

DECISION-MAKER:	CABINET
SUBJECT:	HOLCROFT HOUSE OPTIONS
DATE OF DECISION:	19 SEPTEMBER 2023
REPORT OF:	COUNCILLOR FIELKER CABINET MEMBER FOR ADULTS HEALTH AND HOUSING

<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY
Appendix 5 is not for publication by virtue of category 1 paragraph 10.4 of the Access to Information Procedure Rules as set out in the Council's Constitution. The information is exempt from publication because it relates to employee related matters which are not in the public interest to disclose.
BRIEF SUMMARY
Holcroft House is the Council's only residential care home providing services for older people and older people with dementia.
A statutory Fire Risk Assessment (FRA) undertaken in December 2021 identified a number of fire safety issues with the building. Further assessment has identified additional fire safety issues requiring significant works. A phased approach to completion of the works was originally proposed in order for residents to stay in place. However, due to the impact of the disruption on residents of the associated works, it is recommended that it is in the best interests of the residents to be relocated to alternative accommodation and the property closed as a care home. This will be a carefully managed, permanent move due to the health risks associated with moving people with dementia.
Our aim is to minimise the disruption for our residents as much as possible by relocating them once into a fit for purpose and safe home. Ongoing building management and a decision on the future of the site will then be considered by the Council in due course.
The Hampshire Fire and Rescue (HFRS) is aware there is a pending decision on the future of the building and have confirmed the building shows adequate safety at this current time but only with the reduced number of residents. Notwithstanding this, officers have also reviewed the further suggested improvements put forward by HFRS and implemented where possible. The fire safety work will need to be undertaken if

the building is to stay open longer term.

Additionally, the physical environment at Holcroft House falls below the current standards required by Care Standards Act 2000 of modern care homes and this impacts on the dignity of residents.

RECOMMENDATIONS:

	(i)	To relocate residents to alternative permanent accommodation that is compliant with fire safety requirements and to close Holcroft House as a care home.
	(ii)	Subject to the approval of (i) above, to delegate authority to the Executive Director Wellbeing & Housing, following consultation with the Cabinet Member for Adults, Health and Housing, to take all further and consequential actions to implement the recommendation.
	(iii)	To note that a further report on the future of the property will be brought to Cabinet in due course.

REASONS FOR REPORT RECOMMENDATIONS

1.	Holcroft House requires significant building works to make it compliant in respect of the Fire Safety requirements, as well works to remove and replace the asbestos containing ceilings.
2.	The fire safety work was initially planned to take place over a 78-week period with residents moving rooms as sections of the building were worked on.
3.	The vulnerable nature of the residents presents a risk of delays to the work, and therefore significant disruption to residents, if the residents remain in the building. For example, if a resident's health deteriorates and they require end of life care work would need to be paused.
4	The Council has a duty of care for the residents. There are known risks with moving people with dementia whether that is within their living environment or outside of it. Moving residents once, under carefully managed circumstances, is the least impactful to them (Appendix 1). Residing through 78+ weeks of building works, relocating within the building to allow the phased work, the coming and going of strangers and noise will carry the greatest impact and is not a viable or practical option. There is also the risk that additional issues could be discovered, once the work commences, that could impact on the phased approach.
5.	Holcroft House is a dated building that falls below the Care Standards Act 2000 recommended standards which include facilities such as en-suites and a minimum of 10m ² floor space to be provided. The costs would be in excess of £4.5m and would require residents to relocate to alternative premises during the period of works.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

