

## **CABINET MEMBER DECISION**

**11 MARCH 2025**

### **Proposal to commence a consultation on the options for future use of Vale Lodge, including possible closure**

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#### **Relevant Cabinet Member**

Councillor Steve Mackay

#### **Relevant Chief Officer**

Director of Children Services - Adam Johnston

### **Recommendation**

**1. The Director for Children's Services recommends that the Cabinet Member for Children and Families should:**

- a) Note the complex needs of young people in the Council's care in a range of placement types,**
- b) Notes the requirement in relation to the "sufficiency duty" to secure accommodation to meet the needs of looked after children,**
- c) Authorises the Director of Children's Services to commence a period of consultation from 19.3.2025 to 30.4.2025 in relation to the future use of Vale Lodge, a local authority children's home providing residential care for up to 4 children/young people with autism and/or learning disability aged 5-18 years, and**
- d) Agree that a report on the outcome of the consultation be considered by the Cabinet Member with Responsibility for Children and Families.**

### **Sufficiency duty**

2. The Council has a duty under the Children Act 1989 to make such arrangements as it considers appropriate for securing accommodation for looked after children, having regard to the need for ensuring the availability of homes of different descriptions suitable for different purposes and needs of children. Before making any decision with respect to a looked-after child the Council shall, so far as is reasonably practicable, ascertain the wishes and feelings of the child and parents.

3. If the Council is unable to make arrangements to place looked after children within family, it must make arrangements for what it considers the most appropriate placement available. As far as reasonably practicable this should be

within county, near home, not disrupt education/training, and be suitable for any disabilities. The Council has a general duty to secure sufficient accommodation for looked after children within county and which meets their needs.

## **Background**

4. Vale Lodge is a council owned property, located at Four Pools Lane Evesham, next door to Vale of Evesham Special School and Nursery. The home provides 52-week residential care for up to 4 children or young people of either sex with Autism and/or a learning disability aged 5-18 years.
5. The council's aim was to utilise Vale Lodge for difficult to place children and young people with associated high needs and complex behaviors. External providers offering accommodation for such a cohort of children, frequently charge excessively and at the higher end of commissioned residential weekly costs.
6. Due to a combination of both staffing challenges and matching of young people requiring a placement, the provision has not been fully occupied since April 2022. The home had just one young person in placement from September 2023 to January 2024 and then increased to three young people in September 2024.
7. Options should accordingly be considered in light of the fact the provision is not currently operating in a cost effective manner or able to meet the needs of the more challenging and high needs cohort of children and young people.
  - Option 1 is for the home to continue operating as it has been.
  - Option 2 is to close the provision following the transition of the 3 resident children.
  - Option 3 is to consider revised/alternate use of provision.

## **Impact on current children and young people**

- Young Person 1 will be turning 18 in October and will therefore need to move to their adult provision from October 2025 at the latest.
  - Young Person 2 has a plan of foster care and a there is an active search underway to move this young person into a long-term foster placement. We are confident that these carers will be successfully identified in a timely manner.
  - Young Person 3 has a plan of foster care however their needs can be challenging, and they will need a foster carer with a specific skill set.
8. Each child is subject to statutory looked after child reviews to be chaired by their Independent Reviewing Officer. A review would also be needed in the event alternative arrangements for accommodation are required.

## **Consultation**

9. The following affected stakeholders are identified as part of the consultation strategy:

#### Children & Young People / Service Users:

- Young people who are placed at Vale Lodge, including their Parents (and carers with Parental Responsibility) where appropriate
- Independent Reviewing Officers

#### Political & Senior Officer Leads:

- Elected members, including Divisional Councillors
- Senior Officers of the Council

#### Local people:

- Near neighbours / local residents living in close proximity to Vale Lodge
- Vale of Evesham School for children/ young people with special needs aged 3-19

#### Staff:

- Residential staff (including domiciliary staff and any agency staff)

Consultation will commence 19 March 2025 for a 6-week period, ending on 30 April 2025.

## HR

10. In accordance with usual practice, HR will inform recognised trade unions and staff. Any future recommendations where and if applicable, will follow established HR process and procedure.

## Legal

11. Case law has established minimum requirements of consultation, which are:

- a) Consultation must be at a time when proposals are at a formative stage;
- b) Sufficient information must be given to permit a person to “give an intelligent consideration and response”;
- c) Adequate time must be given for consideration and response; and
- d) The results of the consultation must be conscientiously taken into account in finalising any proposal and provided to the decision maker to inform their decision.

12. Following the consultation the Cabinet Member with Responsibility will need to take careful account of the views expressed in arriving at their decision. In addition, any final decisions must also take into account the rights of service users as set out in the Human Rights Act 1998, specifically Article 8, “Right to respect for private and family life”.

13. Any workforce implications arising from the proposals will be the subject of further reports on the conclusion of public consultation. Staff will be included in engagement and there will be HR support as part of any consultation exercise.

## Financial Impact

14. The current running costs of Vale Lodge are estimated in the region of £740k per annum. All options being considered will have a potential financial impact in terms of revenue costs, and for Options 2 and 3, capital implications either as expenditure or a capital receipt.

15. A full financial analysis will be completed for all options as part of this consultation.

## Joint Equality, Public Health, Data Protection and Sustainability Impact Assessments

16. In assessing these proposals, the Council should have regard to the Public Sector Equality Duty (PSED) under the Equality Act 2010.

17. The PSED requires public authorities to have "due regard" to:

- The need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010 (section 149(1) (a)).
- The need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (section 149(1) (b)).

18. This involves having due regard to the needs to:

- remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic.
- take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it (section 149(4));

And

- encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- The need to foster good relations between persons who share a relevant protected characteristic and those who do not share it (section 149(1)(c)).

19. An initial JIA will be carried out. Within the screening process, the question that determines a full Equality Impact Assessment is that if there are any known inequalities to exist, a full assessment will be submitted. Preliminary consideration has been given to the impact of the proposals on each stated protected characteristic, as well as intersectional links, and public health impacts in drawing up these proposals. In particular it is recognised that the methods and content of the consultation, and subsequent communication will need to be designed so as to fully reflect the needs of the relevant protected groups or individual/s, in particular children/ young people with autism and/ or learning disability aged 5-18 years, the colleagues and staff supporting them onsite and those providing care.

20. In addition, due regard has been given to the requirement for an Equality Impact Analysis (EIA) which would be carried out in respect of the care pathway redesigns as

is referred to in the report at the conclusion of the public consultation, if the decision is to close Vale Lodge. A full EIA will be completed once the consultation responses have been received and considered. This will be reported in full to the Cabinet Member with responsibility and a full copy of the EIA made in order that any adverse impact along with any potential mitigation can be fully assessed.

21. Consultation documents and information (as well as engagement methods) will be suitable, accessible, provided in English as standard and can be translated online, or on request, other forms of translation such as Braille, BSL, large print and alternative options can be provided.

## **Supporting Information**

- n/a

## **Contact Points**

Specific Contact Points for this report  
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## **Background Papers**

In the opinion of the proper officer there are no background papers relating to the subject matter of this report.