



**Cabinet  
21 July 2014**

**Report from the Strategic Director  
of Regeneration and Growth**

Wards affected:  
Brondesbury Park

**Proposed redevelopment of the former respite care centre  
at 1 Clement Close and adjacent lands, London NW6 7AL**

## **1.0 Summary**

- 1.1 On 15<sup>th</sup> July 2013 the Executive approved that the former respite care centre at 1 Clement Close, together with adjacent lands, be considered for an 'internal' use such as general needs housing development under the housing revenue account (HRA) or adult social care (ASC) provision. It was agreed that if a transfer between portfolios was deemed necessary to facilitate this, then the district valuer be appointed to ascertain the appropriate transfer price.
- 1.2 This report reviews the options for a use that supports the delivery of the Borough Plan and brings forward proposals for the subject site to be used as adult social care provision for clients with learning disabilities.
- 1.3 This report seeks approval for an exemption to the tendering requirements of Contract Standing Orders and delegation of powers to officers to agree the terms and enter into a development agreement with Brent Housing Partnership (BHP) to develop the subject site.

## **2.0 Recommendations**

The Cabinet:

- 2.1 To agree to use the former respite care centre at 1 Clement Close and adjacent lands, London NW6 7AL (the "Clement Close Site") as adult social care provision for clients with learning disabilities.
- 2.2 To approve an exemption from the procurement requirements of Contract Standing Orders and delegate authority to the Operational Director of Property and Projects in consultation with the Director of Legal and Procurement to

agree the terms and enter into a development agreement with Brent Housing Partnership to develop the Clement Close Site as detailed in the 'development delivery' section in this report.

- 2.3 To approve total scheme development costs within the range of £2,604,147 (10 homes) to £3,334,017 (14 home).
- 2.4 To approve capital funding comprising of grant funding contributions from the Greater London Authority Mayor's Housing Covenant 2015-18 from £430,000 (10 homes) to £620,000 (14 homes), £510k from the Adults Social Care capital budget allocation of £1.8m and unsupported prudential borrowing of £1,664,147 (10 homes) to £2,204,017 (14 homes).

### **3.0 Detail**

- 3.1 The Clement Close site comprises the former Children's Respite Care Centre and adjacent land at Clement Close, Willesden Green, NW6 7JL. Both parts of the Clement Close site are within the freehold ownership of the Council, with the adjacent land forming an under-utilised part of the Clement Close estate managed by BHP, (see Appendix 1 and 2).
- 3.2 On 15<sup>th</sup> July 2013 the Executive approved that 'provided the site is deemed suitable for affordable housing development by Brent Housing Partnership (under the Housing Revenue Account) or another internal use (such as social care – on a spend to save basis), then subject to further review of the powers under which the land is held, that the District Valuer be appointed to ascertain a transfer value, to the HRA or another portfolio as appropriate.'
- 3.3 In 2013 marketing agents reported a £1.5m value which in June 2014 had increased to £1.8m, the figures quoted are far in excess of the £750,000 reported in Executive report in July 2013 which were based on an estimate by an internal Chartered Surveyor.

#### Corporate use options

- 3.4 As per the decision made in July 2013, various corporate uses for the Clement Close site have been considered, in line with priorities set out in the Borough and Corporate Plan. The site is considered too small for a school use and so the main focus has been on considering the various residential options.
- 3.5 Two broad options have been explored – utilising the site for general needs housing in line with the agreed (HRA) asset management strategy; and utilising the site for independent living for social care clients in line with the priorities set out in the Adult Social Care Market Position Statement 2014.
- 3.6 The development appraisal considered both general needs and provision for adult social care on an affordable rent basis, including looking at the private rented, development and sale option.

- 3.7 Various development scenarios were financially modelled in an attempt to ascertain the cost of each scheme, the payback period for the capital outlay on each scheme, the revenue savings for the scheme, and the value of the land at the point of handover - the net present value (NPV). NPV is the difference between the present value of the future cash-flows from an investment and the amount of investment. Present value of the expected cash flows is computed by discounting them at the required rate of return.
- 3.8 Seven detailed scenarios were modelled (see Appendix 3) which demonstrated that the most attractive options are those that utilise the site for Independent Living accommodation, in line with the specific priorities in the Adult Social Care Market Position Statement. It is proposed that these homes will be used for adults aged 18 years and over who have learning disabilities that might otherwise be placed in residential or nursing care placements.
- 3.9 The homes will be self-contained with their own front door along with their own kitchen, lounge, bathroom and shower area. In addition there will be some communal facilities within the building, see Appendix 4 for initial designs.

#### Development delivery

- 3.10 There are a number of constraints to delivery of the site which will need to be worked through, (Appendix 5). Most importantly, there is an existing porta-cabin on the site, which is used by local residents for meetings and gatherings and discussions are underway in respect of relocating this to an alternative location in the close vicinity. Works next to the existing willow tree will need to be carefully considered.
- 3.11 In considering the development of the Clement Close Site, Officers are of the view that this should be led by a developer agent. BHP currently acts as developer agent under a development agreement in relation to HRA development. The Clement Close scheme is not however an HRA development but a general fund scheme and is therefore not covered by the council's existing arrangement.
- 3.12 Officers consider however that BHP has all the relevant skills and expertise necessary to develop the site. Exploratory discussions with BHP have indicated that BHP would charge a fee of 2.5% of scheme costs (this fee has been factored into the financial appraisal). This figure is considered competitive.
- 3.13 In order to bring forward the proposal without delay, rather than carrying out a procurement process for a developer the proposal is to enter into a development agreement with BHP on terms to be agreed by the Operational Director of Property and Projects in consultation with the Director of Legal & Procurement.
- 3.14 Under the development agreement BHP would be responsible for:

- Securing for the Council Greater London Authority Mayor's Housing Covenant 2015-18 grant funding and dealing with associated requirements; and,
- Client the project on behalf of Brent and employing the necessary consultants and contractors to successfully deliver the project in line with the Council's requirements.

3.15 If Cabinet approval is secured, the aim would be to begin detailed design and planning processes in July 2014, leading to a start on site in June 2015 and a completion twelve months later in July 2016.

#### Exit options

3.16 In a changing care market it would be prudent to ensure that the Council include provision for an exit option and this will need to be factored in as the design further develops. Officers would look to develop the homes in a manner that would allow for easy adaptation to normal general needs rental or for private sale or any other options.

