



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

Appendix 1 - Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption, is considered to outweigh the public interest in disclosing the information.

Appendix 2 - Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph(s) 16 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL NEATH PORT TALBOT SOCIAL CARE HEALTH & WELL-BEING CABINET BOARD

21 October 2021

Report of the Director of Social Care, Health and Housing

Matter for Decision

Wards Affected Glynneath

CLOSURE OF TREM Y GLYN RESIDENTIAL CARE HOME UPDATE REPORT

1. Purpose of the Report

1.1 The purpose of this report is to inform Members of the outcome from discussions with the Pobl Group ("Pobl"), in relation to the

continued operation of Trem Y Glyn Residential Care Home (“Trem Y Glyn”) until 31st March 2025.

1.2 The report provides the details on the available options for the future of Trem Y Glyn and asks Members to consider and approve one of these available options for Trem Y Glyn.

2. Executive Summary

2.1 In 2016, Cabinet approved the proposal for Trem Y Glyn to close by 31st March 2022. The reasons for this can be found in Background papers 7, 8 and 9.

2.2 In recognition that the closure of Trem Y Glyn would result in a loss of a local resource and that the levels of demand for Care Home placements in 2019 outstripped supply, Officers entered into discussions with Pobl to explore the feasibility of retaining Trem Y Glyn for a period of up to a further three years.

2.3 This report presents to Members the outcome of those discussions with Pobl and outlines three options for Members to consider:

- **Option 1 – Continue with the planned closure of Trem Y Glyn by 31st March 2022.**
- **Option 2- Enter into a new contract with Pobl to retain Trem Y Glyn for a period up to 31st March 2025.**
- **Option 3 – Enter into a new contract with Pobl to retain Trem Y Glyn for a period up to 31st March 2023, with an option for a contract extension up to 31st March 2025, which will be considered in September 2022 pending a better understanding of how COVID-19 will impact on future social care services and demand.**

2.4 If Members are minded to approve Option 2 or Option 3, then there would be two different funding arrangements for Member consideration and agreement:

- **Funding Arrangement A – Pobl maintain repairs and maintenance liabilities.**
- **Funding Arrangement B - Pobl have liability for smaller repairs and maintenance works capped at under £1,000, with Neath Port Talbot County Borough Council (“the Council”) having responsibility to fund all other repairs and maintenance costs.**

3. Background

3.1 History

3.1.1 The Council entered into a contract with Gwalia (now known as the Pobl Group), to take over the operation of all Council run Care Homes for older people (Background Paper 10). This contract is for a period of 25 years and allows both parties three periods of review within the contract term.

3.1.2 The original contract made provision for Pobl to build four new homes in the areas of Neath, Port Talbot, Glynneath and Cymmer to replace the existing care homes in those areas. Two of the Care Homes were subsequently developed; Lllys Y Seren in Port Talbot (2015) and Plas Bryn Rhosyn in Neath (2016).

3.1.3 Contract negotiations commenced in 2016, in which a number of changes to the original contract was proposed. One of these proposals was to cease the development of a new Care Home in Glynneath and to close the existing Care Home by 31st March 2022 (Background Paper 9).

3.1.4 These proposed contract changes were subject to public consultation, the results of which were presented to Members on the

13th October 2016 (Background Paper 8). In this meeting, Members approved the development of a new home in Glynneath be halted and that the existing facility continue to operate until 31 March 2022 (Background Paper 7).

3.1.5 Subsequently, Members agreed on 16th March 2017 to the proposed Heads of Terms for the new contract with Pobl, which included provision for Trem Y Glyn to remain open until 31st March 2022 (Background Papers 6 and 5).

3.1.6 In September 2019, Officers requested permission to review the options for Trem Y Glyn to continue operations post March 2022 (Background Paper 4). It was acknowledged, at the time, that the closure of Trem Y Glyn would result in the loss of a well-regarded local recourse, which had enjoyed a high occupancy rate and prompt filling of vacancies. The basis of this request was due to the high occupancy rates both in Trem Y Glyn and the wider Care Home market in Neath Port Talbot.

3.1.7 A further paper was brought back to Members on 1st April 2021 with the outcome of discussions with Pobl, which noted that Pobl were willing to continue operating Trem Y Glyn until March 2025 and that officers had worked with Pobl to agree this revised date. (Background Paper 2). Since this report was presented to Members, Officers have continued discussions with Pobl in order to determine the new contractual requirements for the provision of services in Trem Y Glyn for the period 1st April 2022 until up to 31st March 2025.

3.1.8 The current contract requires Pobl to present an exit strategy for the closure of Trem Y Glyn by the end of September 2021. Without entering into any new agreement with Pobl, the default position, as per the contract, is for Trem Y Glyn to close by the end of March 2022. Pobl have indicated that they would require the Council to enter into a new agreement with them by September 2021 (or at the earliest opportunity), if the intention is to retain Trem Y Glyn post March 2022.

3.1.9 This deadline of September 2021 to conclude negotiations for an alternative closure date is required to allow Pobl to commence an effective, legal and safe closure of Trem Y Glyn.

