



LEAD MEMBER FOR ADULT SOCIAL CARE AND HEALTH

DECISIONS to be made by the Lead Member for Adult Social Care and Health,
Councillor Carl Maynard

**TUESDAY, 26 JANUARY 2021 AT 12.00 PM OR AFTER THE CONCLUSION OF CABINET,
WHICHEVER IS THE LATER**

CC1, COUNTY HALL, LEWES

++Please note, the Lead Member will not be present in person, but will be taking the decisions remotely++

AGENDA

- 1 Decisions made by the Lead Member on 2 November 2020 *(Pages 3 - 4)*
- 2 Disclosure of interests
Disclosure by all Members present of personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- 3 Urgent items
Notification of any items which the Lead Member considers urgent and proposes to take at the appropriate part of the agenda.
- 4 Newington Court Extra Care Housing Unit, Ticehurst *(Pages 5 - 70)*
- 5 Any urgent items previously notified under agenda item 3

PHILIP BAKER
Assistant Chief Executive
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18 January 2021

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NOTE: *As part of the County Council's drive to increase accessibility to its public meetings, this meeting will be broadcast live on its website and the record archived. The live broadcast is accessible at: www.eastsussex.gov.uk/yourcouncil/webcasts/default.htm*

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LEAD MEMBER FOR ADULT SOCIAL CARE AND HEALTH

DECISIONS made by the Lead Member for Adult Social Care and Health, Councillor Carl Maynard, on 2 November 2020 at County Hall, Lewes

++Please note that the Lead Member joined the meeting remotely++

Councillors Davies and Ungar spoke on item 4 (see minute 9); Councillor Barnes, as the local member, submitted comments on item 4 (see minute 9); Councillors Ungar and Tutt spoke on item 5 (see minute 10)

1 DECISIONS MADE BY THE LEAD MEMBER ON 25 SEPTEMBER

6.1 The Lead Member approved as a correct record the decisions made on 25 September 2020.

2 DISCLOSURE OF INTERESTS

7.1 There were no disclosures of interest.

3 URGENT ITEMS

8.1 There were no urgent items.

4 PROPOSED CONSULTATION ON THE WAY CARE AND SUPPORT IS DELIVERED AT NEWINGTON COURT EXTRA CARE SCHEME IN TICEHURST

9.1 The Lead Member considered a report seeking agreement to commence a consultation on the way care and support is delivered at Newington Court Extra Care scheme in Ticehurst.

9.2 The Lead Member RESOLVED to agree that East Sussex County Council undertakes a six week consultation on how care and support is delivered at Newington Court in Ticehurst.

Reason

9.3 It is the intention to consult with residents, staff and key stakeholders on the potential to develop Newington Court into a sheltered scheme or housing with care scheme. If this approach was to be agreed, work would be undertaken with Rother District Council, CAHS and Optivo to increase referrals to Newington Court as retirement accommodation.

5 NOTICE OF MOTION CALLING ON HER MAJESTY'S GOVERNMENT TO PUBLISH ITS WHITE PAPER ON THE REFORM AND FUTURE OF ADULT SOCIAL CARE

10.1 The Lead Member considered a report setting out the Adult Social Care and Health response to the Notice of Motion for East Sussex County Council to call on Her Majesty's Government to publish its White Paper on the reform and future of Adult Social Care.

10.2 The Lead Member RESOLVED to recommend to Full Council to:

1) note the consideration given to the call for the Government to publish its White Paper on the reform and future of Adult Social Care and reject the Motion for the reasons set out in the report; and

2) support the ongoing lobbying and engagement with central government about financial, and other support, for social care throughout the Covid-19 crisis.

Reason

There is consensus that long term, sustainable reform is required for the Social Care sector, however the timing of such reform is a critical consideration. Such reform will require considerable consultation and engagement with the public and all key stakeholders at a time when the social care sector is facing another round of winter pressures on top of the continuing challenges of the Covid-19 pandemic.

Agenda Item 4

Report to: Lead Member for Adult Social Care and Health

Date of meeting: 26 January 2021

By: Director of Adult Social Care

Title: Newington Court Extra Care Housing Unit, Ticehurst

Purpose: To provide the Lead Member for Adult Social Care and Health with the outcome of the consultation on the way care and support is delivered at Newington Court and propose a change to the model of care.

Lead Member is recommended to:

- 1. Consider the consultation responses and Equality Impact Assessment;**
- 2. Agree to the proposal to change the designation of Newington Court to ‘Housing with Care’, thereby de-registering the service as an Extra Care scheme, with effect from November 2021; and**
- 3. Delegate to the Director of Adult Social Care authority to take all necessary actions to give effect to the implementation of the above recommendation**

1. Background Information

1.1. Newington Court is owned by Optivo and was converted from a 35-bedded sheltered housing scheme in 2014 when East Sussex County Council (ESCC or ‘the Council’) commissioned it as an Extra Care service, providing 24/7 onsite care and support. In response to increased voids across all capital-built Extra Care services, ESCC employed an Extra Care Coordinator in 2018 to reduce voids. This was achieved in all schemes except for Newington Court, which continues to have a high level of voids as follows:

- 13 of 35 flats are void. There are no clients on the waiting list, despite significant promotion
- 50% of residents have either zero or less than five care hours per week.

1.2. The combination of low occupancy and low level needs means that:

- ESCC pays for unused care hours per week, (currently equating to £103,246 per annum)
- ESCC also funds night cover at £62,543 per annum. The care provider, Care at Home Service (CAHS) report very few calls at night. One resident has a scheduled night call.

1.3. In light of the above, the Lead Member for Adult Social Care and Health gave approval on 2nd November 2020 to consult on a proposed new model of care to be provided at Newington Court. The consultation commenced on 10th November and concluded on 18th December 2020.

1.4. The proposed new model, ‘Housing with Care’, commits the Council to home care provision that meets assessed eligible needs, as well as funding, for one year from November 2021 up to seven additional background hours per week and the Lifeline monitoring charges for existing residents.

1.5. A ‘Housing with Care’ model would be most likely to address the high void levels whilst ensuring that the care needs of the majority of the residents would still be able to be met, meaning that they could remain living at scheme for the foreseeable future.

1.6. This approach is supported by Optivo (the care provider) and Rother District Council (RDC), who have indicated that they would be able to identify potential residents if the Extra Care eligibility criteria was removed. As such, it is envisaged that Newington Court will again become a vibrant community that will meet the needs of a wider section of the older population in this

northern section of Rother.

2. Supporting Information

Summary of the consultation outcomes

2.1. Key concerns from existing residents include;

- The loss of 'peace of mind' experienced by residents as result of 24-hour on-site care provision. This will be mitigated in part by the 'Housing with Care' model which will aim to transfer current carers to the Home Care service, providing continuity of care, and the up to 7 additional support hours per week for year 1
- The cessation of night care delivery, meaning some residents may need to move earlier than they would have done if their care requirements depend on this. This is mitigated in part by the provision of Council funded telecare for year 1 for existing residents. However, it is noted that some residents may need or choose to move with the potential removal of night cover.

2.2. The full consultation findings are at **Appendix 1**.

Equality Impact Assessment

2.3. Key impacts and mitigations from the Equality Impact Assessment are noted in the table below:

Impacts	Mitigations
Family members (unpaid carers) have expressed concern about the wellbeing of their family members (residents)	Care reviews will particularly take into consideration the wishes of family/unpaid carers.
Resident's concern that the scheme will become empty and fail.	Promotion of the new model to RDC to target people with low/no care needs from different backgrounds, beliefs, abilities and orientations to support the scheme to become a vibrant community
Access to the scheme for older people (local residents) living in a rural area	Promotion of the new model to RDC to support the scheme to become a vibrant community

2.4. The full Equality Impact Assessment is at **Appendix 2**.

Financial appraisal

2.5. The current annual cost and estimated future cost are set out in the table below:

Current annual cost of block care contract (inc. unused hours)	£270,291
Proposed annual cost	£133,284
Estimated annual cost reduction*	£136,677

* reductions may vary dependent on the outcome of client reviews

3. Conclusion and Recommendations

3.1. The current model of care and the ongoing high level of voids at Newington Court does not represent an effective and sustainable use of resources. After taking into account the responses to the consultation and the Equality Impact Assessment, the Lead Member is recommended to:

- 1) Consider the consultation responses and draft Equality Impact Assessment;

- 2) Agree to the proposal to change the designation of Newington Court to 'Housing with Care', thereby de-registering the service as an Extra Care scheme with effect from November 2021; and
- 3) Delegate to the Director of Adult Social Care authority to take all necessary actions to give effect to the implementation of the above recommendation.

MARK STAINTON
DIRECTOR OF ADULT SOCIAL CARE

Contact Officer:

Sam Tearle, Head of Strategic Commissioning – Housing and Support Solutions

BACKGROUND DOCUMENTS

None

LOCAL MEMBER:

Councillor John Barnes

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Newington Court consultation results

Date: 7 January 2021 (Final version)

Document summary

Results report from the consultation about how care is provided at Newington Court

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About this document:

<p>Enquiries: Consultation Team</p> <p>Author: Cathy Heys</p> <p>Telephone: 01273 418 565</p> <p>Email: consultationASC@eastsussex.gov.uk</p> <p>Download this document</p> <p>From: eastsussex.gov.uk/newingtoncourt</p>	<p>Version number: 1</p> <p>Related information</p>
<p>Accessibility help</p> <p>Zoom in or out by holding down the Control key and turning the mouse wheel.</p> <p>CTRL and click on the table of contents to navigate.</p> <p>Press CTRL and Home key to return to the top of the document</p> <p>Press Alt-left arrow to return to your previous location.</p>	

Please note that this consultation focuses on a single residential property. For this reason comments and feedback themes that could potentially identify people have been edited to protect their anonymity.

Full details will be shared with decision makers as appropriate.

Background

We are proposing to change the way that care is provided at Newington Court, Ticehurst, from an Extra Care scheme, with a 24/7 on-site care team, to a 'Housing with Care' scheme. It would mean some changes to how people are supported at the service, so we wanted to know what residents and their families think about the proposal and how they would be affected. We were also keen to hear from local partners and organisations with an interest.

A 6-week consultation was carried out with residents and stakeholders from 10 November until 18 December 2020.

Why we were consulting

For a number of years, we have found it more difficult to attract new residents with eligible care needs to Newington Court. This means properties are left empty and there are not enough people with the minimum levels of care needed to justify the 24/7 care team.

The current environment is reported to feel empty and not as vibrant as it once was due to the persistent level of vacancies. The reduced number of residents has also led to financial losses for us and the landlord.

We think that the proposed change to a 'Housing with Care' scheme should help us to reduce the number of vacant flats at the scheme and limit financial losses. We would pay for some additional on-site support if the proposal went ahead.

What happens next?

A decision will be made on whether to change how care is provided at Newington Court in January 2021. When making his decision, the Lead Member for Adult Social Care and Health will consider the consultation results and Equality Impact Assessment alongside a recommendations paper.

Residents at Newington Court will be informed of the decision either way in January. If the proposal was agreed the service would change to a Housing with Care scheme from November 2021. This would give us plenty of time to review residents' care needs and discuss their options with them.

Consultation summary

About the consultation

Usually we would hold a residents meeting to discuss proposed changes to services, as well as giving people the chance to provide written feedback. Covid restrictions meant that it wasn't possible for any face-to-face feedback opportunities to be offered for the Newington Court consultation.

