

## **CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 2 October 2014

### **Present:**

Councillor Pauline Tunnicliffe (Chairman)  
Councillor David Jefferys (Vice-Chairman)  
Councillors Ruth Bennett, Mary Cooke, Judi Ellis,  
Peter Fookes, Hannah Gray, Charles Rideout and  
Melanie Stevens

Maureen Falloon, Linda Gabriel, Justine Godbeer,  
Catherine Osborn and Stewart Tight

### **Also Present:**

Councillor Robert Evans

## **26 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies were received from Councillors Terence Nathan and Diane Smith (Executive Assistant), and from the following co-opted members and alternates – Sarah Dowding and Oliver Mullen (Young Advisers), Jordan Barnes and Mariah Porter (Living in Care Council) and Joanna Frizelle (Experts by Experience), who was replaced by Justine Godbeer.

## **27 DECLARATIONS OF INTEREST**

The following declarations of interest were made –

Linda Gabriel declared that she was Chairman of Bromley and Lewisham Mind.

Councillor Judi Ellis declared that her father was in a Bromley care home and that she was a governor of Oxleas.

Maureen Falloon declared that she was a governor of Oxleas and a member of Age UK Bromley and Greenwich.

Stewart Tight declared that he was a member of Bromley and Lewisham Mind.

Councillor Pauline Tunnicliffe declared that she was a Bromley foster carer.

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

No questions had been received for the Committee.

**29 QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

One question had been received for written reply from Evelyn Collington, Co-ordinator of Bromley Mental Health Forum. The question and reply are attached at Appendix 1.

**30 MINUTES OF THE MEETING OF CARE SERVICES PDS COMMITTEE MEETING HELD ON 26 JUNE AND 5TH AUGUST 2014 (EXCLUDING EXEMPT ITEMS)**

Following a query from Bromley Mencap, it was proposed to amend the fifth paragraph of minute 10 (Co-opted Members Selection) to read –

“Members questioned why Bromley Mencap had not been included. Officers responded that there had been discussions with them to establish whether there was a suitable overarching service user group and if one emerged it would be possible to review the situation at a later date.”

The Chairman stated that she would speak to the chairman of Bromley Mencap.

Councillor Charles Rideout pointed out that he had been present at the meeting on 26<sup>th</sup> June 2014.

**RESOLVED that the minutes from the meetings held on 26<sup>th</sup> June and 5<sup>th</sup> August 2014 (excluding exempt information) be agreed, subject to the amendments outlined above.**

**31 WORK PROGRAMME AND MATTERS ARISING**  
CSD14139

The Committee considered matters arising from previous meetings, its work programme and the schedule of visits. The programme included a joint meeting with the Education PDS Committee on 26<sup>th</sup> February 2015 to look at particular issues. The Chairman requested an update on adoption for the November meeting.

It was confirmed that co-opted members were welcome to attend the visits. The Chairman stated that she would attend the visit on 8<sup>th</sup> October; Councillor Ruth Bennett would attend the visits on 8<sup>th</sup> and 21<sup>st</sup> October. Councillor Hannah Gray reported that she had not been able to attend the visit on 23<sup>rd</sup> September. The Director also invited Members to attend Placement Panel

meetings – any Members interested should contact Stephen John, Assistant Director, Adult Care Services.

The Education PDS Committee had proposed setting up a joint PDS Working Group to look at the effectiveness of Children’s Centres and the Tackling Troubled Families Programme. The Chairman stated that in view of the pressure on the Committee she would not support this and she would discuss the matter with the Education PDS Committee Chairman. The Portfolio Holder added that the Tackling Troubled Families Programme was working well and focussing on this would not be an effective use of resources.

**32 CARE SERVICES PDS CO-OPTED MEMBERS CONFIRMATION**  
Report CSD14135

At its meeting on 26<sup>th</sup> June 2014 the Committee had agreed a new approach to appointing co-opted members to allow representation from key groups in the community.