3.2 Overview of Trem Y Glyn

3.2.1 Trem Y Glyn is located in Glynneath and is the only Care Home in that valley area. It is registered with Care Inspectorate Wales (CIW) to deliver care to up to 30 people, however due to three of these beds being located in an external bungalow, Pobl actually operate a total of 27 residential care beds. The Care Home provides support for people aged 60+, including people with dementia or mental infirmity.

3.2.2 Trem Y Glyn is very well regarded by residents and until 2020 enjoyed high occupancy rates. Since the beginning of the COVID-19 pandemic, occupancy numbers within Trem Y Glyn has fallen. This reduction in occupancy numbers is replicated across other Care Homes in Neath Port Talbot (see section 3.3 “*Current Social Care Market in Neath Port Talbot*” in this report).

3.2.3 CIW last inspected the service on 18th October 2019 (Background Paper 3). The overall assessment of Trem Y Glyn was positive and CIW noted that “people are happy”. There were no improvement notices issued to the Care Home as a result of that inspection.

3.2.4 A programme of refurbishment has taken place within Trem Y Glyn, including a new roof, upgraded bedrooms and updated communal areas. However, it is accepted that the building is coming towards the end of its operational life, which will result in increased maintenance, repair and capital costs if it was to remain open post March 2022.

3.2.5 The age of Trem Y Glyn means that the environment is not fully optimised in terms of best practice for Care Homes. For example, Regulation 50 of *Welsh Government Statutory Guidance for Service Providers and Responsible Individuals on Meeting Service Standard*

Regulations for Care Homes, requires Care Homes to provide en-suite bathrooms. Trem Y Glyn does not have any en-suite bathrooms and although dispensation has been given for Care Homes registered prior to the implementation of the *Statutory Guidance*, this demonstrates the weakness in Trem Y Glyn's building environment.

3.3 The Current Social Care Market In Neath Port Talbot

3.3.1 The landscape for Care Home provision has significantly changed since Officers first requested permission to review the options for keeping Trem Y Glyn open post March 2022 (Background Paper 4), with the social care market experiencing high levels of instability due to the impact of COVID-19.

3.3.2 One of the main reasons for Officers wishing to reconsider the closure date for Trem Y Glyn was the then overall high occupancy rates in Care Homes across Neath Port Talbot in 2019 of between 90-100%.

3.3.3 Sadly, COVID-19 has had a significant impact on the occupancy levels of Care Homes both in Neath Port Talbot and across Wales. When considering the options for Trem Y Glyn, members may find it useful to refer to the exempt report presented to the Social Care, Health and Well-being Scrutiny Committee on 16th September 2021 "*Impact of COVID-19 on the Sustainability of Older People Care Homes in Neath Port Talbot*" (Background Paper 1). This report provides the wider context in which the decision on Trem Y Glyn's closure date is to be made.

3.3.4 Tables 1-3 below demonstrates the significant changes in demand for Care Home placements pre and post pandemic:

Table 1: Care Home Admission Rates – All Homes

Year	Number of Admissions
2017/18	216
2018/19	196
2019/20	230
2020/21	178

Table 2: Available Vacancies in Pobl Homes

Date	Available Vacancies - All Pobl Homes	Available Vacancies -Trem Y Glyn
09/08/19	3	1
27/07/20	5	2
30/07/21	18	3

Table 3: Trem Y Glyn Occupancy Levels

Date	Occupancy Level %
March 2018	93%
March 2021	85%
July 2021	89%

3.3.5 In addition to the 18 vacancies across all Pobl Care Homes, the Council has placed six people into Pobl Care Homes to receive an extended care service. Extended care is a temporary placement, in which the person is expected to return home within a 12 month period. This means that up to a further six beds are likely to become vacant in Pobl Care Homes within the next 12 months.

3.3.6 The notable difference in the demand for Care Home placements has required Officers to reconsider the benefits and disadvantages of retaining Trem Y Glyn post March 2022. Neath Port Talbot has moved from a position of insufficient available Care Home beds to a large surplus of Care Home beds. Furthermore, although it has always been acknowledged that the demand for Care Home placements would reduce due to people wishing to remain in their own homes, the impact of COVID-19 has rapidly accelerated this position.

3.3.7 Alongside these changes to the Care Home market, people with more complex care and support needs are now more likely to be supported within their own homes. This can be evidenced by the increasing numbers of people living in Neath Port Talbot that are in receipt of double staffed domiciliary care calls and the increased number of hours arranged by the Council. This demonstrates that the

demand for Care Homes will continue to drop as more complex needs can be supported in the community and Care Homes are not a person's first choice of care.

Table 4: Domiciliary Care Arranged by the Council – Snapshot in July over the Last Three Years

		July 2019	July 2020	July 2021
Daily Average Calls	Single staffed	1,279	1,292	1,319
Daily Average Calls	Double Staffed	530	651	661
	Clients	661	732	740
	Providers	14	16	20
	Daily Average Hours	1,310	1,429	1,453

3.3.8 Domiciliary Care is also a more cost effective provision than Care Homes. As at 16.08.21, the total weekly cost of an externally commissioned domiciliary care package (i.e. a package not delivered by the Council's Community Wellbeing Team) was £196,760, representing an average cost of £259.58 per person, per week.

