

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

Minutes of the meeting held at 7.00 pm on 21 January 2015

### **Present:**

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

Linda Gabriel, Justine Godbeer, Tia Lovick, Peter Moore  
and Belinda Price

### **Also Present:**

Councillor Robert Evans, Councillor Tony Owen,  
Councillor Diane Smith and Councillor Angela Wilkins

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

Apologies were received from Councillor Terence Nathan and Councillor Kevin Brooks was replacing Councillor Peter Fookes. Apologies were received from Maureen Falloon (replaced by Belinda Price), Joanna Frizelle (replaced by Justine Godbeer) and from Catherine Osborn. Councillor Hannah Gray submitted apologies for lateness. Apologies were also received from Dr Angela Bhan.

## **56 DECLARATIONS OF INTEREST**

Councillor Pauline Tunnicliffe declared that she was a foster carer for the borough.

Councillor Judi Ellis declared that her father was resident in a care home in Bromley.

Linda Gabriel declared interests in relation to Bromley and Lewisham MIND and as chair of Healthwatch Bromley.

## **57 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received for the Committee.

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

Three questions had been received for written reply from Mrs Susan Sulis, Secretary of the Community Care Protection Group. The questions and replies are set out in Appendix 1 to these minutes.

**59 MINUTES OF THE MEETING OF CARE SERVICES PDS  
COMMITTEE MEETING HELD ON 11TH NOVEMBER 2014**

**RESOLVED that the minutes from the meeting held on 11<sup>th</sup> November 2014 be confirmed.**

**60 MATTERS ARISING AND WORK PROGRAMME  
Report CSD15005**

The Committee considered its work programme for the remainder of 2014/15, including the programme of visits and matters arising from previous meetings.

A special meeting had been arranged for 29<sup>th</sup> January to consider, concurrently with the Health and Wellbeing Board, Community Services Integration. The Executive Director of Education, Care and Health Services explained that the report would be published at the end of the week following consideration of a part 2 report by Bromley Clinical Commissioning Group.

The Chairman asked when the Learning Disability Supported Living Scheme visit would take place; the date would be emailed to Committee members within the next few days.

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

The Committee considered the following reports for pre-decision scrutiny prior to decisions being made by the Care Services Portfolio Holder.

**A) CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2014/15  
Report FSD14082**

On 26<sup>th</sup> November 2014 the Executive had received the second quarterly monitoring report for 2014/15 and agreed a revised capital programme for the four year period 2014/15 to 2017/18. Changes affecting the Care Services portfolio were set out in the report. It was explained that the mobile technology to support children's social workers project involved supplying blackberry and tablet devices.

**RESOLVED that the recommendation to confirm the changes to the capital programme be supported.**

**B) CARE SERVICES PORTFOLIO BUDGET MONITORING**

Report CS14114

The Committee received a report setting out the budget monitoring position for 2014/15 based on activity up to the end of November 2014.

The Care Services Portfolio Holder thanked officers for reducing the £2.7m overspend to £1.4m – he expected the position to improve further by the end of the financial year.

**RESOLVED that the budget monitoring position be noted and the recommendation that the latest budget projection be approved is supported.**

**C) HEALTHWATCH BROMLEY - CONTRACT**

Report CS14119

The Council had a statutory duty to fund the healthwatch function under the Health and Social Care Act 2012. In 2013 Community Links Bromley had been awarded the contract; Healthwatch Bromley was now operating independently on Community Links Bromley and the report set out options for future delivery of the service.

The report proposed that funding should be reduced in successive years and Linda Gabriel asserted that this would mean less signposting and less information being provided. It was accepted that further discussion would be useful on the legal requirements and funding.

**RESOLVED that the recommendation to grant a waiver under Contract Procurement Rules to award a three year contract to Healthwatch Bromley from 1<sup>st</sup> April 2015 be supported, subject to further discussions.**

**D) CHANGES TO THE NON-RESIDENTIAL CONTRIBUTIONS POLICY AND THE DEFERRED PAYMENTS SCHEME**

Report FSD 14087

The report summarised the impact on the Council's charging policy of the Care Act 2014 and outlined proposed changes to the Non-Residential Charging Policy and the Deferred Payments Scheme.

Justine Godbeer was reassured that the consultation documents would be available in easy-read format. She also asked about an easy-read version of the application form for Deferred Payment and this would be investigated.

