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DATE: 6 April 2010

To: Members of the
**ADULT AND COMMUNITY POLICY DEVELOPMENT AND SCRUTINY
COMMITTEE**

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley (Vice-Chairman)
Councillors Nicholas Bennett J.P., Ruth Bennett, Carole Hubbard,
William Huntington-Thresher, Charles Rideout, Karen Roberts and
Brenda Thompson

Non-Voting Co-opted Members

Dr Angela Bhan, Bromley Primary Care Trust
Angela Clayton-Turner, Bromley Mental Health Forum
Richard Lane, Learning Disability Forum
Leslie Marks, Bromley Council on Ageing
Keith Marshall, Disability Voice Bromley
Lynne Powrie, Carers Bromley
Gill Rose, Bromley Federation of Housing Associations

A meeting of the Adult and Community Policy Development and Scrutiny Committee
will be held at Civic Centre on **WEDNESDAY 14 APRIL 2010 AT 7.00 PM**

MARK BOWEN
Director of Legal, Democratic and
Customer Services.

***Copies of the documents referred to below can be obtained from
<http://sharepoint.bromley.gov.uk>***

A G E N D A

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

- 1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS**
- 2 DECLARATIONS OF INTEREST**

3 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

To hear questions to the Committee received in writing by the Legal, Democratic and Customer Services Department by 5pm on Thursday 8th April 2010 and to respond.

4 MINUTES OF THE MEETING OF ADULT AND COMMUNITY SERVICES PDS COMMITTEE MEETINGS HELD ON 16 FEBRUARY 2010 AND 24 FEBRUARY 2010. (Pages 5 - 12)

5 MATTERS ARISING FROM PREVIOUS MEETINGS (Pages 13 - 18)

PORTFOLIO HOLDER PRESENTATIONS AND DECISIONS

6 QUESTIONS TO THE ADULT AND COMMUNITY PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

To hear questions to the Adult and Community Portfolio Holder received in writing by the Legal, Democratic and Customer Services Department by 5pm on Thursday 8th April 2010 and to respond.

7 PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST MEETING (Pages 19 - 22)

8 PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY PORTFOLIO REPORTS

The Adult and Community Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where he is minded to make decisions.

a ADULT AND COMMUNITY PORTFOLIO PLAN 2010/201_(Pages 23 - 30)

b GRANTS IN CONTINGENCY_(Pages 31 - 36)

9 BUDGET MONITORING 2009/2010 (Pages 37 - 44)

HEALTH SCRUTINY ITEMS

10 REPORT FROM THE HEALTH CHECK WORKING GROUP (Pages 45 - 64)

POLICY DEVELOPMENT AND OTHER ITEMS

11 SUPPORTING INDEPENDENCE IN BROMLEY PROGRAMME (Pages 65 - 72)

12 QUALITY MONITORING OF DOMICILIARY CARE SERVICES - ANNUAL REPORT (Pages 73 - 86)

13 FINDINGS FROM THE TRANSPORT REFERENCE GROUP (Pages 87 - 102)

14 SUPPORT FOR STAFF SECONDED TO PARTNERSHIP BODIES (Pages 103 - 106)

15 REVIEW OF THE SCHEME OF DELEGATIONS (Pages 107 - 118)



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ADULT AND COMMUNITY POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held on 24 February 2010

Present:

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley (Vice-Chairman)
Councillors Nicholas Bennett J.P., Ruth Bennett,
Peter Fookes, Carole Hubbard, William Huntington-
Thresher and Charles Rideout.

Angela Clayton-Turner, Mimi Morris-Cotterell and Maureen Falloon.

Also Present:

Councillor Fookes
Councillor: Graham Arthur, (Portfolio Holder)

5 APOLOGIES FOR ABSENCE AND NOTIFICATION OF ALTERNATE MEMBERS

Apologies for absence were received from Councillor Brenda Thompson, Leslie Marks, Bromley Council on aging; Maureen Falloon attended as her alternate, Angela Bhan, Bromley PCT; Mimi Morris-Cotterill attended as her alternate, Richard Lane, Learning Disability Forum, Keith Marshall, Disability Voice Bromley and Gill Rose, Bromley Federation of Housing Associations.

6 DECLARATIONS OF INTEREST

Councillor Roberts declared an interest as a Member of the Red Cross. Councillor Hubbard declared a personal interest as an Employee of Bromley PCT, a Trustee of Age Concern Bromley and President of Alzheimer's Bromley, White Gables. Councillor William Huntington-Thresher declared a personal interest in item 13 as a Member of the Board of Broomleigh Housing Association.

7 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Written questions were submitted by Ms Sue Sulis to the Executive and Resources Policy Development and Scrutiny Committee on 19th February 2010. Who resolved that they were more appropriate for the Adult and Community Services Policy Development and Scrutiny, therefore they were forwarded to this

meeting. Ms Sulis also forwarded another 3 questions for written responses. Both sets of questions and answers are appended to these minutes.

However Councillor Nicholas Bennett stated that these questions should not have been addressed to the Chairman of the Policy Development and Scrutiny committee and it was agreed that the questions would be answered by the Portfolio Holder.

8 MINUTES OF THE MEETING OF ADULT AND COMMUNITY SERVICES PDS COMMITTEE MEETINGS HELD ON 17TH NOVEMBER 2009 AND 30TH NOVEMBER 2009.

The minutes of the 17th November were signed as a correct record subject to one amendment:

Minute 55 – Leslie Marks declared an interest in Age Concern Bromley only.

The minutes of the 30th November were signed as a correct record.

RESOLVED that:

- 1. the minutes of the meeting held on 17th November are agreed as a correct record subject to one minor amendment.**
- 2. the Minutes of the meeting held on 30th November are agreed as a correct record.**

9 MATTERS ARISING FROM PREVIOUS MEETINGS

The committee considered a report providing an update on recommendations from previous meetings.

The Chairman reported that herself and the Chairman of the Public Protection and Safety Policy Development and Scrutiny committee would be visiting River House and would report back to a future meeting.

The Leader of the Council had meetings with Affinity Sutton which had been helpful. A brief protocol was being drawn up. After the May elections both new and old members would receive a presentation.

RESOLVED that the progress made on recommendations from previous meetings be noted.

Portfolio Holder Presentations and Decisions

The Portfolio Holder gave an update on his meetings with the PCT about using their assets to assist “shared” customers. He also reported on the “Tech Launch” that he attended and learnt how simple aids could help people lead independent lives.

In addition he highlighted the Personal Care at Home bill which would come into force in October 2010. This would provide free care to those in their own homes in the greatest need. This would have massive implications for the budget as the Council would be expected to fund 1/3 of the costs (approximately £1.4m). He advised that the Adult and Community Services Policy Development and Scrutiny committee would need to debate this issue.

10 QUESTIONS TO THE ADULT AND COMMUNITY PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

Written questions had been submitted to the Policy Development and Scrutiny Committee Chairman. It was noted that these questions would be addressed by the Portfolio Holder. They are appended to these minutes.

11 PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST MEETING

The Committee reviewed decisions taken by the Portfolio Holder since the last Adult and Community PDS Committee held on 17th November 2009.

RESOLVED that the previous decisions be noted.

PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY PORTFOLIO REPORTS

12 QUALITY MONITORING OF CARE HOMES - ANNUAL REPORT

The Committee considered a report outlining work that had been undertaken to monitor the quality of service provided in residential and nursing homes for adults in the Borough.

One member raised concerns regarding monitoring of residents. Whilst those funded by Bromley received regular reviews those who paid their own fees (self funding) did not. Officers explained that they did visit every home and would raise any concerns but did not review self funding residents. There was currently no capacity to offer monitoring to self funded residents.

The Chairman felt that as only one of the homes listed was marked as “excellent” she would like to see a bench marking exercise

undertaken.

The committee also noted that, until May 2009, a rota had been used to for Members to visit homes. There had not been a visit since then. Members requested that this was re-instated. It was agreed that there would need to be a format for the visits and that they could not go "unannounced". Reports on these visits would be reported back to the committee.

With regard to the training consortium it was noted that a number of homes did not take advantage of this training. However officers explained that some of the larger providers had their own in-house providers and whilst it appeared in the figures that they did not undertake training this was due to the fact that in-house training was not recorded by Bromley. However officers did review the homes' training records.

RESOLVED that the Portfolio Holder be recommended to:

- (1) Endorse the principle that new placements are only made in one star homes if the service user wishes to exercise choice;**
- (2) Endorse the enhanced review activity which is employed where residents are living in a nil or one star home.**

13 BUDGET MONITORING 2009/10

The Committee reviewed a report which provided an update on the latest budget monitoring position for 2009/10 for the Adult and Community Portfolio, based on expenditure levels up to 31 December 2009.

The Director clarified the situation with regard to Bed and Breakfast accommodation. He confirmed that there were no families living in Bed and Breakfast accommodation. At any one time there may be a handful of occasions when this there was no option than to use this type of accommodation but not for families.

Members also received clarification on two accounting technicalities relating to direct payments and the carers grant.

With regard to the carers grant the Chairman asked officers to ensure this was clarified as it appeared to suggest that the council had withheld spending money on carers.

Also in relation to item 5 learning disabilities day services the under spend was due to "difficulties" in recruiting staff as opposed to delays.

RESOLVED that the Portfolio Holder be recommended to note that the sum of £100,000 had been transferred from the budget for Private Sector Renewals, to fund the increased cost of Renovation Grants in 2009/10, as approved by the Executive on 3rd February 2010.

14 SUPPORTING PEOPLE FRAMEWORK CONTRACT AWARD

The Committee considered a report informing the Portfolio Holder of the completion of the exercise to set up a framework for the procurement of Supporting People services and outlining the process for awarding contracts procured from Providers on the framework.

Members raised a point that with regard to domestic violence this may not only be violence against women. Officers explained that whilst all the refuges were for women only there was a one stop shop for male victims of domestic violence where they could obtain support and information. If men were fleeing domestic violence alternative accommodation would be sought for them within the Council's statutory duty in regard to homelessness.

RESOLVED that the Portfolio Holder be recommended to endorse the use of the Framework for housing related support services and for other appropriate contracts from 1 April 2010.

15 CAPITAL PROGRAMME - 3RD QUARTER MONITORING 2009/10 & 2009 CAPITAL REVIEW

The Committee considered a report highlighting changes agreed by the Executive in respect of the Capital Programme for the Adult and Community Portfolio. The Executive had also approved new capital bids recommended by Chief Officers in this year's Capital Review process.

Members requested that new schemes that were endorsed by Executive and Resources were highlighted and that, in future, the report should include a summary of the variations. Following a member query on Section 106 receipts the Director agreed that this needed to be kept under review. The Chairman highlighted that the E&R Policy Development and Scrutiny Committee received a regular report on sections 106 and wondered if this could be referred on to the other Policy Development and Scrutiny Committees.

RESOLVED that the report be noted.

16 TIMELINESS OF ASSESSMENTS AND REVIEWS

The Committee considered a report providing an update on performance on assessments and reviews during 2009/1010.

It outlined Bromley's performance in completing assessments and undertaking annual reviews. It was noted that the performance declined over the period 07/08 and 08/09.

Members noted that demand for assessments had increased by 60%. There was concern that this could increase again. They asked officers if it had reached a "plateau" or would it rise again. Officers said that the rise at the end of 2009 was unusual and it was hard to establish why it had happened. Whilst they could not categorically state that it would not rise again they felt that it was unlikely the referral rates would increase to such a degree again.

With regard to the time taken from assessment to the implementation Bromley had 93% of its referral implemented within 28 days. However members felt that the figures should be more detailed as some referrals were implemented within 7 days and this needed to be reflected in the statistics. Officers reported that 96% of referrals were implemented within 7 days.

Officers were requested to provide data covering the number of referrals from 2006 – 2009 outside of the meeting.

Members requested that they receive an update report in 12 months.

RESOLVED that

- (1) current performance in respect of assessments and reviews and the action being taken to improve performance in these areas.**
- (2) That officers submit an update report in February 2011.**

17 SUPPORTING INDEPENDENCE IN BROMLEY PROGRAMME

Jean Penney gave a presentation in conjunction with a report which provided an update on the development of the Supporting Independence in Bromley Programme and the Customer Journey.

The programme was intended to support funding for people deemed to have critical and substantial needs and safeguarding adults. It would provide help and support to allow them to do more for themselves. It would focus on reducing need and building

independence through targeted short term prevention, re-enablement and independence training.

Members congratulated officers on the work undertaken to enable the elderly and vulnerable adults to lead independent lives if they wished to.

RESOLVED that the customer journey is noted.

18 2010/2011 GRANTS REPORT

The Committee considered a report reviewing the range of Government Grants deployed within the Adult and Community Portfolio and outlining the risk of dependency on such grants, summarising the exit strategies that are in place to cope with the eventual cessation of the grants.

Members commented that they felt the report lacked detail relating to what the outcomes would be for the schemes if funding was withdrawn, which would establish the costs of not having the scheme balanced against the costs of providing it.

RESOLVED that the report is noted.

19 RE-PROVISION OF ACCOMMODATION AND CARE FOR PEOPLE WITH LEARNING DISABILITIES

The Committee considered a report providing an update on progress towards re-providing accommodation and care for people with learning disabilities moving out of “campus” accommodation previously provided by Bromley Primary Care Trust (PCT).

Members were pleased to note the progress. They raised one query related to Hawes Lane regarding the plans for the building and also requested that before any planning applications were submitted that ward members were made aware of the proposals. The co-opted member representing the PCT agreed to investigate and report back to a future meeting.

RESOLVED that progress on the re-provision and care for people with learning disabilities moving from PCT provided campus accommodation is noted.

20 WORK PROGRAMME

The Committee reviewed its work programme for 2009/10.

Members requested the following items be included on the work programme:

- A report on the outcomes from the recent disciplinary appeal the findings of which were reported to the GP and Licensing committee.
- Consideration to be given to the out of hours GP service and questions added to the PCT "Picture of Health" and to receive a presentation, once it was "live", at the meeting in either September or November.
- A report from the care homes reference group in November
- Consider Policy development for the following year at the June meeting.

RESOLVED that the 2009/10 work programme be noted.

21 SUPPORTING PEOPLE FRAMEWORK CONTRACT AWARD

This item was moved into the part one part of the meeting (see minute 17)

The Meeting ended at 9.38pm

Chairman

Report No.
LDCS10066

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MATTERS ARISING FROM PREVIOUS MEETINGS

Contact Officer: Philippa Stone, Scrutiny Co-ordinator
Tel: 020 8313 4871 E-mail: philippa.stone@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: N/A

1. Reason for report

- 1.1 This report updates Members on recommendations from previous meetings which continue to be "live".

2. **RECOMMENDATION(S)**

- 2.1 The Committee is asked to note the progress on recommendations made at previous meetings.

Corporate Policy

1. Policy Status: Existing policy. "Building a Better Bromley"
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £476,706
 5. Source of funding: Existing Budget
-

Staff

1. Number of staff (current and additional): There are 14 posts in the Democratic Services team (11.89 fte, of which 10 fte are dedicated to committee support).
 2. If from existing staff resources, number of staff hours: Maintaining the matters arising report takes less than an hour per meeting.
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Current Membership of the A&C PDS Committee (16 Members including Co-opted Members)
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

<u>Minute Number/Title</u>	<u>Decision</u>	<u>Update</u>	<u>Action</u>	<u>Completion Date</u>
31. Referral Relating to Direct Payment Procedure – Progress Update	That Councillor Ruth Bennett would review the direct payment forms over the summer and report back to the committee.		Councillor Ruth Bennett and Head of Assessment and Care Management	TBA
29th September 2009				
44(A) Budget monitoring 2009/10	That a joint report be considered with CYP PDS reviewing the transition period from CYP Services to Adult Services for individuals with disabilities.		Scrutiny Co-ordinator and Head of ACS Finance	
45. Bromley PCT: Update on Primary Care Developments	That representatives from the PCT be asked to return to the Committee in September 2010 to provide a further update.		Scrutiny Co-ordinator	September 2010
49. Report on Domiciliary Care Survey Results	Members requested that they be provided with further information regarding the survey results at the future meeting.	This item has been scheduled into the Committee's Work Programme.	Interim Assistant Director for Commissioning and Partnerships	April 2010
17th November 2009				
65. Adult and community Services Mid-Year Performance	That a further report outlining details of the project allocating self monitoring machines to patients with long-	The project is being led by Supporting Independence in Bromley. Further information will be available towards the end of 2010.	Manager - Supporting Independence in Bromley	November 2010

<u>Minute Number/Title</u>	<u>Decision</u>	<u>Update</u>	<u>Action</u>	<u>Completion Date</u>
	term conditions be provided to a future meeting.			
24th February 2010				
88. Quality Monitoring of Care Homes – Annual Report	That a rota for visits to care homes be circulated to the Committee	This will be circulated to Members prior to the next meeting of the Committee	Scrutiny Co-ordinator	June 2010
92. Timeliness of Assessments and Reviews	That data covering the number of referrals from 2006 to 2009 be provided. That an update report be provided to the Committee is 12 months.		Assistant Director Care Services	February 2011

68. Day Care Services for Older People	That the issue of the length of time it takes to transport clients to day care centres be considered by the Transport Reference Group.	This will form part of the Review of the Transport Reference Group which will be reporting in late Spring 2010.	Chairman of the Transport Reference Group/ Scrutiny Co-ordinator	April 2010
72. Update on Sexual Health Services	That a further update be provided in Spring 2010	This issue will be added to the Committee's work programme	Scrutiny Co-ordinator/Director of Public Health, Bromley PCT	April 2010
30th November 2009				
74. Security at Bethlam Royal Hosiptal	That representatives from the South London and Maudsley NHS Trust attend the Public Protection and Safety Committee's meeting on 17th March to present findings and the outcome of its tagging pilot.		Scrutiny Co-ordinator	17 March 2010

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Agenda Item 7

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for Adult and Community, Councillor Graham Arthur, has made the following executive decision -

QUALITY MONITORING OF CARE HOMES

(Report ACS10009)

Decision:

That the principle that new placements are only made in one star homes if the service user wishes to exercise choice be endorsed.

That the enhanced review activity which is employed where residents are living in a nil or one star home be endorsed.

Reasons:

Under Section 21 of the National Assistance Act 1948 the Council has a duty to provide or arrange for residential accommodation for persons who by reason of age, illness, disability or any other circumstances are in need of care and attention not otherwise available to them.

Once a person has been assessed as being in need of such care, the Council must have regard to the National Assistance Act 1948 (Choice of Accommodation) Direction 1992 which is intended to give clients a choice over where they receive such care arranged or provided by the Council. Such choice has to reflect both the costs of such accommodation as well as its availability.

National and local policies expect that continuous improvement be achieved in the quality of care delivered in residential and nursing homes service the local community.

The proposed decision was scrutinised by the Adult and Community PDS Committee on 24th February and the Committee supported the proposal.

Councillor Graham Arthur
Adult and Community Portfolio Holder

Mark Bowen
Director of Legal, Democratic and Customer Services
Bromley Civic Centre
Stockwell Close
Bromley
BR1 3UH

Date of Decision: 4th March 2010

Implementation Date (subject to call-in): 11th March 2010

Decision Reference: A&C10002

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for Adult and Community, Councillor Graham Arthur, has made the following executive decision -

BUDGET MONITORING 2009/10

(Report ACS10005)

Decision:

That the projected reduction in overspend for the Adult and Community Services Portfolio from £333k to £292k as at 31st December 2009 be noted.

That the transfer of the sum of £100k from the budget for Private Sector Renewals to fund the increased cost of Renovation Grants in 2009/10, as approved by the Executive on 3rd February 2010, be noted.

