



BROMLEY CIVIC CENTRE, STOCKWELL CLOSE, BROMLEY BRI 3UH

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DATE: 24 February 2015

To: Members of the
**CARE SERVICES
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

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

Sarah Dowding, Young Advisers
Maureen Falloon, Bromley Council on Ageing
Joanna Frizelle, Bromley Experts by Experience
Linda Gabriel, Healthwatch Bromley
Tia Lovick, Living in Care Council
Peter Moore, Mental Health Forum
Catherine Osborn, Carers Forum

A meeting of the Care Services Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **WEDNESDAY 4 MARCH 2015 AT 7.00 PM**

MARK BOWEN
Director of Corporate Services

Paper copies of this agenda will not be provided at the meeting. Copies can be printed off at <http://cds.bromley.gov.uk/>. Any member of the public requiring a paper copy of the agenda may request one in advance of the meeting by contacting the Clerk to the Committee, giving 24 hours notice before the meeting.

Items marked for information only will not be debated unless a member of the Committee requests a discussion be held, in which case please inform the Clerk 24 hours in advance indicating the aspects of the information item you wish to discuss

A G E N D A

PART 1 AGENDA

Note for Members: Members are reminded that Officer contact details are shown on each report and Members are welcome to raise questions in advance of the meeting.

STANDARD ITEMS

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

2 DECLARATIONS OF INTEREST

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

In accordance with the Council's Constitution, questions to this Committee must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 26th February 2015.

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

In accordance with the Council's Constitution, questions to the Portfolio Holder must be received in writing 4 working days before the date of the meeting. Therefore please ensure questions are received by the Democratic Services Team by 5pm on Thursday 26th February 2015.

5 MINUTES OF THE MEETING OF CARE SERVICES PDS COMMITTEE MEETINGS HELD ON (A) 21ST JANUARY 2015 (TO FOLLOW) AND (B) 29TH JANUARY 2015 (Pages 5 - 6)

6 MATTERS ARISING AND WORK PROGRAMME (Pages 7 - 14)

HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

7 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS

The Care Services Portfolio Holder to present scheduled reports for pre-decision scrutiny on matters where he is minded to make decisions.

a CARE SERVICES PORTFOLIO BUDGET MONITORING JANUARY 2015 (To Follow)

b CAPITAL PROGRAMME MONITORING - 3ND QUARTER 2014/15 & ANNUAL CAPITAL REVIEW 2014 TO 2018 (Pages 15 - 22)

c BROMLEY WELFARE FUND/ ESSENTIAL HOUSEHOLD GOODS SERVICE (Pages 23 - 28)

d KENT ASSOCIATION FOR THE BLIND - OVERVIEW OF CONTRACT AND COMMISSIONING INTENTIONS (Pages 29 - 34)

e BROMLEY MENCAP CORE FUNDING CONTRACT EXTENSION (Pages 35 - 40)

f RESPITE AT HOME AND SITTING SERVICE CONTRACT EXTENSIONS (Pages 41 - 46)

- g THE ESTATE OF JEAN CASTLE (DECEASED): APPOINTMENT OF NOMINEE**
(Pages 47 - 50)

8 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee to consider reports for decision at the meeting of the Executive on 25th March 2015.

- a ALLOCATIONS SCHEME REVIEW**
(Pages 51 - 60)
- b ADOPTION UPDATE AND GRANT DRAW DOWN**
(To follow)

POLICY DEVELOPMENT AND OTHER ITEMS

- 9 CHILDREN IN CARE PLEDGE**
(Pages 61 - 70)

- 10 SUPPORTING LOOKED AFTER CHILDREN IN UNIVERSITY AND HIGHER EDUCATION**
(Pages 71 - 78)

- 11 DRAFT DISABILITY STRATEGY 2015**
(To follow)

- 12 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING**

The briefing comprises:

- Portfolio Plan Update 2014/15
- Housing Services 2014/15 Priorities Update

Members and Co-opted Members have been provided with advance copies of the briefing via email. The briefing is also available on the Council's website at the following link:

<http://cds.bromley.gov.uk/ieListMeetings.aspx?CId=559&Year=0>

Printed copies of the briefing are available on request by contacting the Democratic Services Officer.

This item will only be debated if a member of the Committee requests a discussion be held, in which case please inform the Clerk 24 hours in advance indicating the aspects of the information item you wish to discuss. In addition, questions on the briefing should also be sent to the Clerk at least 24 hours before the meeting.

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

The Chairman to move that the Press and public be excluded during consideration of the items of business listed 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.

Items of Business

Schedule 12A Description

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

(To follow)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

15 PRE-DECISION SCRUTINY OF PART 2 EXECUTIVE REPORTS

The Committee to consider part 2 reports for decision at the meeting of the Executive on 25th March 2015.

a SEN & ADULTS TRANSPORT CONTRACT AWARD

(To Follow)

Information relating to the financial or business affairs of any particular person (including the authority holding that information)

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CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 1.30 pm on 29 January 2015

Present:

Councillor Pauline Tunnicliffe (Chairman)
Councillor David Jefferys (Vice-Chairman)
Councillors Ruth Bennett, Judi Ellis and Hannah Gray

Linda Gabriel and Peter Moore

Also Present:

Councillor Robert Evans, Councillor Peter Fortune,
Councillor Angela Page and Councillor Diane Smith

1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors Mary Cooke, Terence Nathan, Charles Rideout and Melanie Stevens and from Maureen Falloon, Joanna Frizelle, Justine Godbeer, Tia Lovick, Belinda Price, Catherine Osborn and Daniel Wadey.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 COMMUNITY SERVICES INTEGRATION Report CS14075

This report was considered in conjunction with the Health and Wellbeing Board.

The report set out the options for integrating adult social care assessment and care management functions with community health services commissioned by Bromley Clinical Commissioning Group (BCCG). A steering group had been set up and was seeking authorisation from the Executive to explore options with the existing community health services provider, Bromley Health Care (BHC), and their commissioners, BCCG, who had just taken a decision to extend the existing BHC contract to at least March 2017, subject to ratification by the BCCG Board.

Three options were under consideration -

1. To work with BCCG on a joint specification for community services in preparation for a joint procurement to deliver a new joint service from 1st April 2017.
2. To pursue option 1 but also to start looking at 'soft' integration opportunities with BHC to start to align the services ready for re-procurement.
3. To pursue option 1, but to test a fully integrated service by formally transferring social care staff to BHC as the existing community provider.

If authorisation was provided, a report would be prepared for the Executive in June setting out the options in more detail. The possibility of a joint bid for funding from NHS England's investment fund to promote transformation in local health economies would be explored.

A Member asked what money had been set aside for this project. The Executive Director for Education, Health and Care Services stated that £250,000 had been earmarked for "front door services" and that a further £250,000 had been earmarked for future integration. It was confirmed that there was a clear demarcation of funding allocation, and there would be no duplication of resources. Members were informed that eight other local authorities had met just before Christmas to discuss similar options, and that one other local authority was pursuing this approach.

Some members expressed concerns about the difficulties with sharing information between organisations, and one member commented that housing would be a crucial element to the success of integration and ensuring that a holistic approach was taken. The Executive Director for Education, Health and Care Services stated that guidance was being developed concerning the sharing of data, and that patient consent would be required. It was possible that patients could hold their own notes, and that data could be stored on hand held computers in the future.

A co-opted member asked for assurance that the consultation and engagement process would take proper consideration of the views of residents and the voluntary sector.

RESOLVED that the Committee supports the proposal for the steering group to be authorised to explore integration opportunities with Bromley Health Care and the Bromley Clinical Commissioning Group.

The Meeting ended at 2.00 pm

Chairman

Report No.
CSD15032

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 4th March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: MATTERS ARISING AND WORK PROGRAMME

Contact Officer: Graham Walton, Democratic Services Manager
Tel: 0208 461 7743 E-mail: graham.walton@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The Committee is asked to review its work programme for 2014/15, the programme of visits to day centres and residential homes and matters arising from previous meetings.
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2. **RECOMMENDATION**

The Committee is requested to consider its work programme, list of visits and matters arising and indicate any changes that are necessary.

Corporate Policy

1. Policy Status: Existing Policy: As part of the Excellent Council workstream within Building a Better Bromley PDS Committees should plan and prioritise their workloads to achieve the most effective outcomes.
 2. BBB Priority: Children and Young People Excellent Council Supporting Independence:
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Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Democratic Services
 4. Total current budget for this head: £373,410
 5. Source of funding: 2014/15 revenue budget
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Staff

1. Number of staff (current and additional): 10 posts (8.72 fte)
 2. If from existing staff resources, number of staff hours: Maintaining the Committee's work programme takes less than an hour per meeting
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Legal

1. Legal Requirement: None:
 2. Call-in: Not Applicable: This report does not involve an executive decision
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): This report is intended primarily for the benefit of members of this Committee to use in controlling their work
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 The Committee's matters arising table is attached at **Appendix 1**. This updates Members on recommendations from previous meetings which continue to be "live". Currently there are seven items listed; items are removed from the schedule as they are completed.
- 3.2 The draft 2014/15 Work Programme is attached as **Appendix 2**. It reflects the areas already identified at the beginning of the year. Other reports may come into the programme or there may be references from other Committees, the Portfolio Holder or the Executive. Meeting dates for 2015/16 are due to be approved by General Purposes and Licensing Committee on 26th March 2015.
- 3.3 The Committee is asked at each meeting to consider its Work Programme and review its workload in accordance with the process outlined at Section 7 of the Scrutiny Toolkit. All PDS Committees are also recommended to monitor the Council's Forward Plan of Key Decisions for their portfolios and to use it for identifying issues for consideration in advance of executive decisions being made.
- 3.4 In approving the work programme Members will need to be satisfied that priority issues are being addressed; that there is an appropriate balance between the Committee's key roles of (i) holding the Executive to account, (ii) policy development and review, and (iii) external scrutiny of local services, including health services; and that the programme is realistic in terms of Member time and officer support capacity.
- 3.5 The schedule of visits to care homes and day centres has been updated. The table in **Appendix 3** provides information on the visits and the names of PDS members involved.

Non-Applicable Sections:	Policy/Financial/Legal/Personnel
Background Documents: (Access via Contact Officer)	Previous work programme reports

Matters Arising 2014/15 progress summary

PDS Minute number/ title	Committee Request	Update	Completion Date
Minute 134 (A) 29 October 2013 Children's Social Care Recruitment and Retention Strategy	Officers requested to develop proposed scheme and report back to the committee	Added to the work programme	January 2015
Minute 159 22 January 2014 Request for Carry Over of Funding for Public Weight Management Pilot Schemes	Outcomes of the project to be reported to the committee at 3, 6 and 12 months.	Added to Work Programme.	April 2015 Health Scrutiny Committee
Minute 40/1 2 nd October 2014 LD Supported Living Contract Award	Committee visits to be arranged to these schemes.	Added to the schedule of Committee visits	February 2015
Minute 48 11 November 2014 Work Programme	Chairman requested a report on Young Carers	Added to Work programme	To be scheduled
Minute 48 11 November 2014 Work Programme	Members discussed a joint Working Group with Education PDS on Children's Centres.	Working Group met on 1 st December 2014 (as a working group of Education PDS Committee only) and reported to Education PDS Committee on 27 th January 2015.	December 2014
Minute 61 (d) 21 st January 2015 Changes to the Non Residential Charging Policy and Deferred Payments Scheme	A co-opted member requested an easy-read version of the Deferred Payment application form.	To be investigated.	February 2015
Minute 62 (d) 21 st January 2015 Long Term Care for Older People – Extra Care Housing Supply and Demand	Care Homes Working Group to be re-established.		March 2015

Work Programme 2014/15

Title	Notes
Joint Care Services & Education PDS – 25 February 2015 (7pm)	
Care Services PDS - 4 March 2015 (7pm)	
Portfolio Plan Update 2014/15	Information briefing
Housing Priorities Update 2014/15	Information briefing
Care Services Portfolio Budget Monitoring 2014/15	Regular Status report
Capital Monitoring 2014/15	Regular Status report
Bromley Welfare Fund/Essential Household Goods Service	Regular Status report
Update on the Adults Transport Policy Consultation	PH Decision
Supporting LAC in University & Higher Education	PH Decision
Gateway Review of the Social Information Systems	PH Decision
Changes to the Domiciliary Care Contract Framework	PH Decision
Allocations Policy Review Outcomes	PH Decision
KAB Contract Extensions	PH Decision
Bromley Mencap Core Funding	PH Decision
Respite at Home Sitting Service Contract Extensions	PH Decision
Adoption Update – Performance and Grant Drawdown	Executive Decision
SEN and Adults Transport Contract Award	Executive Decision
Draft Disability Strategy	PDS Report
Children’s Pledge	PDS Report
Estate of Jean Castle: Appointment of Nominee	PH Decision (Pt 2)
Health & Wellbeing Board – 26th March 2015 (1.30pm)	
Health Scrutiny Sub Committee – 15th April 2015 (4.30pm)	
HSSC Work Programme	Update
Update from Kings on the PRUH Improvement Plan	Update
Integrated Services Programme (BCF)	Update
Outcomes of the Weight Management Pilot Project	Update
Academic Health Services Networks	Update

