



THE LONDON BOROUGH
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DATE: 4 January 2016

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

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

Linda Gabriel, Healthwatch Bromley
Justine Godbeer, Bromley Experts by Experience
Tia Lovick, Living in Care Council
Rosalind Luff, Carers Forum

A meeting of the Care Services Policy Development and Scrutiny Committee will be held at Bromley Civic Centre on **TUESDAY 12 JANUARY 2016 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 FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

In accordance with the Council's Constitution, questions to the Care Services Portfolio Holder or to the Chairman of 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 Wednesday 6th January 2016.

4 MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 17 NOVEMBER 2015 (Pages 5 - 12)

5 MATTERS ARISING AND WORK PROGRAMME (Pages 13 - 18)

HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

6 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 CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16 (Pages 19 - 26)

b UPDATED TEMPORARY ACCOMMODATION PROCUREMENT STRATEGY AND PLACEMENT POLICY (Pages 27 - 50)

c DOMICILIARY CARE CALL TRACKER CONTRACT (Pages 51 - 54)

d CHANGES TO NON RESIDENTIAL CHARGING POLICY AND ADDITIONAL INCOME GENERATION (Pages 55 - 66)

e QUALITY MONITORING (Pages 67 - 92)

- Care Homes
- Domiciliary Care Services
- Children's Social Care Services

7 PRE-DECISION SCRUTINY OF REPORTS TO THE COUNCIL'S EXECUTIVE

a GATEWAY REPORT - TEMPORARY ACCOMMODATION (Pages 93 - 110)

POLICY DEVELOPMENT AND OTHER ITEMS

8 DRAFT 2016/17 BUDGET (Pages 111 - 128)

9 UPDATED DEBT REPORT (Pages 129 - 140)

10 EDUCATION OUTCOMES FOR LBB CHILDREN IN CARE (Pages 141 - 162)

11 EXTRA CARE HOUSING UPDATE (Pages 163 - 170)

12 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

The briefing comprises:

- Portfolio Plan Mid-Year Update 2015/16
- Contract Monitoring Activity 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 (PART 2) MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 17 NOVEMBER 2015 (Pages 171 - 172)

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 (EXEMPT) CARE SERVICES PORTFOLIO REPORTS

16 SOCIAL CARE ELECTRONIC INFORMATION UPDATE (Pages 173 - 178)

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

17 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) REPORTS TO THE COUNCIL'S EXECUTIVE

a GATEWAY REPORT - TEMPORARY ACCOMMODATION PART 2 (EXEMPT) INFORMATION (Pages 179 - 182)

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 7.00 pm on 17 November 2015

Present:

Councillor Judi Ellis (Chairman)
Councillors Ruth Bennett, Kevin Brooks, Mary Cooke,
Hannah Gray and Stephen Wells
Linda Gabriel, Justine Godbeer and Rosalind Luff

Also Present:

Councillor Robert Evans and Councillor Diane Smith

39 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies were received from Councillors David Jefferys and Pauline Tunnicliffe.

40 DECLARATIONS OF INTEREST

There were no declarations of interest.

41 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING

Two questions had been received from Bill Miller and these are attached at Appendix A.

42 MINUTES OF THE MEETING OF CARE SERVICES PDS COMMITTEE HELD ON 23RD SEPTEMBER 2015

RESOLVED that the minutes of the meeting held on 23rd September 2015 be agreed.

43 MATTERS ARISING AND WORK PROGRAMME Report CSD15128

The Committee reviewed its work programme for 2015/16, the programme of visits and matters arising from previous meetings. The following matters arising from the meeting on 23rd September 2015 were noted –

Minute 30 A: Procurement Strategy for the Provision of Care Services in Extra Care Housing: The Chairman queried whether the number of voids in Extra Care Housing had risen.

Minute 30 C: Public Health Commissioning Intentions: further useful information about the face to face visits by health visitors had been circulated.

Minute 34: Annual ECHS Debt Status Report: The figures would be broken down to show debt that was more than three months old – a further report would be made to the next meeting. Some changes in procedures had been made as a result of the Committee's discussions.

The Chairman requested a report on evaluation of step-down beds at Orpington Hospital for the next meeting of the Health Scrutiny Sub-Committee.

44 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS

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

A) BUDGET MONITORING 2015/16 Report CS15937

The report provided the budget monitoring position for 2015/16 based on activity up to the end of August 2015.

The following matters were discussed and noted -

- It was noted that, in section 3.8 of the report, the savings in staffing, short breaks and direct payments made in the Children's Disability Service were due to a reduction in demand for these services. Members queried whether this might in turn be because the provider was not offering the services that people wanted.
- The Carelink overspend was due to staffing savings being implemented late.
- The Independent Living Fund had now closed, with responsibility passing from central government to the local authority.
- The Council faced enormous financial pressures in the next few years, and proposals for making major savings were needed.
- A Member commented that, despite the current underspends, there was a need to invest more in mental health services. It was accepted that this was an issue for the Health and Wellbeing Board to consider, and this had been recognised in the Joint Strategic Needs Assessment (JSNA.) Members who would be participating in the Joint Health Scrutiny Committee looking at the Our Healthier South East London programme had flagged that mental health services should be integrated into the project, and Public Health was increasing its efforts to reach out via the schools.

- A Member asked for information about the contract waiver for £353k in appendix 1B of the report. (Note: It was subsequently confirmed that this was a one year contract for Supporting People – Tenancy Sustainment Service, awarded to Hestia Housing and Support. This had been reported to the Committee on 23rd June 2015.)
- Linda Gabriel reported that Healthwatch were doing some work on assessments in Extra Care Housing – her concern was that these appeared not to be updated between annual reviews. Officers confirmed that assessments could be requested at any time, and providers could adjust their services within certain tolerances to meet their clients' needs. The Chairman was concerned at the level of voids in Extra Care Housing and suggested that age limits could be reduced so that the accommodation could be made available to younger people. A report was requested addressing these issues.
- It was noted that there was now an underspend on No Recourse to Public Funds, but this area remained volatile and the Committee would continue to monitor demand.

RESOLVED that

(1) The following matters be noted -

- (i) the latest projected underspend of £1,623,000 forecast on the controllable budget, based on information as at August 2015;**
- (ii) the full year effect for 2016/17 of a credit of £1,949,000 as set out in section 4 of the report;**
- (iii) the carry forward release requests as detailed in section 5 of the report;**
- (iv) the comments of the Department in section 8 of this report;**

(2) The Portfolio Holder for Care Services be asked to refer the funding release requests in section 5 of the report in contingency to the Executive for approval.

B) GATEWAY REPORT ON TENDERING FOR DIRECT PAYMENT SUPPORT SERVICES

Report CS15939

The current contract for Direct Payment Support expired on 31st July 2016 and it was therefore proposed to retender the contract.

A co-opted Member asked whether support for completing the monitoring forms was included in the contract – this would be confirmed. It was also confirmed that although people could appoint PA's from outside the borough there was no additional funding for transport costs for PA's travelling a long distance. XbyX had received one-off funding which was being used to draw up fact-sheets to help people considering Direct Payments. If people had

difficulties with Direct Payments their first recourse was usually to discuss the issue with their Care Manager, and then with Vibrance, the current contractor.

A Member asked about how client satisfaction was measured through the KPI's for the contract and whether complaints were monitored – it was confirmed that the provider was expected to provide client survey results.

RESOLVED that the Portfolio Holder for Care Services be recommended to approve the commissioning and procurement approach as set out in paragraphs 11.1 to 11.3 of the report and the extension of the contract as set out in paragraph 8.2 of the report.

45 PRE-DECISION SCRUTINY OF REPORTS TO THE EXECUTIVE

The Committee scrutinised the following reports to the Council's Executive.

A) DRAWDOWN ON THE HOMELESS CONTINGENCY NEEDS GRANT Report CS15938

The Committee received an update on homelessness pressures during 2015 and the range of initiatives being undertaken to try and reduce the rising budget pressures wherever possible. It was proposed that the Executive would be requested to approve drawdown of the £649k held in central contingency for homelessness and welfare reform pressures.

A Member commented that modelling the expected levels of homelessness was very difficult, and increasing need was leading to budget pressures year after year.

Officers were working hard to ensure that people were supported at an early stage, and made aware of the potential impact of welfare reform and the services available. This included working with other agencies such as GPs. The Council was also working with private landlords to reach those in private rented accommodation.

A risk assessment was carried out for each placement and those with high needs and requirements for local support and local schools were given priority. Responding to a query about how the Council ensured that properties were to the required standard, it was confirmed that although there was not the capacity to check each individual property the standards expected were made clear to landlords, sample inspections were carried out and officers worked across London to identify unscrupulous landlords. It was suggested that a summary of the standards should be circulated to Members.

RESOLVED that the content of the report be noted and the Executive be recommended to release £649k of the contingency set aside to offset the current temporary accommodation budget pressures being experienced.

B) LD SUPPORTED LIVING GATEWAY REVIEW

Report CS15942

Two Learning Disability (LD) supported living schemes with contracts were due to co-terminate on 27 November 2016. The schemes collectively accommodated 11 people with significant learning and physical disabilities combined with complex health needs, and incurred combined expenditure of £1,165,742pa.

The co-termination of the schemes provided an opportunity for them to be grouped together for tendering, which was an approach from which the Council had achieved the following benefits:

- Lower bids resulting from economies of scale
- More efficient use of resources
- Tenders that were more attractive for providers
- Specialist expertise shared across schemes

The schemes were also located in close proximity to each other and it made sense operationally for the schemes to be tendered as a single lot. It was confirmed that staff would be located at the two schemes, rather than just carrying out visits.

With a proposed 5 year term, the value of the contract was expected to be approximately £5M - £6M and therefore required Executive approval to enable the procurement process to commence in accordance with the Council's financial and contractual requirements.

RESOLVED that the contents of the report be noted and the Executive be recommended to -

- (i) **Agree to grouping the schemes for tendering in order to drive the best possible quality/pricing; and,**
- (ii) **Approve the commencement of the procurement procedure to enable award in accordance with the Council's financial and contractual requirements.**

C) UPDATE ON TACKLING TROUBLED FAMILIES PROJECT - UPDATE ON OUTCOMES AND GRANT DRAWDOWN

Report CS15940

The report set out expenditure on the Tackling Troubled Families Programme being delivered in Bromley and requested agreement from the Executive to draw down additional grant funding from central contingency. The scheme was not a statutory requirement, but all local authorities were involved. Payment depended on certain outcomes being delivered, and there was a heavy burden of data returns to central government.

The scheme had achieved huge benefits for some families, and turned around attitudes to issues such as school attendance. However, the money available for Phase 2 had been reduced and the Council would have to work with more families. More data was available than was included in the report, and Members sought further information on the numbers of families who had not met the outcomes from phase 1 of the programme and fallen out of the scheme.

The Chairman noted that Bromley's model for Tackling Troubled Families using Children's Centres was now being copied elsewhere, and asked that the Committee's appreciation of a well-run project be passed to Rachel Dunley, Head of Early Interventions and Family Support.

RESOLVED that the contents of the report be noted and the Executive be recommended to approve the drawdown from contingency of £661k for Tackling Troubled Families.

46 CAPITAL WORKS POST-COMPLETION REPORT
Report CS15943

Under the approved capital programme procedure, capital schemes were required to be subject to a post-completion review. The report provided Members with a post works completion evaluation for Bellegrove in terms of the refurbishment work and operational performance for Bellegrove as temporary accommodation provision for homeless households.

The Care Services Portfolio Holder commented that the scheme was a resounding success and the financial model had produced the savings anticipated. He accepted that the accommodation was not to luxury standards and that some residents were dissatisfied, but it did provide much needed local temporary accommodation to meet statutory housing needs. Officers confirmed that no formal complaints had been received, and where concerns had been reported these had been investigated.

RESOLVED that the contents of the report be noted.

47 OUR HEALTHIER SOUTH EAST LONDON - JOINT HEALTH SCRUTINY COMMITTEE
Report CSD15127

The six clinical Commissioning Groups in South East London, working with NHS England, had been working together to address key challenges facing healthcare across the six boroughs. The programme was known as "Our Healthier South East London" (OHSEL). The NHS organisations had indicated that the proposals arising from their work were likely to require public consultation, and had asked the six boroughs to establish a joint health scrutiny committee to scrutinise the proposals. Participation in a joint health scrutiny committee required approval from full Council.

The Chairman reported that she had attended an initial briefing with other scrutiny representatives from across the boroughs where terms of reference

had been discussed. She stated that she would be prepared to represent the Council on the joint committee, and asked for one more councillor to volunteer – Councillor Kevin Brooks offered to take part. Rosalind Luff reported that she was already involved in assisting the OHSEL programme through the Patient and Public Advisory group

The Portfolio Holder stated that he was not in favour of the Council being pulled in to the NHS review process. The Chairman responded that she shared his scepticism, but considered that it was necessary to be involved to ensure that services in the borough were protected.

RESOLVED that Council be recommended to agree that Bromley participates in the proposed joint health scrutiny committee on the Our Healthier South East London proposals and appoints Councillors Judi Ellis and Kevin Brooks to the joint committee.

48 BROMLEY INDEPENDENT REVIEWING OFFICER ANNUAL REPORT
Report CSD15941

The Children and Young Persons Act 2008 created a new power for the Secretary of State to issue statutory guidance to IROs known as the 'IRO Handbook'. The IRO Manager was responsible for the production of an annual report for the scrutiny of the members of the local authority corporate parenting board. The report presented to the Committee details of activity and development of the IRO Service over the past year and summarised how the IRO Service monitored the performance of the local authority in relation to its looked after children. Officers added that IRO's were expected to be more challenging so that the quality of services was raised.

RESOLVED that the IRO Service Annual Report be noted.

49 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

The Information Briefing consisted of papers on the following issues –

- Contract Monitoring Activity update
- Bromley Safeguarding Adults Boards annual Report
- Adult Social Care Local Account

It was noted that there would be an event in December to discuss the draft Carers Strategy. A separate strategy for children as carers was being drawn up separately.

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

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

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

**51 EXEMPT MINUTES OF THE CARE SERVICES PDS
COMMITTEE MEETING HELD ON 23RD SEPTEMBER 2015**

The Committee confirmed the exempt minutes of the meeting held on 23rd September 2015.

**52 CONTRACT AWARD FOR TENANCY SUSTAINMENT FOR
WOMEN IN REFUGES**
Report CS15944

The Committee recommended that the Portfolio Holder for Care Services approve the award of the contract for Tenancy Sustainment Services for Women in Refuges to Bromley Women's Aid.

The Meeting ended at 8.45 pm

Chairman

Report No.
CS15934

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 12 January 2016

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

Title: MATTERS ARISING AND WORK PROGRAMME

Contact Officer: Kerry Nicholls, Democratic Services Officer
Tel: 020 8313 4602 E-mail: kerry.nicholls@bromley.gov.uk

Chief Officer: Director: Children's Services (ECHS)

Ward: N/A

1. Reason for report

- 1.1 The Care Services PDS Committee is asked to review its work programme for 2015/16, the programme of visits to day centres and residential homes and matters arising from previous meetings.
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2. RECOMMENDATION

- 2.1 The Committee is requested to consider the Care Services PDS Committee work programme for 2015/16, the schedule of visits to day centres and residential homes and matters arising from previous meetings, and indicate any changes required.

Corporate Policy

1. Policy Status: Existing Policy: As part of the Excellent Council workstream within Building a Better Bromley, Policy, Development and Scrutiny 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: £326,980
 5. Source of funding: 2015/16 revenue budget
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Staff

1. Number of staff (current and additional): 8 posts (7.27 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 Care Services PDS Committee's matters arising table updates Members on recommendations from previous meetings which continue to be "live" and is attached at **Appendix 1**.
- 3.2 The Care Services PDS Committee Work Programme 2015/16 outlines the programme of work for the Committee including areas identified at the beginning of the year, new reports and those referred from other committees, the Portfolio Holder for Care Services or the Council's Executive. 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. In considering 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 holding the Executive to account, policy development and review, and external scrutiny of local services, including health services; and that the programme is realistic in terms of Member time and Officer support capacity, and the Work Programme is attached at **Appendix 2**.
- 3.3 The schedule of visits to day centres and residential homes has been updated and information on recent and forthcoming visits is provided in the table in **Appendix 3**.
- 3.4 The Committee re-appointed the Health Scrutiny Sub-Committee for the 2015/16 municipal year to scrutinise local health issues, and it is likely that a Joint Health Scrutiny Committee comprising the boroughs of Bromley, Bexley, Greenwich, Lambeth, Lewisham and Southwark will be formed.
- 3.5 At its meeting on 21st January 2015, the Committee agreed to re-convene the Care Homes Reference Group to monitor work around moving residents from Lubbock House. The membership was confirmed at the meeting on 23rd June 2015 as Councillors Ruth Bennett, Charles Rideout and Diane Smith, with additional representation from Leslie Marks, Angela Clayton-Turner and residents of Lubbock House. The Reference Group subsequently met on 22nd June 2015 and 17th August 2015.
- 3.6 At its meeting on 23rd June 2015, the Committee appointed Co-opted Members and Alternates for the 2015/16 Council year representing Healthwatch Bromley, Bromley Experts by Experience, Living in Care Council and the Carers Forum. In the light of the recent changes to the overarching groups that represent specific interests, in particular the cessation of the Council on Ageing and Mental Health Forum, work is being undertaken with the Voluntary Sector Strategic Network (VSSN) as to whether they can provide two Representatives (and two Alternates) who will provide input on behalf of –
- Older People
 - Carers
 - People with Mental Ill Health
 - People with Learning Disabilities

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

MATTERS ARISING FROM PREVIOUS MEETINGS

PDS Minute number/ title	Committee Request	Update	Completion Date
Minute 48 11 November 2014 Work Programme – Young Carers	The Chairman requested a report on Young Carers be provided to a future meeting of the Care Services PDS Committee.	Added to work programme	To be scheduled
Minute 81 25 th February 2015 Assurance Arrangements for Children’s Services	The Care Services PDS Committee requested that issues identified with the Bromley Safeguarding Children Board around a lack of representation from some agencies, or representation which was not at a sufficiently senior level be addressed as soon as practicable, and that the assurance test be repeated and reported biennially.	-	June 2016
Minute 94 4 th March 2015 Supporting Looked after Children in University	Members requested a further report in a year’s time.	Added to work programme for 10 th March 2016	March 2016
Minute 11E 23 rd June 2015 Gateway Review of Tenancy Sustainment Services	Members requested that Officers review the impact of welfare reforms on the demand for Tenancy Sustainment Services and report back in Spring 2016 with recommendations for further commissioning.	Will be covered when the reports are presented back to PDS.	Spring 2016
Minute 44A 17 th November 2015 Budget Monitoring 2015/16	The Care Services PDS Committee requested that a report around the level of voids in Extra Care Housing and the potential to reduce age limits to access the accommodation be provided to a future meeting of the Care Services PDS Committee.	To be considered as part of the Extra Care Housing Update at the meeting of Care Services PDS Committee on 12 th January 2016.	January 2016

CARE SERVICES PDS COMMITTEE WORK PROGRAMME 2015/16

Additional CS PDS 8th or 9th Feb TBC	
Item	Note
Housing Info System	For Feb Exec
Public Health Draft Budget Proposal for 2016/17	For Feb Exec
Health Scrutiny PDS Sub-Committee 25th Feb 2016	
Item	Note
PRUH Improvement Plan – Update	Kings NHS Foundation Trust
Winter Pressures Update (whole system)	Angela Bhan & Stephen John
GP Capacity Issues (NHS England)	Via Angela Bhan BCCG
Joint Health Scrutiny Committee – Update	Cllr Ellis & Graham Walton
Care Services PDS 10th March 2016	
Item	Note
Portfolio Budget Monitoring	
Capital Monitoring	
Changes to the Charging Policy	
Bromley Safeguarding Children's Board Annual Report 2014/15	Info Briefing
Contract Monitoring Activity Update	Info Briefing
Review Foster Carer Allowances	
Hollybank Update on Consultation	
Award of Contract – Supported Living Services (4 Properties)	
Supported Living Scheme Contract Award (3 Properties)	
NHS Complaints advocacy service	
Carelink Gateway Review	
Commissioning of Services for Blind and Partially Sighted (KAB Review)	
Public Health Gateway Reviews (2)	
Bromley Y Wellbeing Service (children) Update	
Draft Joint Carers Strategy	
Supporting Looked after Children in University	
To be scheduled	
Item	Note
Update - Community Integration	
Young Carers	
Disability Strategy	

SCHEDULE OF VISITS TO DAY CENTRES AND RESIDENTIAL HOMES

Since June 2015 there have been 11 visits undertaken by the Care Services PDS committee.

Since the last report two further visits have taken place:

Establishment Name/ Location	Members attending
Willett House Nursing Home	Cllr Judith Ellis Cllr Terence Nathan Cllr Peter Fookes Leslie Marks (Co-Opted)
Padua Road – LD supported living scheme	Cllr Julian Benington Leslie Marks (Co-Opted)

The following visits are being organised for January and February 2016. Members will have received an email requesting that they indicate preferences. Please contact Cheryl Adams by email cheryl.adams@bromley.gov.uk for more information.

Establishment Name/ Location	Date/ Time	Places Available
Archers Point Residential Home (Independent) Bromley, BR1 2ND	Wednesday 10.02.16 (1400-1530)	Up to 5 visitors
Coloma Court Care Home (The Healthcare Management Trust) West Wickham, BR4 9QJ	Wednesday 13.01.16 (1400-1530)	Up to 5 visitors
The Heathers Residential Care Home (Independent) Shortlands, BR1 4BL	Wednesday 09.03.16 (0930-1100)	Up to 5 visitors
Community Options Care Home (10 residents MH) Chislehurst, BR7 5AQ	Tuesday 26.01.16 (1400-1500)	2 maximum visitors
Saxon Day Centre (Lychgate Road, Orpington, BR6 0TJ)	Tuesday 23.02.16 (0930-1100)	Up to 5 visitors

Report No.
FSD16007

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PORTFOLIO HOLDER FOR CARE SERVICES

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Tuesday 12 January 2016

Decision Type: Non-Urgent Executive Non-Key

Title: CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2015/16

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

- 1.1 On 2nd December 2015, the Council's Executive received the 2nd quarterly capital monitoring report for 2015/16 and agreed a revised Capital Programme for the four year period 2015/16 to 2018/19. This report highlights in paragraphs 3.1 to 3.6 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, and detailed comments on scheme progress as at the end of the first half of 2015/16 are shown in Appendix B.