3.3.9 Accordingly, it would be appropriate for the changed market position to be considered when determining whether the retention of Trem Y Glyn post March 2022 represents best use of public resources. This is because Members are being asked to consider allocating additional funding from the Social Care budget to maintain 27 Care Home beds (at a much higher cost than the Neath Port Talbot contract price of £619.96 per week) for up to an additional three years, at a time where there is a large surplus of Care Home beds across Neath Port Talbot and at a time where demand for Care Home placements is low.

3.3.10 However, the care market in Neath Port Talbot and across Wales is in a state of flux due to the impact of COVID-19 and it is difficult for Officers to predict with accuracy what the impact of Trem Y Glyn closing may have on the ability for Officers to appropriately react to these changes. The current challenges within the wider health and social care system that may impact on demand for Care Home placements and the decision on Trem Y Glyn's closure date within the next 12 months is as follows:

- **Public Health Wales guidance requires Care Homes experiencing a COVID-19 incident to suspend new admissions and restrict visitation. As at 13.09.21 nine Care Homes were closed to admissions, including all four Pobl Care Homes. In addition, it is not possible to move people into a Care Home if they are positive for COVID-19. The number of Care Homes that are required to close fluctuates, however the numbers have been significantly increasing. The risk is that high case rates could delay a planned move if the new Care Home has to temporarily close due to a COVID-19 incident or the resident tests positive for COVID-19.**
- **A safe transfer of residents requires a significant amount of support from Social Services, currently the department is experiencing unprecedented resource pressures. As highlighted in the *“Impact of COVID-19 on the Sustainability of Older People Care Homes in Neath Port Talbot”* (Background Paper 1), there is a risk of Care Home failure within the next 12 months. This could result in Social Services needing to support the closure of Trem Y Glyn at the same time as another Care Home, greatly adding to current pressures.**
- **Since September 2021, Officers have overseen the closure of a Care Home located in Powys and the closing of nursing provision within a Neath Port Talbot Care Home. This resulted in Officers supporting the relocation of 14 people into new Care Homes. At this point in time it is difficult to predict how many Care Home beds may be required to support the relocation of residents due to additional Care Home closures. However, the reduction of beds within Trem Y Glyn may potentially add further pressures to a requirement to find new placements for existing residents in Neath Port Talbot if there are further Care Home closures.**

- **Swansea Bay University Health Board are currently facing significant pressures in relation to the timely discharge of medically optimised patients. Some of this pressure is as a result of capacity challenges within the social care sector. In response to these challenges, Officers within the Council and Health Board have been working with Care Homes to implement new pathways for patients identified as requiring long term social care support, which may impact on the wider availability of Care Home beds. These pathways include transferring medically optimised patients into a Care Home whilst waiting for their community social care services to commence (e.g. domiciliary care) and discharging medically optimised patients into Care Homes in order to undertake an assessment of the patients longer term care needs outside of a hospital setting.**
- **Since August 2021, domiciliary care providers have seen significant workforce pressures due to unprecedented numbers of staff leaving the care sector and the inability to recruit new workers into vacant posts. As a result, it has been necessary to temporarily move some people into a Care Home whilst they wait for a package of domiciliary care to commence. In addition, a number of domiciliary care agencies have been unable to continue delivery of care to some people as a result of staff leaving, requiring Officers to source alternative domiciliary care provision at short notice (in some cases with less than 48 hours' notice). To date Officers have been able to source alternative support so that those impacted can continue to be cared for within their home. However there is a risk that further pressures within domiciliary care may result in a need to move some people into temporary Care Home placements whilst alternative community provision can be sourced. The**

pressures within domiciliary care may result in a short term additional need for Care Home beds.

3.4 Potential Options for Trem Y Glyn

Option 1: Continue with the Planned Closure of Trem Y Glyn by 31st March 2022

3.4.1 This is the default position in line with the renegotiated terms of the 2017 Pobl contract, which was agreed by Members in 2017 (Background Paper 5 and 6).

3.4.2 Pobl are due to submit a service exit strategy in September 2021, setting out how they plan to close the care home by 31st March 2022. There would be no changes to the current contractual terms, including the fee payable to Pobl whilst the home continued to operate.

3.4.3 The Council would work with Pobl to transfer residents into new Care Homes. In addition, the Council and Pobl would work to try and find alternative employment for staff members where possible (please see the “*Workforce Impacts*” at section 7 of this report).

Option 2: Enter into a new contract with Pobl to Retain Trem Y Glyn up to 31st March 2025

3.4.4 Option 2 would require the Council to enter into a new agreement with Pobl, on new terms and conditions. This contract would be for a period of three years.

3.4.5 Under this option, the Council would agree to change the number of beds purchased from the current 80% of available beds to 100% of available beds.

3.4.6 This arrangement would also require the Council to agree a staffing structure for the home and agree to pay the costs of any

additional staff over and above that agreed structure that may be required to safely operate the service.

3.4.7 Pobl have presented two different funding arrangements for maintaining the home until 31st March 2025, full details of these options can be found in Section 4 “*Financial Impact*” of this report.

3.4.8 Pobl have stated that they would be unable to extend the contract after March 2025. In September 2024, or at the point of invoking a break clause, Pobl will provide the Council with a service exit strategy setting out the plans for closing the Care Home.