**RESOLVED that**

**(1) The following non-voting appointments be made to the Care Services PDS Committee to serve for two years:**

<b>Co-Opted Member</b>	<b>Organisation</b>	<b>Alternate Member</b>
Linda Gabriel	Healthwatch Bromley	Leslie Marks
Maureen Falloon	Council on Ageing	Belinda Price
Stewart Tight	Mental Health Forum	Peter Moore
Catherine Osborn	Carers Forum	Rosalind Luff
Joanne Frizelle	Experts by Experience (X by X)	Justine Godbeer
Sarah Dowding	Young Advisers	Oliver Mullen
Jordan Barnes	Living in Care Council	Mariah Porter

**(2) The membership of the Health Scrutiny Sub-Committee Membership be confirmed as the same membership as the Policy Development and Scrutiny Committee.**

**33 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS**

The Committee considered the following reports for pre-decision scrutiny prior to decisions by the Care Services Portfolio Holder, the Education Portfolio Holder or the Executive.

**A) CARE SERVICES PORTFOLIO BUDGET MONITORING 2014/15**  
Report CS14070

The Committee received the latest budget monitoring report based on activity up to the end of July 2014. There were significant cost pressures in adult’s and children’s placement budgets and housing temporary accommodation.

Deprivation of Liberty Safeguards (DOLS) had also become a major issue; following the Supreme Court judgement in March, applications for assessment had risen dramatically (15 in 2013/14, 138 between April and June 2014) with no additional funding being available from central government. Each application required assessment by a range of social care and medical staff, and was personally read by the Executive Director. The Executive Director expected the numbers of applications to plateau eventually, but this was already a significant pressure on the budget.

The Executive Director summarised the budget issues facing the portfolio, and the actions being taken to address these by his senior management team. He emphasised how difficult it was, with all the efficiency savings that had been made in recent years, to find additional efficiency savings and radical decisions would need to be taken by Members. The Portfolio Holder added that the Department had been remarkably efficient in recent years, and that further opportunities for major efficiencies were just not there. In recent years commissioning had provided significant savings to offset anticipated overspends, but he felt that there was not much scope for further savings through commissioning.

With regard to the Welfare Reform Grant, it was noted that the Council would be working through a range of voluntary sector groups already active in this area; it was difficult to itemise exactly what the funding would be used for.

A Member asked for more detail on the pressures around Extra Care Housing. There had been a fairly consistent level of voids at around 30, indicating a small over-supply of places, whereas most boroughs had waiting lists. The Executive Director confirmed that there was possibly a need to re-allocate a number of beds for alternative uses, and a report would be prepared on this.

**RESOLVED that**

- (1) The report and in particular the following be noted –**
- (a) The latest projected budget overspend of £2,890,000 forecast on the controllable budget, based on information as at July 2014;**
  - (b) the full year effect for 2015/16 of £4,464,000 as set out in section 4;**
  - (c) the new funding and carry forward requests as detailed in section 7 and agreed by the Executive on 10<sup>th</sup> September 2010;**
  - (d) the comments of the Executive Director in section 10.**
- (2) The Portfolio Holder be recommended to approve the latest budget projection for the Care Services Portfolio.**

**B) CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2014/15**  
Report FSD14064

At its meeting on 16<sup>th</sup> July 2014 the Executive had agreed a revised capital programme for the four year period 2014/15 to 2017/18, including changes to

the capital programme for the Care Services Portfolio. Following a review, a number of schemes that had been largely dormant in recent years had been deleted from the programme. The Chairman queried whether some of these schemes should have been deleted sooner, and officers confirmed that the programme would be examined more closely in future.

**RESOLVED that the recommendation that the Portfolio Holder confirm the changes to the Care Services capital programme be supported.**

### **C) CARE ACT 2014 IMPACT**

The Care Act had received Royal assent in May 2014 and its provisions commenced on 1<sup>st</sup> April 2015 and 1<sup>st</sup> April 2016 (for charging reforms.) The Act modernised the statutory framework for adult social care, updating and replacing previous legislation and bringing into primary legislation much of current best practice. Considerable work had been done in the Education, Care and Health Services Department to establish the impact of the Act and to generate an initial financial model. The report summarised this along with the key assumptions underpinning this model.

