

Governance, Risk and Best Value Committee

10:00, Tuesday, 14 March 2023

Drumbrae Care Home – status report

Executive/routine
Wards
Council Commitments

1. Recommendations

It is recommended that Governance, Risk and Best Value Committee:

- 1.1 Note the briefing note on the status of Drumbrae Care Home, the steps taken leading up to the closure of the facility as a care home and the actions that have been taken post closure.

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Drumbrae care home

2. Background

- 2.1 This report provides a briefing on the actions taken leading up to the closure of Drumbrae as a care home and the actions that have taken place post closure in response to the motion from the Full Council meeting held on 15 December 2022 and 9 February 2023 which set out the following:

Full Council – 15 December 2023

- 2.1.1 Notes the Chief Officer of the Edinburgh Integration Joint Board (EIJB) has not provided full updates on the status of the property to the Board and requests that she do so for all elected members.
- 2.1.2 Requests the EIJB Chief Officer produce a report within one cycle on how this facility came to sit empty for over a year.
- 2.1.3 Requests the EIJB consider the recommission of appropriate care services at Drumbrae care home as soon as practically possible.
- 2.1.4 Calls for a report to the Governance, Risk and Best Value Committee into the Council's actions leading up to the closure and post closure, in particular actions to move forward with the lease to NHS Lothian or identify and resolve any problems in order to identify any potential lessons learned.
- 2.1.5 Calls for a briefing to elected members, outlining the actions that would be required if the Council is directed to recommission 60 care beds at Drumbrae by the EIJB, along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.

Full Council – 09 February 2023

- 2.1.6 To note the fire safety compliance issues at Drumbrae Care Home were not notified to members when they were identified in June 2022, to note that the report did not indicate whether the issues were identified before or after the Committee decision on 7th June, and to request that officers include and comment on the timeline of decision making in the report to the Group Risk and Best Value Committee which Council instructed in December 2022.

2.1.7 To note that, as stated in the report, NHS Lothian advised in October 2022 it was unable to deliver the direction set by the Board, but the report was silent on who was advised and that this communication did not result in either the Board or the Finance and Resources Committee being informed or asked to update their direction or decisions, and to request that this too is analysed in the report to the Group Risk and Best Value Committee.

3. Background

- 3.1 The EIJB bed-based review (BBR) has been progressing since 2020, with the main focus on the implementation of the approved activities identified as part of the Bed Based Care Strategy. A phased approach was adopted with phase one of the BBR concentrating on three main service areas:
- Intermediate Care
 - Hospital Based Complex Clinical Care (HBCCC)
 - Care Homes
- 3.2 These services were prioritised as they support flow from acute hospital sites, creating capacity and ensuring people are in the right setting to meet their needs.
- 3.3 The bed-based care strategy identified that Edinburgh needed more Intermediate Care capacity, less Hospital Based Complex Clinical Care (HBCCC) capacity and a new model of care within the internally managed care homes to meet demand for nursing and dementia care, specifically changing residential care capacity to nursing home capacity in the larger 60 bed care homes. The new configuration had to be delivered within the existing Council and NHS estate, optimising the use of buildings where possible and decommissioning buildings that were no longer fit for purpose.
- 3.4 This translated to:
- 3.4.1 An additional 5 Intermediate Care beds
 - 3.4.2 A reduction of 42 HBCCC beds
 - 3.4.3 The transition of 180 residential care home beds to nursing provision
- 3.5 The reduction of HBCCC beds was based on Scottish Government census data from 2019 which suggested a level of HBCCC provision in Edinburgh 2-3 times as high on a per capita basis than other major Scottish cities. Since the proposals were submitted in 2021, the census has been updated (2022) and although there is a percentage decrease in the number of patients in HBCCC beds, Edinburgh still has the highest provision on a per capita basis.

