

Housing Select Committee			
Title	The Council's Extra Care Service at Kenton Court and Somerville		
Contributors	Executive Director for Customer Services; Executive Director for Community Services	Item	7
Class	Part 1 (open)	11 November 2014	

Reasons for lateness and urgency

This report was not available for the original dispatch because of the timing of dispatch for the Mayor and Cabinet meeting to which it relates. Although late this report contains the full content of that Mayor and Cabinet report, which would not have been possible otherwise. The report is urgent because there is no alternative time at which Committee can pre-scrutinise this report in advance of full consideration of the matter by Mayor & Cabinet on 12 November.

Where a report is received less than 5 clear days before the date of the meeting at which the matter is being considered, then under the Local Government Act 1972 Section 100(b)(4) the Chair of the Committee can take The matter as a matter of urgency if he is satisfied that there are special circumstances requiring it to be treated as a matter of urgency. These special circumstances have to be specified in the minutes of the meeting.

1 Overview

- 1.1. This report provides Housing Select Committee with the opportunity to undertake pre-decision scrutiny in relation to the Council's extra care housing schemes at Kenton Court, Sydenham and Somerville, Telegraph Hill. On 12 November 2014 Mayor and Cabinet will consider a report and recommendations which result from the consultation with the residents of those schemes about the future of the housing and extra care services at each. This paper contains that report for Committee to consider and comment on, ahead of the Mayor and Cabinet meeting.
- 1.2. The sequencing of report dispatch dates means that the Mayor and Cabinet report will have been submitted by the time that HSC meets. This means that the comments of Housing Select Committee cannot be included in the body of the Mayor and Cabinet report, but will instead be made available as a separate submission at the time of the meeting.
- 1.3. Set out from this point forward is the Mayor and Cabinet report scheduled for consideration on 12 November 2014.

2 Summary

- 2.1 In July 2012 the Mayor received a report outlining the severe housing challenges in Lewisham and London more generally and as a result agreed to launch the "Housing Matters" programme. This consisted of three interlinked streams of work designed to address those challenges, which were to review

the options for the ownership and management of housing stock, to initiate a new build housing programme, and finally to review the Council's policy for and approach to the delivery of housing specifically for its older residents.

- 2.2 This report focuses on the last of these three strands, on which significant progress has been made since the programme was launched. In October of this year a new extra care facility opened as part of the Marine Wharf development in Deptford, providing 78 new homes that are especially adapted to the needs of older residents, which meet all modern standards in relation to design, provide much greater flexibility for residents to be supported and cared for in their own homes for much longer, and thereby enable residents to maintain their independence at home for longer. In addition two further extra care schemes, both of which will meet these same high standards, are currently in development through the planning process, and are expected to be launched in 2017. Between them these will provide a further 111 new homes meeting this new modern standard, meaning a total new provision of nearly 200 new modern homes for older residents will be provided at that point.
- 2.3 This report follows on from two previous reports considered by Mayor and Cabinet in December 2013 and June 2014 specifically in relation to the future of the two Council-owned and Council-managed extra care schemes at Kenton Court in Sydenham, and at Somerville in Telegraph Hill. The first of these reports made clear that these two schemes did not meet these new standards, and likewise could not be adapted to do so. They consist of small bedsit units without self-contained bathroom facilities, and as such are neither suitable for the provision of extra care nor attractive to prospective tenants.
- 2.4 Given these findings and also the forthcoming development at Conrad Court, Marine Wharf, in December 2013 the Mayor agreed that officers should start the process of consulting with the residents of the Kenton Court and Somerville extra care schemes, to establish their housing options and care requirements and enable them to move voluntarily to this new-build provision as it becomes available and other provision as appropriate to their care needs.
- 2.5 On the conclusion of this consultation exercise a further report was considered by Mayor and Cabinet, in June 2014, which concluded that a range of high quality housing, care and support was available in the borough to potentially meet the needs of the residents of Kenton Court and of Somerville, and also noted that five residents had already voluntarily moved to alternative provision within the borough. On that basis the Mayor agreed that officers should commence formal consultation with the remaining residents of the two schemes regarding two separate but related proposals, which were to close the extra care service provided at the schemes, and to close the buildings themselves.
- 2.6 This report sets out a summary of the manner in which that formal consultation exercise has been carried out, the independent advocacy support that was made available to residents as part of the process, and sets out the views of residents as expressed during the consultation.
- 2.7 When the first report was considered by Mayor and Cabinet, in December 2013, there were 31 residents living in the two schemes and there were 24

void units. The schemes were slightly more than half full at that point. At the latest assessment, as set out in section five of this report, 18 residents remain in the two schemes, with 11 having voluntarily moved to alternative provision during the consultation process, and two residents have unfortunately died in the intervening period. Of the remaining 18 residents, 10 are at various stages of moving to alternative provision, or of considering which option might best suit them.

- 2.8 There are, therefore, eight residents who have yet to engage with the voluntary move process. Of those eight, four residents have chosen to wait for a final firm decision about the future of the schemes before considering their future options. The remaining four residents are particularly concerned about, and do not support, the proposals to close both the extra care service and the buildings at Kenton Court and Somerville. This is clear from the consultation feedback set out in this report, and this is also the finding of HealthWatch as independent advocate.
- 2.9 Officers understand that proposals of this nature can, naturally, be unsettling and cause alarm for residents. Officers have sought throughout this process to carry out an even handed consultation that paid due consideration to the views of residents at all times. It is for this reason that HealthWatch Lewisham was appointed to act as an independent advocate for residents, and it was also for this reason that the consultation exercise could be viewed as protracted – continuing as it did for ten months without a final decision.
- 2.10 The outcome of the consultation, which is discussed in Sections 6 and 7 of the report, is that there remains a contingent of residents who are unhappy with the proposals to close the service and the buildings. However, officers propose that these views should be considered alongside the views of the 21 residents who have already expressed a preference throughout this process, by voluntarily moving away from these schemes.
- 2.11 Furthermore, there has been no response to this consultation which contends with the logic of the original two papers on the matter, which is that these two schemes do not meet modern standards for housing and care, and cannot be upgraded to do so. Furthermore, officers view is that as a result of these conditions voids will continue to increase, and value for money to the Council of providing an extra care service to the remaining residents in both schemes will continue to decrease if the service stays open.
- 2.12 This report recommends that the Mayor considers the views of the existing residents who do not support the proposals alongside those of the residents have already moved voluntarily away from both schemes. The Mayor is also asked to consider the logistical and financial constraints associated with continuing to run poorly designed schemes of this nature, at less than half capacity. Mayor and Cabinet is also reminded of the findings set out in earlier reports of the reviews of both buildings, which has concluded that it is logistically and financially impractical to reconfigure the buildings to provide a viable extra care scheme in these locations.
- 2.13 On that basis, the Mayor is recommended to agree that the extra care service at both Kenton Court and Somerville should be closed, that both housing

schemes should be closed, and that officers should proceed to develop plans for the redevelopment of both schemes for alternative housing uses.

- 2.14 If this proposal is agreed officers will continue to work with the remaining residents in as sensitive and supportive manner as possible to identify alternative housing and support options. Officers will also be mindful of the importance of ensuring that the safeguarding needs of residents are met, and that this may mean that at some point during the re-housing process it becomes necessary to commence possession proceedings in relation to the remaining tenants.

3 Recommendations

The Mayor is recommended to;

- 3.1 Note the information contained within this report about the process that has been carried out to date, and in particular the physical conditions and shortcomings of the two schemes as set out in paragraph 6.3, the existing cost of the two schemes as set out at paragraphs 6.5 and 6.6, and the details of the consultation process that has been carried out with tenants and their families as set out in sections 7 and 8.
- 3.2 Note the comments made during the formal Adult Social Care consultation which has taken place in line with the recommendation from the 25th June 2014 report on the Council's in-house extra care service at Somerville and Kenton Court, as set out in Section 7.
- 3.3 Note the comments made by secure tenants in response to the statutory consultation undertaken pursuant to Section 105 of the Housing Act 1985 in relation to the proposals as detailed in section 8.
- 3.4 Note that consultation has taken place with staff from the in-house extra care service in line with the recommendation from the 25th June 2014 report on the Council's in-house extra care service at Somerville and Kenton Court, as set out in section 9.
- 3.5 Having considered the comments made for the three consultations as set out in sections 7, 8 and 9, agree:
- 3.6 That the Council-managed extra care service at Kenton Court and Somerville should be closed
- 3.7 That the building at Kenton Court should be closed for its current use and proposals for the Council to develop alternative general needs housing at the site should be further developed.
- 3.8 That the building at Somerville should be closed for its current use and proposals for the Council to develop alternative general needs housing at the site should be further developed.
- 3.9 That officers should present plans for re-development of the two sites, as part of future phases of the New Homes, Better Places Programme, to the Mayor for approval at the earliest opportunity.

- 3.10 That officers should continue to discuss with existing tenants options for other services that would meet their needs and put in place individual and person-centred plans for services which will meet those needs.
- 3.11 That as part of this process, in due course and as a last resort, Notice of Seeking Possession is served under Ground 10 of Schedule 2 to the Housing Act 1985 and possession proceedings brought against any remaining tenants at Kenton Court and Somerville in order to protect the Council's interest and potentially to safeguard vulnerable residents, as set out at section 11.

4 Policy Context

- 4.1 Nationally the policy context is mainly set out in:
- The Care Act 2014 and the White Paper "Caring for Our Future: reforming care and support" (2013)
 - National Collaboration "Integrated Care and Support: Our Shared Commitment" (2013)
 - The national review of housing for older people initiated in 2008 carried out through HAPPI (Housing our Ageing Population: Panel for Innovation), which includes good practice design elements for housing for older people:
 - Space and flexibility
 - Daylight in the home and in shared spaces
 - Balconies and outdoor space
 - Adaptability and 'care ready' design
 - Positive use of circulation space
 - Shared facilities and 'hubs'
 - Plants, trees, and the natural environment
 - Energy efficiency and sustainable design
 - Storage for belongings and bicycles
 - External shared surfaces and 'home zones'
- 3.2 For the Council, a focus on improving the quality and availability of housing for older people was one of the main priorities initiated through the Housing Matters programme (2012). The Sustainable Community Strategy is also relevant.
- 3.3 The Council has adopted the following as the basis for specialist housing for older people:
- Spacious – at least 50m² for a one bedroom home
 - Wheelchair accessible
 - Self contained, with full bathroom facilities
 - "Care ready"
 - Community focused
 - Mixed dependency

5 Background to extra care in Lewisham

- 5.1 The Council is working with partners to develop new build specialist housing for older people which meets the standards associated with extra care, as well as exploring other ways to improve housing stock for older people.
- 5.2 The term 'extra care' housing is used to describe developments that comprise self-contained homes with design features and support services available to enable self-care and independent living. Extra care housing is particularly appropriate to older people whose disabilities, frailty or health needs make ordinary housing unsuitable but who do not need or want to move to long term care such as residential or nursing homes.
- 5.3 Two extra care schemes, commissioned by the Council, are provided by Housing 21 at Cedar Court, Grove Park, and Cinnamon Court, Deptford and provide a total of 80 homes.
- 5.4 Conrad Court, Marine Wharf, is a new development built to high mobility standards consisting of a total of 78 homes (34 one bedrooms and 44 two bedrooms) which was opened at in October 2014. The Mayor agreed on January 15th 2014 that Notting Hill Housing Group (NHHG) would provide the Extra Care service there.
- 5.5 The Council has supported capital bids for two further Extra Care schemes, at Campshill Road, Lewisham Central and at Hazelhurst Court, Bellingham, which are due to be completed by 2017. A full description of these developments was included in the 4th December 2013 report. They will deliver a total of 111 new homes.

