

## **Cabinet**

**25 January 2012**



### **Report on a Review of Learning Disability Respite services and recommendations on changes to the in- house services**

**[Key Decision AWH/03/11]**

**MTFP Reference 5**

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#### **Report of Corporate Management Team**

**Report of Rachael Shimmin, Corporate Director of Adults, Wellbeing and  
Health**

**Councillor Morris Nicholls, Portfolio Member for Adult Services**

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#### **Purpose of the Report**

1. The purpose of this report is:
  - To present findings following the review of Durham County Council (DCC) learning disability respite services;
  - Make recommendations on the future of Dean Lodge in the light of the Medium Term Financial Plan (MTFP).

#### **Background**

2. Respite is a service which provides periods of care for a person away from their carer. It is intended as a positive experience for both the person requiring care and their carer. Respite services can be planned in advance or provided in an emergency, for example, when a carer is unwell. Respite services are important to service users, their families and carers. The Council remains committed to meeting the needs of service users through the use of respite services but it also needs to take account of: changes in demand; new opportunities being offered in the social care market; and the need to ensure that services operate efficiently and represent the best value for money. DCC spends approximately £1.7M annually on learning disability respite services and is providing new forms of respite where possible. As at 21.10.11 there were 343 learning disability service users accessing respite services.
3. In County Durham most learning disability respite services are provided through:
  - Durham County Council building-based services at Hawthorn House (Newton Hall, Durham) and Dean Lodge (Ferryhill).

- A 'Shared Lives' service where service users take respite in a family or individual's home. The people who provide this service in their homes are paid by the Council. The Council oversees the service to ensure it meets quality standards.
- Independent residential care services provided by the market.
- Independent specialist respite services offering different models of service (e.g. respite in the service users own home).
- Service users also have the option of using a Personal Budget to purchase a respite service of their choice.
- All services provided or purchased by the Council are monitored for quality and performance and protected by safeguarding procedures and are only provided in response to assessed needs.
- The percentage split of service users accessing the above provision is as follows: Hawthorn House 28%; Dean Lodge 12%; Shared Lives 39%; Independent Sector 12%; Direct Payments 9% (figures as at 21.10.11).

### **Reasons for review**

4. The need to secure value for money to meet the MTFP and changes in demand and occupancy levels have prompted a review of in house building based learning disability respite services. The review has focused on a number of factors including demand, achieving value for money, carer and service user views and the future shape of services.
5. The Council needs to ensure that services are commissioned which:
  - Support the Personalisation agenda helping people to have more choice and control over services.
  - Ensure value for money and improve choice.
  - Meet the changing needs and expectations of current service users and those of young people coming into adult services (e.g. people who require specialist services).
  - Ensure services are of good quality and meet the needs of service users as part of their care plan.

These issues are discussed in more detail in this report.

### **Medium Term Financial Plan**

6. The Council's 2011 – 2014 MTFP set out its plans to achieve savings of £123.5M over the four year MTFP period, almost 30% of the Council's net revenue budget. The Adults, Wellbeing & Health (AWH) element of those savings totals £33M.
7. The Medium Term Financial Plan demonstrates that where possible savings are being made against back office costs rather than front line services, and by securing services that represent good value for money.
8. If the changes to respite services recommended in this report are agreed and implemented it will enable Durham County Council to make savings by reducing capacity which is not needed. Those who are assessed as needing respite services will continue to receive them and the most significant change will be where and with whom they receive their respite care. Durham County Council will ensure that service users will

not face a reduction in the amount of respite they can access (on the basis of assessed need) as a result of the recommendations in this report.

## **Review Findings**

### **Unit Cost Comparisons**

9. The operation costs for Dean Lodge and Hawthorn House are approximately £630,000 each per annum and these costs are incurred even when the service is not full because the operating costs are largely fixed and cannot be adjusted to reflect fluctuations in occupancy.
10. A typical individual's attendance at Dean Lodge costs £1,730 and £1,680 at Hawthorn House per week (based on 100% occupancy). Both cost more than alternative services in the independent sector where DCC is able to purchase respite services for similar levels of need at an average weekly cost of £1,295 per person. A weeks respite in Shared Lives costs a maximum of £390 in provider costs. The Council has a support team for providers at a cost to it of £60 per provider per week.
11. If Dean Lodge closed the net saving allowing for reprovision costs would be approximately £510,000. The costs of reprovision (calculated at £120,000) include costs of alternative respite at Shared Lives, an additional staff member at Hawthorn House and the costs of purchasing emergency respite in the independent sector.