Title		Notes
Care Services PDS reports to be scheduled for 2015/16		
Young Carers		
Welfare Reform Update – including Fraud Detection Initiatives		
KAB Contract Overview		
Adult Social Care Gateway Review		
Young Carers		
Review of Foster Carer Payments		
Gateway Reviews – ASCIS CSCIS		
Update on Adults Transport Policy Consultation		
Annual ECS Debt Status Report 2014		

Member Visits – Spring 2015

Establishment Name	Council Members Attending	Date	Time	Status
Sutherland Court (Extra Care Housing)	Cllr Katherine Bance Cllr Kevin Brooks Cllr Peter Fookes	18.02.15 WEDNESDAY	13:30 – 15:30	Completed
Lauriston House Care Centre (Care Home) <i>(Nursing home ONLY – NOT the Rehab Centre)</i>	Cllr Alan Collins Cllr Catherine Rideout Cllr Charles Rideout Cllr Hannah Gray Cllr Mary Cooke Cllr Nicholas Bennett Cllr Peter Fookes Mary Capon (Co-Opted Member)	25.02.15 WEDNESDAY	13:30 – 15:30	Yet to take place
Mindcare Beckenham Day Centre	Cllr Alan Collins Cllr Hannah Gray Cllr Joan McConnell Cllr Katherine Bance Cllr Peter Fookes	04.03.15 WEDNESDAY	13:30 – 15:30	Yet to take place
Beechmore Court (Care Home)	Cllr Hannah Gray Cllr Melanie Stevens Cllr Peter Fookes Leslie Marks (Co-Opted Member)	10.03.15 TUESDAY	13:30 – 15:30	Yet to take place
26 Devonshire Road (Supported Living)	Cllr Peter Fookes Max 1-2 Council Members required to attend	16.03.15 MONDAY	14:00- 15:00 Visit will probably last approx 30-45 minutes	Yet to take place
Fairlight and Fallowfield (Care Home)	Cllr Hannah Gray Cllr Melanie Stevens Cllr Peter Fookes Leslie Marks (Co-Opted Member)	23.03.15 MONDAY	13:30 – 15:30	Yet to take place

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Report No.
FSD15022

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

Date: For pre-decision scrutiny by the Care Services PDS Committee on 04th March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 3ND QUARTER 2014/15 & ANNUAL CAPITAL REVIEW 2014 TO 2018

Contact Officer: Martin Reeves, Principal Accountant (Technical & Control)
Tel: 020 8313 4291 E-mail: martin.reeves@bromley.gov.uk

Chief Officer: Director of Finance

Ward: All

1. Reason for report

On 11th February 2015, the Executive received a report summarising the current position on capital expenditure and receipts following the 3rd quarter of 2014/15 and presenting for approval the new capital schemes supported by Council Directors in the annual capital review process. The Executive agreed a revised Capital Programme for the five year period 2014/15 to 2018/19. This report highlights changes agreed by the Executive in respect of the Capital Programme for the Care Services Portfolio. The revised programme for this portfolio is set out in Appendix A, detailed comments on individual schemes are included at Appendix B and the new schemes approved for this Portfolio are set out in paragraph 3.6.

2. **RECOMMENDATION(S)**

The Portfolio Holder is asked to note and confirm the changes agreed by the Executive on 11th February 2015.

Corporate Policy

1. Policy Status: Existing Policy: Capital Programme monitoring and review is part of the planning and review process for all services. Capital schemes help to maintain and improve the quality of life in the borough. Affective asset management planning (AMP) is a crucial corporate activity if a local authority is to achieve its corporate and service aims and objectives and deliver its services. The Council continuously reviews its property assets and service users are regularly asked to justify their continued use of the property. For each of our portfolios and service priorities, we review our main aims and outcomes through the AMP process and identify those that require the use of capital assets. Our primary concern is to ensure that capital investment provides value for money and matches the Council's overall priorities as set out in the Community Plan and in "Building a Better Bromley". The capital review process requires Council Directors to ensure that bids for capital investment provide value for money and match Council plans and priorities.
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal: Total increase of £0.7m, mainly due to 2015/16 allocation for Social Care Grant (see para 3.3).
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £11.0m for the Care Services Portfolio over five years 2014/15 to 2018/19
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
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Staff

1. Number of staff (current and additional): 1 fte
 2. If from existing staff resources, number of staff hours: 36 hours per week
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Legal

1. Legal Requirement: Non-Statutory - Government Guidance
 2. Call-in: Not Applicable
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Customer Impact

1. Estimated number of users/beneficiaries (current and projected): N/A
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Capital Expenditure

3.1 A revised Capital Programme was approved by the Executive on 11th February, following a detailed monitoring exercise carried out after the 3rd quarter of 2014/15. The Executive also considered and approved new capital schemes supported by Council Directors in the annual capital review process. This report identifies changes relating to the Care Services Portfolio and the table in paragraph 3.2 summarises the overall position following the Executive meeting.

Capital Monitoring - variations agreed by the Executive on 11th February 2015

3.2 The base position prior to the 3rd quarter's monitoring exercise was the revised programme approved by the Executive on 26th November 2014, as amended by variations approved at subsequent Executive meetings. Changes to the Care Services Portfolio Programme approved by the Executive in February are shown in the table below and further details are included in paragraphs 3.3 to 3.6. The revised Programme for Care Services (including new schemes) is attached as Appendix A and detailed comments on individual schemes are included at Appendix B.

	2014/15	2015/16	2016/17	2017/18	2018/19	TOTAL 2014/15 to 2018/19
	£000	£000	£000	£000	£000	£000
Programme approved by Executive 26/11/14	4,404	4,609	1,130	10	0	10,153
Gateway Review of Housing I.T System (Exec 14/01/15)	0	200	0	0	0	200
Approved Programme prior to Q3 Monitoring	4,404	4,809	1,130	10	0	10,353
<u>Variations approved by Executive 11/02/15</u>						
Social Care Grant Allocation for 2015/16 (see para 3.3)	0	663	0	0	0	663
Schemes rephased from 2014/15 into 2015/16 (see para 3.4)	-2,456	2,456	0	0	0	0
Total Q3 Monitoring variations	-2,456	3,119	0	0	0	663
New schemes (see para 3.6)	0	0	0	0	10	10
Revised Education Capital Programme	1,948	7,928	1,130	10	10	11,026

3.3 Social Care Grant Allocation – (£663k increase in 2015/16)

The Executive was informed that notification had been received from the Department of Health on the 2015/16 grant allocation for Social Care. The Capital Programme budget was increased by £663k to reflect Bromley's 2015/16 grant allocation.

3.4 Scheme rephased from 2014/15 into later years

In the final outturn report to the meeting in June 2014, the Executive was informed of the final outturn for capital expenditure in 2013/14 and noted that the overall level of unanticipated slippage into later years was £8.4m (£5.4m of which was due to delays in completing the acquisition of High Street properties). Slippage of capital spending estimates has been a recurring theme over the years and Members were pleased to note that improvements made in 2011/12 following a review of the system of capital monitoring and for estimating the phasing of expenditure were continuing to result in a more realistic approach towards anticipating slippage.

£650k of the overall 2013/14 underspend related to Care Service Portfolio schemes and this was analysed in the 1st quarter's monitoring report to the PDS Committee meeting in September 2014. After allowing for minor adjustments that were not re-phased, a total of £586k was re-phased into

2014/15, and £850k was re-phased from 2014/15 to 2015/16. In the 2nd quarterly report to the PDS Committee meeting in January, Members were advised that £2.6m had been re-phased to 2015/16 by the Executive in November and, as is shown in the table in paragraph 3.2, a further total of £2.5m was re-phased by the Executive in February 2015 to reflect revised estimates of when expenditure on Care Services schemes is likely to be incurred. This is itemised in the table below and comments on scheme progress are provided in Appendix B.

Capital Expenditure – Rephasing in Q3 monitoring	2014/15 £000	2015/16 £000
London Private Sector Renewal Schemes	-76	76
Renovation Grants - Disabled Facilities	-236	236
Empty Homes Programme	-250	250
Transforming Social Care	-52	52
Manorfields - Temporary Accommodation	-375	375
Care Homes - improvements to environment for older people	-2	2
Social Care Grant	-845	845
Star Lane Traveller Site	-100	100
Payment in Lieu Fund	-520	520
Total Environment Programme rephasing	-2,456	2,456

Annual Capital Review – new scheme proposals

- 3.5 In recent years, we have steadily scaled down new capital expenditure plans and have transferred all of the rolling maintenance programmes to the revenue budget. Our general (un-earmarked) reserves, established from the disposal of our housing stock and the Glades Site, have been gradually spent and have fallen from £131m in 1997 to £42m (including unapplied capital receipts) as at 31st March 2014. Whilst opportunities to dispose of property assets are being rigorously pursued, the level of receipts is not as high as in the past and new capital spending will effectively have to be met from our remaining revenue reserves.
- 3.6 As part of the normal annual review of the Capital Programme, Council Directors were invited to come forward with bids for new capital investment. Invest to Save bids were particularly encouraged, but none were received, and it is assumed that any such bids will be submitted in due course through the earmarked reserve that was created in 2011. Apart from the annual capital bids relating to school and highway schemes, two bids were approved with a total value of £1.02m, all of which will require funding from the Council’s resources. None of these related to this Portfolio, but the 2018/19 annual provision for feasibility studies (£10k) on potential new schemes was approved and has now been included in the Capital Programme.

Post-Completion Reports

- 3.7 Under approved Capital Programme procedures, capital schemes should be subject to a post-completion review within one year of completion. After major slippage of expenditure in recent years, Members confirmed the importance of these as part of the overall capital monitoring framework. These reviews should compare actual expenditure against budget and evaluate the achievement of the scheme’s non-financial objectives. One post-completion report, on the Bellegrave temporary accommodation scheme, is due to be submitted in 2014/15 for the Care Services Portfolio and this quarterly report will monitor the future position and will highlight any further reports required.

4. POLICY IMPLICATIONS

- 4.1 Capital Programme monitoring and review is part of the planning and review process for all services. The capital review process requires Chief Officers to ensure that bids for capital investment provide value for money and match Council plans and priorities.

5. FINANCIAL IMPLICATIONS

- 5.1 These were reported in full to the Executive on 11th February 2015. Changes agreed by the Executive for the Care Services Portfolio Capital Programme are set out in the table in paragraph 3.2.

Non-Applicable Sections:	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Departmental monitoring returns January 2015. Approved Capital Programme (Executive 26/11/14). Capital Q3 monitoring report (Executive 11/02/15). Capital appraisal forms submitted by Chief Officers in November 2014. Report to Council Directors' meeting 10/12/14

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Appendix A

CARE SERVICES PORTFOLIO - APPROVED CAPITAL PROGRAMME 11th FEBRUARY 2015										
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.14	Estimate 2014/15	Estimate 2015/16	Estimate 2016/17	Estimate 2017/18	Estimate 2018/19	Responsible Officer	Remarks
		£'000's	£'000's	£'000's	£'000's	£'000's	£'000's	£'000's		
	SOCIAL CARE									
950802	Care Homes - improvements to environment for older people	290	288	0	2	0	0	0	Lorna Blackwood	100% government grant
950804	PCT Learning Disability reprovion programme	11004	10154	0	850	0	0	0	Colin Lusted	Fully funded by PCT
950806	Social Care Grant - 2010/11 and prior years	558	125	90	343	0	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2011/12 and 2012/13 settlement	1228	0	0	1228	0	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2013/14 and 2014/15 settlement	1293	0	0	1293	0	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2015/16	663	0	0	663	0	0	0	Lorna Blackwood	100% government grant
950807	Mental health grant	331	5	0	326	0	0	0	Lorna Blackwood	100% government grant
950815	Supporting Independence - Extra Care Housing	20	1	19	0	0	0	0	Lorna Blackwood	100% government grant
950816	Transforming Social care	145	77	16	52	0	0	0	Angela Buchanan	100% government grant
950818	Manorfields - Temporary Accommodation	563	0	75	488	0	0	0	Sara Bowrey	Approved by Executive 15/10/14
907562	Mobile technology to support children's social workers	71	39	0	32	0	0	0	Kay Weiss	100% grant
950000	Feasibility Studies	50	0	10	10	10	10	10	David Bradshaw	
	TOTAL SOCIAL CARE	16216	10689	210	5287	10	10	10		
	HOUSING									
950792	Payment in Lieu Fund	4550	3521	442	587	0	0	0	Kerry O'Driscoll	Expenditure subject to cash receipts (S106) from Affordable Housing Policy
950819	Gateway Review of Housing I.T System	200	0	0	200	0	0	0	Wendy Norman	Approved by Executive 11/02/15
914110	London private sector renewal schemes	3169	2681	54	256	178	0	0	Steve Habgood	100% external funding
950501	Empty Homes Programme	450	47	153	250	0	0	0	Steve Habgood	100% external funding
916XXX	Renovation Grants - Disabled Facilities	8710	5540	1050	1178	942	0	0	Steve Habgood	Govt grant £743k in 2014/15 and assume £942k pa in 2015/16 and 2016/17
	TOTAL HOUSING	17079	11789	1699	2471	1120	0	0		
	OTHER									
941529	Star Lane Traveller Site	250	41	39	170	0	0	0	Sara Bowrey	Urgent water and drainage works (statutory duty)
	TOTAL OTHER	250	41	39	170	0	0	0		
	TOTAL CARE SERVICES PORTFOLIO	33545	22519	1948	7928	1130	10	10		

