



*Halton Clinical Commissioning Group*

**Provider Service Closure  
2. Managing a Planned Service Closure**

**April 2015**

## INFORMATION SHEET

<b>Service area</b>	<p><b>Halton Borough Council Adult Social Care Communities Directorate.</b></p> <p><b>Halton Borough Council Integrated Safeguarding Unit</b></p> <p><b>Halton NHS Clinical Commissioning Group</b></p> <p><b>Adult Social Care Providers</b></p>
<b>Date effective from</b>	TBC
<b>Responsible officer(s)</b>	Quality Assurance Manager
<b>Date of review(s)</b>	TBC
<b>Status:</b> <ul style="list-style-type: none"> <li>• <b>Mandatory (all named staff must adhere to guidance)</b></li> <li>• <b>Optional (procedures and practice can vary between teams)</b></li> </ul>	Mandatory for all Halton Borough Council Adult Social Care Staff
<b>Target audience</b>	<p>Halton Borough Council Commissioning Managers</p> <p>Halton Borough Council Quality Assurance Team and Contract Team</p> <p>Halton Borough Council Adult Social Care Teams</p> <p>NHS Halton Clinical Commissioning Group</p> <p>Continuing Health Care Team</p> <p>Adult Social Care Providers</p> <p>Adults who use services, their families and carers</p>
<b>Date of committee/SMT decision</b>	TBC
<b>Related document(s)</b>	<p>Care Act</p> <p>Mental Capacity Act</p> <p>Data Protection Act</p> <p>Human Rights Act</p>

	Deprivation of Liberty Safeguards Mental Health act
<b>Superseded document(s)</b>	Halton Borough Council Home Closure Protocol 2004
<b>Equality Impact Assessment Completed</b>	<b>Need to do new one</b>
<b>File Reference</b>	

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1.0	Aim of the Policy	PRACTICE
1.1	<p>The possibility of interruptions to residential, supported living and domiciliary care and support services causes uncertainty and anxiety for the person receiving services, their carers, family and friends. Interruptions to services can occur as a result of many different factors, including business failure, significant safeguarding issues or quality compliance issues that fail to be rectified.</p>	<p><i>The associated policies, listed below, should be considered alongside this document.</i></p>
1.2	<p>Every effort should be made to ensure that transition is undertaken with sensitivity to the individual needs of adult, and actions should be taken in consultation with any relevant relatives, friends, advocates or others (e.g. Health) who may be required to or willing to assist in identifying alternative placements.</p>	<ul style="list-style-type: none"> <li>• <i>Provider Service Closure 1. Market Oversight and Management</i></li> </ul>
1.3	<p>This policy provides guidance on how Halton Borough Council (HBC) delivers its responsibilities in managing a <b>planned</b> service closure.</p>	<ul style="list-style-type: none"> <li>• <i>Provider Service Closure 3. Managing an Unplanned Service Closure</i></li> </ul>
1.4	<p>This policy document (<i>Provider Service Closure 2. Managing a planned service closure</i>) is part of a suite of policies that direct :</p> <ul style="list-style-type: none"> <li>• provider market management, oversight, intelligence and prevention of service disruption for residential and domiciliary providers( through planned or unplanned service closure)</li> <li>• management of a planned service closure (residential, supported living and domiciliary)</li> <li>• management of an unplanned service closure (residential, supported living and domiciliary)</li> </ul>	
2.0	Scope of the policy	
2.1	<p>This policy details how HBC and NHS Halton Clinical Commissioning Group (CCG) meets their responsibilities, in relation to the Care Act, in the following area:</p> <ul style="list-style-type: none"> <li>• Responding to planned residential, supported living or domiciliary service closure – where notice has been given to HBC of an intended closure, or HBC has issued a default notice.</li> </ul>	
2.2	<p>This policy applies to services in which there are funded and/or self funding individuals.</p>	
2.3	<p>The scope of this policy is not to replace individual service business continuity plans. It is a requirement of every HBC commissioned service provider to</p>	

