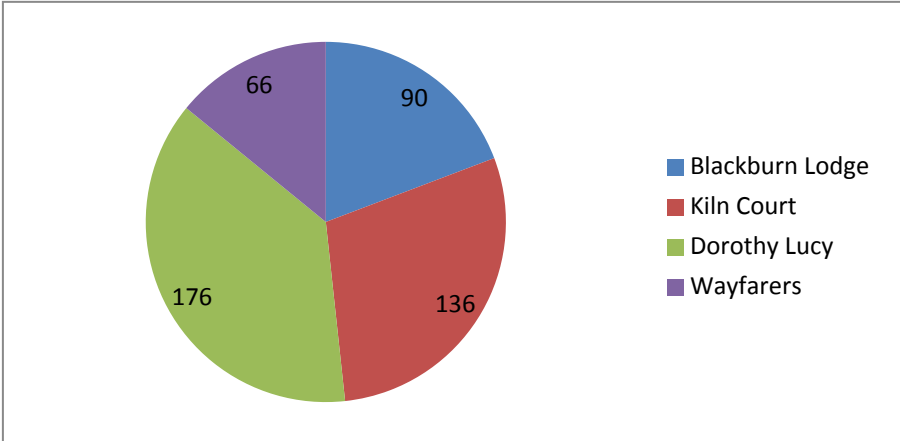
Consultation responses from	No. of Emails	No. Letters	No. Phone calls	No. online responses	No. complaints	No. Petitions	No. FOI	No. alternative proposals
Relatives	15	10	12	11	5			
Staff				3				
Wider Public				60				
MP/ KCC Member	3	2	3					
Organisations	2	1		3		1	1	3
Swale CCG								
Total Number of Responses	20	13	15	77	5	1	1	3

2.5 Three petitions were received against the proposal to close Kiln Court; one from Unison Kent Branch, one from the Faversham Labour Party and one from Faversham Health Matters. The responses have been calculated and a total of 1664 'signatures' were recorded across the various petitions which were titled:

*"we the undersigned believe that the following should happen; (1) That Kiln Court should not be closed and that proper investment should be made to update the facility and expand the number of beds available and (2) If KCC no longer wish to use to run the services then discussions should be held with other potential providers, including the community and voluntary sector".*

2.5.1 The KCC Petition Scheme requires 2,500 signatories to warrant a further discussion at Cabinet Committee. KCC's petition scheme policy requires that all paper petitions require name, address and signature to be considered valid. Unfortunately, of these petitions, one did not record addresses and the others did not include signatures making them invalid. However, due to the obvious local concern to the proposals, this is significant to the consultation.

- 2.6 All public consultation documents were uploaded onto the KCC Consultations webpage and a dedicated email address created to manage responses.
- 2.7 The overall consultation received 468 communications from a variety of sources and the responses can be summarised as follows



2.8 The Trustees of the Bensted’s Charity have made an enquiry regarding the transfer of the land that Kiln Court is built upon. This is being responded to by KCC’s legal and property departments.

**3. Issues raised during the consultation**

3.1 The following issues were raised during the consultation relating to Kiln Court:

<b>Response Themes</b>	<b>No responses</b>	<b>% responses</b>
<b>Lack of alternative provision</b>	30	34
<b>Alternative options need exploring</b>	11	13
<b>Motivation for closure and change</b>	6	7
<b>Quality of existing provision</b>	11	13
<b>Quality of alternative provision</b>	11	13
<b>Loss of staff expertise</b>	8	9
<b>Reduction in provision and impact on the wider health and social care system</b>	11	13
<b>Totals</b>	<b>88</b>	<b>100</b>

*Note: Number of responses adds up to more than the numbers of respondents as multiple issues were raised in some cases as part of a single response.*

3.1.1 Councillor Tom Gates joined the Adult Social Care and Public Health Cabinet Committee meeting on 3 December 2015 to discuss the local concerns on the proposal.