Appendix B

CARE SERVICES PORTFOLIO - APPROVED CAPITAL PROGRAMME 11th FEBRUARY 2015						
Code	Capital Scheme/Project	Actual to 31.3.14 £'000's	Approved Estimate Nov 2014 £'000's	Actual to 05.02.15 £'000's	Revised Estimate Feb 2015 £'000's	Responsible Officer Comments
SOCIAL CARE						
950802	Care Homes - improvements to environment for older people	288	2	0	0	This funding was provided to support care homes in the voluntary/independent sector to improve the environment in care homes for older people. Care homes are able to "bid" to the Council for this funding and there are criteria agreed for this. Rephased the remaining balance into FY15/16, as expenditure is unlikely to occur in FY14/15.
950804	PCT Learning Disability reprovion programme	10154	0	-46	0	The capital is for uses associated with the reprovion of NHS Campus clients to the community and projects relating to the closure of the Bassetts site. For FY14/15 - we still await final invoices for 3 schemes (118 Widmore Road, 44 Bromley Road and the CLDT move to Penge) and current year forecast is £0. £850K has been carried forward into 15/16. This is predominantly going to be used for alternative day service provision following the closure of the Bassetts day centre. LD day activities are currently being reviewed and expenditure is not expected to occur until FY15/16. Please note that the NHS are entitled to require the return of the remaining capital sum.
950806	Social care grant	125	935	11	90	This funding is made available to support reform of adult social care services. To date, these have been funded by the Council. As the new legislation for adult social care becomes clearer it is likely that this funding will be used to support the changes required. Responsible Officer advised that £175k has been committed for the capital works to Council owned learning disability properties as agreed by Executive in 2013. Work is out to tender and anticipate £90k of work to be completed by FY14/15. Rephased remaining balance £845k to FY15/16. Bid for £260k has been agreed by Executive in respect of proposed investment in older people day opportunity services, works are expected to start in FY15/16. Funding may be required in FY15/16 to support the reconfiguration of extra care housing.
950807	Mental health grant	5	0	0	0	This funding is made available to support reform of adult social care services. To date, these have been funded by the Council. As the new legislation for adult social care becomes clearer it is likely that this funding will be used to support the changes required.
950815	Supporting Independence - Extra Care Housing	1	19	5	19	This funding is available for specialist equipment/adaptations in extra care housing to enable schemes to support people with dementia or severe physical disabilities.
950816	Transforming Social care	77	68	0	16	Responsible Officer advised that we expect to spend £16k in FY14/15 and rephased the remaining balance £52k into FY15/16 to support the SCIS gateway review process and OLM MyLife Web Portal.
950818	Manorfields - Temporary Accommodation	0	450	49	75	£563k approved by Executive 15/10/14 for refurbishment at Manorfields. There is delay with planning permission and rephased £375k into FY15/16
907562	Mobile technology to support children's social workers	39	0	0	0	We are unable to progress the mobile working plans until the roll out of Windows 7 and data protection issues are resolved.
950000	Feasibility Studies	0	10	0	10	
	TOTAL SOCIAL CARE	10689	1484	19	210	
HOUSING						
950792	Payment in Lieu Fund - unallocated	3521	962	435	442	Spend for Site K allocation (start on site tranche) is now expected to be delayed until FY15/16 due to delays in the early stages of the development. The remaining expenditure related to the acquisition of residential properties is expected to be concluded in FY14/15. Rephased the remaining balance £520k into FY15/16.
950819	Gateway Review of Housing I.T System	0	0	0	0	£200k approved by Executive 14/01/15. Project will start in FY15/16 to procure a fully integrated Housing IT system
914110	London private sector renewal schemes	2681	130	46	54	Discussions planned with AD (Adult Social Care) to consider changing criteria to help most vulnerable, in order to best target funding. Applications for empty property work are being funded through Empty Homes Programme. Training sessions for care managers and other social services staff was carried out in Oct and Nov to maximise take up of this funding. Anticipate potential £8k additional expenditure to be spent by end of March. Rephased remaining balance £76k into FY15/16 which will mainly cover works relating to empty property.
950801	Empty Homes Programme	47	403	98	153	Take-up has increased and the scheme is being heavily targeted. 16 additional potential properties have been identified, works are in progress and we have achieved the bid target. Responsible Officer advised that we anticipate £153k of works to be completed in FY14/15, of which £104k are carried out in Qtr 4 FY14/15. This includes £70k works on 10 units in College Way. Rephased £250k into FY15/16.
950801	Renovation Grants - Disabled Facilities	5540	1286	765	1050	Currently we have £567k outstanding works on approved projects (figure from Uniform system - Jan 15). There are further £1m of pre-approved projects in progress which we expect to start in FY15/16 and FY16/17. We anticipate a total of £1.05m of works to be completed in FY14/15 and rephased £236k into FY15/16.
	TOTAL HOUSING	11789	2781	1344	1699	
OTHER						
941529	Star Lane Traveller Site	41	139	0	39	The property division have now commenced this project and are currently working through the full specification with Thames Water. At this stage they are confident that the work will progress during the current financial year, however the full specification has not been completed yet. It is likely that the completion date will be in FY15/16. Rephased £100k into FY15/16.
	TOTAL OTHER	41	139	0	39	
	TOTAL CARE SERVICES PORTFOLIO	22519	4404	1363	1948	

Report No.
Please obtain
a report
number

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: Care Services Portfolio Holder

Date: **For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Wednesday 4 March 2015**

Decision Type: Non-Urgent Non-Executive Key

Title: **BROMLEY WELFARE FUND/ ESSENTIAL HOUSEHOLD GOODS SERVICE**

Contact Officer: Andrew Scott, Procurement Officer. Tel: 020 8461 7844. Email: andrew.scott@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This report sets out the results of a tendering process to establish a framework of 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.

2. **RECOMMENDATION(S)**

Subject to the views of this Committee, the Portfolio Holder is asked to agree:

- i. **To appoint the providers listed in paragraph 3.12. of this report onto a Framework for the provision of the Move On Packs – Essential Household Goods Service. The Framework will last for two years from 01 April 2015 with an option to extend by up to a further two years subject to satisfactory performance.**

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council Safer Bromley Supporting Independence
-

Financial

1. Cost of proposal: Estimated Cost £200,000p.a.
 2. Ongoing costs: Recurring Cost: £200,000p.a.
 3. Budget head/performance centre: Bromley Welfare Fund
 4. Total current budget for this head: £441,996
 5. Source of funding: remaining government welfare fund grant
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance None:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 6,000 households approach each year at risk of homelessness. There are currently approximately 1000 households placed in temporary accommodation to whom the Council has a statutory rehousing duty under the homeless legislation.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1. In July 2014 the Resources Portfolio Holder approved the adoption of a 'white goods and furniture' welfare scheme from 2015/16. The scheme is set to replace The Bromley Welfare Fund following the Government decision to withdraw ongoing programme funding. The Bromley Welfare Fund was introduced as a result of the abolition from April 2013 of the central government administered Community Care Grants and Crisis Loans for general living expenses. The fund has primarily been used to award furniture and white goods to people leaving temporary accommodation or an institution
- 3.2. Members agreed that, given the Government reduction in funds, the new scheme would be restricted both in terms of eligibility criteria and goods available (cookers, fridges, freezers and beds) which have been identified as the minimum items required in order for the Council to meet its duty to provide suitable settled accommodation for statutory homeless households.
- 3.3. The service was tendered in accordance with EU Regulations and the Council's financial and contractual requirements. The Invitation To Tender (ITT) invited bids to join a framework consisting of two separate Lots:
 - Lot 1: Supply and fit of specified white goods
 - Lot 2: Supply of specified beds

Tenderers were invited to bid for either one, or both Lots as they saw fit.

- 3.4. Orders will be called off from the framework on a per order basis, by approaching the successful tenderers accordingly, in order of the most economically advantageous cost per individual order.
- 3.5. The tender was undertaken using ProContract, the Council's electronic tendering system. 29 expressions of interest were received from which eight providers submitted bids.

3.6. EVALUATION

The tender evaluation was undertaken in two stages:

- Stage 1: Pre-qualification questionnaire
 - Stage 2: Financial and Quality evaluation
- 3.7. Officers assessed stage 1 submissions to determine whether the tenderers had the general and technical resources and ability to deliver the services. The Council reserved the right to reject a submission at Stage 1 if it failed to meet a minimum threshold score for any of the technical questions and on that basis two tenders were rejected.
 - 3.8. Following Stage 1, six tenderers were shortlisted for Stage 2 consisting of five submissions for Lot 1 and four for Lot 2. Evaluations were undertaken by a panel of Council officers, based on a 60% finance and 40% quality evaluation split.
 - 3.9. The quality evaluation for both lots focused on the following key areas:
 - Ability to deliver within given timescales
 - Quality assurance
 - Consistency of service
 - Social value
 - 3.10. The Council again reserved the right to reject a submission at Stage 2 if it failed to meet a minimum threshold score for any of the quality questions.

- 3.11. On review of the rates submitted by tenderers for Lot 2 officers found that that whilst three providers met the quality requirements, only one tenderer offered sufficient value for money based on a comparison with benchmarked costings.

3.12. FRAMEWORK APPOINTMENT RECOMMENDATIONS

Following the completion of the Stage 2 evaluation, officers recommend the following providers be appointed to the Framework.

Lot 1:

- John Gillman & Sons (Electrical) Ltd (Trading as Domestic Appliance Distributors)
- The Furnishing Service Limited
- Louis Sorzano (Trading as BFS Interiors)

Lot 2:

- The Furnishing Service Limited

- 3.13. Whilst a sole provider for Lot 2 limits options to ensure the smooth delivery of the service, the Council is not bound solely to the use of the Framework and will be able to go back out to the market under a separate tendering exercise if required.

4. POLICY IMPLICATIONS

- a. The objective of this service is compliant with the statutory framework within which the Council's housing function must operate and assist in achieving the targets set out within Building a Better Bromley.
- b. The above actions are in line with the agreed policies in relation to homeless and associated strategies. Any updated actions or proposals for policy review required will be reported and considered by Members as required.

5. FINANCIAL IMPLICATIONS

- 5.1. The use of a framework to meet the requirements of the service allows for the greatest level of flexibility in expenditure because it makes no guarantees to successful tenderers regarding the volume of service activity. This will enable service levels to be increased or reduced in line with statutory requirements, budget pressures and Member priorities.
- 5.2. Annual expenditure under the new scheme has been estimated at £200,000 per annum which will initially be funded from an underspend in the 2013/14 Bromley Welfare Fund programme funding (£441,996), and any accrued underspend in 2014/15. The costs will be contained to essential spend on meeting the Council's housing duties.
- 5.3. The provision of essential living items assists in ensuring homeless households are able to move into settled accommodation as quickly as possible thus avoiding extended stays in costly forms of temporary accommodation.

6. LEGAL IMPLICATIONS

- 6.1. A contract notice was placed in OJEU and the tender process was run in accordance with the Public Contracts Regulations 2006.
- 6.2. The use of framework agreements is recognised at Contract Procedure Rule 7.3 Members are asked to note that the establishment of such a framework does not guarantee that any particular

provider will be willing or able to fulfil a specific order when requested at a particular time, but it gives framework providers the opportunity to do so.

Non-Applicable Sections:	Personnel
Background Documents: (Access via Contact Officer)	Report No. FSD14046 – Bromley Welfare Fund

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Report No.
CS14137

London Borough of Bromley

PART 1 – PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER
For pre-decision scrutiny by CARE SERVICES POLICY
DEVELOPMENT & SCRUTINY COMMITTEE

Date: Wednesday 4th March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: KENT ASSOCIATION FOR THE BLIND – OVERVIEW OF
CONTRACT AND COMMISSIONING INTENTIONS

Contact Officer: Andy Crawford, Commissioning Manager
Tel: 0208 461 7446 E-mail: andy.crawford@bromley.gov.uk

Carol Fletcher, Procurement Officer
Tel: 0208 461 7681 E-mail: carol.fletcher@bromley.gov.uk

Chief Officer: Terry Parkin, Executive Director, Education, Care and Health Services

Ward: (All Wards);

1. Reason for report

The Care Services PDS have requested a report on the Kent Association for the Blind (KAB) to assist them in better understanding the background to the contractual arrangement and the work undertaken by KAB on behalf of the Council.