6 Background to Somerville and Kenton Court schemes

- 6.1 This report focuses on the schemes at Somerville and Kenton Court. The recommendations included within the report relate to these schemes and the service currently provided within them.
- 6.2 Kenton Court, Sydenham and Somerville, New Cross, are directly managed by the Council and have a total of 55 units. The buildings are part of the Council's housing stock. Housing management services are provided by Lewisham Homes and care and support services are managed by the Community Services Directorate.
- 6.3 At the Mayor and Cabinet meeting on 4th December 2013, officers reported that detailed stock condition surveys had indicated that both buildings were unsuitable for continued use for Extra Care in their current form due to the physical constraints of the building. Somerville and Kenton Court were remodelled from what were already hard-to-let sheltered housing schemes, in 1995 and 1999 respectively. The schemes mainly consist of small bedsits or studio flats which are approximately 28m² - these are too small and they do not enable wheelchair access. Shared bathroom facilities are not appropriate for tenants with additional care and support needs and are not popular with potential tenants. These factors combine to mean that the levels of care that can be provided to current and potential tenants are unacceptably restricted by

the physical fabric of the building. The schemes are, therefore, not appropriate for people being assessed as requiring extra care services. Voids levels in the schemes are high and referrals to the schemes are low.

- 6.4 Consideration has been given to remodelling the buildings by conversion to self contained one-bed flats for over 55 year olds to meet extra care housing standards. Capital investment of over £1million would be required and there would be a loss of 26 units, which would in turn increase the unit cost of the service delivery. Extensive re-modelling would be very disruptive to existing tenants who would have, at the very least, to temporarily vacate their current accommodation in order to allow for building works to take place. Even if this were possible, the number of units that could be re-provided would be insufficient for a viable modern extra care scheme, where the minimum number of homes required to sustain a viable care service is generally recommended to be at least 40.
- 6.5 When officers originally reported to Mayor and Cabinet in December 2013, 31 of the 55 available tenancies were filled. Tenants were receiving a support package averaging just under 6 hours a week (ranging from none to 11.75 hours per tenant). This represented under occupancy of 44% and a net hourly rate of £44. As at November 2014, there are eight people who are not actively in the process of moving voluntarily. This represents a projected under occupancy of the schemes of more than 80%. Assuming the same number of average hours a week (6), the net hourly rate for the remaining eight people is estimated at £167 per hour. Even assuming that all remaining tenants are receiving care packages at the highest level of 12 hours per week, which is not the case, then the hourly rate would equate to £83 per hour, almost five times more than other equivalent schemes.
- 6.6 There is a financial impact of under occupancy on the Housing Revenue Account (HRA). The average rent for Kenton and Somerville is £94 per person per week. In December 2013 there were 24 void flats a week, a cost to the HRA of £117,312 per annum. As of November, that contribution from the HRA will rise to between £200,000 and £230,000 per annum as tenants moving voluntarily move to meet rental voids costs of 47 flats.
- 6.7 The Mayor agreed at the December meeting that adult social care staff should informally consult with tenants at both Kenton Court and Somerville about housing and support options including an assessment of current need.
- 6.8 The outcomes of those assessments were presented to Mayor and Cabinet on 25th June 2014. On the basis that tenants' care and support needs could be met in good quality alternative provision available in the borough, the Mayor agreed that officers should move to formal consultation with tenants and staff on proposals to close the extra care service provided at Somerville and Kenton Court, and proposals to close the buildings and reconfigure and/or redevelop the sites for alternative housing use.
- 6.9 In accordance with the decisions made in both December 2013 and June 2014 tenants have been offered opportunities to view other housing and support services in the borough and have been supported to move on a voluntary basis to alternative preferred accommodation in line with their assessed needs. Eight

people have already moved to the existing extra care services in the borough, Cinnamon Court and Cedar Court, managed by Housing 21 and three people have already moved to Conrad Court.

- 6.10 At time of writing, 7 tenants remain at Kenton Court and 11 at Somerville, giving a total of 18. Four of these tenants are in the process of moving to the Housing 21 schemes, two are in the process of referral to Conrad Court. One person is moving to a property at a preferred sheltered scheme. One tenant has been referred to the brokerage team to source a residential care service in line with their assessed need. The housing team is working with two others who are still in the process of making decisions about the options available to them.
- 6.11 Eight people across both schemes have yet to express a preference, of whom four, supported by relatives or friends, are unwilling to engage in discussion regarding potential housing and care options in the absence of a Mayoral decision that the buildings and the extra care scheme will close.
- 6.12 Therefore, 21 of the original 31 tenants at the time of the December 2013 report have either moved or in the process of moving from Kenton and Somerville. Two others have unfortunately died.
- 6.13 In partnership with Lewisham Homes, the Council's arms length housing provider, development options for the Kenton Court and Somerville site and buildings are being developed and appraised for inclusion in future phases of the New Homes, Better Places programme. In both cases there is a presumption that the sites will be used by the Council itself to provide new affordable housing to general needs standards. The development of housing that meets extra care standards is not planned for the site as the number of flats that could be built to this standard would not make an extra care scheme cost effective.

7 Formal consultation to close the extra care service at Kenton Court and Somerville: process and findings

- 7.1 A three-month consultation with tenants on proposals to close the extra care service at Somerville and Kenton Court was launched on July 17th 2014. A letter, attached at appendix A, was hand-delivered to mark the start of the consultation period. These letters were verbally explained to tenants where required. Consultation meetings between officers, tenants, relatives and Healthwatch were held on 28th and 31st July 2014 at Somerville, where a total of two relatives and four tenants attended and 30th July and 6th August 2014 at Kenton Court, where a total of four relatives and five tenants attended.
- 7.2 A formal consultation with tenants on the future of the buildings was launched by letter (attached at appendix B) on September 18th, with a closing date of 16th October 2014. Consultation meetings between officers, tenants, relatives and Health Watch were held on 22nd September at Kenton Court with 2 residents and one relative in attendance, and 25th September at Somerville with six residents and two relatives in attendance. Again, officers from both housing and social care and Healthwatch were present at all meetings.

- 7.3 The letters provided a contact telephone number, address and e-mail address to ensure that people who could not attend the consultation drop-in meetings were able to contact the Council about the proposals and to respond to the consultation. Tenants were also encouraged to speak to service staff if they had any comments or questions about the proposals. Additionally, housing staff visited the schemes throughout the consultation process.
- 7.4 As required by Mayor and Cabinet at the June meeting, officers identified an independent advocate for tenants, Healthwatch. Healthwatch attended both the formal consultation meetings, and also met with tenants and their relatives outside of the meetings either in one to one meetings, by telephone or via e-mail to help them put forward their comments. A final report from Health Watch can be found at Appendix D.
- 7.5 Consultation about proposals to close the extra care service and consultation about proposals to close the two buildings are technically separate consultations. However, for the tenants themselves, the issues are closely intertwined and their responses inevitably often applied to both consultations.
- 7.6 Some tenants and their relatives raised issues specific to their own circumstances, for example the financial implications of the housing options they might consider, or personal information regarding their social care and health support needs. Officers have sought to deal with these issues on an individual basis.
- 7.7 The key issues of concern raised by people attending the consultation meetings are set out in tables below. Those tenants who were most positive about moving were less involved in the consultation or less vocal. Indeed, a number of tenants had already moved from the schemes prior to the formal consultation process beginning. Officers have visited the people who moved early and can confirm that these moves have gone well and that residents are settled.
- 7.8 The tone of the consultation meetings at Kenton Court and Somerville were noticeably different. Tenants and relatives at Kenton Court were generally open to engaging in discussion, and some were well acquainted with the Surrey Quays/New Cross area. The meetings at Somerville were generally more challenging towards the premise of closing either the service or the buildings. Almost all of the written submissions received were received from the families or representatives of the four Somerville tenants who did not wish to engage in discussions about potential moves without a definitive decision from the Council. The issues raised, though, were reflected to different degrees in both meetings.
- 7.9 The Healthwatch report mostly details some of the same concerns that were raised and that are described in this report.
- 7.10 It is understandable in the circumstances that some residents would have preferred the status quo to remain. That said, approximately two thirds of the original 31 people have moved, or are actively in the process of moving, voluntarily to other services. The Council, as agreed in December 2013, has offered home loss compensation payments to affected tenants.

7.11 Four tenants have indicated an interest in alternative accommodation but that they wish to await a Mayoral decision before making their own decision whether to accept accommodation they have been offered. Four tenants have not engaged with officers regarding consideration of alternative housing and support options.

Housing and Social Care Consultation – general issues about the process

7.12 While the social care consultation on the closure of the extra care service at Kenton Court and Somerville and the housing consultation on alternative housing uses for the sites were separate consultations, for the tenants and their families they were effectively the same. Therefore, issues relating to both were raised and responded to, across at all meetings. The following tables sets out a summary of issues raised relating to the consultation process itself.