3.17 If this situation came to pass then the Council would be required to pay back any Greater London Authority (GLA) grant contribution to the scheme or recycle it to a future development.

#### Housing Management

3.18 Housing management services will need to be fully specified and secured. The specification will need to include:

- Rent and service charge collection;
- Dealing with rent arrears;
- Issuing tenancy agreements;
- Void management;
- Emergency repair;
- Regular repair;
- Major repair;
- Health and safety checks;
- Void works.

3.19 Within the capital appraisal the following has been assumed:

- Management costs £650 per unit.
- Void rent loss 5% of the total rental cost for the year.
- Repairs and Maintenance costs £565 per unit per year.

3.20 The rents are currently estimated as £192 per week per home, this is based on 70% of the assessed open market rental values. The likely service charge is £2,000 per annum per home. The service charges will cover items such as

communal cleaning, gardening, etc. These costs are eligible for housing benefit.

### Delivery of support services

3.21 The projected care and support costs for learning disabilities range from £550 to £1,600 per week per client in residential care placements, this includes one to one support for mild to moderate learning disabilities requiring from 4 to 8 hours of care per week at a rate of £14 to £16 per hour per person. For this proposal the estimated savings cost can range from £158 to £704 per person per week.

3.22 A typical care and support package for individuals in supported living can include:

- Sleeping in or waking night staff;
- Someone to be at the scheme 24/7;
- One to one support;
- Prompting or supervising with personal care (which could include bathing, washing, cleanliness, etc);
- Supporting individuals to maintain their tenancies;
- Supporting individuals with daily living skills which can include; money management e.g. bill payment, preparing meals, shopping, cooking, keeping their home tidy and clean;
- Supporting individuals with travel training; and
- Support to ensure individuals have access to their community for employment, education, training or social reasons.

3.23 It is anticipated that the value of this care contract will be below £250,000 and will be procured using a mini-competition under the West London Alliance Homecare Framework. Should the care cost be in excess of £250,000 then appropriate approval would be sought from Cabinet.

3.24 If specific aids and adaptations are required to be made to individual units then appropriate disabled facilities grant applications will be made.

## **4.0 Financial Implications**

4.1 The summary option appraisals are available at Appendix 6 of this report.

4.2 The land value associated with the site has been excluded from the appraisal as this is an existing council asset and will not constitute a real cost to the Council.

4.3 The result of the amended appraisal is a positive NPV of £868k with a 13 year payback period (10 home scheme).

4.4 However, the Council's current Capital Disposals programme includes a forecast capital receipt of £750k for this site which is included within forecast

resources to fund the overall Capital Programme. If the site is to be utilised for the provision of Independent Living it will be necessary to replenish the Council's capital funding through additional unsupported borrowing the associated revenue debt charges of which will be met from the overall business case for the scheme.

- 4.5 The result of this amendment to the appraisal is to reduce the positive NPV to £54k with an increased payback period of 30 years (10 home scheme).
- 4.6 Further work has been undertaken to assess the impact of increasing unit provision on the site to 12 and 14 units. This work has indicated that additional provision will result in reduced payback periods and additional revenue savings.
- 4.7 As the proposal is to deliver care provision, this development will sit outside the HRA development programme and will be funded via a combination of contribution from the ASC care capital programme £510k, GLA grant £430k (which would increase depending on the number of homes) and unsupported borrowing to an estimated maximum of £2.6m. Debt costs associated with the additional unsupported borrowing will be met from the derived rental stream.
- 4.8 The Council has via BHP submitted a bid for GLA grant for a programme that comprises 50 identified and 50 unidentified homes, allowing for this site to be brought into the 'unidentified' programme subject to appropriate GLA consents. If the council were to dispose of the site after the development to create general needs rental, private sale or any other options, the GLA grant would have to be repaid or recycled to a future development within the grant criteria.
- 4.9 Marketing agents have estimated that if marketed the sale of the site is likely to provide a capital receipt of £1.8m – subject to checks. The differential between this and the forecast capital receipt of £750k reflects the opportunity to the council to further fund the capital programme, potentially reducing the amount of unsupported borrowing that the council has to undertake and the associated revenue cost of that borrowing. The reduction in the level of debt charge this could generate is estimated at £120k per annum over 10 years.
- 4.10 The Independent Living Accommodation scheme is forecast to achieve £168k revenue savings per annum.
- 4.11 The basic costing assumptions included within the option appraisal are in line with BHP's standard assumptions as a development agent. The detailed costs will be reviewed throughout the scheme development. Any significant variances through the development phase will be monitored and reported back to Cabinet as appropriate.

## **5.0 Legal Implications**

- 5.1 The land is held for education purposes although the Supported Housing scheme will be provided outside the HRA under the General Fund.

- 5.2 As indicated in the 'development delivery' section of this report, it is proposed that the Council enter into a development agreement with BHP. BHP is an arms length management organisation and whilst the council has delegated certain of its management functions to BHP in accordance with s27 of the Housing Act 1985, these delegations do not cover the proposed development agreement in respect of the Clement Close Site scheme.
- 5.3 Contract Standing Orders provide that every Contract entered into by the Council shall be entered into pursuant to the Council's function and procured in accordance with all relevant domestic and EU legislation including the Council's Contract Standing Orders and financial Regulations. The Council's Contract Standing Orders require a competitive procurement process to be conducted in relation to the award of contracts including the proposed development agreement.
- 5.4 However, under Contract Standing Orders 84(a) the Executive is able to approve a departure from this requirement and grant an exemption where there are good operational and / or financial reasons for doing so. The operational and financial reasons for not tendering / seeking 3 quotes are set out in this report.
- 5.5 The EU public procurement regime, set out in UK law in the Public Contracts Regulations 2006, ordinarily requires a competitive procurement procedure to be operated for contracts subject to relevant thresholds. In the case of *Teckal s.r.l v the Commune of Viano C-107/98* the European Court of Justice recognised that if a contract were concluded between a local authority and a person legally distinct from that local authority, then the contract between them would not be a "public contract", under the EU public procurement directive if two tests were satisfied:
1. The local authority exercises over the person concerned a control which is similar to that which it exercises over its own departments (the control test);
  2. In addition, that same person carries out the essential part of its activity with the local authority or authorities (the function test).
- 5.6 It is considered that the both limbs of the above test are met in relation to BHP and therefore it is considered that the award of a development agreement to BHP is consistent with the EU public procurement regime.
- 5.7 BHP will be responsible under the development agreement to secure the proposed external funding from the GLA Grant Fund. The council will however be the grant recipient and subject to GLA compliance conditions and a delivery process and, where applicable, subject to requisite GLA consents. The development agreement will therefore have to provide that the council has full input into the negotiation and securing of GLA funding.
- 5.8 There will be a separate officer report by Brent Housing Partnership to the Brent Housing Partnership Board on the proposal which would be presented for

approval as soon as possible, following and subject to Cabinet approval in July and may require an Urgent Action procedure.

