

Item: 16

Education, Leisure and Housing Committee: 12 September 2018.

Sheltered Housing Services.

Report by Executive Director of Education, Leisure and Housing.

1. Purpose of Report

To present the outcome of consultation on Sheltered Housing services and to consider options for future service provision.

2. Recommendations

The Committee is invited to note:

2.1.

That, in December 2017, the Council determined that the Executive Director of Education, Leisure and Housing should undertake a consultation in respect of redesigning the Sheltered Housing Warden Service, with a view that a warden service should continue to be provided, and to report the outcome of the consultation in due course.

2.2.

That the consultation in respect of redesigning the Sheltered Housing Warden Service, which took place between late April and 30 June 2018, included meetings with staff, Trade Unions, one of the two advocates and residents of both sheltered housing schemes.

2.3.

That those residents and any relatives, power of attorneys or advocates they wished to bring who could not attend were offered individual meetings with Council officers.

2.4.

That, during the consultation meetings, issues were identified with the data relating to callouts, resulting in a detailed analysis of the information held on the computers at each of the sheltered housing schemes.

2.5.

Responses to the consultation, as detailed in section 6 of this report.

2.6.

That, as the consultation referred to the specific terms and conditions of a tenancy that can only be changed with agreement, any redesign of service must conform with the requirement of the tenancy agreement for there to be two warden visits per day.

2.7.

That the Council has received a petition, as outlined in section 6.4 of this report

2.8.

That the requirement to consider the wider concept of older persons' housing more fully will be progressed through development of the Local Housing Strategy.

2.9.

The options appraisal, detailed in section 7 of this report, with the preferred option, being Option 4, namely removal of the sleep-in provision to take effect as soon as reasonably practicable after 1 April 2019.

It is recommended:

2.10.

That sleep-in provision be removed from the Council's sheltered housing service as soon as reasonably practicable after 1 April 2019.

3. Introduction

Previous Council decisions relating to this item are attached as Appendix 1 to this report.

4. Background

4.1.

In December 2017, the Council determined that the Executive Director of Education, Leisure and Housing should undertake a consultation in respect of redesigning the Sheltered Housing Warden Service, with a view that a warden service should continue to be provided, and to report the outcome of the consultation in due course.

4.2.

In late April 2018 a press release was issued and individual letters were sent to all residents of sheltered housing together with their advocates, to advise that a consultation would be undertaken from April to June 2018 with a view to continuing to deliver the service.

4.3.

In undertaking this consultation, meetings were held with the relevant staff, Trade Unions, one of the two advocates involved (the second being unavailable) and residents of both Lambaness and Rae's Close sheltered housing schemes. The residents were advised that they could bring a relative, power of attorney or advocate to their meeting if they wished.

4.4.

Letters were sent to all residents who were unable to attend the meetings offering an alternative meeting if required or a telephone conversation. All residents of the sheltered housing schemes were sent paper copies of the leaflet and survey for completion. Emails with links to the relevant information were sent to relevant agencies involved in provision of related services to those in sheltered housing including Orkney Health and Care, NHS Orkney, Age Scotland and Advocacy Orkney. Information was made available through the Council's website.

4.5.

Throughout the process, it was made clear that this was a consultation and no decisions have been taken at this point in time. The Council has also been clear that it is keen to hear views on what options may be appropriate.

4.6.

Orkney has an ageing demographic and as such the Council offers extra care housing in St Margaret's Hope. Orkney Islands Property Developments Limited also offers extra care housing situated in Kirkwall and Westray. Extra care housing is relevant in cases where an applicant has a much greater level of community care need than would apply to sheltered housing.

4.7.

While there is a need to consider older persons' housing more fully which may include considering a wider concept of retirement housing, in common with many other Scottish social housing providers, this will be progressed through the development of the Local Housing Strategy over the coming months.

5. Data on Level of Callouts

5.1.

During one of the meetings of residents, the level of callouts overnight at Rae's Close was queried. Both residents and staff felt that it was not accurate and queried how the information had been sourced.

5.2.