	have a 'tried and tested' Business Continuity Plan that is reviewed.	
3.0	<b>Principals that underpin this policy</b>	
3.1	<p>In undertaking a planned closure of a service within the scope of this policy, HBC and Halton CCG are committed to the following principles:</p> <ul style="list-style-type: none"> <li>• Provider market oversight and intelligence is used to foresee closure risks and implement remedial actions to prevent closures, where possible.</li> <li>• Where decision making results in the need to make a planned closure of a service, timescales are appropriate to the adults who use the service, where ever possible.</li> <li>• Ensure that the dignity and welfare of adults who use services is considered at all times.</li> <li>• Communicate decision making in a timely, effective and transparent manner to all stakeholders.</li> <li>• Minimise disruption and distress to adults who use services, promoting familiarity and consistency of care wherever possible.</li> <li>• Where relocation of adults who use services is required, assess the needs of all adults, irrespective of funding arrangements.</li> <li>• Ensure that alternative accommodation takes into account compatibility of each adult's needs to promote positive cohabitation between groups of adults using a supported living service.</li> <li>• Service closures will be managed as a multi-agency project so that all organisations offering some level of care or support to adults, can work towards the common aim of effecting best outcomes and continuity of care. Key players (regulators, receivers/administrators, HBC and CCG commissioners, GPs, Social Workers, residents' representatives, professional associations and other Local Authorities etc.) must therefore be engaged at the earliest possible stage.</li> <li>• Work collaboratively with other organisations and partners to promote effective communication, timely processes and effective use of shared resources.</li> <li>• Ensure that any individual assessments or decision making, meet the requirements of the Mental Capacity Act 2005; particularly the need to assess mental capacity during the closure process and to make decisions on behalf of those lacking mental capacity in their best interests.</li> <li>• Consider equality and diversity issues throughout the closure process, respecting the cultural needs of adults who use the service and using advocates and interpreters wherever necessary.</li> <li>• Develop good practice by monitoring and reviewing the closure</li> </ul>	<p><i>Care Act 2014</i></p> <p><i>Halton Borough Council Mental Capacity Act 2005 Policy, Procedure and Practice</i></p> <p><i>Halton Borough Council data Protection Act Policy, Procedure and Guidance 2011</i></p>

	<p>processes used.</p> <ul style="list-style-type: none"> <li>• Staff will work in accordance with the principles of the Data Protection Act 1998 and information sharing agreements.</li> </ul>	
4.0	<b>Legal responsibilities that underpin this policy</b>	
4.1	HBC’s mandatory statutory duty to eligible people already receiving the service, is to meet their assessed eligible needs appropriately and safely (to do otherwise would be a breach of statutory duty, potentially enforceable by injunction).	<i>Care Act</i>
4.2	HBC has a responsibility towards <b>all</b> people receiving care. This is regardless of whether they pay for their care themselves, the local authority pays for it, or whether it is funded in any other way.	<i>Ordinary Residence: Guidance on the identification of the ordinary residence of people in need of community care services, England.</i>
4.3	Leaving a person in a service in which there would be significant risk of harm which may be at risk of breach of contract compliance, CQC notification of serious concerns or closure could lead to a breach of their rights under the Human Rights Act.	<i>Department of Health 2012</i>
4.4	It is part of the duty of HBC to re-assess someone's needs before a planned move.	<i>Halton Borough Council Mental Capacity Act 2005 Policy, Procedure and Practice</i>
4.5	In reassessment, the law requires best interests of the adults and their families are considered, in compliance with the Choice Rights outlined in Choice Directions and that appropriate consents are observed in accordance with the <a href="#">Mental Capacity Act</a> .	
5.0	<b>Safeguarding</b>	
5.1	HBC and Halton CCG are required to safeguard the needs and welfare of all adults who use services in their area during a transition to another service, regardless of whether they are self or publicly funded and regardless of which local authority has placed them there.	<i>Safeguarding Adults in Halton Inter-Agency Policy, Procedures and Guidance 2015</i>
5.2	Where safeguarding issues or care concerns are identified, the Safeguarding Adults in Halton Interagency Policy and Procedure must be followed.	