## **6.0 Diversity Implications**

6.1 An Equalities Impact Assessment (“EIA”) was carried out in connection with the July 2014 Cabinet NAIL report. As this EIA is relevant to this report also, it is attached as Appendix 7.

6.2 The following positive impacts have been identified

- People with learning disabilities are able to lead full and independent lives in the community away from institution settings; and
- People will be able to have better access to the community and are likely to take part in social activities that support their overall health and social care needs.

## **7.0 Staffing/Accommodation Implications (if appropriate)**

7.1 There are no implications for council staff arising from the proposed award of the development agreement.

7.2 If the needs of the client groups are high to moderate onsite staffing accommodation would need to be considered and the rent and service charges of this unit would need to be included in the customer service charges and evenly charged between the clients.

## **8.0 Background Papers**

1. The Executive report on 11 November 2013 from the Strategic Director of Regeneration and Growth, titled Housing Revenue Account – asset management strategy.
2. The Executive report on 17 February 2014 from the Strategic Director of Adult Social Services titled: adult social care – market position statement 2014 ‘care and support closer to home’.

## **9.0 Appendix**

1. Site photos
2. Site plan
3. Development options
4. Design options
5. Site restraints (portacabin and willow tree)
6. Clement Close Appraisal Summaries (unit numbers)
7. Equality Analysis from the NAIL project Cabinet report.

## **Contact Officers**

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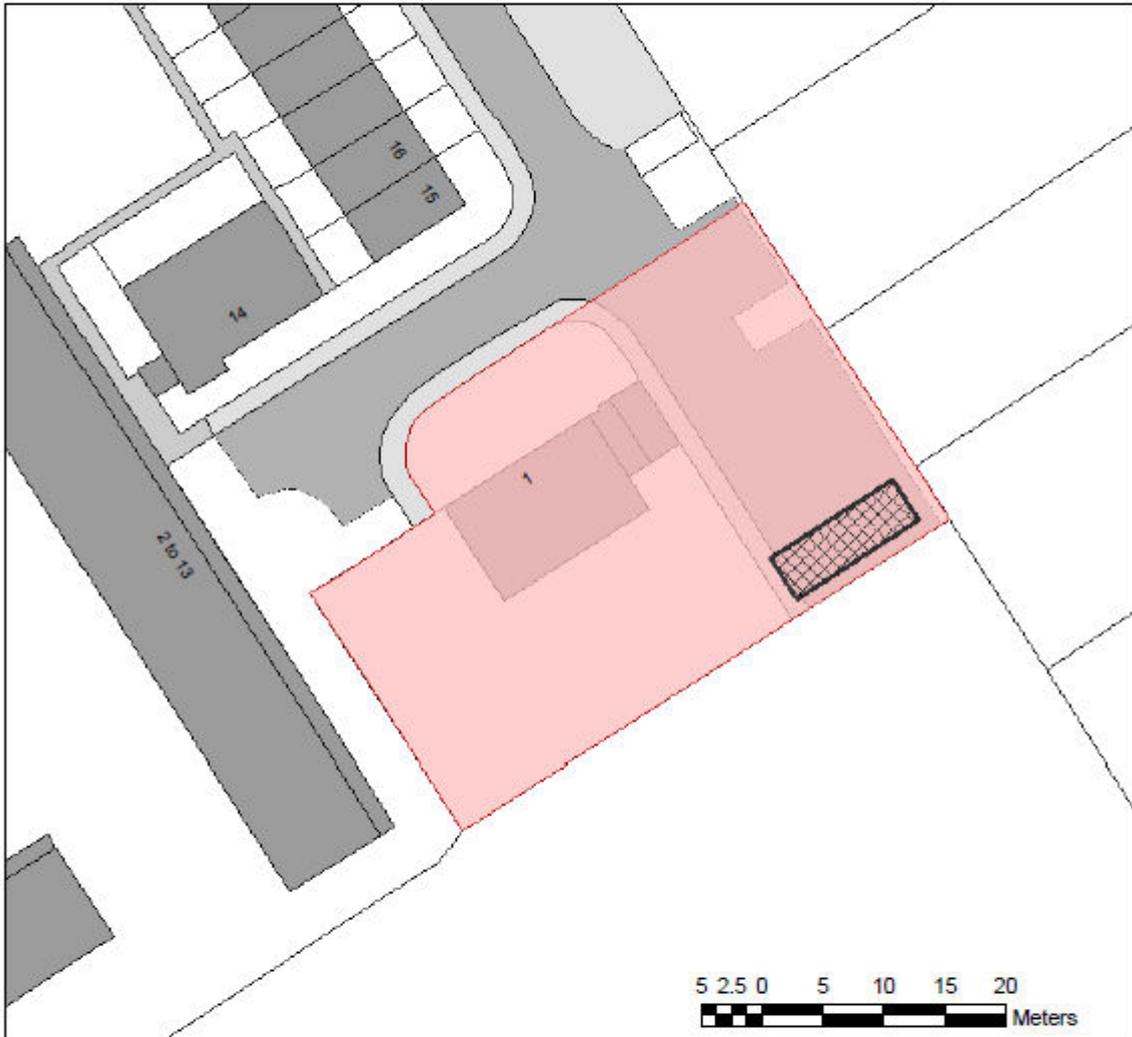
Richard Barrett  
Operational Director Property & Projects

**ANDY DONALD**  
**Strategic Director Regeneration & Growth**

Appendix 1 – Site Photos



# 1 Clement Close, London, NW6 7AL



 Site for Disposal  Portacabin



**1:500**

Plan to stated scale if printed at A4.