Reasons:

The Resources Portfolio Plan for 2009/10 includes the aim of effective monitoring and control of expenditure within budget and includes the target that each services department will spend within its own budget. Bromley's Best Value Performance Plan "Making a Difference" refers to the Council's intention to remain amongst the lowest Council Tax levels in outer London and the importance of greater focus on prioritise. The four year financial forecast report highlights the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2009/10 to minimise the risk of compounding financial pressures in future years. Chief Officers and Departmental Heads of Financial are continuing to place emphasis on the need for strict compliance with the Council's budgetary control and monitoring arrangements.

The proposed decision was scrutinised by the Adult and Community PDS Committee on 24th February and the Committee supported the proposal.

Councillor Graham Arthur
Adult and Community Portfolio Holder

Mark Bowen
Director of Legal, Democratic and Customer Services
Bromley Civic Centre
Stockwell Close
Bromley
BR1 3UH

Date of Decision: 4th March 2010

Implementation Date (subject to call-in): 11th March 2010

Decision Reference: A&C10003

LONDON BOROUGH OF BROMLEY

STATEMENT OF EXECUTIVE DECISION

The Portfolio Holder for Adult and Community, Councillor Graham Arthur, has made the following executive decision -

SUPPORTING PEOPLE FRAMEWORK CONTRACT

(Report ACS10006)

Decision:

That the proposed use of the Framework for housing-related support services and for other appropriate contracts from 1st April 2010 be approved.

Reasons:

The Supporting People programme helps to deliver the aim of Building a Better Bromley to support people to remain independent.

On March 10th 2009 the Portfolio Holder agreed that Bromley would be a secondary partner in the joint framework being developed by the boroughs of Southwark and Lewisham for the procurement of Supporting People services. The associated tendering exercise has now been completed and has established a ranked list of providers based on the most economically most advantageous bids (taking into account quality and price).

There are a range of potential benefits in using the framework agreement to both providers and commissioning authorities as the framework will establish clear prices and ensure that services deliver a high level of quality. The costs of the procurement process will be reduced, both for authorities as the administration is shared and for providers as they only need to tender once.

The proposed decision was scrutinised by the Adult and Community PDS Committee on 24th February and the Committee supported the proposal.

Councillor Graham Arthur
Adult and Community Portfolio Holder

Mark Bowen
Director of Legal, Democratic and Customer Services
Bromley Civic Centre
Stockwell Close
Bromley
BR1 3UH

Date of Decision: 4th March 2010

Implementation Date (subject to call-in): 11th March 2010

Decision Reference: A&C10004

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Report No.
ACS10023

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: 2010/11 ADULT & COMMUNITY PORTFOLIO PLAN

Contact Officer: Helen Stewart, Information Services Manager
Tel: 020 8313 4691 E-mail: helen.stewart@bromley.gov.uk

Chief Officer: Terry Rich, Director of Adult and Community Services

Ward: Borough-wide

1. Reason for report

This report presents members with the most recent update on progress with the ACS Portfolio Priorities. The report also presents the Draft Portfolio Plan for 2010-11 for member consideration and comment.

2. **RECOMMENDATION(S)**

- (a) To note and comment on the performance against the actions in the 2009/10 plan; and
- (b) To comment on the outcomes, aims and actions contained in the draft 2010/11 plan.

Corporate Policy

1. Policy Status: Existing policy. Building a Better Bromley - Promoting Independence - The plan includes the main LPSA actions of the Local Area Agreement as they relate to this portfolio. Other policy implications are included within the substance of the Plan.
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: No cost No additional cost arises from this plan, which is based on the current budget.
 2. Ongoing costs: Non-recurring cost.
 3. Budget head/performance centre: Social Care and Housing
 4. Total current budget for this head: ££94.6m (2010/11 Budget)
 5. Source of funding: Existing revenue budgets
-

Staff

1. Number of staff (current and additional): 803 full time equivalent posts (as per 2010/11 Budget)
 2. If from existing staff resources, number of staff hours: 803 FTE
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance. Both Adult Social Care and Housing Needs Service is governed by legislation (NHS & Community Care Act 1990 and Housing Act 1996 and the Homelessness Act 2002).
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): - Approximately 8,500 receiving services in social care with approximately 5,000 people on the Housing Register across the Portfolio. Housing Advice Options work with in excess of 4,000 households each year who are experiencing a variety of household difficulties. Approximately 2,000 people are supported by the Home Improvement Agency annually.
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

3.1 Introduction:

The priorities within the Adult and Community Portfolio Plan last and this year are aimed at improving the quality of life of some of the most vulnerable members of our community. These priorities contribute towards the 'Building a Better Bromley' aim to '**support independence**'. They will also impact on the Building a Better Bromley aims to develop:

- **A 'quality environment'** through our plans to improve housing and prevent homelessness,
- '**Ensure that all children and young people have opportunities to achieve their potential**', through our plans to support young people with disabilities to move successfully into adulthood, and in
- **Achieving 'an excellent council'** through our continuing agenda for performance management and improvement.

3.2 Progress on 2009/10 Plan:

The attached summary report (appendix A) highlights progress so far this year. In particular there has been progress in the following areas:

- Work is well under way for 3 new Extra Care Housing (ECH) Schemes: Work commenced at the Blue Circle site during May 2009 to enable the delivery of 55 x 1 bed flats and 5 x 2 bed flats for elderly extra care purposes. This scheme is due to deliver in 2011. Detailed work is also underway in relation to planning and funding on 2 further schemes to deliver approximately 90 units in 2010/11
- The Supporting Independence in Bromley (SIB) programme for transforming social care is on track to meet the national milestones including
 - The establishment of the re-ablement service in February 2010 to help people to regain their independence. Currently 14 service users have received this service with plans for 250 service users to be part of this service within the first year.
 - The number of people offered self-directed support and personal budgets have improved and is also in line with targets currently set. At the time of this report there are currently 706 service users that have been offered Self-Directed Support packages against a target of 750 by the end of March 09-10
- The involvement of service users and carers in the transformation of social care in Bromley is key and during the year an Expert by Experience Group "X by X" was established who have made an invaluable contribution to the success of the programme. For example they have provided advice about the revised Direct Payments leaflets and guidance and have formed a Champions Group focusing on Direct Payments, working closely with the Supporting Independence Programme on changes and developments.
- The Bromley Mencap Support Planning and Care Brokerage service set up in January 2009 has helped 248 people with learning disabilities since its launch in January 2009 with a range of issues, for example; 20 have been assisted with achieving welfare benefits, 24 have been assisted with achieving one-off benefit payments and grants, 16 have been assisted with making housing applications, 60 have been assisted with referral to other services such as Summer scheme, Buddying scheme, Jobmatch, Bromley Sparks and a range of other local services.

- In the last year there has been a 40% increase in approaches to the service from households either homeless, threatened with homelessness or with mortgage or rent difficulties that could lead to their homelessness that can be linked to their financial difficulties resulting from the recession. This equates to 222 households. The Council has put in place a number of measures including a money and debt advice service, maximising take up of the national mortgage rescue scheme, a LBB mortgage rescue option, arrear repayment plans negotiated with the lender/landlord and client, small loans scheme secured against their property, plus extended the rent deposit guarantee scheme and increased work to establish more private landlords who will take referrals of such households from the Council so as to prevent their homelessness. As a result the 40% increase in approaches has been dealt with in such a way as to only result in a 2% increase in actual homeless acceptances. There has also been a 300% increase per week in households applying to the Council's Housing Register (c 100 every week) as the means to meet their housing needs such that there are now in excess of 5,500 households on the register'.
- The PCT re-provision programme continues to enable people to live in the community. There are currently 49 people now living in the community and there are plans for a further 40 people to move by February 2011.
- The first Empty Dwelling Management Order has been finalised and work has started on the property to make it habitable and safe. Two further Interim Orders have been prepared and are with senior officers for approval.

3.3 In addition to these areas the following LAA priorities are making good progress:

- We have achieved 231% of the March 2010 LAA Energy Efficiency target (LAA reward target 5).
- Carers receiving needs assessments or reviews and access to advice and information is currently at 30%, which is above the LAA target of 24% set for 09-10.
- Hospital admissions for people with pre-existing conditions have been reduced by 69% (LAA reward target 8)

The following LAA priorities are not doing so well:

- Percentage of older people having care planning intervention who feel better in four quality of life areas (LAA reward target 9). The health component of the survey brings down the score for this target. However, overall the interventions are making a difference to people's lives with 66% of respondents to the post intervention survey feeling better in at least one area of their lives than before
- Number of people achieving a 5% reduction in body weight (LAA reward target 10): Despite these targets being a real challenge progress has been made to increase the number of individuals on the weight management programmes and to increase the % of individuals achieving the 5% weight loss. More realistic goals were set within this target for 09/10 and the projected 80 people with a 5% reduction in body weight by the end of 2009 has been achieved and we are on track for 108 people to have achieved the target by June 2010.
- The percentage of adults aged 16 and over participating in at least 30 minutes activity (LAA reward target 11): Active Bromley events currently developed include a workplace health programme at Priory school, and the 2010 Fun Run which took place in March 2010. Current performance at the end of Quarter 3 is 21.4% against a target of 25%, but it is

anticipated that this should improve by the end of the current year, following the completion of above planned events.

3.4 In the progress report that was presented to the Portfolio Holder in November the following areas were highlighted as needing more input to meet the end of year targets:

- Current performance for completion of assessments within 28 days was at 75% as at the end of January 2010. If the current assessment performance continues, the year end forecast is 80% despite a growth in referrals of just over 63%. This is a key performance area within the department's improvement plan. Next year as previously reported targets will be set to ensure that those in the most need receive the fastest response within the overall target for timeliness of assessment / support planning and Self Directed Support.
- The number of people taking up Direct Payments has improved and will continue to support the delivery of personal budgets to customers, which is a key outcome of the Supporting Independence Programme.

3.5 The Adult & Community Service Department has a regular performance meeting that monitors these targets, reporting progress and management action. The LAA targets are monitored by the HSCH Partnership Board quarterly to ensure that the main outcomes are being met.

3.6. Development of the 2010/11 Plan

3.6.1 The Portfolio Holder hosted the 7th Planning Conference in December which was attended by over 100 stakeholders who represented:

- Service Users and Carers from the Partnership Boards.
- LBB Departments (ACS, Environmental Services, Legal, Democratic and Customer Services & Chief Executives).
- Adult & Community Portfolio PDS elected members.
- Health Representatives (Bromley PCT and Oxleas NHS Foundation Trust).
- Voluntary Sector representatives from the Partnership Boards and Groups and PDS.

3.6.2 During the day there were a range of presentations and workshops about service developments including:

- Extra Care housing and Supported Living
- Brokerage services for people with learning difficulties
- Presentation by the Chair of “X by X”, the Experts by experience Group with the theme “nothing about us without us”

There was also the year ahead to consider, and issues included:

- Future challenges and possible solutions
- Personalisation
- The changing market for provision
- Enabling people to lead independent lifestyles and keep safe.

3.6.3 The day allowed participants to explore the key issues of the Personalisation agenda and identified the key priority areas for 2010-2011. These included:

- Commissioning a web based portal for the provision of information, advice and guidance.
- Improving access to information and communication to promote a better understanding of users’ needs.
- Developing the market to provide greater flexibility and choice in the future.

3.6.5 Consultation Process/ timescales.

Consultation on this plan began at the Conference in November and many stakeholders shared their thoughts in the early draft stage of the plan. The draft plan was circulated for wider stakeholder consultation in March. As part of this exercise easy read and sensory impairment formats have been developed to achieve the maximum participation. The plan has been circulated to the 100 stakeholders that attended the day plus representatives from all the partnership groups and boards. Formal endorsement by the Portfolio Holder of the final Portfolio Plan will be submitted to the June meeting.

3.7 The draft plan for 2010 – 2011 moves forward on last year’s plan priorities, with the emphasis on Promoting personalisation, Choice and Independence and with a greater focus on keeping vulnerable adults safe from abuse and neglect. The Plan highlights some of the key issues facing the service in the coming year and identifies suggested aims and actions.

3.8 Summary of the main areas of the Plan

The plan has 4 priority outcomes which are:

1. Enhancing opportunities for all to have greater access to information and services and the ability to make choices and exercise control over their own lives
2. Maximise Health and Quality of Life outcomes for vulnerable people through closer partnership working
3. Enable vulnerable and disabled people to participate actively in their local communities and provide access to employment opportunities (paid and voluntary)

4. Ensure the safety and protection of vulnerable adults through a Safeguarding framework that protects people from risk of abuse and neglect.
- 3.8 The above outcomes for next years Plan are consistent with the outcomes in Bromley Local Area Agreement and Building a Better Bromley.
- 3.9 A key issue for the Portfolio in the coming year will be continuing to deliver developments required by the Transforming Social Care agenda through the Supporting Independence in Bromley programme. The plan will be building on some of the key activities which have commenced in 2009/10 including:
- Evaluating the learning from the Age Concern and Mencap brokerage service and determine the future shape of brokerage across all user groups.
 - Working with the PCT to provide alternative person centred living options for people with a learning disability currently living in campus accommodation.
 - Improving access to debt management advice and mortgage rescue funds to reduce the number of people made homeless through repossession.
 - Strengthen the links with the Community Safety and Public Protection and other Portfolios to obtain better outcomes for vulnerable people

4. POLICY IMPLICATIONS

- 4.1 The plan reflects the priorities of 'Building a Better Bromley' and includes the main LPSA actions of the Local Area Agreement as they relate to this portfolio. Other policy implications are included within the substance of the Plan.

5. FINANCIAL IMPLICATIONS

- 5.1 The Four Year Financial Forecast gives an overview of the key service and financial pressures facing the Council over the next four years and identifies in detail the cost pressures facing the Adult & Community Services department.
- 5.2 As part of the Portfolio Planning process linkages are made with the Financial Forecast to ensure that any additional cost pressures or savings that arise are taken into account.

6. LEGAL IMPLICATIONS

- 6.1 There are no legal implications directly arising from this report. Any legal implications arising from the implementation of the various actions contained within the Plan will be reported to the Portfolio Holder.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Portfolio Plan 2008/09 – main plan and six month update Portfolio Plan 2009/10 – main plan and six month update

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Report No.
ACS10025

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community Services Portfolio Holder

For Pre-decision Scrutiny by the Adult and Community Services PDS Committee on 14th April 2010

Date: 14th April 2010

Decision Type: Non-Urgent Executive Key

Title: **ADULT AND COMMUNITY SERVICES GRANTS IN CONTINGENCY 2010/11**

Contact Officer: Tracey Pearson, Interim Head of Finance,
Tel: 020 8461 7806 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Terry Rich, Director of Adult & Community Services

Ward: Borough Wide

1. Reason for report

- 1.1 This report provides an overview of the grants held in the 2010/11 central contingency relating to the Adult and Community Services Portfolio and requests that the grants be released into the Portfolio budget.
- 1.2 At the meeting of the Adult and Community Policy, Development and Scrutiny Committee on 24th February a report entitled "2010/11 Grants Report" was considered. This report reviewed the range of grants deployed within the ACS Portfolio, considered the risk of dependency on such grants, and summarised the exit strategies that are in place to cope with the eventual cessation of the grants.

2. ----**RECOMMENDATION(S)**

The Portfolio Holder is asked to request the Executive to release the Mental Capacity Act Grant and the increase in Carers Grant from the central contingency into the Adult and Community Portfolio budget for 2010/11.

Corporate Policy

1. Policy Status: Existing policy. Sound Financial Management, Building a Better Bromley
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: Estimated cost £212k
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: Adult & Community Services Carers Grant and Mental Capacity Act Grant
 4. Total current budget for this head: £1,376k
 5. Source of funding: Area Based Grant
-

Staff

1. Number of staff (current and additional): 1 fte post directly funded by Mental Capacity Act Grant.
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement. Mental Capacity Act 2005, Carers and Disabled Children Act 2000.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Boroughwide - the grants detailed in this report reflect various services covering a wide range of customers and users of the services.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 As part of the 2008/09 budget setting process, Members agreed that any new grant funding or significant increases above inflation for existing grant funding would be held in the central contingency and that any utilisation of these additional grant monies would require the approval of the Executive. The same policy has been adopted for the 2009/10 and 2010/11 budget setting process.
- 3.2 Grants relating to the Adult and Community Services Portfolio currently held in the 2010/11 contingency are shown in the table below and are based on best information available at the present time. There may be further government announcements varying the amounts shown below or introducing additional grants.

Grants in Central Contingency	2010/11 £'000
Mental Capacity Act	135
Carers Grant	77
Total Adult and Community Services Portfolio	212

3.3 Mental Capacity Act

The Mental Capacity Act 2005 sets out the principles and mechanisms for making personal welfare, health care and financial decisions affecting adults aged 16 years or over who lack the mental capacity to make such decisions themselves. This applies to all care groups. Decisions made should be made in the service users 'best interests' and may include consent to serious medical treatment or to changes of residence (e.g. moving care homes or hospital). The Local Authority has a statutory responsibility to ensure an assessment of an individual's capacity and to meet the requirements of the Act if they lack capacity. The grant covers three areas of work:

(i) Independent Mental Capacity Advocate (IMCA) Service

The Act made it a legal requirement for people lacking mental capacity to have independent advocacy when there are no known relatives or close friends to speak for them. This service is provided through a contract between Bromley, Greenwich and Bexley with Cambridge House and provides a service to approximately 120 clients per year. The contract is for 3 years with an option of a year's extension. This spend continues through 2009/10 and 2010/11.

(ii) Mental Capacity Act Training and Awareness

Training has been provided for professional staff teams and service providers within Bromley. There is a continuing training requirement and a programme has been designed with the Learning & Development division. In addition, specialist external training for Deprivation of Liberty Safeguards best interest assessors is being accessed. A programme of specialist training for all professionals will continue over the period 2009/10 and 2010/11. After that time, any ongoing training will have to be contained within other social care training programmes.

(iii) Deprivation of Liberty Safeguards

The Act gives Local Authorities and Primary Care Trusts statutory responsibility to carry out “Best Interest Assessments” to establish if an individual should be deprived of their liberty. This funding provides additional professional capacity to undertake these assessments within the tight statutory timescales allowed to determine whether restrictions on an individual’s liberty imposed by a care home or hospital service can be justified as within their “best interests”. In addition, Relevant Persons Representatives (a specialist advocacy function) is statutorily required for individuals subject to a Deprivation of Liberty Safeguard. This service will be spot purchased as and when required.

- 3.4 On 30th March 2009, the Executive received a report detailing the proposed use of the grant allocations for 2009/10 and 2010/11 and agreed to the drawdown of £141k in 2009/10 to support the delivery of statutory responsibilities under the Mental Capacity Act. The grant has reduced slightly in 2010/11 and £135k is currently held in the central contingency.
- 3.5 The spending proposals as approved by the Executive on 30th March 2009, together with current year projections, are as follows:

	2009/10 Budget £'000	2009/10 Projection £'000	2010/11 Plan £'000
Independent Mental Capacity Advocate (IMCA) Service	32	32	32
Training and Awareness	23	39	17
Deprivation of Liberty Safeguards (DOLS) *	45	29	45
Care Management Post (DOLS) - 1fte	41	41	41
Total	141	141	135

* originally £16k of this funding was earmarked for Relevant Persons Representatives but has been diverted to safeguarding and training activities as the volume of activity was lower than budgeted in 2009/10. Expenditure for training and awareness in 2009/10 includes training relating to Deprivation of Liberty Safeguards. It is difficult to accurately predict activity levels in this area but Deprivation of Liberty assessments are expected to increase in 2010/11 because of a predicted increase in the number of referrals.

- 3.6 It is unclear whether grant funding will continue beyond 2010/11 and, should funding cease, the department will need to consider alternative ways of providing this service should there be no capacity to absorb expenditure within existing departmental budgets.