Theme	Comment	Officer Response
Timescale	The process of consultation was unnecessarily protracted	Officers recognise that the process of consultation has been lengthy. However, the timescale reflects the process that had to be undertaken to make the recommendation to the Mayor, and then the statutory formal consultation process required to inform the decision making process.
	People were unnecessarily made to worry as a result of this	Officers have tried to be as reassuring as possible during the process of the formal and informal consultation. Extra care staff have been available to support people during the process, and a housing officer has also been available to assist people with queries.
Legitimacy	Officers had no right to be talking to tenants without a decision having been made by the Mayor	The Mayor asked officers in both December 2013 and June 2014 to discuss with tenants the impact of the closure of the building and the extra care service.
Impact	The lack of clarity about what's happening and the length of time this has gone on has made people ill. They will become ill if they move.	Officers recognise that discussion about any change is difficult and anxiety provoking. Officers also recognise that the total period of informal and formal consultation has taken a significant period of time. However, this is of the imperative to be transparent about what might happen. There is no evidence that people who have moved to Cinnamon and Cedar have become ill as a result of moving, and when officers have visited people who have moved, they have stated that they are happy with their new home.

Theme	Comment	Officer Response
Approach	Officers have harassed intimidated, bribed and bullied people into moving, particularly with the letter that threatened eviction.	Officers understand that the letter regarding the housing consultation is upsetting, but this is standard legal wording. The homes loss payments are similarly standard in this situation. Generally, officers have sought to offer people opportunities to discuss options. Officers refute that council staff from either the housing or social care teams have bullied tenants. However, it is important that people have an appropriate level of detail to understand the implications of what the Mayor may agree
	The Council did not send letters to tenants' families, only to tenants themselves.	Most of the tenants in extra care housing have capacity to decide who they want to involve in discussions. Families were invited to attend social care reviews assessments in the first quarter of 2014. Officers recognise though that it would have been courteous to have also advised families directly during the formal consultation process unless explicitly asked not to by tenants. That said, families who have wanted to be involved have been involved either through the formal meetings or in discussion with officers outside of the meetings.
	Tenants have not had enough information. When we asked for information we have not got it quickly enough	Officers have sought to give information as it has been requested. An officer from housing has been readily available and maintained contact with those tenants and families who want to talk to her since December 2013. Staff who work at the scheme have also been available as sources of information. Healthwatch have also been available to ask for information on behalf of tenants and families.
Choice	The maps of alternative places to consider that were set up at Kenton and Somerville were misleading as there were very few options in reality	The Council sought to identify the range of opportunities available as early as possible following the December 2013 Mayor & Cabinet. The assessed needs of existing tenants crossed a range of services not all of which were appropriate to all tenants.

Consultation (Social Care) on proposals to close the extra care service at Somerville and Kenton Court

Theme	Comment	Officer Response
Staff	What is happening about the staff?	There are separate discussions with staff about the potential impact of a decision to close Kenton and Somerville.

Theme	Comment	Officer Response
Amenities	People do not want to move from here. They have been registered with GPs for 16 years. They know the shops and the area.	Officers recognise that this is an issue for tenants. Where possible, we will support people to remain near to families. Officers will ensure that there is specific support available to familiarise people to a new locality and ensure that they are linked into new communities and services.
Registration	Registration of the extra care service has been allowed to lapse to facilitate closure of the scheme	Changes to CQC rules required the Council to deregister as Lewisham Social Care and reregister as Lewisham Council. The new registration is not yet in place. The manager has had her interview with CQC. This has been an issue with the CQC process and the Council have been trying to complete this process for 8 months. The registration of the manager has been underway for some time.
Conrad Court	Staffing may be insufficient as based on one staff member to 15 residents	This is the core staff team i.e. there will be a minimum of 4 staff in the building at any time. Other staff will be available in line with individual assessed need at peak times.
	Staff would not be able to evacuate all residents in case of fire	As with Kenton & Somerville, a 'staying put' policy applies and the building is constructed accordingly In response to a specific question there is not a sprinkler system installed. However, the London Fire Brigade has confirmed that Conrad Court meets the required standard.
	The way meals are provided will be disorientating for residents.	Care packages will include particular assistance with meals or diet if this is required.
	There is only one bathroom at Conrad Court. There are more bathrooms at Kenton and Somerville.	Everyone at Conrad Court has their own walk in shower room in their flat. Flats at Kenton and Somerville only have individual WCs. The bathroom in the spa area at Conrad Court is for people requiring assisted bathing or who would prefer a bath to a shower.
	Conrad Court is not registered	Notting Hill is a registered provider with CQC. When the building opens for extra care, NHHT will register the specific address with CQC. The manger of the service is already a registered manager
Capacity	Are there enough flats for everybody at Kenton and Somerville if they needed to move?	There are sufficient flats at Conrad Cedar and Cinnamon Courts for people assessed as needing extra care services.

7.13 A full chronology of correspondence received during the consultation periods is attached as Appendix C. A copy of the formal consultation letter sent to residents in September forms Appendix B. A pack which contains copies of all letters and other related documents, including the chronology of the consultation the predated the June 2014 decision and that was included in the June report, has been collated and is available on request.

8 The process of formal consultation on proposals to close the housing schemes at Somerville and Kenton Court

8.1 The letter that initiated the Housing consultation process forms Appendix B. Issues raised that were specific to housing are set out below.

Theme	Comment	Officer Response
Buildings	Can rooms be extended over current grassed area?	Re-modelling options are relatively costly and would still involve disruption, and probably a need to move, for tenants.
	Showers can be installed in flats	Showers could not be installed to any acceptable standard for extra care purposes – there is not the space to do so.
	Is there no possibility of keeping one of the services open	The homes are not fit for purpose for the delivery of extra care services, and refurbishing either site to meet the standards is not financially feasible.
	Could people move back to the new flats being built on the site?	The new flats will not be for an extra care scheme. Should people wish, they could apply for one of the new flats on the site through the Council's choice based lettings scheme. Their care package requirements would be independently assessed at that time separately from the housing preference.
Tenancy & rent	Tenants currently have a secure tenancy. They will not have that in a different service	Tenants who move to new schemes will have Assured Tenancies which offer the same security as a Council tenancy. Assured tenancy is merely the name of a Housing Association secure tenancy
	The cost of rent in other schemes is much more than at Kenton and Somerville	Whilst higher, the rents and service charges at Cinnamon, Cedar and Conrad are all within affordable rent levels and can be met by housing benefit, and within the rent setting rules set by the Homes and Communities Agency for Housing Associations.
Timescale	How long after the decision would people have to move	Officers would continue to talk individually to everyone. We would try to help everyone move to a place of their choice as soon as possible. However, buildings cannot remain open indefinitely, not least for safety reasons and if necessary the Council will issue possession orders.

9 Outcomes of Consultation with staff on proposals to close the service

9.1 Seven Lewisham Council employees who work in Kenton Court and Somerville are affected by this decision. In line with good employment practice, management undertook a formal consultation process with those staff to discuss the potential both for TUPE should it apply and redundancy/ redeployment should it not. Should the Mayor agree to close the extra service there will be further formal consultation with staff.

10 Views of Healthier Communities Select Committee and Housing Select Committee

- 10.1 An update on this process was provided for the Healthier Communities Select Committee on 21 October 2014. This took place three days after the close of the consultation period and, as such, it was not possible for the results of that consultation to be made available for committee. Councillors were however still able to raise questions about the process, the views and preferences that had been expressed by residents and the suitability of the alternatives available to residents. Officers were able to answer these questions on the night.
- 10.2 In addition the Housing Select Committee (HSC) received and reviewed a draft of this report in advance of the Mayor and Cabinet meeting. The scheduling of meetings and dispatch dates – Housing Select Committee met on 11 November, the day before this report is considered - means that it has not been possible to incorporate the comments of HSC into this report, and instead those comments will be provided as an addendum at the meeting as necessary.

11 Next steps

- 11.1 Should the Mayor agree to close the directly managed extra care service at Kenton and Somerville, and close the buildings, officers will continue to work throughout November and December with those ten tenants who are already actively engaged in the process of considering moves and will also seek to positively engage those eight tenants who have hitherto been unwilling to discuss alternative housing and support options. Social work will also update assessments, and the remaining tenants will be offered the opportunity to have an independent advocate, even where a formal IMCA is not required because of lack of capacity.
- 11.2 A snapshot of the care needs of tenants who remain users of the extra care service at Kenton Court and Somerville at the point of decision in November will inform the planning for service design to ensure that the needs of remaining tenants can be met safely during the period of closure. This service plan will be reviewed as the remaining tenants move on and the number of people living at Kenton Court and Somerville continues to decrease. The service will be redesigned to reflect a number of individual packages to release money from the service.
- 11.3 Notices of Seeking Possession (NoSPs) can be issued to remaining tenants as a last resort and in order to protect the Council's interests. The purpose of a NoSP is that it allows the Council to subsequently issue possession proceedings. A reasonable offer of alternative accommodation has to be made and held open for possession proceedings to go ahead. The issuing of a NoSP does not automatically lead to issuing possession proceedings through the Courts.
- 11.4 In the event that issuing NoSPs becomes unavoidable officers will issue them personally, and sensitively, and will ensure that they have advised residents and their representatives previously about their purpose.

- 11.5 There is the prospect that some tenants' re-housing may take longer than others. Kenton Court in particular is likely to have only one or two tenants by Christmas. Therefore, specific consideration has to be given to minimising any safeguarding issues that could arise through the closure period. Officers will pay particular attention to ensuring that the premises are made secure, and the remaining tenants safely supported, particularly once there are only a few tenants left. There will always be overnight support in a building where there are tenants present. There will be ongoing management support to the extra care service, particularly at Kenton where the wider in-house provider service has its office base, and staff will ensure that there is active engagement with remaining tenants at least once a day to ensure that they feel supported and can proactively share any concerns they may have.
- 11.6 Management will also continue to consult with the affected seven staff about the impact of the decision on their position.

12 Financial Implications

- 12.1 This report recommends the closure of Kenton Court and Somerville, the Council's directly managed Extra Care Service. The current cost of this service, met from the Community Services budget, is £419K.
- 12.2 The Council is developing alternative extra care provision elsewhere in the borough, initially at Conrad Court in Deptford. This new provision is expected to reduce overall spend on adult social care in two ways : by providing an alternative to residential care, allowing service users who would otherwise have required residential provision to remain in the own homes and by reducing the cost of care required for service users who do not require residential care. The full financial implications of the Conrad Court development were set out in the award of contract report to Mayor and Cabinet (Contracts) on 15 January 2014 when a potential full year saving of £354K on adult social care budgets was identified.
- 12.3 The closure of these two buildings will result in lost rental and service charge income to the HRA, however this will be partly off-set against management, Repairs and maintenance and capital investment cost requirements. The net loss to the HRA has been assessed to be in the region of £100k.
- 12.4 Efficiency and other savings to off-set the potential loss in revenue income for the HRA will form part of the HRA budget strategy and be allowed for within the HRA Business plan for 2015/16 and future years.
- 12.5 Any home loss compensation payments for which tenants at Kenton Court and Somerville may be eligible for have been previously agreed by the Mayor to be met from the Housing Revenue Account. This will be accommodated from existing budgets.
- 12.6 The cost of securing the buildings will be met by the HRA repairs and maintenance budget managed by Lewisham Homes under the terms and conditions of their existing agreement with the Council.