NORTH



PSMA OS copyright statement  
© Crown copyright and database rights 2014 Ordnance Survey 100025260  
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### Appendix 3 – Development Options

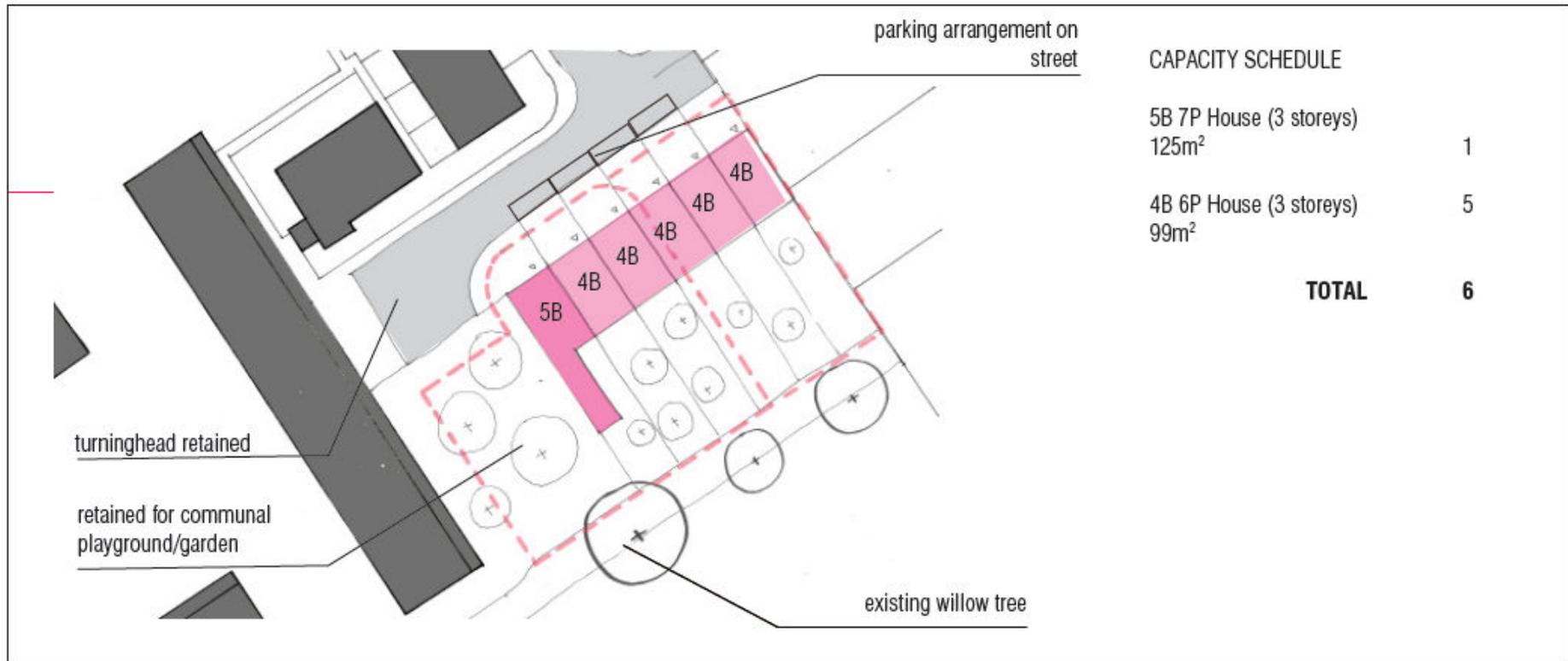
	Unit Mix	No of Units	Land Value £	Works Cost £	Fees £	Interest £	Total Costs £	Grant Funding £	Year Loan Repaid	NPV at Handover £	IRR	Market Value £	Profit from sales £	Revenue Saving Per Annum £	Asset Value at Handover £
A)	1 No 5-bed House 5 No 4-bed houses	6	1,000,000	1,261,700	249,625	94,649	2,605,974	366,000	65	-943,900	0.72%	4,250,000			3,884,000
B)	1 No 5-bed House 5 No 4-bed houses	6	1,000,000	1,261,700	249,625	94,649	2,605,974	366,000	26	290,510	5.54%	4,250,000		78,255	3,884,000
C)	10 No 1-bed flats	10	1,000,000	1,515,000	292,899	101,997	2,909,896	480,000	63	-1,035,000	0.70%	3,150,000			2,670,000
D)	10 No 1-bed flats	10	1,000,000	1,515,000	292,899	101,997	2,909,896	480,000	15	1,619,300	9.54%	3,150,000		168,264	2,670,000
E)	5 No 4-bed houses	5	1,000,000	1,518,750	581,564	65,744	3,166,058		1	333,940	n/a	3,500,000	333,942		0
F)	4 No 1-bed Flats 6 No 2-bed flats	10	1,000,000	1,488,000	597,800	65,191	3,150,991		1	399,000	n/a	3,550,000	399,009		0
G)	4 No 1-bed Flats 6 No 2-bed flats	10	1,000,000	1,488,000	526,800	65,339	3,080,139		28	1,996,900	7.50%	3,420,000			3,420,000

Meeting  
Date

Version no.  
Date

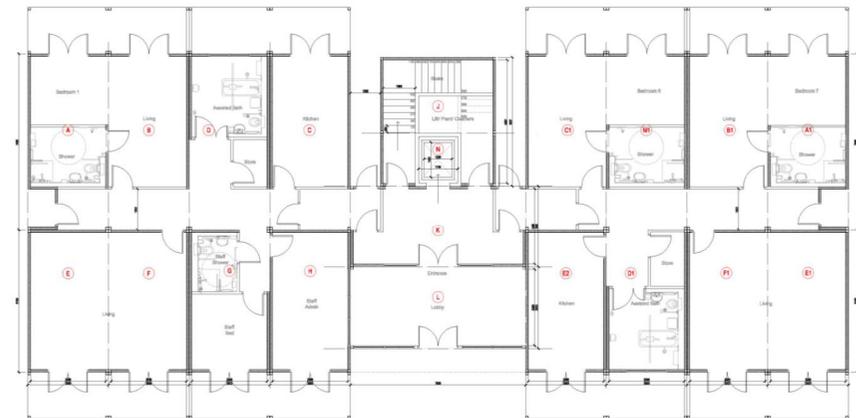
Appendix 4 – Design option 1 (family houses)

CAPACITY LAYOUT - OPTION 2 FAMILY HOUSES



5B 7P House (3 storeys) 125m <sup>2</sup>	1
4B 6P House (3 storeys) 99m <sup>2</sup>	5
<b>TOTAL</b>	<b>6</b>

Appendix 4 – Design options 2 (assisted living) (The development size & bulk next to the North East fence line needs planners input)

