

To: Members of the Performance  
Scrutiny Committee

Date: 16 June 2015

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Dear Councillor

You are invited to attend a **SPECIAL MEETING** of the **PERFORMANCE SCRUTINY COMMITTEE** to be held at **9.30 am** on **MONDAY, 22 JUNE 2015** in **COUNCIL CHAMBER, RUSSELL HOUSE, RHYL**.

Yours sincerely

G. Williams  
Head of Legal, HR and Democratic Services

## **AGENDA**

### **PART 1 - THE PRESS AND PUBLIC ARE INVITED TO ATTEND THIS PART OF THE MEETING**

#### **1 APOLOGIES**

#### **2 DECLARATION OF INTERESTS**

Members to declare any personal or prejudicial interests in any business identified to be considered at this meeting.

#### **3 ELECTION OF VICE-CHAIR**

To appoint a Vice-Chair for the Committee for the 2015/16 municipal year

#### **4 URGENT MATTERS AS AGREED BY THE CHAIR**

Notice of items which, in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

**5 FUTURE PROVISION FOR SERVICE USERS FROM ABERWHEELER NURSERIES** (Pages 3 - 12)

To consider a report by the Head of Community Support Services (copy enclosed) which seeks the Committee's views on the progress made in meeting the future needs of services users following the termination of the contract with the staffing agency at Aberwheeler Nurseries.

**MEMBERSHIP**

**Councillors**

Councillor David Simmons (Chair)

Meirick Davies

Richard Davies

Huw Hilditch-Roberts

Colin Hughes

Geraint Lloyd-Williams

Peter Owen

Dewi Owens

Merfyn Parry

Arwel Roberts

Gareth Sandilands

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**Report to:** Performance Scrutiny Committee

**Date of Meeting:** 22 June 2015

**Lead Member/Officer:** Lead Member for Social Care (Adult and Children's Services)/Head of Community Support Services

**Report Author:** Head of Community Support Services

**Title:** Future Provision for Service Users from Aberwheeler Nurseries

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## **1. What is the report about?**

To share the process and progress to date with respect to the future provision of services for service users of Aberwheeler Nurseries, including details of communication with relevant stakeholders, outcomes from social care assessments of service users, details of the costs of commissioning work opportunities at Aberwheeler Nurseries and any other costs incurred by DCC

## **2. What is the reason for making this report?**

To provide information for Members with regard to how the future needs of service users of Aberwheeler Nurseries will be met following the ending of the contract with the staffing agency.

## **3. What are the Recommendations?**

That Members comment on the information provided and note the generally positive outcomes for the individuals involved.

## **4. Report details.**

- 4.1 As part of the modernisation agenda for social services, and the need to provide services at a reduced cost, a group made up of service users (from across work opportunities), carers, staff, managers, elected Members and 3<sup>rd</sup> Sector chair has been meeting to explore how work opportunity services for adults with learning disabilities could become more effective and efficient.
- 4.2 In December 2014, the group received a report from the Head of Adult & Business Services advising that, due to the increased costs being requested by the agency which provides the service's staffing, there was a need to make alternative arrangements for providing a service to those individuals who were currently attending Aberwheeler.
- 4.3 The group explored a number of options for maintaining a service and, while they did not agree with closure of the site, accepted that the current nursery business and the rising staffing costs meant that alternatives for individuals needed to be explored, although the Garden Control Service was probably viable for continuing.

- 4.4 In January 2015, service users and carers were written and spoken to as appropriate to advise them that alternatives would need to be explored for meeting their needs and providing them with suitable work opportunities. Elected Members were written to at the same time.
- 4.5 Between now and then, the Complex Disability Team have been working with individuals and their families to explore what those alternatives look like and to support people to transfer appropriately. It should be noted that the vast majority of individuals who attend Aberwheeler also attend other work opportunity services so this has not resulted in massive change for them.
- 4.6 Alternative arrangements are as follows:
- 7 people to continue with the garden control service in a new site in Rhyl
  - 6 people to attend the Woodlands Skills Centre in Bodfari
  - 3 people to attend Co-options (one has already moved)
  - 1 person has increased their attendance at Cefndy
  - 1 person has already moved to Taskforce
  - 1 person to attend Meifod
  - 1 person to attend the Golden Group
  - 1 person is working with job finding to finalise another job within the council.
  - 6 people are currently attending taster sessions in different alternative services before agreement is reached on what best meets their needs.
- 4.7 In relation to the Garden Control Service, arrangements have been made to transfer the base for this service to The Botanical Gardens in Rhyl. Given the fact that most service users live in the north of the County and some will be able to travel to the site independently, this will have a positive impact on their independence and wellbeing. While the final costings have yet to be confirmed, it is likely that the unit cost of providing this service will be less than £30 per day compared to the average Aberwheeler cost of £90 per day.
- 4.8 The cost of the Woodland Skills Centre, for 6 people, equates to £60 per day but there is capacity for an additional 2 places at no extra cost.
- 4.9 The cost of the Co-options Service equates to £75 per day, including 1:1 support. At Aberwheeler, this costs an average of £138 per day for the individuals concerned.
- 4.10 The Aberwheeler site contains greenhouses and polytunnels, although the rented portacabins will be removed. The site is rented from an individual and discussions are ongoing with him and his representatives to explore reassigning the lease to any interested community group who could make use of the structures to continue to provide a local nursery business.