### **The reason for considering the closure of Dean Lodge**

12. The review considered existing in house services provided at both Dean Lodge and Hawthorn House. It is clear that:
  - Occupancy levels at Dean Lodge have reduced between 2006/07 and 2010/11.
  - Hawthorn House has seen an increase in occupancy levels over the same period of time.
  - Demand for Dean Lodge is expected to reduce to 48% of its capacity as a result of planned moves to other services and reductions in demand for this service (see paragraph 17 onwards for more details).
  - Hawthorn House continues to have higher occupancy levels and is currently predicted to be occupied at 89% of its eight bed capacity or 70% of its 10 bed capacity. The proposed closure of Dean Lodge would offer the opportunity to reduce under use in Hawthorn House and improve efficiency.
  - Currently over 95% of people who are likely to use DCC building based respite in the future could be accommodated in Hawthorn House. This would fully utilise accommodation at Hawthorn House and improve value for money in this service. These figures are subject to minor fluctuations.
  - Dean Lodge is a smaller building and could not accommodate total predicted demand for DCC accommodation based respite.
  - Hawthorn House is a newer building opened in 2007 and has better facilities including a sensory room for service users, en suite facilities in bed rooms and office space for staff. It has 8 standard respite rooms and 2 emergency respite rooms.
  - Dean Lodge opened in 1999, initially as a 3 bed unit. It was extended in 2001 to provide a further 4 bedrooms.

## Demand and occupancy

13. Regular monitoring of services has shown that there have been changes in the occupancy levels as illustrated in the table below:

Table 1: Performance data for Dean Lodge & Hawthorn House:

Service	Capacity	2006/07	2007/08	2008/09	2009/10	2010/11
Dean Lodge	2548	89.78%	86.26%	84.46%	71.08%	83.30%
Hawthorn House	2912 (8 units); 3650 (10 units)	79.73%	77.36%	81.78%	87.33%	87.54%
Emergency bed						34.4%

The two emergency beds have been available at Hawthorn House since it opened however the service has only monitored occupancy levels for this service since 2010/11. The beds are kept available for situations such as placement or carer breakdown. They are intended to be used for up to 72 hours.

14. There have been some reductions in occupancy for Dean Lodge between 2006 and 2010. There was a greater decrease in occupancy in 2009/10 which resulted from a number of service users successfully moving to supported living. This meant it was no longer necessary for them to access respite services.
15. Attempts were made to increase the occupancy levels in in-house services throughout 2010/11 and at the same time reduce expenditure on external learning disability respite. This involved supporting individuals to move from taking respite in the independent sector to in house services. This activity resulted in an increase in the occupancy levels of Dean Lodge in 2010/11 as can be seen in the table above. However some of this increase was self generated as additional respite was offered when the service had capacity, and did not represent improvements in efficiency.
16. In order to ensure resources are properly prioritised and care provision is fair, the council took steps to consistently and effectively apply existing eligibility criteria. This was carried out through a process of reassessments. Whilst the service continues to support the same number of people there was a reduction in occupancy of the service.

## Future demand

17. The following section explores the factors that will impact on demand for future respite services.

## Current users

18. Ten existing Dean Lodge service users are currently considering moving to alternative services. The remaining service users would use 48% of the capacity at Dean Lodge based on the number of sessions they are assessed as needing. Similar projections for Hawthorn House are 89% for 8 beds or 71% for 10 beds. Some of the current

service users live at home with aging carers and it is possible that this may create an increase in demand in the short term. However as carers become less able to meet need it is likely that service users will move into full time care and support and will therefore not require respite in the longer term.

### New referrals and Transitions

19. Predictions of future use must take into account the likely demand from young people coming through transitions and into adult services. Adult services must ensure that there are appropriate services available for approximately 100 young people who move into adult services on an annual basis, (not all of these will require respite). The best predictor of future demand for this group is their current use of similar services, recognising that the demand for this type of service is reducing (see paragraph 27). There are currently 39 young people who use Park House, the Durham County Council service for young people with learning disabilities which operates a similar model to Dean Lodge and Hawthorn House. The table below shows the numbers of people who will move into adult services from Park House.

2011	2012	2013	2014	2015	2016	2017	2018	2019
5	5	9	2	4	6	3	2	3

### Service throughput

20. There is a natural turnover of people who use respite services and there have been 11 people move from Dean Lodge and Hawthorn House to Shared Lives in 2011 (as at October 2011) creating additional capacity in these services. Given the through put from Hawthorn House (8 people by October 2011 and a further 11 planned) the number of people moving into adult services that currently access Park House could be accommodated in Hawthorn House or alternative services in the independent sector.

