

## OFFICER DECISION RECORD 1 FORM

This form should be used to record Officer Decisions in Excess of £100k (but below the key decision threshold), or where required by Financial, Contract or other Procedure Rules or following formal delegation from Cabinet or a Cabinet Member or a Council Committee.

**Decision Reference No: AHWB/015/2020**

**BOX 1**

**DIRECTORATE:** Adults Health & Wellbeing

**DATE:** 29<sup>th</sup> June 2020

**Contact Name:** Julia King

**Tel. No.:** 01302 767316

**Subject Matter: Extension of Residential Care Arrangements for 88 Travis Gardens**

**BOX 2****DECISION TAKEN**

To extend the residential care arrangements for 88 Travis Gardens beyond the current authorised period of 12 months, for a further period of 6 months pending the service being deregistered as a residential service and transformed into a Supported Living service. This extension will enable:

The completion of necessary development of 88 Travis Gardens into 2 x 3 bed accommodation units, re-providing for the 6 people currently residing there (subject to building regulations and financial approvals).

The appointment of a Registered Social Landlord (RSL) for 88 with 86 and 84 Travis Gardens (subject to final decision making and approval of plans and finance).

**BOX 3****REASON FOR THE DECISION**

88 Travis Gardens was due to deregister as a residential service on 30th June 2019 as part of the wider transformation of former RDaSH residential care into Supported Living Services for people with Learning Disability and Autism.

At the time, the Council was unable to appoint a RSL, which is a requirement of supported living, and was unable to progress development of the site to become supported living units.

Since June 2019, the Council has addressed several issues to enable progression of the planned transformation:

- Fire Risk Assessment of the property undertaken which identified that immediate works were required to address fire safety issues for residents and staff.
- Remedial works were undertaken (including replacement of circa 26 fire doors) which was signed off early March 2020.
- Annual best interest assessments for all residents were undertaken, considering increased risks, the need for remedial works and the wider development of the building.

It is necessary to take the outcome of the assessments into consideration as part of the decision making process on how to value the site and approach to its development.

Development of the Covid-19 crisis has caused delay to progressing the plans for Travis. During May and June 2020, stakeholders have regrouped to refresh plans to progress the development of the site.

The outcome of the review of the individuals' needs and best interest decisions confirmed that each resident should remain at 88 Travis Gardens, continuing to live with the existing group of people, and their best life will be at 88 Travis Gardens as a Supported Living Service. The identified risks have reduced due to the remedial works and support plans in place.

Further to this decision, site development plans are being refreshed, and Strategic Housing is now working to progress options to develop the site including:

- Reconfigure 88 Travis Gardens with some minor adaptations into 2 x 3bed accommodation units with a level of shared, communal space.
- Separate development and refurbishment of 84 and 86 Travis Gardens into a further seven quality accommodation units that will meet criteria for supported living.

A soft market test was undertaken in May 2020, which gained interest from several potential RSLs. Feedback from potential RSLs indicated a preferred option of the Council to utilising Council capital funds for the development and then lease to the appointed RSL at commercial value/market rent. There was also interest from RSLs to take on 88 Travis Gardens, with the anticipation of taking on responsibility for 84 & 86 Travis Gardens at a later stage.

The Council will seek to deregister 88 Travis Gardens once the building meets the requirements of a supported living service and an RSL has been appointed.

Walsingham Support will continue to provide residential care services at 88 Travis Gardens whilst the above actions are progressed. Once the RSL is in place, the residential service will be deregistered and Walsingham Support will provide a supported living service for individuals living at 88 Travis Gardens.

The financial arrangement will include an annual inflationary uplift of ████████ to Walsingham for residential care services provided until the service is deregistered. Review of the uplift by

Financial Assessment confirmed that the existing residents' contributions will not be effected by the uplift.

#### BOX 4

##### ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

1. De-register 88 Travis Gardens as a registered care service in its current configuration to develop the Supported Living Service (SLS).