Instead, residents were all sent a letter about the consultation, a copy of the Frequently Asked Questions (FAQs), a feedback form and a prepaid envelope. Where applicable letters were also sent to residents' Lasting Powers of Attorney. People could choose to complete the survey online if they preferred, email us their comments or speak to one of the commissioning team.

Family members and informal carers were also encouraged to take part if they wished. Key stakeholders including the local borough council and the nearby doctor's surgery were also informed about the consultation.

Consultation documents

You can find a copy of the letter to residents, consultation feedback form and FAQs in the appendices. The FAQs were updated regularly and shared with residents at the beginning and towards the end of the consultation.

Consultation activity

There were 29 residents living at Newington Court at the start of the consultation period.

How people took part

45 responses to the consultation were received across the feedback form, other feedback methods and the meeting with staff. In some cases people responded more than once and by more than one method.

Who took part

The biggest group of respondents was staff working at Newington Court (21 responses), followed by family members and friends of residents (13 responses), and residents themselves (9 responses).

Enquiries regarding vacancies

During the consultation we also had enquiries on behalf of three people who were interested in moving into Newington Court if the scheme's eligibility criteria changed in future.

CQC concern

An anonymous concern was raised with the Care Quality Commission (CQC) during the consultation period about care at the scheme. See appendix 5 for a brief summary of the issues raised.

What people told us in the consultation

Summary

It's clear from the responses to the consultation that people are very concerned about the proposal and how it will affect them or their loved one. There is a lot of mistrust of the Council and people dispute whether we have promoted the scheme properly. Some people raise concerns that potential residents have been turned away from the scheme.

The on-site care team was a big reason for choosing the scheme for people. Respondents worry about the impact of the removal of that support, particularly at night, and how it will affect the health and wellbeing of residents, and the delivery of care services. People fear that residents will be forced to move from their homes to get the care they need if the proposal goes ahead.

The detailed key themes set out below cover feedback received via all methods. We have focused mainly on issues raised by four or more comments for this summary. You can find all the comment themes received by each method in the relevant appendices.

Key themes about the proposal

Views about the proposal:

- Respondents are concerned about the proposal to change how care is provided at Newington Court and the impact it will have on people living there (8 comments).
- Some people say the proposal should not go ahead (5 comments) and Newington Court should be maintained as an extra care scheme (2 comments).
- Some people acknowledge the financial challenges at the scheme which are set out in the consultation (3 comments), while one person flagged the effect of Covid on care homes and how this might affect future recruitment to the scheme.

How allocations have been managed:

- People say that they know of eligible people who have been turned away or placed in other extra care schemes locally (11 comments).
- People feel that the scheme has been badly promoted or not promoted at all (9 comments), with some also saying that it has been run down on purpose (7 comments).
- People can't understand how it hasn't been possible to find eligible residents (4 comments).

The consultation:

- People feel that the decision has already been made and that the consultation is just for show and won't make a difference (6 comments).
- Concerns were raised about the consultation information, in particular the truth of the claims about the difficulty in finding new residents (5 comments).

Key themes about how people would be affected

Impact on their residency:

- People say they may, or would, have to move from the scheme if the proposal went ahead (12 comments). Some are clear they don't want to do this and would prefer to stay where they are happy (7 comments).
- Some say they chose Newington Court specifically because it was an extra care scheme and had staff on-site 24/7 (6 comments).
- A small number say they are already planning a move (3 comments).
- It was flagged how stressful any move would be due to the age of residents and that Covid would exacerbate this (3 comments).

Impact on support and services:

- A lot of respondents talk about the impact on people's health and wellbeing if they couldn't get their needs met (10 comments).
- People are concerned generally about the negative impact of the proposals (8 comments) and how they would affect the delivery of their, or their relatives', care and support (4 comments), and make it harder for them to maintain their independence (4 comments).
- The wider impact on associated services such as the café and GP surgery nearby (7 comments) and on the community feel at the scheme (4 comments) are a concern too.
- Concerns about the impact on peace of mind for families are raised (5 comments), as are concerns about the safety of the residents (4 comments).

Night support:

- People are particularly concerned and worried about the on-site night support being removed (11 comments) and how this would affect people and the delivery of their care (6 comments).
- There is concern about the speed of support that would be available in future if people needed help overnight and how quickly this would be available via the proposed telecare service (5 comments).
- For some people this would affect their daytime care as early/late calls are provided by on-site night staff and these would be harder to arrange if the scheme changed (5 comments).

Key themes for other comments

- There were a good number of positive comments about the current service (7 comments) and the staff providing care and support (6 comments).
- There were also some negative comments about the current service (5 comments).
- Suggestions were made covering the scheme overall (6 comments) and facilities (4 comments), including that the older part of the building become sheltered housing and the new part remain extra care; a more flexible approach be taken to packages; self-funders to be included in the block care financial calculations; and CCTV to be installed in the lobby and corridors if the on-site care is removed.

Sample quotes from respondents

- “[M]y opinion is that the proposals would be of no benefit to me at all or to any other residents who may or may not require extra care. It seems to me that more strenuous effort to attract new residents would be the answer to the problem and that the best interests of the present residents and staff has not been the prime consideration here.”
- “At least two years ago the ESCC website stated that there were no available flats at Newington Court. This was blatantly untrue. It appears that this consultation is nothing more than a PR exercise and that ESCC and [the provider] have been planning this outcome for years.”
- “Respective residents have been shown the building and then directed to other Schemes. Therefore, leaving empty flats at Newington Court. It is incredulous that

there is not one person in either Rother DC or ESCC area that does NOT fit the care criteria!!! Seems this has always been the plan!"

- "I do feel that the future of Newington Court shouldn't be just a financial consideration, but also viewed from a well being and mental health perspective. It has certainly been a stressful time for my [relative] and [their] fellow residents and friends. I would also ask whether it is appropriate to even be considering this change considering the pandemic we are facing."
- "I'm very happy with my current care we are very lucky here at Newington Court. I [...] considered this to be my forever home."
- "We understand the financial reasons behind proposed changes, but are very concerned that the level of security and care will not be the same high standard."
- "One of the reasons we chose Newington Court is because of the 24/7 onsite care. If this is removed, many of the resident[s] would have to leave."
- "I would have to move because I sometimes call on night staff [...] heighten my anxiety if someone was not on site – deterioration in health and wellbeing."
- "I, as many other families, would have to consider alternative arrangements for their loved ones – some of whom have lived there many years. For some, the move at this stage of their lives could have devastating consequences."
- "I don't reckon much of the night staff not being here – it's going to take longer for the night staff to get here or be expensive with an ambulance each time in an emergency."
- "As the GP Practice attached to Newington Court we have concerns about the proposal to the changes of care being provided. We are already seeing first-hand the impact that having less regular carers is having on our own workload [..]."
- "I feel that it will not provide the care cover that my [relative] needs to keep what little independence [they have] now."
- "Your consultation document is very long and I think that quite a few of the resident[s] may not understand it and find it too complicated to read."
- "There is undoubtedly a definite need for extra housing schemes in rural areas. A large percentage of our residents have lived in villages all their lives and do not want to move to a town. Family members live locally and they also do not want to have to or are unable to travel large distances into towns to visit their loved ones."

Appendix 1: Consultation documents

Letter to residents

Dear [insert name]

Consultation on how we provide care at Newington Court

Further to our letter of 5 October 2020, we are writing to confirm that we are starting a consultation on the way care is provided at Newington Court.

For a number of years, we have found it increasingly difficult to attract new residents to Newington Court. This means properties are left empty and there are not enough people needing care to justify the 24/7 on-site care team.

Part of our proposal is that your care will be delivered by professional carers who attend Newington Court to provide your care, rather than as they do now from their on-site office. This is one aspect we would like to seek your views on.

The consultation starts, Tuesday 10th November 2020 and completes on Friday 18th December 2020. You are invited to contact us by phone during these dates to discuss and answer any questions you may have. Our contact telephone numbers are provided below.

Alternatively you can complete a short feedback form, either online using the web address below, or completing by hand and returning to us using the enclosed pre-paid envelope.

We have included a list of Frequently Asked Questions to help you better understand our proposals. The service will continue to be provided with on-site care until November 2021 next year, regardless of the outcome of the consultation. This is because the Council's contract expires with the on-site care provider in November 2021.

We can reassure you that this is a consultation process about how care is provided at Newington Court. Your tenancy with Optivo will not be affected.

We will look forward to hearing from you in due course.

Yours sincerely,

[Name removed]

Project Manager

[Name removed]

Strategic Commissioning Manager

Newington Court short online feedback form: www.eastsussex.gov.uk/newingtoncourt

Consultation feedback form questions (reference only)

Q1) Are you completing the feedback form as:

- A resident of Newington Court
- A family member or friend of a resident
- Someone who provides care to the residents
- Someone who works at Newington Court
- Other (please provide details in the box below)

Q2) What do you think about our proposal to change the way care is provided at Newington Court?

Q3) How would you be affected if the proposal went ahead?

Q4) Do you have any other concerns, comments or suggestions you would like to raise?

Frequently asked questions

Please note these were updated during the consultation and the final version was shared again with residents towards the end of the consultation.

[Consultation on proposed changes to the way care is provided at Newington Court](#)

The 6-week consultation will be open from 10th November to 18th December 2020.

If the proposal to change the way care is delivered at Newington Court is agreed, changes will not come into effect until November 2021, when the current care contract ends.

1. Why are you consulting on making changes to the way care is provided at Newington Court?

For a number of years, East Sussex County Council (ESCC) have found it more and more difficult to attract new residents with eligible care needs to Newington Court. This means properties are left empty and there are not enough people needing care to justify the 24/7 care team.

This has led to a change in the environment at Newington Court for existing residents, and ESCC wants to do everything we can to rectify this and support Newington Court to be a thriving community that is sustainable into the future. Reduced numbers has also led to financial losses over the years for both ESCC and Optivo, despite many attempts and approaches to fill the vacancies with new eligible tenants.

2. Is this consultation about saving money for ESCC?

As noted above, Newington Court has been generating a significant financial loss to both ESCC and Optivo, the landlord. The current environment is reported to feel empty and not as vibrant as it once was due to the persistent level of vacancies. ESCC needs to ensure that it is achieving value for money and making the best use of limited resources.

3. What are the changes you are proposing to make at Newington Court?

ESCC are proposing to change the way care is provided at Newington Court from an Extra Care scheme, with a 24/7 on-site care team, to a 'Housing with Care' scheme, as follows:

- Care would be provided by carers who visit the scheme only for scheduled care calls during the day. If you already receive care during the day, this would continue.
- Many residents currently have daytime care visits, so carers are expected to be at Newington Court for much of the day.
- There would, however, be an additional cost of £2.75 per week to contribute towards the emergency Lifeline service, which would be introduced to support residents during an emergency. ESCC is proposing to cover this cost for all residents for an initial 12 months, and then to review this annually.

Emergency calls through the pull-cord system would go through to Optivo's commissioned Lifeline service (Welbeing). They would support you, connect you to an emergency service, if this was required, and contact your next of kin to let them know.

ESCC would pay for some additional on-site care and support if the proposals were agreed. This could offer residents support with speaking to a GP, ringing Adult Social Care, or providing a regular on-site activity – these are just some examples. ESCC would like to understand the views of residents on what additional daytime support may be needed or desirable. Any proposals from residents considered by Adult Social Care would need to be agreed with Optivo and Care at Home Services. Any non-care related support, e.g. repairs or help with benefits forms would continue to be supported by Optivo's Scheme Manager.

