Walnut Close Care Home

Committee considering report: Special Executive

Date of Committee: 19 November 2020

Portfolio Member: Councillor Graham Bridgman

Date Portfolio Member agreed report: 9 November 2020

Report Author: Sara Ross

Forward Plan Ref: EX3963

1 Purpose of the Report

1.1 This report proposes a significant change to the delivery of West Berkshire Council's in house care home services as a result of the impact of Covid-19.

1.2 The proposed change is an immediate measure to respond to the effect of the pandemic. A far more substantial piece of work is being undertaken to set out a medium- to long-term plan for our wider care home provision. This work has begun, but the impact of Covid-19 necessitates more urgent action.

2 Recommendations

- 2.1 This report recommends that Walnut Close Care Home be closed. Residents will be rehomed in other West Berkshire Care Homes (anticipated to be predominantly in Birchwood for reasons of capacity and proximity), with staff redeployed in those other care homes, resource centres or the reablement team.
- 2.2 A public consultation has taken place, with feedback considered and incorporated into this recommendation. A staff consultation and further appropriate engagement activities would take place following any decision to close Walnut Close.
- 2.3 Following closure, the Walnut Close site will be placed into the management of the Council Asset Management Group for decisions regarding the disposal of the land and building.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	Tracy Thorne and Roz Haines have assisted with the finance details of this paper. The potential saving from closing Walnut Close would be in the region of £330k per annum before any costs associated with the closure of the home.
	The other financial benefit may come from less use of agency staff in Birchwood, if employees are deployed from Walnut Close (although nursing posts are still proving difficult to fill).

	The savings assume no costs associated in closing Walnut and no redundancy costs.
	At the conclusion of the closure, the property will be managed by the Council Asset Management Group and depending on the disposal of the property there may be some associated costs ongoing such as securing the premises and business rates.
Human Resource:	Rebecca Bird (HR Manager) has been involved in discussions regarding redeployment of staff and potential risk of a redundancy. Whilst there were concerns related to the staff group's initial reaction to closure, feedback from staff during the public consultation was positive. It has been identified that there are roles within WBC Care Homes, Resource Centres and the Reablement Team for staff employed across Walnut Close to be redeployed into.
	The most appropriate area of redeployment would be within Birchwood, which has a large amount of vacancies that have been historically filled at great expense by agency staff. There are also vacancies in WBC Resource Centres and the Reablement Team which may be appropriate.
Legal:	The legal ramifications of this proposal would be two-fold. Firstly there could be possible legal challenges by either staff or residents and their families about the closure. Based on engagement so far, the risk is deemed to be low.
	There may also be challenge regarding service users who are under the Deprivation of Liberty framework and processes to follow under the Mental Capacity Act 2005 for those who require support to make a decision about such a move. Steps to implement a move would need to be managed in line with the Care Act 2014.
	The public consultation has taken place further to legal requirements. A Stage 2 EIA has been prepared to ensure compliance with the Public Sector Equality Duty and is appended to the report.
Risk Management:	Residents could have a negative experience from the closure. This is reinforced by the fact that evidence supports that mortality rates rise in situations where residents within care homes are moved to a different location or provider. Mitigation can be made by the fact that the long-term health implications of such a move are positive due to the consolidation allowing a more robust workforce and a purpose built environment.
	Covid-19 has had a massive impact on the whole care home industry and at this time levels of occupancy in homes are the lowest it has been in many years. Walnut Close currently has 17 residents (at time consultation went out there were 18) and

	therefore the impact in potentially closing at this time will have a reduced impact due to the lower level of current residents. Timing of the decision and any subsequent implementation is an important consideration.		
Property:	Discussions would be ongoing about whether the Council would sell the land and put the funds into its Capital Budget, or use the site as another more appropriate service. Learning Disability provision and homeless provision have been suggested. These decisions would be made by the Asset Management Group.		
Policy:	Public consultation took place in line with our Consultation Policy.		
	Two of West Berkshire Council Strategic Policies which are supported by the this paper are:		
	Ensure our vulnerable children and adults receive better outcomes.		
	All of the residents currently living in the Walnut Close Care Home should have improved outcomes within a new home, particularly if (as anticipated) most (if not all) are relocated in Birchwood, due to theses care homes offering a more modern and purpose-built environment in which staff can more easily attend to the needs of the residents.		
	Protect and support those that need it		
	Residents within Walnut Close all have care and support needs and most would be unable to live independently or protect themselves from harm.		
	Since the building of Walnut Close care home, not only have the needs of people residing in care homes increased due to people continuing to live in their own properties for longer being supported by domiciliary care, but the design and build of more modern care homes has changed significantly.		
	The increase in knowledge regarding Dementia Friendly environments and the subsequent changes in the design of modern care homes mean that care homes being built now are able to improve the ability of management and staff to meet these increased needs.		
	Protecting and supporting the residents is core work for the care home staff and this would be much easier to undertake in a building which is specifically designed in which to promote this. Walnut Close's layout does not make this undertaking very easy.		

		Four of the six West Berkshire Council Adult Social Care CQC Regulated services are currently rated as "Good".		
	It is the Council's priority that all of the Regulated Services will receive a rating of "Good" within the period of the current strategy.			
			alnut (nprove	Close is rated by the CQC Inspectorate as ment".
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X		X	Walnut Close is 'home' to its residents. Moving those with high level needs / dementia is known to be a risk, in some cases leading to accelerated decline. These concerns will need to be considered and addressed. A move would provide a better working and living environment. More supported staff and residents due to having consistent staff.
Environmental Impact:	Х			Staff and residents will be able to work and live in a more appropriate environment.

