

**ADULT AND COMMUNITY
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 10 April 2012

Present:

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley (Vice-Chairman)
Councillors Peter Fookes, Julian Grainger,
William Huntington-Thresher, Tom Papworth,
Catherine Rideout and Charles Rideout

Brebner Anderson, Peter Buckland, Angela Clayton-
Turner, Maureen Falloon and Lynne Powrie

Also Present:

Councillor Robert Evans and Councillor Diane Smith

**105 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
ALTERNATE MEMBERS**

Apologies were received from Brian James and Leslie Marks, who was replaced by Maureen Falloon. (Note: Councillor Ruth Bennett had also sent her apologies, but these had not been passed on to the clerk to report at the meeting.)

106 DECLARATIONS OF INTEREST

Councillor Peter Fookes declared that he was a Trustee of Age Concern Penge and Anerley. Councillor Judi Ellis declared that her father was resident in a care home in Bromley. Councillor William Huntington-Thresher declared that he was the Council's representative on the London Regional Scrutiny Panel of Affinity Sutton.

**107 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE
PUBLIC ATTENDING THE MEETING**

Two questions were received from Susan Sulis of the Community Care Protection Group - attached at Appendix 1.

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

No questions had been received.

**109 MINUTES OF THE MEETING OF ADULT AND COMMUNITY
PDS COMMITTEE MEETING HELD ON 26 JANUARY 2012**

RESOLVED that the minutes from the meeting held on 26th January 2012 be agreed, subject to the addition of Councillor Robert Evans as present at the meeting.

**110 WORK PROGRAMME AND MATTERS ARISING 2011/12
RES12067**

The Committee considered progress on matters arising from previous meetings. Members noted that although the shaded background was not necessary the format was much improved.

RESOLVED that progress on matters arising be noted.

**111 PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST
MEETING**

The Committee noted the decisions taken by the Portfolio Holder since the last meeting held on 26th January 2012.

**112 PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY
PORTFOLIO REPORTS**

A) UPDATE ON PROPOSED PROPERTY PURCHASE INITIATIVE
Report ACS12015

The Portfolio Holder introduced a report setting out progress made on the development of a property purchase initiative which aimed to deliver additional temporary accommodation in the Borough from existing resources, providing a cheaper alternative to bed and breakfast provision. One of the initiatives that had been covered in a previous report involved Registered Social Landlords (RSLs) purchasing properties for which the Council would have nomination rights. Orchard and Shipman had come forward with such a scheme, with an investor who would make the purchase while requiring them to enter into a 35 year deal. Orchard and Shipman would in turn negotiate a 20-25 year nomination agreement with the Council.

Members questioned whether such long-term undertakings were appropriate, but with demand for accommodation continuing to outstrip supply, the number of properties proposed to be purchased only representing a small proportion of the total temporary accommodation used by the Council over each of the last 20 years (minimum), that other Bromley households could be nominated to the stock if there ever was a shortage of those to whom the Council had a statutory duty and because bed and breakfast accommodation was considerably more expensive, there was no risk to the Council in the length of the agreement. It was confirmed that the word "and" was missing in error from paragraph 3.5 of the report, between the words "tenants" and "will be liable" –

it was Orchard and Shipman who would have responsibility for rent income, arrears and voids.

RESOLVED that the Portfolio Holder be recommended to agree the proposal to work with Orchard & Shipman.

B) HOMELESSNESS STRATEGY 2012 - 17

Report ACS12020

The report set out the Council's updated Homelessness Strategy for 2012-2017, covering how the Council, in partnership with stakeholders, would work to tackle and prevent homelessness in the Borough, identifying current and future trends together with emerging issues in order to determine priorities and areas for development over the next 5 years.

The Committee raised a number of questions which resulted in suggested amendments for the final document, in particular about the possibilities for re-settling people in other areas, strengthening the references to the shortage of properties for larger families and reviewing the wording about average property prices and incomes in Bromley.