4. If people do not agree with the changes, does that mean they won't go ahead?

Everyone's views will be taken into consideration and this will inform the proposals. We want to understand how these proposals might impact on you to help us make an informed decision. No decisions have been made yet. The Lead Member for Adult Social Care and Health at ESCC will make a decision early 2021.

5. I have many care needs. How might I be affected?

Most of your care provision would remain the same and you would still have scheduled care calls. There may be an impact on the night-time calls you receive. If you currently need any night-time care, we would discuss with you the best way we can continue to support you, if the proposal went ahead.

6. I do not have care needs. How might I be affected?

You may notice a reduction in the presence of the carers on-site, particularly at night. Emergency calls through the pull-cord system would no longer go through to an on-site care team but to Optivo's Lifeline service. They would support you and connect you to an emergency service if this is required.

7. What is ESCC's role at Newington Court? What about Optivo? And Care at Home Services, the current on-site care provider?

ESCC commissions and contracts the care service at Newington Court. ESCC also commissions local home care services. Home care is supportive care provided by a professional caregiver in the individual home where you are living, as opposed to care provided in group accommodations like Extra Care.

Optivo own the building at Newington Court. They are a Registered Social Landlord. As a non-profit organisation, they are committed to providing affordable homes with a strong social purpose.

Care at Home Services is contracted by ESCC to provide care at Newington Court. This contract expires in November 2021. Care at Home Services are currently ESCC's preferred home care provider in the Ticehurst area.

8. Even though there are vacancies now, how do you know that in the future, there might not be more demand for this service?

Should there be future demand, this would be met via the six other Extra Care schemes in the County, who traditionally have waiting lists of people wanting to move in. If demand exceeds our capacity, we would then review the countywide model of Extra Care.

9. How would Newington Court be available to new people in the future?

Rother District Council and Optivo would find new residents. The requirement to have a minimum number of care hours would be removed, thereby increasing the number of potential residents and hopefully reducing the number of vacant flats.

10. What other ways have you looked at for reducing losses at Newington Court?

We have already:

- reduced the hourly care rate paid for by ESCC;
- considered different ways of paying the on-site care provider; and
- introduced a new service charge.

However, none of these options are viable for ESCC or the on-site care provider.

11. How soon would changes happen?

Our consultation starts with you on 10th November 2020 and will end on 18th December 2020. We will share the consultation results with residents in January 2021 and this will include any recommendations to the Lead Member.

Pending the Lead Member decision in January 2021, any service changes would commence from November 2021. This will give us time to review residents' care needs and discuss options with you.

12. Might there be any further changes to Newington Court?

Optivo have advised that they have no immediate plans to make any changes but may look into longer-term options for the scheme. If in future they propose any changes, they would consult residents. All residents have Assured Tenancies with Optivo, meaning residents have tenancy rights.

13. Would there be any other changes to charges?

For existing Adult Social Care funded clients, ESCC would pay any difference in care costs for the lifetime of your tenancy.

For private pay residents (who pay Care at Home Services directly for care and support), ESCC would pay any difference in care cost for one year, from November 2021 to 31 October 2022, and then review this on an annual basis.

There are no changes anticipated to the service charge paid to Optivo for communal utilities and other landlord services.

As noted above, there would be an additional small cost to contribute towards the emergency Lifeline service. ESCC is proposing to cover this cost for all residents for an initial 12 months, and then to review this annually.

14. I am used to seeing the same members of staff at Newington Court. Would this change?

Care at Home Services are also currently the lead home care provider for the Newington Court area. We do not expect significant staff changes and are working with Care at Home to try to ensure that the continuity of care and resident relationships are maintained.

15. Why can't care staff stay on site like they have been doing?

Staff would continue to visit clients who have care packages in their own homes, but they would not be based on-site overnight between 10pm and 7am. This is because ESCC's financial losses are not sustainable and the new model, 'Housing with Care' does not include on-site night cover.

16. What happens if I need help when no care staff are on site?

You'll be able to use your pull-cord as usual and your call would be answered by Optivo's commissioned Lifeline service. You may also be eligible for a Telecare alerting device, either a pendant or a wristwatch, which could be pushed in an emergency situation to raise the alarm. An additional small monitoring charge may apply.

17. Won't it be harder to get help in an emergency when no care staff are on site?

If a doctor or nurse is required, you can request support with this from staff on site during the day. At other times, you can use your pull-cord system to contact Optivo's Lifeline who would call the emergency services or get in touch with a carer or family member.

18. I get my care calls at certain times. Would this change?

ESCC would work closely with Care at Home Services to minimise any change to your scheduled care calls. Residents with scheduled night-time calls may be impacted. ESCC would review care needs if the proposal is agreed and discuss a range of options with any individuals impacted to ensure your needs are met.

19. Would I still be able to use Newington Court's gardens and café?

Yes. Optivo have no plans to change this service.

20. Would there be any effect on the adjacent GP Practice?

There are no negative effects anticipated on the GP Practice and we are seeking the views of the GP practice as part of the consultation.

21. Would I still be able to take part in activities I like (coffee mornings, outings, film afternoons, evening meetings with other residents)? Would activities still run at the same times and on the same days of the week?

Yes. Optivo hope to get activities restarted once it is safe to do so and in line with Covid Government guidelines.

22. Would other changes need to be made to the building when no care staff are on site?

Depending on the outcome of the consultation, Optivo may consider altering the front door entrance to enhance the safety and security.

23. Would I be able to keep the same flat?

Yes, you would remain living in your current home unless this is no longer suitable for your needs. If the proposal is agreed, Adult Social Care would review your individual needs and discuss these after the consultation process has completed.

24. I moved into the scheme because it was extra care. If the proposal goes ahead could I move to another extra care scheme?

Yes, subject to an individual review of your care needs and provided that these meet the requirements for extra care.

25. How can I take part in the consultation?

The 6-week consultation will be open from 10th November to 18th December 2020. There are a number of different ways for you to take part. Your family members and informal carers are also welcome to share their views. If you need this information in another format or language, or you need help to take part, please do contact us. Your scheme manager may be able to help too.

Post your comments to us in the pre-paid envelope included with this letter.

Ask your scheme manager to pass them on to us.

Complete a short online feedback form at www.eastsussex.gov.uk/newingtoncourt

Email your comments to us at: [...]

Call us to arrange a time to talk about your feedback on [...]

Questions added 19 November 2020

26. Would I be able to move to another scheme?

All residents will be offered the opportunity of an individual review to discuss their care and support needs which will include any future accommodation options.

27. My care needs have increased and cannot now be met at Newington Court – can I request an early review?

Yes. Where residents have identified increased care and support needs that are not being met, an early review can be arranged to be carried out by Adult Social Care.

28. Could the building be adapted to accommodate both general sheltered housing plus half the building reserved for residents with extra care needs?

All the feedback collected as part of the consultation, which includes both residents and wider stakeholders, will be used to explore potential options for the model of care at Newington Court.

Questions added 10 December 2020

29. If new carers are going to be providing care at Newington Court, how do we know they will know the clients' needs and provide an acceptable standard of professional care?

The current care provider, Care at Home Services, is contracted to continue the provision until November 2021 as an Extra Care service. After this date, if the proposal is approved, care would be provided via the Council's lead home care provider for the Ticehurst area, which is currently Care at Home Services.

30. Could a co-ordinator of client care be considered as part of the proposal?

If the proposal is approved, residents' who have Council-funded care will have their care coordinated by an Adult Social Care professional. A dedicated care coordinator would not be feasible.

31. Could a survey be carried out to ascertain the level of care needed between 10pm and 7am?

The level of need and night-time care activity is collected as part of ongoing monitoring of the service provision.

32. The lift at Newington Court is frequently needing repairs. Could an alternative escape route be considered i.e. stairlift?

The Landlord, Optivo, have advised that Optivo have emergency responsive repairs to any lift breakdowns for a 4-hour response. The lift contractor will repair on site.

In the event of an emergency, every resident has a Personal Emergency Evacuation Plan in place and consideration of needs are looked at individually.

Optivo have also advised that if ever the lift was out for a substantial amount of time, a stairlift would be considered.

Where residents can manage the stairs with support, a member of staff would assist. Where possible, properties have been let on the ground floor to wheelchair users to minimise any potential risk.

If a person is unable to use the stairs, meals and shopping could be delivered to a resident.

Appendix 2: Feedback form results

Some people have shared their views via the feedback form and other methods too, such as emails and letters. Where comments raised issues about current service delivery these have been dealt with immediately.

- **17 completed paper or online feedback forms were received. Two responses were sent on behalf of a resident as well as a family member or friend, meaning that 19 people took part this way.**

Who took part

The information provided below has been limited to ensure individuals aren't identified. Full responses will be shared in Members Papers. Please note that two feedback forms were completed on behalf of two respondents (a resident as well as their family member or friend).

Completing as	Number
A resident of Newington Court	7
A family member or friend of a resident	9
Someone who provides care to the residents	2
Other	1

Comment themes

Question 2 themes

- Views – they are concerned about how the proposed change would affect the service and residents (8 comments)
- Impact – if the proposal went ahead it would affect their care negatively (3)
- Service – negative comment about it (3)
- Views – they disagree with the proposal (3)
- Views – they understand the financial need driving the proposal (3)
- Impact – concerned that staff would change and it would affect the consistency of support for residents (2)
- Moving – they specifically chose the scheme as it had on-site care staff (2)
- Moving – they are happy at Newington Court and want to stay (2)
- Night support – concern regarding the service ending and the impact on people (2)
- Night support – concerned that the speed of response would be much slower if they had an issue (2)
- Impact – it would affect family members' peace of mind about residents' safety (1)
- Impact – it would limit the choice of extra care schemes in East Sussex as this is the only rural scheme (1)
- Impact – it would affect their independence (1)

- Impact – negative impact on another service if the proposal goes ahead (1)
- Impact – it would have a negative impact on their health and/or wellbeing (1)
- Impact – they would still need the same level of care if the proposal went ahead (1)
- Moving – they may, or would definitely, have to move if the proposal went ahead (1)
- Night support – they disagree with the proposal and want to keep the night service (1)
- Night support – the overnight support was the reason for moving in (1)
- Impact – they would have safety concerns if the proposal went ahead (1)
- Service – positive comment about it (1)
- Service – positive comment about staff (1)
- Service – current facilities issue (1)
- Views – they agree with the proposal (1)
- Views – they agree with the proposal although they have concerns about the impact (1)
- Views – the impact of Covid on the reputation of care homes may make it harder to attract new residents (1)
- Views – they believe it should stay as an extra care scheme (1)

Question 3 themes

- Impact – it would have a negative impact on their health and/or wellbeing (4 comments)
- Moving – they may, or would definitely, have to move if the proposal went ahead (4)
- Impact – it would affect family members peace of mind about residents safety (3)
- Moving – they specifically chose the scheme as it had on-site care staff (3)
- Night support – concern regarding the service ending and the impact on people (3)
- Impact – concerned that if the service changed, this would lead to job losses at the care provider (2)
- Impact – negative impact on another service if the proposal goes ahead (2)
- Moving – it would be stressful for people to move, particularly given their age and with Covid restrictions (2)
- Night support – if the night service ended it would affect delivery of their care (2)
- Night support – if the service ended it would affect their ability to have the early care calls that they need (2)
- Views – they wouldn't really be affected if the change went ahead (2)
- Impact – they don't know how they would be affected (1)

