



Briefing Report **284/2010**  
No:

Public Agenda Item: **Yes**

Title: **Occombe House re-provision**

Wards Affected: **All Wards in Torbay**

To: **Health Scrutiny Board** On: **2 December 2010**

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### **The rationale for change**

Eighteen months ago we embarked on a strategy of *Getting a Life, Not Just a Service*, which would set out the direction for the development of services for people with a Learning Disability living in Torbay. This Strategy was informed by the National Strategies of "Valuing People" "Valuing People Now". The Strategy was widely consulted upon with stakeholders, families and service users in Torbay and set out a vision for people with a learning disability to live fulfilling, good quality lives. This will be achieved through organisations within Torbay working together to ensure that people with a learning disability are able to enjoy the same basic rights as anyone else.

The Strategy sets out that as far as possible services should provide people with more choice over where they live, who they live with and the support arrangements which they want at their disposal. The Strategy identified that in the future more people would live in supported living arrangements thereby providing people with alternatives to residential care.

The clear aim of the strategy is to make services more individualised by moving away from block contracts to individually contracted services, when residential care is currently used. It was identified that we would increase opportunities for Supported Living, where people have a tenancy for their housing and support with additional support to help people access housing.

It was important for us as a provider of in house residential care services to ensure that we provided the same opportunities for residents in our care as those provided for in the independent sector.

In line with the Vision set out by the Strategy and most importantly as a consequence of identifying the changing needs of the residents at Occombe House

and the need to ensure sustainable services for their future we undertook to develop Person Centred Plans for each individual. These plans would help those who support the residents to understand their individual needs and aspirations by gaining a clearer understanding of how each individual prefers to live, what personal goals they have for themselves, what activities they would like to undertake, and what their aspirations are for the future.

### **Description of the service provision at Occombe House**

Torbay Care Trust currently provides residential care to 7 people with severe Learning Disabilities in Occombe House. Occombe House is located on Preston Down Road, in Paignton. Originally a summer house and stables for the Singer family, it was opened as a home for over 20 learning disabled people in 1964. Fairwinds Special Development Centre is on the same site and joined to Occombe by a corridor, although the facilities are managed separately.

Occombe House is an imposing and substantial detached property which has a layout typical of a period property such that there are numerous narrow corridors, a large gallery staircase, wooden panelling and large bay windows sitting in grounds which provide garden areas and car parking.

Over the years there has been substantial investment in the property to ensure statutory compliance in respect of health and safety and fire regulations, as well as to endeavour to update the fabric of the property to provide a more suitable environment for the residents. Despite the investment and efforts of staff to improve the internal decoration, the property does not offer an environment that supports individuals with learning and physical disabilities to maximise their independence. In particular the upstairs of Occombe House has not been used for many years other than for meeting space or offices for staff because the residents have no means of accessing the top floor as there is no lift. This has meant that the 7 residents have needed to be contained downstairs with 4 residents sharing one bathroom and individuals having limited personal space.

It should also be acknowledged that the residents being mainly in their middle to older years, will experience decreasing mobility and require more support as they grow older. We will therefore need to plan for their future needs acknowledging that the building with its limitations will increasingly inhibit the personal freedoms and independence of the residents.

Occombe House has provided a home to the current residents for many years and has been a highly regarded service particularly by the families of the residents who have lived there for a large proportion of their lives. Over the years close relationships have developed between the families and the staff who support the residents with their day to day care.

In addition to the 7 residential care beds, there are also 4 short break beds which are used on a regular basis by 12 clients. Services are provided to people aged over 18 years and who have severe learning disabilities with some associated physical disabilities.

Of the seven permanent residents, five people are funded through Torbay, one from Surrey, and one person through Devon.

## **The Development of Person Centred Plans**

For some of the people living at Ocombe House using words to clearly express an opinion or a preference is very difficult. Over the years people who know individuals well have noted their likes and dislikes by observing responses to people and situations finding out what makes them happy and what causes significant distress.

Person centred plans are a way of finding out what is important to people both now and for the future. The Plans can be conveyed by means of a story, a map, pictures and photographs or through multi-media such as a video. Person centred plans are developed over a period of time and are constantly added to and reviewed as peoples' lives move on.