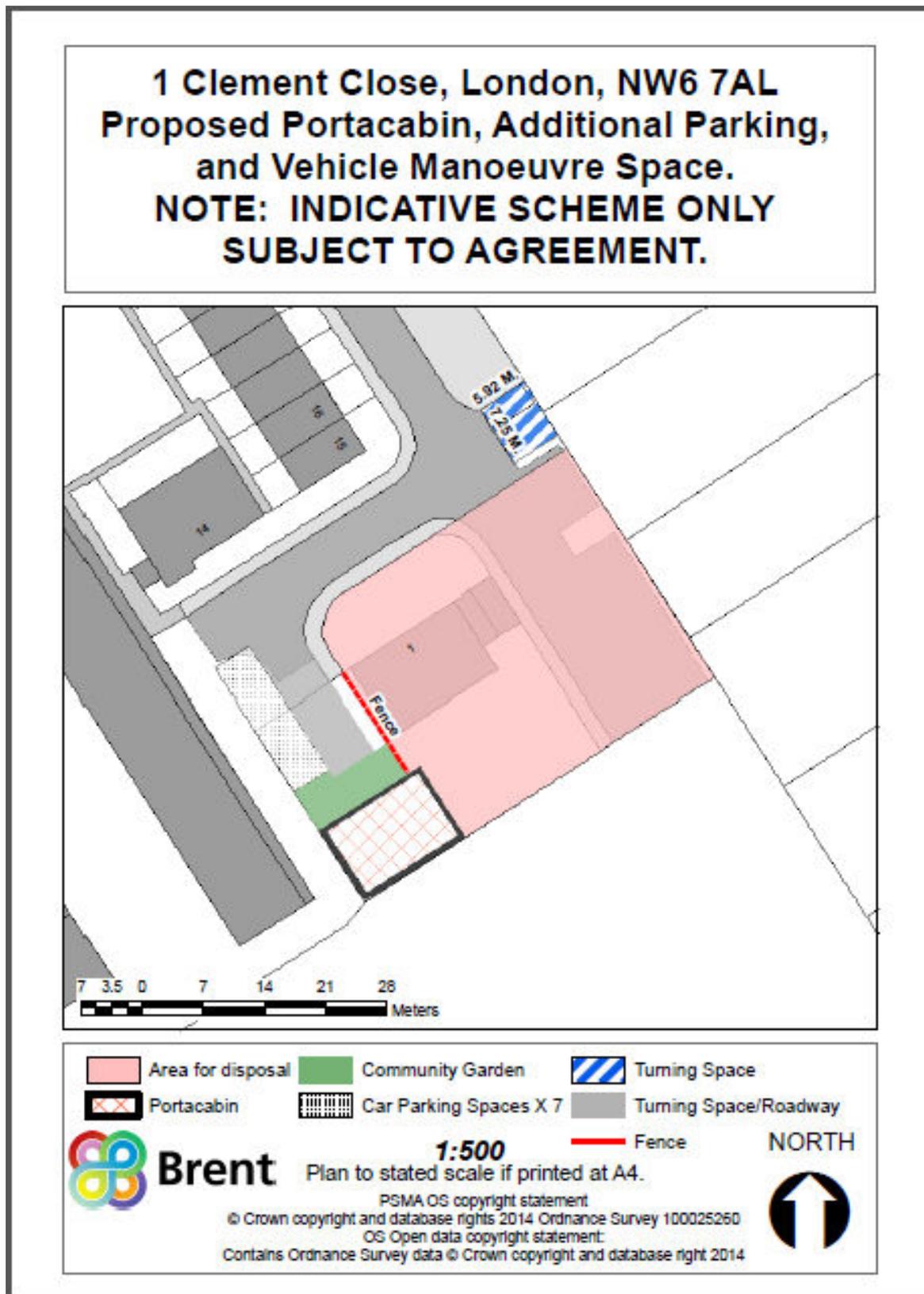


Multi Storey Option-  
Ground Floor

Meeting  
Date

Version no.  
Date

Appendix 5 – Site restraints  
 Portacabin



Weeping Willow



Appendix 6 – Clement Close Appraisal Summaries (unit numbers)

	Scheme Type	No of Units	Land Value	Works Cost	Fees	Interest	Total Costs	Grant Funding	LBB Capital Subsidy	Revenue Saving Per Annum	Year Loan Repaid	NPV at Handover	IRR	OMV
10 Unit Option	Adult Social Care Zero Acq £510k Captital subsidy	10	-	1,515,000	264,112	7,859	1,786,971	430,000	510,000	167,000	13	868,207	11.08%	£3,150,000
	Adult Social Care £750 Acq £510k Captital subsidy	10	750,000	1,515,000	282,862	56,285	2,604,147	430,000	510,000	167,000	30	54,023	4.75%	£3,150,000
12 Unit Option	Adult Social Care Zero Acq £510k Captital subsidy	12	-	1,818,000	316,935	17,141	2,152,076	516,000	510,000	201,000	15	932,539	9.93%	£3,780,000
	Adult Social Care £750 Acq £510k Captital subsidy	12	750,000	1,818,000	335,685	65,899	2,969,584	516,000	510,000	201,000	29	118,024	4.96%	£3,780,000
14 Unit Option	Adult Social Care Zero Acq £510k Captital subsidy	14	-	2,121,000	369,757	25,752	2,516,509	602,000	510,000	234,000	16	997,540	9.23%	£4,410,000
	Adult Social Care £750 Acq £510k Captital subsidy	14	750,000	2,121,000	388,507	74,510	3,334,017	602,000	510,000	234,000	28	183,025	5.11%	£4,410,000

Meeting  
Date

Version no.  
Date

**Assumptions**

Management	£650
Day to Day Maintenance	£565
Service Charge per unit per annum	£2,000
Voids & Bad Debt	5%
Major Works % of works from Yr 11	0.80%
Market Rent Per week	£275
Affordable Rent per week (70% of market)	£192.50
Rent Inflation	3%
Management, Maintenance Cost Inflation	2%
Interest Rate	4.50%
NPV Calculation over 30 Years	4.50%
Works Cost £ per sq meter	£2,000
Fit out Cost Per unit for specialist equipment per unit	£7,500
	13
Construction Period	months

Appendix 7 – Equality Analysis from the NAIL project Cabinet report.

**Brent Council Equality Analysis Form**

Please contact the Corporate Diversity team before completing this form. The form is to be used for both predictive Equality Analysis and any reviews of existing policies and practices that may be carried out.

Once you have completed this form, please forward to the Corporate Diversity Team for auditing. Make sure you allow sufficient time for this.