- Impact – it would make it harder for a family carer to provide additional support due to the location of other extra care schemes (1)
- Impact – if the proposal went ahead it would affect their care negatively (1)
- Impact – they need to be close to their family and the scheme would become less suitable for them (1)
- Impact – it would have a negative impact on the scheme and its community of residents (1)
- Moving – they are happy at Newington Court and want to stay (1)
- Moving – want to move out of the scheme anyway (1)
- Night support – if the service ended it would affect their ability to have the late care calls that they need (1)
- Night support – they would be more isolated if the service ended (1)
- Night support – concerned regarding the unnecessary use of the replacement lifeline service if the proposal went ahead (1)
- Night support – concerned that the speed of response would be much slower if they had an issue (1)
- Impact – they would have safety concerns if the proposal went ahead (1)
- Service – negative comment about staff (1)
- Service – positive comment about staff (1)

Question 4 themes

- Commissioning – the scheme has been badly promoted (5 comments)
- Commissioning – eligible people have been turned away (5)
- Commissioning – the scheme has been purposely run down (4)
- Impact – it would have a negative impact on their health and/or wellbeing (4)
- Commissioning – they don't understand how the Council can't find people to move in (3)
- Consultation – issue with the information provided (3)
- Service – positive comment about it (3)
- Suggest – more effort to attract appropriate residents to extra care is needed (3)
- Suggestion – relating to the scheme overall (3)
- Impact – if the proposal went ahead it would have a negative financial impact on them (2)
- Impact – it would affect their independence (2)
- Moving – they are happy at Newington Court and want to stay (2)
- Service – positive comment about staff (2)
- Suggestion – relating to the facilities at the scheme (2)
- Views – they disagree with the proposal (2)

- Commissioning – the best interests of residents and staff have not been considered with this proposal (1)
- Consultation – feel the decision has already been made (1)
- Impact – it would limit the choice of extra care schemes in East Sussex as this is the only rural scheme (1)
- Impact – if the proposal went ahead it would affect their care negatively (1)
- Impact – they would lose the local connections they have built up if they had to move (1)
- Impact – they need to be close to their family and the scheme would become less suitable for them (1)
- Impact – negative impact on another service if the proposal goes ahead (1)
- Impact – they want to better understand how they would be affected (1)
- Moving – they may, or would definitely, have to move if the proposal went ahead (1)
- Moving – they would need to move if the proposal went ahead and they don't want to (1)
- Night support – concern regarding the service ending and the impact on people (1)
- Night support – they disagree with the proposal and want to keep the night service (1)
- Night support – they would be more isolated if the service ended (1)
- Night support – need to make sure you fully understand the level of need for this support before you make a decision about ending the service (1)
- Night support – if the service ended it would affect their ability to have the early care calls that they need (1)
- Impact – they would have safety concerns if the proposal went ahead (1)
- Service – negative comment about it (1)
- Service – negative comment about staff (1)
- Service – positive comment about the current facilities (1)
- Service – current facilities issue (1)
- Suggestion – staff training needed (1)
- Views – extra care schemes like this are needed (1)
- Views – they believe it should stay as an extra care scheme (1)

Organisation feedback

Two local organisations shared their feedback, raising concerns about the impact of the proposals on their business. The concerns they raised focused on two different areas:

- The future of the on-site café if the proposal went ahead.
- The impact on the nearby GP surgery if there isn't on-site support, as they are already called out regularly, sometimes unnecessarily, by care workers.

Appendix 3: Other feedback

We also encouraged people to send their feedback using other methods if they didn't wish to complete the paper or online feedback form. Some people have shared their views via the feedback form and other methods too, such as emails and letters. Where comments raised issues about current service delivery these have been dealt with immediately.

Please note that some people sent their responses via two feedback methods and one letter was signed by 11 members of staff.

- **In total 23 people shared their views via other feedback methods.**

How people took part

The following methods were used to take part:

- Email (8)
- Phone call (5)
- Letter (2)

Who took part

- Someone who works at Newington Court (16)
- Family member or friend of resident (4)
- Resident (2)
- Other (1)

Comment themes

We have organised the comment themes from people's responses using the same questions that were used to structure the online form.

What people think about the proposal

- Commissioning – eligible people have been turned away (5 comments)
- Consultation – feel the decision has already been made (4)
- Commissioning – the scheme has been badly promoted (3)
- Commissioning – question/concern regarding what happens between decision and any change if it goes ahead (2)
- Commissioning – the scheme has been purposely run down (2)
- Consultation – issue with the information provided (2)
- Moving – want to move out of the scheme anyway (2)
- Service – positive comment about it (2)
- Service – positive comment about staff (2)
- Commissioning – the best interests of residents and staff have not been considered with this proposal (1)
- Commissioning – they don't understand how the Council can't find people to move in (1)
- Commissioning – the scheme is not being promoted (1)

- Consultation – issue with the timing of it due to Covid etc and the stress for residents (1)
- Impact – negative impact on another service if the proposal goes ahead (1)
- Moving – they specifically chose the scheme as it had on-site care staff (1)
- Moving – they may, or would definitely, have to move if the proposal went ahead (1)
- Night support – concern regarding the service ending and the impact on people (1)
- Service – Covid restrictions are affecting the service (1)
- Service – negative comment about it (1)

How they would be affected

- Moving – they may, or would definitely, have to move if the proposal went ahead (4 comments)
- Night support – if the night service ended it would affect delivery of their care (3)
- Night support – concern regarding the service ending and the impact on people (3)
- Service – comment/query regarding their individual care needs (3)
- Impact – if the proposal went ahead it would affect their care negatively (2)
- Impact – negative impact on another service if the proposal goes ahead (2)
- Impact – it would have a negative impact on the scheme and its community of residents (2)
- Impact – it would affect family members' peace of mind about residents' safety (1)
- Impact – it would affect their independence (1)
- Impact – it would have a negative impact on their health and/or wellbeing (1)
- Impact – they would have safety concerns if the proposal went ahead (1)
- Impact – concerned that staff would change and it would affect consistency of support (1)
- Moving – it would be stressful for people to move, particularly given their age and with Covid restrictions (1)
- Moving – they would need to move if the proposal went ahead and they don't want to (1)
- Night support – if the service ended it would affect their ability to have the early care calls that they need (1)
- Night support – concerned that the speed of response would be much slower if they had an issue (1)
- Service – positive comment about it (1)
- Suggestion – relating to the scheme overall (1)

Any other comments

- Suggestion – relating to the scheme overall (2 comments)

- Impact – it would have a negative impact on the scheme and its community of residents (1)
- Suggestion – relating to the facilities at the scheme (1)

Appendix 4: Staff meeting

Virtual meeting with on-site care team representatives (18 December)

A meeting was held with Care at Home Services (CAHS) staff representatives to discuss their concerns and answer questions. The meeting notes below have been edited to avoid identifying individuals.

Key themes

The themes covered in the meeting were:

- Commissioning – feel that eligible people have been turned away or directed to other schemes.
- Commissioning – the scheme has been run down deliberately.
- Commissioning – challenging the service data regarding the level of client need.
- Consultation – the decision has already been made and the consultation won't make any difference.
- Moving – residents feel they would have to move if the proposal went ahead.
- Night support – concern about the service ending and how this would affect people.
- Night support – concern about the slower speed of any support that will be available via telecare compared to on-site support and how this will affect client health and safety.
- Night support – if this isn't available any more it will affect care delivery for residents.

Meeting notes

In attendance:

S – Head of Service – Housing and Support Solutions (East Sussex County Council)

A – Strategic Commissioner (East Sussex County Council)

E taking notes – Extra Care Co-ordinator (East Sussex County Council)

3 x Carers for CAHS

- S explained that we would have preferred to have met in person with both the residents and the carers but due to Covid restrictions this has not been possible.
- Letter has been received from [CAHS staff member] on behalf of the care team and S thanked them for this and the response to the consultation.
- S wanted to acknowledge the difficult background as a result of Covid and that carers have had to bear the brunt of this consultation and Covid.
- S expressed that we would really appreciate hearing anything you have to say and we will approach this honestly and try and answer your queries wherever possible.

- A thanked them for their professionalism during these difficult times. A lot has gone into this over the past few years which has led us to this consultation. We want to answer any queries and explain as much as we can.
- [CAHS staff member] informed us that [they have] been at Newington Court (NC) for [a long time] and reported that NC has always been popular but at least 2 years ago clients were being turned away. There were empty flats yet ESCC website was saying no available flats. Lots of people have approached NC and wanting to move here but carers have felt that they have been turned away (including on a couple of occasions to other schemes i.e. The Orangery).
- S explained that there is an eligibility criteria for Extra Care, especially in relation to the minimum hours required. NC have had a lot of clients with no care living there in the past when it was originally a Sheltered Housing scheme, who remained living there when it changed to an Extra Care scheme. S reiterated that there has not been a flood of referrals for NC as there has been with our other commissioned scheme, but we have worked closely with our operational team in ASC and Social Workers.
- [CAHS staff member] stated that [they] felt that it was already a 'done deal' to change NC from ECH and that the consultation would make no difference to this. S offered assurance that this was not the case and that all responses to the consultation would be fully considered and help inform the Lead Member's decision. In the spirit of honesty S stated that as this consultation was going ahead then to change the way care is delivered at NC is a serious consideration especially knowing the impact this is having on the residents, their families and staff.
- 40 high 40 medium 20 low – carers felt that there have been spaces within these dependency levels where clients have wanted to move in.
- A provided some wider background information. NC was a sheltered scheme before an Extra Care scheme. We didn't want to move people because they may not have had eligible/sufficient care hours so they remained living at NC. Our LM report highlights that the County Council has to fund a guaranteed minimum level of care hours to ensure the sustainability of the provider to deliver support at the scheme.
- We used to have a monthly panel meeting – these were replaced about two years ago and moved to the Extra care Co-ordinator's role so all referrals come through to them, to save referrals having to wait for monthly panels. This new referral pathway and the vacancies in the schemes were promoted via ESCC Operational Teams and Social Workers regularly. However, Operational teams regularly report that clients didn't meet the eligible care hours for Extra Care. The Extra care Co-ordinator has offered other clients (who were requesting other schemes without vacancies at that time) NC where there are vacancies, but due to numerous reasons those clients did not wish to pursue – this could have been due to a number of reasons i.e. location or wanting to remain in another area nearer family members.
- [CAHS staff member] informed us that when [they] started working at NC [...] the scheme was roughly 90% at capacity – recent [...] clients [...] wanted to move into NC but [they were] aware that they ended up going into The Orangery [...]. A explained that if this referral was made recently, in light of the consultation, referrals to NC page 22 put on hold as agreed by all partners

(CAHS and OPTIVO) as it would be accepting a referral for a client who requires an Extra Care model which may, depending on the outcome of the consultation, change to a different model which may not meet their needs appropriately.