3.4.9 As with Option 1, the Council would work with Pobl to transfer residents into new Care Homes. Pobl will try to find alternative employment for the staff members where possible, the Council have agreed that staff who transferred from the Council’s employment to Pobl in 2012 would be placed on the Council’s redeployment list (please see “*Workforce Implications*” at section 7 of this report).

Option 3 – Enter into a new contract with Pobl to retain Trem Y Glyn for a period up to 31st March 2023 with an option for a contract extension up to 31st March 2025, which will be considered in September 2022, pending a better understanding of how COVID-19 will impact on future social care services and demand

3.4.10 Option 3 would require the Council to enter into a new agreement with Pobl, on new terms and conditions. This contract would be for a period of one year, expiring on 31st March 2023, with an option to agree an extension of this contract for a period of up to a further two years expiring on 31st March 2025.

3.4.11 The details of the contract under this option are the same as for option 2, as set out in paragraphs 3.4.5 to 3.4.9. The only difference would be that a report will be returned to Members in September 2022 with options to either enter into the contract extension to retain Trem Y Glyn for an additional period of up to two years, or to continue with the

closure of Trem Y Glyn by 31st March 2023. If the decision is to continue with the closure of Trem Y Glyn by March 2023, then Pobl's service exit strategy would be provided to the Council in September 2022.

3.4.12 The main reason for Members to consider a 12 month extension of services is due to the continuing COVID-19 pandemic, which may present challenges to the relocation of residents in March 2022 and the ability for Officers to respond to the current pressures facing the wider social care market, as set out in paragraph 3.3.10. Delaying the closure of Trem Y Glyn by 12 months will allow the Council to obtain a better understanding of the medium to long term impacts of COVID-19 and to implement plans accordingly.

4. Financial Impacts

4.1 Financial Impacts Relating To All Options

4.1.1 As agreed by Members on 16th March 2017 (Background Paper 5), the Council is required to reimburse Pobl for severance costs incurred. Until we are able to determine the numbers of staff that have been redeployed into alternative roles, it is not possible to provide a firm figure of what this cost may be. As an indication, the Council made a payment of £247,642 for redundancy costs relating to the closure of Arwelfa in 2017.

4.1.2 In response to concerns around the impact of additional travel on families visiting relatives that have been moved from Trem Y Glyn, it was agreed that the Council would fund specific time-limited transport provision in proven cases of hardship. The costs associated with this will be determined as part of the service exit strategy planning.

4.1.3 On the closure of Trem Y Glyn, the Council will take back the capital asset, which the Council may then look to either redevelop or sell. This may bring in additional income for the Council.

4.2 Additional Financial Impacts Only Relating To Option 1:

4.2.1 This option would realise financial savings for the Council, as we would no longer be liable to pay the current contract fee of £946,343 per annum for the Trem Y Glyn beds.

4.2.2 Over the last 6 months, the Council has paid on average £125,000 per month on void bed payments in Pobl Care Homes. Transferring some of the Trem Y Glyn residents into these vacant beds would represent a better use of Council resources as it would reduce the amount that the Council pay for vacant beds in Pobl Care Homes. Pobl have confirmed that they would be able to accommodate all of the residents from Trem Y Glyn within their other Neath Port Talbot Care Homes.

4.2.3 The current bed price paid to Pobl for beds in Trem Y Glyn is £756.21, in comparison our fees for residential care in non-Pobl Care Homes within Neath Port Talbot is £619.96. As such, placing people that would have moved to Trem Y Glyn into alternative residential Care Homes would realise a financial saving to the Council.

4.2.4 Moving 20 Neath Port Talbot residents from Trem y Glyn into non-Pobl Care Homes would cost £788,619, realising a saving of £157,724 per annum. This saving would increase by £39,000 for each resident that transferred into vacancies across the other Pobl Care Homes.

4.3 Additional Financial Impacts Only Relating To Option 2 and Option 3:

4.3.1 Pobl have stated that Trem Y Glyn is currently operating at a loss for the organisation. In order to be in a position to enter into a new agreement to keep Trem Y Glyn open until March 2023 or 2025, Pobl would require the Council to pay full cost recovery, as they need to achieve and maintain financial sustainability as a care and support provider.

4.3.2 The new costs for the Council would include a commitment to purchase 100% of all available beds (27 beds); the current contract is for 80% of all available beds. There would also be a need for the Council to agree an increased bed price to cover the losses Pobl currently face with operating Trem Y Glyn.

4.3.3 Two different funding arrangements has been proposed by Pobl, Appendix 1¹ provides a full itemised break down of the costs for both funding arrangements proposed by Pobl. Table 5 (below) sets out the cost difference of each of these proposed funding arrangements. Table 5 also provides a comparison with the current rate paid by the Council to Pobl for Trem Y Glyn and the price paid by the Council to non-Pobl Residential Care Homes in Neath Port Talbot.

4.3.4 The new costs provided by Pobl may further increase each year in line with changes to National Living Wage, as the contract will require the Council to meet the financial implications of changes to pensions and legal/regulatory changes. This means that there are potentially additional financial costs for Option 2 that cannot yet be confirmed.

4.3.5 The additional funding required to retain Trem Y Glyn for up to a further 12 or 36 months would need to be found from the Social Services budget, against which there are a range of financial commitments that need to be accounted for. Moines allocated to Trem Y Glyn for these additional years would mean less money to spend on wider areas of priority for Social Services. It is worth noting that 24 people (i.e. current occupancy rate in Trem Y Glyn) represents 0.83% of adults that the Council arranges care for.

