

APPENDIX 1

Dear Keely,

22nd April 2015

UNITE response to the proposed closure of Lubbock House reported to Executive 11th February 2015

I write in response to your email of 16th March. Apologies for the lateness of this response due to the scale of the commissioning proposals and the limited facility time available to respond.

Unite The Union is concerned

- that the proposal has not been effectively costed
- that the proposal fails to address the impact on provision (& budgets) insufficient available voids to meet nominations
- about the impact on staff

The proposal has not been effectively costed as confirmed in para 5.3 of the report which advises that “More detailed financial implications will be presented to Members once the consultation is completed and the final proposals have been made.”

Response: The detailed financial implications are set out in para 5.3 of this report.

The report highlights what it sees as a continuing financial risk in terms of payment for staffing and rent/ service charges for voids but fails to address the financial risks which may arise from a lack of voids as the numbers of nominations increase or the impact on provision and on the nominated elderly people of such a drastic reduction in available voids.

The report indicates that in 2013/14 there was an average of 34 voids per week (38 in the summer months between April and August 2014) and at the end of December there were 35 voids. This is approximately 11% (of the 301 places in 7 homes) when nominations are made at a rate 8 nominations a month. The report indicates that in order to maximise utilisation there would need to be a nomination rate of 16 per month and recommends the closure of Lubbock House (30 nominations).

The report illustrates extra capacity in an average week (34 voids per week) with the closure of Lubbock House bringing this down to 4 voids per week.

How can the service adequately address any fluctuation in nomination rates with a maximum of 4 voids per week, a mere 1.4% of the remaining stock of 271 places.

Response: A reduction in the overall number of extra care units of 30 does not reduce the available vacancies in any given week by 30 but proportionately by the number of vacancies at Lubbock House. In the period to December 2014 when vacancies were held there were 8 vacancies at Lubbock House; during 2014 these averaged 6 vacancies. Allowing for the overall reduction in the number of places the vacancy rates will still be sufficient for future nominations.

Additionally the report indicates, in para 3.12, that 3 flats in Lubbock House are treated as vacant but are actually used as temporary “step down” flats. There is no indication about how this “step down” provision is to be provided should Lubbock House close. If the step down units are re-provided in other homes this further reduces the average weekly available voids to a single unit (0.34% of the available stock).

Response: Four of the step down flats in extra care are currently being funded through Department of Health funding for winter pressures. This funding will cease at the end of May 2015 at which time four step down flats will cease to be funded. Three of the step down flats are currently at Lubbock House.

The proposal therefore relies on the nomination rate remaining at or dipping below the current nomination rate of 8 per month and these nominations are conveniently timed in the month, and located in the borough to coincide with the limited available “voids”. Any delay in provision due to a lack of available voids places additional burdens elsewhere in the system, eg hospitals.

Response: The position with vacancies and future nominations is addressed above. There have been no delayed transfers of care from the hospital due to extra care housing.

The report has no contingency in place should there be an increase in nominations. Is there a contract for “overflow” places in private homes - if so what are the cost implications.

Response: Care homes are not used as an alternative to extra care housing. Officers continually monitor demand for extra care housing and should there be a significant increase in demand, additional capacity would be sought.

The proposal also limits choice of nominations, increasing the likelihood that elderly people will be placed away from friends and family, further isolating them at a vulnerable time in their lives.

Response: Excluding Lubbock House there remains 271 extra care housing places in the borough spread across 6 schemes.

Impact on staff

- The redeployment opportunities, other than the single vacancy at Apsley Court, St Mary Cray, are at a very significant distance from Lubbock House, which may be problematic for the staff.

Response: If the recommendation to close Lubbock House is agreed the Council will endeavour to avoid or minimise redundancies by deploying staff to alternative roles in the organisation through the Council's procedures for Managing Change.

Individual members of staff have had the opportunity to discuss their position with management and Human Resources and at this stage indications are that the majority of staff can be redeployed to like for like vacancies in the other three in house extra care schemes, subject to individual preferences or circumstances. Every effort will be made to work with staff to minimise the impact of the closure of Lubbock House.

- Posts which have been held vacant as a consequence of the separate proposal to market test the services have been covered by bank staff. The filling of these posts through redeployment will therefore have implications for the existing bank staff. It is not clear whether these staff, who may be affected, have been consulted.

Response: Casual bank staff re offered work across all the in house extra care housing scheme, however bank workers are not obliged to accept work offered, neither are the Council obliged to offer work. Hence there is no "mutuality of obligation", or "contract of service". The Council has a legal duty of care to its displaced permanent staff by prioritising them for suitable alternative employment.

The report Recommendation 2 advised that a further report be presented on the outcome of the consultations for a final decision. It is hoped that the matters raised above will be addressed in the further report.

Response: The matters above are addressed in this report.