3.7 Carers Grant

The main purpose of this grant is to enhance provision of community care and children’s services to allow carers to take a break from caring, stimulate greater awareness by authorities of the need for the services in their area to be more responsive to the needs of carers and to provide carers with services other than breaks, in keeping with the Carers and Disabled Children Act 2000. The 2009/10 total allocation of £1,214k was allocated directly into the ACS Portfolio budget and, although current budget monitoring reports indicate an underspend of £54k, this reflects the expenditure head directly attributed to the Carers Grant and does not

reflect additional budget pressures in other areas of the department relating to support for carers which this underspend is being used to fund.

3.8 The 2010/11 grant has increased to £1,291k, an increase of £77k. The ACS portfolio budget includes grant funding at the existing level of £1,214k with the increase being allocated to the central contingency requiring the approval of the Executive to draw down.

3.9 The current year budget, projected outturn and 2010/11 expenditure plan is shown in the table below:

	2009/10 Budget £'000	2009/10 Projection £'000	2010/11 Plan £'000
Respite and Support Services to Carers	440	440	403
Voluntary Sector Contracts and SLAs	454	454	479
Development Work and Projects	61	61	66
Increase in Dementia Day Services	0	0	27
Children & Family Services	243	243	258
Quality Assurance	8	8	8
Total Expenditure	1,206	1,206	1,241
Financed by:			
2009/10 Grant Allocation	1,214	1214	1,291
Carry Forward from 2008/09 *	42	42	0
Budget Savings #	-50	-50	-50
Total Funding	1,206	1,206	1,241

* the 2008/09 underspend arose from slippage in schemes, mainly as a result of staff changes. The carry forward has been used to fund several time limited programmes and projects in 2009/10 , for example a telephone helpline, the carers emergency respite database, and the introduction of carers self-assessment.

as part of the 2009/10 budget process, savings of £50k were identified relating to services funded through the Carers Grant. These savings are ongoing and, as such, have been reflected in the 2010/11 spending plan.

3.10 In line with Department of Health Guidelines, 20% of the grant is used to fund services within the Children and Families Portfolio aimed at providing carers breaks for young carers. The 2010/11 spending plan has been updated to reflect this.

3.11 There are potential further pressures arising from increased numbers of Older People with dementia and further increases in the number of adults with Learning Disabilities which will result in the need for additional respite or day services to provide breaks for their carers. Also, demand on the Carers budget is forecast to increase with a need to provide additional support to ageing carers.

4. POLICY IMPLICATIONS

- 4.1 “Building a Better Bromley” refers to the Council’s intention to remain amongst the lowest Council Tax levels in Outer London. Strict budgetary control continues in 2009/10 and 2010/11 to minimise the risk of compounding pressures in future years.
- 4.2 The grants concerned contribute to the delivery of Building a Better Bromley priorities and the Adult and Community Portfolio Plan.

5. FINANCIAL IMPLICATIONS

- 5.1 The 2010/11 central contingency includes two grants totalling £212k relating to the Adult and Community Portfolio. Both of these grants are Area Based and, although not specifically ring-fenced, are allocated for particular purposes. The government’s performance assessment framework embeds targets to measure the delivery of the objectives associated with these purposes.
- 5.2 As with all other grant allocations, the government can reduce or end the grants at any time and the Council would suffer such a reduction in funding. Further detail about these grants, including the risks of dependency and exit strategies in place to cope with the eventual cessation of the grants is included in the “2010/11 Grants Report” to the Adult and Community PDS Committee on 24th February 2010.

6. LEGAL IMPLICATIONS

- 6.1 The Mental Capacity Act Deprivation of Liberty safeguards were introduced into the Mental Capacity Act 2005 through the Mental Health Act 2007 and came into force as from April 2009. The report sets out some of the duties we have under that Act.
- 6.2 The Carers and Disabled Children Act 2000 makes provision about the assessment of carers’ needs and the provision of services to help carers. The main purpose of the Carers grant is to enhance provision of community care and children’s services and to provide carers with services other than breaks, in keeping with this Act. The Carers Grant is intended to enable local authorities to continue to develop innovative and personalised outcomes reflecting the needs of their local carer population and forms part of the Government’s strategy for carers, originally set out in *Caring about Carers* published in 1999.

7. PERSONNEL IMPLICATIONS

- 7.1 In the event that these grants were to cease, there may be redundancy implications for any staff directly funded by these grants. This would be managed in line with the Council’s HR procedures for managing change which includes a redeployment framework. Employees would be briefed and consulted on the impact of the funding proposals on their employment and every effort would be made to redeploy them.

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	2010/11 Grants Report – ACS PDS Committee 24 th February 2010 Mental Capacity Act Grant Release – Executive 30 th March 2009

Report No.
ACS 10022

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult & Community Services Portfolio Holder

**For Pre-decision Scrutiny by the Adult & Community
Services PDS Committee on 14th April 2010**

Date: 14th April 2010

Decision Type: Non-Urgent Executive Key

Title: **BUDGET MONITORING 2009/10 - ADULT & COMMUNITY
SERVICES**

Contact Officer: Tracey Pearson, Interim Head of Finance,
Tel: 020 8461 7806 E-mail: tracey.pearson@bromley.gov.uk

Chief Officer: Terry Rich, Director of Adult & Community Services

Ward: Borough Wide

1. Reason for report

This report provides an update of the latest budget monitoring position for 2009/10 for the Adult and Community Services Portfolio, based on expenditure and activity levels up to 31 January 2010.

RECOMMENDATION(S)

The Portfolio Holder is requested to note that the projected overspend for the Adult and Community Services Portfolio as at 31st January has reduced from £292k to £275k.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: All Adult & Community Services Portfolio Budgets
 4. Total current budget for this head: £87.5M
 5. Source of funding: Existing revenue budgets
-

Staff

1. Number of staff (current and additional): 803 fte's
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement. The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000; and the Local Government Act 2002.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The 2009/10 budget reflects the financial impact of the Council's strategies, service plans etc. which impact on all of the Council's customers (including council tax payers) and users of the services.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

This report provides the budget monitoring position for the Adult & Community Services Portfolio based on spend and activity at the end of January 2010.

CHIEF OFFICER'S COMMENTS

Demands have been largely contained within budgets across adult social care and housing services, although there are continuing pressures within learning disabilities and physical disabilities services which will impact on the coming year and will require continued attention. Signs are that 2010/11 will be a difficult year with increasing pressures across all client groups and a need to be looking for efficiencies and alternative care options, further reducing reliance on long term residential care.

4. POLICY IMPLICATIONS

- 4.1 The Resources Portfolio Plan for 2009/10 includes the aim of effective monitoring and control of expenditure within budget and includes the target that each service department will spend within its own budget.
- 4.2 Bromley's Best Value Performance Plan "Making a Difference" refers to the Council's intention to remain amongst the lowest Council Tax levels in outer London and the importance of greater focus on priorities.
- 4.3 The four year financial forecast report highlights the financial pressures facing the Council. It remains imperative that strict budgetary control continues to be exercised in 2009/10 to minimise the risk of compounding financial pressures in future years.
- 4.4 Chief Officers and Departmental Heads of Finance are continuing to place emphasis on the need for strict compliance with the Council's budgetary control and monitoring arrangements.

5. FINANCIAL IMPLICATIONS

- 5.1 The 2009/10 projected outturn is shown in Appendix 1 and includes a forecast of projected expenditure for each division, compared to the latest approved budget, with an explanation of any variations. The projections are based on expenditure and activity levels up to January 2010 and show a projected overspend of £275,000. The final column in Appendix 1 (a) shows the full year impact of any overspends in this financial year which are expected to follow through into next year. Appendix 2 shows the make up of the latest approved budget for the Portfolio.
- 5.2 Costs attributable to individual services have been classified as "controllable" and "non-controllable" in Appendix 1. Budget holders have full responsibility for those budgets classified as "controllable" as any variations relate to those factors over which the budget holder has, in general, direct control. "Non-controllable" budgets are those which are managed outside of individual budget holder's service and, as such, cannot be directly influenced by the budget holder in the shorter term. These include, for example, building maintenance costs and property rents which are managed by the Property Division but are allocated within individual departmental/portfolio budgets to reflect the full cost of the service. As such, any variations arising are shown as "non-controllable" within services but "controllable" within the Resources Portfolio. Other examples include cross departmental recharges and capital financing costs. This approach, which is reflected in financial monitoring reports to budget holders, should ensure clearer accountability by identifying variations within the service that controls financial performance. Members should specifically refer to the "controllable" budget variations relating to portfolios in considering financial performance.

5.3 The main pressures arise in the Care Services division, where an overspend of £587,000 is currently forecast, which can be analysed as follows;

	£'000
Contracted out homes/residential care	-244
Domiciliary care for older people	-12
Domiciliary and residential care for clients with physical disabilities	474
Total Assessment & Care Management	218
Direct Services - Homecare	333
Aids/Hiv Grant	-52
Learning disabilities - care management	88
Total Care Services	587

5.4 The projected underspend of £262,000 for the Commissioning and Partnerships division arises from the following, and contributes towards relevant pressures within the Care Services division.

	£'000
Carers Grant expenditure *	-54
Commissioning & Partnerships staffing etc.	-39
	-93
Procurement & Contracts Compliance - Supporting People grant	-104
Learning Disabilities Services	-131
Mental Health Services	66
Total Commissioning & Partnerships	-262

*The Carers budget is used to fund a range of services around providing support to carers, which includes short breaks, domiciliary care and day care. The projections reflect an underspend of £54k within the Commissioning and Partnership service area, however, this is purely a coding issue and the cost of additional support for carers relating to these services is included within the Assessment and Care Management service area. Overall, expenditure relating to the carer's budget is expected to break-even.

5.5 Further explanation of the variations can be found in appendix 1 (b).

Non-Applicable Sections:	Legal, Personnel, Customer Impact
Background Documents: (Access via Contact Officer)	2009/10 Budget Monitoring files within Adult & Community Services Finance Section

Adults and Community Services Budget Monitoring Summary

2008/09 Actuals £'000	Division Service Areas	2009/10 Original Budget £'000	2009/10 Latest Approved £'000	2009/10 Projection £'000	Variation £'000	Notes	Variation Last Reported £'000	Full Year Effect £'000
	Care Services							
0	AIDS-HIV Grant	52	52	0	-52	1	-40	0
25,559	Assessment and Care Management	30,490	31,170	31,388	218	2	321	768
8,647	Direct Services	3,368	3,253	3,586	333	3	279	0
2,447	Health Intervention	2,885	2,874	2,874	0		0	0
1,464	Learning Disabilities Care Management	1,143	1,458	1,582	124	4	121	124
1,392	Learning Disabilities Day Services	2,253	2,254	2,218	-36	5	-35	0
1,222	Learning Disabilities Housing & Support	1,340	1,261	1,261	0		0	0
40,731		41,531	42,322	42,909	587		646	892
	Commissioning and Partnerships - ACS Portfolio							
2,331	Commissioning and Partnerships	2,496	2,783	2,690	-93	6	-91	0
13,475	Learning Disabilities Services	13,525	13,402	13,271	-131	7	-137	552
4,942	Mental Health Services	4,706	4,720	4,786	66	8	24	237
602	Procurement & Contracts Compliance	467	443	339	-104	9	-100	0
21,350		21,194	21,348	21,086	-262		-304	789
	Housing and Residential Services							
-13	Enabling Activities	-17	-17	-17	0		0	0
-1,632	Housing Benefits	-13	-355	-355	0		0	0
556	Housing Needs	621	609	569	-40	10	-40	0
436	Housing Strategy & Development	354	342	342	0		0	0
778	Residential Services	1,437	1,428	1,428	0		0	0
125		2,382	2,007	1,967	-40		-40	0
	Strategic Support Services							
10,863	Concessionary Fares	7,534	7,569	7,569	0		0	0
797	Customer Services	929	905	902	-3		-3	0
1,795	Performance & Information	1,749	1,666	1,655	-11		-7	0
51	Quality Assurance	74	196	200	4		0	0
0	Transforming Social Care	-413	0	0	0		0	0
13,506		9,873	10,336	10,326	-10		-10	0
75,712	TOTAL CONTROLLABLE FOR ADULTS AND COM	74,980	76,013	76,288	275		292	1,681
4,430	TOTAL NON CONTROLLABLE	1,115	1,458	1,468	10		10	0
9,830	TOTAL EXCLUDED RECHARGES	9,605	9,997	9,997	0		0	0
89,972	PORTFOLIO TOTAL	85,700	87,468	87,753	285		302	1,681

ACS 10022 - REASONS FOR VARIATIONS**1. AIDS-HIV Grant - Cr £52k**

Due to delays in planned activities, current projections indicate that the department's contribution towards expenditure relating to this grant will not be committed this year. This means that the underspend can contribute towards the pressures on the domiciliary care budget for clients with physical disabilities.

2. Assessment & Care Management - £ 218k

The variation can be analysed as follows:-

	£'000
Residential & nursing care for older people	(244)
Domiciliary care & direct payments for older people	(12)
Residential care for clients with physical disabilities	23
Domiciliary care & direct payments for clients with physical disabilities	451
	<hr/> 218 <hr/>

Residential & Nursing Care for Older People - Cr £244k

Projections based on activity to the end of January shows an overspend of £67k on nursing care for older people, which is a reduction of £186k since last month, mainly due to a number of deaths. However this is more than offset by a projected underspend of £311k on residential care.

Although a net underspend is forecast for 2009/10, full year costs based on average unit costs and current numbers indicate that there will be a budget pressure of £198k on the 2010/11 placements budget, mainly as a result of increases in the cost of contracted placements.

Domiciliary Care and Residential Placements for Clients with Physical Disabilities - £474k

Referrals to the Physical Disabilities team have increased significantly and resulted in an overspend at the end of last year. The latest projections indicate that there will be an overspend of £474k this year, which reflects the full year effect of the 2008/09 variation, as well as continuing pressure from new clients in 2009/10.

The draft budget for 2010/11 includes additional funding of £200k for PD clients coming through transition. However based on current projections, the full year effect of the 2009/10 overspend means that the anticipated costs for all new PD clients is approximately £570k in 2010/11. Therefore, after allowing for the extra funding, there is still a pressure of £370k to be contained within departmental budgets next year through management action.

3. Direct Services - £333k

The number of domiciliary care hours provided by the In-House service is currently below that budgeted for, resulting in a projected overspend. Fixed overheads are not being fully recovered by the hourly charge that is made to the services, but as care management hold the budgets to pay for these services, any overspend is offset by a corresponding underspend in the in-house homecare budget for older people within Assessment and Care Management. This is not highlighted separately in note 2 above, but the domiciliary care and direct payment variation would have shown a significant overspend if this were not the case.

4. Learning Disabilities Care Management - £124k

There is a slight increase in the projected overspend for domiciliary care this month and a net overspend of £58k is currently projected for agency domiciliary care, based on activity to the end of December. In addition the number of clients receiving direct payments at the end of January will result in an anticipated to overspend by £66k.

This is expected to continue into 2010/11 at the same level and will be funded from the £967k for LD growth included in the 2010/11 draft budget (see also note 7).

5. Learning Disabilities Day Services - Cr £36k

There is currently a small underspend of £36k on this budget due to staff vacancies across the service.

6. Commissioning & Partnerships - Cr £93k

The projected underspend mainly comprises:

	£'000
Carers Budget	(54)
C&P Salaries	(66)
Other	27
Total projected underspend	<u>(93)</u>

The projected underspend of £54k on the Carers Budget is mainly a result of low take-up of funding delegated to care management teams. This underspend is being used to fund additional budget pressures (relating to help for carers) in other areas of the department.

The £66k net underspend on salaries arises mainly from vacancies (including vacancies whilst post holders are seconded elsewhere).

7. Learning Disabilities Services - Cr £131k

An underspend of £131k is projected on the LD Services under the Commissioning and Partnerships division, which is slightly lower than last month. There are a variety of reasons for the underspend which include delays in clients receiving new packages, reduced costs for some and lower than anticipated commitments arising from carer breakdowns and increased client needs in the current year.

Although there is an underspend in 2009/10, based on information to the end of January, an overspend of £552k is projected in 2010/11. This is mainly as a result of several transition clients coming through from CYP and ongoing assumptions about changes to current client packages. The 2010/11 draft budget includes a provision of £967k for growth in client numbers.

LD Re provision

The projections include expenditure of £2.160m relating to the ex PCT clients who have moved to new social care accommodation as part of the LD Campus Closure programme. These costs are fully funded by the PCT and are included in the £8m provision held in the central contingency.

8. Mental Health Services - £66k

The projected net overspend is analysed as follows:

	Jan-10 £'000	Dec-09 £'000
Residential, DP's & flexible support	124	103
Contribution to PCT	(39)	(39)
Other	(19)	(14)
	<u>66</u>	<u>50</u>
<i>Management action - planned moves</i>	0	(26)
Net projected overspend	<u>66</u>	<u>24</u>

Pressures in the current year have been contained by the use of provisions made at the end of 2008/09, but not required as a result of successful legal negotiations disputing the council's liability for an expensive client referred via the courts.

The success of planned moves and ongoing reviews, particularly for high cost placements, is vital in keeping spend within budget in 2010/11. The full year effect of the current placements is estimated to be £237k, but it is anticipated that this will be mitigated by savings from the moves. There are early signs of pressure in the service due to an increase in the number of clients coming via the Ministry of Justice.

9. Procurement & Contract Compliance - Cr £104k

Due to delays in some of the projects expected to take place this year, current commitments against the Supporting People Services grant indicate a likely underspend this year. Given that the ACS Department is in an overspend position, an underspend of £104k has been reported to be used to contribute to relevant budget pressures within the Department.

10. Housing Needs - Cr £40k

There is a slight underspend of £40k projected relating to fewer people going into B&B placements.

ACS PORTFOLIO LATEST APPROVED BUDGET 2009/10

Budget Variations allocated to portfolios in 2009/10	Adult and Community Services
	£'000
<u>2009/10 Original Budget</u>	
Total For Portfolio	85,700
Budget Variations allocated during the year:	
Carry forwards from 2008/09:- (agreed by Executive 17/06/09)	
- Carers (ACS)	42
- Stroke Care Grant - Expenditure	93
- Stroke Care Grant - Grant Income	Cr 93
- Social Care Reform - Expenditure	100
- Social Care Reform - Grant Income	Cr 100
- Supporting People Services - Expenditure	224
- Supporting People Services - Grant Income	Cr 224
- Overcrowding Pathfinder Grant - Expenditure	76
- Overcrowding Pathfinder Grant - Grant Income	Cr 76
Total Carry forwards	42
General Items in 2009/10 Contingency Sum	
Full year effect of increase of 0.3% in 2008 NJC pay award notified last year	69
Additional Housing Benefit and Council Tax Benefit administration costs	123
- Additional specific grant	Cr 123
Additional Efficiency Savings	Cr 57
Learning Disabilities Service	300
Clawback of the 2009/10 NJC pay award	Cr 244
Alignment of ACS budget with income that will be received in 2009/10	600
NNDR revaluation	3
Provision for inflation adjustments	200
Further increases in fuel costs	8
Property contribution to Housing for Gypsy site works	20
Total General Items	899
Grants included within Central Contingency Sum	
Mental Capacity Act (Area Based Grant) - Executive 30/03/09	141
Social Care Reform :-	
- New Grant	413
- Additional grant related expenditure	519
- Additional grant related income	Cr 519
Handyperson Grant	Cr 75
- Grant related expenditure	75
Total Grants	554
Variations in Recharges	76
Variations in Recharges etc.	76
Total Budget Transfers etc.	197
Total Variations per Financial Monitoring Report	1,768
2009/10 Latest Approved Budget	87,468

Report No.
LDCS10064

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: NHS HEALTH CHECK WORKING GROUP 2009/10

Contact Officer: Kerry Nicholls, Democratic Services Officer
Tel: 020 8313 4602 E-mail: kerry.nicholls@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Administrative and Customer Services

Ward: All

1. Reason for report

The NHS Health Check Working Group is the forum through which this Committee exercises its health scrutiny role and can provide comments to the Care Quality Commission on the performance of the health trusts that serve the people of Bromley.