6.0	<b>Mental Health Act and Mental Capacity Act Implications</b>	
6.1	The Mental Capacity Act requires everyone in the first instance to assume that the individual has the mental capacity to make decisions; a person must also be supported to make their own decisions, as far as it is practicable to do so. The Act requires 'all practicable steps' to be taken to help the person. It is a key principle of the Act that all steps and decisions taken for someone who lacks mental capacity must be taken in the person's best interests.	<i>Halton Borough Council Mental Capacity Act 2005 Policy, Procedure and Practice</i>
6.2	Consultation with others is subject to obtaining informed consent from adults who use services. Where an adult is unable to consent or make important decisions because of mental incapacity, the Mental Capacity Act 2005's code of practice and regulations will apply to financial, serious health treatment and accommodation decisions. Best interest decision making until then is subject to common law and case law.	<i>The Human Rights Act 1998 Article 5 for information relating to deprivation of liberty.</i>
6.3	Adults who lack mental capacity may require an independent mental capacity advocate (IMCA). It is compulsory for the local authority to consider whether an IMCA should be instructed, so it is therefore advisable to give the IMCA service early warning that their service may be required. In respect of adult protection concerns, instructing an IMCA must be considered.	<i>Mental Capacity Act 2005</i>
7.0	<b>Duty On HBC to meet needs of individuals in the event of service closure</b>	
7.1	<p><b>Where closure is as a result of business failure</b></p> <p>HBC are under a temporary duty to meet people's needs when a provider is unable to continue to carry on their activity because of <b>business failure</b>.</p> <p>The temporary duty on HBC to meet needs continues for as long as HBC considers it necessary.</p> <p>The duty applies regardless of whether a person is ordinarily resident in Halton. However, HBC may charge the person for the costs of meeting their needs, and it may also charge another local authority which was previously meeting those needs, if it temporarily meets the needs of a person who is not ordinarily resident in Halton. The charge must cover only the cost incurred by HBC in meeting the needs. No charge can be made for the provision of information and advice to the person.</p> <p>The needs that must be met are those being met by the provider immediately before the provider became unable to carry on the activity.</p>	<p><i>Department of Health Care Act Briefing Note 'Managing provider failure and other service interruptions'</i></p> <p><i>There is significant flexibility in determining how needs can be met, as set out in section 8 of the Care Act.</i></p>

7.5	The duty applies from the moment HBC becomes aware of the business failure. The actions to be taken will depend on the circumstances, and may range from providing information on alternate providers, to arranging care and support.	
7.6	In deciding on how needs can be met, HBC must involve the person concerned, any carer that the person has, or anyone whom the person asks the authority to involve (this may include best interest assessor or advocates).	
7.7	If the provider’s business has failed but the service continues to be provided then the duty is not triggered. This may happen in insolvency situations where an Administrator is appointed and continues to run the service.	
	<b>General duty to meet people’s needs, regardless of if closure is triggered by business failure</b>	
7.8	Further to the duty outlined above, sections 18 and 20 of the Care Act set out when a local authority must meet a person’s eligible needs. If the circumstances described in the sections apply and the needs are eligible, HBC must meet the needs in question. <i>These duties apply whether or not business failure is at issue.</i>  How someone pays for the costs of meeting their needs must have no influence on whether HBC fulfils the duty.	<i>Care Act section 18 &amp; 20</i>
	<b>PROCEDURE</b>	
8.0	<b>Responding to notification of a planned service closure</b>	
8.1	<b>Closure Time Scale and Process</b>  To ensure that the best possible outcomes for people are achieved this type of closure needs to have a timescale of three to six months. The exact time scale for closure will be determined by Project Lead in negotiation with the provider and will be influence by the precise nature of the closure.	
8.2	The time scale for a planned closure will be written into the Residential, Domiciliary and Supported Living Contracts.	
8.3	Please refer to Appendix 1 for Planned Service Closure Flow Chart which provides an overview of the process and associated appendices for each	