RESOLVED that the Portfolio Holder be recommended to approve the final draft of the Homelessness Strategy for 2012-2017, subject to the following amendments –

- **Adding a paragraph on relocation to other areas.**
- **Strengthening the wording about the shortage of 4/5 bedroom homes in Section 2.8 Overcrowding.**
- **Clarifying the wording in the paragraph in Section 1.3 concerning average property prices and incomes in the borough.**

C) PROPOSED CHANGES TO FUNDING FOR EMPTY PROPERTY GRANTS AND LOANS AND NOMINATION PERIODS

Report ACS12024

The report set out proposals to amend the levels of grant and loan funding available to owners of empty properties and to link them to variable nomination periods and to property size. Over time, the levels of grant had become less attractive to owners, and they had expressed a number of concerns about a variety of perceived barriers to using the scheme. With increased numbers of people in bed and breakfast accommodation it was proposed to make the offer more attractive again. The scheme was supported from sub-regional funds, but loan repayments could be recycled by the Council to produce an on-going supply of properties. It was confirmed that as well as these incentives the Council was able to use Empty Dwelling Management Orders to bring empty properties back into use.

RESOLVED that the Portfolio Holder be recommended to approve the change in funding arrangements for empty property grants and loans,

and the proposal to link these to the size of the property and the period of nominations as set out in appendix 1 to the report.

D) TAXICARD 2012/13 BUDGET

Report ACS12014

The Committee considered a report setting out the proposed 2012/13 Bromley Taxicard Budget and providing an update on scheme improvements coming into effect from 1st April 2012. These included an increased proportion of Taxicard trips using Private Hire Vehicles from 12% to 20%, the ability for Taxicard Holders to book Taxicard trips from licensed PHV officers, a reduction of the 'run in' maximum of £2.40 to £0.00, and a reduction to the cost to the Borough of cancelled journeys. It was also proposed that post-Olympic Games, a fixed cost would be introduced for black taxi journeys over 3 miles to establish the cost prior to undertaking a longer journey.

It was noted that there was no taxicard user group in Bromley, but Brebner Anderson offered to raise the possibility with the Forum.

The Committee recorded their best wishes to Silvio Giannotta, who was leaving the Council to take up a new job.

RESOLVED that the Portfolio Holder be recommended to agree:

- 1) the proposed 2012/13 Bromley Taxicard Budget; and,**
- 2) the proposal to allow rollover of any unused trips, as set out in paragraph 5.3 of the report.**

E) ADMISSIONS AVOIDANCE SERVICE

Report ACS12017

The report proposed that funding be withdrawn from the Admissions Avoidance service. This service was jointly funded by the Council and the Primary Care Trust with the business case for the service built on the savings made in hospital tariffs and the risk and benefits of funding the service shared by the two organisations. Although activity levels for the service in 2011/12 had resulted in avoided admissions (and therefore notional reductions in cost), the Primary Care Trust had experienced an overall increased spend on emergency acute activity this year and was not in a position to reimburse any funding to the Council.

The Committee regretted the impact on the staff involved, but agreed that as the proposed savings could not be achieved the funding would have to be withdrawn.

RESOLVED that

(1) The proposal to withdraw funding from the Admissions Avoidance Service and the consultation with staff and their representatives which commenced on 23rd March 2012 be noted.

(2) Subject to the outcome of the consultation, the Portfolio Holder be recommended to agree to withdraw funding from the service with the human resources implications being agreed in consultation with the Chief Executive.

113 BUDGET MONITORING 2011/12
Report ACS12019

The Committee considered the budget monitoring position for 2011/12 based on activity up to the end of January 2012, which forecasted an underspend of £780,000. Officers reported that although these budgets continued to be very volatile, they were continuing to drive down costs and the latest projection was for an underspend in the region of up to £1m. A Member queried the number of contract waivers approved, but officers confirmed that there were tight controls and the Portfolio Holder added that he was informed of details of waivers. He also wished to record his appreciation for the work of Lesley Moore and other officers in controlling the budget, and this was endorsed by the Committee.