Health Impact:	Х		Staff and residents will benefit from a better working and living environment.
			It is hoped that when balancing the risk to being moved versus the positive health impact of having consistent staff rather than multiple agency staff and by living in a more appropriate environment that this risk will be mitigated and individual risk assessments, mitigation and transition plans for each resident would be produced in consultation with GPs/relevant medical practitioners.
ICT Impact:		Х	
Digital Services Impact:		Х	
Council Strategy Priorities:	Х		
Core Business:	Х		Ensure our vulnerable children and adults receive better outcomes.
			See above under Policy.
			Protect and support those that need it.
			See above under Policy.
			During the most recent CQC Inspection the Inspection Report stated that "People told us they had concerns about their bedrooms being in disrepair. We observed the service was not decorated in line with best practice guidance and areas of the home were in poor condition".
			It is hoped that, by consolidating WBC permanent care staff and relocating residents into the other three WBC run care homes, all will have a much more fulfilling and pleasurable experience in which to live and work.
Data Impact:		Х	

Consultation and
Engagement:

Graham Bridgman – Portfolio Holder

Andy Sharp - Executive Director and DASS

Paul Coe - Service Director

John Carpenter – Market Management Lead

Rebecca Bird – HR Manager

Tracy Thorne – Finance Manager

Leigh Hogan – Legal Services

Laura Knowles – Legal Services

Roz Haines – ASC Business Manager

Public Consultation – see further below and appendices

HR Consultation

4 Executive Summary

- 4.1 Covid-19 has very significantly impacted the number of residents in WBC care homes. This reflects the national picture. This is due to a range of factors including the number of deaths (echoing the national picture) and decisions made in the best interests of service users.
- 4.2 In addition, it has highlighted the importance of buildings which support successful infection control measures.
- 4.3 These issues have promoted a re-evaluation of the in-house care home model and in particular of the suitability of Walnut Close as a setting in which to provide care.

5 Supporting Information

- 5.1 West Berkshire Council currently operates four care homes. These are Birchwood, Willows Edge, No Trees and Walnut Close. Due to the reduced numbers of residents it is now possible to accommodate all residents in three homes, facilitating the closure of one. Walnut Close has been chosen for consideration for the reasons that follow.
- 5.2 Walnut Close is a 35 bedded unit. 24 of the beds accommodate those with physical disabilities, with the remaining 11 beds available for residents with dementia. The home currently has 17 residents with 12 beds vacant and six closed due to health and safety issues with the fabric of the building (for example water related issues, hoists not able to be accommodated, hazardous flooring). Thus, currently, only 17 beds are being utilised.
- 5.3 Walnut Close Care Home is over 50 years old. It has no ensuite facilities, has multiple costly repair projects which require urgent attention, and has a difficult layout to work in with residents' increasingly high support needs. Its failings as a premises are well known and have been made even more evident both to staff and management during

the Covid-19 pandemic, where it has been difficult to implement the infection control measures required to reduce the virus spread. Examples of this are that, due to having no access to ensuite bathrooms, commodes are needing to be used within people's bedrooms. This is not ideal for managing infection control. The home will require £150,000 worth of building work to be completed this year alone, just to ensure the building remains safe and to prevent closure of more rooms due to quality issues.

- 5.4 For 2019/20 Birchwood Care Home expenditure for agency staff was £1,354,000. Resourcing permanent staff within the care home sector is very difficult and WBC has the same difficulties with this as private providers. Walnut Close currently have 34.22 FTE in their staffing budget, with 25.89 FTE being employed. Across the other three homes run by WBC there are currently approximately 40 FTE vacancies. Redeploying staff following the closure of Walnut Close would assist us to fill the vacant posts across the other homes which will save the service approximately £350,000 a year plus it will stabilise the staff team at the other homes and, should we have another Covid-19 outbreak, this will also ensure consistency and continuity of staff across the other homes in order to prevent transmission of the virus by using agency workers. Obviously this will take some careful handling of staff anxieties and also the input of the HR team, to look at how the posts themselves are appropriate for the redeployed staff. However, recent feedback has been positive. Staff are valued very highly by the residents and families of residents and are a very valuable resource for the Council. Following a decision to close Walnut Close, HR have advised there would need to be a two week consultation with staff concerning redeployment.
- 5.5 The budget for ASC is in part built on a forecast of the number of care home beds available in WBC care homes. If Walnut Close were to close, a budget sum would need to be retained to enable the service to buy the lost beds on the open market. The expenditure budget for Walnut Close for 2020/21 is set at £1,573,680 and the cost of buying those beds based on 80% occupancy (as used in the model for Walnut) would be £1,240,460. This therefore generates a potential saving of around £330k.

24 clients	£821,760
PS Residential	
x £42,800 per annum x 80% occupancy	
11 clients	£418,700
M&C Residential	
x £47,580 per annum x 80% occupancy	
TOTAL	£1,240,460

- 5.6 Walnut Close has a budget for income mainly through client contributions of £638k, which could still be generated if clients were placed externally, and consequently needs to be ignored for the purposes of calculating the saving.
- 5.7 Whilst it is accepted that demand for beds is less as a result of COVID-19, the Adult Social Care (ASC) model will factor this in to the budget for 2021/22 so it cannot be double counted in these calculations for 2021/22.

- 5.8 The other financial benefit may come from less use of agency staff in Birchwood, if employees are deployed from Walnut Close (although nursing posts are still proving difficult to fill).
- 5.9 There has been an ongoing discussion regarding the fact that No Trees and Willows Edge currently share a Registered Manager (a position which has caused some concern for the CQC), and whether this would be an appropriate time to change this so that each of the three remaining care homes had a Registered Manager (thus rectifying the concern). This has being considered within the HR Consultation process and now has Service Director and ASC Finance agreement to create an extra Registered Manager post at No Trees.
- 5.10 The importance of WBC as the local authority having a foothold in the provider market is being explored in a wider piece of work, an initial draft of which is under discussion.
- 5.11 In-house provision enables us to act as 'provider of last resort' in the event of a private sector failure. It is useful in other Emergency Planning and Business Continuity scenarios. If private care home providers across West Berkshire are failing, or if there are multiple safeguarding concerns regarding a particular provision, then it is the duty of the local authority to support these providers (Care Act, 2014). An example of this was seen in 2019 when a Care UK owned care home within West Berkshire was under scrutiny through safeguarding and care quality, eventually being embargoed under WBC Commissioning. This is a major undertaking and requires substantial resources in order to prop up a failing provision. Should the provider be required to close due to CQC instruction, this would provide the Council with multiple residents to secure new placements for.
- 5.12 The Care Act highlights the duty of the Local Authority to ensure that the level of care which they are commissioning is of good quality. When we commission services, we remain accountable for the quality of that provision, but we do not have the same level of control over external provision that we can exercise over our own.
- 5.13 Operating our own care homes gives a greater ability to ensure that more if the cared-for people are kept local. The Care Act states that Local Authorities have a duty to develop a clear Market Provision Statement (MPS) in which they should highlight their responsibilities and duties under the Act to ensure that local residents can remain in the local area to receive their required level of care provision (a fresh WBC MPS is currently being drafted).
- 5.14 When in-house services are good, there is a reputational benefit for the Council. During the last CQC inspection of Walnut Close, the standard of the building was highlighted as an area of concern. The Inspection Report stated that "People told us they had concerns about their bedrooms being in disrepair. We observed the service was not decorated in line with best practice guidance and areas of the home were in poor condition". This has led (in some part) to the CQC rating being at the level 'Requires Improvement'. The physical state of the property will continue to be a barrier to the home reaching a 'Good' CQC rating.
- 5.15 The discussion regarding the closure of Walnut Close has been had for many years, as has the possibility of using capital from the disposal of the property and land to rebuild, buy or lease another home. Covid-19 has had a devastating effect on the whole care home sector in the area, including WBC homes. It has however left us with an opportunity to consolidate our efforts on three of the WBC homes in order to ensure they have adequate staffing to provide quality care in a fit for purpose environment.