Person centred plans are developed to record preferences, aspirations and ultimately build a plan for the future. Families and staff who know people well are part of this process. This has included interviews with family members to capture important information about people. Additionally we have been able to capture the views of staff who have supported individuals over many years.

For many people who have a learning disability that have difficulty communicating preferences verbally, those decisions are made in their best interests, with views gathered from a number of people. Where family is not available to offer support with this, and an important decision such as where a person lives in the future has to be made, the decision has been scrutinised by an Independent Mental Capacity Act advocate.

To provide assurance and independent scrutiny we have procured the services of an Independent Charitable Organisation called Vocal. This organisation specifically advocates for people who have no or limited verbal communication. They will independently review the person centred plans and the decision making processes to ensure we have acted in the best interests and followed best practice in developing plans.

It is important to acknowledge that some of the families have questioned the value and the independence of the person centred plans and have also been unhappy with the process of developing the plans and therefore have not entirely accepted the outcomes.

## **What did the Person Centred Plans tell us?**

By carefully observing individuals and recording preferences we were able to understand the important relationships people have with one another; this is important because it helps us identify who would wish to live together happily. We should not assume that because people were placed together they would always choose to stay together. One of the disadvantages for living in residential care is that people do not have a choice of who they live with as most people do.

This was evident when one lady expressed a preference to being in her own environment, without others. This decision was arrived at using the information available from her person centred plan and scrutinised by the independent mental capacity act advocate.

Another resident was observed to enjoy looking out of the windows of the day service. She really likes to see what is happening outside and clearly this brings her contentment. At Occombe House the windows are too high, as this lady is in a wheelchair so she cannot look out of them and there is therefore no view from her windows in her own home.

Staff report that one thing that currently constrains the person centred approach at Occombe House is the ability of staff to meet the needs of individuals whilst balancing the needs of the wider residential home. In particular people are not always readily available to support the activities that individuals might want to undertake at a particular time to suit their own wishes and desires. In this way meeting the needs of a group is very different to having individualised approaches. The person centred plans have demonstrated to us that individuals would like to undertake particular activities aligned with their hobbies and interests which they are unable to do without the one on one designated support of staff.

Two of the seven residents have decided to move on regardless of the outcomes of the decision relating to Occombe House. This would leave three Torbay residents, and the two residents placed from other authorities in the building.

The information from the person centred plans has shown that there are natural relationships between some people that will be supported in future living arrangements. We also have identified for all individuals that they have wishes and aspirations which we cannot currently fulfil within the constraints of Occombe House.

The person centred plans indicate so far that 4 single storey bungalows are required. This could comprise of 2, 2 bedroom bungalows, a 3 bedroom bungalow and a 4 bedroom bungalow providing carer accommodation in all of the homes. The individual needs and aspirations for each person has been fully detailed in a separate document.

### **What are the views of the families and what have they told us they want?**

When managing significant change of this nature which affects peoples personal lives and threatens to disrupt living arrangements which have been in place for many years, it brings to the fore strong conflicting emotions and anxieties which this paper attempts to address in an open and honest way. It is also important to acknowledge that the discussions that have taken place to date with families over a number of months have significantly challenged long standing and valued relationships in particular between the families and managers, commissioners and front line staff. We have wanted to balance the need to ensure we hear and respond to the families feelings whilst pursuing services which fulfil the needs of the people at Occombe House for the rest of their lives.

To this end, it is important to bring to the Overview and Scrutiny Board's attention the

very strong feelings of the parents who feel that their families' needs can continue to be accommodated in the long term in Ocombe House. The preference for the families is that we invest in the fabric of the building to improve the environment or alternatively rebuild on the Ocombe House site. The families feel that this will limit the disruption and distress of any move from Ocombe House for their family members.

In discussing with the families the potential supported living arrangements for the people of Ocombe House the families have expressed valid and understandable concerns such as questions relating to what would happen if care arrangements break down and how contingencies could be provided for. Families have also raised concerns about their family members feeling isolated and losing both the friendships with each other and members of staff which that they have built over a number of years.