2. **RECOMMENDATION(S)**

The Committee is requested to endorse the report and recommendations from the NHS Health Check Working Group.

Corporate Policy

1. Policy Status: Existing policy. The Committee's health scrutiny role supports the Local Area Agreement aim of improving health.
 2. BBB Priority: N/A.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £435,000
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): 0
 3. If from existing staff resources, number of staff hours: Meetings of the NHS Health Check Working Group are supported by 1 Officer from Adult and Community Services and 1 Officer from Legal, Democratic and Customer Services
-

Legal

1. Legal Requirement: Non-statutory - Government guidance. The Health and Social Care Act 2001 (Section 7) introduced a requirement for local authorities with social services responsibilities to make arrangements for the scrutiny of the planning, provision and operation of health services. However, there is no compulsion to operate in the NHS Health Check process.
 2. Call-in: Call-in is not applicable. This report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The effective provision of health services affects all residents of the Borough.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Care Quality Commission (CQC) is the new independent regulator of all health and adult social care provided by the NHS, local authorities, voluntary organisations and private companies in England as well as primary care trusts and local councils in their commissioning of health and social care services. It aims to provide assurance that basic core standards are being met, improvements are being sought, healthcare services are providing value for money and performance information is being brought together to support informed decision making by patients, the public and NHS staff.
- 3.2 Through the NHS Health Check Working Group, this Committee can exercise its health scrutiny role by enabling Members to consider the quality of health and adult social care delivered across the Borough, and report their findings to the CQC if this is felt to be necessary.
- 3.3 In late 2006 this Committee set up a Member Working Group to consider how it could contribute more effectively to the Annual Health Check process in 2006/07 and in future years. The Working Group was re-appointed for 2009/10. It comprises Councillors Judi Ellis (Chairman), Carole Hubbard, Charles Rideout and Brenda Thompson. The terms of reference of the Health Check Working Group were amended following the abolition of the Annual Health Check and the introduction of new reporting procedures to the CQC. Guidance from the CQC advises overview and scrutiny committees that a commentary about the NHS Trust's declaration in Bromley for the NHS performance ratings in 2009/10 is no longer necessary. Instead, the CQC invites overview and scrutiny committees to consider the quality of health and adult social care delivered across the Borough, providing information as appropriate.
- 3.4 During 2009/10 the Working Group has met on six occasions to review its terms of reference, plan a work programme, interview senior representatives of South London NHS Trust, Bromley Primary Care Trust, Oxleas NHS Trust and the Ambulance Service, and decide on the issues that it wishes to comment on (see report at Appendix 1).

Non-Applicable Sections:	Policy Implications, Financial Implications, Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	<i>Voices in Action: Your Part in our Assessment of health and Adult Social Care in 2009/10</i> , Care Quality Commission (2009)

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THE LONDON BOROUGH

**REPORT OF THE NHS HEALTH CHECK WORKING GROUP
2009/10**

April 2010

Working Group Membership

Elected Members

Councillor Judi Ellis (Chairman)
Councillor Carole Hubbard
Councillor Charles Rideout
Councillor Brenda Thompson

Officer Support

Anne Watts, Assistant Director: Strategic Development and Performance
Philippa Stone, Scrutiny Coordinator
Kerry Nicholls, Democratic Services Officer

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1. Introduction

The NHS Health Check Working Group was established by the Adult and Community Services Policy Development and Scrutiny Committee to support the development of health services across the Borough.

Whilst the statutory information requirements have changed over the years, the main objectives of the Working Group remain the same; to consider how the Adult and Community Services Policy Development and Scrutiny Committee can contribute to the assessment of performance against national and local health standards in Health Trusts across Bromley, and to identify a range of practices, processes, structures and relationships that will impact on local health services in future years.

Members of the NHS Health Check Working Group have been working to ensure Adult and Community Services Policy Development and Scrutiny Committee is provided with regular and appropriate updates on the performance of health trusts. They also seek to develop good working relationships with the Health Trusts across the Borough, and ensure that Bromley Council continues to work with Health Trusts and their partners to sustain the excellent quality of our health services into the future.

Councillor Judi Ellis
Chairman of the Working Group

2. Reasons for Review and Terms of Reference

- 2.1 The Care Quality Commission (CQC) is the new independent regulator of all health and adult social care services provided by the NHS, local authorities, voluntary organisations and private companies in England as well as primary care trusts and local councils in their commissioning of health and social care services. It seeks to provide assurance that basic core standards are being met, improvements are being sought, healthcare services are providing value for money and performance information is being brought together to enable informed decision making by patients, the public and NHS staff.
- 2.2 Through the NHS Health Check Working Group, the Adult and Community Services Policy Development and Scrutiny Committee can exercise its health scrutiny role by enabling Members to consider the quality of health and adult social care services delivered across the Borough, and report their findings to the CQC if this is felt to be necessary.
- 2.3 During 2009/10 the Working Group has met on six occasions to review its terms of reference, plan a work programme, interview senior representatives of South London NHS Trust, Bromley Primary Care Trust, Oxleas NHS Trust and the Ambulance Service, and decide on the issues that it wishes to comment on.
- 2.4 The agreed Terms of Reference for the Review were:
- i) To consider how the Committee can contribute more effectively to the NHS delivery of services in the Borough; and
 - ii) To consider what practices, processes, structures, relationships etc are needed to have an on-going impact on the development of local health services in future years.
- 2.5 The following witnesses provided evidence to the review:
- Tracy Pidgeon, Ambulance Operations Manager, SE Sector HQ, London Ambulance Service
 - Iain Dimond, Director of Bromley Mental Health Services, Oxleas NHS Trust
 - Helen Smith, Deputy Chief Executive and Director of Service Delivery, Oxleas NHS Trust
 - Dr Angela Bahn, Joint Director of Public Health, Bromley Primary Care Trust
 - Harry Goldingay, Associate Director (Risk), Bromley Primary Care Trust
 - Adam Wickings, Director of Primary Care, Bromley Primary Care Trust
 - Dr Chris Streather, Chief Executive, South London Healthcare NHS Trust
 - Carl Shoben, Director of Communications, South London Healthcare NHS Trust

3. Background

- 3.1 In late 2006 the Adult and Community Services Policy Development and Scrutiny Committee set up a Member Working Group to consider how it could contribute more effectively to the Annual Health Check process in 2006/07 and in future years. The Working Group was re-appointed for 2009/10. It comprises Councillors Judi Ellis (Chairman), Carole Hubbard, Charles Rideout and Brenda Thompson.
- 3.2 At the initial meeting of the review, the terms of reference were considered and amended to reflect the abolition of the Healthcare Commission and the Annual Health Check and the introduction of new reporting procedures to the CQC. Guidance from the CQC advised overview and scrutiny committees that a commentary about the NHS Trust's declaration in local areas for the NHS performance ratings in 2009/10 is no longer necessary. Instead, the CQC has invited overview and scrutiny committees to consider the quality of health and adult social care delivered across the Borough, providing information as appropriate.
- 3.3 Representatives from London Ambulance Service, Oxleas NHS Trust, Bromley Primary Care Trust and South London Healthcare NHS Trust were invited to give evidence to the Committee during the information gathering stage, and a broad range of issues were considered.
- 3.4 The Working Group met on 30th March 2010 to consider the findings of the review and to make a range of recommendations as appropriate to respond to any issues identified.

4. Findings and Recommendations

4.1 In considering the evidence presented at Working Group meetings, the Working Group has arrived at a number of findings as detailed below.

4.2 Ambulance Service

- There was currently an increase in service demand. In response to this there had been two recruitment drives and new ambulances were being introduced.
- The IT system that supported the Ambulance Service was now more robust and reliable.
- Ambulance crews did not return to the depot and were located across the Borough to improve response times.
- There were no motorcycles or bicycles providing a rapid response service across Bromley, however this service was provided by car.
- Each Ambulance was staffed by a fully trained paramedic and technician.
- In terms of performance, the target for reaching Category A calls (immediately life-threatening) was 75% within 8 minutes and was being met. The target for reaching Category B (serious) calls was 95% within 19 minutes, but performance was currently around 89%.
- Staff absence was low, with only 4 days of sickness absence per annum per member of staff against a target of 5.5 days.
- An Ambulance Community Responder scheme was operating in Biggin Hill, where volunteers were trained to provide an emergency first aid response. There was a plan to introduce a similar scheme in Orpington in response to the high level of demand for ambulance services.
- Physical assault on ambulance staff was currently not a major issue in Bromley. Members noted the high level of awareness of the danger of physical assaults by the Ambulance Service.

4.3 **Recommendations:**

- a. The performance of the ambulance service around response times to be reviewed in 12 months time by the Adult and Community Services Policy Development and Scrutiny Committee.**
- b. The impact of recent recruitment drives and newly introduced ambulance capacity to be reviewed in 12 months time by Adult and Community Services Policy Development and Scrutiny Committee.**
- c. Progress around plans to introduce Ambulance Community Responder scheme to Orpington to be reported to the Adult and Community Services Policy Development and Scrutiny Committee.**

4.4 Oxleas NHS Trust

- There was a strong working relationship between Oxleas NHS Trust and the LINK. The LINK was part of the membership of the Mental Health Forum.
- The closure of the 24 hour Accident and Emergency Service at Queen Mary's had resulted in an increase in mental health demand within Oxleas' Greenwich services, but there had not been a corresponding increase in demand across Oxleas' Bromley services.
- Green Parks House;
 - There was a good working relationship between Princess Royal University Hospital and Green Parks House.
 - The shared computer system for access to mental health records resulted in speedier referral.
 - The manager of Green Parks House was a permanent member of staff, as were the 5 ward managers. There were no agency nursing staff currently employed by Oxleas NHS Trust.
 - Training was provided around personal management of violence and aggression and there had been a reduction in levels of patient assault on staff across the Trust over the past year.
 - The safe management of dementia patients was highlighted as wards could not be locked.
 - A recent review of security arrangements had been made in line with national standards.
- The Members of the Working Group raised concerns around the take-up of master classes provided by Oxleas NHS Trust for GPs.
- There had been a pilot scheme undertaken by Orpington Community Mental Health Team to make a Consultant Psychiatrist available for telephone consultation.
- Oxleas were including carers in discharge processes and in a carers group.
- The majority of mental health services were delivered in the community rather than an in-house setting.
- Inspections over a period of time had consistently rated Oxleas services very highly. In October 2009 the Trust was rated as 'excellent' for use of resources and 'good' for quality of service.
- Efforts were being made to reduce waits for all CAMHS services to no more than 18 weeks by June 2010.

4.5 **Recommendations:**

- a. **Consideration be given to the expansion of the pilot scheme undertaken by Orpington Community Mental Health Team to make a Consultant Psychiatrist available for telephone consultation.**
- b. **Progress around how the Oxleas NHS Trust carers group was developing to be reported in 12 months time to Adult and Community Services Policy Development and Scrutiny Committee.**

- c. **Consideration to be given to including the Oxleas Carers Group within the Carers Forum.**
- d. **For progress around the reduction of waiting times for the CAMHS service to be reported in June 2010 to Adult and Community Services Policy Development.**

4.6 Bromley Primary Care Trust

- The PCT has a strong relationship with the LINK, liaising over a number of issues and involving the LINK in a range of working groups. The LINK also has observer status on the PCT board.
- Additional dental provision had been delivered across the Borough and there was sufficient capacity for NHS patients.
- The majority of out of hours provision in the Borough was staffed by Bromley-based GPs, and would be the responsibility of Bromley Healthcare from October 2010.
- The targets for both MRSA and Cdiff would be met for the Princess Royal University Hospital and the wider community in 2010/11. The Trust's had managed the recent Norovirus outbreak at Princess Royal University Hospital efficiently.
- There was sufficient capacity for those who chose to access end-of-life care through St Christopher's Hospice or through care at home.
- It was important to ensure that Bromley Council and the PCT did not duplicate resources and shared information effectively as the Transforming Social Care agenda developed.
- It was important that consideration be given to provision of public transport and sufficient parking with the move to polysystem hubs.
- Work with Bexley and Greenwich around joint commissioning was being undertaken and should realise economies of scale.
- The Primary Care Trust had signed up to the COMPACT and undertook a wide range of partnership working.

4.7 **Recommendations:**

- a. **To keep the capacity of end-of-life provision under review.**

4.8 South London Healthcare NHS Trust

- The involvement of the LINK had been increased through participation in a range of formal and informal networks, including the Patient Experience Strategy Group. The LINK was keen to develop a more formal role in the decision making process, and had a representative on the 'A Picture of Health' Implementation Board.
- There had been progress in establishing the new Stroke Centre at the Princess Royal University Hospital. The initial four beds to provide hyper acute support for the first 72 hours of treatment would open in October 2010. By 2011 this provision would expand to 12 beds.
- Future service provision through polysystem hubs would be determined by the Commissioners and based on the needs of the

Borough. This would take a range of issues into account, such as location, transport and the needs of local residents.

- There was a significant level of missed appointments. In response to this, there was potential for the Council to raise awareness of the costs of missed appointments to the Borough.
- The level of smoking on hospital sites was a cause for concern.
- The social care team in Bromley worked particularly well with the trust in planning hospital discharge arrangements..
- Work to formalise the protocol between the trust and the 3 authorities it covers for hospital discharge arrangements was also being undertaken..
- The Trust had a number of doctors and nurses in management positions, including all the Divisional Directors of Operations and the Chief Operating Officer. This should be strongly promoted.
- A recent recruitment drive in Ireland had recruited 100 nurses, who would be trained in a range of shortage areas, including stroke and maternity services.
- The management restructure had been completed and recruitment was ongoing for mid-level managers.
- The realisation of benefits from the reorganisation was forthcoming.

4.9 Recommendations:

- a. Progress around the development of involvement of the LINK in the decision making process to be reported in 12 months time to Adult and Community Services Policy Development and Scrutiny Committee.**
- b. An analysis of missed appointments and related costs to be developed by South London Healthcare NHS Trust and reported to Adult and Community Services Policy Development and Scrutiny Committee.**
- c. Progress with the recent recruitment drive of nurses and for mid-level managers to be reported to Adult and Community Services Policy Development and Scrutiny Committee.**

4.10 'A Picture of Health'

- The main areas for implementation were being delivered:
 - A range of elective surgery would be transferred to other locations between April and September 2010, to allow building work to go ahead.
 - Moves of services out of hospitals, including the Consultant-led maternity unit at Queen Mary's would take place between September and October 2010.
 - The Sidcup Accident and Emergency Department would be closed by mid-September 2010.
 - During service moves, efforts would be made to ensure existing operating theatres were fully utilised, with day eye surgery likely to move to the Orpington site for a brief time.

- Three temporary operating theatres would be sited on the Sidcup site to cope with any increased demand.

4.11 Recommendations:

- a. Progress with the 'A Picture of Health' to be reported to Adult and Community Services Policy Development and Scrutiny Committee at a future date.**

MEETING INFORMATION

Meeting Date	Area of Consideration
11 th November 2009	<u>Scoping of Review</u>
14 th December 2009	<u>London Ambulance Service</u> Tracy Pidgeon, Ambulance Operations Manager, SE Sector HQ
10 th February 2010	<u>Oxleas NHS Trust</u> Iain Dimond, Director of Bromley Mental Health Services Helen Smith, Deputy Chief Executive and Director of Service Delivery
8 th March 2010	<u>Bromley Primary Care Trust</u> Dr Angela Bahn, Joint Director of Public Health Harry Goldingay, Associate Director (Risk) Adam Wickings, Director of Primary Care
15 th March 2010	<u>South London Healthcare NHS Trust</u> Dr Chris Streater, Chief Executive Carl Shoben, Director of Communications
30 th March 2010	<u>Evaluation and Conclusions</u>



PDS INVESTIGATION PROJECT OUTLINE

Review Topic: NHS HEALTH CHECK	Investigation by: A&C PDS Committee
	Type: Working Group

Objectives: (1) to consider how the A&C PDS Committee can contribute to the assessment of performance against national and local health standards in Health trusts within Bromley (2) to consider what practices, processes structures, relationships etc are needed to have an on-going impact on local health services in future years	Desired Outcomes: (1) to ensure A&C PDS Committee has regular and appropriate updates on the performance of health trusts (2) to keep a dialogue open with all health providers within the Borough to contribute to the monitoring of service performance in relation to the impact on local people. e
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Terms of Reference: (1) to consider how the Committee can contribute more effectively to the NHS delivery of services in the Borough; and (2) to consider what practices, processes, structures, relationships etc are needed to have an on-going impact on the development of local health services in future years.
--

Key Issues

Engagement with NHS Trusts
Establish what is an effective contribution,
and how it can be achieved
Ensure A&C PDS has the information to
effectively scrutinise health services within
the Borough

Risks

Timescale
Capacity of Members/Officers

Venue(s):
Civic Centre

Timescale:
Start: November 2009
Finish: March 2010

Information Requirements and Sources:

Documents/Evidence: (what, why?)

Guidance from Care Quality Commission
Information from local Trusts and Health Providers as necessary
Examples of best practice from other areas

Witnesses: (who, why?)

Ambulance Service
Chris Streater, South London NHS Trust
Angela Bahn, PCT
Oxleas NHS Trust
Other Health Providers as necessary

Consultation/Research: (what, why, who?)

Best practice from other areas

Site Visits: (where, why, when?)

None required.

Officer Support:

Kerry Nicholls, Democratic Services Officer
Philippa Stone, Scrutiny Coordinator
Anne Watts, ACS Department

Likely Budget Requirements:

None

Target Body for Findings/Recommendations:

A&C PDS Committee

Report No.
ACS10026

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: **Adult and Community Policy Development & Scrutiny Committee**

Date: 14th April 2010

Decision Type: Non-Urgent Executive Non-Key

Title: **SUPPORTING INDEPENDENCE IN BROMLEY PROGRAMME**

Contact Officer: Jean Penney / Helen Stewart, Programme Manager, Supporting Independence in Bromley / Information Services Manager
Tel: 020 84617994 Tel No E-mail: jean.penney@bromley.gov.uk

Chief Officer: Terry Rich, Director, Adult & Community Services

Ward: Borough Wide

1. Reason for report

- 1.1 The Department of Health have agreed with the Association of Directors of Adult Social Services and the Local Government Association that there are 5 key priorities which should be met during the first phase of transforming social care which runs until April 2011:
- 1.2 Milestones have been set for 2010/2011 to help authorities achieve the key priorities by April 2011. We are pleased to report that the Supporting Independence Programme is well established and on target to meet the agreed priorities by April 2010. The purpose of this report is to provide members of the PDS with an update on key deliverables achieved in order to meet the April 2010/11 Milestones agreed by Association of Directors of Adult Social Services in September 2009.