	stage.	
9.0	<b>Multi-Disciplinary Team</b>	
9.1	The closure will be coordinated by a Multi-Disciplinary Team. Appropriate members of the MDT will be identified based on the nature of the planned closure, with the team being established within 24 hours of closure notification. The CCG will have involvement early in process to ensure engagement of NHS commissioned service providers like 5Borough Partnership and NHS Bridgewater Community Trust.	
9.2	In situations where significant risks within the service have already been identified through the market oversight and closure prevention processes (see Policy 1: Market Oversight), there will be an established 'Professionals Meeting' group. The membership of this group is reflective of the professional stakeholders who have any involvement with the service. The group will form the basis of the Project Closure Group, bringing with it information gathered as part of the process that precedes formal closure notification.  Please refer to Appendix 2 for Initiating the MDT Closure Project Group .	
10.0	<b>MDT Closure Project Group Responsibilities</b>	
10.1	The MDT will: <ul style="list-style-type: none"> <li>• Oversee the safe transfer of adults who are using the closing service to suitable alternative provision.</li> <li>• Liaise with relevant stakeholders including adults who use the service and their carers / families.</li> <li>• Develop and coordinate implementation of a closure project plan.</li> <li>• Develop and coordinate implementation of a Communication plan</li> <li>• Have responsibility for updating and maintaining a key communications log.</li> <li>• Coordinate and report assessments of needs, including health and risk.</li> <li>• Coordinate resources to undertake reassessment and transfer arrangements.</li> <li>• Report regularly on progress and risks.</li> <li>• Ensure that reviews of care are undertaken following transition.</li> <li>• Undertake a de brief on completion of closure to identify any learning from the process.</li> </ul>	

11.0	<b>Provider Responsibilities</b>	
11.1	<p>In order for HBC to meet its statutory responsibilities in meeting the needs of individuals affected by a service closure, the Provider must ensure that MDT project lead/s receive a list of <b>all</b> the adults who use the service, including as much relevant information about the adult as possible. Failure of the service provider to provide all information requested by the MDT, within the time scales determined by the MDT, will constitute breach of contract. If the provider refuses to cooperate and provide information, then CQC have the legal right to request this information from the provider. Please see appendix 3 for a list of information to be provided checklist.</p>	
11.2	<p>The Provider must have in place appropriate measures/safeguards where confidential information is transferred, so not to inadvertently disclosure confidential service user information to any unauthorised party. Likewise, Halton Borough Council will ensure that the transfer of information to stakeholders involved in the closure process will only be transferred in line with the Data Protection Act. Health and social care providers are required to review records on commencement of the care arrangement with the prescribed times in the health and social care frameworks.</p>	
11.3	<p>The Provider must work collaboratively with the MDT Project Team to coordinate and arrange for re-assessments to be conducted for <b>all</b> adults who use the service. As part of the assessment process the adults' next of kin, carers and families should be contacted and involved.</p>	
12.0	<b>Communication about the service closure</b>	
12.1	<p>Communication about the planned closure to residents and their families/carers, staff, stakeholders (in particular other local authorities where the adult is not normally resident in Halton) and wider public is critical to support the smooth transition to an alternative service.</p>	
12.2	<p>Self-funders and originating local authorities need to be informed at the earliest opportunity about changes to payment arrangements where HBC, or another provider, are required to meet their needs due to service closure.</p>	
12.3	<p>Staff involved in the communication process should be made aware that whilst appropriate communication methods, delivery of information at the appropriate time and availability to answer questions may provide reassurance to adults affected by the transition, the delivery of information may also raise anxiety. Measures should be put in place to ensure that people are supported to understand information provided.</p>	

12.4	<p>A communication plan is to be developed by the MDT Closure Project Lead/s within 48 hours of closure notification. The communication plan must include consideration of appropriate methods, frequency and content of communications.</p> <p>Please refer to Appendix 4 'Communications checklist'</p>	
13.0	<p><b>Record Keeping</b></p>	
13.1	<p><b>Record keeping responsibilities of the MDT</b></p> <p>Good record keeping is essential during the service closure process to promote effective communication between staff and organisations, to promote transparency of decision making and to enable the transfer of information to the new service.</p> <p>13.2 A MDT Closure Project Log must be maintained by members of the MDT detailing specific actions to be taken, who/when by, progress against those actions and status (active/closed). Key communications with the Service, adults who use the service, public and other stakeholders must be recorded in this log also.</p> <p>Please refer to Appendix 5 for the 'Project Closure Action Plan and Log'</p> <p><b>Record keeping responsibilities of Service Staff</b></p> <p>13.3 In addition to the Service Activity Log and Finance Log (key communications Log) that the Responsible Manager must maintain, service Staff will need to:</p> <ul style="list-style-type: none"> <li>• A designated Key Worker ( within the service) to keep a record of all care plans, assessments, decision making and movements of adults who use the service.</li> <li>• Keep a log of medicines and ensure these are moved with the adult if this is necessary.</li> <li>• Keep a log of change of GP if this is necessary.</li> <li>• Keep a log of the adults finances and ensure these are moved with them if this is necessary.</li> <li>• Keep an inventory of the adult's belongings, to be signed by them if this is necessary.</li> <li>• Information should be available about each adult who uses the service on the following: registration category of adult who uses the service and identify any change of category, details of relatives, medical history, whether there is a requirement for advocacy to support the adult, details of the adults' needs including those that</li> </ul>	