- 3.6 The lease agreement on Ferryfield House was originally due to expire in 2017, this was then extended by 10 years with an optional break clause at the 5-year point (2022). Liberton Hospital was due for exit in 2015 and the site has now been sold to the City of Edinburgh Council, a 2 year occupancy agreement is in place from the date of sale.
- 3.7 To implement the recommended bed capacity, Drumbrae care home was identified to transition to provide the majority of the HBCCC service (old age psychiatry and frail elderly wards). This created a single site HBCCC unit for the frail elderly and old age psychiatry wards for the city, and space within the wider estate to transition the vacated NHS-run Private Finance Initiative (PFI) units to intermediate care provision. Once this transition is complete, bed-based services could move out of Liberton hospital, allowing redevelopment to begin following the sale of the site to the CEC. The reduction in HBCCC capacity meant there was an opportunity to withdraw from the lease on Ferryfield House, a PFI facility, at the extended break point of October 2023.
- 3.8 In addition to the physical service redesign, a new model of care would be implemented within the larger, Edinburgh Health and Social Care Partnership (the Partnership) 60 bed care homes which includes nursing provision. This enables these larger, more modern homes to provide nursing and dementia care provision for people with complex care needs, which is very much needed in the city to meet growing demand. This would require 27 qualified nursing staff to be recruited with the beds transitioning over time.
- 3.9 Based on these proposals the Edinburgh Integration Joint Board (EIJB) issued a direction to both the CEC and NHS Lothian (NHS L) following their meeting on the 28 September 2021 which can be found in [appendix 1](#). A summary of the full direction is provided below:
- 3.9.1 Decommission the residential care model provided at Drumbrae Care Home and direct the re-provisioning of Hospital Based Complex Clinical Care (HBCCC) services within that facility.
 - 3.9.2 Decommission intermediate care beds currently provided at the remaining wards at Liberton Hospital and to direct the re-provisioning of these within a reconfigured number of beds within the remaining HBCCC estate.
 - 3.9.3 Decommission HBCCC beds provided at Findlay House and Ellen's Glen House and direct the re-provisioning of these within former residential care home facility in Drumbrae.
 - 3.9.4 Commission Intermediate Care beds within the bed base remaining at Ellen's Glen House and Findlay House.
 - 3.9.5 Decommission the HBCCC beds provided at Ferryfield House, noting this will enable the withdrawal from the lease at the intended break point and decommission the service provided there by October 2023.

4. Main report

- 4.1 A number of onsite assessments were completed in Drumbrae care home by multiple teams and contractors throughout 2021 to assess the suitability of the premises for the provision of the HBCCC service. The teams involved are indicated within the timeline of activity which can be found in [appendix 2](#).
- 4.2 Based on the findings of these assessments and following approval by the EIJB, Drumbrae care home was decommissioned in December 2021. At the point the care home was decommissioned there were only ten residents and they, along with the staff were moved to alternative care homes in Edinburgh. The unit had reduced its capacity at the time of its decommissioning for a number of reasons; a challenging inspection report had meant that Drumbrae had a prolonged occupancy of under 50% capacity and had been closed to new admissions, as a consequence it had been difficult to maintain staffing levels.
- 4.3 Once the care home was decommissioned, continuing assessments were carried out on the property alongside the development of the clinical brief required for the transition to the provision of HBCCC.
- 4.4 On 7 June 2022, the Finance and Resources Committee approved the lease arrangements for Drumbrae care home, including the annual lease charge and the length of lease term. The lease arrangements were to be between NHS Lothian and the Council, with NHS Lothian funding this from the saving in the Unitary Charge for the unit at Ferryfield House.
- 4.5 On the 24 June 2022, Drumbrae was identified as being non-compliant for the delivery of clinical services. There is a requirement to comply with the Fire (Scotland) Act 2005 and the Fire Safety (Scotland) Regulations 2006. Furthermore, the [NHS Scotland Firecode SHTM 81 part 1](#) was updated in 2022 which applies to all buildings that accommodate NHS services, this is supported by [Scottish Government guidance on fire safety](#) which was also updated in 2022. The Act requires evidence to satisfy Fire Authorities that the building can be satisfactorily evacuated. With NHS Patients that may be bed bound there is a need to demonstrate progressive lateral evacuation to comply with the Act. In order for Drumbrae to be compliant with the Act and associated standards, significant adaptations are required.
- 4.6 This increased both the time required to complete the work and the cost of the adaptations significantly.
- 4.7 An Implementation Oversight Group was established with representatives from NHS Lothian and the Partnership to identify if there were alternative solutions available to the adaptations identified to support the transition to the provision of HBCCC.