## **3.2 Residents/Relatives/Stakeholders Feedback**

**3.2.1 Lack of alternative accommodation to meet individual's needs. Respite care is a vital service and friendships have been made. There is a need for families/carers to be able to book planned respite for their relatives and if Kiln Court was closed there would not be any alternative provision available in the local area.** SCHW recognises that planned and emergency respite care is a very important service to individuals and to carers and remains an important part of future commissioning. KCC's policy is to offer in-house services for short term provision to maximise the use of the homes. The low utilisation is not a reflection of policy or guidance, more that there is either little need for the home in that location, people choose not to go there and access respite provision elsewhere or individual's needs are too complex to be managed safely at Kiln Court.

3.2.2A needs analysis has been undertaken during the consultation period which has determined that there would be an on-going need for eight short term respite beds to replace those available at Kiln Court should the service be closed in 2016. However, as 19% of those admitted to Kiln Court during April-October 2015 come from the Faversham area, the total beds to be re-commissioned in Faversham would be four beds. This can be broken down as two beds for planned/emergency respite, and two to for Dementia care (permanent). A breakdown of the bed requirements KCC undertook a tender exercise for older persons care home provision which concluded on 18 December 2015. This was for long and short term care with a proviso that further, more detailed, work would be needed to determine the terms and conditions of the short term bed service. One care home tendered in Faversham for long term care with intelligence received that more will tender once the opportunity re-opens in April 2016. This does not restrict the capacity of care home provision to the local authority as individuals exercise Choice of their accommodation where KCC would spot purchase. No homes in Faversham responded to the tender for short term care. A full list of the homes that did tender is detailed in the appendix which is exempt as commercially sensitive and as the tenders have yet to be evaluated following the tender submission.

3.2.3 KCC proposes to secure four short term beds in one home in Faversham which will be for mixed use. KCC will undertake a specific tender to secure these beds with terms and conditions specific to the service and the home will need to agree that external inputs in the form of the intermediate care team will support the individuals assessed at needing additional physiotherapy support.

3.2.4 For those who access Kiln Court that do not come from Faversham, provision will be secured as follows:

<b>2015-16</b>	<b>% of admissions</b>	<b>No. Respite Beds required</b>	<b>No. OP respite beds available through the tender</b>
<b>Canterbury</b>	20	2	6
<b>Whitstable</b>	7	1	6
<b>Herne Bay</b>	14	1	6
<b>Isle of Sheppey</b>	8	0	0
<b>Sittingbourne</b>	24	2	4
<b>Maidstone</b>	5	1	30

- 3.2.5 The table above shows that alternative provision for Respite care can be secured via a block contract with independent providers who have tendered for a contract in all areas with the exception of the Isle of Sheppey. The use of Blackburn Lodge for any individuals requiring respite from the Isle of Sheppey will be promoted.
- 3.2.6 KCC is aware of the imminent closure of one of the care homes in Faversham and has taken this into account when undertaking the needs analysis to inform the future commissioning of care for Older People in the local area.
- 3.3 **Alternative options need exploring before closure.** KCC has set out seven options that have been examined by Officers and shared with Members prior to the consultation period. Views were expressed that KCC should examine some of these options in more depth prior to taking any decision on closure.
- 3.3.1 One of the biggest areas of feedback was to refurbish Kiln Court under a minor refurbishment programme. There has been a suggestion that to have en-suite facilities could mean that every third bedroom could be converted into two wet rooms. This would mean that a 29 bed unit would become a 20 bed unit and would become more financially unviable. There is evidence in the Accommodation Strategy that shows economies of scale are achieved at 50+ units and the average size of a care home de-registering is 28 units over an 18 month period. This causes concern and the independent sector is being closely monitored, however, over time there will need to be a reduction of general frailty beds (of which Kiln Court has 21). Furthermore, it is estimated that this could cost £1.4 million which would not prolong the future of the home under financial sustainability strategies.
- 3.3.2 If the home was to be refurbished without the need for major works, it is likely that parts of the building would need to be closed temporarily to undertake the work.
- 3.3.3 If the home were to be extended, this would cost in the region of £3m to accommodate 50 beds with en-suite provision (this is based on a 40 bed care home built to modern day standards by KCC in 2008 costing £8m). This is also likely to be very disruptive for individuals using the service.
- 3.4 **Quality of Existing Provision. Compared to other homes, Kiln Court provides a good level of care and activities and this is due to the dedication of the staff.** The proposal to close the service is in no way a reflection on the quality of the care provided at Kiln Court or on our staff. Activities are delivered in other care homes. KCC monitors the quality of the independent sector along with the Care Quality Commission.
- 3.5 **Quality of alternative provision in the independent sector. It is essential that the current level of care is not diminished and that residents continue to enjoy the same quality of life, dignity and remain happy.** Individuals will receive the same level of care in the independent sector to maintain their quality of life, dignity and to engage in activities that suit them. Analysis of the service utilisation shows that the vast majority of people that use Kiln Court do so only once. The table below shows how frequently people have used the service. All older people expect dignity and respect from their services and this is a very strong part of the CQC inspection regime as well as the KCC contract monitoring. The media do paint a poor picture of care home provision and this does distort the view of the independent sector. KCC services are not without issue with quality and safeguarding issues arising as well and are addressed when they arise. However, people who use Kiln Court regularly for planned respite will be reviewed so that they have a choice in their future service provision.