The original understanding was that all data relating to callouts was recorded by Eldercare, the callcentre which manages callouts. However, it transpired that wardens have 8 minutes to respond to any call and therefore data only diverts to Eldercare after the 8 minute period has elapsed. Alarms repeat every minute and therefore each alarm can be recorded multiple times.

5.3.

Consequently, an analysis of all data held on the individual computer terminals in the two sheltered housing schemes was undertaken.

5.4.

The calls generated through the alarm system for each scheme have been assessed thoroughly and the data is reproduced below:

Lambaness Callouts	Total Number	During "Sleep-In Hours"	Average per month (day / night)
April 2017 – May 2018	128	17 but responded to by Community Responder	9.14 / 1.21

Rae's Close Callouts	Total Number	During "Sleep-In Hours"	Average per month (day / night)
April 2017 – May 2018	115	14	8.21 / 1

5.5.

Additional calls are recorded through Eldercare, the callcentre which provides backup to the warden service. However, an analysis of the individual logs highlights an element of duplication. As detailed in section 5.2 above, the data reverts to Eldercare if the warden has not responded to the initial alarm. Alarms repeat every minute unless cancelled by the relevant resondee.

5.6.

The levels of information on callouts differs at each scheme. An analysis of information held at both schemes shows the following information for the period April 2017 to end of May 2018:

Lambaness breakdown of callouts

Overnight period.	Covered by Community Responder – 17 6 were emergency calls.
Of total alarms.	24 responded to by warden. 7 daytime alarms were emergency calls therefore totalling 13 emergencies. 3 further alarms required Responder service. 94 remaining calls were false alarms etc.

Rae's Close breakdown of callouts

Overnight period.	14 alarms, being 1 per month 4 were emergency calls.
Of total alarms (including overnight).	8 were emergencies. 92 were false alarms/no reason. 7 were tests/engineer/tradesmen. 8 responded to through Eldercare.

6. Responses to Consultation

6.1.

Full responses to the consultation are attached as Appendix 2 to this report.

6.2.

A total of 35 responses were received. A summary of the responses is as follows:

6.2.1.

Question 1: Do you consider that sheltered housing should continue to be provided?

Yes	88.89%
No	11.11%
No response	0%

6.2.2.

Question 2: If you answered yes to Question 1, remodelling warden services could allow a warden service to be provided Mondays to Sundays 8.30am to 5.30pm between the two schemes for instance a warden could be based at one scheme during the mornings and the other scheme during the afternoons resulting in one physical daily check and one telephone daily check. This would result in a large saving. Do you agree with this option?

Yes	36.11%
No	61.11%
No response	2.78%

6.2.3.

Question 3: The sleep-in provision at Rae's Close costs £28,700 per annum and there have been no overnight callouts in the last 13 months. Do you think this should be withdrawn and covered by the Community Responder?

Yes	36.11%
No	58.33%
No response	5.56%

6.2.4.

Question 4 asked for any other options for amendments to the service. A range of comments were made and are detailed in Appendix 2. These include suggestions relating to supplementing services with other services available including Age Scotland's Good Morning Calls and the use of enhanced technology.

6.3.

The responses to the consultation were overwhelmingly in favour of retaining the current level of service which is currently unaffordable.

6.4.

A petition has been received with 420 signatures. The petition states “stop the cuts to our elderly sheltered housing services. Give us peace. Leave us alone.” Accordingly, the procedure covering the receipt of petitions has been followed, whereby the Chief Executive, after consultation with relevant senior officers, the Leader and Chair and Vice Chair of the relevant committee, determined that, given a report regarding the outcome of the Sheltered Housing consultation was being presented to this cycle of meetings, it should include reference to the petition.

7. Options Appraisal

7.1.

The results of the consultation limit the options previously identified. Given that the consultation refers to the specific terms and conditions of a tenancy that can only be changed with agreement, the outcome of the consultation means that whichever option is taken forward, must conform with the tenancy’s requirement for there to be two warden visits per day.

7.2.