	<p>may require exceptional arrangements or health care provision. Also identify if there are any relatives of adults who may have factors to consider such as own health, whether they are out of borough, etc.</p> <ul style="list-style-type: none"> <li>• The adult who uses the services' life history book is particularly important for people with dementia, stroke etc etc.</li> </ul>	
14.0	<b>Continuity of Care</b>	
14.1	Continuity of care is a priority, and where appropriate (depending on the nature of the closure), the MDT will work with the service provider to identify what support may be put in place to promote continuity of care for adults within that setting.	
14.2	<p>The MDT will consider employing support from other services, which will be dependent on each service area's capacity at that time, including:</p> <ul style="list-style-type: none"> <li>• CPNs</li> <li>• District Nurses</li> <li>• Complex Care Teams</li> <li>• HBC Care Homes Project</li> <li>• Other Local Authorities who are affected by the closure</li> </ul>	
15.0	<b>Assessment &amp; Care Planning</b>	
15.1	<p>Given the likely complex nature of many of the adults, a multi agency assessment should be undertaken. Social Care and Continuing Health Care (CHC) teams should undertake joint assessments prior to transfer, regardless of whether the adults are in receipt of any health funding. Specialist assessments (i.e. mental health, swallowing) will be undertaken as advised by the initial assessment team.</p> <p><b>Staff resource to undertake assessments</b></p>	<p><i>Halton Borough Council Care Management Policy</i></p>
15.2	Halton Borough Council Divisional Manager for Care Planning, along with the Operational Director for Prevention and Assessment, will make a decision on whether Social Work staff will be utilised from teams to respond the assessment demands of a service closure. This decision will be made on the basis of the volume of assessments required within the timescales dictated by the closure process.	
15.3	In some circumstances, where time scales and financial resources allow, agency Social Workers may be sourced to undertake assessments and post transfer reviews.	

15.4	<p>Wherever possible, existing care staff should be utilised during the transition to alternative services, to pass on knowledge of the adults who use the service to new services, handover care plans and summaries, etc. and verbally discuss the adults' care needs.</p> <p><b>Multi Agency Assessment</b></p>	
15.6	<p>Given the likely complex nature of many of the adults who use the service, a multi agency assessment should be undertaken. Social care and Complex Care teams should undertake joint assessments prior to transfer, regardless of whether the adults who use the service are in receipt of any health funding. Specialist assessments (i.e. advanced care planning, mental health, swallowing) will be undertaken as advised by the initial assessment team.</p> <p><b>Best Interest Decisions</b></p>	
15.7	<p>The best interest decision process must be followed i.e. involvement of family/mental health advocate (where appropriate), decisions may be made, recorded and revisited in line with Halton Borough Council Deprivation of liberty policy.</p> <p><b>Deprivation of Liberty Safeguarding (DoLs)</b></p>	
15.8	<p>The residential/nursing home is the managing authority in the Deprivation of Liberty Safeguards. For homes the supervisory body is the local authority where the person is ordinarily resident. Usually this will be Halton Borough Council (where the care home is located), unless the person is funded by a different local authority.</p>	<p><i>Halton Borough Council Deprivation of Liberty Safeguards Policy</i></p>
15.9	<p>DoLs Authorisations are non-transferable so where a DoLs is in place for an adult who is using the service affected by closure the DoLs would have to be ended. A new DoLs could be applied for by the new setting, if the receiving service felt it was needed.</p>	<p><i>Deprivation of Liberty Safeguards Code</i></p>
15.10	<p>The receiving service must be made aware of the existence of the DoL, and for them to consider if a new application is required, based on the person's presentation, when they transfer.</p>	<p><i>of Practice</i></p>
15.11	<p>A person may need to be deprived of their liberty before HBC can respond to a request for a standard authorisation (for example, in an emergency/unplanned service closure). In these situations the receiving provider can use an urgent authorisation. Urgent authorisations are granted by the managing authority itself (the provider). There is a form that they have to complete and send to HBC Initial Assessment Team. This is then followed by a request for a Standard Authorisation. A Best Interest Assessor will</p>	