	<b>Total admissions</b>	<b>Of which readmissions</b>	<b>%</b>
2012-13	220	28	13%
2013-14	193	26	13%
2014-15	208	30	14%
2015-16	126	17	13%

- 3.6 **The quality of buildings and the need for en-suite bathrooms should not overshadow the criteria for a happy life.** It is recognised that people who are accessing the services at Kiln Court would prefer that the building and services were to remain as they are, rather than have access to en-suite facilities. However, in time, that will become a minimum expectation for individuals and it is incumbent on SCHW that services meet future need and expectation. KCC currently contracts with 66% of the care home market and over 50% of beds have en-suite facilities showing that the homes themselves are responding to the future needs and expectations of individuals that will require care.
- 3.7 **Motivation for closure and change.** KCC has been transparent on the reasons for the consultation which do include value for money and the need for capital investment in Kiln Court to ensure that it is fit for future. KCC does not have capital money to invest in this building. At this moment in time, Kiln Court is running at 71% utilisation which results in the service being very expensive to run in comparison to the cost of care placements within alternative care homes in the local area.
- 3.7.1 Through 2014/15, KCC purchased beds in the Faversham area at approximately £407 for general frailty and £426 for dementia services.
- 3.8 **Loss of staff expertise.** There are concerns that if Kiln Court closes, KCC will lose any ability to fulfil its obligation under the Care Act 2014 to be the 'provider of last resort'. Staff will be offered training and redeployment opportunities both within KCC and in other caring roles. Should Kiln Court close, KCC will retain 248 beds within the four integrated care centres that are operated with our health partners.
- 3.9 **Reduction in overall provision and impact on the wider health and social care system.** Reference was made in many responses to the increasing Delayed Transfers of Care (DTOC) or 'bed blocking' within hospitals and the concern expressed that closure may exacerbate the situation. When examining recent data, the reasons for DTOC are predominantly due to the lack of a community nursing bed which Kiln Court is unable to provide as it does not offer nursing care.
- 3.9.1 In recent weeks, KCC has been made aware of a care home in Faversham that was due to be sold as a going concern. The provider has since given notice on the closure of the home and is looking to close on 22 January 2016. This will create pressure in the Faversham area until the future of the home is determined as there is every chance it could be sold and open up following refurbishment.
- 3.10 **Lack of information provided on where the alternative services may be, what will happen to the site.** A lot of the feedback received was regarding the lack of concrete information should the closure take place. It was explained throughout that this is a period of consultation and any in-depth work at the time of consultation could be interpreted that a decision had been taken. The ongoing



assurance was provided that alternative provision would be local and would meet quality standards. Due to the formal tender, the contracts would not be awarded until February 2016. However, as there was no response to the general tender, a specific tender could be undertaken to secure four beds in the Faversham area to account for the people that use the service from the local area.

- 3.10.1 For those that use Kiln Court but are not local, provided separately at Appendix 2 is a list of homes that tendered (which is commercially sensitive).