**RESOLVED that the recommendations to approve new charges as a result of the Care Act 2014 and engage with service users, their families and carers about the proposed new standard allowances for Disability Related Expenditure be supported.**

**E) BROMLEY CITIZENS ADVICE BUREAU CONTRACT EXTENSION**  
Report CS14123

The Committee received a report on contract arrangements for provision of general advice and information services from April 2015, and also providing an update on the level of services provided by Bromley Citizens Advice Bureau following changes to the service delivery model from traditional “open door” services to a model based on outreach provision, telephone and web access.

**RESOLVED that the recommendation to award the contract for provision of a general advice and information service to Bromley Citizens Advice Bureau for a period of one year from 1<sup>st</sup> April 2015 be supported.**

**F) ANNUAL QUALITY MONITORING REPORT 2014**  
Report CS14117

The Committee received the annual quarterly monitoring report setting out arrangements for monitoring contracts and raising standards in domiciliary care, care homes, extra care and supported living schemes and children’s services.

**RESOLVED that**

**(1) The report be noted and a programme of visits to care homes in the borough be carried out in 2015/16.**

**(2) The recommendations to add Carewatch Bromley and Always Caring to the Domiciliary Care Framework, and to agree the policy setting out the Council’s response to the new CQC ratings, be supported.**

**62 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

The Committee scrutinised the following reports to the Executive.

**A) CHILDREN'S SOCIAL CARE RECRUITMENT & RETENTION STRATEGY**  
Report CS14078

On 3<sup>rd</sup> February 2010 the Executive had agreed a package of measures to support better recruitment and retention of children’s social workers. The strategy was to increase the recruitment of qualified social workers, reduce the numbers leaving the Council and reduce dependency on agency workers. The scheme had been extended for the 2014/15 financial year, and in view of employment market conditions it was considered appropriate and necessary for it to be continued.

Members asked whether certain factors were making it harder for Bromley to recruit and retain qualified social workers, such as lower pay or a perception of Bromley as a commissioning authority. Officers confirmed that all

authorities were experiencing difficulties in recruiting, and it was not possible to discern any overall pattern for why staff left.

The overall approach was to put a package together which made Bromley an attractive place to work. This included offering a good career path, excellent supervision and development opportunities. There was a danger of “burn out” in many frontline roles, so it was important that sideways moves to other teams were available. The Council was working with other London Authorities to ensure that they were not just outbidding each other on salaries. Funding was available to continue the scheme for a further two years, but after that it was unclear how it could be funded.

**RESOLVED that the proposal that the current scheme be extended for the 2015/16 and 2016/17 financial years by utilising the residual funding from the LAA reward grant from the agreed recruitment and retention package for 2010/14, including the proposed enhancements set out in Appendix B to the report, be supported.**

**B) GATEWAY REPORT ON TENANCY SUSTAINMENT SERVICES FOR YOUNG PEOPLE**  
Report CS14118

The Committee received a report reviewing the provision of tenancy sustainment services to young people and making recommendations for commissioning when the current contracts finished on 30<sup>th</sup> August 2015. A supplementary paper on performance returns had also been circulated.

In response to questions, officers confirmed that accommodation provided was one unit per person. There were concerns that some of the accommodation was poor in quality and not well maintained. Members noted that 41 incidents had been reported during the last year – it was unclear whether this represented many of the cohort having problems or just a small number repeatedly involved in bad behaviour. Members also asked for better outcome measures to assess the success of the programme and whether it provided effective value for money. It was explained that if this support was not available these young people would become looked after, with much higher costs.

**RESOLVED that the proposals to undertake a tendering exercise to procure a tenancy sustainment service for young people including those young people with higher support needs be supported.**

**C) DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) - UPDATE**  
Report CS14107

The Committee received an update on the implications of the recent Supreme Court judgement relating to deprivation of liberty safeguards, including the financial implications of the judgement.

Although the work to meet the increased legal requirements was considerable, officers confirmed that there was not a backlog of cases, and no cases had yet had to be taken through the courts in Bromley.