Doncaster Council is not legally able to act as a Registered Social Landlord, which would be required for SLS. Previous exploration with St Leger Housing to undertake landlord responsibilities identified this was not a viable option.

2. Move residents out of Travis Gardens into vacant Supported Living Properties within the Walsingham scheme to enable the developments to be undertaken at 88 Travis as a vacant development.

Best interest decisions were made under the Mental Capacity Act 2005 and the outcomes of which were that all residents should remain living at Travis Gardens, as a household group. As this has been their home for 25 years and they are an active part of their community. Risks associated with Covid-19 indicate that moves should not be made at this time for any individual, as it would increase risks to those moving and those in receiving services.

3. Maintain for a further interim period of 6 months 88 Travis Gardens as a Residential Care Service

Development of Travis Gardens to a SLS aligns with the Council's ambition to support the right of all people with Learning Disability and / or Autism to their own home. The development of the site is a key element of the Transformation of Residential Care to Supported Living for people with Learning Disability and / or Autism.

Best Interests Assessments of each of the individuals living at 88 Travis Gardens confirmed that living at Travis Gardens, as a SLS is in their best interests.

#### BOX 5

##### LEGAL IMPLICATIONS

Section of the Localism Act 2011 gives the Council a general power of competence to do anything that individuals may general do.

Section 2B of the National Health Service Act 2006 (as amended by Section 12 of the Health and Social Care Act 2012) introduced a duty on Councils in England to take appropriate steps to improve the health of people that live in their area.

The Care Act 2014 obligates the Council to meet the eligible care needs for care and support of its population in accommodation in a care home or by providing care and support to those individuals in their home or in their community.

Legal to be consulted regarding any necessary variations to the provisions of the current residential care contract with Walsingham Support.

**Name: Paula Coleman Signature: By e-mail Date: 29.06.20**

Signature of Assistant Director of Legal and Democratic Services (or representative)

**BOX 6**

**FINANCIAL IMPLICATIONS:**

The existing contract price with Walsingham Support for residential care at 88 Travis Gardens is [REDACTED]. This is expected to increase to [REDACTED] per annum for 2020/21 following a [REDACTED] inflation uplift (this does not impact on the client contributions made by the six clients residing at the property). The revised monthly gross cost for 2020/21 is therefore [REDACTED]

A six month extension to 31 December 2020 of the contract arrangements would incur an additional gross cost of [REDACTED]. This would be in addition to the amount of £151k for the period April to June 2020 which is already committed under the initial twelve month contract agreement.

The 2020/21 Residential Care budget held by AH&WB assumed a savings target would be achieved by the transfer of 88 Travis Gardens to SLS on 1 April 2020. This means there is no provision within this budget for the residential care at this property. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]	[REDACTED]			[REDACTED]			[REDACTED]
[REDACTED]							
[REDACTED]							
[REDACTED]							
[REDACTED]							
[REDACTED]							
[REDACTED]							

[REDACTED]

**Name: Carl Evans Signature: By Email Date: 29/06/2020**

Signature of Chief Financial Officer and Assistant Director of Finance (or representative)

**BOX 7**

**OTHER RELEVANT IMPLICATIONS**

**Procurement**

There are no direct procurement implications associated with the continuation of the financial arrangement under the residential care contract with Walsingham Support to provide residential for a further 6 months to enable the move towards supported living.

**Name: Shaun Ferron Signature: via email Date: 29.06.2020**

Signature of Assistant Director (or representative)

**ANY IMPLICATIONS SENT TO DEPARTMENTS SHOULD GENERALLY BE SUBMITTED AT LEAST 5 WORKING DAYS IN ADVANCE TO ENSURE THESE CAN BE GIVEN THE RELEVANT CONSIDERATION.**

**BOX 8**

**EQUALITY IMPLICATIONS:** (To be completed by the author).

The current residential, and future supported living service models require that Walsingham Support delivers services to all people who chose to live and receive services in Travis Gardens, that do not discriminate against any of the protected characteristics. (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, sexual orientation) and that the services are protected for these with a Learning Disability and / or Autism and complex care needs.