- 4.8 In October 2022, the Chief Executive of NHS Lothian wrote formally to the Chief Officer of the Edinburgh IJB noting that NHSL were unable to deliver the direction set by the EIJB due to the increased cost and time required for the adaptations.
- 4.9 Discussions continued between all partners from November 2022 to January 2023 to agree how best to progress in light of the challenges faced in transitioning the facility and also in relation to what possible alternative options there were to utilise the building in support of system pressures. A timeline of the activities undertaken to date can be found in [appendix 2](#).
- 4.10 Discussions in January 2023 with all partners resulted in a proposal from NHS Lothian which would see the facility leased to NHS Lothian as planned in order to provide a reduced number of HBCCC beds. The proposal saw a reduction of 72 HBCCC beds, as opposed to the 42 originally outlined in the Direction. The Partnership undertook to consider the feasibility of this proposal in terms of its ability to deliver the principles of the Bed Based Strategy and the capacity and flow in the system without any negative impact on the performance gains achieved in recent months.
- 4.11 A range of key stakeholders have been involved in the discussions to date and although the alternative proposal could be delivered in physical terms, there would be significant impacts on other parts of the system as a result.
- 4.12 The revised NHS Lothian proposal sees a reduction of an additional 30 HBCCC beds from the original proposal. This would equate to an overall reduction of 72 HBCCC beds from the bed numbers operational at present. This would leave the Partnership with a significant gap in its bed base, and this in the assessment of the EHSCP leadership team poses an unacceptable level of risk to performance.
- 4.13 There is a risk that reducing the bed numbers on this scale would have a significant impact on front door presentations, acute capacity, flow and delayed discharges. It is already a challenge to discharge patients from HBCCC into community settings as there are limited facilities that can safely care for people with complex care needs.
- 4.14 It is important to note that the revised NHSL proposal was supported by an undertaking to fund both the capital required (£2.2m) and to pay the rental charge on Drumbrae to CEC over the course of the lease.
- 4.15 The EHSCP developed a counter proposal to minimise the reduction of bed numbers to 42 as outlined in the Bed Based Care Strategy. This proposal accepts the transition of Drumbrae to provide 30 HBCCC beds for Old Age Psychiatry and seeks a slower reduction of frail / elderly HBCCC beds through the continued use of Ferryfield House until the lease ends in 2027. Further details of the Developed Option can be found further on in the paper, section 4.17.

- 4.16 There are time critical elements that need to be addressed such as the withdrawal of services from the Liberton Hospital site. Although an occupancy agreement has been established, this is for a time limited period of 2 calendar years from the point of sale. To achieve the withdrawal of services from Liberton Hospital, the remaining estate has to be redesigned to accommodate the bed-based services currently occupying the site. Withdrawing services from Liberton cannot be achieved within the parameters of the alternative offer presented by NHSL as it does not provide the capacity within the current available estate to enable services to be accommodated elsewhere. Under the new proposed model, we could not fulfil the requirement to come off the Liberton site. Although these risks existed under the original direction, the full utilisation of Drumbrae created the much needed space within the remaining estate to redesign the intermediate care service whilst also retaining the desired capacity within HBCCC to meet demand.

Developed Option

- 4.17 The Partnership have concluded that while the initial proposal is not deliverable, an alternative, developed option could be delivered with some alterations to the conditions set. Again, with the focus on ensuring withdrawal from Liberton and creating and maintaining flow across beds, this option would be to go forward with operationalising 30 beds at Drumbrae and maintaining the lease on Ferryfield House until the end of its lease in October 2027.
- 4.18 HBCCC beds could then be accommodated within Drumbrae with the capacity maintained at Ferryfield House. This would create the space within the remaining PFIs (Ellen's Glen and Findlay House) to accommodate the intermediate care service as set out in the original bed-based care strategy.
- 4.19 This transitional position will give us time as a whole system to undertake the pathway review from hospital to community to understand the range of beds in use across the system, this would include acute beds such as Medicine of the Elderly and Medicine of the Elderly Rehabilitation. A holistic review of pathways would properly map out the capacity requirements for the needs of each patient group.
- 4.20 This approach will allow for services to come off the Liberton Hospital site within the timescales which is the most time critical element of the redesign. While it does not allow for services to be withdrawn from Ferryfield House however, it will allow for work to take place to ensure the lease can end at the intended end date of October 2027.

Summary

- 4.21 This solution provides an opportunity to deliver, in part, the bed base redesign proposed within the bed base care strategy. This option does:

- 4.21.1 Transition some of the HBCCC beds into Drumbrae which is better accommodation than the service currently occupies.
- 4.21.2 Reduce the number of old age psychiatry beds to 30 as outlined in the bed-based care strategy.
- 4.21.3 Create the space needed within the remaining estate to accommodate the intermediate care service, slightly increasing the bed numbers which will increase capacity and support flow from acute as outlined in the bed based care strategy.
- 4.21.4 Enable bed-based services to vacate the Liberton Hospital site as originally planned as part of the bed based care strategy.
- 4.21.5 Allow time to complete a full system wide pathway review to inform strategic plans for community infrastructure and bed-based service provision in the medium to long term.
- 4.21.6 Offer the opportunity to collegiately design services with all partners.
- 4.21.7 Offer potential solutions to other accommodation challenges by identifying the best use of the upper floor of Drumbrae.
- 4.21.8 Retain capacity at Ferryfield House until the community infrastructure can be enhanced to support people with complex care needs.