A number of funding models had already been produced by other local authorities, and these had been helpful in developing a Bromley model. The Bromley model involved approximately fifty assumptions, some of which had to be projected several years ahead, leading to a high degree of uncertainty. The model included a training budget to ensure that all staff were equipped to work within the new legislation.

In the 2013 funding settlement the Government had pledged to meet all the new costs for local authorities arising from the Act. In 2014/15, funding of £125k was received to establish a programme to deliver the proposals in the Act, with £1.885m to come from formula grant for 2015/16 and £750k provisionally agreed from Better Care Funding. The Director reported that the bid for the £750k was likely to be approved, but confirmation was awaited.

The Portfolio Holder placed on record his thanks to Chris Curran and Lesley Moore for the work they had done to prepare the Council to implement the new legislation.

**RESOLVED that the report be noted.**

### **D) ADULT SOCIAL CARE GATEWAY REPORT**

Report withdrawn.

### **E) HOMELESSNESS AND WELFARE REFORM DRAWDOWN FROM CENTRAL CONTINGENCY**

The Committee received a report updating them on homelessness pressures during 2014, summarising the challenges being faced and the range of initiatives to reduce the budget pressures. The report also updated Members

on formal consultation which was now commencing on proposed revisions to the allocations scheme. The Executive was being asked to release £653k set aside in central contingency for homelessness and welfare pressures.

Appendix 1 to the report set out the actions being taken to reduce the cost of temporary accommodation. This included assessing all vacant properties for their suitability for use as temporary accommodation for the homeless, although in some cases the cost of refurbishment meant that the properties were not viable. The Council also worked with landlords to prevent people from becoming homeless. Members suggested encouraging landlords to offer longer term, ten year, contracts, and using converted shipping containers to provide accommodation - while this was an option it was not significantly cheaper than more conventional approaches. The Council was working hard with other local authorities to avoid pushing landlords' charges even higher.

Members noted that although the economic situation was improving there was a time-lag before this re-aligned with homelessness and a backlog of cases. The impact of universal credit in 2015 could lead to another spike in homelessness.

Appendix 2 to the report listed proposed key revisions to the Allocations Scheme, including reducing the qualifying household income from £60k to £30k. There would be consultation and a more detailed report on this would be presented to Members at a later date. A Member suggested that this threshold might need to be higher to tie in with other legislation.

**RESOLVED that the recommendation to the Executive that £653k set aside in central contingency for homelessness and welfare pressures be released is supported.**

**F) TEMPORARY ACCOMMODATION UPDATE**  
Report CS15097

The report set out proposals to use Manorfields, a former residential care home, as temporary accommodation to enable the Council to meet its statutory housing duties. This was an invest to save proposal to mitigate the cost to the Council of using nightly paid accommodation.

A similar proposal had been implemented at Bellegrave in November 2013; this scheme had been well-maintained and managed, and was now delivering the predicted savings. With the Bellegrave scheme the ward councillors had been closely involved, and it was suggested that this would be important for the success of the Manorfields proposals.

Officers were confident that the refurbishment costs were accurate; Orchard and Shipman would be overseeing the refurbishment process, and a small contingency had been built in.

**RESOLVED that the recommendations to the Executive regarding the use of Manorfields as temporary accommodation to meet the Council's statutory obligations under homelessness legislation be supported.**

**G) COMMUNITY SUPPORT FOR PEOPLE WITH MENTAL ILL HEALTH**  
Report CS14090

The joint Council/Bromley Clinical Commissioning Group (BCCG) contract with Bromley and Lewisham MIND for community support services for people with mental ill health (previously known as day services) was due to expire in March 2015. This was one of a number of contracts providing similar services, and a review had been carried out, led by the CCG, to ensure that they remained fit for purpose and value for money. It was proposed that the CCG would lead on consultation and procuring a new service and the Council would contribute £100,000 to the new service to meet its statutory responsibilities, providing a saving of £92,381. The new system would provide more capacity at a lower price - as well as these savings, the new service would provide a clearer system, remove duplication and provide faster paths to employment and training for some users.

