

WEST NORTHAMPTONSHIRE COUNCIL CABINET

29th September 2023

Cllr Matt Golby, Cabinet Member for Adult Social Care & Public Health

Report Title The closure of Boniface House, Brixworth

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List of Approvers

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Appendix A – Consultation Report

Appendix B – Equality Impact Assessment – Residents

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1. Purpose of Report

- 1.1 Cabinet is asked to support the proposal to close Boniface House, a council owned residential care home based in Brixworth, which has become unsustainable due to the inability of the home to meet the increasingly complex needs of people requiring residential care and support.

2. Executive Summary

- 2.1 Boniface House is based in Brixworth; the home has 46 rooms and as of the date of this paper had 13 people resident at the home. The home has an allocation of 22.65 fte cares staff to support full occupancy and it currently has 9.87 fte care vacancies with agency staff and overtime used to maintain safe staffing levels.
- 2.2 In October 2022 the building roof failed leading to an internal leak. The incident led to residents being moved to safe areas in the building however it was identified the door frames of the rooms where too narrow for profiling beds to be moved without being taken apart.
- 2.3 The service has the lowest occupancy across the four homes and has an overall inspection rating as “requires improvement” with the last inspection published 16th December 2022.
- 2.4 Infection Control audits carried out by CQC have highlighted challenges with the environment and insufficient facilities to offer personal care to customers. None of the rooms have ensuite facilities and require up to eight people to share bathrooms reducing the ability of staff in the home to support people’s dignity and respect.
- 2.5 There are longstanding and considerable difficulties in the recruitment and retention of staff across all four of the internal care homes, including Boniface House. The recent pay increases put in place by Council for front line workers and ongoing recruitment initiatives have meant that the workforce numbers have remained stable. However, this activity has not provided the increase in numbers that are required to deliver a full staffing establishment meaning the home is unable to utilise its full bed capacity. There remains a considerable high dependency on agency staff to support the safe staffing levels in the home.
- 2.6 The buildings is over 40 years old and whilst it would have been compliant at the time of build it would not meet today’s CQC accessibility of facility requirements for new build care homes due to the lack of ensuite facilities and reduced accessibility for wheelchairs/hoists. Added to this there is insufficient space for the environment to be improved or increased in size. The home requires increasing intervention just to maintain it as a safe environment. A condition survey in 2020 highlighted that to maintain the home at just a basic habitable standard would require a minimum investment of approximately £1 million over the next 10 years.
- 2.7 The number of people who need registered care home provision has remained at a consistent level through the transition from Northamptonshire County Council to West Northants Council. However the needs of people in registered care homes are now more complex with an increasing number of people requiring nursing care rather than the residential care which Boniface House is registered to deliver. Whilst the work force is skilled and able to meet these more complex needs the environment and building limits the ability to meet these high needs or vary the CQC registration.
- 2.8 Following a consultation process which sought feedback from key stakeholders to gain an understanding of their experience of Boniface House, their priorities on options to influence future service design, and to ascertain how best to mitigate impact of proposals the recommendations outlined in section 3 of this report have been put forward.

3. Recommendations

It is recommended that the Cabinet approve:

- a) The commencement of safe closure programme with immediate effect, which will support residents to move to alternative residential care accommodation within the area.

- b) The commencement of formal consultation with affected staff members on their redeployment into other council services in accordance with established HR policies and processes.

4. Reason for Recommendations

4.1 The recommendations seek:

- a) To enable the Council to prevent Boniface House becoming both unsustainable and unsafe to the point that there is risk to the wellbeing of the care homes residents.

- b) To ensure that residents receive the high quality of care in a setting that is suitable and meets both their needs and the needs of future residents.

- c) To ensure the Council is able to deliver best use of its available adult social care budgets in meeting its statutory duties.

5. Report Background

- 5.1 The Care Act 2014 places a statutory duty on West Northamptonshire Council to provide care and support to people that have assessed and eligible social care needs alongside responsibilities to ensure a sufficient supply of residential and nursing care services through effective market development activities. It is important to note that the Care Act also requires the Authority to offer choice so that people have reasonable options in the type and location of care they need when this is arranged and paid for by the Council.