2. **RECOMMENDATION**

- 2.1 **The Portfolio Holder for Care Services is asked to note and confirm the changes agreed by the Executive in December.**

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. Effective 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".
 2. BBB Priority: Excellent Council
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Financial

1. Cost of proposal: Total increase of £1.3m over the 4 years 2015/16 to 2018/19.
 2. Ongoing costs: Not Applicable
 3. Budget head/performance centre: Capital Programme
 4. Total current budget for this head: £17.7m for the Care Services Portfolio over four years 2015/16 to 2018/19
 5. Source of funding: Capital grants, capital receipts and earmarked revenue contributions
-

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: Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Capital Monitoring – variations agreed by the Executive on 2nd December 2015

3.1 A revised Capital Programme was approved by the Executive in December, following a detailed monitoring exercise carried out after the 2nd quarter of 2015/16. The base position was the revised programme approved by the Executive on 15th July 2015, as amended by variations approved at subsequent Executive meetings. All changes on schemes in the Care Services Programme are itemised in the table below and further details are included in paragraphs 3.2 to 3.6. The revised Programme for the Care Services Portfolio is attached as Appendix A. Appendix B shows actual spend against budget at the end of the first half of 2015/16, together with detailed comments on individual schemes.

	2015/16	2016/17	2017/18	2018/19	TOTAL
	£000	£000	£000	£000	2015/16 to 2018/19 £000
Programme approved by Executive 15/07/15	12,115	4,087	10	10	16,222
Site G - Specialist legal & development advice (Executive 24/03/15)	200	0	0	0	200
	12,315	4,087	10	10	16,422
<u>Variations approved by Executive 02/12/15</u>					
Manorfields – Temporary Accommodation (see para 3.2)	450	0	0	0	450
Empty Homes Property Scheme (see para 3.3)	170	0	0	0	170
London Private Sector Renewal Scheme (see para 3.4)	74	0	0	0	74
Section 106 receipts from developers (see para 3.5)	616	0	0	0	616
Schemes rephased from 2015/16 into later years (see para 3.6)	-9,220	9,098	122	0	0
Total Amendment to the Capital Programme	-7,910	9,098	122	0	1,310
Total Revised Care Services Programme	4,405	13,185	132	10	17,732

3.2 Manorfields – Temporary Accommodation – (£450k increase in 2015/16)

In December, the Executive approved the inclusion of £450k additional funding from GLA on the Manorfields refurbishment scheme. The funding will meet the cost of additional works required following the planning decision, replacement of the boiler and associated building works in order for the system to meet with current regulations.

3.3 Empty Homes Property Scheme – (£170k increase in 2015/16)

An additional allocation of £120k was received from GLA on the Empty Homes Property Scheme. In conjunction with our bid to GLA for funding on Manorfields (para. 3.2), GLA have accepted our bid for a further allocation of £50k on an additional 5 privately owned properties on the same basis as the previous year's bid, limited to £10k per unit. On 2nd December 2015, Members approved a net increase of £170k in 2015/16 on the Empty Homes Property scheme to reflect the funding available.

3.4 London Private Sector Renewal Scheme – (£74k increase in 2015/16)

The London Private Sector Renewal Scheme is a revolving loan fund provided by the GLA and South East London Housing Partnership (SELHP) to allow Authorities to assist vulnerable home owners to maintain their properties to an adequate condition to allow them to remain safely in their own homes. There is no longer any new money provided by the funders and the scheme now functions on recycled funding. In December, the Executive approved a net increase of £74k in 2015/16 on the London Private Sector Renewal Scheme to reflect the total funding available.

This included repayments of £1k on Home repair assistance grant, £12k on Home improvement loan, £4k on Handy person plus grant, and £57k on SELHP grant.

3.5 Section 106 receipts from developers (uncommitted balance) – (increase of £616k in 2015/16)

In previous years, the Capital Programme budget for Section 106 receipts has been adjusted as and when new spending plans receive approval. In July 2015, the Executive agreed that the Capital Programme budget should, in future, agree with the total of S106 receipts available to fund expenditure. In December 2015 the Executive agreed an increase of £616k in the Capital Programme budget for Section 106 to match the total funding available (from a total approved budget of £6,078k in the July Executive report to £6,694k in the December Executive report). The approved S106 budgets for the Care Services Capital Programme (after rephasing) are illustrated in the table below.

	Total Approved S106 Budget £000	Actuals upto FY14/15 £000	Budget FY15/16 £000	Budget FY16/17 £000
Housing:				
Purchase of Properties	1,120	1,016	104	0
Site K	672	0	605	67
Site G (£5.9m - £3m PIL £2.9m Growth Fund)	3,000	0	0	3,000
Uncommitted balance (as at Oct 2015)	1,902	0	0	1,902
Housing Total	6,694	1,016	709	4,969

3.6 Schemes rephased from 2015/16 into later years

As part of the 2nd quarter monitoring exercise, £9,220k has been re-phased from 2015/16 into 2016/17 (£9,098k), and 2017/18 (£122k) to reflect revised estimates of when expenditure on the Care Services schemes is likely to be incurred. This has no overall impact on the total approved estimate for the capital programme. This is itemised in the table below and comments on scheme progress are provided in Appendix B.

Capital Expenditure – Rephasing in Q2 monitoring	2015/16 £000	2016/17 £000	2017/18 £000
Empty Homes Programme	-242	120	122
Housing Zone Bid and Site G	-5,900	5,900	0
Mental Health Grant	-176	176	0
Social Care Grant	-1,000	1,000	0
S106 - Housing PIL (unallocated)	-1,902	1,902	0
Total Care Service Programme rephasing	-9,220	9,098	122

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. No post-completion reports are currently due for the Care Services Portfolio, but 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.

5. FINANCIAL IMPLICATIONS

5.1 These were reported in full to the Executive on 2nd December 2015. Changes agreed by the Executive for the Care Services Portfolio Capital Programme are set out in the table in paragraph 3.1.

Non-Applicable Sections:	Legal and Personnel Implications
Background Documents: (Access via Contact Officer)	Approved Capital Programme (Executive 15/07/15). Q2 monitoring report (Executive 02/12/15).

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CARE SERVICES PORTFOLIO - APPROVED CAPITAL PROGRAMME 2ND DECEMBER 2015									
Code	Capital Scheme/Project	Total Approved Estimate	Actual to 31.3.15	Estimate 2015/16	Estimate 2016/17	Estimate 2017/18	Estimate 2018/19	Responsible Officer	Remarks
	SOCIAL CARE	£'000's	£'000's	£'000's	£'000's	£'000's	£'000's		
950802	Care Homes - improvements to environment for older people	290	288	2	0	0	0	Lorna Blackwood	100% government grant
950804	PCT Learning Disability reprovision programme - Walpole Road	11,004	10,130	24	850	0	0	Colin Lusted	Fully funded by PCT
950806	Social Care Grant - 2010/11 and prior years	558	217	341	0	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2011/12 and 2012/13 settlement	1,228	0	244	984	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2013/14 and 2014/15 settlement	1,293	0	0	1,293	0	0	Lorna Blackwood	100% government grant
950806	Social Care Grant - 2015/16	663	0	0	663	0	0	Lorna Blackwood	100% government grant
950807	Mental health grant	331	5	150	176	0	0	Lorna Blackwood	100% government grant
950815	Supporting Independence - Extra Care Housing	20	6	14	0	0	0	Lorna Blackwood	100% government grant
950816	Transforming Social care	145	77	68	0	0	0	Angela Buchanan	100% government grant
950818	Manorfields - Temporary Accommodation	1,013	81	932	0	0	0	Sara Bowrey	Additional Grant from GLA £450k (Executive 02/12/15)
950820	Autism Grant	18	0	18	0	0	0	Andrew Royle	100% government grant
907562	Mobile technology to support children's social workers	71	39	32	0	0	0	Kay Weiss	100% grant
950000	Feasibility Studies	40	0	10	10	10	10	David Bradshaw	
	TOTAL SOCIAL CARE	16,674	10,843	1,835	3,976	10	10		
	HOUSING								
950819	Gateway Review of Housing I.T System	200	0	100	100	0	0	Sara Bowrey	Approved by Executive 11/02/15
950821	Payment in Lieu Fund - Properties Acquisitions	1,120	1,016	104	0	0	0	Sara Bowrey	Funded from PIL (S106) receipts
950822	Payment in Lieu Fund - Site K	672	0	605	67	0	0	Sara Bowrey	Funded from PIL (S106) receipts
950823	Housing Zone Bid and Site G								
950823	Housing Zone Bid and Site G - Payment in Lieu Fund	3,000	0	0	3,000	0	0	Sara Bowrey	Funded from PIL (S106) receipts
950823	Housing Zone Bid and Site G - Growth Fund	2,900	0	0	2,900	0	0	Sara Bowrey	Funded from Growth Fund
950792	Payment in Lieu Fund - unallocated	1,902	0	0	1,902	0	0	Sara Bowrey	Expenditure subject to cash receipts (S106) from Affordable Housing Policy
914110	London private sector renewal schemes	3,243	2,811	254	178	0	0	Steve Habgood	100% external funding
950501	Empty Homes Programme	620	258	120	120	122	0	Steve Habgood	100% external funding
916XXX	Renovation Grants - Disabled Facilities	8,603	6,483	1,178	942	0	0	Steve Habgood	Govt grant £942k in 2015/16 and assume £942k in 2016/17
	TOTAL HOUSING	22,260	10,568	2,361	9,209	122	0		
	OTHER								
947729	Star Lane Traveller Site	250	41	209	0	0	0	Sara Bowrey	Urgent water and drainage works (statutory duty)
	TOTAL OTHER	250	41	209	0	0	0		
	TOTAL CARE SERVICES PORTFOLIO	39,184	21,452	4,405	13,185	132	10		

CARE SERVICES PORTFOLIO - APPROVED CAPITAL PROGRAMME 2ND DECEMBER 2016				
Capital Scheme/Project	2ND QUARTER 2015/16			Responsible Officer Comments
	Revised Estimate July 2015	Actual 23.11.15	Revised Estimate Dec 2015	
	£'000's	£'000's	£'000's	
SOCIAL CARE				
Care Homes - improvements to environment for older people	2	0	2	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.
PCT Learning Disability reprovion programme	24	-21	24	The Department for Health 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. Approximately £850K has been identified for alternative day service provision following the closure of the Bassetts Day Centre. LD Day activities are being reviewed and their future would be heavily influenced by the proposed award of a tender to an external provider who would be tasked with the running and modernisation of services. The tender process has taken longer than originally anticipated and it is now forecast that any resulting capital expenditure is unlikely to occur before FY16/17. Please note that the NHS are entitled to request the return of the remaining capital sum.
Social care grant - 2010/11 and prior years	341	166	341	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. £435k has been committed (£175k for works to Council owned learning disability properties and £260k for proposed investment in older people day opportunity services) £150k is required to support the closure of Lubbock House. Rephased £1m into FY16/17
- 2011/12 and 2012/13 settlement	1,228	0	244	
- 2013/14 and 2014/15 settlement	16	0	0	
- 2015/16	0	0	0	
Mental health grant	326	0	150	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. Rephased £176k into FY16/17 as it is unlikely that the monies will be spent in FY15/16
Supporting Independence - Extra Care Housing	14	0	14	This funding is available for specialist equipment/adaptations in extra care housing to enable schemes to support people with dementia or severe physical disabilities. Consideration is being given to the potential for additional telecare in ECH.
Transforming Social care	68	57	68	The remaining balance will be used in 2015/16 to support any system changes following the funded Care Act changes being reviewed.
Manorfields - Temporary Accommodation	482	257	932	Additional £450k allocation from GLA for replacement of boiler, associated building works and design works (approved by Executive 02/12/15). The refurbishment work is now underway and due to be completed around New Year, and we expect the project to be completed by year end
Autism Grant	18	18	18	One off grant allocation to support work on implementing Think Autism
Mobile technology to support children's social workers	32	0	32	We are unable to progress the mobile working plans and expenditure during the roll out of Windows 7 and data protection issues are resolved.
Feasibility Studies	10	0	10	
TOTAL SOCIAL CARE	2,561	477	1,835	
HOUSING				
Gateway Review of Housing I.T System	100	0	100	Approved by Executive 14/01/15. Currently finalising the requirements to go to tender through a framework. The bulk of the capital funds relates to the practical purchase and implementation of the scheme, and the new system will probably take around 12 months for full implementation so funds will be spent during FY15/16 and FY16/17.
Payment in Lieu Fund				See breakdown below on various PIL schemes
Payment in Lieu Fund - Properties Acquisitions	104	0	104	The remaining expenditure related to the acquisition of residential properties is expected to be concluded soon.
Payment in Lieu Fund - Site K	605	0	605	There have been delays in the build which are outside of the housing associations control. However, all the monies will be paid across once all development is on site. According to the latest GLA monitoring report, we are expected to spend all of the monies before the end of the current financial year.
Housing Zone Bid and Site G				
- Payment in Lieu Fund	3,000	0	0	Housing Zone bid and Site G report was approved by Executive (24/03/15) which support the delivery policy objectives set out within the Council's adopted
- Growth Fund	2,700	0	0	Bromley Town Centre Area Action Plan. The proposal is funded from £3m PIL and £2.7m from Growth fund (Bromley Town Centre). Additional £200k on specialist legal and development advice (funded from Growth Fund). Executive 15/07/15 and Full Council 19/10/15 approved the inclusion of the scheme into the Capital Programme. The Housing Investment Group of the GLA considered the Council's Housing Zone bid on 10/11/15. It is unlikely that expenditure will occur in this financial year, and rephased the budget into FY16/17.
Payment in Lieu Fund - unallocated	1,286	0	0	Section 106 receipts - unallocated balance. It is unlikely that the remaining S106 will be allocated and spent before year end. Rephased the budget into FY16/17.
London private sector renewal schemes	180	53	254	Training sessions with care managers and hospital staff has increased take up and currently on target to fully spend the budget. We anticipate £254k to be spend in 15/16 and the following projects to be completed by March - Silverdale Rd, Upper Elmers Ed Rd, Cambridge Rd, Empress Drive, Wordsworth Penge, Sandringham Rd, and Southlands Bickley.
Empty Homes Programme	192	77	120	Spending is being targetted on long term empty property as per the funders criteria , take up is slow, but consistent. Additional £50k and £120k grant allocation from GLA (Executive 02/12/15). Rephased £120k into FY16/17 and £122k into FY17/18 to reflect when the expenditure is likely to occur.
Renovation Grants - Disabled Facilities	1,178	745	1,178	Spend and commitments currently on track to fully spend budget.
TOTAL HOUSING	9,345	875	2,361	
OTHER				
Star Lane Traveller Site	209	17	209	The property division have now commenced this project and are currently working through the full specification with Thames Water. At this stage they anticipate the work to progress during the current financial year.
TOTAL OTHER	209	17	209	
TOTAL CARE SERVICES PORTFOLIO	12,115	1,369	4,405	

Report No.
CS16004

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: PORTFOLIO HOLDER FOR CARE SERVICES

Date: For Pre-Decision Scrutiny by the Care Services Policy Development and Scrutiny Committee on Tuesday 12 January 2016

Decision Type: Non-Urgent Executive Non-Key

Title: **UPDATED TEMPORARY ACCOMMODATION PROCUREMENT STRATEGY AND PLACEMENT POLICY**

Contact Officer: Lynnette Chamielec, Head of Allocations and Accommodation
Tel: 020 8313 4009 E-mail: lynnette.chamielec@bromley.gov.uk

Chief Officer: Assistant Director: Housing Needs (ECHS)

Ward: (All Wards);

1. Reason for report

- 1.1 This report sets out the Council's updated approach to the procurement of and placement into temporary accommodation of clients whom it owes a statutory rehousing duty.
 - 1.2 It presents the Temporary Accommodation Procurement Strategy in Appendix 1 and the Temporary Accommodation Placement Policy in Appendix 2 for consideration and approval.
-

2. **RECOMMENDATIONS**

- 2.1 The Care Services Policy, Development and Scrutiny Committee are asked to consider the content of both documents. To comment on and agree, subject to any amendments arising from these comments, that the approaches outlined are acted upon and formalised.
- 2.2 Subject to any agreed amendments the Portfolio Holder for Care Services is asked to approve the Procurement Strategy and Placement Policy in order to enable formal implementation.

Corporate Policy

1. Policy Status: Existing Policy: Complies with the Councils statutory duties and existing overarching policy in relation to the provision of temporary accommodation for homeless households.
 2. BBB Priority: Children and Young People Supporting Independence:
-

Financial

1. Cost of proposal: Estimated Cost No Cost Not Applicable: Further Details
 2. Ongoing costs: Recurring Cost Non-Recurring Cost Not Applicable: Further Details
 3. Budget head/performance centre: Temporary Accommodation
 4. Total current budget for this head: £3.365,510
 5. Source of funding: Revenue Budget
-

Staff

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

Legal

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

Customer Impact

- 1.1 Estimated number of users/beneficiaries (current and projected):

There are currently 1160* households in temporary accommodation.

Location	Average Percentage
In Borough	48%
Out of Borough (within London)	41%
Out of Borough (out of London)	11%

- 1.2 There are approximately 104** households placed into temporary accommodation each month.

*as of the 17/12/15 **figures based on Q3 placements 2015-16.

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Legislation provides that 'so far as reasonably practicable', the authority must secure accommodation within its own area' seeking to ensure 'that authorities do not simply decant homeless persons into areas for which other authorities are responsible'.
- 3.2 There is insufficient accommodation within borough to meet the Council's statutory rehousing duties. This is a not an issue restricted to Bromley and the housing pressures relating to affordability and supply is impacting local authorities both within London and nationally.
- 3.3 The increased use of temporary accommodation across London and in particular the volume of out of borough placements has given rise to a number of legal challenges which have placed increased restrictions and stipulations on the type of accommodation offered and in particular placements made outside of borough boundaries. The case law now requires local authorities to have clearly documented policies for the procurement of and placement into temporary accommodation.
- 3.4 In order to determine suitability the local authority is required to have regard to the need to promote as well as safeguard the welfare of any children in a household. Failure to meet these requirements brings the risk of costly legal challenge resulting in court orders requiring specific placements and compensation.
- 3.5 The number of households who are homeless or threatened with homelessness has continued to rise resulting in a significant financial pressure for the Local Authority. An ever decreasing availability of social housing along with a lack of affordable private sector and new build accommodation within the borough means that a greater number of households are staying in temporary accommodation for increasingly long periods of time, many in locations away from support, schooling and employment.
- 3.6 The attached documents have therefore been produced to fulfil the precedents set out in recent case law and avoid the risk of legal challenge by setting out clearly how the Council seeks to procure a sufficient supply of suitable temporary accommodation and make the most appropriate use of this supply to meet its statutory rehousing duties.
- 3.7 Whilst there are insufficient resources available to ensure that all households receive an allocation of in borough accommodation the Council is committed to ensuring that priority for such placements is given to households whom it has identified as having the greatest need to remain in borough. This includes households employed within the borough, those with children of a critical school age, those whose critical medical care is provided within the borough and those to whom there are safeguarding concerns particularly those relating to child protection.

4. POLICY IMPLICATIONS

- 4.1 The housing objectives are set out in the relevant business plans. These objectives are compliant with the statutory framework within which the Council's housing function must operate and incorporates both national targets and local priorities
- 4.2 Existing policy and practice have been reviewed and updated to ensure that they comply with the latest requirements set out within the statutory framework.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising directly from this report. However the procurement and placements policy documents cumulatively aim to make the most effective use of temporary accommodation resources to meet the Council's statutory duties whilst achieving the most cost effective placements available within the market.

6. LEGAL IMPLICATIONS

- 6.1 The Local Authority has a statutory duty to provide suitable temporary accommodation for priority homeless households in accordance with part VII of the Housing Act 1996 and the accompanying Homelessness (Suitability of Accommodation) (England) Order 2012. This sets out details of standards of accommodation, nature, style, affordability and location.
- 6.2 Following the case of *Nzolameso v Westminster CC* in April 2015 additional guidance has been issued. The Supreme Court held that where local housing authorities offer accommodation outside of their own district in discharge of their duties under Part VII of the Housing Act 1996, they must explain, ideally by reference to published policies, the choices that have been made.
- 6.3 The attached policies have therefore been updated to comply with the latest case law findings.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Part VII of the Housing Act 1996 Homelessness (Suitability of Accommodation) (England) Order 2012 The Housing Allocation Scheme (2015 Revision) The London Borough of Bromley Homeless Strategy (2012-17)

LONDON BOROUGH OF BROMLEY**TEMPORARY ACCOMMODATION****PROCUREMENT STRATEGY 2015****1. Overview**

1.1 This strategy provides a framework for the procurement of suitable temporary accommodation within and outside of the London Borough of Bromley. It applies to accommodation sourced for use as temporary accommodation in order to fulfil the Council's duties in relation to temporary accommodation in accordance with Part VII of the Housing Act 1996.

1.2 It will be used to guide the Housing Management and Acquisitions Team in their daily business, ensuring that the correct accommodation is procured to meet the overall demands for temporary accommodation as well as the individual requirements of households with very high support needs.

1.3 It has been developed in accordance with the Temporary Accommodation Placement Policy and with reference to the statutory duty imposed upon Local Authorities to provide suitable temporary accommodation for priority homeless households in accordance with part VII of the Housing Act 1996 and the accompanying Homelessness (Suitability of Accommodation) (England) Order 2012 which sets out details of the standards of accommodation in respect of its nature, style, affordability and location.

1.4 It takes account of the local and national factors impacting upon the sourcing of accommodation; increases in the cost of home ownership and the scarcity of affordable new build accommodation, an increasing reliance on the private sector which has in turn led to an increase in rental costs. In addition to this there have been changes to case law and a number of legal judgements which mean that there are far greater restrictions on the placements that a Local Authority can make than was previously the case.

2. Background and context:

2.1 The London Borough of Bromley is the largest borough in Greater London, however much of its land is rural and classified as part of the Metropolitan Green Belt. There is a high level of owner occupancy with over 70% of residents either owning their home outright or with the aid of a mortgage. There are excellent transport links into central London making it an ideal location for commuters.

Bromley is a popular place to live and has seen significant price increases with rental prices up by 20% and purchase prices up by 27% in the last two years.