<p>15.12</p>	<p>complete the assessments within 7 days.</p> <p>If the closure was anticipated the prospective receiving service could apply for the Standard Authorisation prior to the move. A Best Interest Assessor will then complete the assessments within 21 days,</p> <p><b>Community Treatment Orders</b></p>	
<p>15.13</p>	<p>Where residence at a named care/nursing home is a condition of the community treatment order, when managing a transfer from a service to another, all effort should be taken to avoid known factors or situations that heighten the risks associated with the patient’s mental disorder. Where it becomes necessary to vary the conditions of a community treatment order (such as place of residence) the responsible clinician must authorise and the adult’s care plan updated.</p> <p><b>Guardianship</b></p>	
<p>15.14</p>	<p>Section 7 of the Mental Health Act has the power to require a person to live in a place specified by the Guardian (which is usually the local authority). If someone is required to live in a particular place under this piece of legislation, then the guardian has the authority to change the place of residence, such as in the event of a service closure. If legally challenged Halton Borough Council would need to be able to show that it had acted in a way which promoted the person’s dignity and choice.</p> <p><b>Restriction Order</b></p>	<p><i>Mental Health Act 2007 section 17(2a)</i></p>
<p>15.15</p>	<p>This is an order under the Criminal Justice part of the Mental Health Act. It is an order made by the courts after someone has committed a serious offence. It can impose residence requirements and these could be that a person has to stay in a particular residential setting. Is an adult with a restriction order where to be affected by a service closure, then the individual’s social supervisor (which is usually a social worker) would have to be notified and they in turn would have to tell the Home Office (and thereafter this could go to the Home Secretary).</p> <p><b>Client Finance</b></p>	<p><i>Mental Health Act 2007 Section 7</i></p> <p><i>Mental Health Act 2007 Section 37/41</i></p>
<p>15.16</p>	<p>The personal financial arrangements of the adult using the service must be addressed prior to transfer.</p> <p>Please refer to Appendix 6 ‘Client Finance Checklist’</p>	

16.0	<b>Self Funders</b>	
16.1	<p>Halton Borough Council will ensure that self-funding adults are offered the support of a care manager. The self-funding adult is free to decline the support of a care manager, but the following must still be offered.</p> <ul style="list-style-type: none"> <li>• transport to a new service of their choice</li> <li>• support in moving or transferring personal possessions</li> <li>• accessing the same level of information on the closure process</li> <li>• relevant support to carers and families</li> <li>• details of vacancies within the area</li> <li>• details of local advocacy services</li> <li>• support in contracting with an alternate provider.</li> </ul>	
17.0	<b>Identifying alternative residential placements</b>	
17.1	HBC Quality Assurance Team will provide a ‘bed vacancy list’ of in-borough available placements at Care Homes.	
17.2	In consultation with the individual, next of kin, relatives/ friends and carers and any professionals involved, the preferred choice of alternative service should be identified.	
17.3	The needs of groups with protected characteristics must be addressed - i.e. age, ethnicity, religion, disability, mental capacity, sexuality	
17.3	Where possible, adults affected by the closure should not be separated from long-term friends and/or staff.	
18.0	<b>Identifying alternative domiciliary support</b>	
18.1	HBC currently hold a contract with 17 external providers for domiciliary support services.	
18.2	If a current provider gives notice on the contract as a whole the packages they are commissioned to provide can be transferred to another contracted	