¹ Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption, is considered to outweigh the public interest in disclosing the information.

4.3.6 In addition to the above additional cost considerations, Option 2 and Option 3 would mean that the Council would be unable to realise the financial savings attached to the closure of Trem Y Glyn until 2023 or 2025. However, it should be noted that this saving does not form part of the Social Services financial strategy or efficiency targets for 2022/23 – 2024/25.

Table 5: Care Home Bed Costs

Description	Per bed per week £	Total Per Annum Cost £	Per Annum Additional Cost £
Current Non-Pobl Residential Care	619.96	N/A	N/A
Current Trem Y Glyn Cost	756.21	946,343	N/A
Post March 2022 Funding Arrangement A for Trem Y Glyn - Pobl maintain repairs and maintenance liabilities	972.09	1,368,564	422,221
Post March 2022 Funding Arrangement B for Trem Y Glyn - Pobl have liability for smaller repairs and maintenance works capped at under £1,000, with the Council having responsibility to fund all other repairs and maintenance costs	902.83	1,271,056	324,713

4.3.7 Funding arraignment B would require the Council to budget an additional £98,000 per annum towards the estimated costs of repairs and maintenance over £1,000.

4.3.8 Some of the additional costs set out in table 5 (above) could potentially be offset against the Social Services budget by the following:

4.3.9 Continuing to allow Pobl to offer four beds in Trem Y Glyn to self-funding residents: There are currently a number of residents who pay Pobl directly for their Care Home placement, as they do not meet the

financial eligibility criteria for Council funded care. If the Council agreed to allow Pobl to designate four beds to be utilised by people paying for their Care Home placement, this would reduce the total amount payable to Pobl. It should be noted that the self-funder rate is £796.58 and as such the Council would be subsidising their care costs.

4.3.10 Filling the three void beds: There are currently three empty beds in Trem Y Glyn. Moving people into these three beds rather than placing them in non-Pobl Care Homes, would result in a cost avoidance of £619.96 per week. This cost avoidance would reduce the overall additional spend required from the Social Services budget to enter into a new contract for Trem Y Glyn.

4.3.11 Table six (below) sets out the potential additional cost to the Social Services budget in keeping Trem Y Glyn open post March 2022, when taking into account the potential income generation and cost avoidance measures noted in paragraphs 4.3.9 and 4.3.10.

4.3.12 It is important to highlight that the below figures are based on the assumption that the seven beds in question are all fully occupied for every week of the new Contract. For each week that these seven beds are unoccupied, the costs to the Council would increase. Considering that there are 18 vacancies across all Pobl Care Homes in Neath Port Talbot (which the Council are paying for as per the block contract), the low occupancy rates across all Neath Port Talbot Care Homes and the reduced number of admissions into Care Homes, it is unlikely that all three vacant beds would be occupied by 1st April 2022. The likelihood of the three vacant beds being filled under Option 3 is low, as people are unlikely to choose to move into a Care Home that is scheduled to close within 12 months.

Table 6: Total Additional Cost to Social Services Budget Taking into Account Self Funder Payments and New Admissions into Empty Beds

Description	Funding Arrangement A (£972.09 per bed, per week)	Funding Arrangement B (£902.83 per bed, per week)
Per annum additional cost	422,221	324,713

Minus self-funder payments at existing rate for four beds	-166,144	-166,144
Minus cost avoidance on Social Services budget for filling three vacant beds	-96,979	-96,979
Total per annum additional cost to the Council's Social Services budget	159,098	61,590

4.3.13 As previously noted in paragraph 4.3.7, funding arrangement B would also require the Council to budget approximately £98,000 per annum towards the estimated costs of repairs and maintenance over £1,000.

5. Integrated Impact Assessment

5.1 An impact assessment was undertaken in October 2016 (Background Paper 8). This impact assessment indicated that there was a need to justify the proposal.

5.2 Since the original Impact Assessment, there have been additional duties placed on Local Authority decision making, in addition it is wise to revisit the original Impact Assessment given the passage of time.

5.3 A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage impact assessment has indicated that a more in-depth assessment was required.

5.4 An overview of the Integrated Impact Assessment has been included below in summary form only and it is essential that Members read the Integrated Impact Assessment, which is attached to the report at Appendix 3, for the purposes of the meeting.

5.5 Equality Impacts - Closing Trem Y Glyn is likely to have a negative impact on residents, people that may wish to move into the Care Home within the 12/36 months and friends and family of residents, due to their protected characteristics. However, overall the negative impacts identified with closing Trem Y Glyn are not significantly lessened or increased by the closure date, as keeping Trem Y Glyn open for a further 12 /36 months only delays any negative impacts caused by closing the Care Home.

The Closure of Trem Y Glyn is likely to have a negative impact on staff working in the Care Home due to their protected characteristics. However, the negative impacts identified with closing Trem Y Glyn are not significantly lessened or increased by the closure date, as keeping Trem Y Glyn open for a further 12/36 months only delays any negative impacts caused by closing the Care Home. In relation to actions that can be taken to reduce instances of loss of employment, closing Trem Y Glyn in March 2022 would enable the Council to offer interviews for relevant staff to join the Community Wellbeing Team. The Council could not guarantee that they would be in a position to offer staff this opportunity if Trem Y Glyn closed in 2023 or 2025.