- 5.16 The disposal of the Walnut Close site is under review as part of the wider and larger piece of work being undertaken to look at West Berkshire Council's role in the provider market. Serious suggestions have been made regarding the plot and these include the sale of the land and structure, the redevelopment of the building for use regarding WBCs responsibilities to rough sleepers, particularly during the pandemic and with the possibility of a second wave, and for WBC office space. In so far as disposal or sale of land is concerned any decision would be taken by the Executive.
- 5.17 Regarding other legal implications of the proposal, Walnut Close is currently the home for 17 residents (at the time we went out to Public Consultation there were 18 residents). The residents have a varying level of need, including their level of ability to make capacitated decisions about where and how their care needs should be met. Eight of the residents are currently protected under the Mental Capacity Act Deprivation of Liberty framework which ensures that residents in care homes who have been assessed as not having the capacity to make a decision where to have their care needs met and who are deprived of their liberty, are detained under this safeguarding legal framework.
- 5.18 Should the home be closed, it will be the duty of WBC and the ASC team to support all of the residents, but most important those under this legal framework. This will include undertaking Mental Capacity Act assessments and considering the Best Interests of the resident. This will also require close communication with the residents' families and friends.
- 5.19 The Public Consultation was launched on 24 August and ran until midnight on 4 October. An overview of the responses can be viewed at Appendix C. Please note additional consultations were undertaken, with meetings with residents and their families, alongside the published consultation.
- 5.20 Feedback on the published consultation was received from 35 individuals. These were primarily received from staff, residents and families. Of those 35, when asked about the proposal to close Walnut Close, 19 'Disagreed' or 'Strongly Disagreed' (54%), 10 'Agreed' or 'Strongly Agreed' (29%) and the remaining 6 were neutral (17%).
- 5.21 On a closer look of the responses of those who did not support the proposal, there were concerns raised about the welfare of the residents during and after the proposed move and change in location. However, many of the comments were positive in nature and when speaking with the residents and their families they understood the reasons for the proposal.
- 5.22 Other concerns raised included having less dementia provision in the WB area and there were some comments about investing more in the building, adding ensuites, etc. These comments have been considered. Walnut Close Care Home is currently not dementia friendly. The closure of Walnut Close would help fund dementia friendly improvements for Birchwood, such as appropriate signage, which can accommodate dementia friendly practices better than Walnut Close due to being a purpose-built building. The wider piece of work around WBC care home services will look at what provision is needed in WBC and seek to address any gaps in the market in addition to looking at how we can improve our provision. Making improvements to Walnut Close to make it dementia friendly and build ensuite facilities would be expensive alongside the other repairs the building now requires which are costly. The bedrooms at Walnut Close are small and could not accommodate ensuites as they are. Adding ensuites would be likely to reduce the number of residents that could be accommodated by around half.

- 5.23 In summary, the key concerns raised can be mitigated by undertaking a planned and risk assessed process for moving residents to an alternative provision. It has been highlighted by the public consultation that interested parties wish to be informed of all developments and timescales and that particular attention should be paid to any risks associated with moving residents at any time particularly during a pandemic.
- 5.24 Individual risk assessments will be completed for each of the residents prior to moving and this will take into account the current physical and mental health of the person, but also local information from the Director of Public Health Berkshire, in order to assess the risk of any Covid-19 related local outbreaks. This process will include; where deemed necessary, a full Mental Capacity Assessment regarding the move and liaising with family and other professionals regarding Best Interest decision for those residents who are deemed to lack the mental capacity to make decisions in this area.
- 5.25 Should information be received from the Director of Public Health, Berkshire regarding an increase in Covid-19 cases in the community or outbreaks identified within any receiving care homes, the process of moving the residents will be postponed until the situation is resolved.
- 5.26 Following the conclusion of the Public Consultation, it is paramount that the management team involve residents, families and staff in the specific plans for moving individuals ensuring that each resident is the priority within the decision making process, taking into consideration their individual needs and well-being.
- 5.27 During the consultation process, the service manager for Responsive Care Providers (RCP) met with 11 residents within the home and although initially there were some concerns and questions, through these meetings residents were generally excited and looking forward to having increased facilities within a new building/environment and this was particularly in regards to having an ensuite bathroom, with two residents stating that they felt that this would offer them a higher level of dignity and independence. Significant weight has been given to the views of residents and implementation of a decision to close would be done in a person-centred way, in line with the approach under the Care Act.

6 Proposal

- 6.1 The proposal is to close Walnut Close Care Home and redeploy the staff to the other three care homes owned by WBC, predominantly Birchwood. It is also proposed that the residents at Walnut Close will be rehomed at the other care homes; again most (or all) at Birchwood (subject to residents' decisions/Best Interests process).
- 6.2 It is proposed that as part of any closure, the Admission and Engagement Manager would lead on the assessment work for the 17 residents to risk assess and plan their moves and transitions.
- 6.3 There is no fixed timescale for the physical closure of Walnut Close as this will need to be flexible to accommodate the residents and in the context of Covid-19. Once residents are safely moved, then the home would physically close and be handed over to the WBC Asset Management Group for a decision regarding the retention or disposal of the land and building.