2. RECOMMENDATION(S)

Members of the Policy Development and Scrutiny Committee are asked to comment on progress to date.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: Estimated cost £2.5m set up grant over the 3 years of the programme.
 2. Ongoing costs: Non-recurring cost. Any recurring costs must be funded from mainstream budgets after March 2011
 3. Budget head/performance centre: Transforming Social Care
 4. Total current budget for this head: £2.5m over three years
 5. Source of funding: Social Care Reform Grant
-

Staff

1. Number of staff (current and additional): 9 posts funded on short term basis
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-statutory - Government guidance. Government guidance. Grant conditions required to secure Social Care Reform Grant as above. Transforming Adult Social Care, LAC (DH) (2009) 15th March, 2009. Putting People First 10th December, 2007
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The transformation agenda will impact upon all who require publicly funded adult social care as well as shaping the wider social care market for those who self-fund. Currently 10,000 adults per annum receive support and social care services in Bromley.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:

COMMENTARY

1. INTRODUCTION

- 1.1 In line with the strategic direction articulated in the Putting People First concordat (December, 2007) and the LAC (DH) 2009 (1) which set out the requirements and details of the Social Care Reform Grant that would enable local authorities to transform social care, the Supporting Independence in Bromley programme is designed to promote the independence, health and wellbeing of service users and carers by focusing on prevention, early intervention, enablement and high quality personally tailored services.
- 1.2 The Department of Health have agreed with the Association of Directors of Adult Social Services and the Local Government Association that there are 5 key priorities during the first phase of transformation (by April 2011): -
- That the transformation of adult social care has been developed in partnership with existing service users (both public and private), their carers and other citizens who are interested in these services.
 - That a process is in place to ensure that all those eligible for council funded adult social care support will receive a personal budget via a suitable assessment process.
 - Those partners are investing in cost effective preventative interventions, which reduce the demand for social care and health services.
 - Those citizens have access to information and advice regarding how to identify and access options available in their communities to meet their care and support needs.
 - That service users are experiencing a broadening of choice and improvement in quality of care and support service supply, built upon involvement of key stakeholders (Councils, Primary Care Trusts, service users, providers, 3rd sector organisations etc.) that can meet the aspirations of all local people (whether council or self-funded) wanting to procure social care services.
- 1.3 Milestones have been set during the year to help authorities achieve the key deliverables by April 2011. The purpose of this report is to provide members of the PDS with an update on key deliverables achieved in order to meet the April 2010 Milestones agreed by Association of Directors of Adult Social Services in September 2009 and the Quarter 3 Progress analysis of London Councils Submissions produced by Department of Health.

2. ADASS MILESTONES AND KEY DELIVERABLES FOR APRIL 2010

2.1 Effective partnerships with people using services, carers and other local citizens

Key Deliverables:

- That a communication has been made to the public including all current service users and to all local stakeholders about the transformation agenda and its benefits for them.
- That the move to personal budgets is well understood and that local service users are contributing to the development of local practice.
- That users and carers are involved with are involved with a regularly consulted about the councils plans for transformation of adult social care.

Deliverables achieved to Date:

- Content of two 'Talking about Supporting Independence in Bromley' briefings completed which cover:
 - What is SIB;
 - What's happening in Bromley;
 - How we are talking to service users;
 - Personal budgets;
 - Role of technology; and
 - Case study to illustrate use of personal budget through a direct payment'
- Briefings circulated through all partnership groups (Carers, LD, Older People, Older People Mental Health, PSDI, Mental Health, Staying Healthy, Older People).
- Briefings circulated through Bassets (for GP surgeries), NHS provider communication channels, voluntary organisations such as Bromley Mencap, through Talking Newspapers; Bromley LINKs; Community Links, Mencap, Age Concern, Bromley Mind, Carers Forum, Bromley Sparks and through BME channels – using Pearce.
- Launch of web pages covering:
 - what SIB means to me;
 - how we in Bromley will transform adult social care; and
 - how we are communicating SIB and other supporting material such as briefings, vision, fact sheets.
- Borough briefing page issued in September on the how we are changing delivering adult social care in Bromley to give people more choice, flexibility and control over their lives which included information on personal budgets and direct payments and featuring a case study. It also featured Experts by Experience role in shaping change for the future.
- Fact sheets around various aspects of SIB, including personal budgets and direct payments, have been produced to use with service users.
- There have been regular updates in the ACS internal TalkACS newsletter and two staff briefings about SIB. Specific communications with care staff through regular care manger reference group and presentations have been completed and continue to be delivered.
- An Expert by Experience group has been established which supports the development of the Supporting Independence in Bromley Programme.
- The Expert by Experience group has held a number of meetings to establish their future direction and have confirmed their intention to be a user led organisation.

Quarter 3 Progress: Analysis of London Councils Submissions produced by Department of Health:

- Bromley performs well within the London councils, showing that we are 'very likely' to meet the targets for April 2010, October 2010 and April 2011 targets set.

- Bromley is one of the 30 authorities that have plans in place to meet the target for a user led organisations by the end of 2010.
- Bromley is one of the 21 authorities that have direct representation of users and carers on the programme board.

2.2 Self-direct support and personal budgets

Key Deliverables:

- That every council has introduced personal budgets, which are being used by existing or new service users/carers.
- 10% of people receiving a personal budget by April 2010 (In Bromley this equates to 750 people)

Deliverables achieved to date:

- The total number of people receiving a personal budget is 732.
- 587 people are choosing to have total control over the budget and receiving the payments as a direct payment.
- Staff Training has been completed for all care managers/care management staff.
- Champion Group has been established across staff groups.
- Targets have been set for each Care Management Team in respect of Personal Budgets and Support Planning for next year and future years.
- Various Factsheets have been developed and are available via numerous routes for the public, stakeholders and staff.
- Communications to both staff and users has been delivered through different channels and continue to be delivered.
- Established a project within Transition so that young people can experience the benefits of a personal budget.
- Secured services from OLM to support the development of a resource allocation system linked to a Personal needs Questionnaire.

Quarter 3 Progress: Analysis of London Councils Submissions produced by Department of Health:

- Bromley performs well within the London councils, showing that we are 'very likely' to meet the targets for April 2010, October 2010 and April 2011.
- The Q3 return (as at 31/12/2009) identified that Bromley was one of 4 London councils who had not yet commenced issuing Personal Budgets. However Bromley commenced issuing Personal Budgets in January 2010 as planned to meet set targets.

2.3 Prevention and cost effective services

Key Deliverables:

The Council has a clear strategy, jointly with health, for how it will shift some investment from reactive provision towards prevention and enabling/rehabilitative interventions for 2010/11. Agreements should be in place with health to share the risks and benefits to the 'whole system'.

Deliverables achieved to date:

- The PCT operating plan documents joint commissioning/investment intentions between the council and the PCT with particular reference to additional services for people with dementia.
- 51 items of Assistive Technology have been installed in people homes.
- 20 items of Telehealth are in use by the PCT.
- Early Adopter phase started for re-ablement when people are discharged from hospital with 20 referral have been taken for the re-ablement service.

Quarter 3 Progress: Analysis of London Councils Submissions produced by Department of Health:

- Bromley shows that in comparison to other London Councils we are 'fairly likely' to meet the targets set for April 2010, October 2010 and April 2011.
- Bromley is one of the 24 authorities that have a strategy and / or investment programme for early intervention in place.
- Bromley is one of the 23 councils in London that confirmed that our health partners are involved with the strategy that is in place.

2.4 Information and advice

Key Deliverables:

The Council has a strategy in place to create universal information and advice services.

Deliverables Achievements to Date:

- Draft framework for the Information, advice and Advocacy Strategy is complete.
- Viewed various web-portals to gather information to inform decision making on Commissioning the appropriate resource for Bromley.
- Commissioned an 'AskSARA' web-site which helps people to self-assess and identify an appropriate item of equipment to meet their needs. The launch of this site is planned for May 2010.
- Community Equipment Retail Model project phase 1 has been completed.
- Continued to supporting two local organisations (Age Concern and Mencap) to provide a Brokerage Service to those people who are not eligible for social care funding.

Quarter 3 Progress: Analysis of London Councils Submissions produced by Department of Health:

- Bromley performs well within the London councils, showing that we are 'fairly likely' to meet the target for April 2010, and 'very likely' to meet the targets set for October 2010 and April 2011.
- Bromley is one of the 27 councils that are helping voluntary organisations and other partners provide universal information and advice to a wide range of the local population.

2.6 Local commissioning

Key Deliverables:

The Council and PCT have commissioning strategies that address the future needs of their local population and have been subject to development with all stakeholders especially service users and carers; providers and third sector organisations in their areas.

These Commissioning strategies take account of the priorities identified through their JSNAs.

Deliverables Achievements to Date:

- Strategies developed in consultation with service users, carers and partner organisations have been published for Mental Health, Older People, and Learning Disabilities with the PCT commissioning which address the needs identified in the JSNA.

Quarter 3 Progress against ADSS Milestones in London:

- Bromley performs well within the London councils, showing that we are 'fairly likely' to meet the target for April 2010, and 'very likely' to meet the targets set for October 2010 and April 2011.
- Bromley has clear links between the transformation programme and NHS local services commissioning.

3. PERFORMANCE FRAMEWORK

We are currently developing the performance framework for the Supporting Independence in Bromley Programme. The framework is being influenced by experience we have gained as services have been developed and with input from the Expert by Experience group. The framework will set out 'What good looks like' from a service user point of view, the outcomes which we should be aiming to achieve and identify how we will measure success. This will be presented to the PDS Committee in June 2010

4. POLICY IMPLICATIONS

The Supporting Independence in Bromley programme is supported by the Building a Better Bromley key aim Supporting Independence and is the key theme within the Adult and Community Portfolio Plan 09/10. The programme is in line with national developments to transform social care and supported by specific 3 year funding through the "social care reform grant". This funding supports the vision as laid down in "Our Health, Our Care our Say" and the "Putting People First" December 2007.

5. LEGAL IMPLICATIONS

Government circular LAC(DH)(2009) has the effect of Mandatory Guidance and thus will need to be complied with to enable monies to be released contingent to section 31 of the Local Government Act 2003.

6. PERSONNEL IMPLICATIONS

Changes in staffing requirements, including the types and levels of staff required and the appropriate competences to deliver personalised social care will be subject to the usual HR procedures and will be reported to Members as a matter of course.

7. FINANCIAL IMPLICATIONS

7.1 In 2008, the Government allocated a new ring-fenced specific grant of £2.5m to Bromley for a three year period to help redesign and reshape our systems to support the transformation of Adult Social Care. The grant is split as follows:

	2008/09 £	2009/10 £	2010/11 £	Total £
Social Care Reform Grant	400,000	932,000	1,145,000	2,477,000

7.2 The Social Care Reform Grant is specifically to fund additional expenditure to support the transforming social care programme. All expenditure is of a temporary nature and any posts are either short term project management posts or will only continue at the end of the programme where compensating savings have been identified elsewhere as a consequence of the change programme. The expenditure plan is overseen by the Programme Board.

Non-Applicable Sections:	[List non-applicable sections here]
Background Documents: (Access via Contact Officer)	[Title of document and date]

Report No.
ACS10024

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community Services Performance Development and Scrutiny Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **QUALITY MONITORING OF DOMICILIARY CARE SERVICES**

Contact Officer: Wendy Norman, Strategic Manager, Procurement and Contract Compliance
Tel: 020 8313 4212
E-mail: wendy.norman@bromley.gov.uk

Chief Officer: Terry Rich, Director of Adult and Community Services

Ward: Boroughwide

1. Reason for report

This report informs Members of the work undertaken to monitor the quality of domiciliary care services provided in the borough.

2. **RECOMMENDATION(S)**

Members are asked to note that:

- a) All domiciliary care providers used by the Council are rated good or excellent by the Care Quality Commission. The Council constantly monitors domiciliary services and takes action where concerns are raised.
- b) The Council undertakes quality assurance visits to individual service users.
- c) The Council uses lessons learned from complaints and safeguarding alerts to work with providers continuously improve services.
- d) A report on domiciliary care will be made annually to this Committee.

Corporate Policy

1. Policy Status: Existing policy. Providing care and support to people to help them remain in their own home for as long as possible
 2. BBB Priority: Excellent Council. Supporting independence
-

Financial

1. Cost of proposal: No cost There are no costs directly arising from this report.
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Care Services, Domiciliary Care Budgets
 4. Total current budget for this head: £12m
 5. Source of funding: Existing revenue budgets
-

Staff

1. Number of staff (current and additional): LBB staff are engaged in contract monitoring and quality assurance; domiciliary care staff are employed directly by providers; the in house home care service employs 146 staff
 2. If from existing staff resources, number of staff hours: 1.5 FTE staff engaged in contract monitoring/ quality assurance; 146 staff employed by LBB to plan and deliver in house domiciliary care service
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 1800 current service users receive domiciliary care
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3.0 COMMENTARY

- 3.1 The Council supports approximately 1,800 people in Bromley to stay in their own homes through the provision of domiciliary care services. In September 2009 the Adult and Community Policy Development and Scrutiny Committee (ACS PDS) considered the results of a survey of domiciliary care service users aged 65+ which showed high levels of satisfaction with services amongst the respondents. However Members requested a more detailed report in April 2010 to inform Members of the results of the range of work undertaken to monitor the quality of domiciliary care services in Bromley in order to provide some context for the survey results.
- 3.2 The report explains the contract monitoring and quality assurance processes which are in place for both external domiciliary care agencies and the in house service. Information is collected through visits to care providers, feedback from service users and the Council's care management staff, and from complaints and safeguarding data.
- 3.3 All of the providers used by the Council, including the Council's in house service, have achieved a good or excellent rating from the Care Quality Commission (CQC). Council staff have worked with providers to effect a number of improvements (see paragraph 3.13) particularly in relation to changing staff rotas to prevent rushed visits and increasing supervision of care staff. Across the 28 external providers and the in house service there were 96 formal complaints in 2009 of which over half related to missed or late visits. An electronic monitoring system has been implemented in the in house service which records the care worker's arrival and departure times which should help to reduce the number of these complaints. Some external agencies also use or are planning to use this system.
- 3.4 The ACS Department has strengthened its quality assurance resources since the home care survey was carried out in order to ensure that service user experience is being carried through into formal contract monitoring and has included the in house home care service in the departmental monitoring regime.
- 3.5 Of 11 safeguarding referrals relating to domiciliary care during the past year only one was substantiated. The learning from this, and from one particularly serious complaint, has been acted upon and incorporated into routine monitoring.
- 3.6 This is the first report which A&C PDS Members have received on the quality of domiciliary care services and it is intended that it should become an annual report in line with the practice for care home monitoring.

REGISTRATION

- 3.7 Domiciliary care agencies providing personal care are subject to registration by the Care Quality Commission (CQC). Agencies are rated from nil (poor) to three (excellent) stars and these ratings are published on the CQC website. A brief description of the standards for each of the star ratings can be found at Appendix 1 with a list of the agencies in Bromley and their star ratings at Appendix 2. There are no zero or one star agencies registered in Bromley. All of the providers used by the Council are rated two or three star.
- 3.8 All agencies are visited by the CQC at least once every three years. Visits can be more frequent if CQC consider it to be necessary. CQC require agencies to complete a self assessment on an annual basis. The data provided is used in conjunction with feedback from service users, any concerns which may have been raised by other stakeholders and the agency's current star rating to decide how often inspection visits are scheduled.
- 3.9 The Council continually monitors the registration status of domiciliary care agencies and if at any time there are concerns about this status the contractual arrangements with the agency are reconsidered.

CONTRACT MONITORING

- 3.10 For 2009/10 a new monitoring regime was introduced which ensures that meetings are held with the providers handling the majority of care packages routinely every quarter. The Contract Compliance officers have developed a monitoring framework based on the requirements of the Department of Health's (DoH) Domiciliary Care National Minimum Standards and the service specification within the contract. This framework covers four key areas:
- ❖ Assessment and Care Planning
 - ❖ Protection of Service Users and Staff
 - ❖ Staff and Training
 - ❖ Organisation and Running of Business
- 3.11 Each key area is broken down into sections which are discussed, evidenced through documentation and then fed back upon. Recommendations are made where appropriate and an action plan drawn up. This action plan is then followed up on subsequent visits.
- 3.12 The in house home care service is regulated by the CQC in the same way as external agencies. Regular quality monitoring is firstly the responsibility of the service itself and in addition officers from the Departmental Contract Compliance team undertake regular checks. In this way the process for monitoring the in house service now mirrors that for external agencies. There have also been a number of quality assurance audits of the in house service which have resulted in recommendations and actions plans for the service.
- 3.13 Areas identified during monitoring and addressed by agencies during 2009 are outlined briefly below.
- ❖ The need for annual reviews of service plans identified and implemented.
 - ❖ The need for annual reviews of risk assessments identified and implemented.
 - ❖ Increases in the frequency of staff supervision implemented.
 - ❖ Adjustments to staff rotas to include travel time and to avoid 'call cramming'.
 - ❖ Changes to staff rota planning implemented to improve cover.
 - ❖ Development of existing medication policy and procedure to cover medication refusal and disposal.
 - ❖ Changes to office team structure following feedback regarding slow response times when taking on new care packages.
 - ❖ Out-of-hours procedures being altered after issues were identified following two complaints.
 - ❖ Improvements made to business continuity plans to formalise arrangements for staff when business premises are out of use due to an emergency.
 - ❖ The need for senior care staff to follow up on recommendations made as part of a risk assessment review and to review paperwork before filing.

FOLLOW UP TO HOME CARE SURVEY 2009

- 3.14 Following the home care survey in 2009 a Quality Assurance Officer was employed to work with the in house home care service to visit service users and their carers to find out first hand how well the service was performing. A standard questionnaire was used to check users' views and experience of the service against a number of items including compliance with the care plan, timeliness, respect for the user and good professional care. Over 200 service users (70% of the total) were contacted and any issues raised have been acted on.
- 3.15 The post was transferred to the Review and Brokerage Team in ACS Care Services in January 2010 so that this work could be carried out across all the domiciliary agencies working for Adult and Community Services. The postholder works in conjunction with the Contract Compliance and Development Officer in the Contracts Team to collate information about the performance of the agencies. It was decided to concentrate on those agencies that had a lower user rating in the survey and so far over 75 people have been visited. The information collected is being used in contract meetings with the agencies to assist them to improve their services.
- 3.16 Analysis from the initial round of visits has been undertaken and key areas have been identified which the contract compliance officer is working with the agencies in addressing. These are consistent with the issues raised by service users in the survey:
- Service users not being informed in advance of a change of carer
 - Carers in a rush
 - Carers not always staying for the full length of the planned visit
- 3.18 When issues about poor standards of service are raised through contract monitoring or by other stakeholders LBB officers initially investigate them with the agency. Often the investigation will result in the setting of an action plan for the agency which is then regularly monitored to ensure that improvements are made and sustained. If standards fail to improve officers may take additional action; for instance new placements to the agency may be suspended until improvement has been demonstrated. The Bromley multi agency Adult Safeguarding Board has recently agreed a protocol to cover suspension or termination of placements or other services in the event of safeguarding concerns. If action of this serious nature is taken then officers also take steps to ensure that all other existing customers are receiving a satisfactory service. Regular meetings are held between the Contract Compliance Team, commissioners and brokers and care managers from Care Services Division to ensure that performance information and concerns are shared appropriately.
- 3.19 In the course of the quality assurance work three Adult Safeguarding issues were identified and have been followed up. Although the referrals were not substantiated, this demonstrates the benefit of direct contact with service users for quality assurance as these service users had not contacted anyone about the safeguarding problems.
- 3.20 The Contract Compliance Officers also work with both service users and the providers' quality assurance staff in order to validate the performance monitoring information provided. A variety of methods are used to gather feedback including questionnaires, home visits, telephone calls and feedback from care manager reviews.