Wider Neath Port Talbot residents that may require social care services in the next 12 /36 months are likely to be negatively impacted due to their protected characteristics, if Trem Y Glyn is retained for up to a further three years. This is because of the costs associated with the continued operation of Trem Y Glyn. If the Care Home closed in 2022 rather than 2023 or 2025, this only affects a small number of people when considering there are 2,886 adults currently in receipt of a social care service arranged by the Council. To put this into context, if Trem Y Glyn was at full occupancy, then 27 residents represents 0.94% of adults supported by the Council and 29% of adults in Glynneath supported by the Council.

5.6 Socio Economic Impacts - The closing of Trem Y Glyn is likely to have a negative socio-economic impact on staff, residents, those that would want to move into Trem Y Glyn in the next 12/36 months and

family and friends of residents. However, the negative impacts identified with closing Trem Y Glyn are not significantly lessened or increased by the closure date, as keeping Trem Y Glyn open for a further 12/36 months only delays any negative impacts caused by closing the Care Home.

The closing of Trem Y Glyn in 2022 is likely to have a more positive socio-economic impact on wider Neath Port Talbot residents that may require social services in the next 12/36 months, due to the costs associated with retaining Trem Y Glyn for up to a further three years. The yearly cost of retaining Trem Y Glyn post March 2022 will be around £1,368,564 to £1,271,056 and would need to come from the Social Services budget. There is an opportunity for the Council to reinvest this money into alternative provision that could support a wider range of people requiring social care services across the county borough

5.7 Community Cohesion/ Social Exclusion/Poverty Impacts - The closing of Trem Y Glyn is likely to have a negative impact on community cohesion, social exclusion and poverty. However there are actions that can help minimise this impact. The negative impacts identified with closing Trem Y Glyn are not significantly lessened or increased by the closure date, as keeping Trem Y Glyn open for up to a further three years only delays any negative impacts caused by closing the Care Home.

5.8 Welsh Language Impacts - The closing of Trem Y Glyn will have a neutral impact on a person's ability to use the Welsh Language as there will be an individual assessment of needs for residents that are to move from Trem Y Glyn, which will take into account their Welsh Language needs. This will be the case regardless of the closure date.

5.9 Biodiversity Impacts - The loss of a local Care Home is likely to result in increased motor vehicle use for those visiting the former Trem Y Glyn residents and Trem Y Glyn staff that are redeployed/employed outside of Glynneath. This will have a negative impact on the wider

environment and air quality. The negative impacts identified with closing Trem Y Glyn are not significantly lessened or increased by the closure date, as keeping Trem Y Glyn open for up to a further three years only delays any negative impacts caused by closing the Care Home.

5.10 Well-being of Future Generations Impacts - Retaining Trem Y Glyn for a further 12/ 36 months is not consistent with long term ways of working or prevention, when considering the significant financial impact on the Social Services budget. Investing this funding into other social care services, such as early intervention services, would be more in line with long term ways of working and prevention, as these types of service better supports long term wellbeing.

6. Valleys Communities Impacts

6.1 Valleys Communities Impacts Relating To All Options:

6.1.1 It was recognised in the report presented to Members in October 2016 (Background Paper 8), that the Closure of Trem Y Glyn would result in no Care Home provision within the Glynneath area.

6.1.2 At the time of the 2016 consultation, a key concern of respondents related to the difficulties of families visiting their loved ones if residents were relocated out of the area. It was agreed in October 2016 that the Council would fund specific time-limited transport provision in proven cases of hardship, the details of this support will be developed as part of the exit strategy for Trem Y Glyn. Appendix 4 provides a list of other Care Homes in Neath Port Talbot area and the approximate distance from Trem Y Glyn.

6.1.3 As noted in Section 7 “*Workforce Impacts*” of this report, there is a risk of job losses within the Glynneath area. It is estimated that 73% of those working in Trem Y Glyn live within the local area and 93% live within Neath Port Talbot. However, processes will be put in place by

both Pobl and the Council to try and limit redundancies (please see paragraphs 7.2.1-7.2.2 for details).

6.1.4 In the report brought to Members on 1st April 2021 (Background Paper 2), it was noted that Pobl are intending to commence a new housing development at Park Avenue in Glynneath, with a view of creating an opportunity to reimagine some of the later living options for Glynneath and the wider County Borough area. The intention is for Pobl to develop homes where older people can live independently, but with access to shared facilities and support. This type of development is in line with the increasing preference for community based care that we have seen over the years and will result in increased housing and support opportunities for the older population of Glynneath.

6.1.5 Trem Y Glyn is not the only support option available to residents of the Glynneath area. The Council has arranged care and support services for 93 residents in Glynneath, of which 80 people are over the age of 65. This means that Trem Y Glyn supports around 30% of older people in Glynneath that have had care arranged by the Council. As at the 5th August 2021, there are currently 29 people receiving domiciliary care within the Glynneath area (totalling around 375 hours per week). Over the last three years, 17 people from the Glynneath area moved into Care Homes outside the Glynneath area, this means that not all local residents utilise Trem Y Glyn to meet their Care Home needs.