2.2 The following table shows the average asking prices in Bromley and surrounding boroughs:

	July 2013	July 2015	Change
Bromley	£386,992	£493,869	+27.6%
Bexley	£259,335	£321,933	+24.1%
Lewisham	£317,497	£440,580	+38.8%
Southwark	£468,458	£594,483	+26.9%
Greenwich	£329,651	£427,976	+29.8%

**Figures taken from the website www.rightmove.co.uk

2.3 The following table shows the average private sector rental prices, per calendar month, in Bromley in November 2015. Many rents within the private sector exceed the local housing allowance levels for those in receipt of housing benefit making such accommodation difficult to obtain:

	Average Rent in Bromley	Median Rent in Bromley
1 bedroom	£990.00	£995.00
2 bedrooms	£1,343.00	£1,300.00
3 bedrooms	£1,674.00	£1,600.00
4 bedrooms	£2,162.00	£2,102.00
5 bedrooms	£3,199.00	£3,000.00

**Figures taken from the website www.home.co.uk

2.4 The following table shows the Local Housing Allowance rates, per calendar month, in Bromley (as of April 2015):

2015 LHA Rates		
	Inner South East London Broad Market Rental Area:	Outer South East London Broad Market Rental Area:
Shared accommodation	£412.44	£365.17
1 bedroom	£884.34	£697.75
2 bedrooms	£1,110.59	£858.47
3 bedrooms	£1,433.12	£1,050.40
*4 bedrooms	£1,807.08	£1,355.33

2.5 The Council does not own its own housing stock and social housing within the borough, some 16,000 units in total, are managed by social landlords and registered providers.

2.6 The traditional models of temporary accommodation procurement no longer yield sufficient resources. These are due to a number of factors which include;

- Schemes such as the right to buy and the introduction of the spare room subsidy which have diminished the supply of social housing, leading to increased waiting times on the Housing Register.
- A diminishing supply of affordable private rented accommodation as a result of a reduction in the number of new affordable homes and the difficulties experienced by first time buyers who are unable to afford home ownership.
- Welfare reform changes such as the spare room subsidy and caps to benefits.
- Rising homelessness.
- The temporary accommodation funding level of 90% of the 2011 LHA rates plus £40 is uncompetitive and well below current market prices.

2.7 TA Subsidy Levels:

TA Subsidy Levels Within Bromley		
	Inner South East London Broad Market Rental Area (weekly amount):	Outer South East London Broad Market Rental Area (weekly amount):
Single Room	£190.33	£155.75
Multiple Rooms	£190.33	£155.75
Studio	£211.33	£180.04
Self-contained 1 bed	£211.33	£180.04
Self-contained 2 bed	£268.45	£211.33
Self-contained 3 bed	£310.03	£246.61
Self-contained 4 bed	£413.84	£310.03
Self-contained 5 bed	£413.84	£310.03

2.8 The shortage of local self-contained temporary accommodation which is accessible to households who are homeless or on benefits is leading to a greater dependence on expensive emergency, spot purchased, nightly paid accommodation. Such bookings lead to additional pressure upon the Local Authority; they are expensive, insecure and many households require additional assistance to protect their belongings as there is insufficient space for their items in accommodation sourced on a nightly basis.

2.9 Many units of accommodation that are sourced in an emergency and paid for on a nightly basis consist of a single room or rooms with shared facilities. The Local Authority has a statutory duty to ensure that households with children, or those who are pregnant, are only placed in such accommodation in an emergency and even so for no more than six weeks. Failure to do so can see a financial penalty and award for compensation imposed upon the Local Authority.

2.10 The number of households in temporary accommodation has increased in recent years. At the end of October 2015 there were:

- 1125 households in temporary accommodation; this is an increase of 18% from the same period last year.
- 683 households in nightly paid accommodation, this is over 60% of all households placed.
- 440 (39.1%) of households placed in long term accommodation which is an AST or leasehold managed by a Registered Provider.
- 583 households living in self-contained accommodation.
- 100 in shared accommodation.
- 40 households with dependent children in shared accommodation, all of whom had been in shared B&B style or annexe accommodation for over 6 weeks.

2.11 48% of current TA placements are in borough. Of the 52% of placements which are outside of the boundaries 41% are in London and 11 % are outside of London.

2.12 905 (80.4%) of all households in Temporary Accommodation are families with dependent children, 62% of which are lone parent households and a further 18% are couples with dependent children or pregnant mothers.

2.13 In June 2012 the average number of days spent in temporary accommodation was 186. As of September 2015 this has almost doubled and households can now expect to spend an average of 304 days in temporary accommodation.

3. Demand for accommodation:

3.1 Despite the focus on preventative measures the Council continues to see an increase in the number of households who are homeless or threatened with homelessness.

- 184 homeless decisions were made between July and September 2015.
- 128 applicants were accepted as owed a main homelessness duty between July and September 2015.

This equates to over 69% of all decisions taken within the quarter. This is an increase of around 29% from the same period in 2014/15.

3.2 Households on low incomes are struggling to meet rental increases and landlords are seeking to maximise their income in line with the changing market and increase of available renters who, in the past may have sought a route into home ownership but for whom this is not currently a financially viable option.

3.3 On average more than 100 households complete an application to join the Council's Housing Register each week. The threshold for inclusion onto the Register is very high and only those with the highest levels of need and to whom the Council owes a statutory duty are included.

3.4 As of December 2015 there were 2850 households included on the Housing Register:

		BEDSIZE							TOTAL
		0	1	2	3	4	5	6	
CATEGORY	Homeless	269	19	866	200	52	11	2	1419
	General Register	503	42	76	42	19	3	0	685
	Housing Association Transfer	194	31	201	231	77	11	1	746
TOTAL		966	92	1143	473	148	25	3	2850

3.5 The majority of households included on the Housing Register are at risk of homelessness or already homeless and in temporary accommodation. Waiting times for accommodation via this route continue to increase and are broadly as follows:

Bedsize	Emergency	Band 1	Band 2	Band 3
Studio	3	15	14	9
1 bed	6	21	15	13
2 bed	4	13	27	21
3 bed	6	14	18	28
4 bed +	5	27	42	40

**average waiting times shown in months; based on data collected between April 2012-April 2015.

3.6 The need for longer term, good quality temporary accommodation is deep rooted in the wider housing crisis. The decline and in some cases complete absence of new affordable housing has contributed to price inflation across all sectors of the housing market.

4. Current procurement:

4.1 The Council has worked collaboratively with other local authorities, most notably on a sub-regional and pan-London basis to monitor data and develop best practice.

4.2 Significant work has been undertaken in order to clarify and stabilise prices so that boroughs can seek to procure local accommodation using consistent practices and not outbid each other for the scarce resources that are available.

4.3 The tables below detail the current maximum rates that temporary accommodation can be procured at on a nightly basis in Bromley:

Outer South East London Broad Market Rental Area (nightly rate)			
	Exclusive Rent	Utilities	Inclusive Rent
Shared Single Room	N/A	N/A	£25.00
Shared Double Room	N/A	N/A	£30.00
Shared Triple Room	N/A	N/A	£30.00
Shared Quad Room	N/A	N/A	£30.00
Studio	£29.50	£6.00	£35.50
1 Bed	£33.00	£6.00	£39.00
2 Bed	£40.00	£8.00	£48.00
3 Bed	£47.50	£10.00	£57.50
4 Bed	£50.00	£10.00	£60.00

Inner South East London Broad Market Rental Area (nightly rate)			
	Exclusive Rent	Utilities	Inclusive Rent
Shared Single Room	N/A	N/A	£27.00
Shared Double Room	N/A	N/A	£35.00
Shared Triple Room	N/A	N/A	£45.00
Shared Quad Room	N/A	N/A	£51.00
Studio	£30.00	£6.00	£36.00
1 Bed	£35.00	£6.00	£41.00
2 Bed	£45.50	£8.00	£54.00
3 Bed	£57.50	£10.00	£67.00
4 Bed	£74.00	£10.00	£84.00

4.4 Whilst such work has been beneficial in setting a benchmark and methods of good practice it has not increased access to accommodation.

4.5 The Council has sought to make best use of existing local accommodation. One former care home, Bellegrove, has been brought up to standard and back into use as temporary accommodation and a second is due for completion in 2016.

4.6 In reviewing the cost efficiency of the accommodation at Bellegrove, based upon occupancy levels for the first part of 2015/16 against the average costs of alternative provision the savings figure based upon the minimum alternative provision for 2016/17 is estimated to increase by a further £24K for the full year to £270k.

4.7 The Council continues to utilise funding to bring empty homes back into use, both improving local facilities and ensuring good quality homes for local families. Between April 2013 and November 2015, thirty formally empty homes within the borough have been brought back into use:

	Studio	1 bed	2 bed	3 bed	4 bed	5 bed	Total
2013	0	0	0	3	0	0	3
2014	0	1	2	4	0	0	7
2015	10	0	4	4	1	1	20

4.8 The Council has entered into block booking arrangements with temporary accommodation providers in lieu of accommodation secured on a nightly basis. This guarantees the Local Authority access to a certain number of good quality, affordable accommodation for a known period of time.

4.9 In order to get best use of existing social housing stock within the borough the Council works with Housing Associations to gain access to temporary accommodation within the borough. Such arrangements allow access to a mixture of shared facility and self-contained accommodation of varying sizes. Some benefit from onsite management or floating support whilst others offer entirely independent living which maximises the opportunities for the Council to make placements appropriate to the needs of the household. As well as having access to a core group of units such partnership working also allows the Local Authority to access short term lets which might otherwise not be available such as homes freed up as part of a long term decant programme or where the home is empty pending determination of its future use.

4.10 The Council works with Registered Providers and temporary accommodation management companies to secure accommodation on a long term basis. Known as Private Sector Leases these are properties that are secured by the company to manage for between 3-5 years. Supply against this model has dried up and properties are being handed back at the same or greater rate than new procurement is taking place. The temporary accommodation subsidy rate of 90% of the 2011 LHA rate plus a £40 management fee is not enticing enough in the current market to encourage landlord buy in. Whilst rents at this rate are guaranteed by the provider to the landlord the opportunity for increased income in light of the current market rates means that for many the risk of letting their property on the open market is financially worthwhile and the number of PSL units available has continued to decrease:

	PSL Placements
Apr-13	213
Jul-13	203
Oct-13	200
Jan-14	199
Apr-14	189
Jul-14	182
Oct-14	186
Jan-15	195
Apr-15	189
Jul-15	177
Oct-15	161
Reduction	24.41%

5. Future demand:

5.1 Using current demand, trends and data monitoring this strategy also seeks to forecast future demand and areas of pressure. At present the numbers requiring temporary accommodation are increasing at a rate of 15 households per month; 180 per year at an average net cost of £6,500 per unit or £1,170,000 per annum which will need to be met in order for the Council to continue to meet its statutory responsibilities.

5.2 It is clear that the Council has an ongoing need for additional temporary accommodation and must continue to work to drive down the cost of such provision given the rising demand.

6. Future procurement:

6.1 If it is to meet the rising demand for accommodation the Council must continue to use existing models of temporary accommodation as well as looking towards new and innovate methods of procurement in the future. This is particularly the case for a non- stockholding authority such as Bromley who have traditionally been reliant on third parties to provide the accommodation necessary to meet its statutory responsibilities.

6.2 Whilst the changes to case law and recent legal judgements make strong recommendations for providing local temporary accommodation it is not immediately possible to provide such accommodation in the numbers required.

6.3 A second former care home is currently being brought back into use for temporary accommodation which will provide 44 units of good quality temporary accommodation within the borough. It is expected to be ready for occupation in early 2016. It is projected that the revenue saving generated to the Local Authority will be £322,324.00 per annum.

6.4 The Council is currently undertaking a Gateway Review to explore future procurement methods in relation to temporary accommodation provided through the private rented market and is looking at the potential to develop a Dynamic Purchasing System. This would also explore the opportunity for increased joint sub-regional procurement. This would enable the Local Authority to have greater control over the services being provided and the speed at which accommodation could be sourced.

6.5 In order to gain greater control over the procurement and management of temporary accommodation the Local Authority has reviewed existing Council and Housing Association sites and buildings in order to review their suitability for use as temporary accommodation, both in terms of existing and new structures.

6.6 Over the next three years the Council is embarking upon the acquisition of up to 400 units of self-contained temporary accommodation. These units would be

purchased through the open market using institutional funding acquired through an LLP (Limited Liability Partnership) and managed on behalf of the Council by a Registered Provider.

7. Procurement Model

7.1 In undertaking procurement the Council will always seek to source a sufficient supply of accommodation that meets the needs of the households approaching it for assistance and ensure that it achieves best value for money.

7.2 Procurement must be reasonable and affordable for the households placed and the Council must ensure that any action it takes does not have a detrimental effect on the local market so as to drive up prices further or allow a decrease in the suitability and condition of the accommodation that is available.

7.3 In seeking temporary accommodation the Council will always endeavour, in the first instance, to procure temporary accommodation that is;

- Located within borough boundaries.
- Self-contained, without shared facilities.
- Located on the 3rd floor or lower.
- Not accessed via external staircases.
- Managed by approved providers; who are signed up to adhere to the standards set by the Council in respect of management requirements in addition to the legal requirements associated with property standards.
- Within local and nationally agreed rates.
- Longer term, available for a minimum of 12 months.
- If secured on a nightly paid basis done so as a long term block booking.

7.4 Given the shortage of accommodation and the pressure to provide accommodation to households who require emergency accommodation it will not always be possible to procure accommodation in line with the above preferences.

7.5 Where the Council has no option but to secure accommodation outside of the borough boundaries we will ensure that:

- We work outwards from the borough boundaries; always seeking to procure accommodation as close to Bromley as possible.
- We do not breach the procurement methods of the host borough.
- We will notify the host borough of any households placed with children aged 16 or under.

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LONDON BOROUGH OF BROMLEY**TEMPORARY ACCOMMODATION****PLACEMENT POLICY 2015****1. Overview**

1.1 This Policy will provide a framework for the fair allocation of suitable temporary accommodation within and outside of the London Borough of Bromley. This policy applies to the allocation of temporary accommodation secured under Part VII of the Housing Act 1996.

1.2 There is an insufficient supply of affordable, local, self-contained temporary accommodation. Temporary accommodation may therefore be;

- In borough or out of borough.
- Self-contained or with shared facilities.
- Managed or un-managed.
- Short term or long term.

1.3 Taking into account all known and relevant facts officers will endeavour to place all households within or as close as possible to the London Borough of Bromley. This policy outlines which households will have priority for the differing units of accommodation that become available.

1.4 All placements will be considered in accordance with the suitability checklist. This is completed by officers to ensure that any property meets the required safety standards and that all known, relevant factors are taken into consideration when making a placement.

1.5 This policy does not prevent a household from considering other housing options, including asking the Council for advice, support and assistance in relocating to more settled accommodation or making their own accommodation arrangements.

2. Prioritisation

2.1 If the local authority has a duty to secure accommodation, an assessment will be carried out to determine the requirements of the applicant and their household. The assessment will determine whether the applicant has:

- Priority to be located in the London Borough of Bromley
- Priority to be located close to the London Borough of Bromley
- No priority to be located either within or close to the London Borough of Bromley.

2.2 The award of an 'In-borough' or 'Close to Borough' location priority does not guarantee the provision of temporary accommodation within those areas, rather priority for such accommodation should it be available and suitable for the needs of the household.

2.3 Where the household is in receipt of welfare benefits, this may place additional constraints on the availability of affordable accommodation, including constraints on its type and location.

2.4 The Council will have due regard to the principal needs of any children in the household, and the need to safeguard and promote the children's welfare. In particular, regard will be had to any disruption to schools, medical care, social work, other key services and other support.

2.5 The Council will have due regard to matters concerning public safeguarding and protection and will work with all relevant organisations to ensure the suitability of accommodation.

3. Priority for accommodation within the borough.

3.1 Priority for available in-borough accommodation will be given to certain households who the Council has assessed as having a particular need to be housed within the London Borough of Bromley. Households who satisfy one or more of the following criteria will be considered as having a priority for accommodation within the London Borough of Bromley:

- Those who are receiving treatment for a physical or mental health condition from a specialist hospital unit which cannot be transferred to another NHS service or where they are at a critical point in their treatment.
- Children subject to a Child Protection Plan in the London Borough of Bromley which cannot be transferred to another local authority without causing serious detriment to a child's welfare.
- Children subject to a Statement of Special Educational Needs in the London Borough of Bromley which cannot be transferred to another local authority without causing serious detriment to the child's welfare.
- In accordance with the criteria set out within the Allocation Scheme, those who have a longstanding arrangement to provide essential care to another resident of the London Borough of Bromley who is not part of the household.
- Other circumstances which demonstrate an exceptional need which cannot be met outside of the London Borough of Bromley.

3.2 An 'In-borough' priority does not guarantee an in-borough placement, but should suitable and affordable accommodation be available within that area, it does give that household priority over others without this assessed priority.

4. Priority for accommodation close to the borough.

4.1 'Close to Borough' priority is defined as priority for accommodation located within a specific travelling distance of the London Borough of Bromley by public transport.

4.2 Applicants or their household members to be housed with them who satisfy one or more of the following criteria will qualify for 'Close to Borough' priority:

- Those who are continuously employed within the London Borough of Bromley for 16 hours or more per week in a role which cannot be transferred to another area. Wherever practicable the Local Authority will seek to place such households within 90 minutes travelling distance by public transport from their place of employment which is in accordance with the DWP guidelines on reasonable travelling times for employment
- Women who are on maternity leave from employment and meet the above criteria will also be prioritised for placements close to the London Borough of Bromley. Wherever practicable the Local Authority will seek to place such households within 90 minutes travelling distance by public transport from their place of employment.
- Children who are enrolled in GCSE, AS, or A level courses in the London Borough of Bromley, with public exams to be taken within the current or next

academic year. Wherever practicable the Local Authority will seek to place such households within 75 minutes journey time to and from school using public transport, this is in accordance with timescales recommended by the Department for Education for children of secondary school age.

- Other exceptional circumstances, where applicants demonstrate an exceptional need to be housed close to the London Borough of Bromley.

4.3 Such priority does not guarantee a placement within the suggested travelling distance of the London Borough of Bromley by public transport, but should suitable and affordable accommodation be available within that area, it does give the household priority over others without that assessed priority.

5. No priority for accommodation within or close to the borough.

5.1 Applicants who meet none of the 'In-borough' or 'Close to Borough' criteria may automatically be offered properties further afield than 90 minutes travelling distance of the London Borough of Bromley by public transport, when no suitable property is available within these areas.

6. Priority for managed temporary accommodation.

6.1 Priority for accommodation with either on site or remote management will be given to those assessed as;

- Requiring or would benefit from support; the type of which is provided at the accommodation.

6.2 Such priority does not guarantee placement into managed accommodation but should suitable managed accommodation be available within that area, it does give the household priority over others without that assessed priority.

6.3 Where additional support needs are identified officers may decide to refer an applicant and their household for assistance from the Council's Housing Support team or other agency.

7. Priority for long term temporary accommodation.

7.1 Long term temporary accommodation is accommodation provided or managed by the Council, a Registered Provider or private company on behalf of the Council.

7.2 Priority will be given to households who;

- Have been accepted as requiring assistance in accordance with s.193 of the Housing Act 1996.
- Have other exceptional circumstances that the Council considers appropriate to be offered long term temporary accommodation.

7.3 Short term temporary accommodation is accommodation managed by a private company and paid for on a nightly basis. This type of accommodation will normally be given to households who have been accepted as requiring assistance in accordance with s.188 of the Housing Act 1996.

8. Priority for self-contained temporary accommodation.

8.1 Self-contained accommodation is accommodation where the applicant and their household do not have to share facilities with another household.

8.2 The Council is required to ensure that shared 'bed and breakfast' style accommodation is only used for families with children and young vulnerable people where there is no alternative accommodation. In the event that shared accommodation is utilised for families with children or households that include a pregnant woman it should be for a maximum of 6 weeks.

8.3 Accommodation that is owned by the local authority is not defined as shared accommodation for the above purposes even when facilities within the premises are shared.

9.4 Priority for self-contained accommodation will be given to households where;

- There are children within the household.
- There is an identified medical need which the Council has assessed would be best managed within this type of accommodation.
- There are issues relating to safeguarding or public protection.

- A household has belongings that must be protected and where no suitable arrangements to ensure this have been identified.
- There is an identified exceptional need which the Council considers would be best met by this type of accommodation.

9.5 A priority for self-contained accommodation does not guarantee such a placement, but should suitable self-contained accommodation be available it does give that household priority over others without this assessed priority.

10. Multiple priorities.

10.1 Where there are multiple priorities identified i.e. where there are conflicting schooling, medical and employment needs it will be determined by the Council as to which priority it chooses to give weight to in the event that not all needs can be met.

11. Move on from temporary accommodation.

11.1 Where the Council determines that a placement does not meet the legally defined standards of suitability as a result of incorrect information from the temporary accommodation provider at the time of placement, through a change of circumstances or through the production of new information it will seek to make an urgent offer of alternative accommodation as soon as one that is suitable and affordable becomes available.

11.2 Where the Council determines that a placement does meet the legally defined standards of suitability but considers that an alternative offer of accommodation would better meet the needs of the applicant and their household it will seek to make an offer of alternative accommodation. Such an offer will only be made in the event that a property which is suitable and affordable becomes available and which is not required for a household who have been assessed to have a more urgent need for the placement.

12. Monitoring.

12.1 The Council continuously monitors the numbers in temporary accommodation in order to ensure that budgetary pressures can be monitored and reported upon, that data regarding housing need can be used to procure appropriate temporary accommodation and so that adjustments can be made to the annual lettings plan in order to ensure that appropriate provision is made in respect of long term housing options.

Appendix 1:

Suitability checklist for offers of temporary accommodation – Completed by both the procuring and allocating officers prior to a placement.

Address of property being offered	
Applicant Name	
Landlord name	
Bedroom Size	
Tenure of property offered	

The provisions of the Housing act 1985 relating to slum clearance and overcrowding

Is property in such poor condition that demolition or clearance is required? (M&A)	Choose an item.
Is the property, or will the property become, statutorily overcrowded? (Alloc)	Choose an item.

The provisions of parts 1-4 of the Housing Act 2004 relating to housing conditions, houses in multiple occupation and licensing of accommodation

Are there known category 1 hazards? (M&A)	Choose an item.
Is the property a HMO? (M&A)	Choose an item.
Is it licensed? (M&A)	Choose an item.

The affordability of the accommodation

What is total cost of accommodation including charges? (M&A)	
Does the above figure include utilities? (M&A)	Choose an item.
What is income of household? Benefits (Alloc)	
What is the income of household? Employment (Alloc)	
Is there a substantial shortfall between contractual rent and housing benefit? (Alloc)	Choose an item.

The public sector equality duty at Equality Act 2010 s149

Please select which “protected characteristics” are present in the household.	Age <input type="checkbox"/> Disability <input type="checkbox"/> Gender reassignment <input type="checkbox"/> Marriage and Civil Partnership <input type="checkbox"/> Race <input checked="" type="checkbox"/> Religion and belief <input type="checkbox"/> Sexual orientation <input type="checkbox"/>
How has this been considered?	

Are there any issues mentioned in guidance given in the Codes of Guidance that would suggest property unsuitable? (Alloc)	Choose an item.
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The relevant content (if any) of their own Homelessness strategies:
Our Homelessness Strategy details that we will provide suitable Temporary Accommodation and minimise use of Nightly Paid Accommodation. This offer is in line with that approach.