<b>2015-16</b>	<b>% of admissions</b>	<b>No. Respite Beds required</b>	<b>No. OP respite beds available through the tender</b>
<b>Canterbury</b>	20	2	2
<b>Whitstable</b>	7	1	4
<b>Herne Bay</b>	14	1	2
<b>Isle of Sheppey</b>	8	0	0
<b>Sittingbourne</b>	24	2	2
<b>Maidstone</b>	5	1	10

- 3.10.2 Above shows the number of beds needed and type in each locality along with the number of beds secured through the tender. Whilst this does not include Faversham, the majority of people that use Kiln Court are not from the Faversham area therefore it is suggested that Kiln Court remains operating until the end of August 2016 whilst a specific tender takes place for Faversham to secure the four beds needed.

- 3.11 **Impact of closing Kiln Court on the health services.** Feedback was provided by the Canterbury and Coastal Clinical Commissioning Group (CCG). It confirmed that there is an East Kent wide piece of work underway regarding the future bed modelling requirements and requested that the decision should be delayed until the outcome of this is known, expected January 2016.

- 3.11.1 KCC is aware of the piece of work and that it should complement the Accommodation Strategy and should further detail the types of beds that could be commissioned or provided. KCC does not see that the long term future of Kiln Court would be materially impacted, however is keen to understand the early findings of the report prior to recommending the Cabinet Member to take the Key Decision.

- 3.11.2 The CCG further fed back that there was concern that a high number of referrals are made from Kiln Court to the Cottage Hospital and what the impact of a reduction of referrals would mean to the Cottage Hospital services. However, analysis of the use of the beds and previous work to use Kiln Court as an extension to the Cottage Hospital beds shows that there is little impact on the health economy of the closure of Kiln Court. The Adult Transformation Programme is also showing that there will be less reliance on short term care beds in the longer term as there is targeted decisions for people in hospital that allow them to move home safely with appropriate community nursing support or enablement service.

### **3.12 Staff Feedback**

- 3.12.1 **What will happen if a decision is made to close the service in January 2016 – will staff be clear on their final date of employment with KCC?** HR staff will be engaging directly, collectively and individually, about what will happen to the

staff and how we maintain a service through to any planned closure. This will include confirming the planned closure date for Kiln Court.

**3.12.2 Would alternative proposals put together by a staff group be considered seriously?** Yes any alternative proposal submitted by the deadline on 20 December 2015 will be considered. No alternative proposal from a staff group was received.

**3.12.3 What jobs would be available for staff looking at redeployment?** This will be known nearer the time, in the past jobs have been frozen so a bank is built up for staff looking at redeployment. There is also the opportunity to look at options in other services. For example, one member of staff from Doubleday Lodge in Sittingbourne that closed in 2014 moved to be a Shared Lives host; and another to extra care housing and is now applying for a management position.

**3.12.4 Will redundancy be an option if the decision is made to close Kiln Court?** Calculations for redundancy payments are based on length of continuous service, age and salary. Salaries are based on contractual hours, and contractual enhancements. If the decision is taken to close, and staff are not redeployed to an alternative position, then redundancy is the final position. During any formal staff consultation, 1:1 sessions are available to staff.

#### **4. Future Service Delivery**

4.1 Kent has launched its Accommodation Strategy which includes a detailed needs analysis to project the future demand for both permanent and short term building based care services across Kent. The Strategy identifies areas of under and over provision of care homes and other accommodation based services.

4.2 The data for Faversham shows that to 2021, there is a need to reduce the number of general frailty Residential beds by 63, to increase the number of Residential Dementia beds by 60, to increase the number of Nursing beds by 52 and to build 58 units of Extra Care Housing over the period.

4.3 SCHW recognises that the services provided at Kiln Court are important and would need to be re-provided at a relative scale to utilisation. Every individual currently receiving services at Kiln Court will have a review of their needs and be supported to find alternative services. Their families or representatives will be included in the review.

4.4 There are currently two permanent residents and eight short term (respite) residents at Kiln Court (as at 13 December 2015).

- **Permanent Residents:** The two permanent residents will be offered support by case management teams to identify alternative residential accommodation at local care homes in the Faversham area, unless their review shows that they would benefit by moving closer to their family. At this current time, KCC is aware that there are 600 care home beds within Swale, the vast majority of which are within homes that are fully compliant with CQC Regulations. Recent analysis shows that homes operate with a 10% void rate meaning that 60 beds are currently vacant. If there are homes that are non-compliant, KCC would not place in those homes. Individuals would have choice on where they would want to live.