6.1.6 Whilst having due regard to Valley Communities Impacts, the Council must also have due regard to the public purse and the wider impact of its financial commitments on the County Borough.

6.1.7 It should be noted that the decision to close Trem Y Glyn has already been agreed and that the options within this report relate only to a potential amendment of the closure date. The report brought to Cabinet on 1st April 2021 advised Members that a revised date for closure had been negotiated with Pobl until 31st March 2025. However, due to the additional costs associated with this new closure date, the

legal implications and the changed picture within the Care Home market, this option is now being brought back to Members for decision.

6.1.8 All options will ultimately result in the same impact for the Glynneath Valley area as previously identified in the reports presented to Members in October 2016 (Background Paper 8), the only difference will be the year in which these impacts occur.

6.2 Additional Valleys Communities Impacts Only Relating To Option 1:

6.2.1 Due to the current levels of demand for domiciliary care, the Council will be in a position to offer relevant Trem Y Glyn employees an opportunity to be interviewed for posts within the Community Wellbeing Team. This will further help to minimise redundancy in the area.

6.3 Additional Valleys Communities Impacts Only Relating To Option 2 and Option 3:

6.3.1 The identified negative Valleys Communities Impacts on the 24 current residents of Trem Y Glyn, their families and the 41 staff members, needs to be balanced against wider Council considerations. For example the financial impacts associated with retaining the Care Home for up to an additional three years.

6.3.2 The funding to retain Trem Y Glyn for up to a further three years would need to be taken from other areas of Social Care spend, which would reduce the funding available to support the Social Care needs of both the Glynneath Valley and the wider Neath Port Talbot population.

7. Workforce Impacts

7.1 Workforce Impacts Relating To All Options:

7.1.1 There are currently 41 people working in Trem Y Gyn. The workforce impacts associated with the closure of Trem Y Glyn has not significantly changed since the October 2016 report (Background Paper 8). The advice given in relation to workforce impacts in that report was as follows:

- **As this relates to a contracted service, the workforce issues will be the responsibility of Pobl.**
- **Where possible Pobl will offer alternative employment within their organisation.**
- **Staff that were formerly Council employees before 1st April 2012 will be offered any suitable vacant post in line with the Council's Redeployment Policy.**

7.1.2 It should be noted that the decision to close Trem Y Glyn has already been agreed and that the options within this report relate only to a potential amendment of the closure date. All options will ultimately result in the same impact for the workforce as previously identified in the reports presented to Members in October 2016 (Background Paper 8), the only difference will be the year in which these impacts occur.

7.2 Additional Workforce Considerations Only Relating To Option 1:

7.2.1 Whilst the demand for Care Home placements is in decline, there is an increased need for domiciliary care. In response to the increased demands for domiciliary care, the Council's in-house Community Wellbeing Team has employed 33 people since January 2020.

7.2.2 Due to the continuing pressures for domiciliary care, the Council has a 'rolling' job advert for Community Wellbeing Officers. Many of the skills required to work within a Care Home will be transferable to domiciliary care. As such, if Trem Y Glyn was to close in March 2022, the Council would be in a position to offer relevant Trem Y Glyn employees an opportunity to be interviewed for posts within the Community Wellbeing Team.

7.3 Additional Workforce Considerations Only Relating To Option 2 and Option 3:

7.3.1 As it is difficult to predict the Council's workforce requirements in 2023 or 2025, it is not possible to guarantee that relevant Trem Y Glyn employees will be given an opportunity to be interviewed for posts within the Council's Community Wellbeing Team.

8. Legal Impacts

8.1 Members are asked to refer to Appendix 2² which sets out the legal impacts relating to the options.

9. Risk Management Impacts

9.1 In addition to the risks outlined within this report and Appendix 2, the below is also an area for consideration.

9.2 Additional Risks - Staffing Levels

9.2.1 As part of the negotiation to enter into a new contract with Pobl to retain Trem Y Glyn for up to a further three years, Pobl require the Council to agree and set a staffing structure. This staffing structure is based on full occupancy of the home and the existing level of service/dependency, with any additional staffing requirements funded by the Council.

9.2.2 The Council is not in a strong position to agree staffing levels, as they are unable to determine the levels of staffing needed to respond to the individual needs of each individual placed in the Care Home.

² Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph(s) 16 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

Furthermore, the Council is responsible for ensuring that the quality of care for all placements they commission is to a sufficient standard and is also responsible for investigating safeguarding concerns; by agreeing to this, the Council would potentially be implicated in any quality or safeguarding concerns that related to staffing levels.

10. Consultation

10.1 A consultation process was taken forward in 2016, the results of this consultation was provided to members in October 2016 (Background Paper 8). A further public consultation process has not been undertaken as we are not looking to change the decision on closing Trem Y Glyn.

10.2 As noted in the report presented to Members in October 2016, the majority of respondents were opposed to the closure of Trem Y Glyn. However, Members were reminded within that report of the need to balance the concerns of respondents that have a connection to Trem Y Glyn with the impact of retaining the Care Home on wider Council stakeholders.

10.3 The key concerns raised by people in this consultation were:

- **Concern - the impact of the proposed closure on the wellbeing of residents and the ability to maintain contact.**

Response - The assessment process will ensure that resident's wellbeing is maintained and family will be part of this process.