Type of accommodation, space & arrangement

Are there children, disabled people or elderly in household? (Alloc)	Choose an item.
Does property need adaptations to be made suitable for these people? (Alloc)	Choose an item.
Can adaptations be made? (M&A)	Choose an item.
Are doors, windows, fire doors operative? (M&A)	Choose an item.
Are bathroom and toilet accessible for household? (Alloc)	Choose an item.

Health & Safety, condition & standards

Are there any reported problems with major disrepair? (M&A)	Choose an item.
Is there a valid Energy Performance Certificate? (M&A)	Choose an item.
Is there a valid Gas Safety Certificate? (M&A)	Choose an item.
Is there a valid Electrical Safety Certificate (M&A)	Choose an item.
Is the property fitted with suitable smoke detectors? (M&A)	Choose an item.

Location

Is the property in district? (M&A)	Choose an item.
If out of district, was this the closest property available? (Alloc) If no, further info:	Choose an item.
Are there any problems with journeys to schools that causes an unacceptable disruption? (Alloc)	Choose an item.
Are there any problems with journeys to employment that cause an unacceptable disruption? (Alloc)	Choose an item.
Are there any problems with distance from medical facilities and support that causes an unacceptable disruption? (Alloc)	Choose an item.
Are there any problems with proximity and accessibility of local services, amenities and transport that causes an unacceptable disruption?? (Alloc)	Choose an item.
Are there any problems with known risk of violence/harrasment at accommodation? (Alloc)	Choose an item.
Please detail consideration of any key issue:(Alloc)	

Medical and physical needs

Are there any household members with specific needs that require consideration? (Alloc)	Choose an item.
Does this affect the property type needed? (Alloc)	Choose an item.
Please detail consideration of any key issues (Alloc)	

Other social considerations

Are there any other considerations that may make this particular property unsuitable for this particular household? (Alloc)	Choose an item.
---	-----------------

Any risk of violence or racial harassment

Is there any specific indication that any household member may be at risk of violence or racial harassment at this property? (Alloc)	Choose an item.
--	-----------------

Need for security and secret location for those fleeing violence

Is this applicant or a member of their household fleeing violence? (Alloc)	Choose an item.
Is this address in an area where they may be at risk? (Alloc)	Choose an item.
Is the property secure? (Alloc)	Choose an item.

Final checks

Is this S188 or S193? (Alloc)	Choose an item.
Does this applicant have any other arrangements they can make? (Alloc)	Choose an item.
Is property offered suitable for duration of placement? (Alloc)	Choose an item.

Any other circumstances that may be relevant in particular case.

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Offer suitable? Choose an item	Officer Choose an item.	Date Time:
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Report No.
CS16005

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: Tuesday 12 January 2016

Decision Type: Non-Urgent Executive Non-Key

Title: DOMICILIARY CARE CALL TRACKER CONTRACT

Contact Officer: Stephen John, Assistant Director: Adult Social Care
Tel: 0208 313 4754 E-mail: Stephen.John@bromley.gov.uk

Chief Officer: Assistant Director: Adult Social Care (ECHS)

Ward: All Wards

1. Reason for report

- 1.1 This report seeks permission to extend the Panztel contract until 31st March 2017 pending the result of the options appraisal for future delivery of the reablement service..
-

2. **RECOMMENDATION**

- 2.1 That the Care Services Portfolio Holder agree to extend the Panztel contract from 1st April 2016 until 31st March 2017.

Corporate Policy

1. Policy Status: Existing Policy:
 2. BBB Priority: Supporting Independence
-

Financial

1. Cost of proposal: £13,000 in 2016/17 (cumulative total £110,717 since 2010)
 2. Ongoing costs: N/A
 3. Budget head/performance centre:831 001 1933
 4. Total current budget for this head: £19,510
 5. Source of funding: ECHS Baseline budget.
-

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: None:
 2. Call-in: Applicable:
-

Customer Impact

1. At any one time the Re-ablement service will be working with between 45/50 Service Users (SU's). The Re-ablement service is time limited to six weeks so the number of SU's who will receive the service in the course of a year is in the region of 450.
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The reablement service, which is part of Direct Care Services in the Adult Social Care Division of Education Care and Health Services provides help and support to vulnerable service users by helping them to maintain or regain simple daily living skills which may have been eroded due to illness or a stay in hospital. The support provided by the specially trained staff team is intensive and designed to increase confidence and reduce, or remove, the need for on-going domiciliary care packages and to increase the person's independence and ability to manage their own lives.
- 3.2 The service uses an electronic data collection system, provided by a company called Panztel, to monitor the domiciliary visits made by reablement facilitators. The current contract ends on 31st March 2016.
- 3.3 The system, known as EziTracker, records the arrival and departure times of the domiciliary visits made by the facilitators. On arrival at a service user's home the facilitator phones a Freephone number and enters a PIN, repeating the process on leaving. This identifies the member of staff and verifies that the visit has taken place and provides operational data for the service, e.g. arrival time, length of stay, travel time etc.
- 3.4 The reablement service is currently subject to an options appraisal for future delivery as agreed by Executive in June 2016. Until the options appraisal is complete and the decisions regarding the future of the service have been made it would be premature to tender the data capture part of the service as an external provider may well have their own data capture system.
- 3.5 This report therefore seeks permission to extend the contract for one year until 31st March 2017. If a further extension is sought, this will be reported to Care Services PDS

4. POLICY IMPLICATIONS

- 4.1 The reablement service supports the Council's Building a Better Bromley priority to support independence.

5. FINANCIAL IMPLICATIONS

- 5.1 The cost of the proposal, £13,000 in 2016/17, is within the budget for this service.

6. LEGAL IMPLICATIONS

- 6.1 The value of the proposed extension is such that the cumulative value of the contract is now above the threshold which requires Portfolio Holder approval.
- 6.2 This cumulative value is below the EU services and supplies threshold, which would otherwise require a competitive tender via the Official Journal of the European Union.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	[Title of document and date]

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Report No.
CS16006

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: 12th January 2016

Decision Type: Non-Urgent Executive Non-Key

Title: CHANGES TO NON RESIDENTIAL CHARGING POLICY AND
ADDITIONAL INCOME GENERATION

Contact Officer: Stephen John, Assistant Director, Adult Social Care

David Bradshaw, Head of Education, Care & Health Services Finance
Tel: 020 8313 4807 E-mail: David.Bradshaw@bromley.gov.uk

Chief Officer: Chief Executive

Ward: (All Wards);

1. Reason for report

- 1.1 To consider the impact of the Councils charging policy and to outline the proposed changes to the Non-residential charging policy.

2. **RECOMMENDATIONS**

The Care Services Portfolio Holder is asked:

- 2.1 Agree to engage with service users, their families and carers about the proposed new charges as set out in Section 4.
- 2.2 Agree to delegate the decision to increase charges to the Director of Finance should there be an impact of the National Living wage to the charge rates as per Section 7.

Corporate Policy

1. Policy Status: Not Applicable
 2. BBB Priority: Not applicable
-

Financial

1. Cost of proposal: No cost:
 2. Ongoing costs: £200k saving:
 3. Budget head/performance centre: Care Services charging
 4. Total current budget for this head: £4,491k
 5. Source of funding: Charging
-

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: Care Act 2014
 2. Call-in: Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): maximum 400 users
-

Ward Councillor Views

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

3. COMMENTARY

- 3.1 Given the significant savings that the Council will need to find over the next four years it is important that as part of the budget process officers review all income opportunities to ensure that income is maximised or reflects changes that have occurred to services that ultimately impact on our charging policy.
- 3.2 Social Care services are provided to vulnerable adults within the community who meet the Council's eligibility criteria and following an assessment of need. Traditionally following that assessment the Council arranged for services to be provided – often through the provision of a home care service – either directly delivered or from a contracted provider. The new contributions policy agreed by the Executive in April 2011 for non- residential social care services, allocates services on the basis of a personal budget and allows service users to take a direct payment to buy care directly themselves or still ask the council to manage this on their behalf. This new contribution policy assumes full cost recovery (subject to a financial assessment) of all services.
- 3.3 The services included within a personal budget are shown below:-
- Personal Care
 - Personal Assistant
 - Extra Care Housing – Personal Care
 - Supported Living
 - Day Care including transport
 - Live in Carers
 - Assistive Technology Community Alarm Service
 - Assistive Technology Equipment (provided as part of Community Alarm)
 - Non Residential Respite
 - Other non- residential services determined as necessary to meet assessed need e.g. Laundry, Shopping, Bathing
- 3.4 In 2003 the Government issued guidance for setting charges for non-residential social care services. That guidance sought to ensure that people who use services are treated fairly and are not asked to make a contribution towards their care that will leave them in financial difficulty or hardship. It also ensured that local authorities could not make a profit from these services, so the maximum charge that can be set is full cost recovery (subject to a financial assessment).
- 3.5 In addition to the various allowances that are taken into account in assessing a service user's charge, people with specific expenses in excess of 'standard' living costs may receive a further reduction in their charge for 'disability related expenses'. (These may include incontinence laundry costs or costs to address a sensory impairment, for example). Provision for this kind of expense is included in the government guidance.

Transport

- 3.6 Currently the council does not charge for its transport service. In the last year our drivers have completed 60,000 trips to and from day centres to ensure service users are able to get to the various day centres across the borough. Over the last few years charging for Transport has been considered and reports presented to members, however this has not been progressed further due to the difficulties in collecting income and also accurately recording the trips made by individual service users.
- 3.7 In the past any method of collecting this financial contribution was problematic as the service user may not attend the day care as expected and therefore query charges made. Also care management would have had to ensure services were set up in a timely manner, and staff

would be managing service user queries and complaints, so impacting on overall resources. For these reasons charging for Transport has never been progressed. However, the new contract with Greenwich Service Plus has a card swiping system on the buses which will allow officers to record and monitor the trips made by individual service users. This data can then be collected and attributed to the client and charges can then be processed.

- 3.8 It will provide proof of carriage by scanning a travel card, made out to each authorised passenger. Each scan records the date, time and location and the system enables the operator to record the reason that a passenger may not be carried. These are picked from a selection on a drop-down list i.e. 'no access', 'no answer' or 'unwell'.
- 3.9 The cards themselves carry the Bromley logo and the bar-code strip and will be held by those passengers that prefer to and have the capacity to hold them, otherwise they will be retained by the crew.
- 3.10 The data will be exported each month and provided to the ECHS finance team in a format that enables matching with the charges made by Greenwich Services Plus.
- 3.11 This is in the final set up stages with the supplier and it is estimated will hopefully be in a position to launch the system in January.
- 3.12 Charging for Transport is one of the only services where the Council has discretion around if this is included in the Fairer Charging Policy so will be part of an overall assessed personal budget or outside the Policy and therefore charged for based on a flat rate charge which is considered to be a substitute for ordinary living.
- 3.13 However under current guidance anyone in receipt of Income Support/Jobseeker's Allowance (Income-based) (JSA-Income Based) allowances would be exempt from the charge. It is estimated that 60% of all users would not be charged under this methodology.
- 3.14 If transport is included in the Fairer Charging Policy any income generated will be reduced as it will be means tested. Appendix 1 sets out the approach taken by other local authorities along with their charges.

Day Centres

- 3.15 As part of a block contract some day care were charged at a flat rate. As this contract ended and service users moved to spot purchasing arrangements and personal budgets for their service requirements, Executive agreed that once service users moved from the existing block contract arrangement they would be charged based on actual costs. Transitional arrangements were in place which ceased on the 31st March 2015, meaning that full cost recovery could be implemented from April 2015/16. As the remaining legacy clients were transferred to the spot places after 1st April 2015 the existing charging arrangements for these clients continued.
- 3.16 This change normalises the charging policy across the piece with all users being treated equally insofar as all service users are charged at full costs subject to a financial assessment.
- 3.17 Full cost clients will now have to pay the full amount of their day care and other clients will have to pay a contribution if assessed to do so.
- 3.18 This will impact upon 218 clients whose charging levels would increase out of 512 clients overall.

3.19 Current indications suggest that this will generate in the region of £136k of additional income for the Council

Keysafe

3.20 Currently those users receiving the Carelink service from the borough deposit a key with the Council that is held centrally in storage. Carelink staff have to come to the central storage to collect the keys in order to gain access to the property. It is proposed that all users would need a key safe installed at their home. A key safe is a small box which is secured to the outside of the property in a discrete location. The keys are able to be stored safely.

3.21 It is recommended that, like some other authorities there is a one off charge of £60 levied to do this. This payment would be means tested.

3.22 This would enable Carelink staff response times to be improved as staff would not need to come back to a central store to deposit and pick up keys.

3.23 It is expected that this will be cost neutral financially

3.24 Appendix three shows charges made by other authorities for this service

4. PROPOSED CHANGES TO THE CHARGING POLICY

4.1 Work has been undertaken by officers to model potential income that could be generated by formalising the arrangements for older people's day care and also for introducing charging for transport services.

4.2 The table below sets out the potential income that could be generated from charging for transport based:-

CHARGE PER RETURN JOURNEY £	WITHIN CHARGING POLICY £'000	OUTSIDE CHARGING POLICY £'000	DIFFERENCE £'000
5.00	72	102	-30
10.00	145	203	-58
15.00	194	305	-111
20.00	259	406	-147
24.60	306	500	-194

£24.60 is the rate charged by the transport provider in the contract

4.3 With potential charging rates varying between £5 to £24.60 per return trip, the income that this would generate would be between £72k and £500k depending on value and method.

4.4 There are currently around 950 return journeys a week and 400 clients being transported

4.5 Other Authorities currently charge for these services at varying charge levels as set out in Appendix 1

4.6 The table in Appendix 2 provides a breakdown of the average cost (before means testing) of a service user attending day care and then the impact of that if they were then charged at the different rates included in the table above.

- 4.7 As you can see from the table in Appendix 2 the cost of day care including transport varies according to need, and depending on the transport charge, the total cost ranges between £22 and £58 per day. This would see increases in charges, again depending on the transport charge between £6 and £41 a day. As mentioned above these levels are the maximum and may be reduced when a financial assessment is conducted. On average a service user will have day care services about twice a week.
- 4.8 It is proposed to engage with service users, their families and key organisations in Bromley on the introduction of a charge for transport services commencing from the publication of this report. The period of engagement will be for 4 weeks commencing on the 13th January and ending on the 12th February 2016. It is anticipated that, subject to any changes being made as a result of the responses received, the new rates will be implemented for the commencement of the 2016/17 financial year.

5. EQUALITIES IMPACT ASSESSMENT

- 5.1 An initial equality impact assessment is being undertaken to assess the impact of the changes on the current service users and this will be available at the consultation web page <http://bromley.mylifeportal.co.uk/consultations>
- 5.2 A follow up assessment will be undertaken during the implementation phase to reassess the impact. This will include contributions from a range of stakeholders to ensure that issues and risks are identified and actions are put in place to minimise the impact.

6. POLICY IMPLICATIONS

- 6.1 These proposals impact on the Councils Building a Better Bromley aim of promoting independence by ensuring that resources are available to meet the increasing demand from an elderly population and adults with disabilities and care needs.

7. FINANCIAL IMPLICATIONS

- 7.1 The proposed changes to Transport and Day care cost recovery are estimated to generate income to a maximum of £636k. This will be dependent on the outcomes of the consultation and the decisions made resulting from this.
- 7.2 The income generated would be the maximum that would be available. There is a possibility that this may be reduced if demand for these services fall with the introduction of additional charges. Moreover there may be additional resources required to administer this. This is estimated to be no more than £50k.
- 7.3 It has been assumed in the budget for 2016/17 that £200k will be generated from additional income.
- 7.4 The impact of the introduction of the keysafe will be cost neutral. However there will be benefits from a reduction in travel time by staff attending call outs.
- 7.5 There may be an impact on charging from the National Living Wage (NLW), being introduced in April 2016. Prices for services may increase and in turn our recovery rates from full cost payers and assessed clients. It is recommended that the decision to amend charging rates, should they need to be amended to reflect the impact of the NLW be delegated to the Director of Finance.

8. LEGAL IMPLICATIONS

8.1 Section 14 Care Act 2014 gives the local authority a power to charge for this type of service when meeting care needs

(1) A local authority - (a) **may** make a charge for meeting needs under sections 18 to 20, and (4). A charge under subsection (1)(a) may cover only the cost that the local authority incurs in meeting the needs to which the charge applies.

(5) Regulations may make provision about the exercise of the power to make a charge under subsection (1). The requirement to ensure that people are not charged more than it is reasonably practicable for them to pay and are not charged more than the cost of providing a service.

Non-Applicable Sections:	Personnel Implications
Background Documents: (Access via Contact Officer)	Files held in Finance and Exchequer teams

TRANSPORT CHARGES CHARGED BY OTHER AUTHORITIESIncluded in Fairer Charging

Bexley	£20.20 per return journey
York	£4.00 per single journey
Derbyshire	£5.00 per day
Warwickshire	£5.17 - £12.23 per single journey

Outside of Fairer Charging

Merton	£2.70 per day
Knowsley	£3.00 per single journey
Blackburn	£1.50 per single journey
Warrington	£3.58 per single journey
Halton	£1.50 per single journey

BREAKDOWN OF AVERAGE COST (BEFORE MEANS TESTING) OF A SERVICE USER ATTENDING DAY CARE AND THE IMPACT OF CHARGING AT DIFFERENT RATES

CHARGES PER DAY

Assuming a £5 transport charge

	<u>Day Care</u>		<u>Transport</u>		Total previous charge	Total proposed charge	Difference per day
	Previous charge	proposed charge	Previous charge	proposed charge			
Day Care Band 1	16.67	17.57	0.00	5.00	16.67	22.57	5.90
Day Care Band 2	16.67	24.79	0.00	5.00	16.67	29.79	13.12
Day Care Band 3	16.67	33.06	0.00	5.00	16.67	38.06	21.39

Assuming a £10 transport charge

	<u>Day Care</u>		<u>Transport</u>		Total previous charge	Total proposed charge	Difference per day
	Previous charge	proposed charge	Previous charge	proposed charge			
Day Care Band 1	16.67	17.57	0.00	10.00	16.67	27.57	10.90
Day Care Band 2	16.67	24.79	0.00	10.00	16.67	34.79	18.12
Day Care Band 3	16.67	33.06	0.00	10.00	16.67	43.06	26.39

Assuming a £15 transport charge

	<u>Day Care</u>		<u>Transport</u>		Total previous charge	Total proposed charge	Difference per day
	Previous charge	proposed charge	Previous charge	proposed charge			
Day Care Band 1	16.67	17.57	0.00	15.00	16.67	32.57	15.90
Day Care Band 2	16.67	24.79	0.00	15.00	16.67	39.79	23.12
Day Care Band 3	16.67	33.06	0.00	15.00	16.67	48.06	31.39

Assuming a £20 transport charge

	<u>Day Care</u>		<u>Transport</u>		Total previous charge	Total proposed charge	Difference per day
	Previous charge	proposed charge	Previous charge	proposed charge			
Day Care Band 1	16.67	17.57	0.00	20.00	16.67	37.57	20.90
Day Care Band 2	16.67	24.79	0.00	20.00	16.67	44.79	28.12
Day Care Band 3	16.67	33.06	0.00	20.00	16.67	53.06	36.39

Assuming a £24.60 transport charge

	<u>Day Care</u>		<u>Transport</u>		<u>Total</u>	<u>Total</u>	<u>Difference per day</u>
	<u>Previous charge</u>	<u>proposed charge</u>	<u>Previous charge</u>	<u>proposed charge</u>	<u>previous charge</u>	<u>proposed charge</u>	
Day Care Band 1	16.67	17.57	0.00	24.60	16.67	42.17	25.50
Day Care Band 2	16.67	24.79	0.00	24.60	16.67	49.39	32.72
Day Care Band 3	16.67	33.06	0.00	24.60	16.67	57.66	40.99

KEY SAFE CHARGES CHARGED BY OTHER AUTHORITIES

Bracknell	£60
Milton Keynes	£53
Forest of Dean	£74
Redbridge	£102

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Report No.
CS16011

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: CARE SERVICES PORTFOLIO HOLDER

**For pre decision scrutiny by Care Services Policy
Development and Scrutiny Committee**

Date: 12th January 2015

Decision Type: Non-Urgent Executive Non-Key

Title: ANNUAL QUALITY MONITORING REPORT

Contact Officer: Wendy Norman, Strategic Manager, Procurement and Contract Compliance
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Chief Officer: Lorna Blackwood, Assistant Director of Commissioning (ECHS).
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Ward: Borough-wide

1. Reason for report

1.1 Officers present an annual report to the Policy Development and Scrutiny Committee on quality monitoring of commissioned care services. This report covers the arrangements for monitoring contracts and progress made to raise standards in:

- Domiciliary care, extra care and supported living schemes (Appendix 1)
- Care homes, (Appendix 2)
- Children's services (Appendix 3)

1.2 The report also recommends the addition of 5 care agencies to the Domiciliary Care Framework.

2. RECOMMENDATION(S)

2.1 Members of the Care Services Development and Scrutiny Committee are asked to:

- Consider and comment on the report.
- Undertake a programme of visits to Care Homes in the Borough during 2016/17

2.2 The Care Services Portfolio Holder is asked to agree that the providers listed below are added to the Domiciliary Care Framework:

- Daret
- Fabs Homecare
- Independent Care
- Krislight
- LifeComeCare

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: Estimated cost no cost directly arising for the recommendations in the report.
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: 1)Residential and nursing home, 2)domiciliary care, 3) Training 4) children's
 4. Total current budget for this head: £Care homes - £34m pa, Domiciliary Care -£13m pa, Training – Net expenditure - £63,720 Children's Residential Placements -£
 5. Source of funding: Revenue Support Grant
-

Staff

1. Number of staff (current and additional):
 2. If from existing staff resources, number of staff hours: 5 FTE Contract Compliance staff in Commissioning Division
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): Care Homes - 1600, Domiciliary Care - 1200, Children - 290
-

Ward Councillor Views

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

3. COMMENTARY

3.1 The Policy Development and Scrutiny Committee receives annual updates covering the arrangements for monitoring contracts and progress made to raise standards in services commissioned from third parties. This covering report details the general arrangements for monitoring Adult and Children's residential and domiciliary services. Detailed reports outlining the quality monitoring activity for Domiciliary Care, Extra Care Housing Care Homes, Supported Living Schemes and Children's placements are attached as appendices to this report.

Regulatory Frameworks – Adults

3.2 The regulatory framework covering care homes and domiciliary care agencies for adults is the Health and Social Care Act 2008. Care Quality Commission (Registration) Regulations 2009 and Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 detail the key care standards which providers must deliver. There are 28 regulations and associated outcomes that are set out in this legislation. The CQC monitors for compliance against these Fundamental Standards of Quality and Safety. CQC Compliance reports may identify 'minor', 'moderate' or 'major' concerns against any of the Fundamental Standards.