- **Respite (short term) residents:** Data from Swift (KCC Case management systems) indicate that for the period April -November 2015, there have been a total of 71 short term (respite) placements in Kiln Court (an average of between 1-2 people per week). Most people have had one period of stay during this year (76%) and have stayed for between 1-3 weeks. On this basis, it is estimated that KCC would need to secure four short term beds within the Faversham area to replace the existing provision. Almost all (94%) of residents have been referred from either Swale or Canterbury case management teams.

As mentioned above, beds can be secured in Maidstone, Sittingbourne, Whitstable, Herne Bay and Canterbury at the numbers shown in the table. For Faversham, a targeted specific tender would be undertaken to secure the four short term beds. It is expected that a new service could start from 1 September 2016.

- 4.5 An outline planning application was submitted for Perry Court under reference number 15/504264 which includes a 60 bed care home (Class C2). This is currently awaiting that approval is provided. KCC has been in contact with the developer and supports the application. An operator has not been secured however KCC has suggested that nursing and dementia care would be needed on this site to include short term care.
- 4.6 Based on a detailed needs analysis completed in December 2015, the future commissioning requirements, would need to be for a total of 17 beds, broken down as eight for respite/ assessment beds, six dementia beds, two intermediate care beds and one community respite bed. The eight respite/assessment beds will be secured via block contracts with care home providers in the independent sector under the Dynamic Purchasing Service (DPS) framework contract in other areas of the County, with the exception of those required for the Faversham area which will be secured via a bespoke contract. The dementia beds will be secured via providers who have signed up to the Older Persons' DPS framework contract, the intermediate care beds will be secured by working with the NHS to re-provide these within their existing facilities and the community respite bed will be re-commissioned in the community with an alternative building identified for this service. Alternative permanent placements will be found for the two long term residents at Kiln Court within local care homes in Faversham through framework or individual (spot) contracts. The feedback from the CCG shows that there could be some capacity in the local Community Hospital as the closure of Kiln Court would impact on the number of referrals made to the Community Hospital.
- 4.7 Care Home providers have indicated that rather than tendering for long and short term provision now, they will wait until April 2016 once the Council confirms its position on the guide prices to take into account the National Living Wage implications. This is supported by a solicitor's letter on behalf of the Trade Association and therefore it is expected that a targeted tender for short term services would be successful.

## **5. Alternative Proposals**

- 5.1 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.

- 5.2 At the present time, KCC does not struggle to find general frailty residential care services in the Swale district, hence the proposal to close Kiln Court. As set out in paragraph 4.1 above, Kent has developed an Accommodation Strategy which confirms the future need for care home services across Kent and in relation to services in Faversham there will be a future need to develop different residential services which the planning application could meet. We know that for standard residential care for the 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 Kiln Court service. Extra care housing would be an alternative service to people who would, in future, need general frailty residential care and KCC are actively working with partners to secure this in Faversham along with other parts of the County.
- 5.3 KCC will continue to work closely with Canterbury and Coastal Clinical Commissioning Group (CCG) to take into account the findings of the bed modelling exercise expected to conclude in late January 2016. KCC has a duty to make the best use of resources and if there was a future proposal to use Kiln Court as a facility to support the health economy rather than selling the site off; KCC would undertake an options appraisal to evaluate how this would measure against any other options for use of the site. However, in the event that the CCG did have a requirement for a building to provide care in the Faversham area, it is likely that this would not involve the use of Kiln Court in its current guise.
- 5.4 KCC recommends at this stage that further discussions take place to explore and examine the early findings of the bed modelling report to consider whether the closure of Kiln Court would have a material impact. Because of this, it is proposed that the Key Decision by the Cabinet Member is taken in March 2016, following the additional work required which will be reported to the Adult Social Care and Public Health Cabinet Committee meeting in March 2016.
- 5.5 Should the ultimate decision be taken to close Kiln Court, SCHW would declare the site as surplus and KCC would consider the future of the site.