- **Concern - Transport issues for those that visit residents in Trem Y Glyn if residents are moved out of the area.**

Response - A transport survey was developed to better understand the impact, however none of the surveys were completed. The assessment process for residents that are moved into a new home will address transport issues.

Furthermore, it was agreed that the Council would fund specific time-limited transport provision in proven cases of hardship.

- **Concern – The impact of the closure on the Valley community and the loss of what is regarded as a quality Care Home.**

Response - It was acknowledged that there were no alternative Care Homes in Glynneth.

- **Concern - the proposal would mean people would be offered domiciliary care rather than a Care Home placement.**

Response - it was confirmed that this was not the intention of the proposal.

- **Concern - that the occupancy levels in the home were being manipulated by the Council to support the proposal.**

Response – As part of the contract negotiations the number of beds purchased by the Council will be reduced to 80%

- **Concern - there could be a decline of care if the Trem Y Glyn was scheduled to close.**

Response - Assurances were given that the provider would be required to maintain standards.

- **Concern – it was felt that the Council was going back on promises it had made about replacing the Care Home.**

Response - unfortunately the position had changed since the original plans were developed. The need for residential care has reduced and the Council's financial position has deteriorated.

- **Concern - the loss of employment caused by closing the Care Home.**

Response - Where possible Pobl will look to redeploy staff within their wider organisation. In addition the Council agreed that staff that were formerly Council employees before 1st April 2012 will be offered any suitable vacant post in line with the Council's Redeployment Policy.

11. Recommendations

11.1 It is requested, that having due regard to the integrated impact assessment, members:

- **Agree one of the available options for the future of Trem Y Glyn.**
- **If the chosen option is to retain Trem Y Glyn for either 12 months or 36 months, to also agree the preferred funding arrangement.**
- **To delegate authority to the Director of Social Care, Health and Housing to implement the agreed option and, if applicable, the preferred funding arrangement.**

12. Reasons for Proposed Decision

12.1 To agree the long term future of the Trem Y Glyn facility in Glynneath in light of recent discussions with Pobl.

13. Implementation of Decision

13.1 The decision is proposed for implementation after the three day call in period.

14. Appendices

14.1 Appendix 1: Full Break Down of Trem Y Glyn Costs for Proposed Funding Arrangements (Restricted)

14.1.2 Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph 14 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption, is considered to outweigh the public interest in disclosing the information.

15. Appendix 2: Legal Impacts (Restricted)

14.2.1 Not for publication pursuant to Regulation 5(2) & (5) of Statutory Instrument 2001 No. 2290 and Paragraph(s) 16 of Part 4 of Schedule 12A to the Local Government Act 1972. Pursuant also to Paragraph 21 of the Schedule, and in all the circumstances of the case, the public interest in maintaining the exemption is considered to outweigh the public interest in disclosing the information.

14.3 Appendix 3: Full Integrated Impact Assessment

14.4 Appendix 4: List of Care Homes in Neath Port Talbot Area and the Approximate Distance from Trem Y Glyn.

16. List of Background Papers

15.1 Background Paper 1: Impact of COVID-19 on the Sustainability of Older People Care Homes in Neath Port Talbot 16th September - <http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=322&MId=9998>

15.2 Background Paper 2: Closure of Trem Y Glyn Residential Care Home 1st April 2021 (Item 11 Restricted) -

<http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=322&MID=9733#AI41455>

5.3 Background Paper 3: CIW Inspection Report of Trem Y Glyn
Published January 2020 -

https://gov.wales/docs/cssiw/report/inspection_reports/00011052-RYXX_c_200102_e.pdf

15.4 Background Paper 4: Trem Y Glyn Residential Care Home
Feasibility Study 5th September 2019 (Item 3) -

<http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=322&MID=8708#AI33528>

15.5 Background Paper 5: Decision of Agenda Item 6 Pobl
Residential Care Contract in the meeting of Social Care, Health and
Housing Cabinet Board, Thursday 16th March 2017 -

<http://moderngov.npt.gov.uk/mgAi.aspx?ID=19751>

15.6 Background Paper 6: Pobl Residential Care Contact 16th March
2017 (Item 6 Restricted) -

<http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=130&MID=6724#AI19751>

15.7 Background Paper 7: Decision of Meeting of Special Cabinet,
Thursday 13th October 2016 -

<http://moderngov.npt.gov.uk/mgAi.aspx?ID=16666>

15.8 Background Paper 8: Outcome of Public Consultation on the
Proposed Renegotiation of the Residential Care Contract with Pobl
13th October 2016 (Item 1) -

<http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=158&MID=6832#AI16666>

15.9 Background Paper 9: Renegotiation of Residential Care
Contract with Pobl 29th July 2016 (Item 1) -

<http://moderngov.npt.gov.uk/ieListDocuments.aspx?CId=158&MID=6802#A15310>

15.10 Background Paper 10: Residential Care – Outcome of Procurement Exercise 7th December 2011 (item CAB-071211-REP-SS) -

<http://moderngov.npt.gov.uk/CeListDocuments.aspx?Committeed=158&MeetingId=2655&DF=07%2f12%2f2011&Ver=2>

17. Officer Contact

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