- 12.7 Any legal costs associated with the serving of Notices of Seeking Possession (NoSPs) will be met by the Council from the Housing Revenue Account.

13 Legal Implications

- 13.1 Section 105 of the Housing Act 1985 provides that the Council must consult with all secure tenants who are likely to be substantially affected by a matter of housing management to which the section applies. The section specifies that a matter of housing management is one which relates to the management, maintenance, improvement or demolition of dwelling houses let by the authority under secure tenancies and that such consultation must inform secure tenants of the proposals and provide them with an opportunity to make their views known to the Council within a specified period. The section further specifies that before making any decisions on this matter, the Council must consider representations from secure tenants arising from the consultation. Such consultation must therefore be up to date and relate to the proposals in question. This report sets out the formal consultation that has been carried out with residents in the schemes and asks the Mayor to consider the representations that have been made, having regard to the other matters set out in this report.
- 13.2 The National Assistance Act 1948 places both duties and powers upon local authorities to assess the needs of, and provide services to support such needs including residential accommodation, people aged 18 years and over who because of their disability are in need of care and attention not otherwise available to them. Section 6 of this report summarises the outcomes of the social care consultation and review process for the services delivered at Kenton Court and Somerville.
- 13.3 In changing or altering services provided under Social Care legislation, each individuals' needs for services must be individually reassessed before changing the services or the manner of delivery. In addition, in making proposals for service changes overall, there must be a proper and meaningful consultation with service users, their families and any other stakeholders to enable and facilitate clear understanding of the proposals and enable all stakeholders to express their views effectively.
- 13.4 Section 84 of the 1985 Act provides that the Court shall not make a possession order of a property let on a secure tenancy other than on one of the grounds set out in Schedule 2 to the Act, the relevant ground in this case being ground 10. Ground 10 applies where the local authority intends to demolish the dwelling house or to carry out work on the land and cannot reasonably do so without obtaining possession. The demolition works must be carried out within a reasonable time of obtaining possession. Where the Council obtains possession against a secure tenant it is required to provide suitable alternative accommodation to the tenant. This is defined in the 1985 Act and requires consideration of the nature of the accommodation, distance from the tenants' family's places of work and schools, distance from other dependant members of the family, the needs of the tenant and family and the terms on which the accommodation is available.

- 13.5 The decision relating to the options for future service delivery, including whether any service should be externalised, where the value of the service is at least £500,000 per annum, is reserved for members in accordance with the Mayoral Scheme of Delegation.
- 13.6 In the event that the Mayor agrees to transfer the direct management of extra care services from Kenton Court and Somerville, the Council will transfer its service responsibility to Conrad Court managed by the Notting Hill Housing Group. TUPE is likely to apply to the relevant Council employees. Appropriate consultation with staff and their trade unions will take place in line with the Council's TUPE transfer guidance and statutory requirements.
- 13.7 Since 2007, local authorities in England have been required by a direction made by the Secretary of State for Communities and Local Government to include provision for pension protection in outsourcing agreements. Notting Hill Housing Group would be required to provide to the transferring employees a pension scheme which is the same as, or counts as being broadly comparable to or better than those the employee has, or had a right to acquire, as an employee of the Council. Or seek Admitted Body status to the Council's scheme.
- 13.8 The Equality Act 2010 (the Act) introduced a new public sector equality duty (the equality duty or the duty). It covers the following nine protected characteristics: age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

In summary, the Council must, in the exercise of its functions, have due regard to the need to:

- eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - advance equality of opportunity between people who share a protected characteristic and those who do not.
 - foster good relations between people who share a protected characteristic and those who do not.
- 13.9 The duty continues to be a “have regard duty”, and the weight to be attached to it is a matter for the Mayor, bearing in mind the issues of relevance and proportionality. It is not an absolute requirement to eliminate unlawful discrimination, advance equality of opportunity or foster good relations.
- 13.10 The Equality and Human Rights Commission has recently issued Technical Guidance on the Public Sector Equality Duty and statutory guidance entitled “Equality Act 2010 Services, Public Functions & Associations Statutory Code of Practice”. The Council must have regard to the statutory code in so far as it relates to the duty and attention is drawn to Chapter 11 which deals particularly with the equality duty. The Technical Guidance also covers what public authorities should do to meet the duty. This includes steps that are legally required, as well as recommended actions. The guidance does not have statutory force but nonetheless regard should be had to it, as failure to do so without compelling reason would be of evidential value. The statutory code and

the technical guidance can be found at:

<http://www.equalityhumanrights.com/legal-and-policy/equality-act/equality-act-codes-of-practice-and-technical-guidance/>

13.11 The Equality and Human Rights Commission (EHRC) has previously issued five guides for public authorities in England giving advice on the equality duty:

1. The essential guide to the public sector equality duty
2. Meeting the equality duty in policy and decision-making
3. Engagement and the equality duty
4. Equality objectives and the equality duty
5. Equality information and the equality duty

The essential guide provides an overview of the equality duty requirements including the general equality duty, the specific duties and who they apply to. It covers what public authorities should do to meet the duty including steps that are legally required, as well as recommended actions. The other four documents provide more detailed guidance on key areas and advice on good practice. Further information and resources are available at:

<http://www.equalityhumanrights.com/advice-and-guidance/public-sector-equality-duty/guidance-on-the-equality-duty/>

13.12 The Human Rights Act 1998 effectively incorporates the European Convention on Human Rights into UK law and requires all public authorities to have regard to Convention Rights. In making decisions Members therefore need to have regard to the Convention.

13.13 The rights that are of particular significance to the Mayor's decision in this matter are those contained in Articles 8 (right to home life) and Article 1 of Protocol 1 (peaceful enjoyment of possessions).

13.14 Article 8 provides that there should be no interference with the existence of the right except in accordance with the law and, as necessary in a democratic society in the interest of the economic well-being of the country, protection of health and the protection of the rights and freedoms of others. Article 1 of the 1st Protocol provides that no-one shall be deprived of their possessions except in the public interest and subject to the conditions provided for by law although it is qualified to the effect that it should not in any way impair the right of a state to enforce such laws as it deems necessary to control the uses of property in accordance with the general interest.

13.15 In determining the level of permissible interference with enjoyment the courts have held that any interference must achieve a fair balance between the general interests of the community and the protection of the rights of individuals. There must be reasonable proportionality between the means employed and the aim pursued. The availability of an effective remedy and compensation to affected persons is relevant in assessing whether a fair balance has been struck.

13.16 Therefore, in reaching his decision, the Mayor needs to consider the extent to which the decision may impact upon the Human Rights of residents and to balance these against the overall benefits which it is considered will arise if the

recommendations in this report are agreed. The Mayor will wish to be satisfied that interference with the rights under Article 8 and Article 1 of Protocol 1 is justified in all the circumstances and that a fair balance would be struck in the present case between the protection of the rights of individuals and the public interest.

- 13.17 It is relevant to the consideration of this issue, that should the recommendations be agreed, all displaced tenants will continue to be offered re-housing as set out in this report and will be entitled to home loss and disturbance payments.

12. Crime and disorder implications

There are no specific crime and disorder implications arising from this report. The buildings at Kenton Court and Somerville will be made secure once empty to avoid the risk of squatting and similar.

13. Equalities Implications

- 13.1 The buildings at Kenton Court and Somerville owned by the Council and used for the delivery of its directly managed extra care service have been acknowledged as not meeting the standards required of modern housing for older people. This report recommends closing the Council's directly managed extra care service in addition to the closure of the existing buildings.
- 13.2 An Equalities Assessment Analysis (EAA) was undertaken in June 2014 collating information for the then 26 tenants at the schemes and also the staff who would be the subject of the closure proposals. This is attached as Appendix E. Given the fact that tenants are moving from the properties at present, a final EAA will be provided for Mayor & Cabinet to consider on the night of the meeting, and this will contain an assessment of the implications for the tenants who are known to be resident in the schemes as close to the time of the decision as possible. The EAA of June 2014 highlighted that there were more men who would be affected than women, that the majority of tenants were white British, that the most common religion was Christianity, and that seven tenants were aged 64 or under, one was older than 95 years old, and approximately one third of the tenants were aged between 75 and 84.
- 13.3 The EAA noted the potential impact of the consultation and proposed that letters should be read to tenants and that meetings should be held in accessible locations. It also recognised the potential impact of the implementation of proposals to close the extra care service and the existing buildings are likely to have short term negative impact on the equalities groups which are represented at Somerville and Kenton Court, namely older people, people with disabilities and people from Black and Caribbean backgrounds. The negative impact which may arise to these groups would most likely be associated with the disruption involved in re-housing. A number of actions to mitigate the impact were identified
- 13.4 Eleven tenants have moved voluntarily to alternative services which they have chosen since the period of informal consultation began in December 2013.

Where moves have taken place, these moves have been to better quality provision which better meets the identified needs of the tenant.

- 13.5 Should the Mayor approve the closure of the extra care service and the buildings, Independent Mental Capacity Advocates (IMCAs) will be appointed where residents do not have capacity for making informed choices.
- 13.6 The development of new and modern extra care services which support people remaining in their own homes for longer through reduced social isolation, increased use of assistive technology, ready access to care and support services and families staying together for longer means that the closure of the Council's directly managed extra care service and the Kenton Court and Somerville buildings will not be a detriment to older adults in the borough not yet requiring extra care. There is likely to be a longer term positive impact for older people resulting from the proposed changes, if they are implemented.
- 13.7 Furthermore, proposals to develop alternative housing provision at the Somerville and Kenton Court Sites will provide an opportunity for the Council to deliver housing to more people from the Council's waiting list and will have a long-term positive impact on the equalities groups represented within this population.
- 13.8 Seven staff are potentially affected by the transfer of the Council's directly managed extra care service. The majority of staff are older women. Over half are black. Specific equalities implications will be addressed as part of the formal consultation process.

14 Environmental Implications

- 14.1 There are no specific environmental implications arising out of this report.