### Service Growth

21. There are some young people who require specialist services to meet their needs. The table below shows the numbers of young people with very high level needs resulting from autism identified by Children's and Young Peoples Services as potentially requiring specialist autism services and the year that they will move into adult services. These people are unlikely to use Dean Lodge or Hawthorn House as a result of their needs which require specially trained staff and accommodation.

<b>Autism Cases</b>					
Year reach 18 years	2011	2012	2013	2014	2015
Number of cases	11	9	11	7	7

22. Adults Wellbeing and Health are working with independent service providers to ensure there are specialist autism providers in place who are able to meet this level of demand.

23. There are also young people with other conditions requiring specialist services to support them with health conditions and again there is a requirement to work with

service providers to meet these needs as Dean Lodge and Hawthorn House could not meet their needs.

#### Predicted demand for growth in respite

24. On average the net growth in demand for respite amounts to 1480 nights per annum. Currently there are approximately 9500 nights of learning disability respite provided annually.
25. Within the in house Shared Lives service and independent sector combined there is currently additional capacity of over 3600 nights available for respite, and an additional 1400 will be available by April 2012. This market development will continue and is a flexible and efficient way of increasing supply to meet new demand.

#### Changes in demand for type of service

26. Making Changes Together (MCT) is a group set up through Children's and Young People's Service in County Durham as a way of ensuring parents and professionals can work together to improve services for children and young people with additional needs. A large number of families have given feedback to MCT that young people are requesting alternative respite services, or activity and holiday style breaks, rather than traditional building based provision. The Council must respond by ensuring alternative services are available. The Council are confident that these needs can be met through available providers, some of whom already have specialist services. This is in accordance with clear policy direction linked to personalisation and greater choice and control for service users.

#### **Consultation**

27. The demand levels described in this report continue the general trend set in previous years. They raise concerns over the efficiency and value for money of the existing in house services as the costs remain the same irrespective of occupancy levels.
28. Given the MTFP requirements and following the review of demand and performance a consultation exercise was undertaken. This included consultation on the future of the in house services and a proposal to close Dean Lodge and meet respite needs through the service at Hawthorn House, Shared Lives and use of the independent sector. The reasons for considering Dean Lodge for closure are described at paragraph 12.
29. The consultation was carried out on the future of learning disability respite care in County Durham, and the potential closure of Dean Lodge between 6 May 2011 and 24 June 2011.

#### Methodology

30. As part of the consultation the following key groups were identified and processes were designed and implemented to enable meaningful consultation with:
  - Respite service users of Dean Lodge and Hawthorn House, and their carers;
  - Staff at Dean Lodge and Hawthorn House;
  - Elected Members and members of the public;

- Stakeholders, community groups and partner organisations;

31. The main method of consulting was via questionnaires. A protocol established by the Learning Disability Partnership Board was followed which recommended that service users be contacted via their carers. A total of 164 questionnaires were sent out to service users. Stakeholders were sent e mails or letters advising them of the consultation. There were a total of 172 questionnaires completed and returned. This was broken down as 92 service user questionnaires and 80 stakeholder returns. There are currently 138 service users accessing Dean Lodge and Hawthorn House, although this fluctuates as people move in and out of services.
32. Meetings were arranged with those carers who requested more detailed discussions. In addition to the questionnaires feedback to the consultation was provided via written correspondence including a letter from a representative of 10 service users and correspondence from 3 carers.
33. Further information on the consultation is available in the separate and more detailed report which presents and analyses feedback. Copies are available in the Members' Library.

### **Key Messages from Consultation**

34. The following is a summary of all responses received during the consultation. The stakeholder and service user questionnaires are in the feedback report at Appendices 1 and 5.

### **Service user needs**

35. The most common concern raised related to service user needs and the challenges they may face if changing to an alternative service. 140 statements concerning service user needs were contained within the total number of returned questionnaires. These comments largely represent the views of service users currently accessing Dean Lodge. The following are summarised examples of the comments made:
- Some service users find it difficult to adjust to change.
  - A significant number of service users at Dean Lodge have health needs and must access a service that is able to meet these.
  - There is a view amongst some service users that these needs could not be met in independent sector services.
  - Access to respite services should be based on individual need and not a policy based targeted length of stay.
  - Service users and carers want more information about alternative respite services.
  - DCC needs to ensure it considers the best interests of those service users who lack capacity.

