

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 4 March 2015

Present:

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

Linda Gabriel, Justine Godbeer, Tia Lovick, Peter Moore
and Catherine Osborn

Also Present:

Councillor Robert Evans and Councillor Diane Smith

85 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Maureen Falloon and Joanna Frizelle.

86 DECLARATIONS OF INTEREST

Councillor Pauline Tunnicliffe declared that she was a foster Carer for the borough and would vacate the chair for agenda items 9 and 10. Linda Gabriel declared that she was chair of Bromley and Lewisham MIND in relation to agenda item 7 (e).

87 QUESTIONS TO THE COMMITTEE FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

No questions had been received.

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

Three questions for written reply had been received from Councillor William Huntington-Thresher and from Mrs Susan Sulis – these are attached at [Appendix 1](#).

**89 MINUTES OF THE MEETING OF CARE SERVICES PDS
COMMITTEE MEETINGS HELD ON (A) 21ST JANUARY 2015
AND (B) 29TH JANUARY 2015**

The Committee received the minutes of the meetings held on 21st and 29th January 2015. As the 21st January minutes had only just been circulated, the Chairman suggested that confirmation should be deferred to the next meeting.

RESOLVED that confirmation of the minutes of the meeting held on 21st and 29th January be deferred to the next meeting.

90 MATTERS ARISING AND WORK PROGRAMME
Report CSD15032

The Committee considered matters arising from previous meetings and its work programme for future meetings.

It was noted that Members attending the visit to Sutherland Court on 18th February 2015 had been very impressed. Members had also visited the Mindcare Beckenham Day Centre and had heard concerns from the operators about fewer clients being referred there and their centres becoming unviable. It was confirmed that there was more choice for clients and that the Council could not subsidise facilities without a workable business model.

Members also discussed comments about “bed-blocking.” The Portfolio Holder confirmed that there had only been two or three examples in the last year concerning Bromley residents – it was possible that there were other examples concerning people treated at the PRUH who resided outside the borough. The Director confirmed that there was a very strict definition and process, and that Bromley had not been fined for breaking this in the last three years – he stated that hold-ups occurred typically with self-funders rather than through delays in the social care team.

**91 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) CARE SERVICES PORTFOLIO BUDGET MONITORING JANUARY
2015**
Report CS14133

The Committee received the latest budget monitoring report based on activity up to the end of January 2015, forecasting a projected overspend of £932k , with a full year effect of £2,897k. The report also outlined new grant funding of £120k announced by the Department of Communities and Local Government at the end of January for the current financial year called Helping People Home. The grant was ring-fenced and could only be used to help people return home from hospital when it was appropriate to do so or to reduce the

risk of avoidable admissions or readmissions into hospital from those over 65 or in receipt of social care. Under the Council's Financial Regulations this money would need to be released by the Executive, but the Committee was assured that plans were in place to ensure that the money could be used effectively.

There were further pressures forecast for Temporary Accommodation. The Chairman was aware that considerable work had been done to reduce overspends in Housing, but she stated that budgets had to be contained and called for a report to the June meeting on further measures to mitigate the pressures. The Director announced that the planning application for the Manorfields project had been submitted earlier that day and confirmed that he expected to keep within the 2015/16 budget across all services, including both housing and placements, where there would be new "front door" and assessment arrangements in place.

A Member asked why there had been a substantial increase in bad debts for rent arrears and the reasons for this were being investigated.

RESOLVED that

(1) The Committee notes -

- (i) the latest projected overspend of £932,000 forecast on the controllable budget, based on information as at January 2015;**
- (ii) the full year effect for 2015/16 of £2,897,000 as set out in section 4 of the report;**
- (iii) the new funding release request detailed in section 5 of the report; and**
- (iv) the comments of the Executive Director in section 8 of the report.**

(2) The Portfolio Holder be asked to note that the latest projected overspend and refer the new funding release request in section 5 of the report to the Executive for approval.