15. Background documents and originator

Short Title of Document	Date	Location	Contact
Future of Housing	18 January 2012	Available at this link	Jeff Endean 020 8314 6213
"Housing Matters": New investment and delivery approaches	11 July 2012	Available at this link	Jeff Endean 020 8314 6213
Housing Matters	16 January 2013	Available at this link	Jeff Endean 020 8314 6213
Housing Matters Programme Update	4 December 2013	Available at this link	Jeff Endean 020 8314 6213
The Council's Extra Care Service at Kenton Court and Somerville	25 June 2014	Available at this link	Jeff Endean 020 8314 6213

- 15.1 If you would like any further information on this report please contact Genevieve Macklin, Head of Housing at Genevieve.macklin@lewisham.gov.uk

or on 020 8314 6057 or Joan Hutton, Head of Adult Social Care at joan.hutton@lewisham.gov.uk or on 020 8314 8364.

Appendix A: Initial letter which commenced the consultation



Tenant Name
Tenant Address

Genevieve Macklin (Housing)
Joan Hutton (Adult Social Care)
Laurence House
Catford Road
London SE6 4RU

17th July 2014

Dear (Tenant name)

In December the Council started to talk to you and other tenants at Kenton Court about your current housing and care needs. This was because it was found that the building at Kenton Court doesn't meet the standards which the Council needs for extra care housing, and other plans for the actual buildings will have to be made.

Following the initial drop-in meeting which was held at Kenton Court in December, you will have met with a member of the Adult Social Care reviewing team. The purpose of this meeting was to assess and review your care needs, and to speak to you about alternative housing and support options available.

You may also have met with a member of the Housing Team to talk about some of those options, and to explain the financial and practical support which would be available if you chose to move to an alternative property on a voluntary basis. Some people have now chosen to move from Kenton Court, and the Council believes that there is suitable alternative housing and care available elsewhere in the borough to meet people's needs.

The Council would now like to start a formal consultation with tenants about:

- **proposals to close the social care service provided at Kenton Court and Somerville**
- **proposals to re-develop or reconfigure the building at Kenton Court to provide a different type of housing**

NB: Please note that the latter will be pursuant to section 105 of the Housing Act, and that proposals will be developed and shared in due course with tenants.

The consultation will last from now until **Friday 10th October** at 12pm. There will be a number of ways to have your views heard:

- Drop-in meetings at the scheme – on **Wednesday 30th July at 6pm-7pm** and **Wednesday 6th August at 3pm-4pm**

If you aren't available at these times then please let us know and we can arrange an alternative time to meet with you.

- Letter – Addressed to: **Kenton Court Consultation, C/O Laura Harper, Housing Strategy, 3rd Floor Laurence House, Catford, SE6 4RU**
- E-mail – **extracareconsultation@lewisham.gov.uk**
- Telephone - **020 8314 6096**

We understand that this may be a time of some anxiety for you as a tenant and the Council will be appointing an independent advocate to act on your behalf. We will write to you with details of who this person is in due course.

Yours Faithfully,



Genevieve Macklin
(Head of Housing)



Joan Hutton
(Interim Head of Adult Assessment
and Care Management)

**Appendix B: Letter to Kenton Court and
Somerville tenants (Sept. 2014)**



Genevieve Macklin
Head of Strategic Housing
5th Floor, Laurence House
Catford
London SE6 4RU
direct line 020 8314 6057
Genevieve.macklin@lewisham.gov.uk
18 September 2014
our reference
your reference

Dear Tenant,

FORMAL CONSULTATION

**PLEASE READ THIS LETTER CAREFULLY: IT
CONCERNS THE FUTURE OF KENTON COURT AND
HOW YOU CAN GIVE US YOUR VIEWS ABOUT THE
COUNCIL'S PROPOSALS**

As you know, the Council has been consulting with you about its long term plans for the future of the Kenton Court Extra Care housing schemes.

The Council has agreed a new standard for Extra Care housing to ensure that residents are able to benefit from modern homes with modern facilities, are able to maintain their independence at home for as long as possible, and are able to have their care needs met comfortably within their own homes.

It is the Council's belief that the extra care scheme at Kenton Court does not meet the modern standards that residents can expect for this type of housing. In particular this is because the size of the homes at Kenton Court means that they are not suitable for supporting residents with high levels of care or mobility needs, and because it is not appropriate for residents to share communal bathrooms rather than have individual en-suite bathrooms within their homes.

The Council has already met with residents to discuss (1) its plans to redevelop or reconfigure the building at Kenton Court to provide a different type of housing and (2) its proposals to close the extra care service it provides at Kenton Court.

This letter is about the housing consultation process, and it tells you:

1. about the proposals to redevelop and reconfigure the building
2. what different options you will have for your housing
3. what support you will get if you move
4. what will happen if you don't want to move
5. who you can talk to about these proposals.

This letter is a formal consultation under Section 105 of the Housing Act 1985 and is within the arrangements which the Council maintains for this purpose.

Why is the Council considering these changes?

It is the Council's belief that the extra care scheme at Kenton Court does not meet the modern standards it expects to be able to provide for its residents. We have established that it is not feasible to remodel the existing building for extra care and in particular, the lack of individual en-suite bathrooms to the bedsit units is not appropriate. In addition, the size of the bedsits means they are not suitable for supporting people with high levels of care or mobility needs.

When do you need to tell us your views on these proposals?

The consultation will last from now until **Thursday 16 October at 12 noon**. All representations received by this date will be considered at a meeting of the Mayor and Cabinet of the Council before a decision is made whether or not to implement these proposals. This meeting will take place on Wednesday 12 November 2014.

A response form and stamped addressed envelope are attached. Please also find attached a summary of questions and answers from the earlier consultation drop-ins sessions that have taken place with residents.

If you have any particular individual concerns which you would like to discuss or if there is anything in this letter you do not understand, please talk to the staff at Kenton Court or Dave Shiress in Housing Team at the Council on 020 8314 6096 or email dave.shiress@lewisham.gov.uk

Yours sincerely

A handwritten signature in black ink, appearing to read 'Genevieve Macklin', written in a cursive style.

Genevieve Macklin
Head of Strategic Housing

1. What is the Council proposing to do with Kenton Court?

The Council is developing plans to provide up to 30 new homes for people in housing need on the site of the current Kenton Court extra care scheme. If the development proposals proceed, then the building will either be demolished and redeveloped or reconfigured for alternative housing use.

2. What different options will I have for my housing?

Throughout the process the Council's aim is to reach agreement with every resident about their re-housing needs.

A Housing Officer will meet with you to discuss what housing options are available to you based on your social care needs assessment. Social workers will also continue to review your social care needs at Kenton Court and also what support you would need in the event of a move. You can invite friends or family members to this meeting if you wish.

The options available to you for re-housing depend on your assessed care needs. Many people currently living in Kenton Court have been assessed as requiring extra care accommodation. There are currently three extra care housing schemes in Lewisham where people can move to:

- Cedar Court, run by Housing 21, 40 flats in Grove Park
- Cinnamon Court, run by Housing 21, 40 flats in Deptford
- Conrad Court, run by Notting Hill Housing, 78 flats in Surrey Quays

If you have not been assessed as needing extra care housing, you would still be able to choose to move to Conrad Court, but not Cedar or Cinnamon Court. You would also have the option of one of our sheltered housing schemes. The Housing Officer will be able to give you further information on these.

After the meeting with the Housing Officer and/or social worker, we will work closely with you and your family to help you decide what you want to do. Sara Caton (one of the Housing Officers) can arrange further meetings if that would be helpful, and can also help you to visit the extra care schemes to help you make up your mind.

When you have decided where you would like to move, then you will need to fill out an application form which Sara Caton or the social care staff can help with. When you have made your housing application, the housing and care provider will arrange to meet you and talk about the support you may need in your new home based on the support plan that your social worker has assessed you to need. You can invite a family member or friend to these meetings.

3. What support would I get if I move?

The housing provider would make a formal offer of a tenancy and you would agree a date for your move. Sara Caton and Christine Murphy (another Housing officer) would be able to help with practical support for your move if it was needed such as:

- organising for your belongings to be packed and moved
- stopping any utilities and services at your current property
- arranging the purchase of new furniture for your new property.

They will also arrange for the home loss payment (currently £4,700 minus any rent arrears) and disturbance payments (to cover the cost of moving) to be paid to you when you move.

What if I don't want to move?

As we have said, throughout the process the Council's aim is to reach agreement with every resident about their re-housing needs. However, if the proposals are agreed by Mayor and Cabinet, and together we cannot reach agreement on your re-housing, the Council may have to seek a court order to take possession of your home. The ground on which the Council may seek such an order would be that the Council intends, within a reasonable amount of time of obtaining possession to demolish or reconstruct the building at Kenton Court, and cannot reasonably do so without obtaining possession of your home.

(This is governed by the following provisions of the Housing Act 1985: Section 84, Ground 10 Part II of Schedule 2). If the Court made a possession order, the effect of it would be that you would be required to leave your home. The Court would not make such an order for possession unless it is satisfied that suitable alternative accommodation has been offered and will be available for the tenant when the possession order takes effect.

It would be for the Court to decide, if necessary, whether the offer of accommodation which had been made was reasonably suitable to the tenant's needs. In deciding whether the accommodation is reasonably suitable to the needs of the tenant(s), the Court would have regard to consider the criteria set out in Part IV of Schedule 2 to the Housing Act 1985 which includes:

- the nature of the accommodation which it is the Council's practice to allocate to persons with similar needs
- its distance from the place of work of the tenant(s)
- its distance from the home of any other members of the tenant's family if proximity is essential to the wellbeing of that family member (for example because of care needs);
- the tenant's means and accommodation needs;
- the terms (including rent) on which the accommodation is available.

Whether you are re-housed by agreement or following a possession order by the Court you will, so long as you remain a secure or introductory tenant and have been resident in your current home for one year, you will, as stated above, be entitled to a home loss payment (currently £4,700 less any rent arrears). You will also be entitled to disturbance payments to cover removal expenses and certain other costs.

All the decant arrangements set out in this letter are subject to these proposals being approved by the Council's Mayor and Cabinet.

4. Who can I talk to about these proposals?

We understand this may be a worrying time for you and we want to hear from you if you have particular concerns you would like to discuss or if there is anything in this letter that you do not understand. You can speak to:

- Staff at Kenton Court or
- Dave Shiress in the Housing Team at the Council or

- Miriam or Jade at Healthwatch.