### **Carer Needs**

36. There were a total of 55 comments relating to carer needs in the returned questionnaires. Many carers of Dean Lodge service users are anxious about the potential change in service and the majority do not want Dean Lodge to close. There is a significant level of trust in the staff and positive comments about their caring

attitude, and level of knowledge and skill in meeting service user needs which in turn provides reassurance to carers and enables them to relax on a break in their caring role.

37. Some carers have made reference to respite requirements when they have been unwell and been unable to look after the service user. Some carers also made the point that they were older and less able to care for service users all of the time and therefore may need more respite or a permanent accommodation based service at some point in the future.
38. Some carers have indicated that they intend to challenge any decision made to close Dean Lodge on the basis of the change to their care package and have alleged that the consultation process was flawed. If the decision is taken to close Dean Lodge it is possible that solicitors will be instructed to apply to judicially review the decision. The Council has responded to the solicitors and will prepare a defence to any individual challenge.

### **Alternative Services**

39. 51 respondents have made comments on alternative services. Responses ranged from reference to the funding of alternative services and the use of personal budgets, to the outcomes that these services should help achieve and the specific activities that should be undertaken within a service. This information will be of use in the design of future services.

### **Community Impact**

40. There were a number of comments in this area that related to the impact on staff if Dean Lodge was to close. Comments also referred to the service at Dean Lodge as being well integrated into the community at Ferryhill, and that if the service was to close then it would be a loss to that community.
41. Some concerns were also raised that if the respite service closed then the building could be a target for vandals.

### **Positive comments re Dean Lodge**

42. There were 43 comments made via questionnaire describing the positive aspects of the service at Dean Lodge. These include caring attitude of staff, their skills and knowledge, and some specific activities in their work (e.g. communicating with parents). There were also positive comments about the building and that Dean Lodge has a homely environment.

### **Service efficiency**

43. There were 55 comments made about service efficiency and they gave a broad range of recommendations about how the service could be made more efficient. This includes suggested changes to staff terms and conditions, replacement of the in house staff with staff employed by the independent sector. Comments were also made about the need to avoid making a false economy by closing a preventative service and creating the need for more intense and higher cost service if carers were unable to continue to provide support as a result of the loss of respite.



## **Mitigating factors**

44. This section describes some of the steps that would be taken to mitigate against those factors that caused the most concerns, should members make the decision to close Dean Lodge.

### **Service user needs**

45. The consultation raised a number of concerns over service user care needs and whether they could be met via alternative services. Mitigating factors include the following:

- Hawthorn House has suitably trained staff in place to meet the needs of service users with support needs resulting from poor health. Support to the staff and service is available from primary health services.
- Specialist independent sector providers operate in County Durham to meet the needs of people with specific needs e.g. in relation to autism, physical disabilities, and health needs.
- Appropriate monitoring and review procedures are in place to ensure independent sector organisations provide high quality services.
- The Council have extensive experience in successfully managing transitions of service users between learning disability services (for example a number of people have already been supported to make the transition from Dean Lodge and Hawthorn House to Shared Lives).

### **Travel**

46. Consultation comments included a view that there will be additional travel required for service users if they were to move from Dean Lodge to Hawthorn House. Of the current service users at Dean Lodge thirty would have additional journeys which work out as an average increase of 5.6 miles to travel one way to Hawthorn House. The maximum additional miles travelled by one individual would be 10.4 miles. There are ten service users who would have a reduction in their journey averaging 3.5 miles. Travel needs are assessed and met on an individual basis through application of the transport policy. Using respite services generally only involves a journey to and from the service making these changes a minor disruption for some individuals.

### **Carer needs**

47. The scale of concern and anxiety highlighted by carer feedback has to be acknowledged. However the issues raised can be addressed by careful and sensitive planning in relation to moves. The consultation responses identify the key concerns of carers which DCC could respond to by providing, for example, additional reassurance and practical assistance (e.g. introductory visits to services) during any change in service. Carer assessments will also be offered.

### **Community Impact**

48. There were a number of comments in this area about the impact on staff if Dean Lodge was to close. It is not yet known what the full impact would be although it is anticipated that there may be opportunities for staff to transfer to alternative services

where there are vacancies. A full Human Resource consultation would be required in the event of the decision being made to close Dean Lodge.

49. Concerns were also raised over the impact on the building if the service was decommissioned. DCC has procedures for managing empty buildings and would ensure all appropriate services were involved to maintain the value of the building, and prevent anti social behaviour etc. Alternative uses for the building would be considered in accordance with the asset management plan of the Council.