## **5. How does the decision contribute to the Corporate Priorities?**

The changes to the service support two of the Council's priorities. The new arrangements for individuals are supporting them to live as independently as

possible while also contributing to modernising the council to deliver efficiencies and improve services for our customers.

**6. What will it cost and how will it affect other services?**

As can be seen in relation to the figures for the costs of individuals' services, the costs of the new services are less than the costs at Aberwheeler, thus making a contribution to the savings required by the Council while not reducing services to individuals. The final amount in year will be affected by the decommissioning costs at Aberwheeler and full year savings will be reported as part of the budget process.

**7. What are the main conclusions of the Equality Impact Assessment (EqIA) undertaken on the decision? The completed EqIA template should be attached as an appendix to the report.**

Individuals with a learning disability are a group of people with protected characteristics. The changes in service would have had a negative impact on them if alternative services that adequately meet their needs were unable to be provided. However, as can be seen from the outcomes for individuals, this negative impact has been mitigated against. See Appendix 1.

**8. What consultations have been carried out with Scrutiny and others?**

The decision to end the contract with the staffing agency is a delegated one to the Head of Service and was a response to unsustainable financial costs. As stated above, discussions took place with the working group exploring the future of work opportunities services and work undertaken with individuals and their families to ensure needs continue to be met.

**9. What risks are there and is there anything we can do to reduce them?**

There are no residual risks from a service perspective following the actions to mitigate impact on individuals.

**10. Power to make the Decision**

10.1 The NHS and Community Care Act 1990 places a duty on Local Authorities to assess social care needs. The National Assistance Act 1948 and Chronically Sick and Disabled Act 1970 provides for the provision of services to meet any eligible needs, including through 3<sup>rd</sup> party arrangements.

10.2 Paragraph 15.1 of the Council's constitution gives delegated authority to the Head of Service for commissioning and contracting across all adult services.

10.3 Article 6.3.2(a) of the Council's Constitution outlines scrutiny's powers with respect to reviewing and/or scrutinising decisions taken in connection with the discharge of the Council's functions, whilst Article 6.3.4 (a), (b) and (c) details scrutiny's powers in relation to reviewing Cabinet /officer decisions, services' performance and questioning Cabinet members or officers in relation to decisions taken.

**Contact Officer:**  
Head of Community Support Services  
Tel: 01824 706654

## Appendix 1

# Closure of Aberwheeler Nurseries April 2015

## Equality Impact Assessment

## <Title of the proposal being assessed>

**Contact:** Alaw Pierce, Complex Disabilities

**Updated:** April 2015

### 1. What type of proposal / decision is being assessed?

A service review or re-organisation proposal

### 2. What is the purpose of this proposal / decision, and what change (to staff or the community) will occur as a result of its implementation?

The decision means that Aberwheeler will cease trading as a DCC garden nursery business and work opportunity service. Aberwheeler is not a profitable business and the Council cannot afford to keep running it as a business - The purpose is to modernise services with a view to making them more sustainable. This will mean closing Aberwheeler Nurseries (winding down the business) and relocating the service users to a range of alternative, independent sector and in-house settings.

There will be changes for the non DCC staff working in the service. These staff are employed by an independent agency via a contractual arrangement with DCC. DCC is not responsible for the employment of these staff.

There will be a change for Service Users as they will need to be re-located to another setting, with different support staff. See later for more detail on the impact of the changes for service users

There will be a change for some young people coming up through transition, as until recently Aberwheeler was able to offer work experience for school pupils.

There will be a change for the local community and the garden nursery customers, as they will no longer be able to buy goods from Aberwheeler, but it is important to note that running a garden nurseries business is not part of the council's statutory functions.