3.3 These are grouped into 5 key themed areas for the purposes of providing a consolidated rating for each home:

- Safe.
- Effective.
- Caring.
- Responsive to people's needs.
- Well-led.

3.4 The provider also receives an overall summary rating. All these ratings shown below are published on the CQC website. By March 2016 all providers will be rated under this new rating system. The outstanding rating is very rarely awarded and whilst 2 providers have been awarded outstanding in some categories none have yet achieved outstanding as an overall rating.

- Outstanding.
- Good.
- Requires improvement.
- Inadequate.

Bromley Providers ratings are shown below:

Outstanding	Good	Requires Improvement	Inadequate.
0 – (Community Options, Antakol and Clairleigh have each achieved an outstanding rating in 1 key theme)	37	17	0

3.5 Where the CQC identify concerns with a provider they take appropriate action to ensure that the necessary improvements are made to ensure that the care meets the required standards.

3.6 Spreadsheets setting out the current ratings for all the Bromley providers are attached as Appendices 4 and 5. These also show the number of placements funded by the Council, the dates of monitoring visits made by the Council's Contract Compliance Officer and CQC.

- 3.7 The CQC checks that providers have appropriate levels of management and that the registered person for that business has appropriate values and are well motivated. They will also take action if care services judged to be inadequate fail to make required improvements within the required timescales. In the worst cases the CQC will cancel their registration.
- 3.8 The Council has adopted a policy of not making any new placements with a registered provider where the CQC has found the service to be inadequate. If CQC takes action against a provider, the Council's Care Services teams undertake a risk assessment in order to decide what the Council's response should be taken in respect of current service users.
- 3.9 Where a provider is given a rating of Requires Improvement by CQC the Council's Contract Compliance Officer will intensify the level of scrutiny of the provider and the provider's performance is regularly reviewed by the partners at the Care Services Intelligence Group (CSIG).
- 3.10 Where service users have chosen to live out of the borough the contract compliance team undertakes regular checks of the CQC ratings. Care Services are alerted to any issues raised about the quality of care provided and will take follow up action if necessary. Care Services staff reviews service users in residential care regularly in order to ensure that residents continue to be safely placed.

Care Act 2014

- 3.11 In response to the requirements of the Care Act 2014 the department has produced a market position statement which analyses the Council's care requirements and the availability of local services.
- 3.12 The Council has also produced a robust procedure to be adopted in the event of provider failure. However, the Contract Compliance Team monitors the financial health of the providers it contracts with via a credit check and Companies House activities which provides early warning of any problems.

Quality Assessment Framework (QAF)

- 3.13 The Contract Compliance Team uses a QAF to measure the performance of providers against a range of standards in key areas. Standards are graded in four groupings, 'A', 'B', 'C' and 'D'. Level C is based upon the minimum standard of the 'Essential Standards of Quality and Safety' published by Skills for Care. If any area of service is graded level 'D' the provider is required to make immediate improvements as this is unsatisfactory. Grades 'B' and 'A'; provide incentives to Providers to demonstrate continuous improvements in the quality of their service.
- 3.14 The QAF has been adapted for use across Residential Care, Domiciliary Care, Supported Living, Extra Care, Day Care and for all other contracts monitored by the ECHS Contract Compliance Team. All new contracts require the Provider to comply with the QAF. Providers are required to complete an action plan for any areas where they score D. Officers compile the QAF scores, analyse the results and use these to highlight areas where practice needs to be improved at the quarterly forums run by the Council (see 3.24). If necessary Officers commission focused additional training in particular areas.

Safeguarding

- 3.15 Bromley Safeguarding Adults Board funds a comprehensive free training programme which all local providers can access. When safeguarding alerts are raised the Care Management teams

instigate the Council's safeguarding procedures. Contract Compliance officers can be involved in safeguarding investigations and will ensure that providers follow up on learning points or action plans at the conclusion of each case.

- 3.16 The Council's safeguarding manager convenes CSIG which is a regular meeting of officers from the Council, Bromley Clinical Commissioning Group, Bromley Healthcare, Oxleas, and CQC to exchange information and share any concerns about local providers. This ensures that any potential issues with individual or multiple providers are identified early; that investigations progress appropriately and that any learning requirements are factored into monitoring and training programmes.
- 3.17 Details of specific safeguarding events are set out in Appendices 1 and 2. The annual safeguarding report provides detailed information on the outcome of substantiated safeguarding alerts. This was reported to Care Services PDS on 23rd September 2015.

The Care Certificate

- 3.18 The Care Certificate standard was introduced in April 2015 for care workers new to delivering care and replaces the previous Common Induction Standards and National Minimum Training Standards. There are 15 standards to meet within the Care Certificate and Providers themselves assess that the care worker has achieved the required level of competency, then makes the award.
- 3.19 The Contract Compliance team has amended the QAFs to reflect the new requirements and ensure that providers are working towards implementing them. Skills for Care attend the Provider Forums and have made presentations to providers to ensure that they have appropriate information to implement this award. We will continue to work with providers on implementing this award consistently during 2016.

Training

- 3.20 The Council assists in raising the standards in care homes and domiciliary care by organising a comprehensive programme of training. This is designed and delivered in conjunction with Skills for Care, Health partners. During 2016 we will be maximizing resources by linking with neighbouring boroughs where it is cost effective to do so. All local Providers are invited to join a training consortium run by the Council which gives them access to training via taught courses and e-learning for a small contribution towards costs. There are currently 51 members of the consortium. The Council works with providers to ensure that the courses provided are appropriate, timely and assist providers in balancing the competing demands of delivering care and ensuring that staff receive both induction and refresher training.
- 3.21 The training courses address the requirements of the Essential Standards of Quality and Safety. Core training courses in first aid, food hygiene, health and safety and moving and handling form the majority of the training programme. The remaining courses provide valuable learning opportunities for care staff to gain additional skills and knowledge to help them carry out their duties. The programme is regularly updated and reviewed to include training on new legislation. The senior management programme was rolled out during 2015/16, which was well attended and has received very positive feedback.
- 3.22 The Council mapped its training courses to mirror the Care Certificate Standards and have commissioned bespoke training to train Provider staff to undertake Care Certificate assessments. This will be rolled out from January 2015 onwards.

Provider Forums

- 3.23 The Contract Compliance Team runs quarterly provider forums for Domiciliary Care, Care home and Learning Disability service providers. These events are well attended and provide the opportunity for good practice to be shared. Key partners from health regularly attend the forums in order that any shared issues or problems can be raised and discussed and resolution sought. A recurring item at all forums has been how we can jointly improve the management of hospital discharges and how providers can work with health partners in order to avoid inappropriate admissions. Another key area tackled this year was safer recruitment. As part of this work the Borders Agency attended both the Domiciliary Care and Care Home Forums to show providers how to identify forged identity documents.

The Care Market in Bromley

- 3.24 During the last year the NHS has significantly increased its focus on reducing admissions to hospital and facilitating discharge as soon as patients are stable and no longer require acute care. The focus is on facilitating assessment at home where appropriate rather than in a hospital or care home. This policy has put additional pressure on providers in Bromley because it requires them to respond to requests for assessments and to take new admissions or care packages 7 days a week. In order to co-ordinate this initiative a Transfer of Care Bureau has been introduced at the Princess Royal University Hospital which includes staff from all related disciplines, including social care. The Placements Team are continuing to have difficulty in sourcing both care home placements and care packages, particularly at the very short notice given.
- 3.25 In response to the additional pressure during the winter months the team has commissioned 3 block beds in nursing homes, a rapid response domiciliary care service and a maintenance service which enables people to return safely to their own homes. These services are funded by the NHS. The flexible contract with Medequip enables equipment to be provided quickly to facilitate discharges, again funded by the NHS where applicable.
- 3.26 Providers in the care sector all report that they are having increasing difficulty in recruiting suitable care staff. Some neighbouring Councils voluntarily adopted a policy of paying care staff the London living wage which also impacts on the ability of Bromley providers to recruit care workers to work on Bromley contracts. In response to the recruitment difficulties agencies have introduced organisational structures which incentivise staff to remain loyal to an agency in order to gain promotion. Domiciliary Care Agencies frequently offer “golden hello” incentives.
- 3.27 The Council has been commissioning care placements from its Domiciliary Care Framework since 2012. When the framework was set up the Council reserved the right to add new contractors, should one or more of the original Contracts withdraw, or be suspended or removed from the framework. Three providers on the framework are no longer providing care in Bromley (see appendix 2), therefore Commissioners have sought replacement agencies in order to try and meet the demand. The following providers have operated successfully under spot contracts and it is recommended that they are added to the framework:
- Daret
 - Fabs Homecare
 - Krislight
 - Independent Care
 - LifeComeCare

- 3.28 These 5 agencies are delivering care within the rates for domiciliary care set by the Council. Framework rates were frozen for the first 2 years, but were increased in August 2014 by 1.1% and August 2015 by 1.6%.
- 3.29 The introduction of the National Living Wage from April 2016 could have a significant impact on the care sector where traditionally care workers are remunerated at the lower end of average income levels. In Bromley around 95% of adult social care front line service delivery and spend is in the independent sector. The Council's social care contracts require providers to pay at least the National Minimum Wage, currently £6.70 per hour. It is not known how many of them are already paying at the higher National Living Wage (NLW) rate which will take effect for over 25s from 1st April 2016 (£7.20 per hour rising to £9 per hour by 2020). Employers are likely to benefit from changes to corporation tax and National Insurance which should mitigate some of the effect for those who will need to increase pay rates. The Council will consider the contractual position on an individual provider basis and would expect providers to be able to demonstrate the specific impact of the NLW on their costs.

Regulatory Frameworks - Children's Services

- 3.30 Children's services are subject to regulation by Ofsted. Ofsted conduct a full inspection on a 3 year cycle for which they may make a judgement in the following categories:
- Outstanding: a service of exceptional quality that significantly exceeds minimum requirements
 - Good: a service of high quality that exceeds minimum requirements
 - Adequate: a service that only meets minimum requirements
 - Inadequate: a service that does not meet minimum requirements

3.31 For any service receiving a judgement of either Adequate or Inadequate **annual** inspections will be conducted for which the following judgements could be made:

Good progress	The children's home has demonstrated continued improvement in quality of care and outcomes for children and young people and where appropriate has addressed all requirements and the large majority of recommendations that were raised at the previous inspection.
Satisfactory progress	The children's home has maintained quality of care and outcomes for children and young people and where appropriate has addressed all requirements and the majority of recommendations that were raised at the previous inspection.
Inadequate progress	The children's home has failed to address one or more requirements and/or has not met the majority of recommendations and/or the quality of care and outcomes for children and young people that were raised have declined.

3.32 The Central Placements team will only make placements with providers that have a rating of Good or Outstanding. Further information on Children's Services is in Appendix 3.

4 POLICY IMPLICATIONS

- 4.1 National and local policies expect that continuous improvement be achieved in the quality of care delivered in care services serving the local community.

5 LEGAL IMPLICATIONS

- 5.1 Under Section 21 of the National Assistance Act 1948 the Council has a duty to provide or arrange for residential accommodation for persons who by reason of age, illness, disability or any other circumstances are in need of care and attention not otherwise available to them.
- 5.2 Once a person has been assessed as being in need of such care the Council must have regard to the National Assistance Act 1948 (Choice of Accommodation) Direction 1992 which are intended to give clients a choice over where they receive such care arranged or provided by the Council. Such choice has to reflect both the costs of such accommodation as well as its availability.

Non-Applicable Sections:	Personnel & Financial implications
Background Documents: (Access via Contact Officer)	ACS14008 Quality Monitoring of Domiciliary Care, Care Homes and Children's Placements Framework Agreement for the Provision of Domiciliary Care Services.

Domiciliary Care, Extra Care Services and Supported Living Services

- 1.1 The Council supports approximately 1,200 people in Bromley to stay in their own homes through the provision of domiciliary care services.
- 1.2 Services are procured from a Framework of Providers which was awarded in August 2012 following a Procurement Exercise. There are 20 providers on the framework, all of whom meet robust quality standards. In order to comply with Financial Regulations, new care packages are offered out to all contracted providers on the Framework.

REGISTRATION

- 1.3 Domiciliary care agencies providing personal care are required to register with the Care Quality Commission (CQC) under the Care Quality Commission (Registration) Regulations 2009 introduced by the Health and Social Care Act 2008. The CQC currently monitors for compliance against The Fundamental Standards of Quality and Safety. Compliance reports may identify 'minor', 'moderate' or 'major' concerns against any of the Fundamental Standards. Where the CQC identify concerns, they will take action to ensure that the necessary improvements are made.
- 1.4 The Council continually monitors the registration status of domiciliary care agencies and if at any time we have concerns about this status we reconsider the contractual arrangements with the Provider. A schedule of Providers used by the borough with their CQC scores and a record of the contract monitoring visits can be found in Appendix 4.

CONTRACT MONITORING

- 1.5 Contract monitoring meetings are scheduled based on a risk assessment. The Contract Compliance officers use the CQC Fundamental Standards of Quality and Safety and the Quality Assessment Framework (QAF) to assess a contractor's performance. They also review recent complaints and comments about care made by Care Services. Each agency is visited at least annually, and agencies with more clients are monitored quarterly. Compliance Officers schedule additional visits as necessary if they have concerns about an agency's performance. Monitoring covers five key areas:
 - Assessment and Care Planning.
 - Medication

- Protection of Service Users and Staff.
 - Quality Assurance
 - Organisation and Running of the Business.
- 1.6 At each meeting the monitoring officer discusses progress on each key area with the provider and their staff and scrutinises supporting documentation. The QAF is used for all monitoring of Domiciliary Care Services so each section of the QAF is completed and a score given. Following each monitoring meeting an action plan is jointly agreed which is then followed up on subsequent visits.
- 1.7 During 2015 officers focused specifically on the quality of service delivery confirmed through the use of Electronic Call Monitoring (ECM) by Providers. The key areas scrutinised were:
- Monitoring the length, time and spacing of calls for service users
 - Ensuring that Carers are logging in and out regularly using ECM (overall compliance)
- 1.8 Where Officers identify that improvements are required, they ask the provider to complete an action plan which is followed up at the next monitoring visit. The use of ECM is also checked by a Quality Assurance Officer in the users homes

QUALITY ASSURANCE

- 2.1 In addition to the Contract Compliance Officer monitoring the agency, a Quality Assurance Officer visits service users and their carers to find out at first-hand how well providers are performing. The information gathered from users is analysed and any issues highlighted are addressed with providers at future monitoring meetings and if appropriate are carried forward into action plans.
- Any serious issues are raised immediately with the Provider; otherwise the Agency receives a report at the end of a set of client visits outlining the general feedback.
- 2.2 Feedback from Service Users during 2015 which are common across all agencies:
- Service users/families have reported that they would like a better introduction to the service, particularly for new users of domiciliary care.
 - Service users would like care agencies to keep them informed of lateness
 - Service users would like to be informed of the name of the carer who will be attending if it is someone unfamiliar.

- Service users prefer to have consistent care staff.
- 2.3 When issues about poor standards of service are identified through contract monitoring or reported by other stakeholders LBB Officers initially investigate them with the agency. Often the investigation will result in the setting of an action plan for the agency which Officers regularly monitor to ensure that improvements are made and sustained. If the agency fails to improve standards, officers may take additional action; for instance the Council will stop making new placements to the agency until improvement has been demonstrated.
 - 2.4 In September 2014 the Council suspended new placements to Bridges Healthcare and issued a Contract default notice after concerns about Quality Assurance Systems and poor planning, delivery of calls and in particular a number of missed calls. Officers put in an enhanced monitoring programme and Bridges made significant improvements. The default notice was removed and the suspension of new business was lifted in February 2015. Recent monitoring shows that improvements continue and this is reflected in the fact that the Council received just one formal complaint about the service to date in 2015 compared to four formal complaints and two safeguardings in 2014. The team continues to check on progress.
 - 2.5 The Council issued a default notice to Care UK in December 2014 after serious concerns over missed visits. Officers put an enhanced monitoring programme in place for Care UK to work on an action plan. A follow up compliance visit was conducted in January 2015, followed by a meeting with the Provider in March 2015 and a further compliance visit in April 2015. Officers received assurances from Care UK management that issues would be resolved with the introduction of a new IT system and Care UK were given time to demonstrate this. However, in July 2015 Officers were alerted to further failures to deliver services, late visits and double handed calls being delivered as single handed. The Provider also failed to share these issues with the Council although they were aware of the problems and the Council took the decision to terminate both the Framework and Service Contract in August 2015. Clients were offered the choice of a Direct Payment or a move to an alternative Framework Provider. The transfer of care was handled smoothly and officers monitored these services for a period of time to ensure that the change of provider had gone well. Care staff were transferred with the care packages to the new providers where possible to ensure continuity of care.
 - 2.6 The Contract with Guardian Homecare was terminated in September 2015. Officers had been very concerned about the quality of care and the management of services for some time. Improvement action plans were agreed with Guardian, but sustained improvement was not achieved. In May 2015 Guardian Homecare asked to return four care packages due to the lack of female carers available to staff these packages. This was followed by a request from Guardian Homecare in June 2015 to return all care packages as soon as possible as they were unable to sustain the business due to lack of care workers. The Council terminated the contract for the failure to deliver services or to communicate potential service delivery problems to the Council in a timely manner. Guardian Homecare worked with the Council to ensure a smooth transfer of services.

- 2.7 In July 2015 Plan Care notified the Council of their decision to exit the Domiciliary Care Market. Plan Care held negotiations with Westminster Homecare who are on Bromley's Framework. Clients and Care Staff were transferred smoothly to Westminster Homecare and the contract with Plan Care ended at the beginning of October 2015.
- 2.8 In April 2015 CQC published a report rating Sevacare as Inadequate. In accordance with this decision, the Council suspended new placements with Sevacare and completed a review of current clients. As Lewisham Council had the vast majority of clients with the branch of Sevacare, it was agreed that they would take the lead monitoring role and Bromley Officers liaised with Officers in Lewisham. Bromley Officers completed a QAF visit to Sevacare in November 2015. CQC published a further report in November 2015 rating Sevacare as Requiring Improvement and as a result Bromley Council lifted the suspension in place.
- 2.9 During 2015 a South East London Network was established; which includes monitoring officers from Bexley, Bromley, Greenwich, Lewisham and Southwark to share intelligence on Providers and the market position in South East London.

COMPLAINTS

- 3.1 The Adult Early Intervention team takes the lead on dealing with informal (unwritten) complaints about agencies. Formal complaints are forwarded to the contract compliance officers by the ECHS complaints team for investigation. This investigation will include scrutiny of ECM records, timesheets, care records from service users' homes and statements from any agency staff involved in the issues raised.
- 3.2 The number of complaints made about domiciliary care agencies has doubled this year. From April to November 2015 the Council has received 28 formal complaints; 8 were upheld, 9 were partially upheld, 7 were not upheld and 4 are still being investigated. Complaints were about the attitude of staff and lack of communication (13 complaints), quality of care issues (10 complaints) and late or missed calls (5 complaints).

The number of complaints received by the council about each agency is set out in the table below.

- 3.3 In addition to monitoring formal complaints received by agencies the Contract Compliance officer also checks the number of complaints received and resolved by directly by agencies.

Care Agency Name	2015/16*	2014/15	2013/14	2012/13	Total	No of clients 1st Dec 2015
ACSC					0	66
ARK HOME HEALTHCARE			4		4	0
BRIDGES	1	3	1		5	18
BS HOMECARE			1	1	2	0
CARBY	2				2	64
CARE UK	2	1		2	5	0
CAREMARK	4	4	2		10	185
CARE WATCH	3				3	75

Care Agency Name	2015/16*	2014/15	2013/14	2012/13	Total	No of clients 1st Dec 2015
DARET HOMECARE		1			1	13
ELEANOR CARE		1			1	63
ETERNAL CARE		2			2	28
GUARDIAN HOMECARE			1		1	0
HARMONY HOME AID				1	1	14
HOME HEALTHCARE	1				1	9
KENTISH CARE			1		1	39
MACKLEY					0	14
PLAN CARE	1	1			2	0
SEVACARE			2		2	5
SURE CARE	2		4		6	151
THE LINK	1	1			2	32
VERILIFE	8	1	1	1	11	107
WESTMINSTER	3			1	4	72
	28	15	17	6	66	

*April to November 2015

EXTRA CARE HOUSING

- 3.4 The contract compliance team also monitors the quality of service provided in externally provided Extra Care Housing Schemes for older people. These schemes are also governed by the CQC regulations for Domiciliary Care Agencies; the QAF is used to monitor care and support and the frequency of monitoring visits is determined by our standard risk assessment tool.

Healthwatch have recently started a programme of Enter and View visits at the Extra Care Housing schemes and their reports will be published shortly.

- 3.5 There has been an improvement in the quality at the Extra Care Schemes, with a significant reduction in the number of complaints and safeguarding alerts received compared to last year; 6 complaints received in 2014/15 compared to 3 up to the end of November 2015.

SUPPORTED LIVING SCHEMES

- 3.6 The contract compliance team also monitors the quality of service provided in supported living schemes for people with learning disabilities which have been developed in the borough over the last few years. Care in these schemes is covered by the CQC regulations for Domiciliary Care Agencies. Officers have amended the QAF for monitoring care and the frequency of visits is determined by a risk assessment.

- 3.7 There are 19 Supported Living Schemes in the borough and all are being monitored against the QAF during 2015 with good scores being received. The care providers in some of the schemes have been changed during the year, so monitoring is increased in these schemes to ensure the new providers meet the quality standards we expect.
- 3.8 Several of the in house Supported Living schemes were market tested during 2015 and from October are delivered by an external provider. These will be monitored using the Supported Living QAF and we are currently recruiting another monitoring officer to do this.
- 3.9 As part of the monitoring function we have a team of LD Quality Checkers that visit each Supported Living scheme to help inform the monitoring visit. The Quality Checkers are well placed to gain the views of users and any issues are addressed with providers at monitoring meetings.

SAFEGUARDING

- 3.10 When safeguarding alerts are received the care management teams instigate the Protecting Adults at Risk London Multi-agency Policy and Procedures to Safeguard Adults from Abuse. Monitoring officers can be involved in safeguarding investigations and follow up on learning points or action plans at the conclusion of each case.

The Council's Adult Safeguarding Manager chairs the Care Services Intelligence Group which includes Safeguarding and Contract Compliance Teams with the safeguarding lead practitioners and partners from the Clinical Commissioning Group, Oxleas, CQC and Bromley Healthcare. The group monitors current intelligence and shares any safeguarding concerns about local homes and domiciliary care agencies, to identify any patterns which need investigation. This ensures that any potential issues are picked up and factored into monitoring and training programmes early.