COMPLAINTS

- 3.21 Changes to the complaints procedure came into effect at the beginning of 2009 which resulted in front line staff taking the lead when dealing with informal complaints. Formal complaints are forwarded to the contract compliance officers by the ACS complaints team or care management for investigation. Investigations are conducted with the agency in question who are expected to

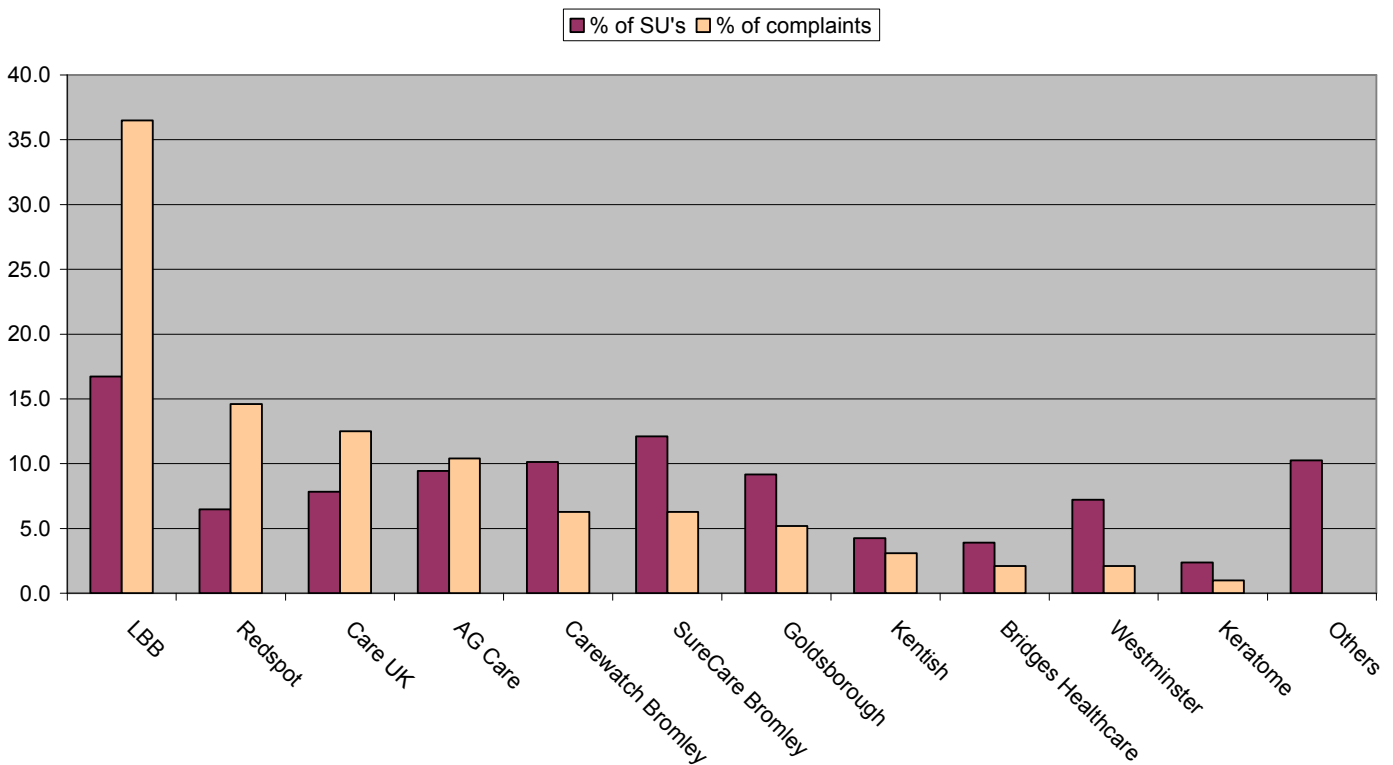
provide any information relevant to the complaint. This may include timesheets, care records from service users' homes and statements from any agency staff involved in the issues raised.

3.22 During 2009 there were 96 formal complaints about domiciliary care. Of those 80% were upheld or partially upheld. Over half of these complaints relate to missed or late visits. The Contracts Compliance officers follow up on complaints as part of the monitoring process, underlining the need for lessons to have been learnt in order to prevent similar complaints being raised in future. As an example of improvements, changes to staff rotas have been made to allow travel time in an attempt to reduce complaints regarding lateness.

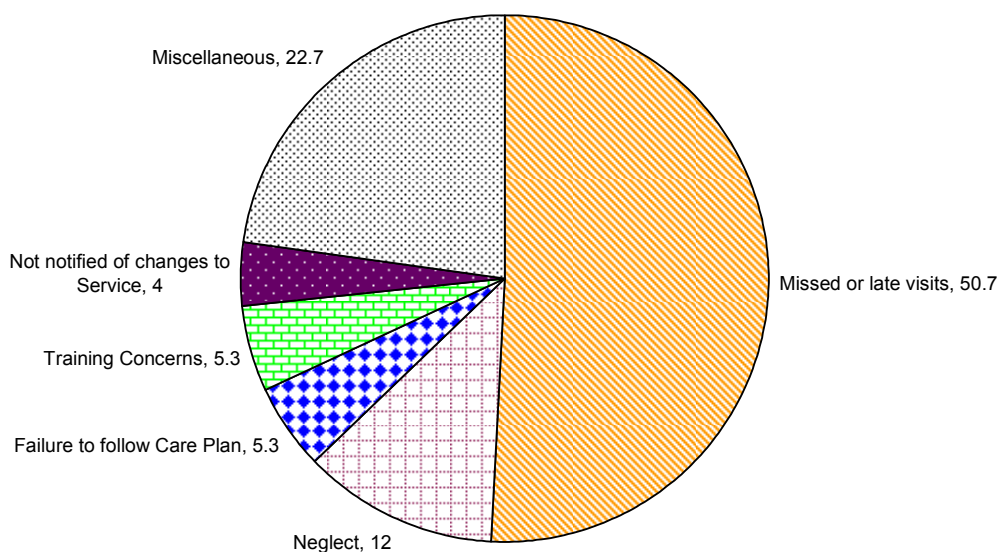
3.23 There was one very serious complaint made during 2009 relating to the in house homecare service. The Council has introduced measures to mitigate the risk of the issues raised in this complaint being repeated. An electronic monitoring system has been introduced which records a carer's arrival and departure from each visit. This ensures that carers do not cut visits short and where the user needs double handed care that both carers are present. The service has also introduced unannounced quality monitoring visits which are undertaken by supervisors. The lessons learned from this complaint have been shared with all other agencies. A number of the external agencies were already using, or preparing to use electronic monitoring systems.

3.24 The charts below shows the distribution of these between the various providers used by the Council and the nature of the complaints.

Breakdown of Complaints by Agency



Complaint Breakdown (%) by Type



SAFEGUARDING

- 3.25 When safeguarding alerts are received the Care Management teams instigate the Bromley multi agency safeguarding procedures. Monitoring officers can be involved in safeguarding investigations and always follow up on learning points or action plans at the conclusion of each case. The Council's Adult Safeguarding Manager convenes the Care Services Review Group which brings together safeguarding and contract compliance with the safeguarding lead practitioners and Primary Care Trust staff in order monitor current information, identify any patterns which need investigation and share any safeguarding concerns about local homes and domiciliary care agencies. This ensures that any potential issues are picked up and factored into monitoring and training programmes early.
- 3.26 The Council investigated 11 referrals about safeguarding in respect of domiciliary care agencies during 2009. Of these only 1 was substantiated. The referrals concerned suspected financial abuse, physical abuse or neglect. In every case of suspected financial abuse and in many other cases the police are involved and the care worker suspended as a matter of course whilst an investigation takes place. Officers consider all information available to establish the facts, including whether or not there are patterns of complaints or grumbles about the care worker, or from the user. Where allegations against care workers are substantiated they are reported to the Independent Safeguarding Authority (ISA) which has set up a register to prevent their future employment.
- 3.27 The safeguarding team regularly attends provider forums in order to ensure that providers are kept up to date with changing requirements, such as the changes to the vetting and barring scheme. Providers are now represented on the Adult Safeguarding Board which ensures that provider issues are considered as part of this multi agency approach.
- 3.28 New clauses were added to all contracts to reflect the strengthened safeguarding arrangements put in place by the Council during 2009.

JOINT WORKING TO IMPROVE STANDARDS

- 3.29 The Council hosts a Domiciliary Care Provider Forum which works to improve on quality and consistency of care in peoples' homes and to promote and share good practice. Membership of the forum is extended to all local agencies, whether or not they contract with the Council. The forum has an annual work plan which has concentrated this year on safeguarding, development of a quality framework, business continuity planning and the impact of the Supporting Independence in Bromley programme.
- 3.30 The Contract Compliance Team is developing a quality assurance framework (QAF) which will enable measurement of the performance of agencies against a range of standards. The QAF has been adapted from the one developed and successfully used for the Supporting People Programme. Providers are required to self assess and gather evidence which demonstrates how they're meeting the agreed standards. Compliance Officers will then validate the collected evidence during monitoring visits. Standards are graded in three groupings 'A', 'B' and 'C' across seven key areas. 'C' graded standards are based upon the DoH National Minimum Standards whilst 'B' and 'A' graded standards require providers to demonstrate continuous improvement to the quality of service.
- 3.31 Providers have been consulted about the content and proposed standards in the QAF and the monitoring officer is now using it to establish a baseline position. The first scores against the QAF should be available for the annual report to Members in 2011.

TRAINING

- 3.32 To assist in raising the standards of training for care workers, the Council's Learning and Development service organises training for staff in the in house service. In addition the Council, as purchaser of care services from the private/ independent sector, is committed to working in partnership with local providers to ensure adequate provision is made for training and that providers can access a comprehensive training programme. External domiciliary care agencies are offered membership of a training consortium managed by the Council where providers can pool their available training funds and purchase places on training programmes. Courses are run throughout the year to address identified training needs. The Council works continuously with providers to ensure that the courses provided are timely and assist providers in balancing the competing demands of delivering care and ensuring that staff receive both induction and refresher training.
- 3.33 The training courses provided for agency managers and their staff address the National Minimum Standards for registered care services. These standards include requirements about the competence of the workforce including their suitability, experience and qualifications. The overall intention of the Care Standards Act 2000 is to improve the quality of care provided and to ensure that services delivered meet user needs.
- 3.34 There are 20 agencies registered to work in Bromley. Currently there are 14 members of the training consortium, (an increase of 2 from 2009). Agencies that are not members of the consortium are responsible for ensuring that their staff are adequately trained and the monitoring officer follows this up by scrutinising staff training and supervision records.
- 3.35 Within the training programme approximately 32 different courses are currently provided, of which 4 are core training courses; first aid, food hygiene, health and safety and manual handling. The other courses are also valuable learning opportunities for care staff to gain additional skills and knowledge to help them carry out their duties. These include dignity in care, dementia, diet and nutrition, safe administration of medicines and infection control.
- 3.36 During the year additional courses were scheduled to reflect current key issues. These included:
- ❖ a specific course in English used in the care scenario.

- ❖ additional moving and handling courses.
 - ❖ additional refresher courses in moving and handling focusing on double handed care
- 3.37 The programme is regularly updated and reviewed to include training on new legislation such as Mental Capacity Act training and Deprivation of Liberty legislation. The Council also works with the Primary Care Trust (PCT) to identify opportunities for joint health and social care training.
- 3.38 Staff attending training courses are required to complete a test demonstrating that the learning experience has been successful before receiving certification of attendance. The consortium administrator works closely with trainers in order to identify any areas of training which require further attention.
- 3.39 Business continuity planning has been another focus of attention during 2009 and 2 events were held for social care providers at which they were able to test their individual plans out in a pandemic scenario and see how these would fit in with the Council's business continuity and emergency planning arrangements. These have been tested twice during the year due to difficult weather conditions and in each case arrangements were found to be robust.

SUPPORTING INDEPENDENCE

- 3.40 The Council's approach to Supporting Independence will change the way that domiciliary care is commissioned for some people. It is anticipated that in order to meet their needs more flexibly a number of service users will choose to directly employ a personal assistant. A personal assistant can be a friend, neighbour, or family member and may not necessarily have received specific training. Officers are exploring the potential for making training available to Personal Assistants through the Training Consortium. This would assist in maintaining the quality of care offered to service users and could cover at least the induction courses which all agency staff are required to undertake.
- 3.41 The external contracts expire in February 2012 when new contract arrangements will be put in place which will reflect the impact of the Supporting Independence programme.

DIGNITY IN CARE

- 3.42 In April 2009 the Council, Bromley PCT, Oxleas Trust and Princess Royal University Hospital jointly hosted a Dignity in Care conference through Bromley Older People's Partnership Group. The main focus was to share good practice across providers and this was achieved as there was a good attendance from front line practitioners. The conference promoted a "Dignity in Care" award which was open to all Bromley providers. The 2009 award, sponsored by Age Concern Bromley, was jointly won by a care home and a domiciliary care provider.
- 3.43 The Contract Compliance team ensured that the national Dignity in Care day on 25th February 2010 was publicised in the borough. Materials to assist providers to understand the concept of dignity were assembled and sent out to all providers, a display was put in the Civic Centre reception on the day and the day was flagged up on the LBB website. Officers also ran a competition between providers for imaginative activities undertaken to celebrate the day and these will be publicised as good practice via the Provider Forums. Attendees at every consortium training course are given a "credit card" setting out the ten standards of the dignity challenge.

4 POLICY IMPLICATIONS

National and local policies expect that continuous improvement be achieved in the quality of care delivered by domiciliary care agencies serving the local community.

5. LEGAL IMPLICATIONS

- 5.1 Under the NHS and Community Care Act 1990 the Council has a duty to assess individuals requirements for social care support and depending upon those needs to provide for them. The legislation governing the provision of the support will depend upon the nature of the services required and the reasons for the individual's need for such services: National Assistance Act 1948, Chronically Sick and Disabled Persons Act 1970, Mental Health Act 1983
- 5.2 The Care Standards Act 2000 sets out the standards of care to be provided including that for domiciliary care. This has been supplemented by the requirements of domiciliary care agencies to be registered by the Care Quality Commission pursuant to the Domiciliary Care Agencies Regulations 2002.

Non-Applicable Sections:	Financial implications. Personnel Implications
Background Documents: (Access via Contact Officer)	ACS09097 29 th September 2009 Domiciliary Care Services for Older People User Experience Survey

Appendix 1. Summary of the DoH National Minimum Standards for Domiciliary Care

User Focused Services	1	Service users have access to information regarding the service and how it meets their needs
	2	Care needs are individually assessed prior to the provision of a service
	3	Agency staff have the skills and competence to meet service users' needs
	4	Service users have written contracts
	5	Staff deal with confidential information appropriately
	6	Service users receive a flexible, consistent and reliable service
Personal Care	7	Service users have individual service user plans
	8	Service users' rights to dignity and privacy are respected
	9	Service users are supported in maintaining their independence
	10	Service users are responsible for their own medication or it is administered appropriately
Protection	11	The health, safety and welfare of service users and staff are promoted and protected
	12	Risks are assessed to minimise the chance of harm coming to service users or staff
	13	Service users money and property are protected at all times
	14	Service users are protected from abuse, neglect and self-harm
	15	Service users are protected and are safe and secure in their own homes
	16	Service users health, rights and best interests are safeguarded by record keeping
Managers and Staff	17	Service users are safeguarded by agencies recruitment policies and procedures
	18	Service users benefit from clarity of staff roles and responsibilities
	19	Agencies have suitable training programmes
	20	Staff are trained to undertake the tasks for which they're responsible
	21	Staff are regularly supervised
Organisation and Running of Business	22	Service users receive a consistent, well managed and planned service
	23	Service continuity is safeguarded by the agency's accounting/financial procedures
	24	The best interests of service users are safeguarded by the keeping of accurate records
	25	Service users are safeguarded by robust policies and procedures
	26	Agencies have a well publicised and accessible complaints procedure
	27	Quality assurance monitoring ensures that the service is run in the best interest of the service users

Agency	Current CQC Star Rating	Date of last CQC Inspection Visit	No of SU's (Jan '10)	LBB Contract Monitoring Visits 09/10
AG Care	3	Nov-09	159	2
Amazing Healthcare Solutions Ltd	2	Dec-09	4	1
Beverley Martins Ltd	2	Jan-09	1	-
Bridges Health Care Ltd	3	Jan-08	78	1
Bromley Autistic Trust	2	Nov-08	20	-
Care UK Homecare	2	Feb-08	140	2
Carewatch Bromley	2	Feb-09	160	3
Community Options Ltd	2	Aug-08	57	1
Douglas Care and Domestic Services Ltd	3	Jan-09	17	-
Goldsborough Healthcare Ltd	2	Feb-09	158	2
Heart of the South	2	Jan-08	2	-
Kent Care At Home (Leonard Cheshire)	3	Sep-08	11	-
Kentish Nursing and Homecare Agency	2	Dec-09	86	2
Keratome	2	Oct-07	42	2
LBB in house home care service	2	Jun-09	289	1
Mackley Home Care Ltd	2	Oct-07	60	2
Mindcare Beckenham	3	Dec-09	24	1
Mushkil Aasaan	2	Aug-09	1	-
Nightingale Home Care	2	Sep-08	3	1
Prestige Nursing	2	Oct-09	0	-
Redspot Homecare Ltd	-	Local Branch to be rated	119	2
SC Support and Care Services Ltd	3	Mar-08	1	-
Somali Carers Project	2	Feb-09	1	-
SORAG	3	Dec-08	5	-
SureCare Bromley	3	Sep-09	223	3
Sweettree Home Care Services	3	Aug-07	1	-
Home Care Partnership	3	Oct-09	1	-
Westminster Homecare Ltd	2	Dec-09	130	3

**Total
Service
Users: 1793**

Star Ratings:

- 0 - Poor
- 1 - Adequate
- 2 - Good
- 3 - Excellent

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Report No.
LDCS10070

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **FINDINGS FROM THE ACS TRANSPORT REFERENCE GROUP**

Contact Officer: Philippa Stone, Scrutiny Co-ordinator
Tel: 020 8313 4871 E-mail: Philippa.Stone@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Administrative and Customer Services

Ward: All

1. Reason for report

In September 2009 the Adult and Community PDS Committee established the Transport Reference Group to review transport provision across the Borough. This report outlines the findings and recommendations of the Reference Group.

2. **RECOMMENDATION(S)**

The Committee is requested to endorse the report and recommendations from the Transport Reference Group.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: Estimated cost £6,000
 2. Ongoing costs: Non-recurring cost. It has been recommended that the Bromley Mobility Forum is initially established for one year.
 3. Budget head/performance centre: Environment Local Implementation Plan Funding
 4. Total current budget for this head: £40,000 for Mobility and Access
 5. Source of funding: TfL Grant
-

Staff

1. Number of staff (current and additional): 0
 3. If from existing staff resources, number of staff hours: Meetings of the Transport Reference Group were supported by 1 Officer from Adult and Community Services and 1 Officer from Legal, Democratic and Customer Services
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable. This report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The effective provision of transport services affects all residents of the Borough.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Care Quality Commission (CQC) is the new independent regulator of all health and adult social care provided by the NHS, local authorities, voluntary organisations and private companies in England as well as primary care trusts and local councils in their commissioning of health and social care services. It aims to provide assurance that basic core standards are being met, improvements are being sought, healthcare services are providing value for money and performance information is being brought together to support informed decision making by patients, the public and NHS staff.
- 3.2 Through the NHS Health Check Working Group, this Committee can exercise its health scrutiny role by enabling Members to consider the quality of health and adult social care delivered across the Borough, and report their findings to the CQC if this is felt to be necessary.
- 3.3 In late 2006 this Committee set up a Member Working Group to consider how it could contribute more effectively to the Annual Health Check process in 2006/07 and in future years. The Working Group was re-appointed for 2009/10. It comprises Councillors Judi Ellis (Chairman), Carole Hubbard, Charles Rideout and Brenda Thompson. The terms of reference of the Health Check Working Group were amended following the abolition of the Annual Health Check and the introduction of new reporting procedures to the CQC. Guidance from the CQC advises overview and scrutiny committees that a commentary about the NHS Trust's declaration in Bromley for the NHS performance ratings in 2009/10 is no longer necessary. Instead, the CQC invites overview and scrutiny committees to consider the quality of health and adult social care delivered across the Borough, providing information as appropriate.
- 3.4 During 2009/10 the Working Group has met on six occasions to review its terms of reference, plan a work programme, interview senior representatives of South London NHS Trust, Bromley Primary Care Trust, Oxleas NHS Trust and the Ambulance Service, and decide on the issues that it wishes to comment on (see report at Appendix 1).