### **Positive comments re Dean Lodge**

50. It is clear from the consultation that Dean Lodge is a popular service amongst existing service users and carers. If Dean Lodge were to close then steps would be taken to ensure the most positive aspects of the service are replicated in other respite facilities.

### **Human Rights Act 1998**

51. If DCC decided to close Dean Lodge it would need to consider the appropriate Articles of the European Convention on Human Rights as set out in the Human Rights Act 1998.

#### **Article 2 “right to life”**

52. The consultation has identified that there are a number service users in Dean Lodge with poor physical health who require specific interventions in relation to their conditions. Service users can be provided with these interventions whilst in respite either by appropriately trained staff in the establishment or through a Community Nurse. If an individual changed the location of their respite then steps would be taken to ensure the same procedure could be carried out at the new service. This is regular practice within learning disability services.

53. A full Equality Impact Assessment has been undertaken and included at Appendix 2 of this report. Further information is at paragraph 60.

54. **Article 8** “right to respect for one’s private and family life, home and correspondence.”

55. To close a respite service and support an individual into a different service may be considered to constitute an interference of the human rights of that individual. Article 8 does allow for such interference, but there must be a justification which is necessary, reasonable and proportionate.

56. A balancing exercise must be undertaken by the County Council to determine that this action is justified while taking into account the human rights considerations of those affected by the decision to close that particular service. (Proposed mitigations have been described at paragraph 44 above).

57. As part of the consultation exercise information was collected to ensure all needs could be considered if an individual had to change their service. This includes many of the practical steps that would be taken to ensure there was a smooth transition between services including the use of introductory visits to a new service and the appropriate transfer of data between services. This information would be underpinned

by the detailed care plans which each individual has based on assessment from the multidisciplinary learning disability teams.

58. **Article 14.** This prohibits discriminations on any ground for example, sex, race, colour, language, religion, political or other opinion.

- These proposals have been subject to a full equalities impact assessment and officers are satisfied that these proposals are not discriminatory and have at their heart the need to modernise care and ensure that resources are allocated appropriately to meet the needs of service users with a learning disability and their carers.

### **Equality Act 2010**

59. DCC is committed to its responsibilities under the Equality Act and recognises it has the following duties:

- Eliminating unlawful discrimination & harassment;
- Advancing equality of opportunity;
- Promoting good relations between people who share a protected characteristic and those who do not.

60. An Equality Impact Assessment (EIA) has been undertaken to identify any potential negative consequences from proposed changes to respite care, and to mitigate against these. The full EIA is at Appendix 2 of this report and it sets out the specific steps that have and may be undertaken to ensure the Council complies with the above duties should the recommendations in this report be agreed. The assessment also identifies the mitigating actions that will be undertaken if the decision is made to close Dean Lodge and these are summarised in the paragraph below.

61. The EIA has identified the main impacts that would arise from the closure of Dean Lodge, and also the mitigating factors that could be put in place to reduce any negative impact. Examples are set out below and they indicate that there are potential impacts relating to age, gender and disability which would need to be managed in any transitional arrangements:

- Some service users will need time to adjust to change;
- Some service users may have to travel further to use a different service;
- As carers grow older it may result in increased demand for respite;
- Dean Lodge provides care and support to people with health problems and high needs;
- Information from children's services suggests that younger people want access to alternatives to traditional building based respite;
- There would be an impact on staff based at Dean Lodge.

62. If the decision is taken to close Dean Lodge, any users of that service would continue to have their assessed respite care and support needs met. This could mean transferring to a different respite care service such as Hawthorn House, Shared Lives or an independent sector provider. There are sufficient services available to meet the needs of people with high needs. Durham County Council would make any transition as smooth as possible and ensure that the new service was fully aware of care and health needs, personal preferences and any other important factors. Where required

service users would be introduced gradually to a new service to help them with the change process. Service users will also be offered the opportunity to choose a different type of service using Direct Payments or Personal Budgets. The guidance which the Council must follow when charging an individual varies depending on the type of service being provided. In general people taking respite in a residential care setting will be able to keep less money than when using a respite service which is not a residential care service. A recent analysis of 123 cases identified that almost 90% of people using Shared Lives are better off under the Fairer Charging system that is used than they would be if the residential charging system was used. All service users and carers will be offered advice on welfare benefits to mitigate the impact of any additional costs in transition to a new service, carers will also be offered a needs assessment.