In response to questions, it was confirmed that although there would be a single point of access for the new service, this meant a single process rather than one specific geographical location. The figure of 25% of service users who would be eligible for Council services related to those entitled under section 117. The service was for adults including older people regardless of age, although some of the data available was for the 18-65 age group. Services would be free at the point of delivery, so personal budgets would not be affected.

It was explained that the proportions of people likely to suffer with mental ill health/psychological symptoms were 1 in 3 during the course of a lifetime and 1 in 4 at any one time. These proportions derived from GP codings based on World Health Organisation definitions. The Joint Strategic Needs Assessment (JSNA) would provide updated local figures in the next few weeks.

**RESOLVED that the Portfolio Holder be recommended to endorse the new approach set out to strengthen early intervention and prevention services for people with mental ill health and agree that a section 256 agreement be entered into with the BCCG for £100,000 per annum for a period of three years plus two years to run concurrently with the new contract.**

**H) SUBSTANCE MISUSE SERVICES - PRIORITIES AND TARGETS**  
Report CS14072

The Executive had requested further information on substance misuse services to enable them to take a decision on whether to extend for one year three existing contracts with Crime Reduction initiatives (CRI) for an integrated drug and alcohol service. The report provided this information and

also covered a proposal to extend the contract with KCA for an integrated drug and alcohol service for children and young people.

The Committee noted that this was a statutory function and the Council had a duty to pay for GP prescribing in this area. Services were paid for through the Public Health Grant - Public Health budgets were ring-fenced until 2015/16. Performance was monitored through Public Health England.

The report contained a summary table of the numbers of drug users effectively engaged in treatment in 2012/13. This was based on people who remained in treatment for three months or more, and the Chairman questioned whether this was a long enough period. Officers responded that many people would be in treatment for longer periods, and that the measure for successful treatment was based on remaining substance free six months after completion of treatment.

A Member noted that there was no mention of the increasing numbers of older people drinking and the impact on their health. The data was not age specific, but officers acknowledged that there was evidence of older people drinking more. More information would be available shortly when the Joint Strategic Needs Assessment was published.

**RESOLVED that the Executive be recommended to extend the three existing contracts – Stabilisation and Assessment Services, Recovery Service and Intensive Prescribing Service – with CRI and the contract with KCA for the children and young people’s substance misuse service (BYPASS) in line with the Council’s Contract Procedure Rules for a period of one year from January to December 2015.**

**I) ADOPTION GRANT DRAWDOWN**  
Report CS14089

In January 2013 the Department for Education announced grant funding for local authorities to support the reform of adoption services. This included some funding ring-fenced to recruitment and a larger non-ring fenced grant to support whole system reform. The report recommended that the Executive agree the draw-down of the non-ring fenced grant for 2014/15 and 2015/16.

Officers confirmed that although there had been some difficulties in recruitment in 2013/14, all posts were now filled, with experienced staff moved into temporary posts and backfilling elsewhere.

The Committee noted the higher costs involved with in-house foster placements compared to adoptive placements and special guardianship. The Chairman remarked on cases where the courts had sent a child back to its family only for them to come quickly back into care – this was clearly not good for the child and made adoption less likely.



**RESOLVED that the recommendation to the Executive for the draw-down of the non-ring fenced adoption reform grant totalling £618,100 for 2014/15 and 2015/16 is supported.**

**J) DAY NURSERY PROVISION: PROPOSAL TO MARKET TEST**  
Report CS14073

At its meeting on 30<sup>th</sup> January 2014 the Education PDS Committee had considered a report on options for the future delivery of day nursery provision directly run by the Council at Blenheim (Orpington) and Community Vision (Penge). The preferred option was market testing, but further detail was requested on the business case. This had now been provided and the Education Portfolio holder was being recommended to proceed with market testing. Members noted that there was demand for both nurseries, and in Orpington there was no other provision within a mile.

