

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 Charles Rideout, Carole Hubbard,
Nicholas Bennett J.P., Ruth Bennett and
William Huntington-Thresher

Angela Clayton-Turner, Keith Marshall, Mimi Morris-Cotterill and Maureen Falloon

Also Present:

Councillor Peter Fookes and Councillor Graham Arthur

78 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.

79 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.

80 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.

81 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.**

82 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.

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

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.

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.

84 PORTFOLIO HOLDER PRESENTATIONS AND DECISIONS

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85 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.

86 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.

87 PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY PORTFOLIO REPORTS

88 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.**

89 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.

90 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.

91 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.

92 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

93 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.

94 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.

95 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.

96 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.

97 LOCAL GOVERNMENT ACT 1972 AS AMENDED BY THE LOCAL GOVERNMENT (ACCESS TO INFORMATION) (VARIATION) ORDER 2006 AND THE FREEDOM OF INFORMATION ACT 2000

98 PRE-DECISION SCRUTINY OF PART 2 PORTFOLIO HOLDER DECISIONS

99 SUPPORTING PEOPLE FRAMEWORK CONTRACT AWARD

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

The Meeting ended at 9.38 pm

Chairman

Minute Annex

WRITTEN PUBLIC QUESTIONS TO ACS PDS CTTEE 24TH FEB. 2010.

Questions from Jean Stout
Chair, Community Care Protection Group

1. QUALITY MONITORING OF CARE HOMES ANNUAL REPORT – STATUTORY NOTIFICATIONS UNDER S.37 OF CARE HOME REGULATIONS 2002. (Ref. Report ACS1009)

(a) What action would the Council take against a Provider who failed to carry out a Statutory Notification and Safeguarding Alert where a serious injury to a service user resulted from neglect or ‘institutional abuse’?

(b) Are Providers required to notify relatives when users have suffered a physical or sexual assault?

Reply –

(a) This could be a serious breach of the regulations and the Care Quality Commission might decide that enforcement action was required. The Council would follow the Adult Safeguarding Procedures to investigate any allegation of neglect or institutional abuse and decide what action to take. The range of responses would include a suspension of new placements, the movement of residents to other care homes, advice and guidance to the care home or no action depending on the outcome of the investigation. The failure to carry out the Statutory Notification to the Care Quality Commission and to issue an Alert would be considered within the context of the Safeguarding Investigation.

(b) CQC does not require care homes to do this, although it is good practice.

2. TIMELINESS OF ASSESSMENTS AND REVIEWS (Ref. Report ACS10010)

The report states (para.3.7) that there has been a growth in referrals of 63%+ this year.

(a) Has the Council identified the reasons for this?

(b) What are the projected numbers of referrals for 2010/11 the Council is planning for?

Reply

(a) *It has not been possible to determine the exact cause for the growth of referrals. Increased public awareness of services, the increase in the number of older people living in the Borough and better joint working have all contributed.*

(b) *The Adult and Community Services Department has assumed that there will be a modest increase in referrals as the increase appears to be levelling off.*

3. ACCESS TO INFORMATION FOR CARERS, RELATIVES AND MEMBERS OF THE PUBLIC ON SAFEGUARDING VULNERABLE ADULTS.

The Council's website provides information for health and social care professionals on Adult Protection, and has a dedicated website for Safeguarding Children.

Will the Council improve access to Safeguarding Adults information for the public by providing documentation designed for this purpose, and a dedicated website?

Reply

Currently, it is our view that providing information on Adult Safeguarding within a dedicated area on the Council's main website is the most effective way of making information available, whilst making the best use of current resources at a time of great change for adult safeguarding.

We intend to continue to provide a range of information for the public, through the website and a variety of leaflets, including an easy read leaflet.

We continue to improve and promote our website pages with the Council's website and have recently developed a specialist 'ezine' (email magazine), which is also available through the website.

Our adult safeguarding material will also be linked to a new website, which is currently under development (www.bromleyeasyread.org.uk) so that they can also be accessed by people with learning disabilities.

Written Questions from Sue Sulis
Community Care Protection Group

1. Bromley PCT and the Council are joint commissioners for services for Dementia patients in Bromley.

(a) How many people in Bromley are currently assessed as suffering from:-

- (i) mild to moderate dementia?**
- (ii) Severe dementia?**

The information we use comes from national data sets: the Projecting Older People Information System (POPPI) and the Projecting Adult Needs and Service Information (PANSI). According to these sources, in 2009 there were 4006 people aged 65 and over with dementia, and 76 with early onset dementia (i.e. under 65 years old). Information is not broken down by severity of dementia. We do not have definitions for 'mild-moderate' and 'severe'.

2. How many in each category above:-

As at 31st March 2009, there are

(a) Are in nursing homes?

114 people in places categorised as EMI

(b) Are in residential homes?

228 people in places categorised as EMI

(c) Receive Domiciliary care?

There are 24 people receiving a specialist domiciliary care service from Bromley MindCare. There are over 1800 people receiving a domiciliary care service from 'mainstream' non-specialist providers. Many of these people will also have dementia.

(d) Attend Day Centres?

The Alzheimer's Society day centre has 31 people referred by the Council and 38 direct day care clients making a total of 69.

P.T.O.

Bromley Mind dementia day centres had 128 individuals on the register at 30th September 09 making a total in dementia day care of 197.

There are 875 people in mainstream non-specialist day services, many of whom will also have some level of dementia.

(d) Receive no services?

(e) Are cared for by family members?

(f) Live alone?

} *We do not have data for these categories*

3.

(a) What is the estimated number of Dementia sufferers unidentified in Bromley?

We do not have this data.

(b) What are the numbers of patients used to plan services over the next 5 and 10 years?

POPPI projections for 65 and over: 2015 = 4309 people, 2020 = 4690 people. PANSI projections for under 65: 2015 = 76 people, 2020 = 83 people.

(c) How many carers of identified Dementia patients are over 60 years old?

We do not have this data.