63. The consultation and impact assessment identified the value of respite services to carers and the pressures experienced by some carers (e.g. older carers). If the decision is made to close Dean Lodge Durham County Council will ensure that this does not result in a reduction of the amount of respite an individual can access (subject to assessed need). Carers have the opportunity to access a range of services that are both provided and commissioned by Durham County Council to meet the needs of carers.

## **Conclusion**

64. The consultation on the future of learning disability respite has identified that the majority of Dean Lodge service users are opposed to its potential closure. Amongst the reasons put forward by service users and stakeholders for retaining Dean Lodge are the difficulties some service users would have in adjusting to change, perceptions about the expertise within the service for supporting people with high level health needs and concerns over whether there is sufficient capacity in existing services to be able to meet demand. Adults Wellbeing and Health has extensive experience and expertise in supporting vulnerable service users through change. The service is confident that it could mitigate against negative impact on service users.

Information indicates that there is sufficient capacity to meet the needs of service users within alternative DCC services and the wider care market. Alternative services could be provided with improved value for money for the Council.

There are a number of other re-provision costs that would be incurred if Dean Lodge closed. The total re-provision cost is calculated as £120,000 and net savings of £510,000 could be made by closing this service without reducing the amount of respite that service users and carers access. Durham County Council is providing two building based respite services where one would be sufficient to meet needs.

## **Balancing Competing Priorities**

65. In order to make a decision on the future of learning disability respite and Dean Lodge, Members must take into consideration the following factors:
- The views expressed in the consultation process by participants and the mitigating evidence provided above.
  - Legal responsibilities such as those pertaining to adult social care, the Human Rights Act 1998 and Equality Act 2010.

- Potential impact on service users, carers and families.
- Financial impact on the authority and its Council Tax payers.
- Responsibilities to staff.
- Future demand and needs as expressed by Adult Care Teams, Children and Young Peoples Services and commissioning strategies.
- Research and knowledge about demand for learning disability respite services.
- Central Government policies, directives and financial targets.
- Value for money in service delivery.
- Current standards of care.
- Supply and demand for respite in County Durham.
- Occupancy levels of existing services.
- The availability of alternative provision and the ability of Durham County Council to ensure that individuals do not face a reduction in the amount of respite that they can access (on the basis of assessed need).
- Whether the MTFP can be achieved by making savings in other ways.

66. These issues have been considered extensively and are examined in this report.

### **Recommendation**

67. Cabinet is recommended to:

- Agree to close Dean Lodge learning disability respite service.
- Note that service users will continue to receive respite in line with their assessed level of need, and carer assessments will also be offered.
- Delegate to the Corporate Director for Adult Wellbeing and Health, in conjunction with the Portfolio holder, responsibility for developing and implementing a plan to close the service and re-provide for existing service users in a time scale which maximises positive outcomes and minimises and manages risks.

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## **Appendix 1: Implications**

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**Finance** – Potential to achieve revenue savings of approximately £500,000 in a full year.

**Staffing** – If recommendation to close was agreed then full HR consultation would be required. There are implications for 18 staff at Dean Lodge.

**Risk** – There are no reportable risks in this Key Decision. All risks identified within the consultation are included in this report, along with their mitigating factors. See paragraphs 8; 38; 44 – 49.

### **Equality and Diversity / Public Sector Equality Duty**

Full Equality Impact Assessment is at Appendix 2.

**Accommodation** – Building and land is owned by DCC. Capital investment costs could be recovered. Durham County Council owns the land and the Dean Lodge building. It was originally built in 1999 at a cost of £202,000 and was extended by 4 bedrooms in 2001 at a further cost of £111,000 bringing the total capital investment to £313,000.

The building is leased to Accent Group and DCC pay them an annual management fee of £14,060. Under this agreement Accent made a one off payment to DCC of £25,000.

The indications from Accent group are that they would not challenge any withdrawal from the Funding Agreement and would agree to surrender.

**Crime and Disorder** – If decision was taken to close service appropriate security measures would be put in place to safeguard the building and local community.

**Human Rights** – Implications identified in main body of the report.

**Consultation** – A full consultation has been carried out and the report is available from Members Library.

**Procurement** – There will be no significant procurement activity.

**Disability Issues** – Service is for people with learning disabilities and some of their cares may also be in poor health. Issues are identified in the Equality Impact Assessment

**Legal Implications** – Potential Judicial review although mitigating evidence has been provided. Council's solicitors have been actively involved in the preparation of this report.