- 3.11 There have been 37 safeguarding referrals so far in 2015 (to end November) compared to 21 in 2014/15. Twenty of the investigations have been closed, with only 7 of the cases being either substantiated or partially substantiated. Many referrals concerned suspected financial abuse, medication errors or neglect. In every case of suspected financial abuse and in certain other cases the police are involved and the care worker suspended whilst an investigation takes place.
- 3.12 Officers consider all information available to establish the facts, including whether or not there are patterns of complaints or grumbles about the care worker, or from the user. Where allegations against care workers are substantiated they are reported to the Disclosure and Barring Service which will then show up in any DBS checks for future employment.

Quality Monitoring in Care Homes and Supported Living Schemes

Adult Residential & Nursing Care

- 1.1 All care homes in Bromley are monitored annually. Officers undertake an annual risk assessment of the care homes in the borough and devise a monitoring schedule to focus more visits on care homes assessed as having a higher risk. Thirty nine visits have already been carried out across 33 homes up to the end of November 2015. The remainder of the homes in borough will be visited before the end of the financial year. The schedule of visits is adapted flexibly to respond to any problems emerging during the year.
- 1.2 During 2015 the QAF (Quality Assessment Framework) has been used for the monitoring of all residential Care Homes. This has enabled the team to identify areas of strength and weakness across Residential Care Homes in the borough.

Areas where good practice and improvements were evidenced across several homes:

- Activity provision and meeting people's social needs as well as meeting care needs
- Business Continuity Plans have been strengthened and tested with staff to ensure adequate responses in emergency situations
- Liaison with external medical professionals/agencies, including participation with CCG initiatives such as a Borough-wide training needs analysis

Areas of concern:

- Many providers lack confidence in their ability to embed the practices of Mental Capacity Assessment, particularly evidencing how best interests decisions are made on behalf of people who lack capacity
- Providers do not supervise or appraise their staff as frequently as stated in their policy. Some providers are struggling to retain and recruit staff

These areas of concern have been used as themes for learning and discussion in the Care Home Forum which is held quarterly throughout the year for Providers. Additional training has been made available to providers on Mental Capacity Act and Deprivation of Liberty safeguards.

- 1.3 The monitoring officers consider the following information before visiting a home:
- Safeguarding alerts
 - Complaints
 - Regulation 16/18 reports (also copied to CQC – reports of death, serious injury, hospital admission, outbreak of disease, medication errors etc
 - Information from other stakeholders, e.g. Care Managers, Carers, Health Professionals
 - Observations made during training courses.
 - Results from customer satisfaction surveys
 - Information supplied by Members and Healthwatch, following visits.
 - Regular maintenance and fire safety reports.
 - Whistle-blowers
 - Information from colleagues working in the health services
- 1.4 The feedback received from all the different sources listed above is used by compliance officers and we recognise the value of gathering information from as wide a range of sources as possible as this sometimes reveals concerns which the contract compliance visits do not pick up.
- 1.5 Healthwatch started a programme of Enter and View visits in 2014. In 2015 they have published 4 reports, 2 on care homes and 2 on nursing homes, with positive feedback given to all.
- 1.6 A programme of visits has been drawn up for Members to visit including Care Homes, Supported Living and Extra Care Housing Schemes during 2015/16. Officers have provided a template with suggestions of aspects of the home and care delivered that members might observe during visits and report back to monitoring officers. The team has received feedback throughout the year, which has been followed up with the providers concerned.
- 1.7 Local changes in the market this year have been the closure of St Raphaels Nursing Home in March 2015 which had 56 beds and Queen Mary House Residential Care Home closed in June 2015 which had 36 beds. This has put additional pressure on the Care Placement Team when it comes to finding placements in the borough.

Safeguarding

- 2.1 When safeguarding alerts are raised the Care Management teams instigate the Protecting adults at risk London multi-agency policy and procedures to safeguard adults from abuse. Contract Compliance officers can be involved in safeguarding investigations and always follow up on learning points or action plans at the conclusion of each case. The Council's safeguarding manager meets regularly with a joint agency group of the Council, CQC and health commissioners to exchange information and share any concerns about local homes. This ensures that any potential issues are picked up and factored into monitoring and training programmes.
- 2.2 Between January and November 2015 the Council received 92 safeguarding referrals in Bromley care homes and 59 of these have been concluded. Nineteen of the referrals were substantiated. These referrals referred to 33 different care homes. When compared with information available for the last

report, this year's figures are broadly in line with the figures from last year. (98 referrals, 10 substantiated to November 2014)

- 2.3 In 2014 the compliance team raised concerns about Benedict House Nursing Home around the turnover of Home Managers; pressure wound care and staffing levels. Care Managers carried out reviews on Bromley funded residents, Senior Officers have twice met with the Owner during 2015 and are continuing to monitor Benedict House to ensure that the standard of care is satisfactory.
- 2.4 Members agreed a policy of not making placements with those providers where CQC indicate that Providers are not meeting standards. In 2014 new placements at Foxbridge House, Jansondean, Rosecroft, Fairmount, and Ashglade Nursing Home were suspended until CQC confirmed that the required improvements had been made. This year all these homes have made the required improvements and the suspensions have been lifted. There are currently no active suspensions in place.
- 2.5 The Adult Safeguarding Manager attends the Council's Care Home forums in order to ensure that providers are kept up to date with requirements. Providers are also represented on the Adult Safeguarding Board which ensures that provider issues are considered as part of this multi- agency approach.

Out of Borough placements

- 2.6 All service users living in out of borough placements are reviewed annually by Care Services.
- 2.7 As part of preparation for the Care Act, the council's spot contract for Care Homes was revised in January 2015. Every new placement made in 2015 to an out of borough Care Home was subject to a new financial credit check of both the Care Home and any parent company, a new version of the contract was issued and the CQC rating was checked.

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CHILDREN'S SOCIAL CARE PLACEMENTS

The Council have made 177 placements of children in this financial year (1st April 2015 to 18th December 2015). These placements range across a number of placement types and geographic spread, both in borough and out of borough, and are dependent and determined by the needs of the young person and individual family circumstances. In 2015 the highest percentage of placements were made with the in house fostering service.

Placements since 01/04/2015¹

16+ Placement	16
Residential	18
IFA Foster Placement	58
In house Foster Carer	70
Mother and Baby Residential Placement	9
Mother and baby Foster placement	5
Secure	1
Total	177

Service Standards

Service provision for children and young people (CYP) under 16yrs is required to comply with the Care Standards set by Care Standards Act 2000 and are regulated and inspected by Ofsted. This includes Residential Parenting Assessment Centres, Independent Foster Agencies (IFAs), Children's Homes, Special Schools, Residential (Boarding) Schools and Secure accommodation (for both remand and welfare placements).

Ofsted conduct a full inspection on an annual cycle for residential units and a 3-year cycle for independent fostering agencies, for which they may make a judgement in the following categories:

Outstanding: a service of exceptional quality that significantly exceeds minimum requirements

Good: a service of high quality that exceeds minimum requirements

Requires Improvement: a service that only meets minimum requirements

Inadequate: a service that does not meet minimum requirements

The Central Placements team will only make placements with providers that have a rating of Good or above.

Quality Monitoring

The majority of providers used by the Council are affiliated to the London Care Placements (LCP) consortium which means that they have been inspected, accredited and are monitored annually by the consortium officers as well as the registration and inspection processes of Ofsted. Each year the London Care Placements team negotiate base fees and uplifts on behalf of the London authorities and issue a core contract as part of the affiliation process. Each year the Authority pays an affiliation fee which covers the cost of the services provided by the consortium. In this financial year, 2015/16 this was £5,800.

¹ These figures only include only those which concluded with final placement

The consortium also maintains a record of the Ofsted inspection outcomes and removes any providers from the approved list who receive an inadequate rating. The London Care Placements team keep the providers under scrutiny and will reinstate them to the approved provider list only when their rating has been adjusted upwards.

In addition to the monitoring carried out by the consortium the Care Planning, Placement and Case Review Regulations 2010 require placing authorities to conduct visits to providers prior to making a placement if the provider has not been used by the authority in the previous six months. In Bromley either the social worker for the child or a Placement Officer will undertake a visit to the proposed providers prior to a placement being made. In any given year a number of visits will be undertaken by the Placements team to new providers (including those out of borough) and the Council uses the London Care Placement formats for the assessment reports.

Bromley's Central Placements Team reviews Ofsted inspection outcomes with the provider or Ofsted to ensure that any recommendations or requirements set by Ofsted have been followed through and actioned by the provider and references are taken from other placing authorities prior to making a placement.

Where an Ofsted judgement drops during the lifetime of a placement the local authority is notified in a number of ways :

- As part of the service offered by the LCP providers are monitored on behalf of the London authorities. Providers registered with the consortium are required to notify the consortium officers of the outcome of any Ofsted inspection and local authorities placing with that provider are in turn notified by LCP of any change in inspection outcome;
- Providers generally will send a copy of their last Ofsted inspection report to all the local authorities who have a child placed in their care, in particular if their inspection outcomes are Outstanding as this becomes part of their marketing material;
- Children's Homes are required by the Children's Home Regulations to evidence their ability and standard of care via an independent inspection on a monthly basis by a suitably qualified individual, (Regulation 33 visits). These reports are required to be sent by the provider to all the placing authorities every month. These reports are read by the Children's Co-ordinator and any issues raised with the child's social worker, team manager, or senior manager (as appropriate).
- The Social worker for the child, the Independent Reviewing Officer and the Placements team as directly involved professionals are responsible for ensuring that the standards within the care provision are kept under review and are confident of the ability of service provider to deliver the level of care expected.
- Ofsted will notify all placing authorities where the outcome of an inspection identifies safeguarding concerns and if the provision receives a judgement of "Inadequate".

Where Bromley receives such a notification a review of the placement will be undertaken. The social worker for the child/ren will undertake a visit to the child and conduct a risk assessment. Depending on the reasons for the judgement a strategy meeting may be called by the Quality Assurance and Safeguarding team within Children's Social Care, to review the report outcomes, notification details and to determine whether or not to recommend the removal of any child from the care of the provider.

For any service receiving a judgement of either “Requires Improvement” or “Inadequate” a 6 month and annual inspections will be conducted by Ofsted to ensure that the Action Plan, recommendations and requirements issued by Ofsted are progressing and meeting deadlines.

Issues in 2015

In January 2015 allegations were made against staff by a young person at a unit for 16+yrs. The matter was addressed formally with the provider resulting in a member of staff leaving the organisation.

In January 2015 concerns were raised regarding the standard of care being provided to a sibling group of children with a foster carer from an independent foster agency (IFA). The matter was investigated and the children were moved to the care of a new foster carer.

During 2015 a number of concerns were raised regarding the standards of assessment and reporting by a parenting assessment service in Bromley where a number of placements had been made. Despite efforts to work with the provider to improve the quality of service, further placements have been suspended pending improvements.

In December 2015 a provider of residential and educational provision to both adults and children with whom Bromley had a number of placements was closed by the CQC following a poor inspection outcome. All young people and adults were removed as quickly as possible and alternative educational and residential provision is being sought for the new academic year.

Contracting Arrangements

All placements for Children’s Social Care are made by the Central Placements Team in the Commissioning Division of ECHS on a spot purchase basis in order to ensure that the full range of provider options is available to the service. This enables the Placements Team to both match the child with the provision that can most meet the identified needs and to negotiate each individual placement in line with the specific service requirements of the child to achieve the best outcomes for them and value for money for the Council.

Spot purchasing of placements also enables the Authority to be very timely in its responses to poor service delivery if this should arise. The provider would be excluded from any future referrals until action had been taken to address any identified areas of concern. A number of providers have been suspended from receiving referrals during periods of investigation in the past year, some of these remain on-going whilst discussions take place with the providers and/or where concerns have been raised and the provider’s response has not met a satisfactory conclusion.

Standard terms within the London Care Placement contract which Bromley issues requires the provider to comply with Care Standards, safeguarding procedures and the requirements of either Fostering or Children’s Home regulations in respect of all issues relating to safeguarding and operation of their service.

Safeguarding

Where safeguarding concerns are raised for a child in placement responsibility for the investigation of the incident falls to the Local Authority Designated Officer (LADO), the Independent Reviewing Officer (IRO) and social worker (SW) for the child, alongside the

Placements Team who will investigate any allegation or complaint and take appropriate action. This may involve removing the child to another provision if complaints, allegations or concerns are substantiated.

In the past year there have been no complaints received with respect to the provision of the children's placements service, although in the past year a number of notifications have been received by the Authority for which the safeguarding procedures identified above have been initiated (see details above).

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Report No.
CS16007

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: Executive

For Pre-Decision Scrutiny by the Care Services PDS Committee

Date: 12th January 2016
13th January 2016

Decision Type: Non-Urgent Executive Key

Title: GATEWAY REPORT - TEMPORARY ACCOMMODATION

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

Chief Officer: Chief Executive

Ward: Borough-wide

1. Reason for report

- 1.1 The Council spends more £4.5m (net) procuring temporary accommodation for homeless households every year and demand for this service is forecast to increase. Temporary accommodation(TA) is procured through a mixture of block and spot contract arrangements.
 - 1.2 Members receive regular reports outlining the key activities, new initiatives and pressures in the Housing Division. This report sets all the activities and recommended actions required in order to sustain the initiatives to source an adequate supply of general needs temporary accommodation to meet predicted future requirements.
-

2. RECOMMENDATIONS

2.1 Members of the Care Services PDS Committee are asked to:

- Note and comment on the contents of this report and the current action being taken to reduce the costs and improve the supply of TA.

2.2 The Executive are asked to agree to the following recommendations:

- The Housing Division continues the current arrangements with Housing Associations to access TA through formal nominations agreements.
- The Housing Division will continue to pursue cost effective block contracts for TA both in private sector leasing and nightly paid accommodation.

- **Officers to set up a Dynamic Purchasing System (DPS) from which the Housing Division can procure both private sector leased and nightly paid TA. All current providers are expected to sign up as providers on this DPS and the DPS will be developed in collaboration with the South East London Housing Sub-region with Bromley as lead borough.**
- **Agree to enter into a new contract with Orchard and Shipman for 3 years from 1.4.16 to 31.3.19 with the option to extend for a further 2 years. Orchard and Shipman will be expected to sign up as a provider on the DPS.**

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Supporting Independence.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost. £8,965K
 3. Budget head/performance centre: Temporary Accommodation
 4. Total current budget for this head: £3,403,449
 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:
-

Legal

1. Legal Requirement: Statutory requirement.
 2. Call-in: Call-in is applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): More than 5,500 households approach with housing difficulties which could lead to homelessness each year. There are currently about 1,147 households in temporary accommodation to whom the Council owes a statutory duty, of which 702 are in costly forms of nightly let accommodation.
-

Ward Councillor Views

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

3. COMMENTARY

Members receive regular reports outlining the key activities, new initiatives and pressures in the Housing Division. This report sets all the activities and recommended actions required in order to sustain the initiatives to source an adequate supply of general needs temporary accommodation from and to meet predicted future requirements.

Estimated Contract Value

3.1 Housing Association arrangements have a net nil cost to the Council.

Private Sector Leasing. There is a net nil cost to the Council for the management and payment of rents as this is recovered through the rental stream charged to tenants.

Nightly Paid accommodation – current block contracts - £229,931.25 (gross) for 24 units.

In total the gross value of all temporary accommodation procured through the private rented sector is currently around £14m. Once the applicable rental charges are collected from tenants this equates to a net expenditure of approximately £4.5m

Proposed Contract Period (including extension options)

3.2 The proposals in this report make recommendations to meet the demand for TA for the next 3-5 years. The Public Procurement Regulations 2015 have abolished the time restrictions on a DPS; however it would be prudent to put formal arrangements in place to review and extend them after 4 years, particularly if the Council is acting as lead borough.

Demand

3.3 The number of people living in TA and the cost of this continues to rise now dominating overall provision with no prospect of any reduction over the next few years. In order to meet the continued demand for TA the Council secures units in several ways. The most advantageous arrangements are via housing association temporary lets and the most costly are spot purchased nightly paid units.

3.4 The table below shows the numbers of properties used for general needs TA split by source. For the purpose of this report specialist supported accommodation which may be used as temporary accommodation as part of a housing pathway is not included. If the growth estimates and the current projections to increase supply are correct the Council will reduce the proportion of TA provided via nightly paid accommodation by 2018/19 from 61% to 46%. However it must be noted that the impact of forthcoming welfare reform changes may increase demand further during this period.

3.5 In order to achieve this improved position it will be necessary to maintain the current supply of properties from housing associations and private sector leasing as these properties are effectively cost neutral to the Council.

Type of accommodation	Current Units 2015/16	% of total requirement	Estimated Units Required by 2018/19	%
a) Housing Association (fixed proportion of lettings from permanent stock are offered as TA)	223	20%	223	14%
b) Private Sector Leasing (including Bellegrave and Manorfields)	222	19%	269	16%
c) Private sector leasing via Mears SPV	0	0%	400	24%
Total required	1147	39%	1639 (est. increase of 15 per month)	54%
d) Shortfall acquired through nightly paid arrangements	702	61%	747	46%

- In order to meet the demand for TA the Council will continue to seek the number of units required for the best possible value for money achievable in this difficult market.
- The volume of units accessed through Housing Associations and Private Sector leasing will be maximised in order to reduce use of expensive nightly paid accommodation
- Formal contractual arrangements will be agreed in accordance with Contract Procedure Rules.

a) Housing Association Stock

3.6 Use of permanent social housing stock offers one of the most cost effective forms of temporary accommodation with the costs fully met through the rental stream. However it must be noted that to maintain existing provision the Council is being asked to underwrite the rental charges for a number of households who are affected by the benefit cap. It is likely that with the introduction of universal credit additional underwriting guarantees may be sought. The current breakdown of units supplied is set out below. As this accommodation is sourced from permanent stock and with the number of relets and new builds currently reducing it is not possible to increase levels as this will simply reduce supply for move on increasing the numbers in TA further. If the Council fails to nominate households to these units then the Housing Association is likely to let the properties as permanent housing.

Provider	Number of Units	Expiry	Cost to LBB
Affinity Sutton Housing Association Nominations agreement	215 (some slight variation dependent upon vacancies and availability)	In perpetuity/5 year review	£0 – managed and maintained by housing association with costs met through rental stream.
A2 Dominion: Housing association nomination agreement	Specific 8 properties acquired for use as TA	In perpetuity	£0. – Managed and maintained by housing association with costs met through rental stream.

b) Properties leased from the private sector

- 3.7 These schemes are cost-effective with costs traditionally met through the rental charges able to be passed on to tenants and are long-term arrangements for a minimum of three to five years. Bromley currently has access to 222 properties leased from the private sector, the current breakdown of units and contract terms are shown in the table in appendix 1.
- 3.8 There are two types of private sector leasing schemes:
- Local authority private sector leasing** whereby the Council takes a lease from a private landlord and recoups the cost of the lease rent and management through the rent passed on to the tenant. For Bromley housing association partners undertake the management of these leased units.
- Housing association leasing** whereby the housing association takes a lease from a private landlord. The housing association is responsible for paying the lease rent and managing the property during the lease term. This is funded through the rent they collect from the tenant. The Council then provides the tenant by way of nomination.
- 3.9 The legislation allows households to be charged a rent (or use and occupation fee) for the accommodation provided to them, where applicable housing benefit payments can cover this charge. However, the Government has limited the maximum housing benefit subsidy local authorities can claim for temporary accommodation which effectively sets the rent level that can be charged to the household placed. The Council therefore has to meet the cost of any difference between the lease and management cost of the property and the rent paid by the tenant.
- 3.10 The financial arrangements resulting in a cost neutral outcome for the Council were effective for some years but now fall short of market costs in light of the dramatic increase in private rents and impact of welfare reform. With providers no longer able to procure or offer accommodation within subsidy arrangements, the Council is faced with covering this increasing shortfall. This is achieved by offering incentives to providers.
- 3.11 Since April 2013 this has resulted in a 24% reduction in leasing scheme properties available to the Council, most notably from housing association leasing schemes. As leasing schemes become less economically viable an increasing number of housing associations have withdrawn from the temporary accommodation market, leaving an increased reliance on providers only willing to offer accommodation at a nightly paid rate reflective of the overheated rental market.
- 3.12 Whilst the latest spending review has announced the intention to increase temporary accommodation subsidy arrangements to the current local housing allowance (LHA) level and remove the current £40 per week management fee in favour of a block grant arrangement

details have not as yet been published. Early analysis however suggests this will have a limited impact upon the current costs of temporary accommodation provision and will not play any significant role in adjusting the current trends in relation to temporary accommodation provision.

- 3.13 The Council entered into the current arrangements with Orchard and Shipman by using a framework agreement set up via a competitive tendering process undertaken by Midlothian Council in 2011. The Council's current over-arching nil value contracts with Orchard and Shipman to source and manage the lease and management of temporary accommodation expire on 1st April 2016.
- 3.14 The contractual arrangements with Orchard and Shipman have been varied to include Bellegrove and Manorfields where the leasing arrangements relate to all the units within each building. The variation covers a 5 year lease for each property from the date the first occupant moves in. The Bellegrove lease continues until October 2018 and Manorfields will run until January or February 2020, subject to the final completion date for the refurbishment work.
- 3.15 Existing leases and those currently being negotiated remain within the temporary accommodation subsidy arrangements in that rental revenue covers the costs of the lease payments to the property owner and management services from Orchard and Shipman.
- 3.16 The audit report on temporary accommodation of October 2015 recommends that arrangements are put in place to extend contracts to cover and protect the current lease and ability to take on new properties under this arrangement.
- 3.17 It is recommended that the current contract with Orchard and Shipman and the other private sector leasing contracts with Dabora Conway and Theori, Oak and Notting Hill Housing Group which expire in April 2017 are extended.
- 3.18 The refurbishment of Bellegrove and Manorfields has secured up to 95 additional units of TA. There are not currently any other potential units within the Council's portfolio available for refurbishment.
- 3.19 The Council continues to seek additional supply including leased arrangements through empty homes and purchase and repair schemes as available in partnership with those registered providers operating within the TA sector.

c) Property Purchase

- 3.20 The Executive has agreed property purchase of up to 400 units over three years, in partnership with a registered provider (Mears). This scheme was approved in June 2015 and the first properties due to be purchased earlier in the new financial year.
- 3.21 The scheme will be reviewed on an annual basis to assess the potential to enter into each phase based upon any changes to rent levels and increases in house prices, both of which may impact upon the level and location of properties able to be acquired under the scheme. The overall number is also limited by house prices against the level of institutional funding that can be secured.

d) Nightly Paid Accommodation

- 3.22 When it is not possible to meet the demand for TA through the leasing arrangements the Council uses nightly paid accommodation. A breakdown is shown below:

Nightly Paid Placements

	Current Number	Of which out of borough	Gross cost	Net cost
Shared facility	594	565	£12,828,413	£4,522,107
Self-contained	108			
Total	702			

- 3.23 Prices for nightly paid accommodation are market-driven. Fixed nightly rates have been informally negotiated with many providers and work is being undertaken on a pan-London basis to try and drive down rates.
- 3.24 During the first half of 2015/16 Officers secured 3 block booking arrangements for 24 units with in-borough providers. These units are only meeting 3.5% of the current demand, however projected annual cost containment of £67,110 will be realised by these arrangements. Details of these arrangements are set out in the appendix to this report which is on Part 2 of the agenda for this meeting.
- 3.25 The Council needs to secure a much higher percentage of block bookings, preferably within the borough in order to meet demand. It would not be unreasonable to set a target of block booking 50% of the anticipated nightly paid units which is approximately 350 units.
- 3.26 Due to rising rental costs inner-London boroughs are increasingly forced to place households in outer-London. Bromley experiences a knock on effect from this which has led to a position where more than 50% of all of the Council's TA placements are out of borough. This accommodation is not always cheaper and additionally increases the risk of costly legal challenge and potential for compensation orders in relation to suitability of accommodation, particularly in light of the recent relaxation of government guidance around out of borough placements. This position also presents increasing difficulty in monitoring the placements and providing statutory support for tenants.
- 3.27 In addition to the disadvantages for tenants placed out of borough there is also increased pressure on the Housing Division to manage and monitor the placements. The administration of individual spot nightly-let placements is labour-intensive for staff resources, in terms of making placement arrangements, verification of use and payment. The enforced use of shared facility accommodation has also increased the cost of removals and storage of belongings with an additional £50K budget pressure for the current financial year.

