



## **Special People Overview and Scrutiny Committee**

**Date:** Wednesday 14 August 2024

**Time:** 10.30 am

**Location:** Cathedral Room - Civic Centre, Carlisle

### **Minute Excerpt**

#### **PEOS.76/24 Call In - Moot Lodge Consultation Feedback and Recommendations**

The Chair began the item by reading out the procedure for the meeting to allow Members and members of the press and public to understand what would be happening.

The Lead Call In Member provided an overview of the Call In Members' reasons for requesting a Call In of the Executive decision. He highlighted the excellent standard of care provided by first class staff, the ideal location of Moot Lodge being in the Market Place and the impact that the closure would have on both residents and staff. The Lead Call In Member also noted the small number of responses received as part of the consultation process, commenting that such a small number did not reflect the views of Brampton, the estimated cost of refurbishment and the concerns that residents have regarding the future of the building should the decision to close Moot Lodge as a care home be upheld.

The Portfolio Holder for Adults and Community Health provided answers to the reasons given by Call In Members, this included that the future of Moot Lodge was not part of the closure decision, that a senior analyst had reviewed the consultation responses with the appropriate information included within the report, that a quality impact assessment was done to ensure that adequate alternative provision was available for Brampton residents and that the estimated cost of renovations were not only informed by experience from renovating other care homes but had also not been included in the reasons given for closure. The Portfolio Holder for Adults and Community Health further explained the legal validity of the public consultation process, as noted within the report, and that the Council were committed to having conversations with the Community Panel, the Parish Council and the wider community on the future of the Moot Lodge Building. She also emphasised that the decision was made based on the physical limitations of the building, including the lack of outside space and ensembles, and the safety of both staff and residents being paramount.

Both the Portfolio Holder for Adults and Community Health and Leader of the Council highlighted that the excellent care received by all from Cumberland Care and how appreciative both the Council and residents were for the hard work of staff.

The Leader of the Council thanked the Members who were responsible for the Call In, highlighting the importance of Councillors holding the Executive to account for their decisions. He then explained the aim for providing the best quality of care possible for residents in Cumberland, noting the fire safety and evacuations risks at Moot Lodge and the future demand not being able to be met by Moot Lodge, especially for those who require specialist care. But, the Leader of the Council emphasised the importance of independence, dignity, privacy and quality of life ever care home resident deserved and the purpose of Cumberland Care to be able to provide that.

The Assistant Director of Service Provision provided an overview of answers previously provided to the Chair, this included that the cost of relocating staff would be minimal with any staff which relocate to another service to receive mileage payments (where applicable) for a time limited period and that there were sufficient vacancies within other services to accommodate the

entire team at Moot Lodge so that no redundancies were anticipated. She also explained that the cost of relocating residents depended on where they would locate to, with three having already relocated to Eskdale House and a further two having expressed a preferred to move there, which would have no costs associated as there are available vacancies which are funded within the operating budget for Eskdale. The Assistant Director of Service Provision also commented that residents that relocate to independent sector placements would be funded by the Council, with the costs varying based on the level of service that they receive, the financial circumstances of the people relocated and the financial contributions they are assessed to contribute to the cost of their care.

The Director of Business Transformation and Change highlighted the requirements under the Mental Capacity Act, the Equality Act 2010 and the Care Act 2014 that the Council were legally required to meet as part of the Consultation process, as well as the appropriate engagement with Health Watch. She also noted the availability of alternatives provided within the report and the rise in need for specialist dementia and nursing care which Moot Lodge does not have, leading to only two referrals in 2023 being appropriate.

A Member queried how many residents were in Moot Lodge at the time of the meeting, as there had been 14 at the start of the Consultation process. The Portfolio Holder for Adults and Community Health explained that there were currently 7 residents, though only two were from Brampton.

A Member asked how many Full Time Equivalent (FTE) posts were at Moot Lodge. The Assistant Director of Service Provision explained that there was currently 14.1 FTE staff at Moot Lodge with full staffing establishment of 21.23 FTE being the criteria for 100% occupancy of 18 residents.

A Member queried whether the Executive Members felt as though there was a need for a wider consultation to take place, especially around ideas to put forward for the future, and whether residents would be kept as local to family and friends as possible following relocation. The Leader to the Council and the Portfolio Holder for Adults and Community Health highlighted that the future of the building had not been included to avoid any potential influence or bias. It was also noted that Council would not do anything to the property without a proper plan in place to avoid the building falling into disrepair. The Portfolio Holder for Adults and Community Health also commented on the public events attended as part of the Consultation but noted the importance of including Scrutiny at an earlier stage in the future, as well as including the Community Panels. The Director of Business Transformation and Change explained that a formal assessment would be carried out with residents before their relocation and the assessment would include finding out what was important to the resident.