**RESOLVED that the recommendation that extra funding of £163,345 be provided for 2014/15 and £628,040 be included in the 2015/16 budget (half to remain in contingency) to meet the requirements of the Supreme Court Judgement be supported.**

**D) EXTRA CARE HOUSING - SUPPLY & DEMAND**

Report CS1424

This report had originally been included on the part 2 agenda, but now that all tenants had been spoken to about the proposals this was not necessary and the report could be discussed in public.

The report set out the current position regarding extra care housing provision in the borough. The number of voids had remained high since the Committee had last received a report on the issue in October 2013, and at December 2014 it stood at 35. This represented a continuing financial risk for the Council and officers considered that a reduction of 30 units would be appropriate as it would reduce the void risk whilst allowing for some variation in demand.

Affinity Sutton owned three extra care housing schemes and were reviewing the potential future investment needed to maintain these properties in an acceptable condition. This had identified that Lubbock House in Orpington required significant investment in the fabric of the building which rendered it unviable in the long-term. There were currently 8 voids at Lubbock House, with 19 tenants in residence. Affinity Sutton was consulting with its tenants about its closure, and it was proposed that the Council consult at the same time with staff.

Officers had visited Lubbock House and residents and their families had a number of concerns about the proposed closure, including the lack of similar provision in the Orpington area, the risk of moving people with complex needs and the fact that some residents had lived at Lubbock Court for many years. However, the two extra care housing schemes had closed about two years ago and the Council had developed very effective processes for consulting and involving residents and their families and for moving residents safely. A number of places were being held elsewhere to ensure that there was choice for residents and the possibility for groups of residents to move together. If the closure went ahead, the moves would take place once suitable accommodation had been identified for all residents.

With the previous closures a small working group of members and family members had been set up to monitor progress. This had been very helpful and it was proposed that this be done again with Lubbock House.

**RESOLVED that**

**(1) The recommendation to commence consultation with staff, trade unions and other staff representatives regarding the decommissioning of Lubbock House as an extra care housing scheme for older people, alongside the consultation by Affinity Sutton with tenants, be supported.**

**(2) A working group be set up to monitor the closure and the transfer of residents, comprising Councillors Ruth Bennett, Charles Rideout and others.**

**63 DRAFT CARE SERVICES PORTFOLIO BUDGET 2015/16**  
Report CS14115

The Committee considered a report, including an updated version of appendix 1, setting out the draft Care Services Portfolio budget for 2015/16, based on the assessments of future cost pressures and initial budget savings presented to the Executive on 14<sup>th</sup> January 2015. All PDS Committees were requested to consider the draft budgets for their portfolios, identify any further actions that could be taken to reduce cost pressures and report to the next meeting of the Executive on 11<sup>th</sup> February 2015 prior to the Executive making recommendations to full Council on 23<sup>rd</sup> February 2015 on the 2015/16 budget and Council Tax levels.

The Committee discussed the proposed commissioning savings listed at line 22 in appendix 1. Councillor Angela Wilkins attended as a ward councillor to emphasise the important role carried out by the Pineapple Club in Crystal Palace and Penge and Cator wards not just in offering a lunch club and healthy food but also in providing transport, giving advice and combating isolation. The Club had little warning that these savings were proposed and she proposed that transitional arrangements should be put in place if the proposals were approved. She also commented that this would be a false economy as the costs saved here would emerge elsewhere. Some other Members and Co-opted members agreed and it was suggested that further engagement with the groups involved was required.

Councillor Tony Owen also attended the meeting to speak on this issue. He commented on the importance of the role of the Ethnic Communities Project Manager, particularly given the large Somali community in the borough, the campaign against female genital mutilation and the increased risk from radical extremists. He urged that the savings be put on hold and alternative means to fund this post be investigated.

Members accepted that the Council faced difficult decisions and had to make savings to set a budget, but urged the Executive to consider carefully the implications of reducing funding for BME groups and to look at alternative sources of funding.

**RESOLVED** that the financial forecast for 2015/16 to 2018/19, the initial draft savings options presented to the Executive for 2015/16 and the initial draft budget be noted and the Committee's comments set out above be submitted to the Executive's meeting on 11<sup>th</sup> February 2015.

**64 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING**

There were no questions.

**65 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.

The following summaries  
refer to matters  
involving exempt information

**66 PRE-DECISION SCRUTINY OF PART 2 CARE SERVICES PORTFOLIO REPORT**

The Committee considered the following Portfolio Holder decision report for pre-decision scrutiny.