5. Next Steps

- 5.1 The Partnership have requested that all partners consider this proposal to ensure services can come off the Liberton Hospital site within the timeframe of the occupancy agreement.
- 5.2 A system wide pathway review will be progressed as soon as possible, and its findings will be used to inform the community infrastructure required and model in new bed based accommodation coming on stream.
- 5.3 A collegiate approach is adopted with all partners to define the requirements for community and bed-based services for the medium to long term.
- 5.4 In response to point 2.1.5 of the status report presented to the Full Council on 9th February (item 7.8) which states:
 - 5.4.1 Calls for a briefing to elected members, outlining the actions that would be required if the Council is directed to recommission 60 care beds at Drumbrae by the Edinburgh Integration Joint Board (EIJB), along with associated costs, an estimate of how long this would take, and any other significant considerations that may inform a decision by the EIJB.

- 5.5 A briefing paper is being drafted for circulation to elected members, information is being gathered to inform this briefing paper from colleagues across the City of Edinburgh Council and the Edinburgh Health and Social Care Partnership. The Partnership would like to offer elected members a Development Session to talk through the briefing in more detail and answer any questions that may arise.
- 5.6 The IJB has not, at this stage, been asked to update the direction set or any decisions made as negotiations are still ongoing between all partners as outlined in the report. The Direction has been added to the IJB's June meeting agenda for review when negotiations have progressed.

6. Financial impact

- 6.1 An initial assessment of the financial implications of the Partnership's alternative offer has been completed but further work is needed to refine this, and this will be progressed collaboratively with partners.

Capital

- 6.2 The estimated cost of the refurbishment of the ground floor of the former Drumbrae care home is £3m. This would be funded via a combination of the monies held in the Integration Joint Board's reserve (£0.8m) with the balance of £2.2m coming from NHS Lothian. NHS Lothian has also offered to fund the leasing of Drumbrae from CEC. This original offer was made on the basis of freeing up costs from withdrawing from the lease at Ferryfield House in 2024.

7. Stakeholder/Community Impact

- 7.1 An integrated impact assessment was completed as part of the strategy development and can be accessed [here](#).

8. Background reading/external references

- 8.1 [Bed Based Care – Phase 1 Strategy](#): 21st June 2021, EIJB meeting
- 8.2 [Follow up report – Bed Based Care – Phase 1 Strategy](#): 28th September 2021, EIJB meeting

9. Appendices

[Appendix 1](#): Copy of direction set by the EIJB to CEC and NHS L in September 2021

[Appendix 2](#): Timeline to date

Appendix 1: Direction set by the EIJB to CEC and NHS L in September 2021

DIRECTION FROM THE EDINBURGH INTEGRATION JOINT BOARD

Reference number	EIJB-28/09/21-1
Does this direction supersede, vary or revoke an existing direction? If yes, please provide reference number of existing direction	No
Approval date	28 September 2021
Services / functions covered	Intermediate care, Hospital Based Complex Clinical Care (HBCCC) and Care Homes
Full text of direction	<p>a. Decommission the residential care model provided at Drumbrae Care Home and direct the re-provisioning of Hospital Based Complex Clinical Care (HBCCC) services within that facility.</p> <p>b. Decommission intermediate care beds currently provided at the remaining wards at Liberton Hospital and to direct the re-provisioning of these within a reconfigured number of beds within the remaining HBCCC estate.</p> <p>c. Decommission HBCCC beds provided at Findlay House and Ellen’s Glen House and direct the re-provisioning of these within the former residential care home facility in Drumbrae.</p> <p>d. Commission Intermediate Care beds within the bed base remaining at Ellen’s Glen House and Findlay House.</p> <p>e. Decommission the HBCCC beds provided at Ferryfield House, noting this will enable a withdrawal from the lease at intended break point and decommission the service provided there by October 2023.</p>
Direction to	City of Edinburgh Council (a) NHS Lothian (b-e);
Link to relevant EIJB	Bed Based Care – Phase 1 strategy, EIJB, 28 September 2021

report / reports			
Budget / finances allocated to carry out the detail	Please refer to Appendix 3 of the report for further detail of the timeline and financial model.	NHS Lothian	City of Edinburgh Council
		£15.4m	£7.7m
Performance measures	Monitoring and reporting on delayed discharges; waiting list monitoring for each bed type considered; length of stay data; care home delays; occupancy rates across bed types; care at home / homecare demand.		
Date direction will be reviewed	April 2022		

Appendix 2: Timeline

Bed Base Review – Timeline of events



Project Timeline

Key



Our current position



These represent activities that multiple stakeholders were involved in