- S explained that we have to move people with the right package of care into our schemes and get the balance right, as near to 40 40 20 as possible in order to sustain the care contract.
- Carers were concerned that it is being reported that we have clients in NC with no care needs – it is felt by the carers that this is not the case, they believe everyone has care needs. A asked the carers to check this with the employer as the data we are provided with on a regular basis informs us of the care hours being delivered and has done for over 18 months.
- Carers feel strongly for the residents, especially those with higher care needs, and residents need night-time on-site provision to respond quickly. If they can't get this then they feel that they will have to move.
- The carers queried only having 1 care call at night – acknowledged that they may see clients at night, off their own back and it may not be scheduled in their care and support plans, but there are still needs of the residents which need to be met.
- S stated that if the Lead Member does make the decision to change the way care is delivered at NC, bearing in mind that this is still a consultation at this stage, we acknowledge that some clients may have to move sooner than expected if it wasn't an ECH scheme going forward – he reassured the carers that all clients' packages of care and needs would be reviewed as part of this process.
- The carers said that the magazine article hasn't helped – carers don't feel that it is a true reflection of the scheme. This article has caused upset. Residents feel that the outcome is a foregone conclusion. [...]
- S highlighted that CAHS are likely to remain the care agency for any change in model as they are the local Homecare provider.
- A informed the group that once we know what the Lead Member decision is, and if we do revert to a sheltered with care scheme, then Rother District Council report that they are able to support with sourcing clients who don't require the level of care that our Extra Care scheme models requires – the vacancies can then be opened up to a wider range of clients.
- It was acknowledged by all that the biggest difference surrounding the consultation proposals is the night-time care response and provision.
- A wished to stress that this consultation is no reflection at all on the care that carers have provided over the years. We recognise this is an emotive thing to do – the care quality is very good and we receive very positive feedback. The consultation is no reflection on the way care is provided. Carers stated that this isn't really their concern; they are worried why the people they have seen or known about who want to come to NC haven't been able to move in.
- [...] the journalist who has written the magazine article, now wants to speak to a member of the Care team and the Carers informed us that they will be accepting this invite to talk to her.

- Carers felt that since the allocations panel dispersed, this is the time where they felt that clients were no longer coming through.
- A noted that ESCC are supporting clients with multiple long-term conditions, alcohol, substance misuse, Mental Health, Learning Disabilities – the Department is seeing more and more complex cases like these, so this adds to getting the balance in the schemes correct.
- Carers reiterated that they are adamant that there is not approx. 50% of the clients at NC who have no or low care hours. A asked again that the carers to check with their employer as the hours and dependency levels being reported to us as low and have been for over 18 months. The carers agreed to ask CAHS for a breakdown of the hours and dependency levels which have been submitted to Adult Social care on a regular basis.
- S and A closed the virtual meeting and thanked the three Carers for their time and valued feedback and asked that if any of the care team have any further queries they wish to raise with us re. this consultation then please do not hesitate to make contact.

Appendix 5: CQC concern

During the consultation period, CQC received an anonymous concern about the care provided at Newington Court. A summary of the issues is provided below. The full details will be shared in Members Papers.

The concern covered issues including:

- Scheme management oversight.
- Lack of contact from the new manager with residents and staff.
- Staff working hours across extra care schemes.
- Concerns about the new phone system to record medication and lack of response to issues raised about this.
- Issues with private and confidential staff files not being securely locked up.

The Manager for the service provided a response to CQC addressing all the issues raised. As the commissioning organisation, we were satisfied that the response fully addressed the issues raised and provided explanations as appropriate.

The response is not included in this report for reasons of confidentiality, but has been shared in full in Members Papers so it can be considered when a decision is made.

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Equality Impact Assessment

Project or Service Template

Name of the proposal, project or service
Proposal to change the way care and support is commissioned at Newington Court Extra Care scheme in Ticehurst

File ref:		Issue No:	
Date of Issue:		Review date:	

Contents

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Part 1 – The Public Sector Equality Duty and Equality Impact Assessments (EIA)

1.1 The Council must have due regard to its Public Sector Equality Duty when making all decisions at member and officer level. An EIA is the best method by which the Council can determine the impact of a proposal on equalities, particularly for major decisions. However, the level of analysis should be proportionate to the relevance of the duty to the service or decision.

1.2 This is one of two forms that the County Council uses for Equality Impact Assessments, both of which are available on the intranet. This form is designed for any proposal, project or service. The other form looks at services or projects.

1.3 The Public Sector Equality Duty (PSED)

The public sector duty is set out at Section 149 of the Equality Act 2010. It requires the Council, when exercising its functions, to have “due regard” to the need to

- Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the Act.
- Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it. (see below for “protected characteristics”)

These are sometimes called equality aims.

1.4 A “protected characteristic” is defined in the Act as:

- age;
- disability;
- gender reassignment;
- pregnancy and maternity;
- race (including ethnic or national origins, colour or nationality)
- religion or belief;
- sex;
- sexual orientation.

Marriage and civil partnership are also a protected characteristic for the purposes of the duty to eliminate discrimination.

The previous public sector equalities duties only covered race, disability and gender.

1.5 East Sussex County Council also considers the following additional groups/factors when carry out analysis:

- Carers – A carer spends a significant proportion of their life providing unpaid support to family or potentially friends. This could be caring for a relative, partner or friend who is ill, frail, disabled or has mental health or substance misuse problems. [Carers at the Heart of 21stCentury Families and Communities, 2008]
- Literacy/Numeracy Skills
- Part time workers
- Rurality

1.6 Advancing equality (the second of the equality aims) involves:

- Removing or minimising disadvantages suffered by people due to their protected characteristic
- Taking steps to meet the needs of people from protected groups where these are different from the needs of other people including steps to take account of disabled people's disabilities
- Encouraging people from protected groups to participate in public life or in other activities where their participation is disproportionately low

NB Please note that, for disabled persons, the Council must have regard to the possible need for steps that amount to positive discrimination, to "level the playing field" with non-disabled persons, e.g. in accessing services through dedicated car parking spaces.

1.6 Guidance on Compliance with The Public Sector Equality Duty (PSED) for officers and decision makers:

1.6.1 To comply with the duty, the Council must have "due regard" to the three equality aims set out above. This means the PSED must be considered as a factor to consider alongside other relevant factors such as budgetary, economic and practical factors.

1.6.2 What regard is "due" in any given case will depend on the circumstances. A proposal which, if implemented, would have particularly negative or widespread effects on (say) women, or the elderly, or people of a particular ethnic group would require officers and members to give considerable regard to the equalities aims. A proposal which had limited differential or discriminatory effect will probably require less regard.

1.6.3 *Some key points to note :*

- The duty is regarded by the Courts as being very important.
- Officers and members must be aware of the duty and give it conscious consideration: e.g. by considering open-mindedly the EIA and its findings when making a decision. When members are taking a decision, this duty can't be delegated by the members, e.g. to an officer.
- EIAs must be evidence based.
- There must be an assessment of the practical impact of decisions on equalities, measures to avoid or mitigate negative impact and their effectiveness.
- There must be compliance with the duty when proposals are being formulated by officers and by members in taking decisions: the Council can't rely on an EIA produced after the decision is made.
- The duty is ongoing: EIA's should be developed over time and there should be evidence of monitoring impact after the decision.
- The duty is not, however, to achieve the three equality aims but to consider them – the duty does not stop tough decisions sometimes being made.
- The decision maker may take into account other countervailing (i.e. opposing) factors that may objectively justify taking a decision which has negative impact on equalities (for instance, cost factors)

1.6.4 In addition to the Act, the Council is required to comply with any statutory Code of Practice issued by the Equality and Human Rights Commission. New Codes of Practice under the new Act have yet to be published. However, Codes of Practice issued under the previous legislation remain relevant and the Equality and Human Rights Commission has also published guidance on the new public sector equality duty.

Part 2 – Aims and implementation of the proposal, project or service

2.1 What is being assessed?

a) Proposal or name of the project or service

Proposal to change the way care and support is commissioned at Newington Court Extra Care scheme in Ticehurst

b) What is the main purpose or aims of proposal, project or service?

To consider the way care is commissioned at Newington Court, potentially moving from an Extra Care to a Housing with Care model, subject to a decision by the Lead Member for Adult Social Care and Health. This change in model would remove the 24/7 onsite support, moving to a Home Care model of delivery. In addition, the Council would fund up to 7 weekly background hours for the first year to support transition to the new model.

The Council are considering a change to the model because:

- 50% of current residents have either zero or less than five care hours per week, and the minimum number of care hours required to justify the 24/7 on-site care and support has not been met for a consistent period of time
- ESCC pays 54 unused care hours per week, equating to £51,760 per annum
- ESCC also funds night cover at £64,078 per annum. Only one resident has a scheduled night call.
- Use of Tunstall at night has continued to be very minimal despite Covid-19
- 12 of 35 flats are void. There are no clients on the waiting list, despite significant promotion to teams to attract new referrals

The project includes a formal consultation, which ran from 10 November to 18 December 2020. All views gathered via the consultation will be shared with the Lead Member for Adult Social Care and Health on 26 January 2021 to support on decision on whether the change the model of care to 'Housing with Care' from November 2021, when the current extra care contract expires.

c) Manager(s) and section or service responsible for completing the assessment

Caroline Moyes, Project Manager, Adult Social Care & Health (ASCH)

Angela Yphantides, Strategic Commissioning Manager, ASCH

Emma Winter, Extra Care Co-ordinator, ASCH

2.2 Who is affected by the proposal, project or service? Who is it intended to benefit and how?

- Residents and their carers at Newington Court
- Potential clients who are eligible for Extra Care service
- Optivo, Landlord
- Care at Home Services (CAHS)
- Rother District Council (RDC)
- Ticehurst Surgery

The project gives an opportunity to address issues relating to the current arrangements, giving potential benefits including:

- Exploring alternative care and support delivery at Newington Court
- Developing Newington Court into a vibrant Community Setting
- Increase demand at the other 6 Extra Care Schemes
- Additional housing options for older people on the RDC housing register.
- Service charge – completion of Housing Benefit financial re-assessment
- Support plans: review individual’s care and support needs and update support plans – ensuring the most appropriate level of care provision

2.3 How is, or will, the proposal, project or service be put into practice and who is, or will be, responsible for it?

If the proposal was agreed, the Council would:

- write to residents to let them know of the changes to the way care is commissioned
- Residents care needs would be reviewed from February 2021, when they would then have time to make a decision about what they wished to do next. The Council’s assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, this might include doing an assessment or review of their social care needs.
- The Council will continue to work closely with our partners Optivo, Care at Home and Rother District Council to transition to the new model of care from November 2021.
- Optivo would continue to be the landlord and residents would continue to have Assured Tenancies
- Care at Home would continue to provide residents’ care, but as a Home Care service, rather than a 24/7 onsite care service
- Rother District Council would be able to move in residents with no or low care needs to fill the voids at Newington Court, as the minimum care hour requirements would be removed
- The Council will work with residents and partners to determine how the additional 7 weekly background hours could be used to support current residents’ transition to the new model of care, for the first year of transition, and then review
- The Council would pay for any additional costs associated with the change to a new model of care for the first year of transition, and then review

2.4 Are there any partners involved? E.g. NHS Trust, voluntary/community organisations, the private sector? If yes, how are partners involved?

- Optivo, Housing Landlord – including onsite café arrangements
- Rother District Council
- Care at Home Services
- Ticehurst Surgery
- Courtyard Cafe
- ASC Neighbourhood Support Team (NST), Learning Disability Team, Mental Health Team - these teams work with people in the community who are eligible for Social Care services to promote and support independence at home, minimise risk and improve quality of life.

- Hospital Assessment and Care Management Teams - These teams work with people who have had a stay in hospital who are eligible for Social Care services to support their discharge to the community and return to living at home.
- Care Quality Commission (CQC): inspection and regulation ensuring compliance with national standards and regulations.