7 Other options considered

- 7.1 The alternative to the proposal recommended in this paper is that WBC keep Walnut Close open as is.
- 7.2 This is not considered a viable long term option for the following reasons:
 - ongoing and rising maintenance costs;
 - considerable recruitment issues in the care home industry across the UK which means that the vacancies are hard to fill, incurring increased agency costs and reduced level of good, consistent care;
 - loss of revenue and running at a loss;
 - CQC rating improvement is less achievable within the current building reputational damage to WBC.

8 Conclusion

- 8.1 The conclusion of this report is that Walnut Close Care Home should be closed. There was mixed feedback from the Public Consultation about making this decision, but this predominantly focused on ensuring any move is carefully managed particularly in the context in Covid-19. The recommendation will:
 - ensure that the current residents have an appropriate environment to live in that's dementia friendly and in line with residents' wishes;
 - allow the WBC workforce to be consolidated within the remaining homes and provide a safer level of care to all;
 - reduce the cost of agency staff to the Service;
 - ensure continuity of care within the Service by reducing agency usage, also reducing the risk of transmission of Covid-19 across multiple settings;
 - remove the need to spend capital on refurbishing the building;
 - allow investment in other provision;
 - enable staff to plan and implement a robust Covid-19 protection plan going forward;
 - increase the likelihood of having a better CQC rating at the remaining homes due to improved staffing levels and levels of care.
- 8.2 The public consultation has helped engage key stakeholders to manage the risks and implement any decision to close in an appropriate and planned way. Residents will be at the centre of this.
- 8.3 It is vital to highlight that this report does not seek to underestimate or devalue the work that has been done and continues to be undertaken by all of the staff at Walnut Close. They have done a remarkable job in providing a great level of care during the Covid-19 pandemic and prior to this. This report makes recommendations which will improve the lives of the current residents at Walnut Close, but also the working conditions of the staff there by moving them to a fit for purpose building.

9 Appendices

Appendix A – Equalities Impact Assessment

Appendix B – Data Protection Impact Assessment

Appendix C – Public Consultation Feedback

Appendix D – List of works January 2020

Appendix E - CQC report Walnut Close 2019

Sub	iect	to	Cal	I-In	1:
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Yes: ☐ No: ☒

The item is due to be referred to Council for final approval

Delays in implementation could have serious financial implications for the Council

Delays in implementation could compromise the Council's position

Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months

Item is Urgent Key Decision

Report is to note only

Officer details:

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Appendix A

Equality Impact Assessment - Stage Two

What is the decision Executive is being asked to make? Please add a summary of relevant legislation and whether the proposed decision conflicts with any of the Council's key strategic priorities	To close Walnut Close Care Home and relocate/redeploy residents and staff to other Council-run care homes, predominantly Birchwood.
Budget Holder for item being assessed:	Sara Ross
Name of assessor:	Sara Ross
Name of Service & Directorate	Responsive Care Providers, Adult Social Care, People Directorate
Date of assessment:	20 October 2020
Date Stage 1 EIA completed:	29 September 2020

STEP 1 – Scoping the Equality Impact Assessment

What data, research and other evidence or information is available which will be relevant to this Equality Analysis? Please tick all that apply.			
Service Targets	Performance Targets		
User Satisfaction	Service Take-up		
Workforce Monitoring	Press Coverage		
Complaints & Comments	Census Data		
Information from Trade Union	Community Intelligence		
Previous Equality Impact Analysis	Staff Survey		

Public Consultation	х	Other (please specify)	
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2. Please summarise the findings from the available evidence for the areas you have ticked above.

The Public Consultation for the closure of Walnut Close commenced on 24th August 2020 and closed on 3rd October 2020.

Multiple one to one discussions with 75% of residents and 50% of families.

3. If you have identified any gaps in the evidence provided above, please detail what additional research or data is required to fill these gaps? Have you considered commissioning new data or research eg a needs assessment?

If 'No' please proceed to Step 2.

None identified.

STEP 2 - Involvement and Consultation

1. Please outline below how the findings from the evidence summarised above when broken down, will affect people with the 9 protected characteristics. Where no evidence is available to suggest that there will be an impact on any specific group, please insert the following statement 'There is no evidence to indicate that there will be a greater impact on this group than on any other.'

Target Groups	Describe the type of evidence used, with a brief summary of the responses gained and links to relevant documents
Age – relates to all ages	Walnut Close care home is the home for (currently) 17 adults over 65 with varying levels of frailty and disability and requiring 24 hour a day care. These residents include individuals with dementia which is a progressive disease, which worsens as the person ages. Moving a resident of a care home to an alternative provision can have a detrimental effect.

However the hope is that this will be mitigated by the move into a home which can provide a fit for purpose surrounding, improving the dignity and privacy of the residents. The hope is that residents will therefore have a better quality of life going forwards. Closure of Walnut Close would remove this service from being used by other over 65s in our area. Walnut Close care home is the Disability - applies to a range of people that home for (currently) 17 adults have a condition (physical or mental) which has a significant and long-term adverse effect on with varying levels of disability their ability to carry out 'normal' day-to-day and requiring 24 hour a day activities. This protection also applies to people care. Moving a resident of a that have been diagnosed with a progressive care home to an alternative illness such as HIV or cancer. provision can have detrimental effect. However, having living areas and bedrooms with more available space will assist staff be able to use appropriate equipment with those residents who have physical disabilities. For example the use of hoists being available in all bedrooms meaning residents do not have to move rooms if they require more equipment to meet their needs. The CQC registration of the homes includes people with physical health needs, such as mobility issues. Using hoists and wheelchairs is not always within easy the current structural set up of the home Gender reassignment - definition has been expanded to include people who chose to live in the opposite gender to the gender assigned to

them at birth by removing the previously legal requirement for them to undergo medical supervision.	
Marriage and Civil partnershipprotects employees who are married or in a civil partnership against discrimination. Single people are not protected.	
Pregnancy and Maternity - protects against discrimination. With regard to employment, the woman is protected during the period of her pregnancy and any statutory maternity leave to which she is entitled. It is also unlawful to discriminate against women breastfeeding in a public place	
Race - includes colour, caste, ethnic / national origin or nationality.	
Religion and Belief - covers any religion, religious or non-religious beliefs. Also includes philosophical belief or non-belief. To be protected, a belief must satisfy various criteria, including that it is a weighty and substantial aspect of human life and behaviour.	
Sex - applies to male or female.	
Sexual Orientation - protects lesbian, gay, bisexual and heterosexual people.	