Market Conditions

- 3.28 The number of registered providers (RPs) offering leasing scheme properties has reduced in recent years. Relationships with RPs are highly sought after by local authorities and as a result RPs are increasingly working on a wider regional basis to gain the negotiating power within the market and obtain economies of scale for the management of units. Providers are commonly complaining that the current management fee allowance is not sufficient to cover their costs and Councils are being forced to be innovative in their offer of incentives in order to continue to engage with existing RPs and build new relationships.
- 3.29 Temporary Accommodation is a tough market. Other boroughs in London which have run standard procurement exercises with the aim of letting block contracts have not been able to attract providers offering accommodation at reasonable rates. Tendering exercises which have sought to use a set price across all schemes have failed to deliver the number of units required.
- 3.30 A key difficulty in achieving a sufficient supply of TA is that whereas Councils are in some ways bound to their geographical area the providers are not and therefore they play Councils off

against each other to achieve the most favourable price. Although London Councils have jointly reached an agreement about maximum prices inner London boroughs still purchase placements in outer London boroughs which forces the outer London boroughs to place in surrounding areas. Lewisham, Croydon, Lambeth and Bromley have agreed to work together and to use their combined purchasing power to give them more influence over providers.

Risks

- 3.31 It is accepted that the Council will need to make some placements in other local authority areas, however there are real risks attached to doing this in volume and recently other London Boroughs have faced significant six figure sum fines for placing out of borough or in shared accommodation. Imposition of fines at this level would negate the savings achieved by block booking out of borough.
- 3.32 Boroughs are required to share information on out of borough placements for TA; however the information provided is not consistent across boroughs preventing a clear picture. Anecdotally it would appear that whilst the number of boroughs placing in Bromley is relatively small this has increased over recent years.
- 3.33 In terms of regional working, supply in Bromley is very limited meaning that out of necessity Bromley is a net exporter in terms of temporary accommodation. Across London borough, must offer leased accommodation to the host borough in the first instance. It is therefore imperative that Bromley continues to work closely with other local authorities to enable procurement for TA in these areas.

Conclusions

- 3.34 If the Council does not take any procurement action the costs of temporary accommodation will continue to increase and the risk of challenges because of the location and type of accommodation offered will increase. Therefore “no action” is not an option.

Extend contracts with Orchard and Shipman and other providers

- 3.35 The main contract with Orchard and Shipman expires in April 2016 with the smaller contracts with Dabora Conway Notting Hill Housing Association and Theori /Oak expiring in April 2017. The Council continues to require the accommodation currently leased under these schemes to meet demand for temporary accommodation, therefore it is recommended that the Council enters into a new contract with Orchard and Shipman for management leasing arrangements for a further 5 years largely on existing terms and conditions. The contract period would be for 3 years plus option to extend for 2 years. Extensions will also be sought with Dabora Conway and Theori Oak Housing Associations for 3 years from 1.4.17 to 31.3.2020 with optional extensions of 2 years. The contracts will include provision to track TA subsidy in the light of forthcoming changes to benefits.
- 3.36 Extension of the current arrangements will not be sufficient to meet the level of demand for temporary accommodation, particularly given the declining availability of leased properties. Therefore the Council will still need to acquire additional units and where possible avoid doing so through ad hoc nightly paid arrangements due to the high costs, resource intensive and uncertainty in procurement levels surrounding this type of placement.

Establish a Dynamic Purchasing System (DPS) for nightly paid accommodation and Leasing of properties.

- 3.37 In order to achieve Best Value the Council needs to secure the critical mass of nightly paid bookings in advance via block bookings. The risk of over-booking can be mitigated by undertaking an annual review of requirements.
- 3.38 The Council will need to continue to work with its existing Private Sector Leasehold (PSL) providers and to develop relationships with emerging providers in order to reduce the ongoing cost of nightly paid TA. The Council needs to be able to make decisions very quickly to take up opportunities which are offered to it as offers from new providers are often made with very short notice.
- 3.39 The Procurement route that would meet these requirements is to set up a Dynamic Purchasing System (DPS). This would give the Council continued access to a range of providers that have been quality assured and who have submitted indicative prices. A DPS is preferred to a Framework as this would enable providers to be accredited during the course of the agreement reflecting the rapid turnover of providers in this market. All existing providers including Orchard and Shipman will be expected to sign up to the DPS.
- 3.40 The DPS would be advertised as 2 lots, giving Providers the opportunity to supply leasehold and/or nightly paid temporary accommodation. This more flexible arrangement would allow the Council to call off a range of contracts including both short term nightly arrangements on a block booking and spot-purchase basis and contracts for long term leasing/private sector units.
- 3.41 The DPS would be a useful tool for Bromley to progress as a single borough enterprise, however Lewisham, Southwark, Lambeth and Croydon have all stated in principle that they would be interested in joining together to create a regional DPS. They consider that this is a strong tool which would reduce the inflationary impact of competition between boroughs in favour of more stable longer term relationships to slow down the upward cost trajectory, increase supply and maintain access to local accommodation for the south east boroughs. As much of Bromley's TA supply is actually in Croydon and Lewisham then DPS set up and used on a sub-regional basis would be advantageous.
- 3.42 In addition to making individual call offs from the DPS Councils could use it to jointly call off larger blocks of units across a wider geographical area. Boroughs would need to develop a protocol for the allocation of these between themselves according to demand and risk. This could achieve greater efficiencies in rates not only due to the volume of properties required but also reduced risk in terms of the ability to acquire more local units and to ensure units are always fully occupied should there be sudden changes in demand.

Other implications

- 3.43 The Housing Division is currently procuring a new IT system which will replace several current systems and interfaces which are no longer fit for purpose. Successful implementation of a new system will significantly reduce the complexities of administration associated with placements in temporary accommodation.

Risks Identified

- 3.44 There is a financial risk to the Council if no action is taken to address the procurement of a temporary housing supply as the price of nightly paid accommodation continues to increase. This has been covered in previous reports.

Reporting Mechanisms

3.45 The Housing Division will continue to review the requirement for temporary accommodation every six months and draw up procurement plan to meet demand. The results of the procurement exercises will be reported via the current 6 monthly reporting cycle to Care Services PDS and Executive

What Will Constitute Success

3.46 The key success measure will be a reduction in expenditure per unit of TA acquired as a result of:

- Increase in percentage of PSL units acquired
- Increase in the percentage of block booking nightly paid units
- Significant reduction in the percentage of nightly paid accommodation units spot purchased
- Reduction in the rates paid for nightly accommodation
- Reduction in the number of shared accommodation placements made
- Reduction in the proportion of placements made out of borough in particularly out of London

4. POLICY IMPLICATIONS

- 4.1 The housing objectives are set out in the relevant business plans. These objectives are compliant with the statutory framework within which the Council's housing function must operate and incorporate both national targets and local priorities identified from findings of The review, audits and stakeholder consultation.
- 4.2 The Council has a temporary accommodation procurement and placement policy (elsewhere on this agenda) which seeks to ensure compliance with the statutory framework for the provision of temporary accommodation meeting the requirements for suitability whilst seeking value for money in all placements.
- 4.3 The Council's temporary accommodation procurement and placement policy takes account of statutory guidance together with caselaw requirements to fulfil the Council statutory duty for the provision of temporary accommodation. This has been reviewed to reflect market, legislative and case law changes and a report is elsewhere on this agenda.

5. FINANCIAL IMPLICATIONS

- 5.1 The increasing costs of TA have been reported to Members previously.
- 5.2 The table below provides a breakdown of the nightly paid bed and breakfast costs

AVERAGE ANNUAL COST PER UNIT

	LANDLORD	RENT TO TENANT	COST TO LBB
	CHARGE £	H/B SUBSIDY £	£
1 BED	15,041	9,628	5,413
2 BED	18,223	11,158	7,065
3 BED	21,701	12,532	9,169
AVERAGE COST			7,216

- 5.3 The majority of families in nightly paid accommodation require two bedrooms with the next most needed type of accommodation being one and three bedroom accommodation.
- 5.4 The average cost per unit is around £7k p.a. although this is forecast to increase in the next few years. The net cost after taking into account the subsidy is £4.5m in a full financial year.
- 5.5 The number of homelessness is currently 1,147 of which some are placed in temporary accommodation or private landlords. However it is the nightly paid which is the major cost pressure of which there are currently 702 households. This compares to 1,051 and 683 respectively reported to committee previously. This highlights the trends and pressures.

6. LEGAL IMPLICATIONS

- 6.1 All local authorities have a statutory duty under the Housing Act part VII (as amended by The Homelessness Act 2002) to secure suitable temporary accommodation for priority Homeless households.
- 6.2 Under section 188, part VII of the Housing Act 1996 local authorities have a duty to secure accommodation for homeless households that are eligible for assistance and have a priority need pending a decision on any duty owed under the 1996 Act. This is known as the 'interim duty'.
- 6.3 Local authorities also have other statutory duties including those under sections 190,195 of the 1996 Act to provide accommodation, help and assistance. This often means Providing accommodation to some of the most vulnerable members of the community Including for example those with mental health issues, physical disabilities and vulnerable Children.
- 6.4 Under section 193 of the Act local authorities are bound by statute to secure that suitable Accommodation is available for those applicants who have been accepted as having a 'main' homelessness duty. This will usually initially be filled by continuing the temporary arrangements entered into for the interim duty.
- 6.5 The Council also uses temporary accommodation style arrangements to fulfil the statutory duty towards other client groups for example those with no recourse to public funds and some leaving care clients.
- 6.6 There is clear guidance within the homelessness legislation and case law regarding suitability of temporary accommodation. This includes details of standards of accommodation, nature, style, affordability and location. Recent case law has clearly set out the expectation that local authorities should as far as possible secure accommodation within the locality. Where this cannot be done there needs to be a clear audit trail which demonstrates how accommodation was procured in the nearest possible location. In

addition, full risk assessments must be undertaken regarding out-of-borough placements. Lack of accommodation in itself is not sufficient to justify a placement which does not meet the suitability criteria. Failure to meet the above requirements brings the risk of legal challenge resulting in order with specific placement requirements and compensation orders.

7. PROCUREMENT IMPLICATIONS

- 7.1 The Public Contract Regulations 2015 amended the previous procurement rules for DPS systems which makes them easier to set up and operate.
- 7.2 A DPS is effectively the same as a framework of providers, which is a familiar concept, but the key differences are;
- New providers meeting selection criteria can be added to the DPS at any point.
 - The DPS is not restricted to a 4 year duration.
 - In order to procure under a DPS the contracting authority must use the restricted procurement process
 - All procurement activity must take place electronically
- 7.3 There are established providers who largely run DPS systems on behalf of other organisations. The Council will be fully involved in establishing selection criteria for admission to the DPS, but the DPS provider recruits and manages the supply chain via an electronic system.
- 7.4 The Council currently uses a company named Adam (formerly known as Matrix) to support the DPS used to procure Supply Teachers, Tutors and School Improvement Consultants. This contract is performing well. There are significant advantages of using an external company to provide an IT system that supports the management of the activities put through the DPS and manages the payment.
- 7.5 Alternatively the Council could develop its own system for running a DPS; however this would take significant IT development time and require the allocation of skilled resources to manage it which would not be consistent with the Council's strategy to reduce activities.

8. CUSTOMER PROFILE

- 8.1 Homeless People meeting the criteria to be placed in TA. The Council regularly reviews the profile of statutory homeless households to feed into the requirement of temporary accommodation in terms of the profile, size and nature of accommodation required. Currently the broad requirements are as follows:

30% - single person, couples or pregnant households with no other dependent children

55% - 2 bedroom accommodation – single adult or couple with upto 2 children

15% - 3+ bedroom –families with 3 or more children

9. STAKEHOLDER CONSULTATION

- 9.1 The Council has consulted widely with other housing authorities in South East London with the West London Alliance of boroughs and with boroughs in North London who have developed their own DPS.

- 9.2 The Council engages with Housing Associations in Bromley, with providers delivering Private Sector Leasing Schemes and also runs an annual Landlords Forum.
- 9.3 London Councils Housing Directors group has undertaken extensive data sharing in relationship to the temporary accommodation market (providers, prices, availability) and homeless demand. Bromley continues to liaise frequently with PR and private sector providers to gain insight into the market.
- 9.4 Through this consultation and research it has been established that providers would be responsive to registering to provide TA via a DPS.

10. SERVICE PROFILE / DATA ANALYSIS

See Paras 3.5, 3.6, 3.20 and 3.22 for Service Metrics / Benchmarking.

11. MARKET CONSIDERATIONS

- 11.1 There is a high demand for affordable temporary accommodation in London. In the market there are a mixture of large national landlords who have significant portfolios of property spread across many geographical areas and SMEs or sole traders with just one property. Overall it is a highly organised market which has responded to changes in benefits arrangements by moving away from the provision of PSLs towards more nightly paid accommodation on short term arrangements.
- 11.2 London Councils recently commissioned an independent report from Julie Rugg, Centre for Housing Policy on the temporary accommodation market in London. The findings of this report have been used to help inform the recommendations contained within this report, particularly in terms of the range of procurement, use of DPS and sub-regional working.

12. OUTLINE CONTRACTING PROPOSALS & PROCUREMENT STRATEGY

- 12.1 The outline timeline for development would be as follows:

January 2016	<p>Executive Agreement to TA procurement strategy and to access framework for DPS</p> <p>Extend existing contract with Orchard and Shipman</p> <p>Review TA procurement requirements and continue to seek opportunities to enter into block contracts with providers for PSL and Nightly Paid accommodation.</p> <p>Develop model and protocols for Sub-regional DPS. Re-assess potential benefits and take formal decision to proceed with this based on realisable financial benefits</p>
February – September 2016	<p>Development of DPS structures, documentation and supply chain. Sign up of strategic partners from other local authorities.</p>
September 2016	<p>Review and prepare TA procurement requirements prior to go live.</p>
October 2016	<p>Go live – Start to use DPS to meet long term leasing requirements and nightly paid accommodation</p>

- 12.2 As lead authority LBB will access DPSs from framework and sign access agreement. LBB will develop a formal agreement which covers access to the DPS and also the operation and allocation of TA acquired through any joint commissioned requests.
- 12.3 Tender documentation – Housing already have service specifications in place for temporary accommodation which will require very little amendment.
- 12.4 A DPS IT system has standardised high level documents which will need to be revised to be made appropriate to local requirements.
- 12.5 Once the DPS is established each requirement that is put out to Providers will be developed individually using the standard templates within the DPS system.
- 12.6 Evaluation criteria for access to the DPS will be based on the
- Providers ability to provide appropriate certification / insurance for properties
 - Providers financial status / credit check
 - Information about staff – DBS checks
 - Demonstrable experience of managing mixed households of TA
 - Positive management of invoicing
- 12.7 Evaluation of bids against DPS requirements will be based on lowest price meeting agreed quality standards. The DPS system may have the option for suppliers to review their costs downwards prior to final submission, should there be a competitive situation.
- 12.8 The Procurement Team in ECHS have experience of setting up a DPS which provides Educational Consultants. This DPS has been successful in reducing costs and introducing competition into the market. The procurement project will be led by Housing Division and supported by the Procurement Team in ECHS. Ongoing monitoring of the performance of the DPS and the quality of properties delivered will be the responsibility of the Housing Division. If Bromley is acting a lead borough the other members will be asked to fund the additional resources required to set up and run the DPS
- 12.9 Evaluation will refer to the requirements for TA provision set out in legislation and reflected in the Councils current contracts for temporary accommodation which at a high level cover the following:

Cost	Quality
Rental costs	Proven ability to deliver and manage TA
Management fee	Management standards
Acquisition/set up costs	Property condition
Incentives	Location
	Term/security of units

13. SUSTAINABILITY / IMPACT ASSESSMENTS

- 13.1 Improving the supply of good quality TA will have a positive impact on homeless people placed by the borough. If the exercise is successful in accessing more TA within Bromley, or retaining this TA for Bromley residents (as opposed to residents from other boroughs) this will enable people and their families to retain contact with their own community, health resources, schools etc. This will have a positive impact on the well being of Bromley residents and the life chances of children.
- 13.2 Introducing more block contracts will be a positive move for suppliers, as this will reduce administration involved in making individual bookings.
- 13.3 For contractors a DPS is particularly suitable for this market as there is a rapid turnover of suppliers, many of whom are SMEs. Suppliers can apply for admission to a DPS at any time and their application must be progressed within 10 days. Once admitted to the DPS all relevant tender opportunities are circulated to all providers automatically. The amount of administration required to submit bids via a DPS is considerably reduced as initial checks on the provider have already taken place. Providers are able to adjust their prices in response to each bid and thus the council can achieve better value for money.

Non-Applicable Sections:	Personnel Considerations
Background Documents: (Access via Contact Officer)	<p>CS14044 – Care Services PDS Committee – 26/06/14 – Housing Services 2014-15 Priorities.</p> <p>CS14004 – Care Services PDS Committee – 22/01/14 – Housing Services Priorities (mid year update)</p> <p>Housing Draw Down of Contingency report - Exec - November 14</p> <p>CS12058 – Executive – 09/01/2013 – Reducing Temporary Accommodation Invest to Save Project (Bellegrove).</p> <p>CS15087 – Care Services PDS Committee – 02/10/2014 – Temporary Accommodation Update – Use of Manorfields as Temporary Accommodation.</p> <p>CS15938 – Care Services PDS Committee November 17th 2015 – Drawdown on the Homeless Contingency Needs Grant</p>

PRIVATE SECTOR AND HOUSING ASSOCIATION LEASED PROPERTIES

Provider Type of Scheme	Contracted number of Units	Current Number of Units	Contract arrangement	Expiry Date	Financial arrangement.
Orchard and Shipman Private Sector leasing including Council owned multi-unit facility	Flexible dependent upon availability and level of need – reviewed annually. Figures include Bellegrave and (Manorfields (45) which will come online in Spring 2016)	182	Mid-Lothian Framework agreement	April 2016	LBB pay O&S for rent and management. Rent level set to cover these costs. O&S responsible for rent collection on behalf of LBB.
Dabora Conway Private sector Leasing	Flexible dependent upon availability and level of need – reviewed annually	15	Direct with LBB	April 2017	LBB pay Orchard and Shipman for rent and property management. Rent level set to cover costs. LBB collect rent from tenant to cover this cost.
Theori/Oak Housing Association Leasing	Flexible dependent upon availability and level of need – reviewed annually	10	Direct with LBB	April 2017	No financial implications for LBB. Housing association set up lease with private landlord and collect rent from tenants to cover lease and management costs.
Notting Hill Housing association leasing	Flexible dependent upon availability and level of need – reviewed annually	25	South East London Housing partnership arrangement	19 th March 2017	No financial implications for LBB. Housing association set up lease with private landlord and collect rent from tenants to cover lease and management costs.
Total:		222			

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Report No.
CS16001

London Borough of Bromley

PART 1 - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 12th January 2016

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

Title: DRAFT 2016/17 BUDGET

Contact Officer: David Bradshaw, Head of Education, Care and Health Services Finance
Tel: 020 8313-4807 E-mail: david.bradshaw@bromley.gov.uk

Chief Officer: Chief Executive

Ward: Boroughwide

1. Reason for report

- 1.1 The prime purpose of this report is to consider the Portfolio Holder's Draft 2016/17 Budget which incorporates future cost pressures and initial draft budget saving options which are being reported to Executive on 13th January 2016. Members are requested to consider the initial draft budget savings proposed and also identify any further action that might be taken to reduce cost pressures facing the Council over the next four years.
- 1.2 Executive are requesting that each PDS Committee consider the proposed initial draft budget savings and cost pressures for their Portfolio and the views of each PDS Committee be reported back to the next meeting of the Executive, prior to the Executive making recommendations to Council on 2016/17 Council Tax levels.
- 1.3 There are still outstanding issues and areas of uncertainty remaining. Any further updates will be included in the 2016/17 Council Tax report to the next meeting of the Executive.

2. **RECOMMENDATION(S)**

2.1 The Care Services PDS Committee is requested to:

- (a) Consider the update on the financial forecast for 2017/18 to 2019/20;
- (b) Consider the initial draft saving options proposed by the Executive for 2016/17 and 2017/18.
- (c) Consider the initial draft 2016/17 Budget as a basis for setting the 2016/17 Budget;
- (d) Provide comments on the initial draft 2016/17 Budget for the February meeting of the Executive.

Corporate Policy

1. Policy Status: Existing policy.
 2. BBB Priority: Excellent Council.
-

Financial

1. Cost of proposal: N/A
 2. Ongoing costs: Recurring cost.
 3. Budget head/performance centre: Care Services Portfolio Budgets
 4. Total current budget for this head: £103,183k
 5. Source of funding: Draft revenue budget for 2016/17
-

Staff

1. Number of staff (current and additional): full details will be available with the Council's 2016/17 Financial Control Budget published in March 2016
 2. If from existing staff resources, number of staff hours: N/A
-

Legal

1. Legal Requirement: Statutory requirement.

The statutory duties relating to financial reporting are covered within the Local Government Act 1972; the Local Government Finance Act 1998; the Accounts and Audit Regulations 1996; the Local Government Act 2000; and the Local Government Act 2002.