There are a number of ways to make your views known:

- Drop-in meetings at the scheme: Monday 22 September 2014 from 14.00–05.00
- Drop-in meeting for family/relatives: Thursday 25 September 2014 18:00 – 19:00 at Somerville Extra Care Scheme, 2-27 Wellington Close, New Cross, London SE14 5NA
- By letter addressed to: Kenton Court consultation, c/o Dave Shiress, Housing Strategy, 3rd floor, Laurence House, Catford SE6 4RU (a stamped addressed envelope and feedback form are enclosed)
- Email: extracareconsultation@lewisham.gov.uk
- Telephone: 020 8314 6096
- Contact Miriam or Jade at Healthwatch (020 7998 7796) who are acting as independent advocates for this consultation:
Miriam@healthwatchlewisham.co.uk or jade@healthwatchlewisham.co.uk

We need to know your views by **Thursday 16 October 2014** to ensure all comments and representations are ready for the Mayor and Cabinet to discuss at their meeting on Wednesday 12 November 2014.

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Appendix C: chronology of consultation

Oct 28th

Report from Healthwatch received.

Oct 16th

Official closing date for housing consultation. Only 2 written responses using the pro forma provided with the consultation letter of Sept 16th have been received, but residents have had other opportunities to make their views known to Council officers and to representatives of Healthwatch.

Dave Shiress (Housing Strategy) visits Somerville and talks to 7 tenants, mostly with Miriam Long from Health Watch.

- 1 resident has signed up for Conrad Court and is enthusiastic about it.
- 1 resident is interested in Conrad Court but does not know what has become of his application. His daughter is interested in seeing Conrad Court for herself. Health Watch see this tenant and his daughter separately and claim that the tenant has said he is moving under duress having been intimidated by the Council.
- 2 residents do not want to leave Somerville Court and felt that alternative options did not meet their needs.
- 3 residents express a preference for staying but were OK about 'moving if they had to'. All 3, one in particular, struggled to articulate their views. A consultation feedback form is completed by Healthwatch on behalf of one – this includes "don't understand options" and "would rather stay here".

An email from the next of kin of **Somerville Resident C**, who was not seen as part of the visit, describes how the tenant benefits from the existing service and does not want to move since he feels that any alternative provision will leave him isolated from his support networks. The email asserts that residents have found the prospect of having to move "harrowing" and that residents have felt "pressurised".

A petition at Somerville is headed for "the attention of Lewisham Housing" and "we the undersigned wish to make it known that all the listed clients do not wish to move from Somerville Sheltered Housing". This has been signed by 11 residents and one doctor. Two of the residents have since died and one has moved to Conrad Court. The signatories include **Somerville Residents A, B, C and D**.

Oct 14th

Dave Shiress (Housing Strategy) visits Kenton. 5 residents and one relative meet along with Jade from Health Watch.

- 1 resident has signed up for Conrad Court and is enthusiastic about it.
- 1 resident is waiting for sheltered housing, would prefer to have her own bathroom but still finds prospect of having to move unsettling.
- 1 resident is prepared to look again at Housing 21 provision but struggles to articulate his views.
- 1 resident sits in briefly but his relative seeks feedback about availability of suitable accommodation in Bromley and clarification about facilities at Cedar Court.

- 1 is waiting to hear back from Conrad Court.

Residents all need some clarification about next steps. There is anxiety about moving but no particular resistance or objection.

Oct 13th

Letter received from hospital consultant about **Somerville Resident B** stating “plans to re-house him in a facility that has a far lower level of supervision and support may pose a significant risk to his health”.

Sept 26th

Consultation response from resident of Somerville who was moving to Conrad Court, stating that ‘compensation’ was low considering “life has been completely disrupted”.

Sept 25th

Consultation meeting at Somerville attended by officers from both Housing and Social Care, also Health Watch, and 6 residents and 2 relatives. Comments and questions were initiated by the relatives, not the residents.

Sept 23rd

Consultation meeting at Somerville attended by officers from both Housing and Social Care, also Healthwatch, and 2 residents and 1 relatives. Issues raised related to the personal circumstances of those who attended.

Sept 18th

A letter headed ‘Formal Consultation’ from Genevieve Macklin was sent to all tenants at Kenton Court and Somerville. This invited responses and comments by October 16th. An attached information sheet gave further information on:

1. What is the Council proposing to do with Kenton Court?
2. What different options will I have for my housing?
3. What support would I get if I move?
4. What if I don’t want to move?
5. Who can I talk to about these proposals?

Aug 31st

Letter to Mayor from relative of **Somerville Resident A** complaining about the process adopted by officers and asking for the scheme to be retained. (Genevieve Macklin responded on Oct 1st).

Aug 4th

Letter to Mayor from relative of **Somerville Resident B** complaining about the process adopted, outlining reasons why Somerville is considered a more suitable environment than Conrad Court and asking for the scheme to be retained.

Aug 1st

Letter to Karen Crane from Queens Road GP practice advising that Somerville residents are “currently in an environment they are familiar with and putting them in an unfamiliar environment may be detrimental to their health”.

28th, 30th and 31st July and 6th Aug

Drop in sessions at schemes at which officers met with residents and relatives and at which Health Watch representatives were present. 30 queries were summarised and answers provided.

July

Healthwatch are selected to act as advocate for tenants of Kenton Court and Somerville

17th July

Genevieve Macklin and Joan Hutton jointly write to all residents informing them that the Council would like to commence formal consultation about:

- proposals to close the social care service provided at Kenton Court and Somerville
- proposals to re-develop or reconfigure the building at Somerville to provide a different type of housing

The letter informs residents about the planned introduction of an advocacy service and about drop in sessions.

9th and 25th June

Emails to the Mayor from Next of Kin of **Somerville Resident C** requesting that Mayor and Cabinet take account of the views of residents and their relatives.

13th Feb

Enquiry about **Somerville Resident D** from Joan Ruddock MP. (Aileen Buckton responded on March 12th)

6th Feb

Letter to Mayor from relative of **Somerville Resident A** complaining that written opinions of the Council in letter of Feb 4th about Somerville are “unacceptable”.

4th Feb

Response to relative of **Somerville Resident A** from Eisha Mahoney, advising that officers had informed residents places at Conrad Court were expected to be available from June, not that residents were expected to move by then.

24th Jan

Letter Mayor from relative of **Somerville Resident A** complaining that officers had advised residents that they would need to leave by June.

5th Dec 2013

Initial meetings with tenants. Officers outlined plans for social care assessments to be carried out in the New Year and for arrangements to assist and support residents to move to alternative accommodation on a voluntary basis.

27th Nov 2013

Genevieve Macklin and Joan Hutton jointly write to all residents informing them that schemes do not meet current day standards and requirements and that it is being recommended to the Mayor on Dec 4th that officers discuss housing and care needs and options.

Appendix D: HealthWatch Report

See attached



Somerville and Kenton Court

Equalities Analysis Assessment

Introduction

The Mayor identified a review of housing for older people as a key priority of the Housing Matters Programme in July 2012.

Somerville and Kenton Court Extra Care Schemes were identified as being no longer fit for the purposes of delivering an extra care service, and agreed on 4th December 2013 for officers to consult with tenants to establish their housing and care needs.

Following a period of informal consultation with tenants the Mayor is now being asked to consider further recommendations which relate to these two schemes, namely to:

- Note the consultation which has taken place so far in line with the recommendation from the 4th December Housing Matters report
- note that individual social care assessments have been carried out for all tenants at both Kenton Court and Somerville extra care schemes, and the outcomes of these assessments.
- note that there is a range of alternative high quality housing, care and support available in the borough, that there are additional extra care schemes being developed and that five out of 31 tenants at Kenton Court and Somerville have taken up these alternative offers voluntarily already
- agree that officers may now formally consult with the tenants at Kenton Court and Somerville about the proposed transfer of the Council's directly managed extra care service to Notting Hill Housing Group at Conrad Court,
- note that should recommendation 2.4 be agreed officers will commence TUPE consultation with affected staff in the extra care service
- agree that officers should commence initial statutory section 105 consultation on the proposals to close the service provided at Kenton Court and Somerville and potentially close the buildings,
- agree that officers should commence feasibility studies on both sites to develop proposals for alternative uses which meet housing need in the borough, and that any further necessary consultation should be undertaken with existing tenants to enable Mayor and Cabinet to make a further decision on the future of the buildings in Autumn 2014.
- Agree that officers continue to facilitate voluntary decants of tenants who wish to move to other services

If these recommendations are agreed, then the following activities will be required between now and Autumn 2014:

1. Consultation with tenants and staff about the proposal to transfer the Council's directly-managed extra care service to Notting Hill Housing Group at Conrad court – including statutory consultation.
2. Support to enable people who wish to move to other services to do so.
3. Proposals for alternative uses for each site to be developed, and further consultation on these proposals to be undertaken.

The aim of this assessment is to check whether the proposals (and/or any part of their implementation) is likely to have a positive or negative impact on different groups within our diverse community. Furthermore, it will assess whether or not there are actions which may be

taken to **prevent** direct and indirect discrimination and **positively promote** harmonious community relations.

Management of the Equalities Analysis Assessment

The assessment was undertaken by Laura Harper, Housing, Health and Social Care Integration Project Manager, supported by Heather Hughes, Joint Commissioner.

Identification of the aims/objectives

The aim of the proposals to transfer the extra care service from the in-house service at Somerville and Kenton Court to the Notting Hill Housing Group scheme at Conrad Court is to ensure that Extra Care Housing in the borough is of a suitable quality to meet the needs and expectations of Lewisham's older people.

Scope/focus of the Equality Analysis Assessment and assessment of relevance

Proportionally the assessment needs to concentrate on areas with highest potential impact. Key issues for consideration include:-

- What would be the impact of the proposals if they are agreed? To existing tenants, staff, and the wider population.
- Do we have accurate profiles of our tenants and staff to inform our communication/consultation strategies for the proposals for the schemes?
- How do we ensure the immediate needs of tenants and staff are met during consultation on the proposals, and during the process of voluntary moves which is underway?

The scoping grids at appendix A look to determine, whether the proposals, consultation process and proposed project activity:

- could affect some groups in society differently?
- can/will promote equal opportunities?

Assessment of relevant tenant data and research

The key data needed for this Equalities Assessment is the profile of the current tenants of the Somerville and Kenton Court. As all tenants receive services from Adult Social Care, information from the Integrated Adult System (IAS) and local service data will be used. Lewisham Homes monitoring data from the Academy system is also available and is accessed before a housing officer visit, however, it is limited and inconsistent in quality, therefore it has not been used as the basis for this analysis.

As the project progresses, additional data will be gathered from responses to the Section 105 consultation, Social Care Consultation and the Housing interviews discussed in the consultation section below. Furthermore, anecdotal evidence will be collected on an 'ad hoc' through communication with residents and housing officers.