B) CAPITAL PROGRAMME MONITORING - 3RD QUARTER 2014/15 & ANNUAL CAPITAL REVIEW 2014 TO 2018
Report FSD15022

On 11th February 2015 the Executive had agreed a new capital programme for the five year period 2014/15 to 2018/19 and the Committee received a report setting out the changes as they affected the Care Services Portfolio.

The Chairman commented that the post-completion report on the Bellegrove scheme that was due to be available soon would be useful in dealing with the Manorfields project.

RESOLVED that the Portfolio Holder be recommended to confirm the changes to the Capital Programme agreed by the Executive.

C) BROMLEY WELFARE FUND/ ESSENTIAL HOUSEHOLD GOODS SERVICE

The report set out the results of a tendering process to establish a framework for providers for the provision of essential household items needed to meet the basic requirements of homeless people leaving temporary accommodation and moving into settled accommodation. The framework consisted of two separate lots – Lot 1 was for the supply and fit of white goods and Lot 2 was for the supply of specified beds. The Framework would last for two years from 1st April 2015 with an option to extend for a further two years subject to satisfactory performance.

A Member queried whether it was necessary to provide new goods when second-hand items might be available. It was confirmed that the Council had to ensure that standards were met; claimants could approach charities such as Give2Give and the Council would be working with Credit Unions to help these people to build up funds.

Councillor Mary Cooke commented that the report was very well put together and explained the details of the tender process very effectively.

RESOLVED that the proposal to appoint John Gillman and Sons (Electrical) Ltd (Trading as Domestic Appliance Distributors), The Furnishing Service Limited and Louis Sorzano (Trading as BFS Interiors) to Lot 1 and The Furnishing Service to Lot 2 of the Framework for provision of move On Packs – essential Household Goods Service be supported.

D) KENT ASSOCIATION FOR THE BLIND - OVERVIEW OF CONTRACT AND COMMISSIONING INTENTIONS
Report CS14137

The Committee received a report on the services provided by Kent Association for the Blind (KAB) and the contractual arrangements for these services.

The Committee noted that there had been a very long-standing relationship between the Council and KAB and that their services had never been market-tested. Officers were investigating whether there were any other organisations capable of supplying these services, but it was felt that it was unlikely that any market would develop. With the forthcoming changes under the Care Act it was recommended that the existing arrangements should be extended for eighteen months from 1st April 2015.

The Vice-Chairman accepted that eighteen months was needed to assess the options but suggested that a much earlier gateway review was needed.

Officers confirmed that it was intended that there would be a further report within six months.

RESOLVED that the Portfolio Holder be recommended to agree the extension of the contract with Kent Association for the Blind under Contract Procurement Rule 23.7.3 as outlined in paragraph 3.14 of the report.

E) BROMLEY MENCAP CORE FUNDING CONTRACT EXTENSION
Report CS14136

The Committee considered the procurement strategy for the provision of core services by Bromley Mencap to support people with a learning disability and their carers. It was recommended that the contract be extended for one year from 1st April 2015.

A Member asked for clarification about what proportion of Mencaps' core service costs were provided by the Council under this contract. It was noted that Bromley Mencap's total income during 2013/14 was £720k, of which £192k came from Council contracts - the remainder would be from other contracts, grants and legacies. Officers would provide further information on this.

It was noted that the contract price had almost doubled between 2006/7 and 2007/8. This was due to a review of core funding for strategic partnership arrangements, and additional requirements had been added to contracts to provide information, advice and guidance services.

A co-opted member commented that short term funding for voluntary organisations had an impact on their capacity to make plans and strategies, and called for three year funding with annual reviews. It was accepted that short-term contracts reflected the uncertainty about funding, and that the impact of the Care Act on commissioning could not be predicted. The Portfolio Holder added that it would be wrong, given the financial pressure on the Council, to give false comfort through long-term arrangements that might subsequently have to be reduced.