- 5.2 The Council's strategic objective, through the existing Adult Social Care Transformation Programme, is to support people to live independently within the community for a long as possible. While there are a broad range of services to fulfil this objective, including home care and extra care housing, there are a number of people whose care and support needs are such that long-term residential and nursing care services are required.

- 5.3 Permanent residential and nursing care is only considered for those with the most complex needs that cannot be supported within alternative care settings such as home care or independent living with on-site care through extra care housing schemes.

- 5.4 Typically needs may include frailty and mobility, advanced dementia, highly complex physical care needs around physical disability or the requirement for on-site nursing support, and in a number of cases all of these combined. In line with national trends, there is an increasing need for more complex care within residential and nursing settings. This is partly related to national demographic changes associated with an ageing population living longer with ongoing care needs but also the positive impact of social care strategy to increase the number of people remaining

independent at home for longer with more complex conditions, which can mean that when they need residential or nursing care a greater intensity of care and support is required.

- 5.5 WNC, along with most other local authorities, supported the care home sector with covid grant funding including the workforce development fund during the pandemic. Despite increased levels of demand the additional grant funding during the pandemic did support short term sustainability in the care home sector. Post pandemic the enhanced levels of demand linked to the NHS recovery plan and the associated high Discharge to Assess (D2A) activity combined with a slowdown in ability to recruit care workers has led to a more unstable care home market in many parts of the UK including West Northamptonshire.
- 5.6 Across WNC there is a total supply of 2787 bed places for all forms of residential and nursing care services across 107 Care Quality Commission (CQC) registered care homes. These include the 6 homes provided/run by the Council.

Fair Cost of Care (FCoC)

- 5.7 In recognition of the imminent Adult Social Care Reforms (Proposed reforms to adult social care (including cap on care costs) - House of Commons Library (parliament.uk) WNC, alongside several other East Midlands local authorities, commissioned the services of Care Analytics , a specialist in the financial analysis of care markets and the cost of care, to undertake a 'Fair Cost of Care' (FCoC) detailed cost analysis exercise.
- 5.8 All providers operating in the care home market within the area of the local authority were sent a detailed survey designed to capture the necessary operational and contextual detail to draw out the inherent costs of delivering care in the local market.
- 5.9 In compliance with the latest language contained within the guidance and resulting grant conditions for additional funding, WNC is committed only to "moving towards" the calculated FCoC rates (including any future inflationary uplift as negotiated). Guidance is published on the Government: [Market Sustainability and Fair Cost of Care Fund 2022 to 2023: guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/market-sustainability-and-fair-cost-of-care-fund-2022-to-2023-guidance)
- 5.10 The Council's Fair Cost of Care Rates applicable to Boniface House is £840 per week for 2023/2024. As a result of the issues detailed within this paper and the resulting impact on occupancy Boniface House is currently operating at a rate of £1,430 per week, significantly in excess of the Council's established rate.

Public consultation

- 5.11 A 28 day public consultation on the future options for Boniface House took place between 3rd July and 30th July 2023
- 5.12 The consultation was conducted by the Adult Social Care Team, with support from the Council's Communications Team, who carried out the consultation in compliance with WNC's Consultation and Engagement Policy.

- 5.13 Identified stakeholders included: residents, residents' family carers, WNC employees, Councillors, local health partners and interested members of the public. Due to the breadth of potential stakeholders a questionnaire was devised to capture feedback.
- 5.14 To ensure those affected were informed, meetings were held with the affected staff group, residents and family members to explain the reasons for consultation, the process that would be followed and answer any questions they may have. All parties were also all offered the opportunity of a 1:1 meeting to discuss the consultation further or receive support submitting their responses.
- 5.15 An online version of the questionnaire and details of the consultation, was made available on a dedicated internet page on WNC's consultation hub. The online questionnaire was open to all. However, it was set up in a way which distinguished respondents who were residents and/or their family carers, who were able to answer specific questions about their experience of the care provided within Boniface House.
- 5.16 The consultation was designed to gather stakeholder feedback on the experience of life in Boniface House, to gain an understanding of future aspirations and priorities on options to influence future service design, and ascertain how best to mitigate impact of proposals.
- 5.17 46 people responded to the consultation through a mixture of paper and online submissions of questionnaires, with:
- 28% of responses coming from staff
 - 28% of responses coming from residents and their families
 - 33% of responses coming from interested members of the public
 - 11% coming from other stakeholders such as Councillors and other professionals.
- 5.18 All responses from the people who have experienced life at Boniface House commented on how satisfied they were as a result of the quality of care they receive.
- 5.19 The top aspects of a good quality care home identified by respondents were:
- Feeling safe
 - People being treated with respect and dignity
 - Staff being helpful and caring
 - Visitors being able to come when they want to
 - Having privacy when wanted
- 5.20 Respondents we all asked to consider three proposed options, as outlined in section 6 of this report, to gain an understanding of future aspirations and priorities on options to influence future service design, and ascertain how best to mitigate impact of proposals.
- 5.21 When asked questions about the three proposed approaches to the future of Boniface House, the responses were:

- **Approach 1 – No change:** There was a fairly balanced response to this proposal, with a slight majority of respondents, 56%, disagreeing with this as an approach; the most frequent reason cited was the need for the facilities in the building to improve and the associated safety issues with the design and layout of the building. Of the people agreeing with this approach the main reason cited was that this option created the least amount of upheaval for residents.
- **Approach 2 – Refurbish / redevelop:** The majority of respondents were in favour of this approach, 82%, however a significant proportion of these responses supported this option on the basis that residents remained in the home whilst building work was carried out. The response from residents/families to this option identified that less than half of the respondents “agreed/strongly agreed” with this approach. Those respondents who showed support for this option commented on the need for better facilities over the longer term and the impact on the local community of closing the home. Comments from the respondents who were not supportive of this approach highlighted a concern about the unsettling impact on residents if they needed to move twice (to leave and then return when building work had been completed).
- **Approach 3 – Safe closure programme:** 62% of responses, largely from staff and other stakeholders strongly disagreed with this approach, citing the impact on residents, staff, and the local community as well as the need for care home beds locally as being their reason for holding this view. The main support for this option came from the resident/families’ group with 42% “agreeing/strongly agreeing” with this option, with a preference for only moving once and residents receiving the best possible care being given as the main reason for this.

5.22 Whilst the consultation identified the refurbishment and the development of Boniface House as the preferred approach of responders it is recognised that this was on the basis that residents remain living in the building whilst this work is undertaken.

5.23 As remodelling the home would involve major building works to change the structure of the building by increasing the size of rooms and ensuring all rooms had access to suitable ensuite facilities, doing this would generate a significant amount of dust and noise and require periods where the home would be disconnected from utility networks such as water and electricity. On this basis it would not be a suitable environment to provide ongoing care for vulnerable elderly people and manage any health conditions they may have. In addition to this access to the building is very limited, and trying to keep residents in the home, whilst also ensuring contractors have the access to the building they would require would be impractical.

5.24 It should also be noted that the residents and families were not strongly in favour of the option to refurbish and redevelop the building.

- 5.25 Whilst a significant number of respondents disagreed with the recommended option of implementing a safe closure programme the reasons for their disagreement did not identify any challenges of a significant nature which could not be addressed or mitigated through a careful and appropriate implementation of this approach.

6. Issues and Choices

- 6.1 No change : The utilisation of the care home would continue to decline and the service would have an increasing difficulty in providing safe staffing levels. The condition of the building is likely to result in an issue similar to the water leak which happened at Boniface in October 2022 and residents would need to be moved to alternate provision at the point of crisis.
- 6.2 Refurbish/develop the home: The council could invest in the remodelling of the care home to create ensuite capacity. This level of work would however require the residents to be relocated for the duration of the redevelopment. Any redevelopment of the homes within the existing footprint would reduce the number of rooms, thus increasing the unit cost and making the Council even further out of step with its own Fair Cost of Care rate.
- 6.3 Safe closure programme: A programme of safe closure would involve, stopping new admissions to the service and recruitment to any staff vacancies within the home. Residents' needs would be reviewed and we would work with them and their families to identify alternative arrangements for their care. For the affected staff group we would engage the council's appropriate HR policies and undertake a process of redeployment of staff into our other care settings, with redundancy only where unavoidable. As far as possible we would seek to resettle people with the redeployed staff into Council delivered homes to support continuity of care and maintain friendship groups as far as possible.