<b>1. Roles and Responsibilities:</b> please refer to stage 1 of the guidance	
<b>Directorate:</b> Adult Social Care  <b>Service Area:</b> Commissioning and Quality	<b>Person Responsible:</b> Name: Shamym Humdani Title: Project Delivery Officer, PMO Contact No: 020 8937 2330 Signed:
<b>Name of policy:</b> New Accommodation for Independent Living	<b>Date analysis started:</b> 11/04/2014  <b>Completion date</b> 24/04/2014  <b>Review date:</b>
<b>Is the policy:</b>  New <input checked="" type="checkbox"/> Old <input type="checkbox"/>	<b>Auditing Details:</b> Name: Sarah Kaiser Title: Head of Equality Date: 30 April 2014 Contact No: 0208 937 4152 Signed: Sarah Kaiser
<b>Signing Off Manager:</b> responsible for review and monitoring Name: Phil Porter Title: Strategic Director, Adults Date 24/6/14 Contact No: 020 8937 5937 Signed:	<b>Decision Maker:</b> Name individual /group/meeting/ committee: New Accommodation for Independent Living Project Board  Date:

**2. Brief description of the policy. Describe the aim and purpose of the policy, what needs or duties is it designed to meet? How does it differ from any existing policy or practice in this area?**

Please refer to stage 2 of the guidance.

The purpose of the project is to design and develop alternative 'accommodation plus' options, which incorporate:

- 'extra care' living (generally for older clients) and
- 'supported living' for younger people who require Adult Social Services (ASS).

This Project will be delivered in two phases:

- **Phase one** - will determine financial viability, and understand current market intelligence in order to agree the vision and priorities for future accommodation in Brent. It will include assessing/reviewing current client need in Brent and preparing to allocate clients to the new accommodation scheduled.
- **Phase two** - will deliver a rolling programme of accommodation between July 2014 and July 2016

This EIA covers **Phase one** only. The output of Phase one will inform the development and timelines of Phase two.

Phase one of the project aims to deliver efficiencies and improvements in the use of traditional residential and nursing care accommodation in Brent.

The proposed 'accommodation plus' options will support independence and provide choice in how and where clients live. This will involve extensive work with Planning & Development and Providers with the aim of meeting people's needs better at home and using new models of care and support in the community.

A residential client will live in a home with access to on-site personal care such as help with washing, dressing and medication. For those with a particular disability or illness, that requires nursing care on a frequent basis, a nursing home may be more appropriate.

Annual spend on residential and nursing care in Brent is currently £39.2m. The potential costs are even more significant when according to projections, the need for residential or nursing care accommodation may increase by as much as 31% by 2020.

This project presents an opportunity and challenge, from late 2015 onwards, allow innovation in accommodation solutions for Adult Social Services clients, by working with providers or other Local Authorities to:

- Identify new accommodation options (such as current council land, and opportunities in regeneration areas)
- Redevelop current residential and nursing care facilities to further reduce the reliance on existing residential and nursing care.

Two new facilities are currently being developed which will provide 40 units in January 2015 and 100 units in April 2016. To meet the council's short term requirements by 2016, a further 200 units of Accommodation plus capacity is required to be developed. Phase one comprises the delivery plan to develop this model. Phase two will comprise the implementation of the model developed in phase one.

In summary, this project will seek to deliver the following:

- Support individuals to live independently in the most appropriate setting by delivering a wider range of 'accommodation plus' options.
- In May 2013, the ASC DMT considered that, in theory, investing £2.2m per year in development costs, (Phase two) could save £6.2m a year in accommodation costs, generating savings of £4m. Target savings are therefore £500k (20015/16), and £4.1m (2016/17).

The development of accommodation options for clients with a Learning Disability, Physical Disability, or Mental Health needs, and accommodation for older people is in scope of this project.

The implementation of the preferred accommodation model(s) is out of scope and will be managed as part of Phase two of this project.

### **3. Describe how the policy will impact on all of the protected groups:**

#### Age

We acknowledge that the greatest proportion of service users impacted will be the elderly who form 62 % of the total. This is reflected in the number of accommodation plus units allocated to this category in Phase 2 which is 93 out of 200 units.

#### Disability

18% of service users have a learning disability and a further 6% impacted are those with a physical disability. Consequently, 22 of the initial 200 units will cater specifically for the disabled, ensuring appropriate adaptations are put into place to create an even better environment which is fully conducive to the needs of the disabled individual in the best way possible. This will result in a positive impact for this category of people.

#### Race

We recognise that under race, the most impacted category will be 'White - British/ Welsh/ English / Scottish / Northern Irish', who form 28% of this protected group followed by 'Black or Black British – Caribbean' who form 11% of this group. There is a neutral impact on this category of individuals.

#### Religion or Belief

We do not hold information on the religious background of 50% of the service users, however from the information we have available, the most impacted category will be 'Church of England' who form 10% of the current users. Overall there is a potential adverse impact on this category because depending on the location of their accommodation, they may not be able to access places of worship as easily as they can do currently. We will consult with the Brent Multi-Faith Forum to look at options to address this concern.

#### Gender

There will be an equal impact on gender, bearing in mind that the gender is unknown for 15% of service users.

#### Gender Reassignment

At present there is no information and we do not anticipate that there will be any

impact.

### Sexual Orientation

At present there is no information and we do not anticipate that there will be any impact.

### Pregnancy and Maternity

At present there is no information and we do not anticipate that there will be any impact. We will ensure that we gather this information for Phase 2. The approach is focused on continuing to address individual needs appropriately, Whilst there may be a change in the way the service is provided, the level of service will continue to be met and every attempt will be made to ensure all the needs of the protected groups are met.

Even though we are currently aware about which particular groups will be affected by the alternative 'accommodation plus' options, at this stage we do not know the extent to which these individuals will be affected. This is due to the fact that Phase 2 will include the assessment process therefore currently we are unable to assess where the impact will be. Before commencing Phase 2, we must undertake a consultation, to check whether there are any further impacts on any of the equality groups that we have not yet identified. It must be noted that the decision to move a service user from residential care will only be taken where it is appropriate to do so, following a formal assessment process which will form part of Phase 2.

Equalities assessments will be carried out before the implementation of the preferred accommodation model in Phase 2 of the project.

### **Please give details of the evidence you have used:**

National evidence suggests that this approach has the capacity to bring significant improvements to people's quality of life by moving away from a limited selection of traditional accommodation settings to a diverse range of accommodation settings which better support the individual needs as mentioned in section 2 of this Equality analysis.