**6. Personnel implications**

6.1 Staffing information for Kiln Court as at 10 December 2015 is as follows:

Head Count	Total Contracts	Permanent Contracts	Temporary Contracts	Fixed Term Contracts	Full Time Contracts	Part Time Contracts	Relief Contracts	FTE
37	48	48	0	0	6	28	14	25.91
* Kiln Court's figures includes 2 staff (1.12 FTE) currently on Maternity Leave								

- 6.2 Issues raised by members of staff at the initial consultation meetings held on 28 September 2015 and subsequently during the 12 week consultation period related to redundancy and redeployment opportunities and HR support for staff in the event that a decision is made to close Kiln Court.
- 6.3 If the decision is taken to close the service, staff will be offered one to one meetings with a personnel officer and their union representative and the opportunity to receive skills training to enable them to either continue their employment within KCC or find suitable alternative employment. Redundancies, where possible, will be kept to a minimum.

6.4 Arrangements could be put in place to give members of staff an opportunity to apply for posts while continuing to support service users until the service has closed. Those who are not successfully redeployed within KCC will be offered support to secure alternative employment. The Redundancy and Redeployment Procedure will then be followed and people will be offered Priority Consideration status once they are at risk of redundancy in order to help them find work in KCC.

## 7. Financial Implications

7.1 Based on the cost of re-providing the services needed, the headline data for expected savings is as follows:

7.2 Cost of Re-provision

Type	No. of beds	Cost <sup>1</sup> (per week) £	Total cost (per week) £	Total cost (per annum) £
Respite	8	407	3,256	169,777
Dementia	6	426	2,556	133,277
Intermediate care	2	407	814	42,444
Community	1	426	426	22,213
	<b>17</b>		<b>7,052</b>	<b>367,711</b>

7.3 Taking into account the current forecast costs at Kiln Court for 2015/16 of £1.02m, this gives a potential full year effect saving of in the region of £650k if utilisation continues at current levels and if short-term care can be procured at or around average placement rates. However, with an expected revised timetable for closure of 1 September 2016, these savings would reduce to £400k for the 2016/17 financial year. From this, assuming one off redundancy costs of £162k and pension costs of £132k, means that the actual savings for 2016/17 would be £100k with further cost avoidance from building maintenance.

## 8. Equality Implications

8.1 A full Equality Impact Assessment has been completed and is available on request.

## 9. Legal Implications

9.1 The County Council has a statutory responsibility to accommodate people assessed as requiring residential care services. There is a duty to make sure all care home provision that the Council places residents in is safeguarding individuals and that effective contract management is in place.

## 10. Summary

10.1 Following the analysis of the consultation, the proposal would be to close the service at Kiln Court, Faversham over a longer period than was expected to make sure that alternative services can be secured in Faversham. This is pending the outcome of the discussions and additional work with the CCG regarding the early

<sup>1</sup> Based on average year to date 2015-16 placement price within independent sector settings in Canterbury & Swale

findings of the bed modelling exercise. It is further proposed that the Key Decision is taken by the Cabinet Member following the discussion at Cabinet Committee in March 2016.

10.2 An initial screening as part of the Equality Impact Assessment (EQIA) was undertaken prior to the consultation. This identified the need for a full Equality Impact Assessment to be undertaken on the proposal, which has now been completed. The assessment confirms that the proposals can be delivered in a way that adequately takes account of the individual needs of existing residents and of other service users.

10.3 The actions identified as an outcome of the full EQIA that will be completed are:

1. To undertake service user reviews ensuring that the needs of all residents with 'protected characteristics' are fully addressed in the process based on personalisation.
2. To implement the Commissioning Strategy to secure suitable alternative respite (short term) accommodation within the local area via a competitive tender process to secure best value and quality of care.

## 11. Recommendation(s)

11.1 The Adult Social Care and Health Cabinet Committee is asked to:

a) **CONSIDER** the content of the report and the work undertaken to date, and

b) **NOTE** that further work will be undertaken (as detailed in section 5.4 of the report) and a report seeking a formal Cabinet Member decision will be presented to this Committee in March 2016.

## 12. Background Documents

Government White Paper 'Caring for our Future- Reforming Care and Support'- July 2012

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/136422/White-Paper-Caring-for-our-future-reforming-care-and-support-PDF-1580K.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/136422/White-Paper-Caring-for-our-future-reforming-care-and-support-PDF-1580K.pdf)

Accommodation Strategy - [www.kent.gov.uk/accommodationstrategy](http://www.kent.gov.uk/accommodationstrategy)

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