7. Implications (including financial implications)

7.1 Resources and Financial

- 7.1.1 Closure of Boniface House would result in a saving of £1.53m which is the current operating budget of the home. However, there may be a consequential impact on the Independent Care budget in Adult Social Care should residents in Boniface choose to be placed in a residential care home within the independent care sector. This, however, is likely to be minimal given the number of residents who are affected by the proposal and the availability of support in the Council's other internal care homes. It will not be possible to quantify this impact until residents have been supported through the process of finding a suitable alternative care provision.
- 7.1.2 The council will seek as far as possible to redeploy affected staff into alternative roles in line with the existing HR policies and procedures that are in place.
- 7.1.3 Separate decisions would be taken on the use or disposal of the site if closure is approved. It is likely demolition costs would be incurred, but these should be offset by the value of re-use or disposal of the site.

7.2 Legal

7.2.1 The Council has a statutory duty to provide care and support for people who meet the eligibility criteria as set out in the Care Act 2014 and supporting legislative framework. This duty sits alongside both Council and NHS strategies and plans. The Council's statutory duty extends to the provision or arrangement of services that could help prevent people developing needs for care and support or delay people deteriorating such that they would need ongoing care and support.

7.2.2 The Council may meet that duty by providing the care and support itself or by arranging for a person other than it to provide a service. The legislation anticipates that needs for care and support can be met in a variety of ways, including Council- funded long-term care and support packages, i.e., community care, residential and nursing care and the provision of homecare.

7.3 Risk

7.3.1 Risk(s) associated with the proposal:

Risk	Mitigation	Residual Risk
The movement of residents into a new care setting has a detrimental impact on their health and wellbeing.	All residents will be supported to find a new home which is suitable to meet their needs. For residents moving into any of the councils other internal care homes, as far as possible we will support people to move with friendship groups and staff who have been supporting them during their time at Boniface House.	Amber
Staff start to leave the service once the safe closure programme begins resulting in an inability to ensure safe staffing.	Agency staffing will need to be utilised to ensure that the home continues to operate with a safe staffing level that can provide the required level of care and support for the remaining residents.	Amber
Building issues arise during the programme.	Building maintenance will continue with regular condition reports will be updated to ensure that the programme is informed	Amber
The refusal of residents/families to relocate to alternative accommodation	The council would need to follow the necessary legal processes available to authorise the conveyance of residents to alternative accommodation	Amber

7.3.2 Risk(s) associated with not undertaking the proposal

Risk	Mitigation	Residual Risk
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<p>The occupancy at the care home continues to decline to a level which makes it unsustainable.</p>	<p>Staffing levels will need to be adjusted according to the number of residents who reside in the home.</p> <p>Residents may need to be relocated in the home to ensure they can be supported at the same time with a reduced number of staff.</p>	<p>Amber</p>
<p>Further buildings issues arise which require residents to either be relocated within the home or temporarily relocated elsewhere</p>	<p>Building maintenance will continue to monitor the condition of the building and carry out essential maintenance as required.</p> <p>Plans will be developed in conjunction with Health & Safety and Resilience colleagues to ensure plans are in place to support the safe movement of residents should the need arise.</p>	<p>Red</p>

7.4 Consultation and Communications

7.4.1 As outline in section 5 of this report a public consultation has been undertaken to gather stakeholder feedback on the experience of life in Boniface House, to gain an understanding of future aspirations and priorities on options to influence future service design and ascertain how best to mitigate impact of proposals. A copy of the full report outlining the details and results of this consultation can be found at appendix A of this report.

7.5 Consideration by Overview and Scrutiny

7.5.1 No comments received.

7.6 Climate Impact

7.6.1 The existing building is not designed or constructed to meet modern standards of insulation and airtightness. Removing it from the Council’s estate would support progress towards the Council’s 2030 net zero operations goal. Conversely, it does represent a significant amount of embedded carbon. Therefore, as part of considering options for the future of the site these factors would be taken into account.

7.7 Community Impact

7.7.1 There are no community or community safety implications from the recommendations set out in the cabinet report.

8. Background Papers

8.1 None