There is a need to determine the relevant action in order to provide clarity to residents and to allow recruitment of staff for Lambaness, if relevant, in order to allow stability. Given the responses to the consultation, the following options can be considered.

7.3.

Option 1 – Status quo.

7.3.1.

Maintaining the status quo would allow the service to continue generally as it is currently.

7.3.2.

The status quo is not currently affordable so there would require to be an enhancement of additional resource to cover the cost of the sleep-in provision. Over the available budget this would require an additional budget enhancement, from financial year 2019 to 2020, of £13,000 which would allow a recruitment process to endeavour to fill the vacant posts at Lambaness.

7.4.

Option 2 – To continue to deliver the service for current residents but not to continue to offer it to future residents.

7.4.1.

This would allow the status quo to exist for current residents while they remained resident in their current homes. Over a period of time the service would decline until

ultimately sheltered housing was no longer offered. The position as outlined at sections 7.3.1 and 7.3.2 above would apply.

7.4.2.

When vacancies arose the properties would be let through the Council's Lettings Policy to a household who required that size and potentially type of house without warden services. The vacant properties would be redesignated as amenity standard. A community care alarm would be available to people with the relevant level of need in line with normal policy with callouts covered by the Community Responder Service.

7.4.3.

This would have the result that the per capita cost of sheltered housing would increase for a period of time.

7.5.

Option 3 - Withdrawal of service.

7.5.1.

In 2010, following consultation, the Council sought to remove the sheltered housing warden service and the Council faced a legal challenge. Residents successfully argued that a contract was in place between the tenancy agreement and document outlining the service. Consequently, the Council had to reinstate the service and suffered reputational damage as a result.

7.5.2.

Consequently, seeking to remove the service again would be likely to have the same result and is therefore not a viable option.

7.6.

Option 4 - Removal of sleep-in service only.

7.6.1.

Only Rae's Close operates a sleep-in service at a budgeted cost of £28,700.

7.6.2.

When considering the level of callouts between the hours of 22:00 and 08:30, only those relating to Rae's Close are relevant due to the lack of a sleep-in service at Lambaness. Over the 14 month period detailed at section 5.6 above there were a total of 14 callouts overnight, four of which were emergencies.

7.6.3.

The responder service could potentially cover for the loss of sleep-in provision at Rae's Close, Stromness, which would allow a reduction of £28,700. Otherwise the service could remain unchanged.

7.6.4.

The tenancy agreement does not specifically refer to an overnight provision and therefore this does not have to remain in place.

7.7.

Option 5 - Amendment to service to provide a warden service Mondays to Sundays 08:30 to 17:00 divided between the two schemes.

7.7.1.

The two sites are 15 miles apart and the Responder Service is also available.

7.7.2.

Currently the combined budget for the service is £131,300. The proposal consulted on was that if the current provision was adjusted a warden could be on site daily in one scheme in the morning and the other in the afternoon with telephone catch ups ensuring each scheme receives two welfare checks daily.

7.7.3.

However, given the matter outlined at section 7.1 above, there is a need to ensure two physical visits per day are undertaken. This allows a range of options but it is unlikely that all would generate savings. These may include:

- Wardens still being based in each scheme and undertaking the daily checks but the hours of availability being reduced with backup provided by the Responder.
- A peripatetic warden service carrying out daily checks and being based in a scheme for part of the time.
- Housing support staff undertaking the daily checks.
- Other options may be available.

7.7.4.

These options, which would require further exploration prior to being implemented, could be made in addition to the removal of the sleep-in provision as outlined at section 7.5 above.

7.8.

The preferred option, which is partially in line with the principles of the current budget setting process, is Option 4, removal of the sleep-in provision only.

8. Human Resource Implications

8.1.

The proposed restructure options, if agreed, will have a significant impact for existing Council staff in respect of their terms and conditions of employment, the removal of sleepovers and the loss of earnings as a result of changes to working patterns. It is likely that if the decision is made to remove sleep-in provision, this will require a one

off 'buy out' of this for the affected staff, as it has in two other service areas where sleep-in provision has been removed in recent years. In these other cases the buy-out has equated to 9/12ths of the last years earnings related to sleep-in provision for each individual.