6	Residents to remain in the building and relocate in phases during building works to suit the programming of the work.
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	<p>This is not recommended as residents cannot reasonably be exposed to this level of risk based on the extensive duration of the building works, the risk associated with the removal of asbestos (even though undertaken under controlled conditions in compliance with the safe working practice for asbestos removal), the risk associated with living in a building undergoing extensive building work; the risk of an extending timeline due to the vulnerability of our residents and the increased risks to people with dementia in being moved to accommodate the phasing of the works (even within the same building).</p> <p>The asbestos is not a risk within current stable conditions. However, the proposed work would require full removal.</p>
7	<p>A wider project to implement improvements to Holcroft House that bring it to the Care Standards Act 2000, this would include expanded living space, installation of en-suites, improvements to the infrastructure/IT in addition to the fire safety work.</p> <p>The cost for this would be prohibitively high and would also require residents to be relocated out of the building long term. To develop the existing building to current standards required, was estimated to cost £4.50M to £5.25M in 2022, with inflation there is an estimated 15% increase.. to £5.17M to £6M. To demolish the existing building and construct a new build dual registered home is estimated to be within the range of £16.0M to £16.75M.</p>
8	<p>Complete fire safety works and move residents back into Holcroft House.</p> <p>There are additional risks in a secondary move for people with dementia and this is what we are trying to negate. There could be potential delays with completion of works which would delay relocation back to Holcroft House. Residents will settle into new accommodation and then have to move again. The property would still not meet the standards.</p>
DETAIL (Including consultation carried out)	
9	<p>There were 18 residents at the start of the public consultation period in June 2023. Holcroft House has a capacity of 34 and generally is only 60% occupied at any one time. There are 3 temporary residents in the process of being relocated and a number of residents who have been identified as having a change of need so will also need to move.</p>
10	<p>This report does not dispute the quality of care at Holcroft House which is high. The residents and families have been happy with the care provided. However, the quality of the building and its safety, is the primary issue. The fire safety and other issues will need to be addressed if the building is to remain open.</p>
11	<p>Following a HFRS inspection that identified a number of issues with the building, a plan was agreed in January 2022 to address the works over an 18-week period whereby the residents would remain on site. The budget was agreed for £0.61M.</p>

12	<p>Once the budget was agreed, a number of factors impacted the start date for the works:</p> <ul style="list-style-type: none"> • Further assessment of the fire safety works identified that work was required in the roof space which was found to contain asbestos. This also required an asbestos surveyor's investigation before any work could be undertaken. • There were works being undertaken at Holcroft House in relation to the 'Contain Outbreak Management Fund' (COMF). The scope of this work could have been impacted by the fire safety work so a review was undertaken to understand this further. • There was a 12-week lead time for the fire doors. • Finalising detailed specification for work on site <p>Discussions around the works in consideration of resident's wellbeing and safety led to the need to understand whether all of the work schedule needed to be completed. Therefore, options regarding how much could be undertaken to minimise the impact of moving and time taken to complete whilst ensuring residents would be safe. This resulted in a request for a further FRA</p>
13	<p>Asbestos is present in various forms in a number of older buildings and poses no health and safety risk unless it is disturbed. Towards the end of 2022 additional works were identified, including the recommendation to remove the asbestos containing ceilings due to the number of penetrations that would need to be made through the ceiling and the requirement for this work to be undertaken under controlled conditions. A fire safety assessment advised that a revised plan would need to be put in place. In order to address the issues whilst keeping residents on site, a 78-week phased plan was proposed whereby the residents would relocate within the building as necessary. The additional cost of the revised estimate was impacted by higher labour costs for removing and replacing the ceilings and increased costs of materials and additional supervision costs due to the extended timeline and was estimated to bring the total cost above £1M. This was above the budget approved and increased the impact on residents.</p>
14	<p>In January 2023, it was agreed that the work would pause, and no additional funding would be approved in lieu of a revised work assessment and impact on residents. Further consideration was given as to when and how the works should take place, if at all. Any plans to improve the fire safety of the building and its facilities should include the wider improvements necessary as it would not be cost efficient to only deal with the fire safety improvements then cause further impact by any necessary building improvement works.</p>
15	<p>PUBLIC CONSULTATION</p>