RESOLVED that

(1) The projected underspend of £780,000, based on information as at January 2012, and the funding received from health as outlined in section 6 of the report, be noted;

(2) The Portfolio Holder be recommended to -

(a) note the receipt of funding of £147,000 from the Department for Communities and Local Government for Preventing Repossessions, and request that Executive approve the draw down of the grant, which will be carried forward and spent in 2012/13; and

(b) note that following a successful bid, £85,000 had been received from the Department of Health from the Warmer Homes Healthy People Fund, and request that the Executive approve the draw down of this funding.

114 END OF YEAR ADULT AND COMMUNITY PORTFOLIO PLAN
PERFORMANCE REPORT 2011/12 INCLUDING DRAFT
PORTFOLIO PLAN PRIORITIES 2012 - 13
Report ACS12016

The Committee considered progress made against the Adult and Community Portfolio Priorities 2011/12 and the draft Portfolio Plan Priorities for 2012/13. Members commented on the following sections as follows –

- Aim 1a2 (Mylife web portal): It was suggested that the target needed to change to focus more on ensuring that the impact on staff lessened.
- Aim 1a5 (Accessibility of universal services): It was suggested that the updates about employment were only one aspect of this target and it should probably not be flagged as green.
- Aim 1b2 (Review of respite care): It was suggested that the work was still ongoing and that the target should be amber or red.
- Aim 1c1 (Personal budgets): It was suggested that service users needed not just to be offered personal budgets, but to understand how they could be used – the Portfolio Holder proposed that for the coming year the target should be amended to focus on the user having control.
- Aim 1d1 (Dementia daycare): It was confirmed that there was no waiting list for dementia daycare services.
- Aim 1g2 (Job carving): It was confirmed that job carving was still being supported.
- Aim 2a1 (Reducing health inequalities): A Member suggested that the focus should be on improving standards rather than reducing health inequalities.
- Aim 3a1 (Carer's assessments): It was clarified that changes had been made to the compulsory fields required on the system to ensure better recording of assessments.
- Aim 3b1 (Travel Training): Feedback from the travel training for people with learning disabilities was extremely positive, and steps were being taken to find funding for a new programme.
- Outcome 1: 3. (Proportion of adults with learning disabilities in paid employment): It was suggested that the description should be amended to clarify that it did not necessarily refer to full time employment.
- Outcome 4: 2. (Safeguarding Adults): A Member commented that, on the target for percentage of safeguarding cases completed within 40 days of acceptance of a referral, a percentage alone could not be an adequate measure. However, this was a pan-London policy and was monitored for a statutory return to the Government.
- A Member commented that there was a lack of hard numerical targets in the report.

The Chairman thanked officers for providing a useful report which provided both statistical and qualitative feedback, and emphasised the importance of working together to achieve the right outcomes.

RESOLVED that:

- 1) Progress made against the actions in the 2011/12 Portfolio Plan be noted; and**
- 2) Members comments on the draft Portfolio Plan priorities and aims for 2012/13 be noted.**

**115 PERSONAL BUDGETS AND CONTRIBUTIONS POLICY
UPDATE - IMPACT OF DAY CENTRE CHARGES**
Report ACS12021

The Committee considered an update on the 2011-12 revised Personal Budgets and Contributions Policy which introduced for the first time a charge for attending a day centre. Members also considered an overview of the impact of introducing these charges on service users, family carers, day centre providers and the income targets for the Department. The report contained details of the levels of contribution, feedback from service users and their carers, feedback from providers and partners, complaints and appeals.

Although service users had been concerned about the introduction of charges, the impact of the changes had not been as substantial as expected and most were still attending and paying towards the cost of the service. A sample of 126 users no longer attending found that only 7 (6%) gave the introduction of charges as the reason – over 60% were due to admission to long term care, deteriorating health or death. Officers reported that 867 people were using 1,244 places out of a total of 1,500 places available each week, so there was some capacity to refer additional users without increasing costs and the service would continue to be promoted.

The Committee agreed that there were positive aspects to the changes and opportunities to meet changing demands and for users to receive a better service. In particular it was important that services were geared towards the needs of users and carers rather than focussed on transport.