2. Who are the main stakeholders (eg service users, staff etc) and what are their requirements?

The main stakeholders are the residents and staff at Walnut Close care home.

The residents require an alternative, safe environment in which to have their care needs met.

3. How will this item affect the stakeholders identified above?

This item will affect the stakeholders in the following ways:

Residents:

 Move to a new care home which may affect the residents by causing stress prior and during the move and may have an adverse effect on their health and wellbeing although in the long term it is hoped that the new provision will improve their health and well-being.

STEP 3 – Assessing Impact and Strengthening the Policy

What have you assessed the impact as being? If there are potential adverse or differential impact on protected groups, what are the measures you will take to mitigate against such impact. Is there any opportunity to promote equality and good relations?

There are potential adverse impacts as identified above. However, the aim is for residents to live in better accommodation more suited to their needs and enable them to have a better quality of life.

Although there is evidence that there are risks associated with the transfer of care home residents from one provision to another, steps can be taken to mitigate the risk. Individual risk assessments and detailed transition plans would be completed for each resident if the proposal is taken forward. Following any move, residents would be better supported by the improved layout, facilities and standard of the new placement.

A summary of plans in place to mitigate these risks are:

- Individual risk assessments to be made for the physical move itself, including the community levels of Covid-19 at the time of any planned move.
- Transition planning, to include in person (with PPE protection) visits for residents to their new homes and also virtual visits to ensure residents have a good idea of what their new home is like.
- Mental Capacity assessments and where someone is identified as lacking capacity to make informed decision regarding care and support needs, the Best Interest process will be undertaken. This will include the residents and their families, plus other professionals involved in the care of the person.
- Having undertaken discussion with more than 75% of the residents at Walnut Close we
 have identified the opportunity for most of the current residents to be placed within the
 ground floor unit at Birchwood, facilitating the ongoing relationships that residents have
 made within Walnut Close- this unit will be predominantly run by ex Walnut Close staff
 and so will help ensure some continuity for residents.
- A review of the care needs of every resident by RCP staff so that people are placed in the correct environment for their current needs.

STEP 4 – Procurement and Partnerships

Is this item due to be carried out wholly or partly by contractors?

Yes/No (please delete)

If 'yes', will there be any additional requirements placed on the contractor? Have you done any work already to include equality considerations into the contract? You should set out how you will make sure that any partner you work with complies with equality legislation.

No

STEP 5 – Making a Decision

Summarise your findings and make a clear statement of the recommendation being made as a result of the assessment. This will need to take into account whether the Council will still meet its responsibilities under the Public sector Equality Duty (Section 149 of the Equality Act), which states:-

A public authority must, in the exercise of its functions, have due regard to the need to:-

- (i) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (ii) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it, in particular the need to:-
 - (a) Remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;
 - (b) Take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;
- (iii) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Following the Public Consultation, residents and their families have been given the opportunity to speak on a one to one basis with the RCP Service Manager about their concerns.

The RCP Service Manager has spoken to more than 75% of the residents and approximately 50% of the families. There were initial concerns raised regarding the closure of the home as can be seen in Appendix C. Following receipt of those responses, the Service Manager has allowed individuals to articulate and discuss concerns in detail. Almost all of the residents took up the offer of a one to one with the RCP Service Manager. Subsequently, the vast majority of concerns and fears have been allayed. Significant weight has been given to the views of residents and those affected have been re-assured that implementation of a decision to close would be done in a person-centred way.

The residents and their families who were spoken to appear to now be, by majority, on board with the closure and looking forward to moving into an environment that is more suited to 24 hour dementia care. There was particular emphasis by the residents about their desire to have more modern bathroom facilities in the shape of ensuite bathrooms. Several residents explained that being isolated to their current rooms and sharing bathrooms has been very difficult during the Covid-19 pandemic and that using commodes has been necessary, but quite undignified.

Following discussions, residents have even expressed their excitement about having more modern facilities and were particularly pleased when they understood that they would be able to maintain their relationships with other residents from Walnut Close and staff.

Having now reviewed where residents would like to move to, Birchwood has been identified as the most popular destination with all but one of the residents requesting to go there with the remaining resident moving to be near family.

The ground floor unit at Birchwood has remained empty since the first wave of Covid-19 and this has been earmarked as the new home for ten of the current Walnut Close residents, with the others who have higher care needs, to be accommodated in the other units within the homes.

The ground floor unit which has been renamed "Walnut Unit" will be inhabited almost exclusively by ex-Walnut Close residents and staffed predominantly by ex-Walnut Close staff.

It has been highlighted by the public consultation that interested parties wish to be informed of all developments and timescales and that particular attention should be paid to any risks associated with moving residents at any time particularly during a pandemic. Should information be received from the Director of Public Health, Berkshire regarding an increase in Covid-19 cases in the community or outbreaks identified within any receiving care homes, the process of moving the residents will be postponed until the situation is resolved and this will be communicated clearly to all affected individuals and their families.

The recommendation being made following the Public Consultation and subsequent one to one meetings with residents and their families is that Walnut Close should be closed and the residents should be moved to new provisions.

STEP 6 - Monitoring, Evaluating and Reviewing

Once the change has taken place, how will you monitor the impact on the 9 protected characteristics?

Once Walnut Close is closed and residents are accommodated in their new home, reviews of the placement will be undertaken by the RCP Service to ensure that residents are settled and having their care needs met by the new provision. This will be undertaken within three months

STEP 7 – Action Plan

	Actions	Target Date	Responsible Person
Involvement & consultation	Complete HR consultation	1/11/20	Sara Ross
Data collection			
Assessing impact	Review all residents at six weeks	March 2021	Jenn Bunce
Procurement & partnership			
Monitoring, evaluation and reviewing	Review all residents at six weeks	March 2021	Jenn Bunce

STEP 8 - Sign Off

The policy, strategy or function has been fully assessed in relation to its potential effects on equality and all relevant concerns have been addressed.			
Contributors to the Asse	Contributors to the Assessment		
Name: Sara Ross	Job Title: RCP Service Manager	Date:23/10/20	
Service Director sign off	Service Director sign off		
Name: Paul Coe	Job Title: Service Director	Date: 23/10/20	

Appendix B

Data Protection Impact Assessment – Stage One

The General Data Protection Regulations require a Data Protection Impact Assessment (DPIA) for certain projects that have a significant impact on the rights of data subjects.