Families' feel that services provided by the NHS and/or Local Authority can be depended upon to be safe, secure and sustainable. Families have concerns that the motivations for this change are financial and are at the cost of the wellbeing of their loved ones.

### **How have we tried to address the families' concerns?**

Contact with the families has been maintained through a number of forums and meetings with the intention to keep the families as up to date as possible and to ensure that as far as possible the families are able to inform the process and the decision making. We acknowledge that the families feel that this has only partially been achieved at times due to them feeling that there is a lack of clarity and decision making which the families have perceived as a lack of openness on the part of Torbay Care Trust.

More specifically the concerns raised by the families, as set out above, have been addressed in the following ways:

- Investment in the fabric of the building – addressed in Options Appraisal (attached)
- Rebuilding on the site – addressed in Options Appraisal (attached)
- Care and support contingency planning – Torbay Care Trust and Local Authorities have and continue to support people with severe learning disabilities to live independently in supported living accommodation drawing upon the experiences of service users and families, we are able to demonstrate the mechanisms in place to ensure that support arrangements are robust. Additionally, providers of supported living arrangements have recently presented to the families as detailed later in this report.
- Isolation and maintaining friendships – any future arrangements for supported living will take account of the natural relationships that have developed between people at Ocombe House and which have been conveyed through person centred plans.

## **Commissioning: What can the local providers deliver?**

The person centred plans told us that each person is different with varying needs. It told us who gets on with whom and the kind of environment the people would like to live in to help them live a full life.

Finding the correct support provider will be important to make sure that the person centred plans and the wishes expressed within them can be met. It is important to ensure that the support provider is one which the families feel assured by and confident in for the long term support to family members as they grow older and as their needs change.

In Torbay we have past experience of where people have moved into supported living arrangements. These have been successful offering opportunities for individuals to live as part of our Torbay community and we will draw upon this experience and expertise to ensure the right outcomes are delivered and that the transition to new services is as smooth as possible and that the pace of that transition as far as possible is dictated by the individuals themselves.

We have a wide range of providers within Torbay: some provide housing, some support. This division of housing and support is important as it means that if someone wanted to change their support provider, their home is secure.

We have, at the request of families, held an afternoon where providers shared their experiences of developing services, along with the models of support provided. This included presentations by South West Adult Placement Scheme, New Key, Thera South West, Mencap, and Progress Care Housing Association. A carer also shared her story of how her son who has complex support needs received support after moving from residential care into his own home with support.

Supported Living services have to maintain some key standards in their services, such as the following:

- I choose who I live with
- I choose where I live
- I have my own home
- I choose how I am supported
- I choose who supports me
- I get good support
- I choose my friends and relationships
- I choose how to be healthy and safe
- I choose how to take part in my community
- I have the same rights and responsibilities as other citizens
- I get help to make changes in my life

We have a range of support providers available within Torbay who have a good track record of delivery.

A critical component to achieving the right outcomes is to ensure the accommodation is personalised to the individual's specification and is flexible to accommodate the changing needs of individuals in the future, thus minimising the need for a further move in the future. Therefore finding existing housing provision that matches the requirements may not offer the degree of choice to individuals and families that we would ideally look for. On this basis we are currently reviewing several new build sites in Torbay and South Hams to see if space can be allocated for new properties to be built on those sites which are built to the individual specification from the outset.

Guidelines for housing have been developed and have been sent to housing providers. Currently there are different options about how development can be funded; one charitable trust, who works closely with a support provider, has expressed an interest in funding the housing development that is likely to be required, also the guidelines for housing have been forwarded to the housing department at Torbay Council for consideration within existing housing development plans.

It will be imperative to involve and work in partnership with family members and advocates in choosing the services that would provide the support, and we also have opportunities for advocates and family members to get involved in the monitoring of services through our "Quality project".

To give assurance to the families during the transition when their involvement in decision making will be essential it is proposed that we work with an independent professional and/or organisation that will have the remit for overseeing the transitional arrangements. We feel that this will sustain the very important relationships between managers, commissioners, front line staff with families and carers at the same time as maintaining existing high quality services to the people of Occombe House during the transition.