This report outlines the contractual arrangement for the provision of services for people with a visual impairment provided by the Kent Association for the Blind.

The report also provides details of the history and annual contract value of the service, provides an update on the level of service, and seeks approval to extend the contract for a period of eighteen months from 1st April 2015.

2. **RECOMMENDATION(S)**

- 2.1 The Care Services Policy Development and Scrutiny Committee is asked to note and comment on the background and proposal.
- 2.2 The Portfolio Holder is asked to note the history and annual contract value of the contract with the Kent Association for the Blind and agree to the extension of the service under Contract Procurement Rule 23.7.3 as outlined in paragraph 3.14

Corporate Policy

1. Policy Status: Existing Policy: Building a Better Bromley
 2. BBB Priority: Supporting Independence
-

Financial

1. Cost of proposal: Estimated Cost: Total£149,421
comprising £99,614 in 2015/16 and £49,807 in 2016/17
 2. Ongoing costs: Recurring Cost:
 3. Budget head/performance centre: 825900 3625
 4. Total current budget for this head: £146,120 per annum
 5. Source of funding: Education, Existing Revenue Budget
-

Staff

1. Number of staff (current and additional): N/A – the Service is provided by an external provider
 2. If from existing staff resources, number of staff hours: Approximately 10 hours per annum
Officer time to monitor the contracts.
-

Legal

1. Legal Requirement: Government Guidance:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Estimated 1500 people per annum
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Background

- 3.1 The Kent Association for the Blind, a voluntary sector organisation for the provision of services for people with a visual impairment, was established in 1920 and is a registered charity that now provides support services to adults and children under contract to Kent, Medway and Bexley Councils as well as in Bromley.
- 3.2 There has been a long standing partnership between KAB and the London Borough of Bromley. A continuous contract history can be traced back to April 2002 however KAB has been delivering services under contract to the borough for over 25 years. Indeed their work in the area even precedes the formation of Bromley as a London Borough in 1965.
- 3.3 Until 2007 KAB staff working in Bromley were co-located with LBB staff at the Council offices in The Walnuts, Orpington. As well as providing office accommodation the Council also provided clerical support. This very close working link was based upon KAB carrying out statutory care management duties and providing rehabilitation services on the Council's behalf for all people with a visual impairment.
- 3.4 In 2007 KAB established the Bromley Sight Centre in Blyth Road and moved all their local staff and operations to that base. They have continued to provide the same range of services under the contract.
- 3.5 The main elements of the contract are the provision of specialist assessments for people with a visual impairment and maintaining the registers for people who are blind or partially sighted. These are statutory requirements which are carried out by the Kent Association for the Blind on behalf of the Council. Additionally they are contracted to provide some rehabilitation support, including provision of equipment.
- 3.6 The current total KAB service provision in Bromley is:
- Maintenance of Sight Impairment Register
 - Specialist Assessment and/or Statutory Assessment
 - Provision of Rehabilitation and Habilitation Services including
 - Specialist information advice and guidance
 - Mobility orientation training
 - Independence skills training
 - Specialist equipment provision
 - Assistive Technology and communication
 - Support for family carers
 - Environmental assessments
 - Habilitation services for children and young people
 - Signposting and onward referral
 - Benefits and concessions advice
 - Eye Clinic Liaison Officer
 - Provision of volunteer support
 - Transcription services
 - Equipment Exhibitions and Sight Centre Open Days
 - Training Provision & Awareness Raising
 - Bromley Service User Forum
 - Social Clubs
 - Website

- 3.7 In the 9 month period from April 2014 to end of December a total of 410 individuals received support from KAB through 658 separate interventions. These included:
- 179 statutory needs assessment and rehabilitation input
 - 102 registration as sight impaired or severely sight impaired
 - 95 equipment provision only
 - 19 mobility training
 - 235 information, advice and guidance
- 3.8 Inevitably with such a long established working relationship, and with KAB also fulfilling its charitable aims as a voluntary sector organisation, the range and scope of the services provided by KAB has grown and goes some way beyond that for which the Council directly contracts. Although the additional activity by KAB would appear to add value to the contract it is important to establish exactly what the Council does want to commission.
- 3.9 There has never been any competitive market testing for the services provided under this contract and consequently it cannot be known whether the services provided by KAB could be provided by any other organisation or, if so, at what cost.
- 3.10 However, a recent 'soft' market testing exercise established that there are a total of 9 voluntary organisations around London, including KAB, providing various services under contract to other boroughs. Further investigation has revealed that none of those services are comparable in range or extent to those provided in Bromley by KAB. Most are in the area of rehabilitation support, there are none that include specialist and statutory assessment or maintenance of the sight register. In most boroughs these activities are operated in-house by Council employees.

Commissioning Intentions

- 3.11 Before any clear decision can be made about the long term support requirements in the borough for people with visual impairments, and the best way for those supports and services to be provided, a comprehensive review of the services provided by KAB needs to be undertaken so that future requirements can be properly understood.
- 3.12 Additionally the Care Act brings in new responsibilities for Councils in respect to blind and partially sighted people as well as reinforcing existing duties. It also introduces new rules on the way in which the Local Authority assesses eligibility against the national framework and will necessitate consideration of the way in which this assessment is carried out for all clients. This will need to be done in a comprehensive way that ensures consistency for all client groups.
- 3.13 Until these reviews are carried out and the assessment approach re-modelled it is important to ensure continuity for service users. Kent Association for the Blind has demonstrated that it can provide a robust and comprehensive service for people with a sight impairment and has the infrastructure in place to be able to provide the requirements set out in the service specification. It is the only organisation currently in the borough with the level of specialist skills and experience, infrastructure and local knowledge required to provide the wide range of support services to people with visual impairments.
- 3.14 The current contract expires on 31st March 2015. It is proposed to extend the contract for a further period of 18 months during which time a full review of the services provided by KAB in Bromley can be carried out with the intention of bringing a gateway report to Members in the latter part of 2015 to trigger the required commissioning activity in the first half of 2016.
- 3.15 As with all Council contracts, the extension will include a 3 month break clause which would allow the Council to terminate should the provider be in breach or should circumstances change requiring the Council to reconsider the funding position.

- 3.16 The Contract Compliance Team will maintain contract monitoring meetings with the Kent Association for the Blind including receiving quarterly monitoring reports during the proposed extension period.

4. POLICY IMPLICATIONS

- 4.1 In accordance with the Council's commitment to Building a Better Bromley to support people to live as independently as possible within the community, the service reflect the Council's strategic objectives particularly for vulnerable people.

5. FINANCIAL IMPLICATIONS

- 5.1 From 2002 the contract price included provision for annual review in line with NJC increases. In 2007 a variation was agreed with KAB for the Council to pay for admin support instead of providing a part-time member of staff for this function. In 2012/13 the Council funding reduced by 13% to £99,614 and has remained fixed at this rate.

The agreed cost of the Kent Association for the Blind Contract since 2002/03 is set out below:

	Contract Price per annum £
2002/03	88,240
2003/04	90,711
2004/05	93,387
2005/06	95,955
2006/07	98,786
2007/08	107,708
2008/09	113,906
2009/10	114,614
2010/11	114,614
2011/12	114,614
2012/13	99,614
2013/14	99,614
2014/15	99,614
Total	1,331,377

- 5.2 A review of this service and the linked Guide Communicator Service will be carried out to identify potential efficiencies in service delivery.

6. LEGAL IMPLICATIONS

- 6.1 The service is a Part B Services for the purpose of Schedule 1 to the Public Contract Regulations 2006 (as amended). This means that it is not essential to follow the OJEU processes, although in the interest of good practice the Regulations will be shadowed. Award of contract is primarily governed by the Council's Contract Procedure Rules and Financial Regulations.
- 6.2 Rule 3.7 of the Council's Contract Procedure Rules state " Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Resources, can decide not to obtain competitive tenders or quotations provided that:
- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;

- The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
- The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

Approvals will be obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.”

Non-Applicable Sections:	PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	

Report No.
CS14136

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Wednesday 4 March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: BROMLEY MENCAP CORE FUNDING CONTRACT EXTENSION

Contact Officer: Andrew Royle, Strategic Commissioner Disabilities
Tel: 0208 461 7612 E-mail: Andrew.royle@bromley.gov.uk

Carol Fletcher, Procurement Officer
Tel: 0208 461 7681 E-mail: carol.fletcher@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This reports details the procurement strategy for the provision of core services by Bromley Mencap to support people with a learning disability and their carers resident in the borough.

The report also provides details of the history and annual contract value, and seeks approval to extend the contract for a period of one year from 1st April 2015.

2. **RECOMMENDATION(S)**

2.1 The Care Services Policy Development and Scrutiny Committee is asked to note and comment on the proposal.

2.2 The Portfolio Holder is asked to:

- (1) Note the history and annual contract value of the contract with Bromley Mencap and agree to the extension of the Contract under Contract Procurement Rule 23.7.3 for a period of one year from 1st April 2015:

Corporate Policy

1. Policy Status: Existing Policy: Building a Better Bromley
 2. BBB Priority: Supporting Independence :
-

Financial

1. Cost of proposal: Estimated Cost: £51,327 per annum
 2. Ongoing costs: Recurring Cost:
 3. Budget head/performance centre: 758900 3418
 4. Total current budget for this head: £51,327
 5. Source of funding: Within existing Education, Care and Health Services Revenue Budget – no additional funding required
-

Staff

1. Number of staff (current and additional): N/A – the Service is provided by an external provider
 2. If from existing staff resources, number of staff hours: Approximately 10 hours per annum officer time to monitor the services provided by Bromley Mencap.
-

Legal

1. Legal Requirement: Non-Statutory - Government Guidance:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Bromley Mencap have a membership of over 1600 people but the number of people who access all the services exceed this.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Background

- 3.1 There has been a long standing partnership between Bromley Mencap and Bromley Council. Bromley Mencap has incorporated the activities of the local Scope organisation into their structure and are now a Pan-Disability organisation that works with and on behalf of people with a learning disability and those with a physical disability, who live in the borough, and their families or carers. This has increased the number of people receiving support from Bromley Mencap with no additional cost to the Council. The Council has recognised the vital role played by Bromley Mencap in providing services for this client group.
- 3.2 The Bromley Mencap Core Funding contract is one of a number of strategic partnership contracts that the Council holds with voluntary sector organisations in order to provide support to vulnerable people living in Bromley. The aim of these agreements is to provide a contribution to support the organisations to continue their wider role in the community.
- 3.3 Bromley Mencap core funding assists the organisation to develop services and to improve the lives of people with a learning and / or a physical disability. The funding provides a contribution towards the following areas:
- The provision of information, advice and guidance to people with learning and physical disabilities who live in Bromley, their families and carers;
 - Recruitment and management of volunteers, buddies and peer groups;
 - Rental costs of the premises to allow Bromley Mencap to deliver services which are accessible for all people in Bromley including those with poor mobility;
 - The employment of a Chief Executive;
 - Enables Bromley Mencap to bid for and run other services under contract to Bromley and funded by other grants;
 - Governance costs to support the development of the organisation's Trustees and contribution towards meetings;
 - Other corporate overhead costs including annual reports, annual audits, provision of external accountancy and any legal services;
 - Administration costs – both general and specific to projects which do not receive project worker funding.
- 3.4 Bromley Mencap has not received an inflationary increase on this Contract since 2010. The use of trained volunteers, peer groups and unpaid 'buddies' has enabled Bromley Mencap to win tenders for services and secure funding from sources other than the Council, thus adding value to this contract. Other current contracts between Bromley Mencap and the Council include the following services:
- Job Match and Job Carve Services
 - Mutual Carers Support Services
 - Complex Needs Respite
 - Welfare Benefits Advice & Guidance for people with disabilities.

- 3.5 Council Commissioners and Contract Compliance Officers meet with Bromley Mencap on a regular basis to review the various service contracts held by the organisation. Quarterly monitoring statistics for each service are received and monitored for compliance against the outcomes for each specific contract. There have been no reports of poor performance by Bromley Mencap and the Key Performance Indicators for each of the services have been met in full. Last year 2976 people used Bromley Mencap's services. This represents:
- o 1574 disabled and vulnerable children and adults and
 - o 1404 carers/parents.

The volume of users will continue to be monitored by Commissioners and Contract Compliance Officers during the extension period.

Contract Extension

- 3.6 The current contract expires on 31st March 2015 and this report requests authority to extend the contract for one year commencing on 1st April 2015 and expiring on 31st March 2016. As with other contracts, a break clause will be included which would allow the Council to terminate should the provider fail to deliver a satisfactory service or should the funding position change.
- 3.7 Bromley Mencap have specialist and local knowledge, and good links and reputation within the local community. They have built up a significant knowledge and understanding of this client group and are the first point of contact for people with a disability and their families or carers. Any reduction in the level of core funding may have any effect on the viability and sustainability of the other contracts detailed in paragraph 3.4.