	<p>Public consultation has taken place to determine whether residents are placed in alternative, safe placements, for Holcroft House to close, and for further consideration be given to its future by our Property Team and Council decision makers, as appropriate.</p> <p>Consultation took place between 1st June and 23rd August 2023. The aim was to:</p> <ul style="list-style-type: none"> - Communicate to all residents, families and stakeholders impacted. - Ensure residents, families or stakeholder had the opportunity to comment on the proposals and raise any concerns. - Allow participants to propose alternative options. - Identify impacts on residents the Council had not previously identified and consider what mitigation might be offered to offset such impact where appropriate. - Information shared with families from the Executive Director meetings regarding independent advice available eg, Age UK - Advocacy support available for residents as needed
16	<p>The Executive Director met with the families impacted by the proposals 3 times and offered further meetings if required. This provided an opportunity to explain more about the fire safety works and to ensure families had direct access to the most senior officer.</p>
17	<p>In total, the consultation on the Holcroft House proposals had 218 responses, and we heard from residents of Holcroft House, family members or representatives of residents at Holcroft House, employees of the Council as well as wider city residents and businesses. The consultation aims were to communicate clearly the options and preferred proposals for Holcroft House, and that anyone who wished to comment on the proposals had the opportunity to do so and raise any impacts the proposals may have. They were also able to propose alternative suggestions for consideration.</p> <p>Future proposal for Holcroft House:</p> <p>Over a fifth of respondents (22%) agreed with the future proposal for Holcroft House. Just over 3 quarters of respondents disagreed with the future proposal for Holcroft House (76%).</p> <p>12% of respondents selected that the future proposal for Holcroft House may have a positive impact on them. 80% of respondents selected that the future proposal for Holcroft House may have a negative impact on them.</p> <p>The most commented upon themes within the consultation were “Concern around no SCC owned care homes aside from Holcroft / replace SCC owned homes” (59 comments) and “Holcroft should remain open [generally] / general positive comments about Holcroft” (54 comments).”</p>

	<p>RESPONSE:</p> <p>The majority of the responses were in relation to Holcroft House being available as a council owned home longer term. The issue regarding the effect and impact on moving residents was highlighted by 21% of respondents.</p> <p>The Council recognises there is a lot of support for Holcroft House and the committed staff on site. However, there are significant fire safety issues that need to be addressed. The Council has and will continue to support the staff through existing HR policies during this time.</p> <p>The consultation focused on the impact of moving residents. The choices available meant moving residents out and back once works were completed or moving them permanently and not undertaking the fire safety works.</p> <p>There was concern around negatively impacting resident's wellbeing by moving them and temporarily moving around on site. However, the Council's Fire Safety lead officer has identified that the risk of keeping people on site, is too great. Moving once, has been determined as requiring extremely careful management which would still have an impact on residents (Best practice article – appendix 1). This significantly increases, by moving them twice (eg. moving them out and then back).</p> <p>There were concerns raised about lack of knowledge on the alternative placement options. However, there is sufficient capacity within Southampton and social work staff will support the residents and families to explore those options should the recommendation be approved.</p> <p>There was reference to the need of an ESIA which has indeed been completed and should things proceed, it will continuously be under review (Appendix 3).</p> <p>In relation to the comments regarding the future use of the building, subject to this recommendation being approved, this will be covered off in a future report brought to decision makers in due course (see commendation iii).</p> <p>Regarding the concerns for more information being needed, the residents and families directly impacted met with the Lead Councillor twice and Executive Director for Adult Social Care 3 times to provide a forum where concerns could be discussed. Further sessions were offered if required by the families.</p> <p>Full details of the consultation exercise and its results can be found in appendix 4.</p>
18	<p>The consultation was promoted through the following channels:</p> <ul style="list-style-type: none"> • It has been in Your City, Your Say (7.5k subscribers) e-bulletin three times over two months and was also in the City News e-bulletin (50k subscribers) • It was part of a wider consultations social media post that went out w/c 7th August 2023 on Facebook • It has been shared on Next Door with a 'last chance to comment' notification aimed at all Southampton neighbourhoods.