Should you require additional guidance in completing this assessment, please refer to the Information Management Officer via dp@westberks.gov.uk

Directorate:	People
Service:	Adult Social Care
Team:	RCP
Lead Officer:	Sara Ross
Title of Project/System:	
Date of Assessment:	

Do you need to do a Data Protection Impact Assessment (DPIA)?

	Yes	No
Will you be processing SENSITIVE or "special category" personal data?		\boxtimes
Note – sensitive personal data is described as "data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, or trade union membership, and the processing of genetic data, biometric data for the purpose of uniquely identifying a natural person, data concerning health or data concerning a natural person's sex life or sexual orientation"		
Will you be processing data on a large scale?		\boxtimes
Note – Large scale might apply to the number of individuals affected OR the volume of data you are processing OR both		
Will your project or system have a "social media" dimension?		
Note – will it have an interactive element which allows users to communicate directly with one another?		

	Yes	No
Will any decisions be automated?		
Note – does your system or process involve circumstances where an individual's input is "scored" or assessed without intervention/review/checking by a human being? Will there be any "profiling" of data subjects?		
Will your project/system involve CCTV or monitoring of an area accessible to the public?		
Will you be using the data you collect to match or cross-reference against another existing set of data?		\boxtimes
Will you be using any novel, or technologically advanced systems or processes?		\boxtimes
Note – this could include biometrics, "internet of things" connectivity or anything that is currently not widely utilised		

If you answer "Yes" to any of the above, you will probably need to complete <u>Data Protection Impact Assessment - Stage Two</u>. If you are unsure, please consult with the Information Management Officer before proceeding.

Appendix C

The Future of Walnut Close Care Home (24/08/2020 – 04/10/2020)

Consultation Summary Report

Approach

We published all the public facing proposals on our website on 24 August 2020 with feedback requested by midnight on Sunday, 4 October 2020.

As well as publishing the consultations on our website, we emailed residents and their families, staff, local stakeholder charities, representative groups and partner organisations notifying them of the exercise and inviting their contributions. Service Managers also made direct contact with those organisations directly affected prior to them being made publicly available. We also spoke directly with current residents and their families, staff who are directly affected, and other local stakeholders, e.g. Healthwatch West Berkshire.

Finally, we issued a press release on the 24th August 2020, and further publicised our consultations through our Facebook and Twitter accounts.

Proposal Background

West Berkshire Council currently manages four care homes in the West Berkshire area; Birchwood, Willows Edge, No Trees and Walnut Close. When fully occupied they can provide nursing and residential care for 152 people over the age of 65, who have been assessed as requiring 24 hour care. The homes employ approximately 172 permanent staff, with a heavy reliance on agency and casual staff, to ensure that safe staffing levels are achieved.

Walnut Close Care Home is located in Thatcham and has space to accommodate 35 residents, 24 with physical disabilities and 11 with dementia. Currently, the home cares for 18 residents, as ten rooms are vacant and seven rooms are closed. None of the rooms have their own ensuite facilities.

The home is over 50 years old and requires significant, and potentially prohibitively costly, structural work to be undertaken throughout the property to ensure that it is safe and habitable. A recent Care Quality Commission (CQC) inspection rated the home as 'requires improvement'. It also does not offer residents the level of facilities which we would expect within modern care homes. Although this has been accepted as a shortcoming of the building for some time, the recent Covid-19 pandemic has presented staff with some difficulties due the lack of such facilities.

We would like to improve the offer to those receiving residential care within our care homes, in particular to the standard of the physical environment e.g. the buildings.

Proposal Details

To close Walnut Close Care Home in January 2021 and relocate/redeploy existing residents and staff to one of our other three care homes, predominately Birchwood.

This is an interim measure to respond to the current position and is a standalone decision. While we are carrying out a more substantial piece of work to consider our wider care home provision, to

Walnut Close Care Home Executive 19 November 2020 identify what we can do to improve our local offer and plan for the longer term, the impacts of Covid-19 have necessitated more urgent action.

Our objectives

- 1. To provide a high standard of care in our care homes.
- 2. To make the best use of our valuable and conscientious staff for the benefit of all our care home residents.
- 3. To provide a good quality environment to the residents and staff which is best for delivering care and controlling infection.

Consultation Response

Number of Responses

In total, 37 responses were received.

We received no petitions.

Summary of Main Points

Main points raised are:

- Maintaining the respect of residents
- Residents remaining with familiar peer group and staff
- That residents and families can view their prospective new placement prior to moving
- Safe relocation of residents during winter months and possible second wave of Covid 19
- Concerns regarding keeping residents Covid 19 free during the move
- Reduction in West Berkshire Council care home provision
- Reduction of "Dementia" specific provision
- Shift patterns for staff are consistent
- Concerns regarding moving residents with dementia and the impact on their mental well-being
- That any move is undertaken with respect and consideration for residents needs
- Further travel for families and staff
- Several respondents suggested that WBC should invest more heavily in updating the fabric of the building rather than closing the home

Summary of Responses by Question

1. What best describes you...?

Answer Choices		Responses
A resident of Walnut Close Care Home	0.00%	0
A resident of another West Berkshire Council owned care home	0.00%	0
A family member of a resident of Walnut Close Care Home	36.11%	13
A family member of a resident of another West Berkshire Counci	2.78%	1
A member of staff at Walnut Close Care Home	25.00%	9
A member of staff at another West Berkshire Council owned care	2.78%	1
A resident of West Berkshire	16.67%	6
A Parish/Town Councillor	0.00%	0
A District Councillor	2.78%	1
A partner organisation	2.78%	1
A West Berkshire Council service provider	2.78%	1
Other - please specify below	13.89%	5
Additional information e.g. group/organisation name (if applicable)):	7
	Answered	36
	Skipped	1

2. How far do you agree or disagree with the proposal to close Walnut Close Care Home?

Answer Choices		Responses	
Strongly agree	8.57%		3
Agree	20.00%		7
Neither agree nor disagree	17.14%		6
Disagree	20.00%		7
Strongly disagree	34.29%		12
Please tell us the reasons for your response.			25
	Answered		35
	Skipped		2

3. What do you think we should be aware of in terms of how this proposal might impact our residents, their families and our staff?

