



# Younger Adults Day Care Consolidation – Adult Social Care and Health

## Call In by the Health and Social Care O&S Committee

### 1 Request for “Call-In”

- 1.1 On 31<sup>st</sup> July 2018 Cabinet took a decision to:
- Approve the closure of Fairway Day Centre
- 1.2 A request for Call-In was made to the Health and Social Care Overview and Scrutiny (O&S) Committee by Councillors Aitken and Armstrong on 4<sup>th</sup> August 2018.
- 1.3 The Health and Social Care O&S Committee met on 16<sup>th</sup> August 2018 to consider the matter. In doing so, Members heard from Councillor Paulette Hamilton, Cabinet Member for Health and Social Care, Professor Graeme Betts, Corporate Director for Adult Social Care and Health; Melanie Brooks, Assistant Director – Adult Social Care and Health and Sueb Jabbar, Group Manager, Adult Social Care and Health also attended.

### 2 The Discussion

#### Reasons for the Call-In

- 2.1 At the meeting, Councillor Aitkin stated that the focus of the call-in was the decision to close the Fairway Day Centre. He highlighted the following reasons for the request for call-in:
3. *the decision appears to be inconsistent with recommendations previously made by an Overview and Scrutiny body (and accepted by the full Council or the Executive)* – Councillor Aitken referred to a request by the Health & Social Care O&S Committee at their 20<sup>th</sup> March 2018 meeting that a report detailing the outcome of further consultation and engagement with those who attended the Fairway Day Centre be reported to the Committee. This was not a formal recommendation which had been accepted by the full Council or the Executive.
  4. *the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision* – Councillor Aitken said that he was there to speak on behalf of the service users and carers who did not feel that they had been consulted with or listened to sufficiently.



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5. *the Executive appears to have overlooked some relevant consideration in arriving at its decision – the point was made that the findings in the Advocacy Matters Fairways Engagement Report which had been commissioned to listen to the voice of the service users and carers as part of the engagement process and which does not recommend the closure of the centre, had been overlooked.*
6. *the decision has already generated particular controversy amongst those likely to be affected by it or, in the opinion of the Overview and Scrutiny Committee, it is likely so to do – there can be no doubt that this decision has caused considerable controversy which has led to active lobbying and petitioning by the Save Fairway Day Centre Campaign Group. It is clear that the people affected are as angry about the decision making process as they are about the decision itself. There remain many unanswered questions and a lack of clarity and transparency about what will happen in the future.*

### Cabinet Member and Officer Response

- 2.2 The Cabinet Member responded that the overarching aims and objectives of the Adult Social Care Department over recent years have been to move towards supporting both younger and older adults to remain independent and in control of their lives for as long as possible. This would bring the service more into line with the direction of travel in other local authorities. She emphasised that services are not about buildings but are about people.
- 2.3 In response to a statement about the decision to close Fairway Day Centre being taken in a private meeting, the Cabinet Member stated very clearly that the decision was not taken in a private meeting.
- 2.4 In July 2017 the proposal was put out to consultation and that was the first time that service users heard about the possibility of the Fairway Day Centre being closed. The Cabinet Member acknowledged that the process leading up to that had not been adequate and she apologised to service users for that and asked for the consultation process to be formally re-started. The consultation process took place between September and November 2017.
- 2.5 A number of service users were not prepared to engage with the consultation and as a result Advocacy Matters were brought in to work with service users and carers to allow them the opportunity to express their feelings and to ensure that their voice was heard. In the Advocacy Matters Report it clearly states that this was not part of the consultation process.
- 2.6 Thereafter the focus of the work was around co-producing with staff, service users and carers but the Cabinet Member admitted that not enough was done at the beginning of the consultation process.
- 2.7 The Cabinet Member reiterated that the Council does not have the £400,000 to carry out the urgent repairs which need to be done to bring the building up to standard and said that even if the money was available she would not keep the Fairway Centre open because it is not the best service that can be provided for service users in 2018.



- 2.8 Professor Graeme Betts reiterated much of what had been said by the Cabinet Member and said that when he joined the Council the decision had been taken that savings would be made from the closure of two centres and that he was asked to implement the decision. He emphasised that he and his team had acted with professionalism and in good faith throughout the process and that they had taken on board constructive criticism from O&S and that they were fully compliant with every legal requirement.
- 2.9 Melanie Brooks went through the timeline for the decisions and for the consultation and engagement which had been carried out since January 2016 up to and including the consultation between September and November 2017.
- 2.10 Sueb Jabbar described the engagement that was carried out with staff and with service users through allocated social workers to work through alternative provision in the event of the centre closing. He emphasised the commitment to ensuring that all service users are fully supported in the event that the Fairway Day Centre is closed.

## Discussion

- 2.11 In the ensuing discussion, the following points were made by members of the Committee:
- The question was asked about whether it was correct that a decision to make no new referrals to Fairways was made in July 2016 and this was denied.
  - A member sought clarification about what the future of the service would look like. It was explained that the future service would focus on regularly reviewing needs and supporting people to make a meaningful contribution but that this would not be centred around attending a specific building. The service in three years' time will look very different from the current service but the future make-up has yet to be determined.
  - A member asked if the breakdown of the £400,000 repair costs referred to in the 31<sup>st</sup> July Cabinet Report could be made available. It was explained that as the report is confidential that it would be discussed in a private session in order to fully consider the matters contained within it. There was general agreement that if possible the report, or if necessary to maintain commercial confidentiality, a redacted version of the report should be made available to the public.
  - An explanation was requested about how the decision to close the Fairway Day Centre was arrived at. It was explained that the decision was based on a business case where all eleven centres were appraised which was appended to a Joint Cabinet Member and Chief Officer Report dated Friday 19<sup>th</sup> January 2018, which set out the criteria used. These were building costs, occupancy levels and how best to meet service user needs.

## 3 The Committee Resolution

- 3.1 The Committee resolved unanimously to call-in the decision for reconsideration by Cabinet, on the grounds that:



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*4. - the Executive appears to have failed to consult relevant stakeholders or other interested persons before arriving at its decision.*

- The Committee accepts that the decision to close two sites was not an issue for this Committee as the decision had already been taken as part of the budget savings in March 2016.
- The decision making process leading to the selection of the two centres for closure was not sufficiently open and transparent.
- There may have been consultation on the options but lack of consultation on the process to identify centres to be closed.
- The Cabinet Report of 31<sup>st</sup> July was not as candid as it could have been about the shortfalls in the earlier stages of the consultation process and the explicit intention to proceed in future with an improved approach to co-production.
- The Committee would like a clear statement that the decision was in strict compliance with legal requirements and a consideration as to the extent to which the decision process as a whole has been consistent with the Gunning Principles on consultation.

*5. – the Executive appears to have overlooked some relevant consideration in arriving at its decision.*

- The decision needs to be considered again in the context of the future plans for the service as set out in the wider Day Opportunities Strategy in order to mitigate the risk of service users being moved more than once to different sites.
- The potential redundancy costs were not included when the decision was being considered.

3.2 The Committee therefore formally asks the Cabinet to reconsider its decision.

### Health and Social Care Overview and Scrutiny Committee