	provider.	
19.0	<b>Identifying alternative supported living placements</b>	
19.1	If a current provider gives notice on the contract as a whole, or an individual service they provide at a particular tenancy/placement; a call-off can be made from the ALD Framework (for both adults with a learning disability or mental health issue); whereby providers who are contracted with the Council can submit a bid for the available work via The Chest procurement website.	
19.2	If due to landlord closing the property the tenancy/placement is no longer available; HBC Quality Assurance Team will provide a 'bed vacancy list' of in-borough available tenancies/placements at Supported Living properties. Where possible the provider can transfer with the service user.	
19.3	In consultation with the individual, next of kin, relatives/ friends and carers and any professionals involved, the preferred choice of alternative service should be identified.	
19.4	The needs of groups with protected characteristics must be addressed - i.e. age, ethnicity, religion, disability, mental capacity, sexuality	
19.5	Where possible, adults affected by the closure should not be separated from long-term friends and/or staff.	
20.0	<b>Transfer</b>	
	<b>Arrangements for Transfer – Care Home</b>	
20.1	Where circumstances allow, the date and time that the transfer will be made will be agreed between the new service, the adult, family/ friends, carers, next of kin and the closing service. These arrangements should be confirmed in writing to the adult/ relatives/ friends/ carers/ next of kin and to staff.	
20.2	Once the arrangements for the move have been confirmed then the HBC Adult Social Care practitioners who conducted the assessments in liaison with the service, should make a list of the individual's needs, which would include: medical or clinical arrangements e.g. do they need to change their GP, transport arrangements for the adult, pharmacy and medication arrangements, equipment, aids, arrangements for dealing with the persons finances, arrangements for packing and moving personal possessions, arrangements for leaving the service (e.g. opportunity to say goodbye) and greeting at the new home (by someone familiar where possible).	

20.3	Equipment needs must be considered i.e. decommissioning of equipment in original home and re-commissioning of equipment in receiving service or transport of equipment to arrive/be in situ for the arrival of the person in the receiving service.
20.4	Where it is possible to do so (dependent on planned/emergency closure and time scales) a visit, or preferably several visits, to a prospective service or supported living environment will be arranged. Having a meal or an overnight stay would be preferable. In the case of people with a learning disability a handover over several days will be arranged.
20.5	On the day of the transfer communication should be maintained between the HBC Social Worker who undertook the assessment, the closing service and the receiving service, to co-ordinate and confirm departures/ arrivals and handover of property.
20.6	Where ever possible, care staff should be encouraged to support adults at their new service for an initial settling-in period. This promotes familiarity and consistency of care.
20.7	The Care Manager will take responsibility for ensuring that any documentation for individual adult is fully developed and accurate, for transfer with that adult to their new service. A transfer letter will be sent with the adult, identifying any critical issues relating to their nursing of care needs.
20.8	A member of the originating service's management team will contact each of the receiving service providers in the 24 hours before the date of the planned transfer of any individual as a final check to ensure they are fully prepared to accept the adult/s the following day.
20.9	It will be made clear to the Responsible Manager of any receiving service that they are empowered to refuse the transfer of an adult if they are not happy that all suitable arrangements have been put in place and that the support plans etc are absolutely clear.
20.10	Transport arrangements will be made by the person designated by the MDT, ensuring that the vehicle is suitably equipped to accommodate the needs of the adult/s who will be accompanied by a carer who knows them and can offer support during the journey.
20.11	The clothing, possessions and furniture owned by the adults/s should go with them to the new service so that their new environment is as familiar as possible.

20.12	Where time constrains allow, any adult who is considered not to be physically well enough to move will have their transfer date put back until well enough to transfer to the new service. Appropriate medical involvement will be sought and appropriate staff involved in the assessment and treatment of the person. The Responsible Manager at the originating service on the day of transfer will have the authority to cancel or postpone the move of the adult/s if they have any doubts as all that it is appropriate or safe on that day. They will know that they have the support of senior managers to take this decision
20.13	Negotiations will take place between the originating service and new providers to ensure that staff familiar with the adult/s can support the adult/s who are transferred for a suitable period of time (during the first week) to ensure smooth transfer.
	<b>Transfer</b>
20.14	The Responsible Manager must keep the lead inspector for CQC informed in relation to the work in progress to meet the date of closure.
20.15	On the day of the transfer communication should be maintained between the assessor, the closing service and the new service, to co-ordinate and confirm departures/ arrivals and handover of property.
20.16	The Responsible Manager must inform the lead inspector for CQC in relation to the expected time of closure on the given date.
20.17	On the day of closure of the service the MDT Project Lead/s and Responsible Manager must hold an on-site meeting with the proprietor to complete a closing inventory of the service. This should then be cross checked with the inventory undertaken at the start of the managed period. Any discrepancies must be noted and where possible remedied.
20.18	The Responsible Manager must discuss and arrange with the relevant health or social care colleagues the removal of any records or equipment provided by either health or social care.
20.19	The Responsible Manager must arrange for all records kept during the managed period to be removed from the service and transferred to the relevant ASC Locality Team. Records management / data protection / legal obligations need to be considered throughout the process.
20.20	The Responsible Manager must arrange for any medication remaining within the service to be safely disposed of.
20.21	The Responsible Manager must handover the keys to the Proprietor and inform the Lead Inspector, CQC by telephone of the time of completion of the managed period.