2.5 Is this proposal, project or service affected by legislation, legislative change, service review or strategic planning activity?

Strategic framework documents and legislation considered in this report include:

- Care Act 2014
- The Public Contracts Regulations 2015
- Equality Act 2010
- Mental capacity Act 2005
- Liberty Protection Safeguards
- Welfare Reform Act 2012
- The Localism Act 2011

2.6 How do people access or how are people referred to your proposal, project or service? Please explain fully.

- Currently, allocations are managed by the Council as part of our Extra Care model
- A change in model to 'Housing with Care' would transfer the allocations responsibility back to Optivo, who will work closely with Rother District Council to identify appropriate residents from the Rother Housing register via Homemove. This change is likely to identify a higher volume of potential residents for Newington Court, as the requirement to have a minimum number of care hours will be removed. It is anticipated that this change will be able to fill the high volume of voids at Newington Court, and return the scheme to a vibrant and thriving home for older people.

2.7 If there is a referral method how are people assessed to use the proposal, project or service? Please explain fully.

- As above in 2.6.

2.8 How, when and where is your proposal, project or service provided? Please explain fully.

- Care at Home are currently contracted to deliver the scheduled care hours to residents in Newington Court as part of the Council Extra Care contract. Optivo are the registered Landlord.
- Care at Home would continue to deliver scheduled care hours via a domiciliary care package as they are the lead home care provider for the Ticehurst area.
- Optivo will continue to provide their existing housing support service, with an onsite scheme manager.

- Out of hours emergency support will be accessible via a Lifeline / Tunstall system which is commissioned by Optivo.

Part 3 – Methodology, consultation, data and research used to determine impact on protected characteristics.

3.1 List all examples of quantitative and qualitative data or any consultation information available that will enable the impact assessment to be undertaken.

Types of evidence identified as relevant have X marked against them			
	Employee Monitoring Data		Staff Surveys
x	Service User Data	X	Contract/Supplier Monitoring Data
	Recent Local Consultations		Data from other agencies, e.g. Police, Health, Fire and Rescue Services, third sector
x	Complaints	X	Risk Assessments
x	Service User Surveys	X	Research Findings
x	Census Data	X	East Sussex Demographics
	Previous Equality Impact Assessments		National Reports
	Other organisations Equality Impact Assessments		Any other evidence?

3.2 Evidence of complaints against the proposal, project or service on grounds of discrimination.

Informal concerns about the level of voids have been raised by residents, care staff and Optivo, leading to the project. No formal complaints have been received.

3.3 If you carried out any consultation or research on the proposal, project or service explain what consultation has been carried out.

- A formal consultation on the proposal to change the way care is provided at Newington Court ran from 10 November to 18 December 2020. Consultation methods were adapted to ensure COVID-19 safety compliance.
- Methods included letters to residents, family carers and people with Power of Attorney; a list of Frequently Asked Questions to explain the proposed changes, updated throughout the consultation and shared with stakeholders
- Phone calls and emails with residents and family members
- Video meeting between ESCC Commissioning officers and representatives of the on-site care team (Care at Home Services)
- Letters to partners
- Briefings to the Director of Adult Social Care
- Briefings to Lead Member
- Briefings to Local Councillors
- Back office meetings inc. project group meetings for all partners
- Attendance at East Sussex Seniors Association (ESSA) forum on 13 November 2020 to gather feedback on the projects potential impact on older people

3.4 What does the consultation, research and/or data indicate about the positive or negative impact of the proposal, project or service?

A total of 45 responses were received during the consultation, the biggest group of respondents was family members and friends of residents. There were a number of themes relating to the negative impact of the proposal that were raised consistently across the various response methods and different groups of respondents.

Summary

It's clear from the responses to the consultation that people are very concerned about the proposal and how it will affect them or their loved one. There is a lot of mistrust of the Council and people dispute whether we have promoted the scheme properly. Some people raise concerns that potential residents have been turned away from the scheme.

The on-site care team was a big reason for choosing the scheme for people. Respondents worry about the impact of the removal of that support, particularly at night, and how it will affect the health and wellbeing of residents, and the delivery of care services. People fear that residents will be forced to move from their homes to get the care they need if the proposal goes ahead.

The detailed key themes set out below cover feedback received via all methods. We have focused mainly on issues raised by four or more comments for this summary. You can find all the comment themes received by each method in the relevant appendices.

Key themes about the proposal

Views about the proposal:

- Respondents are concerned about the proposal to change how care is provided at Newington Court and the impact it will have on people living there (8 comments).
- Some people say the proposal should not go ahead (5 comments) and Newington Court should be maintained as an extra care scheme (2 comments).
- Some people acknowledge the financial challenges at the scheme which are set out in the consultation (3 comments), while one person flagged the effect of Covid on care homes and how this might affect future recruitment to the scheme.

How allocations have been managed:

- People say that they know of eligible people who have been turned away or placed in other extra care schemes locally (11 comments).
- People feel that the scheme has been badly promoted or not promoted at all (9 comments), with some also saying that it has been run down on purpose (7 comments).
- People can't understand how it hasn't been possible to find eligible residents (4 comments).

The consultation:

- People feel that the decision has already been made and that the consultation is just for show and won't make a difference (6 comments).

- Concerns were raised about the consultation information, in particular the truth of the claims about the difficulty in finding new residents (5 comments).

Key themes about how people would be affected

Impact on their residency:

- People say they may, or would, have to move from the scheme if the proposal went ahead (12 comments). Some are clear they don't want to do this and would prefer to stay where they are happy (7 comments).
- Some say they chose Newington Court specifically because it was an extra care scheme and had staff on-site 24/7 (6 comments).
- A small number say they are already planning a move (3 comments).
- It was flagged how stressful any move would be due to the age of residents and that Covid would exacerbate this (3 comments).

Impact on support and services:

- A lot of respondents talk about the impact on people's health and wellbeing if they couldn't get their needs met (10 comments).
- People are concerned generally about the negative impact of the proposals (8 comments) and how they would affect the delivery of their, or their relatives', care and support (4 comments), and make it harder for them to maintain their independence (4 comments).
- The wider impact on associated services such as the café and GP surgery nearby (7 comments) and on the community feel at the scheme (4 comments) are a concern too.
- Concerns about the impact on peace of mind for families are raised (5 comments), as are concerns about the safety of the residents (4 comments).

Night support:

- People are particularly concerned and worried about the on-site night support being removed (11 comments) and how this would affect people and the delivery of their care (6 comments).
- There is concern about the speed of support that would be available in future if people needed help overnight and how quickly this would be available via the proposed telecare service (5 comments).
- For some people this would affect their daytime care as early/late calls are provided by on-site night staff and these would be harder to arrange if the scheme changed (5 comments).

Key themes for other comments

- There were a good number of positive comments about the current service (7 comments) and the staff providing care and support (6 comments).
- There were also some negative comments about the current service (5 comments).

- Suggestions were made covering the scheme overall (6 comments) and facilities (4 comments), including that the older part of the building become sheltered housing and the new part remain extra care; a more flexible approach be taken to packages; self-funders to be included in the block care financial calculations; and CCTV to be installed in the lobby and corridors if the on-site care is removed.

Sample quotes from respondents

- “[M]y opinion is that the proposals would be of no benefit to me at all or to any other residents who may or may not require extra care. It seems to me that more strenuous effort to attract new residents would be the answer to the problem and that the best interests of the present residents and staff has not been the prime consideration here.”
- “At least two years ago the ESCC website stated that there were no available flats at Newington Court. This was blatantly untrue. It appears that this consultation is nothing more than a PR exercise and that ESCC and [the provider] have been planning this outcome for years.”
- “Respective residents have been shown the building and then directed to other Schemes. Therefore, leaving empty flat at Newington Court. It is incredulous that there is not one person in either Rother DC or ESCC area that does NOT fit the care criteria!!! Seems this has always been the plan!”
- “I do feel that the future of Newington Court shouldn’t be just a financial consideration, but also viewed from a well being and mental health perspective. It has certainly been a stressful time for my [relative] and [their] fellow residents and friends. I would also ask whether it is appropriate to even be considering this change considering the pandemic we are facing.”
- “I’m very happy with my current care we are very lucky here at Newington Court. I [...] considered this to be my forever home.”
- “We understand the financial reasons behind proposed changes, but are very concerned that the level of security and care will not be the same high standard.”
- “One of the reasons we chose Newington Court is because of the 24/7 onsite care. If this is removed, many of the resident[s] would have to leave.”
- “I would have to move because I sometimes call on night staff [...] heighten my anxiety if someone was not on site – deterioration in health and wellbeing.”
- “I, as many other families, would have to consider alternative arrangements for their loved ones – some of whom have lived there many years. For some, the move at this stage of their lives could have devastating consequences.”
- “I don't reckon much of the night staff not being here – it’s going to take longer for the night staff to get here or be expensive with an ambulance each time in an emergency.”
- “As the GP Practice attached to Newington Court we have concerns about the proposal to the changes of care being provided. We are already seeing first-hand the impact that having less regular carers is having on our own workload [..].”
- “I feel that it will not provide the care cover that my [relative] needs to keep what little independence [they have] now.”

- “Your consultation document is very long and I think that quite a few of the resident[s] may not understand it and find it too complicated to read.”
- “There is undoubtedly a definite need for extra housing schemes in rural areas. A large percentage of our residents have lived in villages all their lives and do not want to move to a town. Family members live locally and they also do not want to have to or are unable to travel large distances into towns to visit their loved ones.”

Part 4 – Assessment of impact

4.1 Age: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

The overall population of East Sussex is estimated to be 552,259. East Sussex has a higher than average older population with around 25.4% of people aged over 65, compared to the national average of 18%. There are 294,807 people aged 45+ (53.3%) (ONS Mid-Year Population Estimates in June 2018) in East Sussex, and 21,816 (4%) of these are aged over 85 – East Sussex has one of the highest populations of people aged 85+ in the UK. (2011 mid-year estimates based on 2011 Census data). The tables below shows projected figures in 2018 and how there is a growing older population.

	All people	0-15	16-29	30-44	45-64	65+
East Sussex	552,259	94,004	77,123	86,325	154,337	140,470
Eastbourne	103,251	17,725	15,737	17,820	26,436	25,533
Hastings	92,813	17,274	15,363	16,541	25,627	18,008
Lewes	102,257	17,651	13,780	16,275	28,724	25,827
Rother	94,997	14,156	11,770	11,976	26,997	30,098
Wealden	158,941	27,198	20,473	23,713	46,553	41,004

*Population estimates by age for East Sussex and districts.
This is the latest data released in June 2018.
(source: ONS Mid-Year Population Estimates)*

Age group	All people	0-15	16-29	30-44	45-64	65+
Geography						
<u>East Sussex</u>	100.0	17	14	15.6	27.9	25.4
Eastbourne	100.0	17.2	15.2	17.3	25.6	24.7
Hastings	100.0	18.6	16.6	17.8	27.6	19.4
Lewes	100.0	17.3	13.5	15.9	28.1	25.3
Rother	100.0	14.9	12.4	12.6	28.4	31.7

Wealden	100.0	17.1	12.9	14.9	29.3	25.
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Percentage of population estimates by age for East Sussex and districts. This is the latest data released in June 2018.