	<ul style="list-style-type: none"> • Additionally, the consultation featured in ITV Meridian news coverage and in the Daily Echo coverage.
19	<p>Best Interest</p> <p>A “best interest” decision is a decision made by applying the Best Interest principle, as set out in the Mental Capacity Act 2005. A Best Interests decision is a decision made for and on behalf of a person who lacks capacity to make their own decision. Best interest decisions should be impartial. The original best interest decision was undertaken by the team at Holcroft House and was based on the original plan and set of circumstances. The rationale for this was to keep the residents within a familiar environment. However, although the residents would have remained at Holcroft House, they would have experienced significant disruption through relocation within the building to accommodate the phasing, the noise from the building works and building contractors being on site along with the intrusive asbestos removal required from the ceilings.</p> <p>In January 2023, the recommendation received from the independent expert Fire Safety lead stated that residents should be moved out whilst the works were undertaken as the disruption presented to residents was significantly high to warrant this following the revised schedule of works. Given the implications regarding safety and impact, a request was made for a further fire safety assessment and evaluation of whether the impact on residents could be reduced by considering alternative work.</p> <p>Whilst, by phasing the works, the residents would not be subjected to building work being undertaken in their own accommodation the work would cause a level of disruption and concern due to the following points:</p> <ul style="list-style-type: none"> • The phasing would lead to “no go” areas within the building for both staff and residents and re-routing access routes which could cause confusion for the residents as these would change as each phase was completed and the next phase started. • Although working areas would be fully screened off, as with any building work undertaken in a residential environment, it is impossible to fully stop the spread of dust and noise arising from the work. • The replacement of the asbestos containing ceiling would necessitate the installation of new lighting which in turn could lead to temporary disruption to the supply while connections were made. The same will apply to the plumbing works which could disrupt the water supply while connections were made. • Birmingham University and the National Library of Medicine have conducted research regarding best practice and considerations for moving people and this is available in Appendix 1. In most studies, the health effects of the relocation of older adults suffering from dementia showed a decline in physical, mental, behavioural, and functional well-being was reported. This would increase significantly should more relocations take place. This recommendation minimises the impact. As already stated, residents could not stay in the home for the works to take place.

20	<p>CQC Report</p> <p>Holcroft House falls below the recommended Care Standards Act 2000 which include facilities such as en-suites and a minimum of 10m² floor space to be provided. Holcroft House was in place prior to 2010 so SCC do not have a legal obligation to meet these statutory requirements.</p> <p>A dignity report was commissioned in July 2022, and this refers to the good standard of care provided but raises concerns over the lack of toilet and bathroom facilities (Appendix 2). In order to achieve this, the building would require significant investment to improve it (estimated £4.5m in 2021) to bring it to the current recommended standards.</p>
21	<p>Alternative placements:</p> <p>There are currently 22 residential homes that are CQC registered to provide dementia care in or near the boundary of the city. As of August 2023, there are 69 vacancies available for residential care placements across 14 residential homes that can cater for the needs of those currently in Holcroft House.</p> <p>Assurances have been made to provide an improved or at least equivalent level of care through existing commissioning arrangements with other providers for our impacted residents. We will also ensure friendship groups are maintained as far as possible.</p> <p>Should relocation to a new placement be required, Adult Social Care teams will, in collaboration with families and as far as possible, individual residents, conduct an assessment that will identify the needs of that individual in order to provide the best alternative placement. Placement Services will also be involved in supporting in this work, as this team has specialist knowledge of the providers in Southampton.</p> <p>Advocacy has been provided and will continue to be provided throughout the process to support families and individuals through the process.</p> <p>Referring to the research articles (Appendix 1), a key factor in reducing the impact on residents and families is the support from social workers and the team at Holcroft. SCC will ensure a smooth transition for residents should the recommendation be approved.</p>
RESOURCE IMPLICATIONS	
<u>Capital/Revenue</u>	
22	<p>CAPITAL</p> <p>£573K is remaining from the original £610k approved for the original fire safety related works.</p>

Below are forecasted costs as of February 2023 for Holcroft House remedial works.