4. POLICY IMPLICATIONS

- 4.1 In accordance with the Council's commitment to Building a Better Bromley to support people to live as independently as possible within the community, the service reflects the Council's strategic objectives particularly for vulnerable people.

5. FINANCIAL IMPLICATIONS

- 5.1 A three year contract was awarded to Bromley Mencap in 2004 for a range of projects including Jobmatch, Older Carers' Grant and a contribution towards the core costs. For the financial year 2007/08 an increased contribution to the core costs was agreed by the Director in consultation with the Portfolio Holder. From 1st April 2009, a new contract was agreed with Bromley Mencap for the core costs alone.
- 5.2 From 1st April 2004 an annual increase based on RPIX indices was awarded to the Bromley Mencap contracts. However, no annual uplift has been applied to the core contract since 2010/11.
- 5.3 The agreed cost of the Bromley Mencap Core Funding contract since 2004 is set out below

	Contract Price per annum £
2004/05	24,321
2005/06	24,857
2006/07	24,857
2007/08	46,793
2008/09	48,290
2009/10	50,173
2010/11	51,327
2011/12	51,327
2012/13	51,327
2013/14	51,327
2014/15	51,327
2015/16	51,327
Total	578,253

There is no proposal to increase the Council’s contribution to the core funding this financial year; the a

6. LEGAL IMPLICATIONS

6.1 The services provided by Bromley Mencap are Part B Services for the purpose of Schedule 1 to the Public Contract Regulations 2006 (as amended). This means that it is not essential to follow the OJEU processes, although in the interest of good practice the Regulations will be shadowed. Award of contract is primarily governed by the Council’s Contract Procedure Rules and Financial Regulations. All Councils are currently awaiting the issuing of Statutory Guidance from the government on the application of the “light touch” regime enforceable under the new EU Directives.

6.2 Rule 3.7 of the Council’s Contract Procedure Rules state “ Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Resources, can decide not to obtain competitive tenders or quotations provided that:

- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;
- The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
- The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

Approvals will be obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	N/A

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Report No.
CS14135

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Wednesday 4 March 2015

Decision Type: Non-Urgent Non-Executive Non-Key

Title: RESPIRE AT HOME AND SITTING SERVICE CONTRACT EXTENSIONS

Contact Officer: Andy Crawford, Commissioning Manager
Tel: 0208 461 7446 E-mail: andy.crawford@bromley.gov.uk

Carol Fletcher, Procurement Officer
Tel: 0208 461 7681 E-mail: carol.fletcher@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This report details the arrangements for the provision of respite at home and sitting services in the London Borough of Bromley provided under contract by Bromley and Lewisham MIND and Carers Bromley.

The report also provides details of the history and annual contract values of the services, provides an update on the performance of the services, and seeks approval to extend the contracts for a period of one year from 1st April 2015.

2. **RECOMMENDATION(S)**

2.1 **The Care Services Policy Development and Scrutiny Committee is asked to note and comment on the proposal.**

2.2 **The Portfolio Holder is asked to:-**

- (1) **Note the history and value of the contract with Bromley & Lewisham MIND, and agree the extension of the contract under Contract Procurement Rule 23.7.3 for a period of one year from 1st April 2015 at the cost of £140,000 for 2015/16:**
- (2) **Note the history and value of the Contract with Carers Bromley and agree the extension of the contract under Contract Procedure Rule 23.7.3 for a period of one year from 1st April 2015 at the cost of £100,204 for 2015/16.**

Corporate Policy

1. Policy Status: Existing Policy: Building a Better Bromley
 2. BBB Priority: Supporting Independence
-

Financial

1. Cost of proposal: Estimated Cost: Bromley & Lewisham MIND - £140,000 in 2015/16;
Carers Bromley - £100,204 in 2015/16
 2. Ongoing costs: Recurring Cost
 3. Budget head/performance centre: Bromley & Lewisham MIND: 824900 3388 / 8170013542
S2127; Carers Bromley: 817001 3542 S2127
 4. Total current budget for this head: Bromley & Lewisham MIND - £140,000; Carers Bromley -
£100,204.
 5. Source of funding: Within existing Education, Care and Health Services Revenue Budget – no
additional funding required
-

Staff

1. Number of staff (current and additional): N/A – the Service is provided by an external provider
 2. If from existing staff resources, number of staff hours: Approximately 15 hours per annum
Officer time to monitor the contracts.
-

Legal

1. Legal Requirement: Statutory Services
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 500 individuals
over the age of 65 access various forms of Council funded respite.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A
2. Summary of Ward Councillors comments: N/A

3. COMMENTARY

Contract History

- 3.1 In March 2010, Care Services PDS and the Portfolio Holder for Care Services approved the proposal to enter into new contracts for one year ten months with Bromley MIND and Carers Bromley for the provision of a respite at home and sitting service via an exemption from tendering.
- 3.2 The contracts were reviewed by Care Service PDS on 12th June 2012 and an extension of the services until 31st March 2013 was approved by the Portfolio Holder. The Council has been making significant changes in the provision of day opportunities for older people which, as they gradually take effect, are having implications for respite services. Therefore, another exemption to tendering was agreed by the Portfolio Holder for Care Services in January 2013 followed by a further exemption agreed in January 2014.

Bromley and Lewisham MIND

- 3.3 Bromley MIND is a voluntary organisation formed from three local mental health organisations in 2000, changing its name to become Bromley & Lewisham MIND in 2013. MIND are contracted by the Council to provide a variety of services for people with mental health needs and dementia, living in the borough, to improve their quality of life. These include:
- Respite at Home and Sitting Service
 - Dementia Training and Support for Carers in Extra Care Housing Services;
 - Mental Health Strategic Partnership Core Funding
 - Support for Carers of People with Dementia
 - Mindcare Day Opportunities (legacy clients).
- 3.4 The Respite and Sitting service delivers 9,888 hours of respite per annum. The respite is delivered in the users own home and can be in the form of a sitting service or weekend and overnight respite. Bromley MIND also provides advice, information, support and practical help for carers of people with dementia, including those with young onset or early stage dementia,.

Carers Bromley

- 3.5 Carers Bromley is an independent voluntary organisation contracted by the Council to provide support to people living in the borough who provide unpaid care and assistance for members of their family or community who have a disability, long term illness or frailty. The contracts with the Council are for: :
- Respite at Home
 - Strategic Partnership Core Funding
 - Support and Advice to Young Carers
 - Hospital Discharge Worker
 - Mental Health Worker

3.6 The Respite at Home service provided by Carers Bromley is not specific to particular clients. The main provisions of the service are to:

- Provide a total of 10,400 hours of respite per annum
- Undertake needs assessments for both carers and the person receiving care
- Provide out of hours on call to support volunteers and staff
- Deliver respite sessions in the users own home; the sessions can be for up to 8 hours or if required, for 24 hours with a maximum of 28 days respite per carer in any one year.

Justification for extension:

3.7 The services provided by both organisations play a vital role in providing support for carers to maintain their own health and well-being. This prevents the breakdown of informal care and enable the people receiving care to remain living at home, thus reducing the need for admission to long-term care.

3.8 The Care Act 2014 gives the Council new responsibilities for carers and requires changes in the way provision of support for carers is provided. An extension of the current contracts for a period of one year is requested to enable officers to consider the implications of the Care Act and undertake a wider review of respite services.

3.9 Demand for dementia specialist respite has increased significantly in the last 18 months. In the first three quarters of the 2014/15 financial year the average number of booked hours with Bromley and Lewisham MIND of respite per week has exceeded the contracted target level by over 10%.

3.10 During the financial year 2013/14, Carers Bromley provided a total of 13,854 hours of sitting and respite, exceeding the target set out in their contract by 3,454 hours.

3.11 Officers have considered whether these contract deliver value for Bromley. Market testing of the hourly rates for both service has not been undertaken. However, a comparison of the costs against those of the framework domiciliary care providers has shown that the rates paid to both providers is favourable and offer value for money.

Performance:

3.12 Council officers meet with both Bromley & Lewisham MIND and Carers Bromley on a regular basis in order to monitor the level of service provided against the targets set out in the contract documentation. Quarterly monitoring reports are also submitted to the contract compliance officer giving a detailed breakdown of the total number of hours of respite delivered and how these were delivered, and the number of carers who have benefited from the services. The performance of both Providers has been very satisfactory and no complaints have ever been received about the services.

3.13 Carers accessing the service provided by Carers Bromley currently pay a contribution towards the cost of the service at the rate of £15 per day (8 hours) and £25 for 24 hour periods thus reducing the cost of providing the service to the Council. However, there are currently no contributions towards the Bromley and Lewisham MIND service from carers if they are eligible for the service which reflects the pressures on carers of people with dementia.

Contract Extension

- 3.14 Both Bromley & Lewisham MIND and Carers Bromley have demonstrated that they can provide robust and comprehensive services for carers and the people receiving care. They have the level of staff skills, experience, infrastructure and local knowledge required to provide the services specified by the Council.
- 3.15 The current contracts expire on 31st March 2015 and it is proposed to extend both contracts for a period of one year from 1st April 2015 for the reasons set out in paragraphs 3.7 to 3.11 above. Some additional capacity has been built in to the Bromley and Lewisham MIND Service to accommodate the increased demand for support to carers of people with dementia but there is no proposed change to the annual price for the Carers Bromley service.
- 3.16 As with all contracts, the extension will include a break clause which will allow the Council to terminate should either of the providers be in breach or should the Council wish to reconsider the funding position. The funding for the additional capacity will be taken from the carers budget.
- 3.17 The Contract Compliance Team and Commissioners will maintain contract monitoring meetings with both Bromley & Lewisham MIND and Carers Bromley including receiving quarterly monitoring reports during the proposed extension periods.

4. POLICY IMPLICATIONS

- 4.1 In accordance with the Council's commitment to Building a Better Bromley to support people to live as independently as possible and remain living in their own homes, and by providing breaks for carers that support them to continue in their caring role, the services provided by Bromley & Lewisham MIND and Carers Bromley reflect the Council's strategic objectives particularly for vulnerable people.

5. FINANCIAL IMPLICATIONS

- 5.1 The funding for both services has not increased since the contracts commenced in 2010. However, the proposed cost for Bromley and Lewisham MIND in 2015/16 will increase by £17,322 due to the demand for specialist dementia respite as set out in paragraph 3.9. The additional funding will be taken from the Carers Budget. There is no proposed increase to the cost of the Carers Bromley service.
- 5.2 Both organisations have a number of trained and experienced volunteers as well as paid staff who deliver the services. This enables the providers to reduce the cost and add value to the contracts for the Council.
- 5.3 Respite at home services have been delivered under contract by these organisations for many years. The costs of providing the services since the commencement of the contracts and the proposed cost for 2015/16 are set out below:

Bromley & Lewisham MIND	1 April 2010 – 27 Feb 2012	28 Feb 2012 – 31 August 2012 (6 Months)	1 Sept 2012 – 31 March 2013 (6 Months)	1 April 2013 – 31 March 2014	1 April 2014 – 31 March 2015	1 April 2015 – 31 March 2016	TOTAL EXPENDITURE
	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	
	£	£	£	£	£	£	£
	235,133	61,339	61,339	122,678	122,678	140,000	743,167

Carers Bromley	1 April 2010 – 27 Feb 2012	28 Feb 2012 – 31 August 2012 (6 months)	1 Sept 2012 – 31 March 2013 (6 months)	1 April 2013 – 31 March 2014	1 April 2014 – 31 March 2015	1 April 2015 – 31 March 2016	TOTAL EXPENDITURE
	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	Contract Price	
	£	£	£	£	£	£	£
	183,707	50,102	50,102	100,204	100,204	100,204	584,523

6. LEGAL IMPLICATIONS

- 6.1 The services provided by Bromley and Lewisham MIND and Carers Bromley are Part B Services for the purpose of Schedule 1 to the Public Contract Regulations 2006 (as amended). This means that it is not essential to follow the OJEU processes, although in the interest of good practice the Regulations will be shadowed. Award of contract is primarily governed by the Council's Contract Procedure Rules and Financial Regulations. All Councils are currently awaiting the issuing of Statutory Guidance from the government on the application of the "light touch" regime enforceable under the new EU Directives.
- 6.2 Rule 3.7 of the Council's Contract Procedure Rules state " Where a Service is to be provided by a Voluntary Sector Organisation through an external Service Level Agreement the relevant Chief Officer, in consultation with the Director of Corporate Services, can decide not to obtain competitive tenders or quotations provided that:
- The Chief Officer is satisfied that the Voluntary Sector Organisation is, or will be able to provide a satisfactory quality of Service and that the sums payable under any Service Level Agreement entered into represent Value for Money;
 - The relevant Head of Finance keeps a record of all payments made and any Grants received under the Service Level Agreement;
 - The Service Level Agreement is time limited and subject to renewal under the arrangements identified in this Rule.

Approvals will be obtained as provided for in Rule 13.1, as appropriate for the estimated total value of the intended arrangement.