**BOX 9**

**RISK IMPLICATIONS:** (To be completed by the author)

Appointment of an appropriate landlord for this scheme

Mitigation: A soft market test was undertaken with RSLs and several responses were received, expressing in principle interest to the proposals above

Financial cost to the Council of the Residential care service.

Mitigation: The proposals outlined above provides the council with an opportunity to expedite the development of 88 Travis Gardens, and enable to completion of the transformation of residential care services, reducing the Travis Gardens residential care cost pressure.

Disgruntled staff

Mitigation: During the mobilization of the contract, the Travis Gardens staff were advised that 88 Travis would remain residential care until RLS was appointed and the building developed prior to deregistration. Walsingham Support has agreed in principle to the outlined plans above, and

further consultation will be carried out with their staff once the plans and timelines have been confirmed.

#### Consultation with families

Mitigation: Families were advised of the proposed plans to develop the site this year, in June last year. Further communication will be sent to families / representatives to update on proposed plans and timelines once confirmed.

### **BOX 10 CONSULTATION**

Best interest decisions have been carried out for the 6 people residing at 88 Travis Garden by Adult Social Care, which has informed the decision made.

Prior to the transfer of service provision from RDASH to Walsingham, staff were consulted on the proposals for 88 Travis Gardens to remain as a residential service, until the building works are completed and RSL appointed to enable the service to deregister and SLS commence. The proposals outlined above have been discussed with the Walsingham Regional Manager and agreed in principle, as part of regular contact and communication with Walsingham, and staff will be consulted, once a plan and timelines have been agreed.

Families were advised last year that the changes would be delivered this year. The families will be updated on progress and offered the opportunity to discuss them should they wish.

### **BOX 11 INFORMATION NOT FOR PUBLICATION**

In accordance with the Freedom of Information Act 2000, all commercially sensitive information, as well as signatures will be redacted prior to publication of this decision.

**Name: Siobhan Savage (on behalf of Gillian Parker) Signature *S. Savage* Date: 30.06.20**

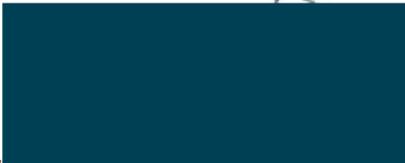
Signature of FOI Lead Officer for service area where ODR originates

### **BOX 12 BACKGROUND PAPERS**

Please confirm if any Background Papers are included with this ODR YES/NO

(If YES please list and submit these with this form)

**BOX 13  
AUTHORISATION**

**Name: Phil Holmes\_ Signature:** 

**Date: 30.06.2020**

Director of Adults Health & Wellbeing

**Does this decision require authorisation by the Chief Financial Officer or other Officer**

**YES/NO**

**If yes please authorise below:**

**Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

Chief Executive/Director/Assistant Director of \_\_\_\_\_

**Consultation with Relevant Member(s)**

**Name: \_\_\_\_\_ Signature: \_\_\_\_\_ Date: \_\_\_\_\_**

**Designation \_\_\_\_\_**

**(e.g. Mayor, Cabinet Member or Committee Chair/Vice-Chair)**

**Declaration of Interest YES/NO**

**If YES please give details below:**

**PLEASE NOTE THIS FORM WILL BE PUBLISHED ON THE COUNCIL'S WEBSITE IN FULL UNLESS IT CONTAINS EXEMPT OR CONFIDENTIAL INFORMATION.**

**Once completed a PDF copy of this form and any relevant background papers should be forwarded to Governance Services at [Democratic.Services@doncaster.gov.uk](mailto:Democratic.Services@doncaster.gov.uk) who will arrange publication.**

**It is the responsibility of the decision taker to clearly identify any information that is confidential or exempt and should be redacted before publication.**