Table 1: Overview of Fire Risk Assessment (FRA) remedial costs:

ITEM	£M
Original estimate	0.610
Estimated cost increase for extended contract period and phasing	0.080
Additional asbestos works in removing and replacing the ceilings including new lighting	0.450
Total	1.140
ADD: CQC 2010 standards upgrade	4.500
Revised Total	5.640

NOTE: Due to the estimated increase in costs, additional savings in the capital programme will need to be made to keep the building open.

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REVENUE

The annual revenue budget for Holcroft House is £2.2m with an average overspend of £136k. Due to the need to maintain staffing levels.

Table 2: Overview of Holcroft House annual costs as of May 2023:

ITEM	£M
Holcroft House Budget 2023/24	2.200
Average annual overspend	0.136
Sub total – annual revenue cost	2.336
LESS: Private Residential Home equivalent	0.940
Estimated Saving:	
Holcroft budget less residential home equivalent	1.396*

*Budget saving is £1.26M and cost avoidance is £0.136M

NOTE: How redundancies are funded across the council is under review.

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Table 3: Comparative costs based on original 18 residents:

Care	Per week	Per year	18 residents / year (current occupancy)

Alternative cost for Residential Home caring for people with dementia.	£ 1000	£ 52,143	£ 938,575
Holcroft House	£ 2361	£ 123,118	£ 2,216,139

Table 4: Costs based on 95% occupancy (32 residents):

Care	Per week	Per year	32 residents / year (95% occupancy)
Alternative Residential Home	£ 1000	£ 52,143	£1,668,576
Holcroft House	£ 1328	£ 69,254	£ 2,216,139

Even at 95% occupancy level, Holcroft House is more expensive in its annual revenue budget (excluding the additional capital costs required as above) than alternative residential provision (by £0.548M). The costs at Holcroft House tend to be fixed, rather than vary, with occupancy.

If the capital investment identified in table 1 above were to be made in full (£5.64M), this would also add additional costs of £451,000 in a full year for Holcroft House in annual capital financing costs.

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EMPLOYEES

The Council's staff who currently work at Holcroft House will inevitably be affected should the proposal to close the home be approved. Accordingly, a staff consultation ran from 11 July to 8 September 2023. In accordance with adopted HR policy the council consulted with recognised unions. Collective meetings and individual meetings were held to enable the potentially affected staff to engage in the consultation process. Representation was afforded to all potentially affected. Further details are contained in the exempt appendix.

Property/Other

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Further consideration for the long-term future of Holcroft House will be taken to the Corporate Property Management Board and ultimately decided by members.

	<p>If there is a significant delay in site disposal, there is likely to be costs in the medium term for security and general upkeep to ensure the premises is adequately maintained.</p>
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LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