**RESOLVED that the recommendation to the Education Portfolio Holder to proceed with the market testing of day nursery provision on a concession basis be supported.**

(Councillor Peter Fookes requested that his vote against supporting recommendation 2.1 (ii) be recorded.)

(Councillor Mary Cooke declared an interest during consideration of this item as a governor at Blenheim School, which was based on the same site as the Blenheim nursery.)

**34 FEEDBACK FROM THE ADULT STAKEHOLDER CONFERENCE**  
Report CS14093

The Committee received a report updating them on the second Adult Services Stakeholder Conference – “Your Future. Your Support. Your Say” on 23<sup>rd</sup> July 2014. The next conference would be held in the early months of 2015.

The consultation in preparation for the conference had generated 932 responses – it was not known how many were service users. The deadline for responses had been extended by two weeks when it was realised that some groups were not aware of it – officers would feedback to Experts by Experience on this.

**35 INDEPENDENT REVIEWING OFFICERS ANNUAL REPORT**

The Committee received the annual report from the Independent Reviewing Officer Service (IRO) for 2013/14. A short presentation was made at the meeting by Anita Gibbons, Head of Quality Assurance and Principle Social Worker, setting out the legislative background, details of the team, key achievements in 2013/14 and service development for 2014/15.

Members asked whether more could be done to reduce the numbers of children coming into care. Officers always questioned whether children should be in care or in temporary respite. It was recognised that many children would need support beyond the age of 18 – the statutory duties of the IRO team ended at 18 and any extension of support would need to be resourced. It was noted that percentages for children participating in reviews were high (98.8% of children over 4) but this was not exceptional and only what Ofsted now expected.

**RESOLVED that the report and presentation be noted.**

### **36           IMPLICATIONS OF CHANGES TO YOUTH REMAND FRAMEWORK**

Changes to the youth remand framework had come into effect on 1<sup>st</sup> December 2012 through the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Local authorities were now responsible for paying for remand placements, but this change had not been fully funded by the Government. The report provided a comparative analysis of the cohort of young people remanded during the years 2012 and 2013, immediately before and after the introduction of the changes. The analysis showed that the number of individual young people remanded had increased between the two years and that a key contributory factor had been the re-offending behaviour of those aged 15 and under.

It was noted that the numbers involved - 21 in 2013 - were low and that most young people were doing well. Because of the low numbers, it was not feasible to identify the young people on a ward basis for data protection reasons. The Chairman noted the correlation between the timing of offending behaviour and absence from school. The Pupil Referral Unit had been closed and re-opened to improve the management of behaviour. Members discussed the involvement of both the Police and Social Services, and the Tackling Troubled Families programme. A Member highlighted the role of parents and the potential penalties from social landlords against troublesome families. Early intervention was crucial, and one key factor for good outcomes with these young people was speech and language difficulties, so dedicated speech therapy had been put in place.

**RESOLVED that the content of the report be noted.**

### **37           QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING**

The information briefing comprised four reports as follows -

- Annual update on the Youth Offending Team
- Bromley Safeguarding Adults Board Annual Report
- Disability Strategy
- Increase in Families Presenting with No Recourse to Public Funds

No questions had been received.

**38 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 referred to below as it is 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.

**The following summaries  
refer to matters  
involving exempt information**

**39 EXEMPT MINUTES OF THE CARE SERVICES PDS  
COMMITTEE MEETINGS HELD ON 26TH JUNE 2014 AND 5TH  
AUGUST 2014**

The Committee agreed the exempt minutes of the meetings held on 26<sup>th</sup> June and 5th August 2014.

**40 LD SUPPORTED LIVING CONTRACT AWARD**

The Committee supported a recommendation to the Executive about the award of a contract for provision of care and support services for five learning disability schemes.