A Member asked whether the decision as to whether the building was fit for purpose was made by the Council or an external professional. The Assistant Director of Service Provision explained that the Council's officers with the appropriate experience made the decision supported by extensive research and an external Buildings Conditions Survey. That the focus was on the safety of staff and residents, as well as their physical and mental well-being.

A Member queried whether officers had considered alternative accommodation for those in the Brampton area and whether a new Cumberland Care building had been considered. The Assistant Director of Service Provision suitable arrangements had considered for residents in Brampton compared to areas with similar population sizes in Cumberland, such as Carlisle and Whitehaven, and that where suitable, further Cumberland Care provision is being considered to try and tap into the market and fill the gap of care needs where possible.

A Member enquired about the impact of staff, whether they would be redeployed locally and if there was support for those who did not drive. They also questioned the cover available for current staff. The Assistant Director of Service Provision explained that since the Consultation process started, permanent appointments to vacancies in the surrounding area had been put on hold, with only temporary appointments being allowed currently. She further explained that the next steps in the process would be to hold a 30 day formal staff consultation which would include individual conversations, with staff supported by either a colleague or Trade Union Representative, to match their needs as much as possible. With flexibility in place to support staff where required. The Assistant Director of Service Provision also noted that 21 FTE were needed to support 18 residents, with the current number of 14 permanent FTE enough to look after the seven residents and that there were temporary relief contracts and agency staff in place to provide support for annual leave and sickness.

A Member queried if there was a way to ensure that a better response rate to public consultations was received and requested assurance that provision was in place to try and mitigate further distress for current Moot Lodge residents during this process. The Monitoring Officer highlighted the legal comments within the report, from paragraphs 8.14 to 8.23, regarding the Consultation process. The Portfolio Holder for Adults and Community Health noted the importance of building trust with residents to help improve engagement. The Assistant Director of Service Provision reassured the Committee that the Council were committed to supporting current residents and staff through this process, with staff consultations due to take place, as well as individual reviews with residents, their family and their social worker. The Director of Business Transformation and Change also highlighted the importance of open conversations and planning for moves rather than leaving them for emergencies, which puts residents under additional stress.

*[The Committee took a comfort break from 11:53 to 12:01]*

The Lead Call In Member was invited to sum up their position. He highlighted the excellent care that residents had received from great staff and the loyalty that had inspired for both Moot Lodge and Cumberland Care as a whole. He also noted that the requirement for specialty care, such as for dementia, was not required by every individual. The Lead Call In Member queried the number of vacancies available compared to the number of residents which would need relocated, the worry that the good suggestions for the future of the building would not be as easy to achieve following closure and whether council care would be moving from Brampton. He requested that the Committee consider deferring the decision.

The Portfolio Holder for Adults and Community Health agreed that it was undeniable that the staff at Moot Lodge are excellent. She explained that of the seven residents at Moot Lodge, four of them had expressed interest in moving to Carlisle to be closer to family. The Portfolio Holder for Adults and Community Health noted that deferring the decision brought about more uncertainty for both staff and residents and that Council services were not moving from Brampton. She further explained that the main issue was the building's physical limitations, with the future of the building and the future of Cumberland Care to provide a modern standard of care only able to be considered after the decision made by Scrutiny.

The Monitoring Officer clarified that the debate among Members must related to the Call In and the decision made by the Executive. She further clarified the options available to the Committee, to either:

- Agree that no further action be taken and the decision be upheld.
- Agree that the decision be upheld but with a recommendation that would be presented to the Executive at their next meeting by the Chair of People Overview and Scrutiny Committee.

- Agree that the Committee recommend that the decision be reconsidered by the Executive and provide the reasons as to why the decision needs to be reconsidered.

A proposal was made by a Member, and then later withdrawn, that the Committee agree to uphold the Executive's decision.

Another proposal was made and subsequently seconded, that the Executive decision be reconsidered with the reasoning of further public engagement required.

A final proposal was made and subsequently, that the Executive decision be upheld but with a recommendation that a clear plan be considered for elderly care in Brampton and the potential for a residential care home by Cumberland Care be provided in the future be discussed.

The Committee voted on the first proposal for the decision to be taken back to the Executive with the reasoning of further public engagement required. With a vote of two for and five against, the proposal was dismissed.

The Committee voted on the seconded proposal made for the Executive decision to be upheld with a recommendation from People Overview and Scrutiny Committee. With a vote of seven for, it was unanimously approved and therefore,

**RESOLVED** that the Executive decision to close Moot Lodge care home be upheld and take effect immediately, with the recommendation that a clear plan be considered for elderly care in Brampton and the potential for a residential care home by Cumberland Care be presented at the next Executive meeting for discussion with the Chair of the Committee.