RESOLVED that the Portfolio holder be recommended to agree the extension of the core funding contract with Bromley Mencap under Contract Procurement Rule 23.7.3 for a period of one year from 1st April 2015.

F) RESPITE AT HOME AND SITTING SERVICE CONTRACT EXTENSIONS
Report CS14135

The Committee considered the history of the contracts for respite at home and sitting services provided by Bromley and Lewisham MIND and Carers Bromley. It was noted that the performance of both providers was very

satisfactory and no complaints had ever been received about the services provided.

RESOLVED that the Portfolio Holder be recommended to agree –

(1) the extension of the contact with Bromley and Lewisham MIND for one year from 1st April 2015 at a cost of £140,000 for 2015/16 under Contract Procurement Rule 23.7.3.

(2) the extension of the contract with Carers Bromley for one year from 1st April 2015 at a cost of £100,204 for 2015/16 under Contract Procedure Rule 23.7.3.

G) THE ESTATE OF JEAN CASTLE (DECEASED): APPOINTMENT OF NOMINEE

Report CSD15038

The Committee was informed that there was a debt owed to the Council arising from the late Miss Jean Ellen Castle's client contribution for the cost of her residential care. Miss Castle had left a will, but the executor and sole beneficiary had both renounced their right to apply for a Grant of Representation. This meant that the Council could apply to the Probate Registry for a Grant as a creditor to Miss Castle's estate, administer her estate and pay her outstanding debts.

RESOLVED that the Portfolio Holder be recommended to authorise Jim Kilgallen, Senior Solicitor, to act as its nominee to apply for a Grant of Representation to administer the estate of the late Miss Jean Ellen Castle.

92 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee scrutinised the following reports to the Executive.

A) ALLOCATIONS SCHEME REVIEW

Report CS14125

The Committee considered an update on the review of the allocations scheme in the light of the current pressures faced in relation to homelessness and temporary accommodation. The report set out the outcomes of the formal consultation and presented final revisions for approval. Appendix 1 detailed the full changes being implemented, both statutory and local, and Appendix 2 detailed the changes that had been consulted upon – it was confirmed that there had only been a small response to the consultation.

It was confirmed that there were still income thresholds and that people over 16 were eligible to go on the register, although single people had a lower priority.

Councillor Rideout raised an issue about a constituent who had to move due to harassment and anti-social behaviour from a neighbouring family – the Director urged him to supply the details so that this could be investigated by officers.

RESOLVED that the Executive be recommended to approve the proposed revisions to the allocations scheme to be implemented from July 2015, subject to delivery from the IT systems provider of the required system changes to enable full implementation.

B) ADOPTION UPDATE AND GRANT DRAW DOWN

Report Withdrawn.

93 CHILDREN IN CARE PLEDGE Report CS14128

The Chairman, Councillor Pauline Tunnicliffe, declared an interest in this item as a foster carer for the borough, and the Vice-Chairman, Councillor David Jefferys, took the chair.

The Committee considered progress with the Bromley Pledge to Children and Young People in Care and Care Leavers. The Executive Director had instigated a review of the Pledge with a view to making it a concise summary document, and the Living in Care Council (now LinCC) had re-drafted it to make it more realistic and deliverable.

Members made comments on each section of the text and suggested the following detailed amendments for consideration -

Underlying principles -

It was confirmed that although local authorities had to meet the health needs of looked after children there was no statutory requirement to provide a Looked after Children's Nurse, but Bromley did choose to provide a dedicated nurse.

Amend 4 by adding "try to" between "always" and "involve" or replacing "involve you" with "offer you the opportunity to be involved"

Being Healthy -

Second bullet point – add "relevant" or "appropriate."

Enjoy and Achieve -

In 13 and 14, clarify that the foster carers allowance includes this provision, and that commitments cannot be open-ended.