8.2.

Options 3, 4 and 5 if implemented have the additional potential impact of possible redundancies for some/all currently employed staff.

8.3.

Any permanent or temporary contracted employees with over two years' continuous service with the Council will be entitled to a redeployment search as an alternative to potential redundancy and if made redundant, a redundancy payment.

8.4.

Significant consultation with Trade Unions and staff involving Human Resources will be required in respect of the proposed restructure and subsequently in respect of the process of implementation of any approved restructure.

8.5.

Where as a result of service redesign/reorganisation an employee's permanent place of work has been relocated by over 5 miles, the additional distance to and from their home to their new place of work shall be paid for a maximum period of three years at the standard normal mileage rate within the Single Status conditions of service.

9. Equalities Impact

An Equality Impact Assessment has been undertaken and is attached as Appendix 3 to this report.

10. Links to Council Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Council Plan strategic priority of Caring Communities.

11. Links to Local Outcomes Improvement Plan

The proposals in this report support and contribute to improved outcomes for communities as outlined in the Local Outcomes Improvement Plan priority of Living Well.

12. Financial Implications

12.1.

The cost of provision of the Sheltered Housing Warden Service totals £131,300 for financial year 2018 to 2019.

12.2.

While a rental charge is levied to cover the costs of provision of property, only 7 tenants are charged in respect of the support provision. This small service charge is levied purely to allow the possibility of a larger service charge in the future.

13. Legal Aspects

13.1.

The Housing (Scotland) Act 2001 section 54 requires the Council to consult with its tenants regarding any policy change which may affect them in connection with the standard of service in relation to housing management.

13.2.

There are two different appendices attached to the tenancies for sheltered housing.

13.2.1.

The first states that “Sheltered accommodation benefits from a warden who calls on residents twice a day and provides an emergency call service.”

13.2.2.

The second was introduced in 2012 after a Committee decision was made to introduce a charge for the Sheltered Housing Service. This was initially set at £1.00 and has increased by the same rate as the standard increase for fees and charges since then. It includes no specific references to the service to be provided but these tenants historically in general terms have had the same standard of provision as those with the other tenancies which specify the level of service i.e. a warden who calls on residents twice a day and provides an emergency call service. Therefore this level of service is likely to be considered as an implied term.

13.3.

- In terms of section 24 of the Housing (Scotland) Act 2001 the terms of the Scottish secure tenancy may only be varied by written agreement between the landlord and the tenant, or by court order under section 26.
- The court may make such order varying any term of the tenancy as it considers reasonable in all the circumstances, having particular to (a) the safety of any person, and (b) any likelihood of damage to the house or to any premises of which it forms part.
- Given that each tenant’s individual circumstances have to be considered that would probably require 26 separate court actions. Individual circumstances would require to be evidenced, however that evidence is not available at the time of writing. Therefore the prospects of success, can't be determined. Given the potential level of court expenses in connection with an unfavourable outcome to the Council from a court process, it would be recommended to seek Counsel’s opinion, if committee were minded to go down this road.

13.4.

Given that the consultation in this respect refers to the specific terms and conditions of a tenancy that can only be changed with agreement or court process, the outcome of the consultation means that whatever option is taken forward, must conform with the tenancy's requirement i.e. for there to be two warden visits per day.

13.5.

When taking the product of consultation conscientiously into account in finalising proposals, the decision report must include relevant representations made to the authority. It is essential that the Authority takes representations conscientiously into account and avoid any appearance of bias.

13.6.

Under Section 50A(4) of the Local Government (Scotland) Act 1973, the public should be excluded from the meeting in respect of any discussion relating to Appendices 1 and 2 to this report. Appendices 1 and 2 contains exempt information as defined in paragraphs 1 and 2 of Part 1 of Schedule 7A of the Act.

14. Contact Officers

Wilfred Weir, Executive Director of Education, Leisure and Housing, extension 2436, Email wilf.weir@orkney.gov.uk.