<p>27</p>	<p>Local Authorities who have Adult Social Care functions have a statutory duty under the Care Act 2014 to meet unmet eligible needs for care and support. This includes making provision to accommodate people in residential placements where their assessed need requires a residential option.</p> <p>The Care Act 2014 statutory guidance confirms that, where possible, people should have a choice of accommodation and the LA should take into account the persons wishes and feelings when determining the type of accommodation, it offers. The Act also places various duties and responsibilities on Local Authorities to commission appropriate, efficient and effective services and encourage a wide range of service provision to ensure that people have a choice of appropriate services.</p> <p>Any residential care home should comply with the Care Quality Commission (CQC regulations including the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014: Regulation 15 which states that premises where care and treatment are delivered are clean, suitable for the intended purpose, maintained and where required, appropriately located, and that the equipment that is used to deliver care and treatment is clean, suitable for the intended purpose, maintained, stored securely and used properly.</p> <p>Premises must be fit for purpose in line with statutory requirements and should take account of national best practice, including The Fire safety Order and Regulatory Reform (Fire safety) Order 2005 (as amended). The responsible person for SCC must carry out a fire risk assessment for this building, which identifies the fire hazards, action to reduce those hazards and determine what physical fire precautions and management arrangements are necessary to ensure the safety of people in the building.</p> <p>The Equality Act 2010 imposes various duties on Local Authorities and in particular the duty to have due regard to its public sector equality duty when carrying out any function. Local Authorities also have a duty under the Human Rights Act 1998, when carrying out any function, not to act incompatibly with rights under the European Convention for the Protection of Fundamental Rights and Freedoms.</p> <p>Local Authorities when carrying out any function must adhere to the United Nations Convention of the Rights of Person with Disabilities and in particular respect for dignity, autonomy, freedom to make own choices, equality and elimination of discrimination.</p>
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	<p>The Council must also keep all its buildings in a safe condition for residents, staff and visitors alike. Whilst the HFRS assessment permits the short term usage the Council as landowner must decide in the very near future whether to close the property or carry out all necessary remedial works in order to keep the building safe either for the current or a different use.</p>
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Other Legal Implications:

28	<p>Public Sector Equality Duty</p> <p>In taking this decision to implement the recommendation, Members must be aware of their obligations under section 149 Equality Act 2010. This section contains the Public Sector Equality Duty (PSED). It obliges public authorities, when exercising their functions to have 'due regard' to the need to :</p> <ul style="list-style-type: none"> - Eliminate discrimination, harassment and victimisation and other conduct which the Acts prohibits; - Advance equality of opportunity; and - Foster good relations between people who share relevant protected characteristics and those who do not. <p>The relevant protected characteristics under the Equality Act are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation. Members are advised to read the ESIA (at appendix 3) in full and familiarise themselves with their legal obligations under s149.</p>
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RISK MANAGEMENT IMPLICATIONS

29	<p>Subject to a decision to close:</p> <ul style="list-style-type: none"> • The key risks are as detailed in the body of the report and, in particular, the potential risk to residents who have dementia to stay in the building whilst fire safety works are carried out • Further engagement with HFRS and our Fire Safety team would be required if continued use beyond this interim period. • A separate project risk log has been managed as part of the project. <p>If the building does close;</p> <ul style="list-style-type: none"> • We will ensure accurate assessments of individual needs and identifying the best placement for our residents. • There will be continued support and communication with families of residents through the process and to support with alternative placements. • We will ensure a well-managed transition and understanding the impact of moving people with dementia.
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	<ul style="list-style-type: none"> Care will be needed to ensure costs remain broadly neutral during the transition phase of relocating residents into new homes. Careful management will be needed to control the extra costs of moving residents into new accommodation whilst reducing the remaining costs at Holcroft House, to avoid a 'dual' running costs situation.
POLICY FRAMEWORK IMPLICATIONS	
30	The recommendation is in line with the Corporate Plan (2022-2030) and the Health and Wellbeing strategy (2017-2025).

KEY DECISION?	Yes	
WARDS/COMMUNITIES AFFECTED:	none	
<u>SUPPORTING DOCUMENTATION</u>		
Appendices		
1.	Moving people with dementia, Supporting evidence, Link to articles – August 2023	
2.	Dignity report, Debbie Nicholson, July 2022	
3.	ESIA	
4.	Public Consultation Report, August 2023	
5.	HR matters – exempt	
6.	Fire Risk Assessment, Dec 2021	
7.	HFRS Letter, Mar 2023	
Documents In Members' Rooms		
1.	None	
Equality Impact Assessment		
Do the implications/subject of the report require an Equality and Safety Impact Assessment (ESIA) to be carried out.		Yes
Data Protection Impact Assessment		
Do the implications/subject of the report require a Data Protection Impact Assessment (DPIA) to be carried out.		No
Other Background Documents		
Other Background documents available for inspection at:		
Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)	
1.	HR matters	1