Tenant information available

Age

Age of tenants at Somerville from IAS

Age Band	Total
18-64	3
65-74	3
75-84	5
85-94	2
95+	1
Grand Total	14

Age of tenants at Kenton Court from IAS

Current Adult Age Band	Total
18-64	4
75-84	4
85-94	4
Grand Total	12

Key considerations/potential impacts:

All tenants at Somerville and Kenton Court are aged 55 and over, with the majority of tenants at both schemes aged 65 and over. 3 tenants at Somerville are aged 85 and over. 4 tenants at Kenton Court are aged 85 and over. Older people can be particularly anxious and vulnerable when proposals are made to change service delivery and/or housing and this should be taken into consideration throughout the formal consultation period.

The AIMs good practice guide: Moving on by Age UK has been used to form the basis of the Communications plan for consultation to date and to propose the next steps for consultation with tenants at Somerville and Kenton Court. Because of the nature of the scheme and the age group of existing tenants, it is likely that there will be a short-term negative impact to older people during the consultation period, as some people may experience anxiety about the proposals.

In order to mitigate any possible negative impact, whilst tenants are moving on a voluntary basis, and support is provided by the decant team who have a lot of experience working to re-house older tenants. Also, staff from the in-house service who are known to tenants are address any concerns and anxieties which tenants may have. Where it is the tenants wish, then family members or friends can also provide support to tenants, and have been invited to meetings.

Disability

Recorded Disability at Somerville from IAS

	Total
Disability Recorded	4
Disability not recorded	10
Grand Total	14

Where disability has been recorded, in two instances this is recorded as a visual impairment, in one instances a physical disability is recorded, and in a final instance, this is recorded as suspected Diogenes Syndrome.

In addition, the Service User Group Category from IAS can be used to build up a more comprehensive picture of residents levels of vulnerability.

Service User Group Category from IAS for Somerville tenants

Service User Group Category	Total
Frailty (Main)	9
Mental Health (Main)	2
Other Vulnerable People (Main)	1
Physical / Sensory Disability (Main)	2
Grand Total	14

Recorded Disability at Kenton Court from IAS

	Total
Disability Recorded	4
Disability not recorded	8
Grand Total	12

Where disability has been recorded, these have been listed as:

Acquired brain injury

Diabetes, Heart condition

Alzheimer's

Physical disability

Service User Group Category from IAS

Service User Group Category	Total
Dementia (Secondary Only)	1
Frailty (Main)	7
Other Vulnerable People (Main)	1
Physical / Sensory Disability (Main)	3
Grand Total	12

Key considerations/impacts:

Low numbers of tenants are recorded as having a disability on the IAS system. Local service data suggests that there may be higher levels of disability than those recorded on the IAS system. During the recent social care assessments and housing interviews, some additional information has been captured locally, to support with ongoing communications and moves.

Particular consideration will need to be given to meeting disabled tenants communication needs during the consultation process, and when supporting people to move (voluntarily at this stage). As part of the voluntary re-housing process, which is ongoing, tenants are asked about disability and any medical conditions which may impact on their housing requirements. This information is then taken into consideration by housing officers when identifying properties.

Gender reassignment

There is no data available on gender re-assignment for tenants at Somerville and Kenton Court Extra Care Schemes. However, when social care staff and/or housing officers visit tenants there are opportunities for them to disclose this information if they so choose to. In any eventuality, tenants should be referred to by the name and/or gender pronouns with which they identify themselves. Tenants should be offered additional support to engage in consultation and/or the voluntary move process if they require this.

Marriage and Civil Partnership

Marriage and civil partnership at Somerville

	Total
unmarried	5
married	2

divorced	1
unknown/not recorded	6
Grand Total	14

Marriage and civil partnership at Kenton Court

	Total
Cohabiting	1
Widowed	4
unmarried	1
married	3
divorced	3
unknown/not recorded	0
Grand Total	12

Key considerations/impacts:

The extra care service at Conrad Court will offer more spacious living accommodation than that which is available at either Somerville and Kenton Court, which will provide an opportunity for those tenants who are married or in a civil partnership to have more space. In some instances, the small unit size at Somerville and Kenton Court may have disincentivised some prospective tenants from considering the schemes. Overall the new build extra care provision will offer more opportunities for married people and those in civil partnerships and may have a positive impact to this group.

Race

Somerville

Ethnicity	Total	
Black African	2	14.29%
Black Caribbean	2	14.29%
White British	9	64.29%
White Irish	1	7.14%
Grand Total	14	100.00%

Kenton Court

Ethnicity	Total	
Black Caribbean	3	25.00%
White British	7	58.33%
White Irish	2	16.67%
Grand Total	12	100.00%

Key considerations/impacts:

Within both Somerville and Kenton Court, there is an overrepresentation of tenants who are Black Caribbean. There is an underrepresentation of all other BME groups, with the exception of Black African, which is overrepresented at Somerville. This analysis is based on current census data, which refers to the over 65 population, and not the over 55 population. There are 7 tenants in total across both schemes who are under 65, and therefore this may account for some of the discrepancies between the scheme demographics, as the under 65 population is much more ethnically diverse.

Religion or belief

Religion Somerville

Religion	Total
Christian	7

No Religion	3
Non Specific Belief	1
Not Recorded	3
Grand Total	14

Religion Kenton Court

Religion	Total
Christian	9
No Religion	2
Non Specific Belief	1
Grand Total	12

Key considerations/impacts:

The majority of tenants identified themselves as Christian across both services, approximately 50% at Somerville and 75% at Kenton Court. Other tenants identified themselves as having no religion or non-specific beliefs, or data on their religious beliefs was not recorded.

During the consultation process and the period of voluntary moves, religious beliefs should be taken into consideration. Similarly, where people have strong ties to their local religious communities, they should be supported to find accommodation and/or transport solutions which enable them to continue to practice their religious beliefs. It is not anticipated that there will be a negative impact as a result of the consultation nor any other activity to develop the proposals or move people on a voluntary basis.

Sex

Somerville Gender

	Total
Male	11
Female	3
Grand Total	14

Kenton Court Gender

	Total
Male	6
Female	6
Grand Total	12

Key considerations/impacts:

Approximately 22% of tenants at Somerville are female, which means that women are underrepresented at Somerville. When initial equalities analysis was undertaken for the Mayor and Cabinet Housing Matters report on the 4th December, it was noted that there was also an underrepresentation in females in Kenton Court. Due to recent voluntary moves there is now an even split between males and females at Kenton Court.

Anecdotal evidence suggests that male dominated schemes may be unpopular with prospective female tenants, who may perceive that they are not as safe for them. Because the extra care scheme at Conrad Court will meet modern standards, it is likely to attract wider interest from the over 55s population. LBL will work with Notting Hill Housing Group to ensure that there is a more even gender split in Conrad Court. This may, therefore, result in a positive long-term impact as the accommodation may be more accessible to women.

Sexual orientation

Somerville tenants
All not known/unrecorded

Kenton Court tenants
Majority not recorded. One recorded as heterosexual.

Key considerations/impacts:

There is a lack of data available on sexual orientation of tenants at Somerville and Kenton Court. Tenants should be offered additional support to engage in consultation and/or the voluntary move process if they require this. It is not anticipated that there will be any negative impact related to the Sexual Orientation protected characteristic as a result of the proposals.

Consultation & communication with tenants to date

Initial consultation with tenants

Letters to explain purpose of the 4th December Mayor and Cabinet Report were delivered and verbally explained to each tenant by an extra care service manager.

Two open meetings then took place (one in each location) to allow for a general question and answer session. Tenants and their families were invited to those meetings, 12 of 16 tenants attended at Somerville and 11 of 14 tenants attended at Kenton Court. A summary of the points raised at both was circulated to all tenants and their families whether they attended the meeting or not.

Housing Officers also attended informal 'afternoon teas' at each of the two premises.

A comments book was also placed at each location so that tenants and their families could independently record any 'ad hoc' comments, queries or concerns that they might want to raise.

Social care assessments

Following these consultation events, service management and social work staff also wrote individually to all tenants and subsequently made arrangements to meet formally with them and their family or advocate to undertake a care review. Reviews were undertaken between February and April 2014. Tenants were sent a copy of their individual reviews.

Tenants were given information about other Extra Care and Sheltered schemes in the borough and were advised of the new Extra Care schemes being developed in the borough, and in particular the first of these at Conrad Court available from July. Opportunities were given for supported visits to existing extra care services.

Housing interviews

Referrals to Housing have taken place where there has been an interest expressed in a move to alternative extra care provision or mainstream sheltered housing. Housing officers have now visited 10 tenants in Kenton Court (out of 14) and 7 tenants in Somerville (out of 17). During the visits, there is an opportunity for residents to discuss how they feel about a proposed move to alternative accommodation. During this process, some people are already choosing to move voluntarily, and the various schemes available in line with their assessed social care needs are discussed. Tenants are also informed that there is support available to help with removals, should they choose to move, and of the discretionary payment available to help with their costs.

Tenants have now been individually written to and the letter explains that a recommendation to formally consult on transferring the Council's extra care service, and to move to close and redevelop Kenton Court and Somerville is being made to Mayor and Cabinet in this report.

This letter has also been explained verbally by an extra care manager to all tenants. Additionally, a copy of the report has been placed on the notice board at both locations.

Planned consultation and communication with tenants

Formal Social Care Consultation

In changing or altering services provided under Social Care legislation, each individuals' needs for services must be individually reassessed before changing the services or the manner of delivery. In addition, in making proposals for service changes overall, there must be a proper and meaningful consultation with service users, their families and any other stakeholders to enable and facilitate clear understanding of the proposals and enable all stakeholders to express their views effectively.

Statutory Section 105 consultation

Section 105 of Part IV of the Housing Act 1985 makes it a requirement for a landlord authority to consult with those of its secure tenants who are likely to be substantially affected by a matter of housing management. The Act specifically identifies a new programme of improvement or demolition to be a matter of housing management to which Section 105 applies.

Letters will be hand delivered to all secure tenants at the scheme, giving the resident 28 days to respond with their comments. The results of all section 105 consultation will be reported to Mayor & Cabinet in Autumn 2014 to inform any future decision making. There may be more than one set of Section 105 consultation, in order to keep residents informed and to offer them opportunities to comment on specific proposals for the buildings/sites as these are developed.

Officers will also organise drop in sessions during consultation periods, to ensure that all residents have the opportunity to discuss their views. These sessions will be organised so that residents and/or their families who work will also have the opportunity to attend.