Maureen Falloon offered to email invitations to visit a day centre to Members and Peter Buckland added that the LINK were seeking permission to carry out visits.

RESOLVED that the report and in particular the contribution that these charges made towards overall income targets be noted.

116 SCRUTINY OF A BUDGET AREA - MENTAL HEALTH
Report ACS12018

The Committee considered an outline of the services funded through the mental health budgets in Adult and Community Services. The budget for these services was over £5.1m, with 34 fte Council staff (1 fte strategic commissioner, jointly funded by Bromley PCT, and 33 fte social care staff, two funded by Oxleas and the remainder by the Council) seconded to Oxleas under a Section 75 agreement.

Members discussed the report and raised the following matters in particular -

- There was concern about support for people who wished to reduce their dependence on medication, and a member questioned whether GPs always had the specialist knowledge to support these patients. It was confirmed that programmes were available through primary care.
- A Member asked about delays to access cognitive behaviour therapies – officers offered to supply further information and the Chairman suggested that the Health Scrutiny Committee could look at this issue.
- It was suggested that the figures presented about the numbers of people requiring services needed to be broken down to distinguish between mild and moderate mental health problems and those with serious and enduring mental ill health.
- A Member suggested that employers needed to be provided with information in order to better understand the needs of employees with mental ill health. It was confirmed that there were a range of activities which included working with employers and changing attitudes to mental health.
- Lynn Powrie commented that caring for someone with mental health problems could be very difficult, and the drive to support people in their homes rather than in residential provision had an impact on carers. Officers confirmed that they always tried to work in partnership with carers, and that usually this was appreciated.
- The Chairman commented that it was important to work with other services and partners and in particular with schools. Officers responded that this was being done, although the report did not cover this as it focussed on the budget for this area. The revised Mental Wellbeing Strategy would include a wider reflection of the services being provided. The Strategy was currently out for consultation and a further draft was expected in May; the chairman suggested that this should be included in the Committee's future work programme.

RESOLVED that the report be noted and in particular the continued shift from residential to flexible support to enable people to remain independent and to deliver budget savings of £700k since 2008/09.

117 CHAIRMAN'S ANNUAL REPORT

The Committee considered the draft annual Adult and Community PDS Committee report to Council, which provided an outline of the work undertaken by the Committee in 2011/12. The Chairman reported that she intended to add references to the work of the Adult Safeguarding Board and the Accommodation with Care for Older People Reference Group.

RESOLVED that the draft report be noted.

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

RESOLVED that the Press and public be excluded during consideration of the items of business listed below as it was likely in view of the nature of the business to be transacted or the nature of the proceedings that if members of the Press and public were present there would be disclosure to them of exempt information.

119 EXEMPT MINUTES OF THE ADULT AND COMMUNITY PDS COMMITTEE MEETING HELD ON 26 JANUARY 2012

RESOLVED that the exempt minutes of the meeting held on 26th January 2012 be confirmed, subject to the amendment of "November 2011" in the resolution of minute 102/1 to read "November 2013."

120 EXEMPT PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST MEETING

The Committee noted the exempt decisions taken by the Portfolio Holder since the last meeting held on 26th January 2012.

121 CLOSING REMARKS

Angela Clayton -Turner informed the Committee that she would be part of a group set up as part of the Prime Minister's dementia challenge initiative to work towards the creation of dementia-friendly communities, and she hoped that Bromley could be included in the first 25 pilot communities.

The Chairman thanked everyone present for their work over the course of the 2011/12 Council year.

The Meeting ended at 9.50 pm

Chairman

APPENDIX 1

PUBLIC QUESTIONS

QUESTIONS FROM MRS SUSAN SULIS, SECRETARY, COMMUNITY CARE PROTECTION GROUP

1. THE IMPACT OF THE REMOVAL OF THE 'ADMISSIONS AVOIDANCE SERVICE' ON THE PROPOSED CUTS IN INTERMEDIATE CARE BEDS FROM 62 TO 42.(Ref. Reports ACS12017 and ACS 10066)

In the 2.11.2010 Report, the reduction in IC Beds was predicated on the creation of a new 'Admissions Avoidance Service'.