There is broad recognition that for some people residential/nursing care will continue to offer the best solution, as these individuals will continue to require significant levels of care and support, but that there are people within existing residential care homes that could be better supported in more independent accommodation and who have the potential to achieve greater personal independence.

This will need to be determined on a case by case basis but the consensus amongst the Commissioning Teams and Contract Managers within Adult Social Care is:

- There are older people living in Residential Care who could be supported better in Extra Care;
- There are people with a learning disability living in Residential Care who would be better supported in Supported Living or Extra Care;
- There are people living in Extra Care who would be better supported in Sheltered Housing;
- People living with a mild to moderate dementia can live well in suitably designed and staffed Extra Care;
- People with a physical disability can, in many cases, be better supported in Extra Care or suitably adapted sheltered or general needs housing.

- Extra Care should not be seen as only for older people and that it should also be seen as a viable accommodation option for many younger adults with support needs.

#### Service User Profile April 2014

Current Client Group as per ASC data	Nursing	Residential	Grand Total
Adults - Learning Disability 18-64 Residential & Nursing Care	8	240	248
Adults - Mental Health Residential & Nursing	3	67	70
Adults – Older People Services Residential & Nursing Care	450	501	951
Adults – Physical Disability 18-64 Residential & Nursing Care	51	32	83
<b>Grand Total</b>	<b>512</b>	<b>840</b>	<b>1352</b>

We envisage this capacity being split across groups as per the table below:

Client Group	Accommodation Plus Capacity Units Needed (needed for Phase two)	Current quota (including self funders)
<b>Learning Disabilities</b>	62	248
<b>Older People</b>	93	951
<b>Mental Health</b>	22	70
<b>Physical disability</b>	22	83
<b>Total</b>	<b>200</b>	<b>1352</b>

In the longer-term it is estimated that at least 600 units in total will be required, and the approach developed through this commission will assist the Council in achieving this longer-term target

#### The following data includes both residential and nursing care service users

Residential & Nursing Care Gender	Learning Disability 18-64	Mental Health	Older People Services	Physical Disability 18-64	Grand Total
Female	97	8	471	24	600
Male	149	58	288	56	551
Unknown	2	4	192	3	201
<b>Grand Total</b>	<b>248</b>	<b>70</b>	<b>951</b>	<b>83</b>	<b>1352</b>

Residential & Nursing Care Age	Learning Disability 18-64	Mental Health	Older People Services	Physical Disability 18-64	Grand Total
<b>18-29</b>	<b>36</b>	<b>5</b>	<b>0</b>	<b>2</b>	<b>43</b>

<b>30-39</b>	<b>36</b>	<b>3</b>	<b>0</b>	<b>5</b>	<b>44</b>
<b>40-49</b>	<b>62</b>	<b>20</b>	<b>0</b>	<b>13</b>	<b>95</b>
<b>50-59</b>	<b>76</b>	<b>30</b>	<b>3</b>	<b>28</b>	<b>137</b>
<b>60-69</b>	<b>33</b>	<b>9</b>	<b>65</b>	<b>28</b>	<b>135</b>
<b>70 +</b>	<b>3</b>	<b>1</b>	<b>692</b>	<b>4</b>	<b>700</b>
<b>Age Unknown across all 4 categories</b>					<b>198</b>
				<b>Total check</b>	<b>1352</b>

<b>Residential &amp; Nursing Care Race</b>	<b>Learning Disability 18-64</b>	<b>Mental Health</b>	<b>Older People Services</b>	<b>Physical Disability 18-64</b>	<b>Grand Total</b>
	2	2	191	3	198
-			13		13
Asian or Asian British - Any Other Asian Background	10	5	35	10	60
Asian or Asian British - British Asian	2	1	7	1	11
Asian or Asian British - Chinese	1		3	1	5
Asian or Asian British - East African Asian	2		3		5
Asian or Asian British - Indian	24	1	59	9	93
Asian or Asian British - Mixed Asian			2		2
Asian or Asian British - Pakistani	8		4		12
Black or Black British - African	14	4	11	4	33
Black or Black British - Any Other Black / African / Caribbean Background	9	21	17	2	49
Black or Black British - Black British	8	2	14	3	27
Black or Black British - Caribbean	31	2	115	4	152
Black or Black British - Mixed Black			1	1	2
Mixed / Multiple - Any Other Mixed / Multiple Ethnic Background		1			1
Mixed / Multiple - Black and Asian			1		1
Mixed / Multiple - Black and White			2		2
Mixed / Multiple - White and Black					1

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Date

African			1		
Mixed / Multiple - White and Black Caribbean	1				1
Not Stated / Undeclared - Did not wish to reply			1		1
Not Stated / Undeclared - Form not completed		9	9	1	19
Not Stated / Undeclared - Not Known			6		6
Other Ethnic Groups - Any other group	1	2	9	4	16
White - British/ Welsh/ English / Scottish / Northern Irish	93	10	255	20	378
White - Form not completed			1		1
White - Irish	23	1	93	12	129
White - Mixed white	1		2		3
White - Other white, white unspecified	18	9	96	8	131
<b>Grand Total</b>	<b>248</b>	<b>70</b>	<b>951</b>	<b>83</b>	<b>1352</b>

Residential & Nursing Care <b>Religion</b>	Learning Disability 18-64	Mental Health	Older People Services	Physical Disability 18-64	Grand Total
Anglican			1		1
Baptist	3		9		12
Buddhist			2	1	3
Catholic	20	3	72	8	103
Christian	32	2	63	9	106
Church of England	35	1	105	2	143
Greek Orthodox	2		8		10
Hindu	23	2	48	9	82
Jainist	1		4		5
Jehovah Witness			2	1	3
Jewish	20		50	1	71
Methodist	4		13		17
Muslim	14		15	4	33
No Religion	5	2	17	2	26
Not Known	56	58	465	36	615
Other Religion	1		3	1	5
Pentecostal	2		1		3
Rastafarian		1			1
Roman Catholic	29	1	69	9	108

Seventh-Day Adventists			2		2
Sikh			1		1
Undeclared	1		1		2
<b>Grand Total</b>	<b>248</b>	<b>70</b>	<b>951</b>	<b>83</b>	<b>1352</b>

**4. Describe how the policy will impact on the Council's duty to have due regard to the need to:**

**(a) Eliminate discrimination (including indirect discrimination), harassment and victimisation;**

Every single service user has an individual needs led assessment which includes social care eligibility and takes into account all the issues around the protected groups. A support plan will be put into place which will meet the needs of people with all the protected characteristics appropriately

The accommodation plus setting will provide service users with the choice of how and where to live, in an environment which is fit for purpose, yet at the same time promoting independence. Appropriate care packages will still be in place, as they are currently, to meet the needs of the individuals

Those required to do so, will still remain in traditional residential settings. Other considerations include the implications of welfare reform, on the affordability of accommodation options for clients and the impact of any changes in central government policy or direction.