Make a positive contribution –

Members discussed the importance of having a passport and how this tied in with a young person's sense of identity. A Member raised the

issue of young people absconding, but it was confirmed that passports would be withheld from younger children or those deemed to be at risk.

There were no special provisions for learning to drive, careers advisers or work experience, although looked after children were being targeted for assistance by the Bromley Youth Employment Project

Consider adding more detail about access to an advocate, and make reference to the website for young people.

These comments and suggestions would be considered by the Portfolio Holder. A Member suggested that the final version of the Pledge should be circulated to all looked after children and foster carers.

Councillor Tunnicliffe thanked the Living in Care Council for their commitment to improving the Pledge.

RESOLVED that, subject to the changes outlined above, the Portfolio Holder be recommended to endorse the Pledge.

**94 SUPPORTING LOOKED AFTER CHILDREN IN UNIVERSITY
 AND HIGHER EDUCATION**
 Report CS14129

The Chairman, Councillor Pauline Tunnicliffe, declared an interest in this item as a foster carer for the borough, and the Vice-Chairman, Councillor David Jefferys, took the chair.

The report provided a summary of the support that the Council, as corporate parent, provided to care leavers to enable them to access higher education within the statutory framework for support. Nationally, the numbers of looked after children going to university were disappointing, but this support was a good investment for society, giving young people opportunities for social mobility and helping them to live stable, productive lives. Local authorities had to keep in touch with young people who were looked after children, keep their Pathway Plan under regular review (at least every six months), continue to provide them with a Personal Advisor, provide financial assistance to help with employment, training or education expenses and pay a higher education bursary if they were at university. In Bromley, all relevant looked after children in higher education received a student loan/grant of £7,434, (£9,703 for universities within London), a bursary of £666 and an additional grant of £6,000 per annum.

Members asked for clarification on the achievements of these young people after leaving university, the numbers moving into higher education year by year, the position of young people who opted to stay with their foster carers to age 21, and how their grant would be assessed. It was also suggested that some short individual histories would help to illustrate the issues. Some Members considered that the grant was much more generous than most other children would receive, and that social workers should be robust in controlling

costs, but it was confirmed that the grant had to be based on a 52 week year, whereas other young people could rely on a family home for part of the year. It was also noted that this was still a small cohort of young people.

RESOLVED that the arrangements for supporting looked after children in university be noted and supported, that these students be congratulated on their success, and a further report be made in a year's time.

95 DRAFT DISABILITY STRATEGY 2015

Report withdrawn.

96 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

No questions had been received.

97 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**

98 EXEMPT MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 21ST JANUARY 2015

The Committee noted the exempt minutes of the meeting held on 21st January 2015 – these would be confirmed at the next ordinary meeting.

99 PRE-DECISION SCRUTINY OF PART 2 EXECUTIVE REPORTS

The Committee considered the following report for pre-decision scrutiny prior to the Executive taking a decision.

A) SEN & ADULTS TRANSPORT CONTRACT AWARD

The Committee supported a proposal to award the contract for Adult Transport Services.

100 FINAL MEETING 2014/15

As this was the final meeting of the Council year, the Portfolio Holder placed on record his appreciation for the work of the Executive Director and his staff and thanked the Committee for its robust scrutiny.

The Meeting ended at 9.39 pm

Chairman

CARE SERVICES PDS COMMITTEE

4 March 2015

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?

Reply:

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 accommodate 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) From Susan Sulis, Secretary, Community Care Protection Group (for written reply) *(This question had been referred from the Health and Wellbeing Board)*

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?

Reply:

Census data 2011

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

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

Reply:

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?**

Reply:

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.

- (3) From Susan Sulis, Secretary, Community Care Protection Group (for written reply) (This question had been referred from the Health and Wellbeing Board)**

'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)?

Reply:

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 29th January and ending on the 25th 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 26th March 2015 and prior to the meeting the report and supporting documents will then be available on the website.