- Currently a close proximity to shops, cafes and GP surgery
- Breakdown of close relationships which have been built up between fellow residents and between staff and residents
- Staff may choose not to relocate and leave WBC employment
- Covid 19 safety
- Impact of move on residents and the well-known information regarding moving vulnerable people into new settings
- Families and staff may have to travel further
- Communication with family's needs to be consistent
- Psychological impact on residents
- Impact on residents with dementia

4. If the decision is taken to proceed with the proposal, do you have any suggestions for how we can reduce the impact on those affected? If so, please provide details.

- Keep residents together where possible
- Keep staff together where possible
- Residents have the opportunity to see where they are going beforehand
- Leaflets and photos of the new homes to be available for residents and families
- Central point for communication with families is maintained
- Undertake the moves in a planned, safe manner
- Support residents and families to make informed decisions
- Attempt to keep the "substance" of Walnut within the new placements
- Carers shift patterns be respected in the new home

5. Any further comments?

- Don't close Walnut
- Put ensuites in Walnut and charge more
- Concerns about WBC having less "Dementia" care provision

Appendix D

List of Works January 2020

BEDROOMS

Many of the rooms have a wood type laminate non slip flooring on which we have laid in rooms where the flooring has needed to be replaced. As part of the refurbishment we would like wood type laminate flooring in all of the bedrooms that don't already have it as it is more slightly and hygienic. It is very noticeable that many of the bedrooms have different/patchy flooring – it adds significantly to the shabbiness.

The bedrooms that need re-flooring are:

Daffodil: Flat 1, Flat 2, 14, 15, 16, 17, 20, 21, 22, 23

Tulip: 1, 2, 3, 4, 5, 7, 9, 10, 11, 12

Forget-me-not: 26, 28, 30, 33, 34

None of the bedroom vanity units have cupboards underneath so **we would like all vanity units replaced/ fitted with cupboards** to make the rooms look tidier and homelier. The bedrooms in forget-me-not have sinks only. We would like lockable cupboards under the sinks so that if a resident who is at risk of trying to consume/misuse products we would be able to stow them safely but still have them in the persons room with them.

Every room requires plastering and redecorating and we would like the residents who are currently in the rooms to choose the colour of their room. We would then look to decorate whenever someone new comes into the room. A lot of the bedrooms at a certain side of the building have cracks along the ceiling lines and down the corners of the walls. Mainly this is on the ground floor in the bedrooms in the secure unit.

Below I have given extra detail about any additional problems in some of the bedrooms, although as previously stated, just about all of the rooms are in need of repair so I have removed detail replastering, flooring and redecorating unless it is of special concern

You will notice that in the secure unit there are a lot of rooms with cracks along the top of the walls. This is a ground floor unit surrounded by trees, which may be of concern.

TULIP LODGE

ROOM (1)

- Ceiling damage from previous leak
- Door frame bashed

ROOM (2)

- Ceiling damp patches
- Door frame (piece missing)

ROOM 3

- Flooring coming up
- Plastering window sill & decorating

ROOM 4

- Plastering under window sill
- · Cracked window sill

ROOM 5

- Carpet bubbling
- Plastic strip unclipped (see pic)

ROOM 8

Has recently been redecorated but still needs some decorating under window sill & wallpaper

ROOM 9

Wall flaking

ROOM 10

- Loose wire cover
- Cracks in the wall

ROOM 11

Plasterboard

DAFFODIL LODGE

ROOM 14

Ceiling (water marks) & cracks

ROOM 15

- Heavy wall damage
- · Wall cracked along ceiling line

ROOM 16

Broken window sill (recent)

ROOM 22

- Cracks in ceiling/walls
- Works damage

FORGET ME NOT LODGE

ROOM 25

Hole in wall around pipework (shabby)

ROOM 29

• Skirting behind bed – big hole

ROOM 30

- Skirting coming away from wall
- Crack up wall
- Crack along ceiling & damp patch

ROOM 31

· Crack along ceiling line

ROOM 32

Crack along ceiling & down wall

ROOM 33

· Cracks along ceiling line

ROOM 34

- · Cracks along ceiling line
- Damaged box unit behind bed

LOUNGES AND COMMUNAL AREAS INCLUDING HALLWAYS

We had our fire doors replaced at the beginning to middle of 2019 and there is filling in round all of the doorways in the old part of the building. Whilst the fire doors are sound and the compartments intact, they remain unsightly and in many of the bedrooms the door stoppers are still on the floors.

Again, all of these rooms need plastering and decorating due to wheelchair damage and general wear and tear. All corridors are in need of new carpet and redecoration.

TULIP

TULIP (1) LOUNGE/DINING AREA

- Cracked tile
- Cracks by the door frame
- Boxing & wire

DINING LOUNGE (2)

- Redesign we would like to create an activity kitchen with low work tops for residents to be able to take up supervised cookery activities: this was supposed to be done previously but compliance issues meant that other kitchens took priority.
- Stained flooring

DAFFODIL

LOUNGE (3)

- Water damage (ceiling)
- Door frame plastering

KITCHEN (3)

- Plastering & paintwork above window
- Cracked/chipped tiles

CUPBOARD OUTSIDE KITCHEN (3)

• Cracks all over walls and outside (see pic)

KITCHEN (4) + LOUNGE

- Redesign we would like to close off and convert the kitchen part of the lounge to create storage space as a response to specific concerns raised in our CQC report.
- Flooring missing
- Tiling missing
- Crack in wall/redecorating

FORGET ME NOT LODGE

When it comes to the redecoration in Forget-me-not lodge we need to ensure that this is dementia friendly and **we would like to include themed walls in the hallways** especially, including a reminiscence theme on one wall and a timeline with historic events on another. Whether this would be done as part of the redecoration or after the decoration is complete will need to be discussed so the walls can be prepped for these additions.