Non-Applicable Sections:	7. PERSONNEL IMPLICATIONS
Background Documents: (Access via Contact Officer)	

Report No.
CSD15038

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER
FOR PRE-DECISION SCRUTINY BY CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 4 March 2015

Decision Type: Non-Urgent Executive Non-Key

Title: **THE ESTATE OF MISS JEAN ELLEN CASTLE (DECEASED): APPOINTMENT OF NOMINEE**

Contact Officer: Jim Kilgallen, Senior Lawyer
Tel: 020 8313 4763 E-mail: jim.kilgallen@bromley.gov.uk

Chief Officer: Mark Bowen, Director of Corporate Services

Ward: N/A

1. Reason for report

- 1.1 The report requests that Jim Kilgallen, Senior Lawyer London Borough of Bromley, is authorised by the Council to act as its nominee to apply for a Grant of Representation to administer the estate of the late Miss Jean Ellen Castle.
- 1.2 The reason for this request arises due to the fact that a debt in respect of Miss Castle's client contribution for the cost of her residential care is owed to the London Borough of Bromley. Miss Castle left a will, but the executor and the sole beneficiary have both renounced their right to apply for a Grant of Representation. This means that the Council can apply to the Probate Registry for a Grant as a creditor to Miss Castle's estate, administer her estate and pay her outstanding debts. To do this a nominee must be appointed.

2. RECOMMENDATION

Members are asked to agreed that Jim Kilgallen, Senior Lawyer, is authorised (as shown in the attached document) to apply for a Grant of Representation on behalf of the London Borough of Bromley and agree the following wording: "That James Francis Kilgallen, Senior Lawyer, Corporate Services, be and is hereby appointed nominee of the London Borough of Bromley for the purpose of taking out Letters of Administration (with will annexed) in the estate of Miss Jean Ellen Castle of Bromley Park Nursing Home, 75 Bromley Road, Beckenham, Kent (formerly of 7 Brandram House, Upper Elmers End Road, Beckenham) who died on the 11th day of February 2013 and of whom the said London Borough of Bromley is a creditor".

Corporate Policy

1. Policy Status: Not Applicable:
 2. BBB Priority: Excellent Council
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: Not Applicable
 4. Total current budget for this head: Not Applicable
 5. Source of funding: Not Applicable
-

Staff

1. Number of staff (current and additional): None
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: None:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): None
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Not Applicable
2. Summary of Ward Councillors comments: Not Applicable

3. COMMENTARY

- 3.1 Miss Castle was a retired Bank Clerk living in the Beckenham area who, towards, the end of her life, was living in Bromley Park Nursing Home. Unfortunately Miss Castle's health deteriorated in her final years and she was unable to manage her finances and there was no one to help her do so. As there was no one with authority to access Miss Castle's bank and building society accounts her nursing home fees were paid by the London Borough of Bromley.
- 3.2 In the circumstances Miss Castle, who had been known to Social Services for some years, was referred to the Appointee and Deputyship Service in the Civic Centre with a view to them applying for authority to manage Miss Castle's Social Security Benefits (as a DWP appointee) and subsequently applying to the Court of Protection to be appointed her financial affairs deputy to manage her capital assets and pay her care home fees and any debts.
- 3.3 The application to the DWP to be appointed Miss Castle's appointee was made on the 6th February 2013, but unfortunately she died a few days later, on the 11th February 2013, before the application could be processed.
- 3.4 At the date of her death Miss Castle owed the London Borough of Bromley £33,047. Her assets comprised £22,780 in an HSBC account and £12,543 in an Halifax account. From the former account funeral expenses of £1,431 have been paid. After deduction of the debt owed to LBB, this leaves a net estate of £845, which will be offset against the £1,500 fee that the London Borough of Bromley is entitled to charge in respect of its costs for applying for a Grant of Representation.
- 3.5 Miss Castle made a will appointing the Midland Bank Trust Company as her executor, but HSBC (as the successor organisation to Midland Bank) renounced their right to act as executor. The sole beneficiary of Miss Castle's will is St Christopher's Hospice, but, on being appraised of the nature of her assets and debts, they too renounced their right to apply for a Grant of Representation.
- 3.6 This means that, in these unusual circumstances, the London Borough of Bromley is now entitled to apply for a Grant of Representation as a creditor to Miss Castle's estate. The process to be undertaken by a Local Authority requires a formal resolution designating a nominee to apply for and obtain a Grant from the Probate Registry. In this instance it is proposed that Jim Kilgallen is authorised to make this application and that he should be formally appointed as nominee.

4. POLICY IMPLICATIONS

- 4.1 None

5. FINANCIAL IMPLICATIONS

- 5.1 The money recovered will be used to pay Miss Castle's debt to the Council.

6. LEGAL IMPLICATIONS

- 6.1 There are no Council wide legal implications, but the appointment of a nominee will allow the Council to recover a substantial debt.

7. PERSONNEL IMPLICATIONS

Non-Applicable Sections:	None
Background Documents: (Access via Contact Officer)	None

**IN THE HIGH COURT OF JUSTICE
PRINCIPAL REGISTRY OF THE FAMILY DIVISION**

IN THE ESTATE OF MISS JEAN ELLEN CASTLE (DECEASED)

APPOINTMENT OF A NOMINEE OF THE COUNCIL TO TAKE A GRANT OF REPRESENTATION

At a meeting of the Care Services Portfolio Holder of the London Borough of Bromley held at the Civic Centre, Stockwell Close, Bromley, BR1 3UH on the 4th day of March 2015 IT WAS RESOLVED:

That James Francis Kilgallen, Senior Lawyer, Corporate Services, be and is hereby appointed nominee of the London Borough of Bromley for the purpose of taking out Letters of Administration (with will annexed) in the estate of Miss Jean Ellen Castle of Bromley Park Nursing Home, 75 Bromley Road, Beckenham, Kent (formerly of 7 Brandram House, Upper Elmers End Road, Beckenham) who died on the 11th day of February 2013 and of whom the said London Borough of Bromley is a creditor

I certify the above to be a true copy of the minute of the Resolution duly passed at the above mentioned meeting.

Signed:

Director of Corporate Services

Report No.
CS14125

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: EXECUTIVE

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Wednesday 4 March 2014

Decision Type: Non-Urgent Executive Key

Title: ALLOCATIONS SCHEME REVIEW

Contact Officer: Sara Bowrey, Assistant Director Housing Needs; Education, Care & Health Services
Tel: 020 8313 4013 E-mail: sara.bowrey@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

- 1.1 This report provides an update on the review of the allocations scheme in light of the current pressures faced in relation to homelessness and temporary accommodation.
- 1.2 It further sets out the outcomes of the formal consultation and presents the final revisions proposed for consideration and approval. Appendix 1 details the full changes being implemented, both statutory and local. Appendix 2 details the changes that have been consulted upon.

2. **RECOMMENDATION(S)**

- 2.1 The Care Services Policy, Development and Scrutiny Committee are asked to consider the content, to comment on and agree, subject to any amendments arising from these comments to recommend to Executive to agree the proposed revisions to the allocations scheme.
- 2.2 The Executive is asked to:
- a) Consider the recommendations from the PDS committee
 - b) Subject to any agreed amendments to approve the proposed revisions to the allocations scheme to be implemented with effect from July 2015, subject to delivery from the IT systems provider of the required system changes to enable full implementation.

Corporate Policy

1. Policy Status: Existing Policy The proposed revisions remain in line with the overall aims and objectives of the existing scheme which was approved and implemented in 2011.
 2. BBB Priority: Children and Young People Excellent Council Quality Environment Safer Bromley Supporting Independence
-

Financial

1. Cost of proposal: : IT system amendments have been contained within the existing Housing It systems maintenance budget for the current financial year.
 2. Ongoing costs: : N/A
 3. Budget head/performance centre: Housing Needs – Housing Register and Bromley Homeseekers
 4. Total current budget for this head: £4,576,710 approved controllable budget for operational housing.
 5. Source of funding: Education, Care & Health Services Approved 2014/15 Revenue Budget.
-

Staff

1. Number of staff (current and additional): 2.5 current
 2. If from existing staff resources, number of staff hours: Implementation contained within existing staffing resources
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): There are currently 3,074 households on the housing register who are deemed as having priority for rehousing in accordance with the current allocation scheme. The Council currently receives an average of 350 new applications to join the housing register each month. It is a combined register; managing both council nominations and social housing transfers. It includes the housing register for Affinity Sutton transfer applications from their stock within the London Borough of Bromley – 11,239 tenants.
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments Not Applicable
2. Summary of Ward Councillor's comments: Members comments have been sought as part of the formal consultation process.

3. COMMENTARY

Background

- 3.1 The way in which social (and affordable) rented accommodation is allocated is governed by legislation which includes certain rules around who qualifies for housing and prescribed categories of applicants who must be given reasonable preference within all allocations schemes and housing registers.
- 3.2 Bromley's current allocations scheme and housing register went live in December 2011.
- 3.3 The revised scheme included a number of statutory legislative updates, but primarily sought to address the rising number of applicants and the intense administrative burden of maintaining a large housing register. This included the administration of a sizeable number of applicants with insufficient priority to ever receive an offer of social rented housing.
- 3.4 At its peak in July 2011, there were almost 8,000 households on the housing register, around 14 times the number of properties becoming available for letting that year.
- 3.5 This meant that, for the majority of applicants, there was little realistic chance of securing accommodation through the housing register.
- 3.6 By raising the threshold for inclusion the new scheme aimed to better manage expectations and encourage applicants to pursue a variety of other housing options – allowing the scheme to focus on meeting statutory rehousing duties and assisting those in the highest housing need which could not reasonably be resolved through other means. This was supported through the provision of homelessness prevention, housing advice and options to guide and support households to resolve their housing difficulties.

Impact of the current scheme

- 3.7 Since the launch of the current allocations scheme in December 2011, 17,362 households have applied to be included on the housing register. Of these 6,014 (35%) have qualified for inclusion under the new scheme.
- 3.8 Overall the scheme launched in 2011 has achieved a significant reduction in the numbers on the housing register, enabling a clearer focus on those in greatest need and to whom the Council owes a statutory duty. This has also increased the focus on homelessness prevention with the aim of obviating the need for placement into temporary accommodation for homeless households wherever possible.

Current position

- 3.9 The current pressures faced in relation to homelessness and the use of temporary accommodation has been regularly reported.
- 3.10 When a household approaches every effort is made to resolve their housing problems and prevent homelessness. If homelessness cannot be prevented the housing options teams will undertake a formal assessment against a number of prescribed criteria to determine whether there is a statutory duty to rehouse a homeless household.
- 3.11 The duty to provide accommodation for accepted households may be discharged by providing a property in the private sector for any households who made a homeless application on or after the 9th November 2012, providing the accommodation meets the statutory order regarding suitability of a private rented offer. This details the suitability criteria including location, standards, affordability and length of tenancy. For those who applied before the 9th November

2012 the homelessness duty can only be discharged by providing a suitable offer of social housing, unless the applicant expressly accepts an offer of private rented accommodation.

- 3.12 The significant gap between the demand for affordable social and private sector housing and the available supply continues to increase in Bromley.
- 3.13 The demand for, and supply of housing that is affordable have both been severely impacted by the current housing market and welfare reform. This has resulted in increased difficulty in accessing private rented sector accommodation for lower income and benefit dependant households. It has also led to increased homelessness and use of costly forms of temporary accommodation to meet statutory duties.
- 3.14 Demand is mapped against expected future trends and supply levels. Overall this analysis shows a growing statutory demand for accommodation against a decreasing supply both through housing association lettings and access to affordable private rented sector accommodation, particularly in light of welfare reform and rising accommodation charges.
- 3.15 In addition the number of applications for inclusion on the housing register is currently averaging around 335 per month. This is expected to rise as demand continues to be exacerbated, not only by the current homelessness pressures but also the increasing number of tenants affected by welfare reform and in particular the removal of the spare room subsidy.
- 3.16 Without significant increase in the supply of affordable accommodation it is clear that this situation will continue to deteriorate, at least in the short to medium term further increasing the already significant use and cost of temporary accommodation provision
- 3.17 A number of actions are underway to increase supply and maximise the level of homeless prevention including use of payment in lieu monies, refurbishment of vacant Council owned properties and increased incentives to attract private landlords.
- 3.18 As part of this work a review of the current allocations scheme has also been undertaken, leading to a number of proposed revisions to address the current pressures and to ensure full use is being made of the increased flexibility to include local criteria as allowed under Localism.

Proposed Revisions and timescale for implementation

- 3.20 Following reports to Cabinet and PDS in October 2014, the proposed revisions were formerly consulted on with Stakeholders during December 2014.
- 3.21 The consultation generated 135 responses. Overall responses were supportive of the proposed revisions to the allocations scheme, with very few suggested amendments.
- 3.22 The key revisions proposed are listed below.
- Supporting members of the armed forces (veterans) to secure settled accommodation
 - Increasing the residency criteria for qualification onto the scheme to 5 years
 - Reducing the number of properties applicants can be shortlisted for at a time.
 - Reducing the number of properties applicants can turn down
 - Access to general needs accommodation restricted to those registered for older person's accommodation only.
 - Increasing the flexibility to make direct offers.