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

- **Extra Care Housing is designed to offer housing and care support for the age group 55 plus. Of the current 29 residents, 17 are ASC funded clients and 12 are either private pay or have no care and support needs. For ASC funded clients, the average age range is 85 to 94.**
- The majority of the ASC funded clients are older than 85.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

- Extra Care is predominantly a service provided for older people, aged at least 55.
- There may be a disproportionate impact on residents who have night-time care needs as these would no longer be able to be met at Newington Court. There is currently only one resident with night care needs, and although several residents benefit from the 'peace of mind' that 24/7 onsite care offers, this is generally not accessed by current residents.
- It may however be necessary for residents with night care needs or risks to move accommodation to an alternative Extra Care scheme.
- This proposal may offer an opportunity to more older people with no or low care needs who do not require night cover to access Newington Court
- Changes to the designation of Newington Court could result in an increase in housing with care for residents in Ticehurst and the surrounding area

d) What is the proposal, project or service's impact on different ages/age groups?

Older age groups will likely be impacted the most due to the service being primarily used by them. Age can be a factor that can affect people's level of care and support needs and make it more likely that they will have a disability-related illness, and/or a long-term condition.

e) What actions are to/or will be taken to avoid any negative impact or to better advance equality?

All residents' individual care and support needs will be assessed or reviewed and if their care can be met in a different way i.e. at a different time or using assistive technology including the Tunstall call system at night. It may not be possible to avoid all negative impact on all residents.

f) Provide details of the mitigation.

If the proposal went ahead, the Council would write to all residents at Newington Court and let them know how and when the new model would

change. Residents would then have time between February and November 2020 to make a decision about what they wished to do next before the service changed.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation i.e. Extra Care in a different location; this will be decided at the point of their assessment.

Where there is an identified risk, the Council would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

g) How will any mitigation measures be monitored?

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process
- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.2 Disability: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County /District/Borough?

	All people	People with long term health problem and disability	Day-to-day activities limited a little	Day-to-day activities limited a lot	People without long-term health problem or disability
East Sussex	526,671	107,145	58,902	48,243	419,526
Eastbourne	99,412	20,831	11,209	9,622	78,581
Hastings	90,254	19,956	10,375	9,581	70,298
Lewes	97,502	19,054	10,583	8,471	78,448
Rother	90,588	21,242	11,591	9,651	69,346
Wealden	148,915	26,062	15,144	10,918	122,853

Residents with limiting long-term illness in 2011 in East Sussex and its districts (source: ONS Census 2011)

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

Of the 29 residents currently residing at Newington Court, 24 of these residents have a limiting long-term illness. The include long term conditions, memory loss issues including dementia, physical disabilities including sensory impairment and substance misuse needs.

Of the 29 residents, only one resident has a scheduled call during the night.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

The impact is assessed as low for the majority of residents have disabilities and/or long term conditions, they are understood to be able to live within the proposed model changes, ie. From extra care to Housing with Care.

The impact for the resident with a night call due to their disability is assessed as high as they may need to move to another more appropriate service. All options will be explored at the point of review to offer as much choice as possible to this resident.

d) What is the proposal, project or service's impact on people who have a disability?

For some the impact may be disproportionate as many have an age related disability. This may particularly be the case if they use the on-site night service frequently i.e. if they are at an increasing risk of falls

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

In the case of emergency calls, all residents can make emergency calls as they do now, through the pull-cord system which would no longer go through to an on-site care team but to Optivo's Lifeline service. This will support residents and connect them to an emergency service, family or informal carers if this is required. Although this will no longer provide a swift, in person response, this is thought to be appropriate as the levels of need within the scheme are not sufficiently high to justify a 24/7 in person response.

f) Provide details of any mitigation.

If the proposal went ahead, the Council would write to all residents at Newington Court and let them know when the night-time care service would be stopping. They would then have time to make a decision about what they wished to do next.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation including Extra Care in a different location; this will be decided considered in full at the point of their assessment.

Where there is an identified risk, the Council would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

g) How will any mitigation measures be monitored?

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process
- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.3 Ethnicity: Testing of disproportionate, negative, neutral or positive impact. Race categories are: Colour. E.g. being black or white, Nationality e.g. being a British, Australian or Swiss citizen, Ethnic or national origins e.g. being from a Roma background or of Chinese Heritage

a) How is this protected characteristic reflected in the County /District/Borough?

This dataset shows the population by ethnic groups from the 2011 Census.

Ethnicity	All people	Percentage White British and N Irish	Percentage White Irish	Percentage Gypsy or Irish Traveller	Percentage Other White	Percentage Mixed heritage	Percentage Asian/Asian British	Percentage Black/Black British	Percentage other ethnic group
England and Wales	56,075,912	80.5	0.9	0.1	4.4	2.2	7.5	3.3	1.0
South East	8,634,750	85.2	0.9	0.2	4.4	1.9	5.2	1.6	0.6
East Sussex	526,671	91.7	0.8	0.2	3.4	1.4	1.7	0.6	0.3

Source: 2011 Census, Office for National Statistics

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

All residents are recorded as White British, apart from one who is Italian. There are no known language requirements.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

Overall, the new model of housing with care scheme is expected to impact neutrally on people from different ethnic backgrounds

d) What is the proposal, project or service's impact on those who are from different ethnic backgrounds?

The new housing with care scheme will provide support to all residents and to pro-actively engage with partners and deliver and develop the service so that it fully accessible to residents from all backgrounds.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

There may be a positive impact in that the new housing with care scheme attracts more interest for this type of housing and in doing so, includes people from diverse ethnic backgrounds.

f) Provide details of any mitigation.

If the proposal went ahead, the Council would write to all residents at Newington Court and let them know when the night-time care service would be stopping. They would then have time to make a decision about what they wished to do next.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation including Extra Care in a different location; this will be considered in full at the point of their assessment.

Where there is an identified risk, we would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

g) How will any mitigation measures be monitored?

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process
- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.4 Gender/Transgender: Testing of disproportionate, negative, neutral or positive impact

a) How is this protected characteristic target group reflected in the County/District/Borough?

		Total	18+	18-64	65+	18-64 %	65+ %
Female	EAST SUSSEX	273,142	222,604	154,510	68,094	69.4	30.6
Male	EAST SUSSEX	254,067	200,320	147,692	52,628	73.7	26.3
All people	EAST SUSSEX	527,209	422,924	302,202	120,722	71.5	28.5

Source: ONS Mid-Year Population Estimates 2011 (based on Census) by ONS

In an attempt to gather data on numbers of transgender people in East Sussex, and better understand their needs to ensure an appropriate service response for this group, data from 254 "About You" forms were analysed as part of the Listening To You satisfaction questionnaires. The questionnaires were sent to a random sample of service users who had had the provision of OT equipment or sensory equipment / service in the 3 last months; people who had a Direct Payment put in place or reviewed in the last 3 months; and carers. The responses received showed:

- 1% of respondents stated they were transgender
- 5% of respondents said they preferred not to say,
- 94% of respondents stated they were not transgender.

(Source: ASC Equalities Data Set, January 2012)

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

60% of residents are female and 40% are male.
The Council has no data in relation to transgender.

c) Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?

This proposal may have a disproportionate impact on women. Data shows that there are more women using the service, reflecting the fact that women tend to live longer. This means more women may be affected by the new model, equally the new housing with care scheme could attract more interest for this type of housing and in doing so, includes more women.

d) What is the proposal, project or service's impact on different genders?

Women are more represented in the over 65 age group than men and therefore more likely to be impacted by the proposal.

ASC does not hold data on clients who fall under the transgender protected characteristic. We do not envisage any inequalities caused by this proposal.

Female carers may be more affected if where there is not an on-site care team and as a result, residents may contact their informal carer more frequently for their care and support.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Identification of carers and signposting to carers support or an offer of a carers assessment as part of the resident's review.

f) Provide details of any mitigation.

If the proposal went ahead, the Council would write to all residents at Newington Court and let them know when the night-time care service would be stopping. They would then have time to make a decision about what they wished to do next.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation including Extra Care in a different location; this will be considered in full at the point of their assessment.

Where there is an identified risk, we would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

g) How will any mitigation measures be monitored?

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process
- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.5 Marital Status/Civil Partnership: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic target group reflected in the County/District/Borough?

This dataset shows the number of people aged 16 and over and the percentage by marital status from 2011 Census.

Marital Status	All people aged 16 and over	Percent single	Percent married	Percent in a registered same-sex civil partnership	Percent separated	Percent divorced	Percent widowed
Geography							
England and Wales	45,496,780	34.6	46.6	0.2	2.6	9.0	7.0
South East	6,992,666	31.9	49.3	0.2	2.5	9.1	6.9
East Sussex	435,515	29.1	48.4	0.3	2.7	10.7	8.7

Source: 2011 Census, Office for National Statistics

Marital status in 2011 – districts (%)

Marital Status	All people aged 16 and over	Single	Married	In a registered same-sex civil partnership	Separated	Divorced	Widowed
Geography							
England & Wales	100	34.6	46.6	0.2	2.6	9	7
South East	100	31.9	49.3	0.2	2.5	9.1	6.9
East Sussex	100	29.1	48.4	0.3	2.7	10.7	8.7
Eastbourne	100	33.3	42.8	0.4	3	11.5	9.1
Hastings	100	36.5	39.2	0.3	3.7	12.8	7.4
Lewes	100	28.7	49.6	0.5	2.5	10.2	8.4
Rother	100	24.7	51.3	0.3	2.6	10.3	10.8
Wealden	100	24.9	55.1	0.2	2.3	9.4	8.2

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

- This would be a neutral impact characteristic.

4.6 Pregnancy and maternity: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic target group reflected in the County/District/Borough?

This dataset shows the number of live births by age of mother and also rates per 1,000 women in each age group.

Measure	Number of live births							Rate per 1,000 women						
	All live births	Under 20	20-24	25-29	30-34	35-39	40 and over	All live births	Under 20	20-24	25-29	30-34	35-39	40 and over
Age of mother														
Geography														
England	625,651	17,773	85,516	171,262	203,470	119,744	27,878	60.9	14.7	50.1	91.1	107.2	64.0	16.4
South East	96,748	2,220	11,440	24,925	32,950	20,479	4,734	60.5	11.1	44.1	92.8	118.3	67.7	16.3
East Sussex	4,941	145	731	1,400	1,531	914	220	60.4	13.0	58.7	103.9	109.4	59.7	14.2

Source: Office for National Statistics, via Nomis

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

Due to the age of the clients, this protected characteristic is not relevant.

4.7 Religion, Belief: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

This dataset shows the percentage of the population by religion from 2011 Census.

Religions	All people	Percent Christian	Percent Buddhist	Percent Hindu	Percent Jewish	Percent Muslim	Percent Sikh	Percent other religions	Percent no religion	Percent religion not stated
Geography										
England and Wales	56,075,912	59.3	0.4	1.5	0.5	4.8	0.8	0.4	25.1	7.2
South East	8,634,750	59.8	0.5	1.1	0.2	2.3	0.6	0.5	27.7	7.4
East Sussex	526,671	59.9	0.4	0.3	0.2	0.8	0.0	0.7	29.6	8.1

Source: 2011 Census, Office for National Statistics

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

One resident is recorded as Christian and all other residents are recorded as unknown / undeclared.

- c) **Will people with the protected characteristic be more affected by the proposal, project or service than those in the general population who do not share that protected characteristic?**

There may be a positive impact as the new housing with care scheme could attract more interest for this type of housing and in doing so, include more people with different religions or beliefs.