### **What could the future of services look like?**

One of the main outcomes that will be achieved by independent living arrangements will be that services are tailored to individuals. This can be achieved more easily through this model of care because it avoids having to compromise services for one individual by trying to accommodate a large group. In residential care when people live together in a large group they have to adjust to the wider needs of that group and therefore the needs of each person are less easily accommodated. Also where people have behaviours that require a specific response to be managed well, it is difficult to tailor to a response to particular person when there are others in a group who may have different needs.

When people live together in residential care we pay for all the aspects of the service, including light, heat, food and building maintenance, as well as for staffing. In supported living we are able to use the total budget on staffing, as the other costs are met through a range of benefits. This means that people can have more personal staffing to do the activities that they like to do without being constrained by balancing the needs of the wider group. The new service design will allow for a minimum of an extra 35 hours 1:1 per person per week, (5 hours per day) for people to do the things

that they enjoy doing.

People will still have night cover and when not having 1:1 support people can have shared care as now, but with improved staffing ratios. If people want to maintain their links with day care they can still attend as they may choose. In addition their environment will be designed around them, based on what we know of their needs from the individual person centred plans.

Importantly the care staff will work closely with fewer individuals, deepening their knowledge of the person and making them more attuned to their needs.

### **Options appraisal**

Consideration has been given to the following options available to us at the present time, which include the preferred options of the families:

#### **Option 1: Do nothing**

This option considers the implications if no action was taken and the status quo was maintained. This would involve the residents continuing to receive residential services at Ocombe House as are currently provided, with no significant change to the environment in which they live.

#### **Option 2: Refurbish Ocombe as a residential care home on the current footprint**

This option considers the refurbishment of Ocombe House to update and improve the living accommodation for people in line with their needs and wishes and to ensure continued compliance with Disability Legislation. People at Ocombe House would continue to receive residential care support as currently provided.

#### **Option 3: Knock down and build new accommodation on Ocombe site**

This option considers the implications of demolishing Ocombe House and rebuilding person built accommodation on the same site and within the current footprint to meet the specific needs and wishes of the individuals as informed by their person centred plans. The provision of support would also change as guided by individual needs and aspirations.

#### **Option 4: Procure supported living accommodation from the independent sector**

This option considers the procurement of supported living accommodation to meet the needs and aspirations of individuals as informed by their person centred plans. It involves the individuals moving out of Ocombe House into their own individual or shared accommodation which will have been built or adapted to meet their individual specification. Additionally individuals will receive support that is tailored to their specific needs.

The full option appraisals are set out in detail in **appendix 1** (attached).



## Short Breaks Services

Twelve individuals use the short breaks flat at Occombe house, at different times over the year to provide a break to their full time carers.

The proposal is that the service and breaks are continued to be provided at Baytree House, or alternatively an alternative provider where families and individuals express a preference and/or if needs are not best met via Baytree House. Again this would be guided by the person centred planning process and would require the involvement of individuals, advocates, staff, care management, family members and carers to ensure holistic personalised outcomes are achieved for the individuals.

Meetings have taken place with families and carers to discuss the need to change the location and in some cases the provider of short breaks from Occombe House and to address their concerns and specific wishes to ensure a smooth transition to the new arrangements and importantly to maintain continuity of care.

We would like to work with families to achieve this transition as soon as possible in order to release staff and space to support the existing 7 long stay residents during the transition to new service provision.

## Risks

The key risks associated with this proposal are as follows:

- People have lived at Occombe House for a long time, it is currently their home, and families have been happy with the care and find it difficult to consider a move.
- Future service specifications will be guided and informed by person centred plans which do not carry credibility for all families as they question the independence of the plans.
- We have to consider practical difficulties that may hinder the timeliness of the implementation of the plan. There may be some constraints in terms of what housing might be currently available on the market in terms of housing, or the availability of land for a new build. It would take time to get this right.
- Those currently receiving short breaks at Occombe House would have to transfer their short breaks to Baytree House and/or an alternative provider. This would create change and some disruption for individuals and families, but the level of service would be the same.
- It is necessary to gain a clear mandate to provide clarity and direction to families and staff. Delays in getting a clear decision will likely cause timescales to become protracted and raise anxiety for families and staff and tension in relationships.

