

## Appendix 2

# Lessons Learned Report Sale of Abbey House and Cooper House

### 1. Approach

As part of good project governance it is essential to learn from what went well and what aspects we might change going in to the next phase of the project.

Comments from officers involved in Phase 1 - the sale of Abbey House and Cooper House were gathered in a variety of ways, such as workshop, informal discussion, and 1-1 meetings.

### 2. Things That Went Well

**Throughout the process, residents' wellbeing was a priority for the Council and the new provider:**

- The successful sale of the homes as going concerns was the best possible outcome for the residents. The sale was in accordance with the general wishes of residents and relatives following the consultation exercise.
- Other positives for residents and relatives included:
  - Reduced anxieties, as residents were assured that they could stay in the homes.
  - All aspects relating to continuing levels of care for residents were maintained through the transition.
  - Collaborative working between the Council and the new provider to ensure appropriate staffing levels and clear information about transfer of out of hours management contacts.
  - Existing residents' fees have been honoured by the new provider, which has given residents and relatives assurance that they would not have to pay any more.
  - Residents were assured that they could keep their own rooms.
  - Residents and their families/carers had an opportunity to meet with senior officers from the Council and with representatives from Leicestershire County Care Ltd, which was a positive experience at both homes.

**The lessons exercises also looked at other aspects of the procurement and sale process:**

- Several organisations expressed an interest in the homes during the procurement process and an experienced preferred bidder was identified.
- The use of a competitive dialogue process allowed open discussion with bidders and variant bids maintained interest from a number of bidders throughout the process, allowing for a flexible approach and providers to their own financial/legal models. This flexibility allowed the successful bidder to submit an innovative and attractive tender.
- Completion was achieved within a challenging timescale. A target date of 2<sup>nd</sup> February 2015 was set once the preferred bidder was identified. Completion took place on this date.
- Comprehensive project management enabled this deadline to be achieved by providing continued focus, a clear governance structure and clear communication

lines helping issues to be resolved quickly and effectively.

- There was a collaborative approach between the Council and the preferred bidder through the establishing of a Joint Sales Project Board and a structure of formal and informal groups to deal with specific aspects of the sales.
- The staffing implications of change were managed closely and effectively with good support from HR. The TUPE process was well managed and the interests of the workforce were protected. The unions were involved throughout.
- Information received from the unions involved in the transfer of the County homes was useful and there was robust union challenge on the content of the 'measures letter', which was agreed before the transfer took place.
- There were opportunities for local ward members, residents and staff to meet the new owners in advance of the transfer. There was also an invite to visit other homes run by LCCL to help reduce anxieties for staff and better prepare them for working with the new owners.
- Payment arrangements for LCC placements were in place in time. The payment run was on the same day as transfer, and success was achieved due to intense input from Finance and Social work teams.
- Throughout the process, data protection advice was enacted, in order for safe transfer of the significant amount of residents' and staff personal information.

### **3. Things That Could Have Been Done Differently**

- The use of an "asset purchase agreement" led to a substantial and lengthy due diligence process and a large amount of queries in the last few weeks of the project. To avoid this, an alternative approach is being put in place by Legal Services and Procurement for the sale of Arbor House and Thurn Court. This will mean that such information will be provided earlier during the procurement process, rather than towards the end of the sale.
- There needs to be regular communications with residents and their relatives/carers and staff throughout the whole process. There were periods of time where it may have appeared to them that not much was happening. Regular communication during these periods would be useful in bridging the gap and letting people know that a number of necessary tasks were taking place in the background.
- Relatives of residents have advised that they would have liked more opportunities to meet with the preferred bidder prior to transfer. We will, therefore, look at arranging more scheduled contact opportunities for residents and relatives.
- Managers need to ensure that annual leave is taken appropriately and that training records are kept up to date.