	<p>Please refer to Appendix 7 for ‘ Facilities Management checklist’</p> <p><b>Arrangements for Transfer – Domiciliary Care</b></p>
20.22	<p>Where circumstances allow, the date and time that the transfer will be made will be agreed between HBC, the new service provider/s and the outgoing/closing service provider.</p> <p>The MDT Project Lead/s must liaise with HBC Performance Team for production of a report relating to the amount of packages currently commissioned with the provider (this should be cross checked with the latest Master Service Return (MSR) from HBC Income &amp; Assessment Team). The outgoing /closing provider should also provide a list of all commissioned packages they provide under the contract.</p>
20.23	<p>A new provider/s should be identified by HBC and communicated to the outgoing /closing provider; providers will need to liaise with each other in relation to TUPE obligations once service user transfer lists have been provided. Staff should be informed by the outgoing /closing provider in relation to TUPE obligations.</p>
20.24	<p>These arrangements should be confirmed in writing to the adult/ relatives/ friends/ carers/ next of kin by HBC.</p>
20.25	<p>HBC Care Arrangers will complete new service agreements for the new provider/s and close service agreements for the outgoing /closing provider. This should be done via instruction of the MDT Project Lead/s, rather than Care Management; internal communication should be sent to this effect.</p>
20.26	<p>Service user Support Plans should be sent from HBC Care Management Team to the new provider/s, to ensure that staff familiar with the service user.</p> <p><b>Arrangements for Transfer – Supported Living Care Provider</b></p>
20.27	<p>The date and time of the transfer will be clearly discussed and agreed between HBC and the outgoing /closing provider and detailed in the tender call-off documentation.</p>
20.28	<p>These arrangements should be confirmed in writing to the adult/ relatives/ friends/ carers/ next of kin by HBC.</p>
20.29	<p>Once the tender call-off is awarded to a new provider regular meetings should be held in relation to the transfer.</p>

20.30	Turnbull arrangements need to be considered whereby landlord differs from care provider.
<b>Arrangements for Transfer – Supported Living Landlord</b>	
20.31	The date and time of the transfer will be in line with the individual service user’s tenancy agreement (notice period).
20.32	As the notice periods may vary many will not allow sufficient time to complete a transfer to a new singular property for the current service user/s; HBC Quality Assurance Team will provide a ‘bed vacancy list’ of in-borough available tenancies /placements at Supported Living properties. Where possible the provider can transfer with the service user.
20.33	Turnbull arrangements need to be considered whereby landlord differs from care provider.
<b>Transfer</b>	
20.34	Transport arrangements will be made by the person designated by the MDT, ensuring that the vehicle is suitably equipped to accommodate the needs of the adult/s who will be accompanied by a carer who knows them and can offer support during the journey.
20.35	The clothing, possessions and furniture owned by the adults/s should go with them to the new service so that their new environment is as familiar as possible.
<b>Post Transfer</b>	
20.36	A social work review will be undertaken 6 weeks post transfer, to ensure that the individual’s needs continue to be met within the new setting. Health reviews will be completed with one month
21.0	<b>Terminating the MDT Closure Project</b>
21.1	The MDT Closure Project Lead/s and Accountable Lead should assess each closure situation to determine how long post transfer the project team is required to undertake the post transfer responsibilities. The project plan should be extended accordingly, through negotiation with the new service/s.
21.2	On completion of the post transfer period, The MDT Closure Project Lead/s and appointed Accountable Lead Operational Director must facilitate a debriefing session/s based on feedback from the adults affected, their

21.3	<p>representatives and staff in order to complete a learning report and make any necessary amendments to this document.</p> <p>The learning report is to be completed within 3 months of termination of the project and should include:</p> <ul style="list-style-type: none"><li>• Outcome of transfers</li><li>• Lessons to be learned</li><li>• Any further actions</li></ul>
21.4	<p>The report should be circulated to the HBC Director for Communities Senior Management Team, HBC Contracts Team and Quality Assurance Team and the CCG.</p>