- Consideration needs to be given to the potential challenge of the Ordinary Residency Status of the 2 people who currently are paid for by Surrey and Devon Local Authorities if they move into their own accommodation. This would mean that these costs could fall to Torbay Care Trust.

## **Staff Engagement and Consultation**

The strategy Getting a Life, Not Just a Service has been discussed with the Care Trusts Joint Consultation and Negotiation Committee (JCNC) and Learning Disabilities staff over the past eighteen months of its existence including the staff at Occombe House. This strategy includes the principles on which changes to the provision of services for the individuals at Occombe House are based.

The proposals to provide alternative accommodation for the individuals at Occombe House were discussed with JCNC on the 17th August 2010. A meeting with staff and their representatives was held on the 19th August 2010 at Occombe House to consult on the specific proposals to develop alternative provision of services for residents at Occombe House. This meeting was held at this time as this report was originally intended to go to the Care Trust Board in September and Torbay Council Cabinet meeting in October. These actions were in accordance with the Care Trusts Redeployment, Reorganisation and Redundancy Policy which states that "the Care Trust is committed to consulting with recognised Trade Unions about changing patterns and styles of service and organisation. Consultations will commence as soon as possible when draft plans are released for comment."

If the recommendations in this report are agreed, as the Care Trust continues to consult with residents and their families continuing consultation with staff about the alternative provision of services will be undertaken commencing on the date of the JCNC meeting on the 16th November 2010. This consultation will be for a minimum period of 30 days and will be about the alternative provision of services.

Once plans for the alternative provision of services are finalised the Care Trust will enter into detailed consultation with the staff affected and their trade union representatives about plans to mitigate any potential redundancies. This period of consultation will be for a minimum period of 30 days.

The Care Trust is committed to securing the employment future of the staff at Occombe House and there may be circumstances depending on the future provision of services where the Transfer of Undertakings Regulations (TUPE) may apply. However where and if this is not the case the plans may result in staff being placed at risk of redundancy. If and when any staff are placed at risk of redundancy the Care Trust will do all it can to redeploy staff to other roles within the Care Trust.

## **Conclusion**

This paper has endeavoured to set out on one hand the strength of feeling of the families advocating on behalf of their family members and on the other hand the very real need to plan services that will meet the changing needs of the 7 individuals at Occombe House recognising that their current environment cannot, and will not in the future, be able to accommodate their individual needs and aspirations as they

continue to grow older.

It should not be underestimated how emotionally charged discussions have been and continue to be between managers, staff and families and that on many occasions Senior Managers have reflected on the process and on the proposals, constantly re-examining the need and the justification to bring this proposal to the Cabinet.

It is of paramount importance that we keep the individuals at the forefront of our minds and we allow the voices of the individual themselves to be heard via their personal care plans. We are committed to doing the right thing for the individuals with their futures and long term wellbeing at the heart of everything we are do. We continue to strive to seek ways of working with the families, in partnership, recognising the value of this most important relationship in achieving the best outcomes for the people at Occombe House.

We believe that maintaining the existing arrangement at Occombe House is not tenable; the current residential care setting constrains the lives of the 7 individuals in the way that they develop the relationships of their choice, the activities they would like to undertake, the personal space they would choose to have and the facilities available to them to maximise their independence and to reach their full potential now and for the future.

## **Recommendations**

The Health Overview and Scrutiny Committee are asked to consider the following recommendations being recommended by Torbay Care Trust to the Cabinet for approval. They are asked to consider whether the proposal is a substantial variation; whether it wishes to be consulted on further, and if so, how.

1. Torbay Care Trust has recommended to the Cabinet that **Option 4** be supported which recommends independent living arrangements are procured for all of the residents to ensure that their individual needs are met now and for the longer term thereby ensuring that services are flexible to meet their needs as they grow older.
2. That plans be advanced to re-commission the Short Stay Breaks Service at Occombe House to alternative settings as indicated by individuals' person centred plans.

Because of the small number of clients affected by this proposal the Care Trust would ask the Overview and Scrutiny Committee to take into account the concern from staff and families about the urgent need for decisions to be made as the delay itself is causing stress and anxiety.