We will need to discuss dementia friendly tones and how to address barriers to living well with dementia, such as black hole covers and black hatch lines that currently exist in the hallways. **The hallways and the lounge require re-carpeting throughout.**

LOUNGE + DINING ROOM + SECURE KITCHEN

- Broken tiles under shutter hatch
- Remove/ replace carpet in lounge area
- New carpet/flooring in lounge area
- New flooring in kitchen

TOILETS, BATHROOMS AND SLUICE ROOMS

STAFF TOILETS

- Water mark on floor (seepage)
- Rusty radiator
- Dent in wall from door handle
- Redecorating (holes, flaking paint & stains)

TOILET (1) RECEPTION

Rusty radiator

SLUICE TULIP

Redecorating (just paint)

BATHROOM TULIP (2)

- Artex stained (leak?)
- Tile work missing (see pic)
- Toilet seat (elaborate on plan & barriers/issues with plan)

TOILET - TULIP (1)

- Cracked tile & worn grouting
- Rusty radiator

DAFFODIL

SLUICE

Peeling floor & redecorate

SHOWER ROOM (3)

- Hole above door (tile)
- Pipe work touch up

TOILET (3)

- Floor coming off
- · Tiles coming off
- Cracks in ceiling
- Plastering
- Rusty radiator

BATHROOM (4)

- Toilet seat
- Redecorate
- Rusty radiator

TOILET (4)

- Wall/plasterwork by fan
- Seal around loo & flooring
- Small crack in tile (tiny)
- Doorframe

FORGET-ME-NOT

SLUICE

New sluice unit (old & stained)

SHOWER ROOM

being re-plastered

TOILET

- New floor
- Redecorate

OFFICES AND OTHER ROOMS

MANAGERS OFFICE

- Ceiling Artex cracked (flaking) from previous water damage
- Sink paint flaking, wall exposed
- Skirting boards chipped/flaking
- Telephone port (one socket not working)
- Redecorating especially door frames colour way
- Holes in walls above sink & above safe
- Outside door above frame (laundry/MO) exposed wires.

LAUNDRY

- Ceiling damaged (ironing room) & wall above (see pic)
- Black floor edging exposed (holes in wall) either side of door (bottom)
- Walls chipped & grim
- Washing room holes in the walls
- Tile missing (by door), chipped & cracked above sink, below window
- Floor peeling away from wall all round.

ADMIN OFFICE

- Cable cover hanging off wall
- Redecorating

CONSERVATORY

- New furnishings
- Cracks in wall & window sill
- New flooring (gap & stains)

- Plastering around boxing
- Exposed wires under sill
- Threshold trip hazard

MEDS ROOM

- Metal panel exposing walls (see pic)
- Dent in wall (door handle)
- Door frame & redecorating
- New flooring

HAIRDRESSER

- Door still has old style door guard on
- Decorating

LIFT ROOM

- Broken flooring
- Ceiling cracks & paintwork

UTILITY CUPBOARD

- Plastering & paint work
- Insulation pipes

STAFF ROOM

Redecorating

RCO OFFICE

Redecorating

RCO OFFICE IN FMNL

- Wall corner cracked
- Flooring

LIFT

- Not big enough for stretcher
- Not fire proof
- Hand rail & skirting

PLANT ROOM 2 – potential pipework issue

• Pipework – on 30.01.20 the pipework around the calorifier was repaired. In the last few months pin prick size holes have been appearing repeatedly – every time one was fixed, another would appear in a matter of weeks, sometimes days. The engineer who assessed told us that this was a problem with the old pipework and although we could replace the pipework around

the cylinder, which we have done, they couldn't say that it did not extend back through the pipework within the building.

CHICKEN SHED

New roof

Appendix E

CQC Report Summary Walnut Close 25th and 26th September 2019

Overall rating for this service	Requires Improvement
Is the service safe?	REQUIRES Improvement •
Is the service effective?	REQUIRES Improvement •
Is the service caring?	Good
Is the service responsive?	REQUIRES Improvement
Is the service well-led?	REQUIRES Improvement •

About the service

Walnut Close is a residential care home providing personal and nursing care to 31 people, aged 65 and over, at the time of the inspection. The service provided care in one adapted building split into three wings. One of the wings specialised in providing care to people living with dementia. This service can support up to 35 people.

People's experience of using this service and what we found

We found the provider to be in breach of four regulations, these were in relation to the need for consent, premises and equipment, person-centred care and good governance.

People were not supported to have maximum choice and control of their lives and staff did not support them in the least restrictive way possible and in their best interests; the policies and systems in the service did not support this practice.

People told us staff did not always come quickly when they used the call bell. We observed that call bells had at times been left out of reaching distance for people. This meant people were not always able to access support when they required it.

Medicines were not always stored safely. Systems for monitoring expiry dates of creams were not always effective and the service did not always monitor the storage of medicines effectively.



People and relatives told us they felt safe at the service. Staff received training in safeguarding and felt confident to raise safeguarding concerns if required.

People told us they had concerns about their bedrooms being in disrepair. We observed the service was not decorated in line with best practice guidance and areas of the home were in poor condition.

People were supported to have enough to eat and drink, however feedback we received about the quality of food was mixed.

People were assessed prior to moving into the service. These assessments were used to make personalised care plans for people. People were assisted to access other health and social care services and community provisions.

Care staff treated people kindly and with respect. People and their relatives told us they liked the care staff and were happy with the care they provided.

People told us there was not enough to do at Walnut Close, people told us this made them feel bored and isolated. The service did not restrict visiting times and relatives told us they were always made to feel welcome when they visited.

The service completed a range of audits to assess and improve quality at the service. However, several shortfalls identified on this inspection had not been picked up by these processes. The registered manager kept up to date with best practice and legislation. People and staff told us the management team were approachable.

For more details, please see the full report which is on the CQC website at

www.cqc.org.uk Rating at last inspection

The last rating for this service was good (published 31 May 2017).

Why we inspected

This was a planned inspection based on the previous rating.

Enforcement

We have identified breaches of four regulations, these were in relation to the need for consent, premises and equipment, person-centred care and good governance. Please see the action we have told the provider to take at the end of this report.

Follow up

We will request an action plan for the provider to understand what they will do to improve the standards of quality and safety. We will work alongside the provider and local authority to monitor progress. We will return to visit as per our re-inspection programme. If we receive any concerning information we may inspect sooner.

You can ask your care service for the full report, or find it on our website at www.cqc.org.uk or by telephoning 03000 616161