Non-Applicable Sections:	Policy Implications, Financial Implications, Legal Implications, Personnel Implications
Background Documents: (Access via Contact Officer)	<p><i>Access to Transport Services within the London Borough of Bromley for Older People, People with Learning disabilities; Mental Health Problems; Physical Disabilities; and Sensory Impairment. (18 January 2010)</i></p> <p><i>Transport Review Report presented to the Health, Social Care and Housing Partnership Board (25 January 2010)</i></p> <p><i>Transport Review Report presented to the Health, Social Care and Housing Partnership Board (22 March 2010)</i></p> <p><i>Notes from the Transport Reference Group Meetings Held on 2 November 2009, 7 December 2009, 4 February 2010, 4 March 2010 and 29 March 2010.</i></p>

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**REPORT OF THE TRANSPORT REFERENCE GROUP
2009/10**

April 2010

Working Group Membership

Elected Members

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley
Councillor Peter Fookes (for final two meetings)
Councillor William Huntington-Thresher
Mrs Maureen Falloon
Mrs Leslie Marks

Officer Support

Anne Watts, Assistant Director: Strategic Development and Performance
Jonathan Richards, Graduate Management Trainee
Silvio Giannotta, Commissioning Officer
Philippa Stone, Scrutiny Coordinator
Christine Reeks, Democratic Services Officer

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1. Reasons for Review and Terms of Reference

1.1 Every Bromley resident is affected by issues surrounding transportation. Problems with Transport can seriously affect the choice and independence of individuals. Access to good, high quality transportation will impact on the 'Supporting Independence in Bromley' programme which is reviewing the way social care is delivered to service users. This increasing drive towards greater independence is at the heart of the Adult and Community Services Portfolio Plan and a central theme of the 'Building a Better Bromley: 2020 Vision'.

1.2 At the 2008 Portfolio Planning Conference¹ adequate provision of transportation emerged as the overwhelming issue for key stakeholders across the Borough, and it was recognised that a review of transport services was necessary as a key priority for the Council is "Supporting Independence".

1.6 The agreed Terms of Reference for the Review were:

- i) Scrutiny of the ACS Review of current transport and travel support arrangements, with a focus on:
 - Identifying the current transport arrangements provided by the Council to support people with independent living.
 - Identifying issues in relation to the current use of local public and private transport by people with a disability (including the use of DLA, Motability, Dial-a-ride, local TfL buses and train services
 - The range of current services provided by the Council, e.g. ACS transport fleet services, black taxi card service, disabled freedom pass service etc.,
 - The quality of services (I.e. reliability, flexibility availability) ,
 - Cost effectiveness of service (i.e. unit costs comparisons, value for money etc)
- ii) Scrutiny of the outcomes of the ACS Review of future travel requirements of people requiring council support, in line with "Supporting Independence in Bromley" this will include consideration of :
 - Future projected demands
 - Planned developments for other travel support arrangements within the Council and also key partners e.g. health, and 3rd sector
 - The future use and impact of personal budgets to meet service user choices

¹ Held on 18th December 2008.

- Developments to improve access to mainstream transport services for vulnerable people
- The Review underway by TfL on this issue.

1.7 The following witnesses provided evidence to the review:

- Eleanor Yates, Disability Voice Bromley
- Iain Forbes, Head of Transport Strategy, Environmental Services
- Brian Curle, Group Manager Transport, Adult and Community Services
- Trevor Uys, Team Manager Transition Team, Adult and Community Services.
- Jonathon Richards

1.8 The Reference Group met on five occasions from November 2009 to March 2010.

2. Adult and Community Services Transport Review

- 2.1 In undertaking the review, the Reference Group considered the transport review *Access to Transport Services within the London Borough of Bromley for Older People; People with Learning Disabilities; Mental Health Problems; Physical Disabilities; and Sensory Impairment*. The Review outlined current transport provision and schemes; transport issues across the Borough; regional and pan-London developments and provided a comparison of transport services delivered by other Local Authorities.
- 2.2 There is currently a wide range of transport provision across the Borough including public transport, Dial-a-Ride, the Blue Badge Parking Scheme and the Motability Scheme. Freedom Passes entitle individuals over the age of 60 or those with an eligible disability to travel free at any time on Transport for London services and from 09:30 on National Rail services. The Freedom Pass scheme costs around £244 million per year paid for by the 33 London Boroughs.² The Travel Mentoring Service offered by Transport for London provides support to disabled travellers who would like to make use of mainstream public transport. Service users are offered advice on planning a journey using accessible routes and, where necessary, a mentor can accompany individuals on their first journeys. The aim of the scheme is to help travellers with disabilities to develop confidence towards becoming independent travellers. National Rail offer a Travel Assistance programme providing staff to meet travellers at their departure station, assisting them onto and off the train and ensuring similar arrangements are in place at any interchange stops and at the final destination. National Rail recommends that travellers contact train operators 24 hours in advance of a trip to ensure that a high standard of help is provided.
- 2.3 Borough-transport is mainly provided for day centre services for older people and individuals with learning disabilities who use day care services. Over 199,000 trips per year are undertaken by the Borough-transport fleet and the fleet consists of 20 custom-built, low-floor, fully-accessible coaches. The coaches can carry up to 11 passengers, two of whom can be full-time wheelchair users.³ There is little flexibility in the daily schedule of the coaches and the unpredictability of traffic and other delays are compounded as the schedule provides few opportunities to make time up. Borough-transport is also faced with a number of conflicting demands and this highlights the need for a review of Borough-transport, which has adapted to meet needs as contracts and services have evolved, rather than having an overarching strategy of its own.
- 2.4 Clients using public transport are faced with a range of issues and problems. The lack of accessibility of stops and stations can be explained by physical obstacles and distance to services. Unlike other travellers, vulnerable transport users are less able to adapt quickly where transport problems occur. Understanding information about routes, times and

² Access to Transport Services within the London Borough of Bromley for Older People; People with Learning Disabilities; Mental Health Problems; Physical Disabilities; and Sensory Impairment. Page 14

³ This does not include the driver and escort which takes the capacity up to 13.

destinations of public transport can be an obstacle, particularly for clients with learning disabilities. Also information can be inaccessible to wheelchair users or those with a visual impairment when it is placed too high. Issues of confidence are further compounded by the element of fear; particularly fear of bullying and harassment. This fear may not always be held by the service user themselves but by family members, friends or carers, particularly those of clients with learning disabilities. Low self confidence can be as much of an obstacle to using public transport as any physical barrier. Schemes such as travel training and mentoring can help overcome this lack of confidence and these schemes involve helping individuals build levels of confidence by assisting them plan their own journeys and understand routes and timetables.

- 2.5 Bromley Council's Transition Team support the transfer of care services between the Children and Young People Department and Adult and Community Services as children with more complex needs become adults. Young People with substantial needs are a priority for the Transition Team to ensure that continuing care needs and service provision are established within Adults Services. People who have less complex needs are likely to most benefit from schemes such as travel training. However, it is essential that people who could benefit from the schemes are identified early as once using Borough-transport, a dependency on the service can grow. This can then affect an individuals confidence with the option of travel training being less attractive and thus affecting a persons independence. , .
- 2.6 There is no one-size-fits-all transportation scheme and each method of transport has benefits as well as disadvantages. There needs to be a balance struck between using the form of transport most suitable at any given time and in promoting all the available options and opportunities to assist people in living more independent lives.

3. Findings and Final Recommendations

- 3.1 In considering the evidence presented at Reference Group meetings, the Reference Group has arrived at a number of findings as detailed below.
- 3.2 The Reference Group broadly supported the recommendations within the Adult and Community Services review into Access to Transport Services within the London Borough of Bromley subject to clarifications outlined in this report.

Establishing a Bromley Mobility Forum

- 3.3 The Reference Group felt that it would be beneficial to establish a Mobility Forum to ensure a strong mobility voice across the Borough.
- 3.4 As mobility impacts on all service user groups, Members felt that membership of a Mobility Forum should be made up of nominated representatives from existing voluntary and community sector forums,

with representatives from other service provider organisations and Officers from the London Borough of Bromley.

3.5 The membership of the Bromley Mobility Forum would be made up from two nominated representatives from each of the following:

- Carers Forum
- Mental Health Forum
- Learning Disability Forum
- Bromley Council on Ageing Forum
- Children and Families Forum
- Ethnic Network Forum

Plus one representative from each of the following:

- Service Providers: Bromley Sparks and Leonard Cheshire
- Adult and Community Services,
- Children and Young People and
- Environmental Services

3.6 The Voluntary Sector Reference Group fully supported the establishment of a Bromley Mobility Forum. It was proposed that it be organised along similar lines to existing Service User Forums with a Chairman and a part-time paid Co-ordinator to support the work of the Forum and carry out administrative tasks. Community Links Bromley agreed to convene an initial meeting with the Chairs of the Forums listed in 3.5 and other interested parties to finalise the Forum's membership and to discuss the initial work programme for the Mobility Forum.

3.7 Funding for the Forum has been identified in the 2010/2011 Local implementation Plan, submitted to TfL for funding for use in mobility and access issues. The funding sits within the Environmental Services budget and any expenditure would be subject to agreement from the Environment Portfolio Holder. There are no funding arrangements identified beyond 2010/2011 and alternative funding avenues would need to be explored in order to support continuation of the Forum after a year.

3.8 The Transport Reference Group suggested that the Forum should be time-limited with a focused work programme being developed for the Forum and terms of reference that included a future business plan and an exit strategy for the Forum. Members also suggested that the transport Commissioning Officer from Adult and Community Services should be the Lead Officer for the Local Authority.

Recommendation One

That a Bromley Mobility Forum be established, initially time limited for one year, with a focused work programme and clear Terms of Reference outlining a future business plan and clear exit strategy.

Travel Training

- 3.9 Travel training helps individuals build confidence when using public transport, with the ultimate aim of providing the necessary skills to enable people to use public transport independently. As there are differing levels of need it is clear that independent travel will not be appropriate or suitable for everyone..
- 3.10 Travel training has formerly been provided to a number of service users by Bromley Council. It is important to ensure that support for travel training is ongoing as this is crucial in sustaining the confidence of participants in the scheme and securing the success of the programme.
- 3.11 The importance of starting travel training from an early age can not be underlined enough and Members highlighted the importance of initiating the programme of travel training from primary school age, possibly from the age of eleven.
- 3.12 For individuals who have not benefited from early travel training, it is important to develop a comprehensive programme to ensure that essential skills are developed in order to promote independence.

Recommendation Two

That a comprehensive travel training programme be developed and approved by the Children and Young People Portfolio Holder. This would provide early travel training for primary aged pupils and their families, especially those who have special needs in accessing public transport.

Travel Plans for Day Opportunities

- 3.13 It is important to consider the impact on journey times when services and day opportunities for service users are commissioned. Transport issues can have a major impact on service users and any travel plans that are developed would need to reflect the needs and circumstances of individual service users.
- 3.14 As more day opportunities are created, Commissioners should begin to consider more efficient ways of transporting clients to activities. Opportunities across the Borough should be commissioned with journey times in mind.

Recommendation Three

That the travel needs of service users are thoroughly considered when new services are commissioned

Proposals for a Transport Awareness Campaign

- 3.15 The Community Safety Team has been developing proposals for an awareness campaign surrounding independent travel. The purpose of the campaign is to heighten awareness of the intimidation and bullying of vulnerable people using public transport.
- 3.16 A range of stakeholders including the newly formed Bromley Mobility Forum, Bromley Mencap, Bromley Youth Council and Safer Neighbourhood Teams should be involved in the consultation surrounding the content of the awareness campaign.

Recommendation Four

That proposals for a transport awareness campaign be developed in conjunction with Bromley Mobility Forum, the Environment PDS Transport Liaison Group, other LSP Partnership Boards and Safer Neighbourhood Teams.

Timetable for Implementing Recommendations in the ACS Transport Review

- 3.17 The Reference Group felt that the Bromley Mobility Forum should hold its initial meeting immediately following the Environment PDS meeting on 8th June 2010 in order to finalise its work programme, priorities for action and terms of reference. In light of this Members felt that the proposed implementation plan presented to the Health, Social Care and Housing Partnership Board on 22nd March 2010 should be revised to reflect this amended timetable and forwarded to the environment PDS Committee on 8th June 2010.
- 3.18 Members also felt that Bromley Mobility Forum should be consulted regarding the design and content of the Bromley Transport Access Guide.

Recommendation Five

That the timetable for implementing recommendations from the Adult and Community Services Transport Review be revised in light of the recommendations from this Reference Group.

4. Conclusions

- 4.1 Whilst there are large obstacles to overcome that would require commitment and planning from a number of organisations; simple travel issues can be overcome relatively easily. It is these small obstacles that cause frustration to service users and reduce individuals' confidence in using public transport, encouraging demand on door-to-door alternatives.
- 4.2 Where there is a lack of information around using different forms of transport, older and disabled people in particular can experience a reduction in their levels of confidence in using public transport. This can lead to dependency on more traditional forms of transportation which can limit independence.
- 4.3 There is no one-size-fits-all solution to transport issues and a balance will need to be struck between the needs of service users and the demands placed on service providers. The use of different forms of transport should continue to be promoted with the aim of encouraging independence for all.
- 4.4 A Bromley Mobility Forum would act as an independent co-ordinating body, ensuring that the views of all stakeholders are considered and that any policies that are implemented reflect the ever changing needs of transport users.

5. Acknowledgements

- 5.1 The Chairman of the Reference Group would like to thank all those involved for their hard work and dedication in concluding this review in a very short timescale.

BACKGROUND DOCUMENTS

Access to Transport Services within the London Borough of Bromley for Older People, People with Learning disabilities; Mental Health Problems; Physical Disabilities; and Sensory Impairment. (18 January 2010)

Transport Review Report presented to the Health, Social Care and Housing Partnership Board (25 January 2010)

Transport Review Report presented to the Health, Social Care and Housing Partnership Board (22 March 2010)

Notes from the Transport Reference Group Meetings Held on 2 November 2009, 7 December 2009, 4 February 2010, 4 March 2010 and 29 March 2010.

Report No.
LCDS10052

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14 April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **SUPPORT FOR STAFF SECONDED TO PARTNERSHIP BODIES**

Contact Officer: Richard Millar, Democratic Services
Tel: 020 8461 7651 E-mail: richard.millar@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: N/A

1. Reason for report

- 1.1 Arising from a Disciplinary Dismissal Appeal case, to consider issues of concern in relation to support provided for staff seconded to partnership bodies which have been referred to this PDS Committee by the General Purposes and Licensing Committee.
-

2. **RECOMMENDATION**

- 2.1 **The Committee is requested to consider the five particular issues set out in the report, together with the response from the Director of Adult and Community Services, and to agree any action as deemed appropriate.**

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Adult and Community Services
 4. Total current budget for this head: £1.4m
 5. Source of funding: Core funding
-

Staff

1. Number of staff (current and additional): 30fte
 2. If from existing staff resources, number of staff hours: n/a
-

Legal

1. Legal Requirement: Statutory requirement. Mental Health Act, 2008.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Referrals 2,500pa. Mental Health Social Care accessed - 300service users appr. pa.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 Arising from a Disciplinary Dismissal Appeal case which was considered by the Appeals Sub-Committee over two meetings on 25th November and 4th December 2009, issues of concern, in particular in relation to support provided for staff seconded to partnership bodies, had been raised and referred to the General Purposes and Licensing Committee.
- 3.2 This matter was considered by the General Purposes and Licensing Committee on 16th February 2010 where the Chairman of the Appeals Sub-Committee (Councillor Nicholas Bennett JP) for the two meetings which had dealt with this case highlighted and expanded on the five issues (set out below) which had been of particular concern to the Sub-Committee. In response, the Assistant Chief Executive (Human Resources) addressed the Committee and pointed out that processes already existed for properly managing staff seconded to partner bodies but accepted that coordination methods could be improved. He indicated that partner organisations needed to be reminded of the requirement for meeting performance appraisals and training needs of seconded staff and that managers would also need to provide annual appraisals carried out in relation to supervisory staff. He also stated that, whilst across the Council, staff turnover is reasonable, in the area of social care in general (including mental health) the turnover is high which reflected a problem nationally; and considered that the support of staff on secondment required proper contract monitoring of the partner organisation by departmental management.
- 3.3 Having regard to the issues which had been raised by the Appeals Sub-Committee, and the response of the Assistant Chief Executive (Human Resources), the General Purposes and Licensing Committee agreed that the following issues should be referred to this PDS Committee for further review:-
- (i) consideration be given to extending the training of line managers to include staff seconded to partnership bodies and to the monitoring of the effectiveness of those arrangements;
 - (ii) a better identification is required of the training needs appropriate to specific posts, particularly for new managers and that there should not be an assumption that managers appointed to posts have all the necessary skills and practical training required;
 - (iii) in similar disciplinary matters, evidence needs to be made available of annual appraisals carried out of supervisory staff, including those on secondment;
 - (iv) further consideration needs to be given to management turnover and the use of locum staff as part of recruitment and retention issues; and
 - (v) the Commissioners' responsibility for monitoring service provision should include the effectiveness of the management and supervision of London Borough of Bromley staff seconded to partner agencies and the protocols covering secondment arrangements.

Comments of Director of Adult and Community Services

- 3.4 The Council's professional mental health social work staff are seconded under a Health Act, Section 75 agreement to Oxleas Mental Health NHS Trust and work within an integrated structure alongside Oxleas clinical staff.
- 3.5 Staff work within multi-disciplinary teams with line management and supervision provided by their Oxleas appointed team managers who may come from either a nursing or social work background – that is not necessarily from their own discipline. This manager will arrange annual reviews and appraisals. It is frequently the case that appraisals are three way to include both the managerial and professional supervisor. The professional supervision is given

by a more senior social worker, if the line manager is from a Health discipline. This eventually comes to the Head of Social Care, via a supervision 'tree'.

- 3.6 It is the responsibility of the Head of Social Care to ensure that the individual training needs of LBB mental health staff are identified and met. All social work and Approved Mental Health Professional training is managed by the Head of Social Care who ensures that statutory updates, refreshers and re-warranting is undertaken at the correct time. The Head of Social Care also ensures all social care related training; to include safeguarding children and adults is disseminated to all staff including social workers. Training needs apart from that are dealt with by 'managerial' supervision
- 3.7 In addition to training provided by Oxleas Trust, LBB staff also have access to LBB social care training. Oxleas Trust through the Head of Social Care are also part of the Social Care Practice Board which oversees the drawing up of an annual social care training plan.
- 3.8 Whilst there will always be the need to use locum staff to cover for short term vacancies, there is not considered to be a particular difficulty in recruitment to mental health social work posts within the service at the present time.
- 3.9 The effectiveness of the management systems within the Mental Health services are monitored through regular engagement with the Head of Social Care and her membership of the ACS senior team and through regular meetings between the Director and the Oxleas Borough Mental Health Director.

4. POLICY IMPLICATIONS

- 4.1 There are no specific policy implications arising out of the issues referred to PDS by the Appeals Sub -Committee

5. FINANCIAL IMPLICATIONS

- 5.1 There are no specific financial implications arising out of the issues referred to PDS by the Appeals Sub -Committee

6. LEGAL IMPLICATIONS

- 6.1 There are no specific legal implications arising out of the issues referred to PDS by the Appeals Sub -Committee

7. PERSONNEL IMPLICATIONS

- 7.1 There are no personnel implications arising from this report, other than those already referred to in the body of this report.