**(b) Advance equality of opportunity;**

Brent has produced its first Market Position Statement (MPS) which aims to signal our intention to share better, more transparent information with the market; for the benefit of both current and potential providers of Accommodation Based Care and Support Services (ABCSS). It will support better relationships between Commissioners and service providers, acting as a foundation for better engagement and partnership working resulting in a full range of services that fully meet the needs of people as close to home as possible and to promote real choice for local people.

The following four principles guide our thinking around how we develop models of ABCSS going forward:

- **Principle 1:** Wherever possible we meet people's needs at home or as close to home as possible and we will build local capacity in the marketplace to achieve this
- **Principle 2:** We recognise that the needs of individuals may change over time, and we work with individuals receiving care and support to review the services they receive in line with these changes; which may mean a change in service provision to better meet their needs
- **Principle 3:** We work proactively with the market to ensure that services are always of an excellent quality and value for money is always achieved.
- **Principle 4:** For local people, who genuinely need residential or nursing care, we actively review and monitor the quality of these services, to ensure they are safe, personalised, and deliver excellent quality and good outcomes for individuals.

The Brent Health and Wellbeing Strategy 2012-2015 stipulates that people will need to take on much greater personal responsibility for their own wellbeing, making the right choices when these are open to them. At the same time, recognising those people who

are vulnerable or at risk, so that we can focus on keeping people safe, prevention and early help for them.

Finally, if we discover that a particular protected group are excluded – we will target them.

**(c) Foster good relations**

The accommodation plus options developed will remain constant and supports the fostering of good relations by enabling all relevant clients in the borough to access the services they need.

No changes to the level of the service are proposed, other than opportunities identified during the phase one to improve the both quality of service delivery and the commitment by Brent to support local residents to stay at home for as long as possible or as close to home for as long as possible with excellent quality, personalised care and support.

It must be noted that Adult Social Care play an important role in ensuring that older people; physically disabled and those with learning disabilities access the right support within the community. Also in doing so, Adult Social Care support social inclusion for these groups within the wider community in Brent.

**5. What engagement activity did you carry out as part of your assessment? Please refer to stage 3 of the guidance.**

This is a predicative process and consultation has not been undertaken as yet. Phase one is about identifying the accommodation model and financial viability. Phase two will involve a consultation process' when we will engage with service users; their families and carers, their care providers and clinicians where appropriate, to understand their needs and whether there could be any negative impact which we have not yet identified This will form the basis of the decisions about future accommodation plus options.

**i. Who did you engage with?**

n/a

**ii. What methods did you use?**

n/a

**iii. What did you find out?**

n/a

**iv. How have you used the information gathered?**

n/a

**v. How has it affected your policy?**

n/a

**6. Have you identified a negative impact on any protected group, or identified any unmet needs/requirements that affect specific protected groups? If so, explain what actions you have undertaken, including consideration of any alternative proposals,**

**to lessen or mitigate against this impact.**

Please refer to stage 2, 3 & 4 of the guidance.

We anticipate a positive impact in relation to religion or belief as the accommodation plus sites will be more evenly distributed across the borough, increasing the potential to live much closer to a place of worship. To enhance this positive impact, we will consult with the Brent Multi Faith Forum on how best to improve access to places of worship and community support for service users moving into the new accommodation.

The levels and type of service provision will remain as at present. On the contrary, they will have the choice and independence to decide how and where they live.

It is recognised that for older people, relocation may cause emotional distress and orientation issues in their new surroundings. To mitigate this, it will be necessary to offer a 'resettlement package' to ensure that appropriate support and assistance are in place, both during and after the move.

For those with a physical disability, the transition from a residential care setting to a semi independent setting will require practical support to help them settle in their new surroundings.

**Please give details of the evidence you have used:**

The evidence comprises the operational data, process and financial information provided by officers and other contacts during the preparation of this report, along with the specific feedback from client commissioners in respect of service quality.

**7. Analysis summary**

Please tick boxes to summarise the findings of your analysis.

<b>Protected Group</b>	<b>Positive impact</b>	<b>Adverse impact</b>	<b>Neutral</b>
<b>Age</b>	X		
<b>Disability</b>			X
<b>Gender re-assignment</b>			X
<b>Marriage and civil partnership</b>			X
<b>Pregnancy and maternity</b>			X
<b>Race</b>			X
<b>Religion or belief</b>	X		
<b>Sex</b>			X
<b>Sexual orientation</b>			X

**8. The Findings of your Analysis**

Please complete whichever of the following sections is appropriate (one only).

Please refer to stage 4 of the guidance.

**No major change**

Your analysis demonstrates that:

- The policy is lawful
- The evidence shows no potential for direct or indirect discrimination
- You have taken all appropriate opportunities to advance equality and foster good relations between groups.

Please document below the reasons for your conclusion and the information that you used to make this decision.

The analysis has not identify potential direct or indirect discrimination at this stage of the project. We will need to consult with service users to ensure there is no potential discrimination in Phase 2 The levels and type of service provision will remain as at present.

The accommodation plus options will provide choice and independence to decide how and where service users may live.

**9. Monitoring and review**

Please provide details of how you intend to monitor the policy in the future.

Please refer to stage 7 of the guidance.

During Phase two, implementation of the rolling programme of accommodation, a project board will be in place to monitor project activities and ensure no policy change is considered or undertaken without further consultation, review and appropriate approvals.

**10. Action plan and outcomes**

At Brent, we want to make sure that our equality monitoring and analysis results in positive outcomes for our colleagues and customers.

Use the table below to record any actions we plan to take to address inequality, barriers or opportunities identified in this analysis.

Action	By when	Lead officer	Desired outcome	Date completed	Actual outcome
We will monitor the allocation of accommodation plus units to ensure that it is proportionate to all the groups who are impacted. We will also undertake consultation with service users.					

Please forward to the Corporate Diversity Team for auditing.