- Removal of households with a low priority in respect of overcrowding.

- 3.23 These revisions are designed to provide additional control measures and flexibility within the scheme to manage high cost temporary accommodation placements. They are also designed to effectively manage expectations in terms of other housing options, discharge into the private rented sector, wherever possible including out of borough placements if appropriate, and ensuring best use is made of the limited social stock available to meet local pressures and priorities. Appendix 1 of this report sets a summary of the final proposed revisions in light of the consultation responses Appendix 2 of this report details the consultation feedback.
- 3.24 It is proposed that the revision in respect of overcrowding will be applied immediately and will affect approximately 860 applicants, all of whom will have the right to appeal the decision to remove them from the housing register. All other revisions will be applied to all new applications and those upon change of circumstances. This reflects the most cost effective and speedy process for implementation.
- 3.25 If approved, the allocation scheme document will be formally updated to reflect the revisions and implemented from the 1st of July 2015. This will allow time for the IT system changes to be made and for publication of the updated scheme.
- 3.26 It must be noted that the launch date will be dependent upon final sign off of the IT providers system updates.
- 3.27 It is proposed that the portfolio holder is kept advised of the progress in order to approve the final launch date once the IT changes have been tested and signed off.
- 3.28 In line with the duties contained in the Equalities Act 2010, the equalities impact assessment (EIA) of the allocation scheme has been updated during the consultation process to enable any necessary remedial action identified to be incorporated into the final scheme. The EIA will be published alongside the final scheme document.

Implementation Plan

Date	Action
March 2015	Member approval sought
April 2015	Implement changes to IT Update allocation scheme and supporting documents
May 2015	Publish scheme changes and notify affected clients.
June 2015	Final testing of IT Final sign off Close Housing Register
July 2015	Re-Open Housing Register: Go live

4. POLICY IMPLICATIONS

- 4.1 The purpose of the scheme review is to ensure that the scheme operated by the London Borough of Bromley and its partner housing associations is fit for purpose, meeting all statutory

requirements and reflecting local priorities and pressures in order to make best use of all available stock to meet housing need.

4.2 The above revisions fall within the existing scheme principles and statutory requirements in relation to homelessness and housing allocations.

5. FINANCIAL IMPLICATIONS

5.1 None arising from this report. The cost of IT system updates are contained within the current approved budget.

6. LEGAL IMPLICATIONS

6.1 The Council has a number of statutory obligations in relation to housing allocations. These include having a published criteria and policy which meets the requirements of the legislative framework and complies with current guidance and case law. The policy must detail both the priorities and procedures for operation of the scheme. All proposed changes are considered and approved by Legal Services to ensure compliance with the statutory framework.

6.2 There is also a statutory obligation to consult with RSLs, service users and partners.

6.3 All proposals within this report comply with the Council's statutory duties in relation to homelessness.

Non-Applicable Sections:	Personnel implications
Background Documents: (Access via Contact Officer)	Part VI of the Housing Act 1996 Homelessness Act 2002 Bromley Allocation Scheme (last updated 2011) Allocation of Accommodation Code of Guidance for Local Authorities Allocation of Accommodation; Providing Social Housing for Local People, 2013. Allocation of Accommodation: Choice Based Lettings, Code of Guidance for Local Authorities, 2008 Housing Allocations – Members of the Armed Forces (circular 04/2009), 2009 Fair and Flexible: Statutory Guidance on Social Housing Allocations for Local Authorities in England, 2009 Suitability Order The London Borough of Bromley Homeless Strategy (2012-17)

Area of Scheme	Current Criteria	Proposed Revision and Impact
Members of the Armed Forces	Assessed as all general needs clients with no additional preference.	Statutory requirement to support Members of the armed forces to secure sustainable housing solutions: Additional preference given to the category of persons set out in the Housing Act 1996 (Additional Preference for Armed Forces) (England) Regulations 2012 (SI 2012/2989) if they fall within one or more of the statutory reasonable preference categories and are in urgent housing need.
Local Connection	Currently resident and resident for 6 out of the last 12 months or 3 out of the last 5 years.	Currently resident and resident for a minimum of 5 years* ; Mirrors highest residency criteria applied in the South East sub-region. Disincentives homeless approaches in favour of homeless prevention and alternative housing solutions. <i>*Exceptions and flexibility to meet LBB statutory duties and comply with statutory regulations as required will be included.</i>
Immigration	Confirmed with the regulations in place at the point of publication.	Statutory requirement to set out qualifying applicants: Amend the criteria to reflect the changes brought about by the amendment to the Allocation of Housing and Homelessness (Eligibility) Regulations 2006
Housing Association Under-Occupation	Tenants under occupying by 2 or more bedrooms in 4+ bed accommodation/moving into older persons accommodation are placed into the Emergency Band. Those in 2 or 3 bedroom accommodation are placed into Band 1.	All under-occupiers to be placed into Band 1 as standard with ability to escalate in exceptional circumstances. This will allow improved flexibility to make best use of available stock and prioritise moves to free up accommodation most required to meet statutory needs.
Older Persons Accommodation	Those aged 55 and over can be included on the Housing Register (where no other housing need exists) if they wish to move from general needs housing into older persons accommodation. However they are then able to bid for older persons and general needs accommodation.	Restrict bidding to older persons accommodation only: Applicants who are only included on the Housing Register as a result of requesting this type of accommodation cannot bid for general needs housing (unless by way of exception).
Number of Bids	Applicants are able to turn down up to two offers but are expected to accept the third.	Restrict bidding so that applicants can only reasonably refuse one property: Must accept second property. Assist in prioritising through flow to accommodation and managing expectations
Direct Offers	Currently used for non-bidders, to discharge a homeless duty, to facilitate a decant and where a very specific type of property is required by a household. Only social housing offered.	Increase direct offers including emergency moves, transfers, financial loss to the Council; one direct offer to end duty as opposed to multiple. Can use social or private sector accommodation if appropriate. Improved through flow and flexibility to best manage accommodation resources and in particular addressing highest cost placements.
Shortlisting	Applicants can be shortlisted for multiple properties.	Those shortlisted in position 1 will not be shortlisted for any other properties until that bid is resolved. Better managing expectations and minimising shortlisting timescales
Reasonable Preference	Homeless Applicants to whom a full duty is not owed must be given a level of reasonable preference within an allocations scheme. 'non-priority' need and intentionally homeless households are placed in Band 3.	Non priority homeless to remain in Band 3. Intentionally homeless applicants to be placed into Band 4 and sign posted to alternative housing options. Better manages expectations and prioritisation on the register to more accurately reflect the relative changes of nominations due to limited supply.

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Appendix 2: Summary - Allocation Scheme Consultation Review

Proposal	Supported	Not Supported	Proceed	Apply Retrospectively	Comments
Increase residency requirement to five years:	56%	44%	Yes	No	It is expected this will decrease the number of qualifying applicants whilst ensuring preference is given to longstanding Bromley residents with a high need for housing. It also mirrors the highest residency requirements of adjoining local authorities.
Reduce priority for under occupiers (from Band E to Band 1)	81%	19%	Yes	Yes Approximate number affected: 30 households	It is expected to decrease the numbers in the emergency band, maximising flexibility to assist those with an emergency need to move.
Remove from the register those lacking one bedroom (who <u>are not</u> tenants of partner housing associations):	51%	49%	Yes	Yes Approximate number affected: 860 households	These households wait many years to secure accommodation via the register. There are approximately 860 (non HA partner) households currently included on the register who are lacking one bedroom. Of that less than 20 have secured a move to social housing this financial year.
Retain on the Housing Register those lacking one bedroom (who <u>are</u> tenants of partner Housing Associations)	74%	26%	Yes	N/A	Allowing moves within social housing stock makes best use of the units and increases opportunities for new applicants via the housing register.
Remove from the Register those who are intentionally homeless or homeless but not in priority need.	73%	27%	No	Yes – see comments	Since the consultation was embarked upon new case law has come into effect preventing local authorities from removing, in entirety, those who must be awarded a reasonable preference i.e. all homeless households. We therefore propose to allow homeless households who are not in priority need to remain in Band 3. Applicants who are assessed as being intentionally homeless will be placed in Band 4 (reduced priority band).
Reduce the number of properties an applicant can be shortlisted for (if in 1 st place) to one.	73%	27%	Yes	No	It is expected that this will reduce administration and speed up the lettings process.
Reduce the number of properties an applicant can refuse from two to one.	36%	64%	Yes	No	Given the scarcity of accommodation choice is limited. It is expected that limited the number of refusals will increase move on time and reduce administration. In light of the comments made we propose amending existing practices in order to better support applicants to bid and make informed bidding choices.
Increase flexibility regarding direct offers	89%	11%	Yes	N/A	It is expected that this will allow greater control of nominations and allow best use of stock.

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Report No.
CS14128

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 4 March 2015

Decision Type: Non-Urgent Executive Non-Key

Title: CHILDREN IN CARE PLEDGE

Contact Officer: Kay Weiss, Assistant Director Safeguarding and Social Care
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Melissa Bob-Amara, Active Involvement Officer
E-mail: Melissa.bob-amara@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

- 1.1 To set out the developments of the Bromley Pledge to Children and Young People in Care and Care Leavers.

2. **RECOMMENDATION(S)**

2.2 Members of the PDS committee are requested to:

- I. note the contents and comment upon the latest version of the Bromley Pledge to Children and Young People in Care; and,
- II. recommend that the Portfolio Holder endorses the Pledge.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: No Cost:
 2. Ongoing costs: Not Applicable:
 3. Budget head/performance centre: N/A
 4. Total current budget for this head: £N/A
 5. Source of funding: N/A
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable:
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): c280 LAC and
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? Yes No Not Applicable
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The 2008 White Paper "Care Matters: Time to Deliver for Children in Care" required that every local authority set out a Pledge to children and young people in its care. Although not progressed to primary legislation, the statutory guidance which supports the Care Planning, Placement and Case Review Regulations 2010 references the White Paper and as such there is an expectation that a local authority will comply with the guidance unless they can demonstrate a good reason so not to do.
- 3.2 At its meeting on 28 November 2008, the Corporate Parenting Executive Sub Group considered and endorsed the Pan London Pledge for Children and Young People in Care and agreed to adopt a Bromley version of the pledge to meet the needs of local children in care
- 3.3 The key tasks to achieve this were to:
- Develop a 'Pledge' which covers the range of support, care, parenting and services that children in care can expect; and moving forward to; and,
 - Ensure the 'Pledge' is monitored and updated and that the views of Children and Young People continue to influence decisions about their care.
- 3.4 At the meeting of 7 December 2010, the Executive Working Party for Children's Safeguarding and Corporate Parenting considered an early draft of the Bromley Pledge and agreed it would be further developed through consultation with of the Children in Care Council (now LinCC) and members of the Executive Working Party.
- 3.5 At the meeting of the 12th July 2011, the Executive Working Party for Children's Safeguarding and Corporate Parenting endorsed the current version of the Bromley Pledge following consultation with young people
- 3.6 In August 2011 LinCC and other children in care made an animation film of the Bromley Pledge and helped to design a booklet with the full list of entitlements to be distributed to all children in care, care leavers and those new to care.
- 3.7 A full copy of the pledge and a copy of the animation film was distributed to all Councillors. In addition it was shown to staff at the staff forum on the 12 September 2011, and at the Looked After Children's Celebration of Achievement event later during the year. A copy of the Pledge DVD was sent to all looked after children and the DVD is included in the information packs given to newly looked after young people.
- 3.8 In April 2014, The Director of Education, Care and Health Services asked the members of LinCC to review and make recommendations to update and 'refresh' the pledge.
- 3.9 In April and May 2014, LinCC redrafted the Bromley Pledge, and made changes that they thought created a pledge that was realistic and deliverable. These changes were discussed with senior officers and, where appropriate, amended to reflect the comments made.
- 3.10 On the 23 September the Pledge was considered by the Education, Care and Health Services Portfolio Holder where some further minor changes were suggested and it was agreed that the Pledge would be presented to Members of the ECHS PDS committee for endorsement.
- 3.11 On the 25 September LinCC met with the Lead Member to apprise him of the work undertaken to refresh the Pledge.

- 3.12 The Pledge (and guiding principles used to help with the development of the pledge) are attached as appendix one.
- 3.13 It is proposed that once the Pledge has been approved it will be published on the LinCC website with a link provided to children and young people, Members, Officers and partner agencies. It is further proposed that the implementation and application of the Pledge will be monitored through the Corporate Parenting Officer group with an annual report being presented to the Executive Working Party for Safeguarding and Corporate Parenting.

Non-Applicable Sections:	Policy implications Financial implications Legal implications Personnel implications
Background Documents: (Access via Contact Officer)	

BROMLEY PLEDGE FOR CHILDREN AND YOUNG PEOPLE IN CARE

The Pledge is a set of promises made by London Borough of Bromley and the Bromley Children and Young People Partnership Board to all Bromley children in care and care leavers.