**3. Does this proposal / decision require an equality impact assessment? If no, please explain why.**

*Please note: if the proposal will have an impact on people (staff or the community) then an equality impact assessment **must** be undertaken*

|     |  |
|-----|--|
| Yes | There will be an impact on a number of adults with learning disabilities, (and their Carers) who are part of the Denbighshire community. There will also be an impact on the local community in the Aberwheeler area and on the support staff who have been working there. |
|-----|--|

**4. Please provide a summary of the steps taken, and the information used, to carry out this assessment, including any engagement undertaken**

*(Please refer to section 1 in the toolkit for guidance)*

|   |
|---|
| <p>A consultation event was held on 1 March 2014 for service users of all DCC work opportunity services as part of a review of services – the event was facilitated by Mencap.</p> <p>A desktop analysis of all Aberwheeler service users was carried out in January 2015, with a view to identifying potential suitable alternatives for each individual. This included an analysis of where people live, the kind of activities to which they are best suited and their level of need.</p> <p>More detailed face to face assessments are being carried out by Social Workers. This includes a separate impact assessment of each service user, which records their perspective on the impact of the decision to close Aberwheeler in relation to travel, contact with friends, language, community and physical needs.</p> <p>The findings from these assessments are being collated and will inform the commissioning arrangements for alternative support.</p> <p>Notification of the changes was planned, coordinated and carried out in a sensitive manner so as to minimise the level of distress for service users, their families, and the staff, and also to ensure that people were fully and accurately informed of the changes in a timely manner – this involved synchronised telephone calls and notifications</p> |
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**5. Will this proposal / decision have a positive impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

*(Please refer to section 1 in the toolkit for a description of the protected characteristics)*

Although the decision means that a DCC business/service will close, suitable alternative services are being located for each of the service users, in consultation with them and their families. As such, nobody should face a reduction in service provision.

For some service users the alternative will be closer to home so they will have less of a distance to travel. (For example a site is being sought in the north of the county for the garden control service as most of the garden control service users are based in the north of the county)

For some, the access will be better - this will have a positive impact for people who find access difficult because of a physical or sensory impairment.

The alternative services will offer more interaction with other groups of people and with the public, eg woodland skills

The decision to close Aberwheeler has undoubtedly prompted some people to consider options which will promote their level of independence (eg some are looking for community based jobs via the Jobfinding service, one person has located work at Cefndy enterprises)

**6. Will this proposal / decision have a disproportionate negative impact on any of the protected characteristics (age; disability; gender-reassignment; marriage and civil partnership; pregnancy and maternity; race; religion or belief; sex; and sexual orientation)?**

Often people with learning disabilities find it more difficult to understand change and to cope with the effects of a change. Changing the service, the location and the staffing arrangements will have a disproportionate negative impact.

Steps are being taken to identify and minimise the impact of the changes on each individual. For example, alternative services are being commissioned which will minimise the confusion and distress - eg by commissioning a service which is close by, which is familiar to the service users, and where they can go with people they already know.

The transport arrangements for some individuals will remain the same - again to keep distress and confusion to a minimum. (For some, we are looking for a base closer to their home addresses)

The impact assessments indicate that the impact of the decision varies - for some people there will be a positive impact, no impact for some and for some it will be negative (and likewise with different aspects - transport, friendships, access etc)

There will be an impact on their family Carers - The individual impact assessments carried out by the Social Workers have highlighted that some carers are anxious about the uncertainty caused by the decision to close Aberwheeler and are sad to see the services based there come to an end. Some of these Carers are elderly and are anxious to ensure that the person they care for will still receive some sort of a service - Carers have been contacted individually and have been reassured that alternative services will be offered

**7. Has the proposal / decision been amended to eliminate or reduce any potential disproportionate negative impact? If no, please explain why.**

|     |  |
|-----|--|
| Yes | <p>The decision to close Aberwheeler has not changed, but the commissioning of alternatives will be informed by service user needs and preferences and by the impact assessment data</p> <p>The decision has been amended in that the closure date has been extended to 30th June 2015 - this will allow sufficient time to wind down the business, and to secure suitable alternative services and will mean that service users are not rushed into a move - given the difficulties that people with learning disabilities sometimes face in coping with change, pacing the transition should help minimize their levels of anxiety</p> |
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**8. Have you identified any further actions to address and / or monitor any potential negative impact(s)?**

|     |  |
|-----|--|
| Yes | The impact assessments carried out on each person will be monitored and reviewed following their move to a new setting |
|-----|--|

| Action(s)                                      | Owner        | By when?   |
|--|--------------|------------|
| review of impact assessment following the move | Alaw Pierce  | 01/10/15   |
| <Please describe>                              | <Enter Name> | <DD.MM.YY> |
| <Please describe>                              | <Enter Name> | <DD.MM.YY> |
| <Unrestrict editing to insert additional rows> | <Enter Name> | <DD.MM.YY> |

## 9. Declaration

Every reasonable effort has been made to eliminate or reduce any potential disproportionate impact on people sharing protected characteristics. The actual impact of the proposal / decision will be reviewed at the appropriate stage.

|              |          |
|--------------|----------|
| Review Date: | 01/10/15 |
|--------------|----------|

| Name of Lead Officer for Equality Impact Assessment | Date     |
|---|----------|
| Alaw Pierce   | 10/04/15 |

**Please note you will be required to publish the outcome of the equality impact assessment if you identify a substantial likely impact.**

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