Frances Troup, Head of Housing, Homelessness and Schoolcare Accommodation Services, extension 2177, Email frances.troup@orkney.gov.uk.

15. Appendices

Appendix 1: Previous Minute Reference.

Appendix 2: Consultation results.

Appendix 3: Equality Impact Assessment.



Equality Impact Assessment

The purpose of an Equality Impact Assessment (EqIA) is to improve the work of Orkney Islands Council by making sure it promotes equality and does not discriminate. This assessment records the likely impact of any changes to a function, policy or plan by anticipating the consequences, and making sure that any negative impacts are eliminated or minimised and positive impacts are maximised.

1. Identification of Function, Policy or Plan	
Name of function / policy / plan to be assessed.	Review of sheltered housing
Service / service area responsible.	Housing Services
Name of person carrying out the assessment and contact details.	Frances Troup, Head of Housing, Homelessness and Schoolcare Accommodation Services Ext 2177 E-mail frances.troup@orkney.gov.uk
Date of assessment.	22 August 2018
Is the function / policy / plan new or existing? (Please indicate also if the service is to be deleted, reduced or changed significantly).	Existing

2. Initial Screening	
What are the intended outcomes of the function / policy / plan?	To undertake a review of sheltered housing thereby reducing the level of provision of housing support and in turn reducing costs.
State who is, or may be affected by this function / policy / plan, and how.	Residents of sheltered housing
How have stakeholders been involved in the development of this function / policy / plan?	Consultation involving service users, their advocates, powers of attorney, relatives, related agencies, staff and trade unions. A range of meetings have been held. The survey has been undertaken both in hard copy and online.
Is there any existing data and /	Research is underway nationally in respect of

<p>or research relating to equalities issues in this policy area? Please summarise. E.g. consultations, national surveys, performance data, complaints, service user feedback, academic / consultants' reports, benchmarking (see equalities resources on OIC information portal).</p>	<p>modern models of sheltered housing but this doesn't specifically focus on equalities. There is also research around housing with care which is not the same as sheltered housing.</p>
<p>Could the function / policy have a differential impact on any of the following equality strands?</p>	<p>(Please provide any evidence – positive impacts / benefits, negative impacts and reasons).</p>
<p>1. Race: this includes ethnic or national groups, colour and nationality.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>2. Sex: a man or a woman.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>3. Sexual Orientation: whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>4. Gender Reassignment: the process of transitioning from one gender to another.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>5. Pregnancy and maternity.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>6. Age: people of different ages.</p>	<p>Sheltered housing is aimed at people of retirement age and over so by default the impact would be on this bracket of society.</p>
<p>7. Religion or beliefs or none (atheists).</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>8. Caring responsibilities.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>9. Marriage and Civil Partnerships.</p>	<p>No not specifically. Clients may come from any group within society.</p>
<p>10. Disability: people with disabilities (whether registered or not).</p>	<p>No not specifically. Clients may come from any group within society.</p>

3. Impact Assessment

Does the analysis above

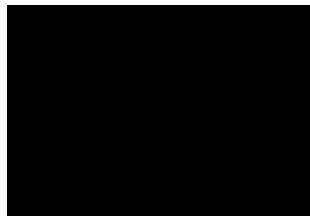
No. Given that sheltered housing is aimed at

identify any differential impacts which need to be addressed?	older people generally, any review would impact on that group accordingly.
How could you minimise or remove any potential negative impacts?	N/A
Do you have enough information to make a judgement? If no, what information do you require?	Yes

4. Conclusions and Planned Action

Is further work required?	Yes/No.
What action is to be taken?	N/A
Who will undertake it?	N/A
When will it be done?	N/A
How will it be monitored? (e.g. through service plans).	N/A

Signature:



Date: 22 August 2018

Name: Frances Troup

(BLOCK CAPITALS).

Please sign and date this form, keep one copy and send a copy to HR and Performance. A Word version should also be emailed to HR and Performance at hrrsupport@orkney.gov.uk