Non-Applicable Sections:	Policy, Legal, Financial
Background Documents: (Access via Contact Officer)	[Title of document and date]

Report No.
LDCS10065

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: **Adult and Community PDS Committee**

Date: **14th April 2010**

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **SCHEME OF DELEGATION TO OFFICERS**

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 020 8461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: N/A

1. Reason for report

- 1.1 At the Annual Council meeting each year a Scheme of Delegation to Officers is approved. The Scheme has been amended to meet the requirements of the Local Government and Public Involvement in Health Act 2007, principally by clarifying whether powers are delegated by the Council, by the Leader in the case of executive powers, or both.
-

2. **RECOMMENDATION(S)**

- 2.1 **That the PDS Committee consider and comment on the proposed new Scheme of Delegation to Officers, focussing on their specific areas of responsibility.**

Corporate Policy

1. Policy Status: Existing policy. The Council approves a Scheme of Delegation to Officers each year at the annual meeting. Executive powers now need to be delegated by the Leader.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): No additional staff.
 2. If from existing staff resources, number of staff hours: Updating the Scheme of Delegations has involved a number of officers - probably less than 36 hours staff time.
-

Legal

1. Legal Requirement: Statutory requirement. Local Government and Public Involvement in Health Act 2010.
 2. Call-in: Call-in is not applicable. The report does not involve an executive decision.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): The delegation of powers to officers is essential to the efficient operation of most Council services.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Scheme of Delegation to Officers sets out formal delegation of various powers to the Council's chief officers and their staff. The Scheme is normally updated for approval at the Council's annual meeting in May each year. The General Purposes and Licensing Committee instigated a review of the Scheme in the summer of 2009, requesting Development Control Committee and all PDS Committees to question whether matters should be delegated, if prior notification of intention to exercise a delegated power was needed, if there should be a report afterwards and whether such reports could await an annual review. A summary of members' comments from this review is attached at **Appendix 1**.
- 3.2 Changes to executive arrangements required under the Local Government and Public Involvement in Health Act 2007 mean that any executive powers delegated to officers have to be delegated not by the Council, but by the Leader of the Council. The simplest way to reflect this in the scheme is to add a column to indicate whether each individual delegation derives from the Leader or from Council, or both.
- 3.3 As a result of the 2009 review, the new legal requirement to attribute each delegation to either the Council or the Leader, and, in addition, recent changes to departmental arrangements, the Scheme has been updated again. At the request of the Constitution Improvement Working Group and General Purposes and Licensing Committee, Members of all PDS Committees and the Development Control Committee are asked to review the sections of the Scheme relating to their work and highlight any further changes that are needed before the scheme is submitted for approval at the Annual Council meeting.
- 3.The delegations relating to Adult and Community are attached as **Appendix 2**.

Non-Applicable Sections:	Finance/Legal/Policy/Personnel
Background Documents: (Access via Contact Officer)	Scheme of Delegation to Officers approved by Council, 13 th May 2009

Committee	Comments of Committee	Update
<p>General Purposes and Licensing Committee</p> <p>24th June 2009</p>	<p>(1) DLDCS to identify non-executive functions</p> <p>(2) All PDS Committees and DC Committee to examine the relevant sections of the Scheme and question –</p> <p>(i) whether matters should be delegated;</p> <p>(ii) if so, should there be prior notification of intention to exercise the delegation;</p> <p>(iii) should the matter be reported after the fact;</p> <p>(iv) can the report wait until an annual review.</p> <p>(3) PP&S delegations be amended to include Sections 28 and 29 of the Regulation of Investigatory Powers Act.</p> <p>(4) PP&S delegations (7), (9), (10), (11) (22) and (24) be clarified and updated where necessary.</p> <p>(5) Environment Delegations (91) and (92) be amended by the addition of reference to the statutory list of maintained highways and rights of way.</p> <p>(6) Any changes proposed to the Scheme be reported to GP&L committee prior to submission to full Council.</p>	<p>Executive and non-executive delegations are identified in the current scheme.</p> <p>This will be done twice, in July/August 2009 and March/April 2010.</p> <p>Amended in current scheme.</p> <p>Amended in current scheme.</p> <p>Amended in current scheme.</p> <p>This report is to be considered by GP&L Committee on 7th April 2010</p>
<p>Public protection and Safety PDS Committee</p> <p>6th July 2009</p>	<p>Noted and asked officers to report back in March 2010.</p>	<p>This report goes to PP&S PDS Committee on 17th March 2010.</p>
<p>Executive and Resources PDS Committee</p> <p>7th July 2009</p>	<p>Resources delegation (1) – Members sought more involvement in selection of senior staff.</p> <p>A number of Resources delegations were identified as possibly redundant – (25) Bromley town centre redevelopment; (49) GLC seaside estates and Beckenham fire station; and (50) single regeneration budgets.</p> <p>All delegations need to be clearly recorded so</p>	<p>Regulations from 2001 prevent Member involvement below deputy chief officer level.</p> <p>These delegations are being checked and will be deleted from the final scheme as necessary.</p> <p>PDS Committees may make arrangements to</p>

	that Members can scrutinise them as necessary.	scrutinise the exercise of delegations within their portfolios.
Renewal and Recreation PDS Committee 8 th July 2009	Noted	-
Children and Young People PDS Committee 13 th July 2009	No comments	-
Environment PDS Committee 14 th July 2009	Deferred pending the identification of executive and non-executive functions and consultation with ward Members.	Executive and non-executive delegations have been identified in the latest Scheme – as previously, the Scheme is circulated to all Members.
Adult and Community PDS Committee 15 th July 2009	Noted	-
Development Control Committee	No amendments suggested.	-

LONDON BOROUGH OF BROMLEY

SCHEME OF DELEGATION TO OFFICERS

* * * *

PART I

GENERAL CONDITIONS GOVERNING DELEGATION
OF FUNCTIONS TO CHIEF OFFICERS

	Responsibility Delegated from
1. These General Conditions and any amendment of or addition to made by the Council, shall apply to the delegation of functions specified in Part II of this document, and to any amendment of or addition to made by the Council or the Leader or the Monitoring Officer under paragraph 12 of this Part.	-
2. Powers delegated shall be exercised in conformity with the Constitution, Standing Orders, Financial Regulations and other directives of the Council in force from time to time, and in accordance with the expressed policies and objectives of the Council, the Executive or Committees relevant to the matter upon which action is to be taken.	-
3. The delegation of authority to deal with any matter shall not derogate from the power of the Council, the Executive, or Committee, Sub-Committee or Panel to call for a report on any decision or action taken, or to require any such matter under consideration to be referred to the Council or to the appropriate Executive body or Committee Sub-Committee or Panel for determination so far as this accords with the law.	Council/Leader
4. A Chief Officer may refer a matter to the Executive, the appropriate Executive Portfolio Holder or to the Chairman of an appropriate Committee and will, in any event, ensure that care is taken to identify any case within his delegated authority where unusual circumstances or other reasons suggest the desirability of Member consideration.	Council/Leader
5. If a matter involves considerations not within the purview of the Chief Officer primarily concerned, he shall consider whether it is necessary to consult any other Chief Officer concerned before authorising action, shall do so if he concludes it is necessary and shall take due account of any views that are expressed.	Council/Leader
6. When the implementation of a decision taken under the delegated authority by a Chief Officer requires the preparation of formal documents, legal proceedings or other legal process or advice, the Chief Officer concerned shall refer the matter to the Director of Legal, Democratic and Customer Services for appropriate action.	Council

<p>7. Authority to take decisions and other action including but not limited to the signing of documents and the requirement to arrange consultations shall be exercised and undertaken on behalf of the Council in the name of the Chief Officer to whom the authority to act is given, but not necessarily personally by him.¹ Therefore, under this condition each Chief Officer has power to authorise others to exercise any power conferred on him provided that any such authorisation shall be subject to these General Conditions and be commensurate with the nature of the matters to be dealt with. Further, the Chief Executive may authorise any other Chief Officer to exercise any power delegated to him in this scheme which in his judgement is consistent with that other officer's responsibility. Authorisations given by Chief Officers to others to exercise powers delegated under this scheme should be recorded in writing in a list maintained by each Chief Officer. This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.</p>	<p>Council/Leader</p>
<p>8. The Chief Executive may, after consultation with any Chief Officer, refer to the Executive, the appropriate Executive Portfolio Holder, or appropriate Committee for decision any matter which has been brought to his notice and which, in his opinion, because of special difficulty or otherwise, warrants such reference.</p>	<p>Council/Leader</p>
<p>9. For the purposes of these General Conditions and the general and specific authorities to act to which they apply, the expression 'Chief Officer' shall mean:-</p>	<p>Council</p>
<p>The Chief Executive, the Director of Resources, the Director of Legal, Democratic and Customer Services, the Director of Children & Young People Services, the Director of Environmental Services, the Director of Renewal and Recreation, the Director of Adult and Community Services, the Assistant Chief Executive, Human Resources and the Chief Planner.</p>	
<p>10. Reference to an enactment in a grant of delegation shall be deemed to extend to and include reference to any subsequent enactment having like or similar effect as though the delegation had been granted under the subsequent enactment.</p>	<p>Council/Leader</p>
<p>11. An officer exercising any power under this scheme of delegation shall ensure that some written or other permanent record is made of his decision and, in cases where a range of alternative decisions presented themselves, shall record why he made the particular decision.</p>	<p>Council/Leader</p>

¹ This shall be taken to mean that, provided a Chief Officer has authorised the person making a decision on his behalf to act, that person may sign in his own name or in his Chief Officer's name when he makes that decision.

<p>12. For the avoidance of doubt, the Council and the Leader hereby declare that any exercise of a power by a Chief Officer, or an officer authorised by him and which, if expressly provided for by this Scheme of Delegation, could have been lawfully exercised by an officer under powers delegated to him by the Council or a Committee, shall be deemed to be authorised by this Scheme notwithstanding such express provision may not have been made in it; PROVIDED THAT, where an officer relies on this paragraph, the Monitoring Officer shall be informed by the officer of this action and the Monitoring Officer shall make a report on the matter to the next ordinary meeting of the Council.</p>	<p>Council/Leader</p>
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PART II

Subject to the foregoing, and without derogation from the powers or duties now or hereafter conferred or imposed upon officers of the Council, by statute or by any statutory instrument or regulation, authority to act for and on behalf of the Council without reference to the Council or Executive body or any Committee shall be delegated as follows:-

<p>4. To the Director of Adult and Community Services Negotiate schedules of rates and other contractual provisions with registered residential and nursing home providers and/or care service providers to facilitate adult client choice within community care legislation. Clients should be directed to providers on such Approved Lists although the Director may agree to placement with a non approved provider provided that</p> <p>(i) the clients' choice is appropriate to their needs and</p> <p>(ii) the client meets the relevant eligibility criteria</p> <p>(iii) the costs fall within the rates accepted by the Council for accommodation and/or care for clients with their specific eligibility or a third party has entered into a binding contract with the provider and Council to meet any difference</p> <p>(iv) as far as possible inflationary increases in such rates should be negotiated at the outset.</p>	Leader
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B. AUTHORITIES RELATED TO THE FUNCTIONS OF INDIVIDUAL PORTFOLIO HOLDERS AND COMMITTEES

**ADULT & COMMUNITY PORTFOLIO/
RELEVANT REGULATORY COMMITTEE(S)**

Officer(s) Authorised	Authority to:-	Responsibility delegated from
DACS	(1) Ensure that the powers and duties to provide for the social care of elderly people, people with a disability and/or chronic sicknesses are met in accordance with statutory requirements and Council policy.	Council/Leader
DACS	(2) Exercise the statutory functions (including under the Mental Health Acts and Mental Capacity Act 2005) to safeguard the welfare of people suffering from a mental illness.	Leader
DACS	(3) Arrange burials and cremations in cases where no other suitable arrangements have been made.	Leader
DACS	(4) Consider the conditions and housing needs of the Borough.	Leader
DACS	(5) Assess and arrange rehousing for homeless applicants in accordance with statutory requirements and Council policy.	Leader
DACS	(6) Nominate applicants to Housing Associations.	Leader
DACS	(7) Monitor the performance of Housing Associations and arrange for collection and production of statistical information.	Leader
DACS	(8) Consult with and provide advice to Housing Associations and other housing organisations on the housing needs of the Borough.	Leader
DACS	(9) Manage and provide temporary accommodation for homeless people and in cases of emergencies.	Leader
DACS	(10) Agree the terms and conditions for block booking arrangements for temporary accommodation.	Leader
DACS	(11) Manage the Council funded development programme in line with Council policy.	Leader
DACS	(12) Undertake the general supervision and management of social work support services provided under the Local Authority Social Services Act 1970 (and any other enactment) not generally covered elsewhere in this scheme of delegation.	Leader

DACS	(13)	Ensure that reasonable costs are recovered for certain services in line with statutory regulations and Council policy.	Leader
DACS	(14)	Discharge the Council's transport functions in accordance with statutory requirements.	Council/Leader
DACS	(15)	Be "proper officer" in respect of the Rent Officer service.	Council
DACS	(16)	Dispose of small plots of land which are surplus to requirements and which do not exceed 200 square metres in area, subject to consultation with local Ward Members.	Leader
DACS	(17)	Waive or abate charges and to take further action in relation to recovery of charges.	Leader
DACS	(18)	Approve applications for joint financing of less than £50,000.	Leader
DACS	(19)	Authority to allocate Housing Association Programme funds in accordance with the criteria contained in Social Services and Housing Committee Minute 232(g) (21 st July 1997).	Leader
DR	(20)	Determine and pay claims for "well maintained" payments following directions given by the Secretary of State for the Environment.	Leader
DR	(21)	Negotiate with owners and accept tenancies of properties in compulsory purchase orders awaiting confirmation by the Secretary of State and from which immediate rehousing is considered necessary.	Leader
DR	(22)	Deal with the day-to-day management of all maisonettes associated with shop premises.	Leader
DR	(23)	Authorise payment of disturbance claims.	
DACS	(24)	Approve all renovation, disabled facilities and minor works grants and grants relating to water supplies in accordance with the schemes approved by the Executive Portfolio Holder.	Leader
DACS	(25)	Require and enforce repayment of renovation grants in accordance with the practice of the Executive. Approve the waiving of repayments where financial hardship to the owner would arise.	Leader
DACS	(26)	Carry out the Council's functions relating to private sector housing in connection with unfitness, disrepair, provision of amenity, means of escape in the case of fire, overcrowding, management and control.	Leader

DACS	(27)	Institute enforcement action and, subject to the Director of Legal, Democratic and Customer Services being satisfied with the evidence in each case, legal proceedings, in respect of (31) above.	Leader
DACS	(28)	Authorise the carrying out of work in default in appropriate cases of non-compliance.	Leader
DES/CP	(29)	Arrange for the demolition of properties for redevelopment purposes.	Leader
DR	(30)	Determine the amounts of rent rebates to be allowed under approved scheme.	Leader
DACS	(31)	Authorise the approval of discretionary disabled facilities grants in exceptional circumstances.	Leader
DACS	(32)	Authority to approve Social Workers' warrant cards.	Leader

Report No.
LDCS10067

London Borough of Bromley

Agenda
Item No.

PART 1 - PUBLIC

Decision Maker: Adult and Community PDS Committee

Date: 14th April 2010

Decision Type: Non-Urgent Non-Executive Non-Key

Title: **ADULT AND COMMUNITY PDS WORK PROGRAMME
2010/2011**

Contact Officer: Philippa Stone, Scrutiny Co-ordinator
Tel: 020 8313 4871 E-mail: philippa.stone@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Legal, Democratic and Customer Services

Ward: N/A

1. Reason for report

- 1.1 This report provides the Committee with an opportunity to review its work programme and make any necessary adjustments.

2. **RECOMMENDATION(S)**

- 2.1 The Committee is asked to consider its work programme and schedule of meetings and indicate any changes that it wishes to make.

Corporate Policy

1. Policy Status: Existing policy. As part of the Excellent Council stream within Building a Better Bromley, PDS Committees should plan and prioritise their workload to achieve the most effective outcomes.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: No cost
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £476,706 (2009/10)
 5. Source of funding: Existing budgets
-

Staff

1. Number of staff (current and additional): There are 14 posts in the Democratic Services Team (11.89 fte, of which 10 fte are dedicated to committee support).
 2. If from existing staff resources, number of staff hours: Maintaining the Committee's work programme takes less than an hour per meeting.
-

Legal

1. Legal Requirement: No statutory requirement or Government guidance.
 2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for Members of this Committee to use in controlling their on-going work.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

- 3.1 The Committee's 2009/10 Work Programme to date is attached at **Appendix A**.
- 3.2 The Committee is asked at each meeting to consider its Work Programme and review its workload in accordance with the process outlined at Section 7 of the Scrutiny Toolkit. All PDS Committees are also recommended to monitor the Council's Forward Plan of Key Decisions for their portfolios and to use it for identifying issues for consideration in advance of executive decisions being made. The Forward Plan issued on 18th March 2010 includes key decisions related to the Adult and Community Portfolio and the next Forward Plan will be published on 16th April 2010.
- 3.3 The Committee has established a reference group to review Transportation issues across the Adult and Community Portfolio. The proposed terms of reference for the group are:
- 1) To identify the current transport arrangements provided by the Council to support people with independent living. This will include scrutiny of:
 - The range of current services provided by the Council, e.g. ACS transport fleet services, black taxi card service, disabled freedom pass service etc.;
 - The quality of services (i.e. reliability, flexibility availability);
 - Cost effectiveness of service (i.e. unit costs comparisons, value for money etc).
 - 2) To consider the future travel requirements of people requiring council support, in line with "Supporting Independence in Bromley" this will include scrutiny of :
 - Future projected demands (including numbers as well as well as changing expectations)
 - Any planned developments for travel arrangements within the Council and also key partner's e.g. health, and 3rd sector;
 - The future use and impact of direct payments/personal budgets to meet service user choices for travel arrangements;
 - Accessibility of mainstream transport services for vulnerable people.
 - 3) In the light of the above, consider and review the funding of future travel arrangements for vulnerable people as part of the wider agenda of Supporting Independence in Bromley.

The following Members are part of the reference group: Councillor Ellis, Councillor Charsley, Leslie Marks and Maureen Falloon.

- 3.4 The NHS Healthcheck Working Group will continue to review health services across the Borough. The current membership of the Working Group is: **Councillor Judi Ellis, Councillor Carol Hubbard, Councillor Charles Rideout and Councillor Brenda Thompson**. The Working Group will hold its first meeting of the year on 11th November.
- 3.5 In approving the work programme Members will need to be satisfied that priority issues are being addressed; that there is an appropriate balance between the Committee's key roles of (i) holding the Executive to account, (ii) policy development and review, and (iii) external scrutiny of local health services; and that the programme is realistic in terms of Member time and officer support capacity.

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous work programme reports

A&C PDS Committee – Work Programme 2010/2011**22 June 2010**

Appointment and Review of Co-opted Members
Supporting Independence in Bromley Update
Review of Allocations Policy and Housing Register Banding
Annual Monitoring Report on Adult & Community Services - Complaints 09/10
Housing and Residential Services 2009/10 Annual Report
Review of Carers Strategy
Matters Arising/Work Programme

27 July 2010

Supporting Independence in Bromley Update
Bromley Safeguarding Adults Board 2009/10 Annual Report
Budget Monitoring 2010/11
Budget Closedown 2009/10
Matters Arising/Work Programme

21 September 2010

Supporting Independence in Bromley Update
Bromley PCT: Update on Primary Care Developments
Budget Monitoring 2010/11
Matters Arising/Work Programme

2 November 2010

Supporting Independence in Bromley Update
Adult and Community Services Mid-year Performance Report
Housing and Residential Services Mid Year Performance Report
Draft Budget
Budget Monitoring 2010/11
Matters Arising/Work Programme

25 January 2011

Supporting Independence in Bromley Update
Contract Monitoring of Care Homes – Annual Report
Budget Monitoring 2010/11
Matters Arising/Work Programme

29 March 2011

Supporting Independence in Bromley Update
Draft Portfolio Plan
Budget Monitoring 2010/11
Matters Arising/Work Programme