- d) **What is the proposal, project or service's impact on the people with different religions and beliefs?**

There may be a positive impact, as the housing with care scheme may attract more interest from wider groups of people with different beliefs and religions.

- e) **What actions are to/ or will be taken to avoid any negative impact or to better advance equality?**

Newington Court housing with care accommodation will be open to everyone who meets the eligibility criteria of requiring accommodation and support. This will better advance equality but may have a negative or neutral impact on some people from diverse religious backgrounds.

- f) **Provide details of any mitigation.**

If the proposal went ahead, the Council would write to all residents at Newington Court and let them know when the night-time care service would be stopping. They would then have time to make a decision about what they wished to do next.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation including Extra Care in a different location; this will be considered in full at the point of their assessment.

Where there is an identified risk, we would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

- g) **How will any mitigation measures be monitored?**

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process

- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.8 Sexual Orientation - Gay, Lesbian, Bisexual and Heterosexual: Testing of disproportionate, negative, neutral or positive impact.

a) How is this protected characteristic reflected in the County/District/Borough?

Sexual Identity – South East	Number	%
Heterosexual or straight	6,703,000	93.4%
Gay or lesbian	87,000	1.2%
Bisexual	61,000	0.9%
Other	38,000	0.5%
Don't know or refuse	284,000	4.0%

(Source: ONS data 2016)

b) How is this protected characteristic reflected in the population of those impacted by the proposal, project or service?

We do not envisage any inequalities for this protected characteristic for this proposal.

4.9 Other: Additional groups/factors that may experience impacts - testing of disproportionate, negative, neutral or positive impact.

These are - Rural Areas and Carers.

a) How are these groups/factors reflected in the County/District/ Borough?

Carers

- The majority of carers in East Sussex are of working age, with 26 per cent being over 65. The peak age for caring is 50-64 both locally and nationally.
- 2,000 (3%) of carers in East Sussex are aged over 85 years.
- 50% of carers being supported by the current Carers Centre and 55% of carers known to Adult Social Care are aged over 65.
- The 2011 Census identified that 58% of carers are women and 42% men in East Sussex.
- Service data from the Carers Centre for East Sussex shows that 73% of carers supported are female and 27% male.
- Of those carers known to ASC, 67% are female and 32% male.

Rural:

- According to the 2011 Census, 26% of East Sussex residents live in rural areas.

b) How is this group/factor reflected in the population of those impacted by the proposal, project or service?

Carers

- A negative impact is anticipated for informal carers.
- There are three couples residing at Newington Court where there is an informal carer role present.
- There are also a number of informal carers supporting family members living at Newington Court.
- As stated in section 4.4 plus, we know that carers often rely on the current on-site provision, giving them peace of mind to enable them to go to work or do other activities as it provides an assurance that the cared for person will be checked on in the day.
- Recent studies have found that BAME carers fail to access support because they are often unaware that such support exists.

Rural

A positive impact is anticipated for people living in rural areas.

Newington Court accommodate people who come from rural settings. By changing the model to housing with care, this extends the opportunity for more people in the rural and surrounding area of Ticehurst to be potentially eligible for this type of housing and support.

c) Will people within these groups or affected by these factors be more affected by the proposal, project or service than those in the general population who are not in those groups or affected by these factors?

Yes, both for rural population and carers.

d) What is the proposal, project or service's impact on the factor or identified group?

The negative impact on carers will be determined depending on the level of support required by the cared for resident from the informal carer under this proposal (the cared for may need to rely more on the carer as part of this proposal).

It is a positive impact for the rural characteristic as explained in section 4.9 b.

e) What actions are to/ or will be taken to avoid any negative impact or to better advance equality?

Residents and carers will both be offered a review or assessment to determine their individual changing needs under the proposal.

Tunstall lifeline is available for both day and night-time emergencies.

The Scheme Manager will continue to be on-site for general housing support and residents will still receive their scheduled care calls.

f) Provide details of the mitigation

If the proposal went ahead, the Council would write to all residents and their carers at Newington Court and let them know when the night-time care service would be stopping. They would then have time to make a decision about what they wished to do next.

The Council's assessment team would be available to talk to people and their families about what the decision meant for them and look at their options. In some cases, individuals may need to consider alternative accommodation including Extra Care in a different location; this will be considered in full at the point of their assessment.

Care reviews will particularly take into consideration the wishes of family/unpaid carers and any impact including should any resident need to move home.

Where there is an identified risk, we would not withdraw the service until alternatives had been agreed as part of the person's care and support plan.

The work carried out would include:

- Reviewing client records to assess for risk.
- Working with home care providers to identify suitable options.
- Carrying out telephone and face to face assessments in line with COVID-19 regulations.
- Providing support to ensure current clients are in receipt of all eligible benefits to maximise their income, this could include specialist advice and support from key voluntary sector providers.

g) How will any mitigation measures be monitored?

Mitigations will be monitored through the:

- The Newington Court Project Group, comprised of Adult Social Care Commissioners, Optivo, Care at Home Services and Rother District Council
- Care management assessment and reviewing process
- Complaints and appeals process
- ASC operational management teams
- Accommodation and Bedded Care Board
- Safeguarding procedures

4.10 Human rights - Human rights place all public authorities – under an obligation to treat you with fairness, equality, dignity, respect and autonomy. **Please look at the table below to consider if your proposal, project or service may potentially interfere with a human right.**

None apply.

Articles	
A2	Right to life (e.g. pain relief, suicide prevention)
A3	Prohibition of torture, inhuman or degrading treatment (service users unable to consent, dignity of living circumstances)
A4	Prohibition of slavery and forced labour (e.g. safeguarding vulnerable adults)
A5	Right to liberty and security (financial abuse)
A6 & 7	Rights to a fair trial; and no punishment without law (e.g. staff tribunals)
A8	Right to respect for private and family life, home and correspondence (e.g. confidentiality, access to family)
A9	Freedom of thought, conscience and religion (e.g. sacred space, culturally appropriate approaches)
A10	Freedom of expression (whistle-blowing policies)
A11	Freedom of assembly and association (e.g. recognition of trade unions)
A12	Right to marry and found a family (e.g. fertility, pregnancy)
Protocols	
P1.A1	Protection of property (service users property/belongings)
P1.A2	Right to education (e.g. access to learning, accessible information)
P1.A3	Right to free elections (Elected Members)

Part 5 – Conclusions and recommendations for decision makers

5.1 Summarise how this proposal/policy/strategy will show due regard for the three aims of the general duty across all the protected characteristics and ESCC additional groups.

- Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010;
- Advance equality of opportunity between people from different groups
- Foster good relations between people from different groups

5.2 Impact assessment outcome Based on the analysis of the impact in part four mark below ('X') with a summary of your recommendation.

X	Outcome of impact assessment	Please explain your answer fully.
	A No major change – Your analysis demonstrates that the policy/strategy is robust and the evidence shows no potential for discrimination and that you have taken all appropriate opportunities to advance equality and foster good relations between groups.	There are some negative impacts which are likely to disproportionately affect some of the protected characteristics, primarily Age, Gender and Carers, and residents’ informal carers through the removal of 24/7 onsite care.
	B Adjust the policy/strategy – This involves taking steps to remove barriers or to better advance equality. It can mean introducing measures to mitigate the potential effect.	There are some minimal or neutral impacts on residents and their informal carers who do not have care needs or who do not have night care needs.
X	C Continue the policy/strategy - This means adopting your proposals, despite any adverse effect or missed opportunities to advance equality, provided you have satisfied yourself that it does not unlawfully discriminate	There are some positive impacts on residents and informal carers as the removal of minimum care hours to access the service will be removed, opening up access to some of the other Protected Characteristics, including faith.
	D Stop and remove the policy/strategy – If there are adverse effects that are not justified and cannot be mitigated, you will want to consider stopping the policy/strategy altogether. If a policy/strategy shows unlawful discrimination it <i>must</i> be removed or changed.	Carers and residents’ views will be taken into consideration via the formal consultation and recommendation made to the Lead Member for Adult Social Care. Views on care options will also be taken into account if the proposal is agreed and residents’ care needs are reviewed.

5.3 What equality monitoring, evaluation, review systems have been set up to carry out regular checks on the effects of the proposal, project or service?

Systems include:

- Fortnightly Project Group meetings to plan and monitor implementation of the proposed changes, if agreed by Lead Member
- Close working with the Countywide Review Team to ensure any changes to care provision are shared appropriately with partners
- Ongoing consideration of the Equality Impact Assessment on the Protected Characteristics

5.6 When will the amended proposal, proposal, project or service be reviewed?

The proposal, if approved, will be reviewed at regular

Date completed:	23 December 2020	Signed by (person completing)	Angela Yphantides
		Role of person completing	Strategic Commissioner
Date:		Signed by (Manager)	

Part 6 – Equality impact assessment action plan

If this will be filled in at a later date when proposals have been decided please tick here and fill in the summary report.

The table below should be completed using the information from the equality impact assessment to produce an action plan for the implementation of the proposals to:

1. Lower the negative impact, and/or
2. Ensure that the negative impact is legal under anti-discriminatory law, and/or
3. Provide an opportunity to promote equality, equal opportunity and improve relations within equality target groups, i.e. increase the positive impact
4. **If no actions fill in separate summary sheet.**

Please ensure that you update your service/business plan within the equality objectives/targets and actions identified below:

Area for improvement	Changes proposed	Lead Manager	Timescale	Resource implications	Where incorporated/flagged? (e.g. business plan/strategic plan/steering group/DMT)
Promotion of the new model of care to RDC to target people with low/no care needs from different backgrounds, beliefs, abilities and orientations	Promotion via LDC to clients from different BAME, faith, abilities and orientations to fill voids and also increase diversity and inclusion.	Angela Yphantides	February – November 2021	Within existing resource	Project Group
Care reviews will particularly take into consideration the wishes of family/unpaid carers, should any resident need to move home	Care reviews will pay particular attention to the support offered by family/unpaid carers	Angela Yphantides	February – November 2021	Within existing resource	Project Group

6.1 Accepted Risk

From your analysis please identify any risks not addressed giving reasons and how this has been highlighted within your Directorate:

Area of Risk	Type of Risk? (Legal, Moral, Financial)	Can this be addressed at a later date? (e.g. next financial year/through a business case)	Where flagged? (e.g. business plan/strategic plan/steering group/DMT)	Lead Manager	Date resolved (if applicable)
Risk to ESCC – public protest if night/guaranteed on-site day care is removed	Reputational	Yes, via Project Group	Project Group	Angela Yphantides	November 2021
Risk to ESCC – Newington Court was included in Tier 4 restrictions as the consultation closed, which may heighten concerns amongst the resident population, and their families/carers	Timing/reputational	Yes, via Project Group	Project Group	Angela Yphantides	November 2021
Risk to ESCC – Additional Newington clients may choose to move to other Extra Care schemes if the night care is removed, provided they meet the eligibility criteria	Pressure on ESCC Operational Teams	Yes, via Project Group	Project Group	Angela Yphantides	November 2021
Risk to ESCC – if LM decides not to accept the proposal, ASC will continue	Financial	Yes, via Project Group	Project Group	Angela Yphantides	November 2021

to incur a cost pressure					
Risk to ESCC – The continued loss may result in less interest at the point of tender	Limited market Interest	Yes, via Project Group	Project Group	Angela Yphantides	November 2021

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