Key impacts/opportunities within planned consultation:

There are likely to be short term negative impacts associated with both the consultation period and the implementation of proposals to close the service. The Council can mitigate the negative impact by planning a sensitive and thorough consultation programme, which takes into account any specific identified needs of tenants. For example, meetings should be scheduled at times and/or in locations which are accessible to tenants. Any correspondence should be verbally explained by a known member of staff, if possible, to reduce any potential anxiety and provide reassurance.

All staff involved in the consultation process and voluntary move process work within the Council's Equal Opportunities Policies.

Key impacts/opportunities of implementing the proposals:

Further equalities analysis will be carried out to accompany further recommendations, however, at this point, it seems likely that if the proposals are implemented, there could be short-term negative impacts to older people, men and Black Caribbean, which are the equalities groups which are overrepresented in the current in-house extra care schemes at Somerville and Kenton Court. The proposals to transfer the service will have a short term

Overall assessment of impact on tenants

This assessment notes the information which the Council currently has about the protected characteristics of tenants. Some of this information is limited, and further information will be collated throughout the planned consultation period. The assessment has demonstrated a need to adapt the consultation process and voluntary re-housing processes to meet the different needs and different levels of support required in taking part in the processes involved. This assessment has provided a place where this information can be recorded so that throughout the programme the Council and its partners can ensure that differing needs are monitored and met.

This assessment demonstrates that the consultation and project activity is likely to have some short term negative impacts, but that there are actions that can be taken as part of the project to mitigate these impacts. There are also some wider and longer term positive impacts which could result if the proposals are implemented, such as the transfer of the extra care service from housing that is currently not meeting modern standards, to accommodation which is better suited to this purpose. This would have a positive impact for older people in the wider community who may benefit from the re-located service.

Assessment of relevant staff data

This part of the document sets out the first stage for the equalities analysis assessment of the proposed transfer of the Lewisham in-house extra care service to Notting Hill Care Pathways at Somerville and Kenton Court. The proposal is subject to TUPE consultation with staff and trades unions and so it will only be possible to complete the EAA once that process has completed, and when the proposed recruitment process to the new roles is complete. Until that point it will not be possible to measure the impact of the new structure on particular protected characteristics.

However, this initial assessment suggests that the equalities impact may be low, although due to the current make up of the team, in which 71% of posts are filled by female employees, and 57% of posts are filled by black employees, there will be some additional negative impact on women than on men from the current proposal.

Of the seven posts that are affected by the proposed service transfer the breakdown by grade is as follows

- Two posts (29%) are for staff graded SC6-S02
- Three posts (42%) are for staff graded SC3/5
- Two posts (29%) are for staff graded SC1-2 and below

The current composition of the workforce in posts that are proposed to be affected by the transfer is as follows.

By age:

- 16% are aged 41-45
- 42% are aged 51-55
- 42% are aged 55+

By gender:

- 71% are women
- 29% are men

By ethnicity

- 57% are Black
- 27% are White
- 16% are Mixed Race

By disability (where staff have chosen to declare their status)

- 16% are disabled
- 84% are not disabled.

By sexual orientation:

- 84% either chose not to declare this information or the information is unknown
- 16% are straight/heterosexual

Overall assessment of Staff data

As previously, the impact of the proposed transfer is subject to further consultation with staff and the unions. The initial EAA suggests that there will be low/nil impact as a result of the proposals across gender, ethnicity, age and disability, although the current make up of the team does mean that more female staff be affected by the proposals than male staff.

Action plan and timetable

The activities laid out below will provide the project team with opportunities to further assess and address tenants' and staffs specific needs and to ensure that any negative equalities impacts are being mitigated.

Activity	Details	Timescale
Communications plan for phase 2 consultation	Details of all communication methods to be utilised, including; <ul style="list-style-type: none"> ▪ Letters ▪ Interviews ▪ Online information ▪ Meetings/drop in sessions 	July 2014
Section 105 consultation	Statutory consultation to ensure that all residents are given the opportunity to comment on the changes to their housing management.	July – September 2014
Staff team meetings and 1:1s	Regular contact with the service manager.	Ongoing
TUPE consultation with staff	Statutory consultation with staff on the proposals to transfer the provision of extra care from the in-house service provider at Somerville and Kenton Court, to Notting Hill at Conrad Court.	July 2014
Scheme meetings	Opportunity to gather anecdotal evidence to keep EAA updated.	Ongoing
Day-to-day contact with service staff and managers	Informal opportunities to discuss the proposals.	Ongoing
Decant interviews	Detailed assessment of households, to look at specific needs, communications issues and to establish a relationship with the tenant.	Ongoing from commencement of programme.

Publication of Results

The results of this EAA will be reported on the Council's web pages as part of wider equalities data reporting appropriate.

Monitoring

The EAA Action plan and timeline for the proposed changes to extra care service delivery will be monitored through the project reporting structures.

Potential impact of proposals for tenants

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
All	Move from known community Move to better housing stock Move to more suitable housing stock Lack of understanding of alternative housing options available Lack of trust in decant team Security concerns as all vulnerable tenants Lack of continuity of care	Negative Positive Positive Negative Negative Negative Negative	Investigate and publicise social networking opportunities across the borough. Ensure offer property meets housing need of tenant Detailed and continued support and advice provided to tenants by decant team. Establishment of on site presence and development of working relationships between housing officers and tenants. Ensure adequate security within the building during any decant process. Explore potential TUPE implications of transfer of service
Gender	Social networks harder to maintain Security concerns for women	Negative Negative	Investigate and publicise social networking opportunities across the borough. Possible use of property guardians to ensure estate isn't squatted.
Gender re-assignment	Support networks harder to maintain	Negative	Work with tenant to ensure there is public transport access
Pregnancy & maternity	Due to the age range of tenants in Somerville and Kenton Court, there is no anticipated impact for this characteristic.	N/A	N/A
Race	Language barriers Ethnic community ties weakened/strengthened depending on location of decant property BME residents are nearly twice as likely to live in homes that do not	Negative Negative/Positive Positive	Use of interpreters and translated materials as appropriate Assessment of possible community ties during decant interview process, team to assist tenant with bidding for properties via specialist RSLs where appropriate.

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
	meet decent homes standards and are overcrowded - potential moves to other housing stock or request to return would improve chances of decent homes.		
Disability	<p>Difficulty accessing meetings and/or information relating to the proposals</p> <p>Current properties may have been adapted to meet specific needs, decant properties won't have these as standard.</p> <p>Overall, the quality of the fabric of the buildings at Somerville and Kenton Court have been acknowledged to be inappropriate for people with mobility issues.</p> <p>Some specific needs highlighted by social care assessment and housing officer visits</p>	<p>Negative</p> <p>Negative/positive</p> <p>Positive</p> <p>Positive</p>	<p>Hold meetings in DDA compliant venues.</p> <p>Decant officers need to ensure adaptations can be matched or improved upon in decant property.</p> <p>Decant officers to refer vulnerable tenants to providers of specialist services.</p> <p>Alternative housing provision at Conrad Court, or in other schemes in the borough, is more accessible and therefore</p>
Age	<p>Pensioners income might not be able to meet higher rental levels in other socially rented properties.</p> <p>Social networks formed within existing schemes may be harder to maintain</p> <p>Opportunity to provide support where need hasn't previously been identified</p>	<p>Negative</p> <p>Negative</p> <p>Positive</p>	<p>Decant team to work with households to ensure benefit levels are correct and that rental level is manageable.</p> <p>Investigate and publicise social networking opportunities across the borough.</p> <p>Decant officers can identify suitable properties and/or refer the tenant to support services within the council</p>
Religion & belief	Change of parish could affect social networks	<p>Negative</p> <p>Positive</p>	Assessment of possible community ties during decant interview process, team to

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
	Move could be closer to place of worship Gender considerations for specific religions may mean some households can only be interviewed by female staff. Decant timetable could mean that key dates fall during religious festivals	Neutral Negative	assist tenants with bidding for properties via specialist RSLs where appropriate. Ensure record is kept of households where a female member of staff is required so that there are no unnecessary delays in interviewing or contact with the tenant. Decant team to ensure that religious beliefs and tenets are taken into account when arranging meetings and moves.
Sexual orientation	May be same sex households in the schemes	Neutral Neutral	Where tenant is moving to an ALMO or RSL property, this organisation will need to meet or exceed current standards and support on tackling harassment and discrimination. The Care and Support service provided at Conrad Court will also need to meet or exceed current standards and support on tackling harassment or discrimination.
Marital status/civil partnership	Co-habiting couples who haven't registered their partner could be treated differently from those who are married/in a civil partnership	Negative	Review housing policy on placement of couples and ensure tenants are aware of what tenancy rights any partner living at the address may have.

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
All	Anxieties around the proposals	Negative	All tenants should have the opportunity to access the support required to fully understand the proposals which are being consulted upon.
Gender	Large consultation meetings may mean that people from one gender	Negative	Ensure that all tenants have opportunities to meet individually with council officers to

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
	are less likely to speak and have their opinions heard.		have their voice heard.
Gender re-assignment	Large consultation meetings may be uncomfortable for people who are in the gender re-assignment process.	Negative	Ensure that all tenants have opportunities to meet individually with council officers to have their voice heard.
Pregnancy & maternity	Due to the age range of tenants in Somerville and Kenton Court, there is no anticipated impact for this characteristic.	N/A	N/A
Race	Language barriers	Negative	Use of interpreters and translated materials as appropriate
Disability	Difficulty accessing meeting Difficulty accessing information relating to the proposals	Negative Negative	Hold meetings in DDA compliant venues, ideally within the communal areas of the schemes themselves. All information should be provided as clearly as possible, and individual tenants' needs, as identified during the initial scoping and ongoing interview process, should be taken into consideration within the consultation and communication plan.
Age	Older people may have difficulty in attending long meetings	Negative	Consultation and communication should be planned around the specific needs of tenants, however, all meetings should be kept as short as possible.
Religion & belief	Gender considerations for specific religions may mean some households can only be interviewed by female staff. Consultation timetable could mean	Neutral Negative	Ensure record is kept of households where a female member of staff is required so that there are no unnecessary delays in interviewing or contact with the tenant. Project team to ensure that religious beliefs

Equalities Category	Potential Impact of proposals for tenants	Assessment of impact	Actions
	that key dates fall during religious festivals		and tenets are taken into account when arranging meetings and moves.
Sexual orientation		Neutral	
Marital status/civil partnership		Neutral	