**A) SUPPORTED LIVING LEARNING DISABILITY - CONTRACT ARRANGEMENTS FOR SERVICES FOR PEOPLE WITH LEARNING DISABILITIES AT 26 DEVONSHIRE ROAD**

The Committee considered a proposal to extend the current contract.

**67 PRE-DECISION SCRUTINY OF PART 2 EXECUTIVE REPORTS**

The Committee considered the following Executive reports for pre-decision scrutiny.

**A) GATEWAY REVIEW - PROCUREMENT STRATEGY FOR SUPPORTED LIVING LEARNING DISABILITY SCHEMES**

The Committee considered a report setting out a procurement strategy for seven supported living schemes for thirty eight adults with a learning disability.



**B) DIRECT CARE UPDATE**

The Committee received an update on tendering for in-house direct care services.

The Meeting ended at 9.22 pm

Chairman

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## CARE SERVICES PDS COMMITTEE

4 March 2015

## 4. QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER

## (1) From Councillor William Huntington-Thresher

**Can the Portfolio Holder confirm the management systems planned for Manorfields to ensure that the proposed accommodation is suitable for the area?**

The Council has a duty to ensure that people who are housed in this scheme are safe and secure and we would assess every prospective tenant. The scheme will be managed by Orchard & Shipman who are an experienced management company with a proven track record of successfully managing temporary accommodation in Bromley, including Belle Grove. They will provide round-the-clock staffing with full CCTV coverage and key-fob access to all parts of the complex. Strict rules will govern residents' behaviour whilst staying at the scheme.

We know that these measures allow this type of accommodation to meld into the neighbourhood as evidenced at Belle Grove where we have never received a complaint from local residents since it was opened in 2013.

**2. PROPOSALS TO CHARGE CARERS THE FULL COST OF ANY SUPPORT SERVICES THEY ARE ASSESSED AS NEEDING.**  
(ref. Item 7(d) Changes to the Non-residential Contributions Policy and Deferred Payments Scheme, CSPDS 20th Jan. 2015, Report FSD 14087).

## (a) How many unpaid carers have been identified in Bromley?

Census data 2011

Provides 1 to 19 Hours Unpaid Care a Week (Persons) <sup>1</sup>	Count	21,274
Provides 20 to 49 Hours Unpaid Care a Week (Persons) <sup>1</sup>	Count	3,439
Provides 50 or More Hours Unpaid Care a Week (Persons) <sup>1</sup>	Count	6,299

## (b) What is the estimated value of the care that they provide, and the Council would otherwise have to fund?

This information is not available

**(c) What was the cost of services provided to eligible carers in 2013/14, and how many carers received services then and currently?**

The cost of services to carers in 2013/14 was £933k, including third party payments and direct payments.

Statutory returns for 13/14 recorded 269 carers receiving services including respite services, and 865 carers receiving information advice and guidance services. This year from April to February 345 carers are recorded as having received services with 500 carers receiving information advice and guidance services.

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**3. 'INITIAL' EQUALITIES IMPACT ASSESSMENT OF CHARGING FOR CARER'S SERVICES AND SUBSTANTIAL CUTS (£200,000) IN DISABILITY RELATED EXPENDITURE (see report FSD 14087).**

**How can the Care Services PDS Committee consider these proposals in the absence of this EIA (which is still not on the MyLife website)?**

**The report to Care Services PDS in January 2014 stated that** "It is proposed to engage with service users, their families and key organisations in Bromley on the change to Disability Related Expenditure allowances commencing from the publication of this report. The period of engagement will be for 4 weeks commencing on the 29<sup>th</sup> January and ending on the 25<sup>th</sup> February 2015. It is anticipated that, subject to any changes being made as a result of the responses received, the new standard rates will be implemented for the commencement of the 2015/16 financial year"

The engagement period ended last week and in addition to views on Disability Related Expenditure we also asked for views on the other charging changes that result from the Care Act. The Impact assessment is currently being finalised taking into account the views we received during the engagement period. The outcome of the impact assessment and engagement with service users will be presented to the Care Services Portfolio Holder before implementation of the revised Charging Policy. The date of that meeting is planned for 26<sup>th</sup> March 2015 and prior to the meeting the report and supporting documents will then be available on the website.