All adults who work for and with the Council have a responsibility to make sure that you are safe, healthy and achieving your goals. This pledge spells out how we promise to help. We promise to help you to do your best. We are committed to involving you in any decisions that affect your life, asking you what you think, listening to you and taking your views into account. This is part of the local authority's commitment to making sure that all children are valued in every aspect of their life and in the life of their community.

UNDERLYING PRINCIPLES

1. We will only promise you things that we know we can do and we will make sure that you know who is responsible for delivering these promises. If these promises are broken the Director of Education, Care and Health Services, the Portfolio Holder for Care Services and the Living in Care Council would like to know, so they can investigate it.
2. We aim to be good as parents and will care for you as an individual person. We will therefore do the following:
 - Provide you somewhere safe and caring to live
 - Mark your birthdays
 - Help you to celebrate your religious festivals
 - Make sure you receive a copy of your school photo and reports
3. We will consider of your needs, especially those relating to disability, race, culture, religion and sexuality.

We will consider anything that is leading to you being treated unfairly and will give you support to overcome it, including anyone treating you unfairly because you are in care.
4. We will always involve you in the decisions are made for you, at a level that is right for your understanding. We will respect your right to make choices about your life. Our first priority will always be to make sure you are safe and happy.
5. We will ensure that you have an allocated worker that best suits your needs and that you will have the opportunity to talk to your worker alone every time he/she visits you.
6. We want you to be healthy, safe, have fun and gain achievements for yourself. We want you to have stability in your life, to make a positive

contribution to your community and to leave care able to make your way successfully in life. We will support you to achieve all this.

7. We will have expectations of you as well and we will make these clear to you through your LAC Reviews, Personal Education Plan meetings and during your Pathway planning.
 8. We will ensure that you receive your full set of rights, as set out in relevant law and guidance and the UN Convention on the Rights of the Child.
-

THE PLEDGE

As your corporate parents:

Staying Safe

1. If you ask us we will provide you with an independent person to talk to if you are worried and do not want to talk to your carer or social worker.
2. We will involve you in choosing the staff working with or for children and young people and the training of new social workers and foster carers.
3. You will be given an input in the choice of your foster carer where that is possible and in planned moves we will make sure that you get good information about new carers and a proper introduction to them.
4. If you get into trouble with the police and are arrested we will make sure that the most suitable person comes along to support you, preferably someone you know wherever this is possible.
5. We will do our best to reduce the number of changes of social workers you have while you are in care and make sure you are provided with the reasons why if this needs to happen.

Being Healthy

6. To ensure that looked after children in and out of Bromley have the best chance of being healthy we will provide the following:
 - Access to a Looked After Children's nurse
 - Access to the Child and Adolescent Mental Health services and counselling services
 - Access to a healthy varied diet
 - Support to attend all medical appointments
 - Providing parents and carers with information and support

- Ensuring that you have all of your vaccinations, dental and other health checks
 - Relevant sexual health information
7. If you are looked after and a teenage parent we will provide you with access to parenting classes to support you to build your parenting skills.

Enjoy and Achieve

8. We will work with all education providers to ensure that you are supported in your education. We will support you to achieve your full academic potential by providing you with personal education plan meetings (PEPs).
9. We will along with your PEP provide you with educational materials which will help you to succeed in your education. This will include:
- Access to a computer from year 9 until you finish your education
 - Books
 - Stationary
 - Revision guides
10. Tuition will be provided if the need is identified by your personal education plan.
11. We will support you financially to participate in extra curriculum activities through the following ways:
- Foster carers allowance
 - Personal Education Allowance
 - Pupil Premium
12. We will make a financial contribution to your studies whilst at university or when training towards a specific career.
13. Bromley Youth Support Programme will provide opportunities to looked after children in and out of borough to attend events.
14. We will offer financial support to access good quality leisure activities where ever you live.

Make a positive contribution

15. We will ask for your views about all services we provide you, via these ways:
- Bromley's Living in Care Council

- Support to attend the All Party Parliamentary Group for Looked After Children and Care Leavers
 - Giving you the opportunity to nominate for the Foster Carer awards
 - Asking care leavers for their views of their care experience
16. We will promote and support the Living in Care Council with an annual budget so that they can actively engage with you the care population.
17. We will help you to celebrate and promote achievements by providing you with an annual celebration of achievement awards.
18. As well as your social worker we will make sure that there is another way to tell us if you are unhappy or have a complaint. We will do this by providing you access to:
- An advocate
 - The Living in Care Council
 - An Independent Visitor
 - A complaints form
19. We will work with others to provide you with information about volunteering and access to opportunities to help others. The opportunities will be on www.linkinbromley.co.uk

Economic Wellbeing

20. We will work with your parents or carers to ensure that you have a passport or know why you don't have one or have access to it.
21. We will explore options for opening bank accounts for all children in care and will discuss with you how your pocket money is managed. Your social worker will be provided with an annual statement from your carers to share with you.
22. Where needed, we will support you to learn to drive where this will help you get into training and the right job.
23. Once you enter the Leaving Care Team we will work with you to help you become an independent adult. Before you leave care we will make sure that you have a good understanding of your:
- Accommodation needs
 - Support network
 - Managing your finances
 - Paying bills
 - Housework and cooking
24. We will ensure that when you leave school you have been given an offer of education, employment or training.

25. As your corporate parents we will provide work experience opportunities and apprenticeship.
26. We will support you to stay put with your foster carers until the age of 21, if this is what you and your foster carers want and the arrangement means that you have a better chance of succeeding.

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Report No.
CS14129

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Wednesday 4 March 2015

Decision Type: Non-Urgent Executive Non-Key

Title: SUPPORTING LOOKED AFTER CHILDREN IN UNIVERSITY AND HIGHER EDUCATION

Contact Officer: Kay Weiss, Assistant Director Safeguarding and Social Care
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Ian Leadbetter, Head of Social Care, Care and Resources
E-mail: ian.leadbetter@bromley.gov.uk

Chief Officer: Executive Director of Education, Care & Health Services

Ward: (All Wards);

1. Reason for report

This report highlights the support that the Council, as Corporate Parents, provides to care leavers to enable them to access higher education within the statutory framework for support to all former relevant children.

2. **RECOMMENDATION(S)**

Members of the PDS committee are asked to:

Note the content and comment upon the report.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Children and Young People:
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: £97,580 University Support Grants & £12,300 Bursary Payments
 3. Budget head/performance centre: 807110
 4. Total current budget for this head: £2.7m
 5. Source of funding: Revenue Support Grant
-

Staff

1. Number of staff (current and additional): N/A
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory Requirement:
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Approximately 16 per annum
-

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No
2. Summary of Ward Councillors comments:

3. COMMENTARY

3.1 The London Borough of Bromley as 'Corporate parents' have high aspirations for our looked after young people to ensure that they can enter adulthood as secure, productive and economically independent members of society. We want to support their own aspirations and goals and our vision as corporate parents includes

'We want (them) to achieve their potential.... This includes making the transition to adulthood with continuity of support, access to good jobs and higher education, while living in good housing and being financially secure'

3.2 It is clear that without further financial support from the local authority, many young people would be excluded from accessing higher education, as the weekly combined loan and grant provision would be insufficient to meet the day to day accommodation and living expenses. As well as being at odds with our clear aspirations for our looked after and former looked after children that they are successful in education and are supported to make progress and equipped with the life tools to make appropriate choices to progress through education and into employment, we would also be in breach of our statutory duties if we do not provide sufficient support.

3.3 Research evidence shows that children who do well in education, and in particular those that go onto to further and higher education, are more likely to become successful adults, reducing the demand on the public purse, and promoting independence.

3.4 In any given year, the local authority supports around 16 former relevant young people (care leavers over the age of 18) to pursue higher education, normally through an accredited university course. Details of those supported in the present year, and their courses is given at appendix 1.

3.5 Sections 23C and 24B of the Children Act 1989 (as amended) set out clearly who former relevant young people are and the support to be provided. The local authority must:

- Keep in touch with the young person
- Keep the young person's Pathway Plan under regular review (at least every 6 months)
- Continue to provide the young person with a Personal Adviser to offer advice and support
- Provide financial assistance to help with employment, training or education expenses
- Pay a higher education bursary if the young person is at University

3.6 Whilst the Children Act places a duty on the local authority to provide financial assistance it is for the local authority to determine the level of support to be provide, except for the bursary whereby The Children Act 1989 (Higher Education Bursary) (England) Regulations 2009 require that all Former Relevant care leavers attending university are to be provided with a higher education bursary to the value of £2000 over the life of the course they are attending.

3.7 The legislation is specific insomuch that it states:

'The £2,000 bursary is a minimum amount which is over and above any money and support that young people are entitled to under Section 23C(4) of the 1989 Children Act, or which local authorities already provide for care leavers who pursue a course of higher education. It must not be in place of existing support.'

Bromley pays the minimum amount of £2000, in three equal payments of £666.66 yearly for three years.

- 3.8 Bromley's financial assistance is based on the assumption that all London Borough of Bromley looked after children students have applied for all available grants and loans. Students must apply for a Tuition Fees Loan which pays for their course fees which they repay once they are in employment and earning more than £21,00 per year. This money goes directly to the university. At the same time a young person will apply for a Maintenance Grant, which is not repayable, and is paid directly to the student. Students can also apply for a Student Maintenance Loan which is repayable at the end of the course, in the same way as the repayment arrangements for the course fees. Repayment is based on earning and not level of debt.
- 3.9 In addition, to the grant and loan available from the student loan organisation Bromley also support our young people in higher education with a grant of £6,000 per annum.
- 3.10 The amount available to our former relevant young people in higher education is:

	Student Loan/Grant	Bursary	Bromley Local Grant	Total	Weekly amount
London University	£9,703	£666	£6,000	£16,369	£314.78
Outside of London University	£7,434	£666	£6,000	£14,100	£271.15

- 3.11 Whilst these amounts may appear generous, it should be borne in mind that, as a minimum, accommodation in halls for first year students averages £450 per month (£5,400 pa). Private rented accommodation ranges from £500 - £650 for basic one bed or shared two bedroom accommodation (£6,000 – £7,800 per annum).
- 3.12 Former relevant young people, unlike the majority of students have to ensure that their grant can support them for 52 weeks of the year as opposed to the normal of 40 weeks for young people who return to their families for the holiday periods. In addition, it is often the case that they do not have families to fall back on who will offer additional financial support and they are totally reliant of the grant and local financial support packages on offer to meet all of their needs.
- 3.13 In addition to the financial support offered above, students also receive a 'one off' grant to a maximum of £700 to enable them to purchase a computer, printer etc. Young people are expected to make use of the extensive library and on-line services available at University. Specific books and journals should be purchased using the maintenance grants, loans and bursary as above.
- 3.15 A survey undertaken by the National Leaving Care Benchmarking Forum (nlcbf) in 2012 identified that the average amount paid by local authorities by way of financial support was £6,000 per annum, with London authorities more likely to pay in excess of this. Bromley's current package is, therefore, broadly in line with other local authorities.
- 3.16 Finally, it should be noted that within the Children & Young Person's Act 2008 the duty to support care leavers wishing to return to education or training was extended from 21 up to a person's 25th birthday. As such former relevant young people may approach the local authority for financial assistance to support access to education and training, including higher education, at any point before their 25th birthday irrespective of whether they have attended any form of education post 18.

4. FINANCIAL IMPLICATIONS

University support grants £97,500 and Bursary payments £12,300 per annum

5. LEGAL IMPLICATIONS

Sections 23C and 24B, of the Children Act 1989, as amended, provides that the local authority shall have a duty in respect of support for former relevant children in particular S24B in relation to financial support for former relevant children to have the costs associated with education and training met.

Non-Applicable Sections:	Policy implications Personnel implications
Background Documents: (Access via Contact Officer)	N/A

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University Students 14/15			
M/F	Course	University	Year
F	BA Honours Degree in Fashion	De Montfort Leicester	3
M	BSc Honours - Biomedical Science	Kingston University	3
F	BA Honours Sociology and English Literature	College of West Anglia (Anglia Ruskin University)	2
M	Foundation Degree in Software Development	Bromley College/ Greenwich University	1
F	BA Hons English Language and Linguistics with History	University of Kent/University of Greenwich	4
F	PGCE	University of Greenwich	1
F	BA Honours Criminology and Psychology	Portsmouth University	3
M	BEng Honours Electrical and Electronic Engineering	London South Bank University	1
F	BA Honours Sociology	London South Bank University	1
M	BA Honours Film and English	University of Southampton	3
F	BA Honours LLB Law	University of Hertfordshire	1
M	Bsc Computer Science	Goldsmiths University	4
F	BA Honours English and Creative Writing	St Mary's University Twickenham.	1
F	BA Honours Law	Coventry University College	1
M	BSc Honours Learning Disabilities Nursing	University of West London	1
M	Diploma in Education and Training with PGCE	Canterbury Christchurch University	1

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