- (a) Why is there no mention or examination of the impact on the IC Service in today's report?

Reply

Not all patients who are discharged from hospital require an intermediate care bed. Although fewer people going into hospital can mean a reduction in the need for intermediate care beds following discharge, there are other factors which contribute to the reduced requirement for bed based intermediate care, including the introduction of the re-ablement service. The reduction in occupancy of the intermediate care beds predates the introduction of the Admissions Avoidance service.

- (b) Why are the Impact Assessments (p.3.7) not listed as background documents for scrutiny?

Reply

This was an oversight; the impact assessment will be published as part of the minutes of this meeting.

2. LONDON BOROUGH OF BROMLEY AND BROMLEY NHS INTERMEDIATE CARE CONSULTATION 2ND FEB – 26 APRIL 2012.

This consultation exercise has not been accessible to the digitally excluded, and has thus discriminated against those most likely to need an Intermediate Care Bed – the elderly and deprived.

- (a) As of 1st April, how many responses have been received?
- (b) Of these, how many are from (i) Organisations, and (ii) Individuals?

Reply

Response provided by NHS Bromley:

Planning for this engagement work has intentionally targeted those who may be directly affected by any proposals to ensure that their views are understood and hard copy information has been made available to a targeted audience. The current engagement work with regard to intermediate care services is focussed on those it affects most - an example being making direct contact with prior users of the services. This approach should directly address any potential concerns in regard to digital exclusion or discrimination.

Engagement about intermediate care services as they interface with the Orpington Health Services Project has been ongoing and widely publicised in local media and using traditional print distribution methods. This covered the whole of Bromley as the catchment of the Hospital. However, intermediate care engagement has also been treated as an additional separate exercise, as the service is jointly commissioned with the London Borough of Bromley.

In recognition that some users of the service may find it challenging to engage with the process and in order to remedy this NHS Bromley are working in partnership with 'Advocacy For All', an advocacy service that will act on behalf of anyone who wishes to respond. This has been promoted on all documentation.

Our intention is not to produce large volume responses at this point in time, but to ensure that we engage effectively with the small percentage of the population who have used or may use these services.

The current engagement work that is being undertaken on Bromley's Intermediate Care service is pre-consultation work which will inform any final proposals. It has recently been determined that the Orpington services including the intermediate care beds will form part of a formal consultation under Section 244 of the NHS Act 2006. When the initial intermediate care consultation documentation was published it was not yet decided if this section would apply.

Intermediate care will therefore be included within a three month public consultation as part of the Orpington Health Services Project in the summer once authorisation has been given from NHS London. Plans are currently developing for this consultation, which will be subject to an equalities impact assessment. A draft equalities impact assessment has already been published for the Orpington project and intermediate care services development. It is also intended to engage with the Bromley Compact group to ensure that the consultation is Compact compliant.

The aim of our current engagement work is to develop proposals to the next stage, taking the views of service users, carers and interested stakeholders into account. To do this, we have taken the view that it is most effective to engage with those directly affected by changes and those who have

previously received the service, rather than taking a 'broadcast' approach. We have done this in the following ways:

- Contacted all members of Bromley LINK, asking them to comment on the proposals in the engagement document*
- Invited voluntary sector groups registered with Community Links Bromley to comment on proposals in the engagement document*
- Met with Bromley Council on Ageing (an umbrella body for voluntary sector groups that represents the interests of older people)*
- The service provider, Bromley Healthcare is contacting previous service users on the commissioner's behalf to seek direct feedback on their experiences of the current service.*
- Proposals were also discussed at the Older People's Partnership Group on 11 January 2012*

In all cases, hard copies of the proposals were provided, with the offer of additional copies on request.

For the intermediate care engagement in isolation we have received four responses to date, two from organisations and two from individuals. We have also received verbal feedback from Bromley Council on Ageing. Preparations for distribution to previous patients mean these have only recently been contacted and we are not expecting to receive their feedback for several weeks. However we will ensure we incorporate all responses when they arrive which would be well in advance of our next consultation phase.