**41 PROVISION OF DAY OPPORTUNITIES FOR ADULTS WITH A  
LEARNING DISABILITY**

The Committee supported a proposal to extend a current contract for day care provision for adults with a learning disability for one year.

The Meeting ended at 9.57 pm

Chairman

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### **29. QUESTION TO THE CARE SERVICES PORTFOLIO HOLDER (Agenda item 4)**

#### **(1) From Evelyn Collington, Co-ordinator, Bromley Mental Health Forum**

##### **Virtual Service User Panel**

Following the Partnership Review we were advised that a 'Virtual Service User Panel' would be established to consult with Service users – please can you let us have an update on this panel and how our members can access it?

##### **Reply:**

The 'virtual service user panel' is a key feature of the arrangements that have been implemented as a result of the Partnership Review. A report to the Care Services PDS Committee on 11 March 2014 provided a 6 month review of the partnership framework, including an update on the development and implementation of the 'virtual service user panel'.

The report described the 'virtual service user panel' as "electronic systems to bring together service users, families and carers, and other key community representatives, to gather views and consult with people on specific services or issues for services, and enable users to shape service development which build on a network of service user and carer e-mail databases held and maintained by the Council's key partners in order to minimise the resource requirements for the Council".

The report then went on to outline how the 'virtual service user panel' had been used to support the consultations and engagement activities which fed into the Adult Services Stakeholder Conference in November 2013 and the Children's Services Stakeholder Conference in March 2014. For example, the Carers Survey directly reached approximately 1,400 known carers through e-mail distribution lists held by a number of our key partners, including Bromley Clinical Commissioning Group, Carers Bromley, Bromley Mencap, Bromley Healthwatch, Bromley Mind and Alzheimer's Society. It was also sent via e-mail to a number of unknown carers, including e-mails to all staff of the Council, local websites, news items, newsletters, publicity in Bromley Libraries, and other publicity. Some of the Council's partner agencies also circulated the survey to their staff.

Since the 6 month review of the partnership framework report was presented to the Care Services PDS Committee, the 'virtual service user panel' has been further used within the consultation exercise conducted prior to the Adult Services Stakeholder Conference in July 2014 – the outcome of which is on the agenda today under Item 9.

In preparation for the Conference, the Council ran a consultation exercise between 27 May and 8 July 2014 through the 'virtual service user panel'. This included two elements: an online survey and face-to-face engagement sessions. The online survey was circulated through a combination of:

- Council managed websites – the Council website, Council intranet, Bromley MyLife website
- The Council's our resident e-mail database
- Distribution lists held by the Council's partners – Age UK Greenwich and Bromley, Alzheimer's Society (Bromley), Bromley Clinical Commissioning Group, Bromley Ethnic Communities Programme, Bromley Healthcare, Bromley Mencap, Bromley Mind, Carers Bromley, Citizens Advice Bureau, Community Links Bromley, Community Options, Deaf Access, Healthwatch Bromley, King's College Hospital NHS Foundation Trust, and Oxleas NHS Foundation Trust
- Publicity at a number of universal facilities - such as Council receptions, Community House, churches, intu Bromley, libraries, and a press release

The purpose of the consultation was to understand people's low level care and support needs over the short and medium term. The Council was keen to consult with the following groups of people: those not currently in the 'care system'; those with 'low level' care needs; those who pay for their own care and those with whom the Council has not previously engaged.

Through the use of the 'virtual service user panel', the Council was able to engage with 932 people through the consultation. This included 672 people who completed the online survey and 260 people who were consulted with through 13 face-to-face engagement sessions and focus groups.

The Bromley Mental Health Forum can be involved in the "Virtual Panels" in a number of ways including a hyperlink to the relevant online survey that we ask to be promoted in the relevant newsletters or via a direct email sent to all members of the forum (via the forum's key contact). They may also see the online survey promoted on the following MyLife web page <http://bromley.mylifeportal.co.uk/consultations> and or the main Bromley Website, they may also receive notification from the LBB resident distribution list if they have signed up for email alerts.