2. Call-in: Call-in is not applicable.
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):
 2. The 2016/17 budget reflects the financial impact of the Council's strategies, service plans etc which impact on all of the Council's customers (including council tax payers) and users of the services.
-

Ward Councillor Views

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

3. APPROACH TO BUDGETING, FINANCIAL CONTEXT AND ECONOMIC SITUATION WHICH CAN IMPACT ON PUBLIC FINANCES

- 3.1 Forward financial planning and financial management is a key strength at Bromley and this has been recognised previously by our external auditors. This report continues to forecast the financial prospects for the next 4 years and includes the Government's provisional four year funding allocations. At the time of writing this report, further details on funding is awaited and it is important to note that some caution is required in considering any projections for 2017/18 to 2019/20.
- 3.2 The overall national debt stands at £1.6 trillion. The 2015 Spending Review and Autumn Statement identified that public sector net borrowing is expected to be £73.5bn this year which is planned to move to a surplus of £10.1bn from 2019/20. There remains positive news on the economy and since 2010, no G7 economy has growth faster than Britain. However, the fiscal squeeze will continue and with ongoing protection of health, overseas aid, education and recently police and other security services, the disproportionate cuts in direct funding to local government will continue over the four year spending review period. The most significant issue that will impact on local government funding from central government are the plans relating to DCLG Resource Departmental Expenditure Limits (RDEL). The reductions compared with the previous year are -16.5% in 2016/17, -22.9% in 2017/18, -17.6% in 2018/19, -11.5% in 2019/20. This results in a real reduction including the impact of inflation of 56%. This translates to a reduction in the Council's Settlement Funding Assessment of 48.5% by 2019/20 compared with the England average of 31.8%. In real terms the reduction equates to 52.2%.
- 3.3 Although there are significant funding cuts facing local government, the Chancellor repeated the aims of devolution, as part of the 2015 Spending Review and Autumn Statement, which includes transforming 'local government, enabling it to be self-sufficient by the end of Parliament'. The Government views the new flexibilities such as the future growth forecasts from business rates, to be fully devolved to local government by 2019/20, scope to raise a 2% rise in council tax (adult social care precept) and the ongoing ability to increase council tax as methods which can significantly mitigate against the impact of grant reductions.
- 3.4 The Budget Strategy has to be set within the context of a reducing resource base, with Government funding reductions continuing until 2020 – the on-going need to reduce the size and shape of the organisation to secure priority outcomes within the resources available. There is also a need to build in flexibility in identifying options to bridge the budget gap as the gap could increase further. The overall updated strategy has to be set in the context of the national state of public finances, with austerity continuing given the level of public sector debt, and the high expectation from Government that services should be reformed and redesigned with devolution contributing to the transformation of local government. There is also an on-going need to consider "front loading" savings to ensure difficult decisions are taken early in the budgetary cycle, to provide some investment in specific priorities, to fund transformation and to support invest to save opportunities which provide a more sustainable financial position in the longer term. Any decisions will need to consider the finalisation of the 2016/17 Budget as well as the longer time frame where it is now clear that the continuation of the period of austerity up to 2020 remains.
- 3.5 Bromley has the lowest settlement funding per head of population in the whole of London. Despite this, Bromley has retained the lowest council tax in outer London (other low grant funded authorities tend to have higher council tax levels). This has been achieved by having the lowest cost per head of population in outer London. Despite being a low cost authority, Bromley has achieved general savings of over £60m since 2011/12 but it becomes more challenging to achieve further savings with a low cost base.
- 3.6 One of the key issues in future year budgets will be the balance between spending, Council

Tax levels, charges and service reductions in an organisation starting from a low spending base. It is important to recognise that a lower cost base reduces the scope to identify efficiency savings compared with a higher cost organisation. Any decisions will need to take into account the longer term impact on the Council's financial position – financial sustainability will be key in order to protect key services to Bromley residents.

4. CHANGES THAT COULD IMPACT ON LONGER TERM FINANCIAL PROJECTIONS

- 4.1 The 2015/16 Council Tax report reported to Executive in February 2015 identified a significant “budget gap” over the four year financial planning period. The forecast was updated to inform the public meetings held in November/December 2015. Some key changes are summarised below:
- 4.2 Following a newly elected national government, the Chancellor's Summer Budget 2015 introduced a new national Living Wage with significant cost implications to the Council over the next few years.
- 4.3 A significant service pressure area impacting from 2015/16 relates to welfare reform and homelessness. The Council's Central Contingency Sum has been reviewed to reflect the escalating cost pressures arising from the welfare reform changes announced in the Chancellor's Summer Budget and in the Spending Review and Autumn Statement 2015.
- 4.4 The Government announced in-year funding reductions (2015/16) for Public Health services and Adult Education equating to £919k and £30k respectively. The Draft 2016/17 Budget assumes the full year impact of the transfer of 0-5 year old services (health visitors etc.) from NHS England (a sum of £1.9m was assumed for 2015/16 with full year costs of £3.8m per annum). Ongoing annual funding reductions in Public Health were announced in the Spending Review and Autumn Statement 2015 with estimated total funding reductions of £2.461m per annum by 2019/20. The final grant details are awaited including the outcome of a review of the grant formula for Public Health.
- 4.5 The Government transferred funding for the Independent Living Fund, which contributes towards 42 clients totalling £526k in 2015/16 (July 2015) increasing to £701k in 2016/17 (full year). The fund was managed by the Department of Work and Pensions but on 30th June, the fund was closed and the responsibility devolved to local government. Following the transfer of funding, future allocations to support clients will be given on a case by case basis and the draft 2016/17 Budget assumes that the impact will be cost neutral. The grant funding for 2016/17 is still awaited.
- 4.6 The most recent financial monitoring position was reported to Executive on 2nd December 2015. The full year impact of savings in social care, changes in grant funding for Adult Education and the impact of in-year Public Health funding reductions, and other variations, including, for example, the future containment of costs within Portfolio Budgets have been reflected in the draft 2016/17 Budget. Directors continue to identify options to manage these other cost pressures.
- 4.7 The Care Act received royal assent in May 2014. Its provisions commence on the 1st April 2015 and the capping of care costs was due to be implemented from 1st April 2016. A report to the Executive in November 2013 titled “Adult Social Care – Impact of the Care Bill and Future NHS Funding” and a further report to Care Services PDS in October 2014 titled “Care Act 2014 Impact” provided details of the potential changes to adult social care proposed in the Care Act. The Government announced, as part of the Spending Review and Autumn Statement 2015, that the “capping of care costs” due to be implemented in 2016/17 will now be delayed until 2020/21.
- 4.8 Executive approved the acquisition of residential properties to provide accommodation for homeless families as well as the long term “gifting” to the pension fund of the significant

assets, subject to robust legal safeguards being in place. Details were reported to the meeting on 2nd December 2015 and the savings have been reflected in the Draft 2016/17 Budget and the future years financial forecast.

- 4.9 The Council's four year funding settlement, based on information to date, will result in a net loss of grant funding, including Public Health funding, of £14.6m per annum in 2016/17 rising to £32.4m per annum by 2019/20. This includes an estimated loss of funding of £0.5m per annum for various grant allocations not yet announced and an estimate of the impact of Public Health funding reductions.
- 4.10 The Government has announced additional funding for the Better Care Fund (currently combined funding with Bromley CCG of £20.8m) and the financial forecast assumes that these monies may be required to meet future new burdens on social care at this stage. The additional funding which is back-loaded with lower funding available from 2017/18 increasing to an estimated £4.5m per annum by 2019/20. This position will be reviewed prior to finalising the 2017/18 Budget.
- 4.11 The Spending Review and Autumn Statement 2015 included reference to Councils being allowed to have a council tax precept of up to 2% per annum to specifically fund adult social care (a 2% increase in council tax equates to £2.6m additional income per annum). Councils are able to levy the precept on top of the existing freedom to raise council tax by up to 2% without holding a referendum. Therefore Council could potentially have a council tax increase of just below 4% without the need for a council tax referendum. The Government introduced this change in recognition of the cost pressures facing social care authorities. The Government recognise that the precept can also include, for example, the additional cost of the new Living Wage. A number of Councils have already indicated that they intend to increase their council tax bills by 3.99% in 2016/17 and future years to reflect this change. Members will be requested to consider applying the precept as part of the 2016/17 Council Tax report.
- 4.12 The additional funding for the Better Care Fund and the higher proportion of funding cuts in core grant to the Council now take into account the amount that can be raised locally through council tax. Therefore, there is an inherent assumption that local authorities will be increasing council tax to mitigate against the loss of grant funding and towards the cost of social care. For Bromley, this change does not take into account any need to address low funding levels for the Council raised previously with the Government. Therefore the starting point relating to funding levels remains unchanged, despite the Council's concerns. Councils can still choose locally the level of council tax increase required, subject to referendum options. There is no council tax freeze grant available in 2016/17. In calculating the Council's spending power the Government has assumed the social care authorities will have an average council tax increase applying both the social care precept and general council tax increases every year. For financial planning purposes, the financial forecast assumes a council tax increase of 3.99% per annum over the next four years to compensate for the higher proportion of funding reductions, to reduce the level of social care savings and provide funding to meet social care costs, demographic cost pressures and to meet the ongoing "budget gap".
- 4.13 Details of various grant allocations for 2016/17 are still awaited at the time of writing this report. These include for example, Better Care Fund, Independent Living Fund, whether any top-slicing to the GLA of new homes bonus is still required (although unlikely) and various other grants.
- 4.14 Given the scale of savings identified and any inherent risks, the need for longer term financial planning, the significant changes that may follow with a new Government relating to new burdens (there were many changes introduced by the previous coalition Government that resulted in net additional costs for the Council), effect of ongoing population increases and the potential impact of other public agencies identifying savings which impact on the Council's costs, a prudent approach has been adopted in considering the Central Contingency Sum

required to mitigate against these risks. If the monies are not required during the year the policy of using these resources, in general, for investment to generate income/savings and provide a more sustainable financial position should continue. To illustrate the benefit of the investment approach the Council has budgeted income totalling £12.9m from a combination of treasury management income and rents from investment properties. Without this income, equivalent service reductions may be required. Investment in economic growth (Growth Fund) will also be key to generate additional business rate income.

- 4.15 After allowing for the saving proposals in this report, there remains a significant budget gap in future years that will need to be addressed.

5. LATEST FINANCIAL FORECAST

- 5.1 The report to Executive in January 2016 identified a budget gap rising to over £26m per annum by 2019/20 which is broken down in the table below. The budget gap from 2017/18 rises steeply as the expected loss in Government funding is expected to increase sharply during that period.

Variations Compared with 2015/16 Budget

	2016/17 £m	2017/18 £m	2018/19 £m	2019/20 £m
Cost Pressures				
Inflation	2.6	7.3	11.9	16.6
Grant Loss	14.6	24.7	30.6	36.4
Impact of Chancellors Summer Budget on future costs e.g. further changes on welfare reform, new Living Wage etc.	4.3	8.0	10.8	13.5
Real Changes	0.9	2.6	5.0	6.2
Total Additional Costs	22.4	42.6	58.3	72.7
Income/ savings				
Saving proposals	-15.1	-18.2	-19.1	-19.2
Full year effect of savings agreed as part of 2015/16 Budget	-2.9	-2.9	-2.9	-2.9
Acquisition of residential properties to accommodate homeless families and "gifting" of scheme to pension fund	-0.5	-3.2	-4.1	-4.6
Reduction in Council's Central Contingency Sum	-1.8	-1.8	-1.8	-1.8
Impact of revised Treasury Management Strategy	-0.6	-0.6	-0.6	-0.6
Addt. Income from Business Rate Share	-0.2	-0.2	-0.2	-0.2
Increase in property numbers (council tax base)	-0.7	-0.7	-0.7	-0.7
Total income/ savings	-21.8	-27.6	-29.4	-30.0
Other Proposed Changes				
New Homes Bonus	-7.3	-7.3	-3.3	-2.5
New Homes Bonus – contribution to Investment Fund	7.3	7.3	3.3	2.5
Collection Fund Surplus (2014/15)	-4.9	0.0	0.0	0.0
Collection fund surplus set aside as one off support towards meeting funding shortfall in 2018/19	4.9	0.0	-4.9	0.0
Fall out of 2013/14 collection fund surplus to support 2015/16 Budget	5.3	5.3	5.3	5.3
	5.3	5.3	0.4	5.3
Impact of 3.99% increase in Council tax (Including adult social care precept)	-5.2	-10.5	-15.9	-21.3
Remaining "Budget Gap"	0.7	9.8	13.4	26.7

The above table shows, for illustrative purposes the impact of a council tax increase of 3.99% in 2016/17 (including adult social care precept). Each 1% council tax increase generates on-going annual income of £1.3m.

5.2 The Council has to continue to plan for a very different future, i.e. several years of strong financial restraint. It is important to recognise that, given the current ongoing period of austerity, the downside risks remain significant and that the budget gap in future years could widen substantially.

6. CARE SERVICES PORTFOLIO GROWTH PRESSURES & REAL CHANGES

6.1 No additional growth pressures have added to the initial budget for the Care Services Portfolio. However there has been additional allocation of funding set aside in contingency for homelessness of £300k in 2016/17 rising to £2,400k in 2019/20. Subject to the finalisation of the 2016/17 budget these sums may need to be requested to be drawn down and if this is the case will need to be approved by the Executive.

7. CARE SERVICES PORTFOLIO SAVING OPTIONS

7.1 A summary of the new savings options relating to the Care Services Portfolio is shown in the table below with more detail included in Appendix 1. Appendix 2 includes the draft estimate summary sheet, budget variations, notes on the budget variations and the subjective analysis.

	2016/17	2017/18	FULL YEAR
	£'000	£'000	£'000
Adult Social Care, Commissioning	7,650	8,710	8,810
Childrens Social Care	1,524	1,524	1,524
Public Health	2,077	3,181	3,181
	11,251	13,415	13,515

8. COMMENTS FROM THE CARE AND HEALTH SERVICES DEPARTMENT

Risk Summary – Care and Health

Care Services

- 8.1 Budgets within Care Services are closely linked and so many risks are held in common. Evidence shows that clients presenting to adult social care are increasingly complex, requiring more sophisticated packages of care, including Deprivation of Liberty orders (DoLs). At the same time, we see demographic pressures pushing the average age of our population upwards. However, many residents are living longer, healthier lives which is to be celebrated, as is the wider council policy to help maintain residents in their own homes for as long as possible.
- 8.2 We know that our partners who provide clients with care whether in residential homes or domestic, are also under very significant pressures. Containing our supplier costs will remain challenging in the coming year, and it is the case that we are very dependent on our commissioning team to manage pressures in a number of areas. These seem particularly acute in the complexities of children transitioning from children's to adults' services. A general reduction in targeted provision means we will also be ending funding to many single interest groups where individual needs will need to be picked-up through our generic programmes.
- 8.3 Costs can be best contained by improving the early advice help and guidance we give residents when they contact us, and we will bring an increasing focus to our first point of contact. This will allow us to reduce staffing in a range of back office functions but also to focus on ensuring clients are given appropriate access to universal credit and other benefits. Ever closer links with health will also improve the efficiency of the spend of the public purse, but we

are very dependent on health partners delivering on their responsibilities, for us to deliver ours.

- 8.4 We have seen significant changes to the universal offer in children's services with the redesign of our youth service to give a much greater focus on statutory provision. The potential loss of our universal youth service, a significant source of both referrals and early intervention activities, means that we need to rely heavily on partners to continue to signpost those most at risk to our statutory services, including into the CAF process.
- 8.5 There will be a further work to align the Public Health services, particularly Health Visiting service, with early intervention service and thus manage social and health risk in a more efficient way.
- 8.6 The introduction of the National Living Wage from April 2016 could have a significant impact on the care sector where traditionally care workers are remunerated at the lower end of average income levels. In Bromley around 95% of adult social care front line service delivery and spend is in the independent sector. The Council's social care contracts require providers to pay at least the National Minimum Wage, currently £6.70 per hour. It is not known how many of them are already paying at the higher National Living Wage (NLW) rate which will take effect for over 25s from 1st April 2016 (£7.20 per hour rising to £9 per hour by 2020). Employers are likely to benefit from changes to corporation tax and National Insurance which should mitigate some of the effect for those who will need to increase pay rates. The Council will consider the contractual position on an individual provider basis and would expect providers to be able to demonstrate the specific impact of the NLW on their costs.
- 8.7 Nationally the care worker sector is experiencing recruitment problems partly as a result of pay levels but also caused by the sector's poor reputation and perceived lack of opportunity for employees. Recruitment issues for the sector locally have meant that domiciliary care providers in particular are not always able to respond in a timely way to requests for support for people living in the community which can have an impact on ensuring timely hospital discharges and avoiding unnecessary hospital admissions.
- 8.8 The Council is working closely with the NHS to further integration of health and social care. One of the priorities for the NHS is to deliver 7 day working across the health sector in hospitals and the community. This means that the Council will also have to consider how to respond to pressure for social care services to be accessible 7 days a week both in terms of its own workforce and contracts with external providers. This priority is reflected in the outcomes for the Better Care Fund in order to ensure that the resulting cost pressures in social care are recognised and supported within the health and social care economy.
- 8.9 Housing costs continue to escalate for those qualifying for temporary accommodation and we will observe this carefully, monitoring the control mechanisms we have put in place, However, this area has provided very significant pressures in the preceding years and Members will need to be aware of the particular risks here which may be further exacerbated as the next tranche of welfare from is rolled out over the next 18 months.

9. POLICY IMPLICATIONS

- 9.1 The Council's key priorities are included within the Council's "Building a Better Bromley" statement and include:
- Safer Communities
 - A quality environment
 - Vibrant, thriving town centres
 - Supporting independence, especially of older people

- Ensuring all children and young people have opportunities to achieve their potential
- An Excellent Council

9.2 “Building a Better Bromley” objective of being an Excellent Council refers to the Council’s intention to provide efficient services and to have a financial strategy that focuses on stewardship and sustainability. Delivering Value for Money is one of the Corporate Operating Principles supporting Building a Better Bromley.

10. FINANCIAL IMPLICATIONS

10.1 The financial implications are contained within the overall report.

11. LEGAL IMPLICATIONS

11.1 The Local Authorities (Standing Orders)(England) Regulations 2001 deal, amongst other things, with the process of approving the budget. Under these provisions and the constitution, the adoption of the budget and the setting of the council tax are matters reserved for the Council upon recommendation from the Executive. Sections 73-79 of the Localism Act 2011 has amended the calculations billing and precepting authorities need to make in determining the basic amount of Council tax. The changes include new sections 31 A and 31 B to the Local Government Finance Act 1992 which has modified the way in which a billing authority calculates its budget requirement and basic amount of Council Tax.

12. PERSONNEL IMPLICATIONS

12.1 Staff, departmental and trade union representatives will be consulted individually and collectively on any adverse staffing implications arising from the budget options. Managers have also been asked to encourage and facilitate staff involvement in budget and service planning.

Non-Applicable Sections:	
Background Documents: (Access via Contact Officer)	Finance Monitoring, Estimate Documents etc all held in Finance Section

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DRAFT SAVINGS LIST - LATEST OPTIONS		2015/16	2016/17	2017/18	2018/19	2019/20	NOTES
		£'000	£'000	£'000	£'000	£'000	
		Controllable Budgets					
Proposals considered by Cabinet - Portfolio Savings							
Care Services							
Care Services - Adult Social Care							
1	LD Day Care/Supported Living/Short Breaks	4,035	-200	-200	-200	-200	Contract award to Certitude wef 1.10.15
2	Contract awards and price negotiations		-430	-430	-430	-430	Contract awards at the end of 2014/15 have resulted in lower ongoing contract costs
3	Adult's Transport Service	1,852	-243	-243	-243	-243	Contract efficiencies
4	Closure of Lubbock House ECH unit	1,213	-70	-70	-70	-70	This relates to the net full year effect of the saving from the closure of Lubbock House ECH scheme.
5	Commissioning - Further contract savings		-280	-280	-280	-280	Ongoing effect of contract efficiencies already achieved in early intervention/prevention contracts
6	Mental Health	6,514	-180	-180	-180	-180	Ongoing effect of efficiencies already achieved
7	Supporting People	1,413	-120	-120	-120	-120	Ongoing effect of efficiencies already achieved
8	Day Opportunities - continuation of invest to save	944	-100	-100	-100	-100	Invest to save. Report number CS12067 - 6/2/2013
9	In-house Extra Care Housing / Carelink	1,279	-40	-40	-40	-40	Review of services to achieve savings
10	Supported Living contracts	11,001	-100	-100	-100	-100	Ongoing effect of contract efficiencies already achieved
11	Adult Learning Disabilities Services	24,694	-1,390	-1,900	-1,900	-1,900	Managing placements/contract renegotiation/early intervention/asset based assessment and management of voids in supported living schemes.
12	Review of Domiciliary Care packages for Older People (OP) and People with Physical disabilities (PD)	5,143	-600	-600	-600	-600	We will continue to review POC to users and ensure they get the support they need.
13	Reablement - recruit to vacant facilitator posts / ensure all service users suitable for reablement are referred to the service	4,902	-250	-250	-250	-250	We are currently in the process of making job offers to 3 successful candidates, when in post it will enable us to offer reablement to more people in their homes
14	Review of respite provision (OP and PD)	174	-50	-100	-100	-100	We will continue to review all POC to ensure residents get the support that they need.
15	Focus on management of ECH voids re residential nursing placements	10,758	-334	-334	-334	-334	We will focus on ECH to so that robust scrutiny continues with placements, so that residents can get the support they need.
16	Review all service users aged above 65 whose placements are above the ceiling rates	13,635	-380	-380	-380	-380	We will review POC to make sure that users are receiving the care that they need and LBB are getting value for money.
17	Review of service users needing Appointeeship & Deputyship	10,758	-60	-60	-60	-60	ACM will work with our A&D Team to ensure residents get the support they need
18	Increased income from Day Care and Transport	-3,991	-200	-200	-200	-200	Some Day Care previously charged at a flat rate when in a block contract are now in spot placements. These can now be charged at the full cost recovery rates. Charging a small contribution for transport. Both will need to be consulted on
19	Additional recurring underspends - Commissioning		-20	-20	-20	-20	Various savings within Commissioning
20	Additional charging income generated by legislative changes	-3,991	-503	-503	-503	-503	Maximisation of income
21	Better Care Fund Grant	-20,837	-1,000	-1,000	-1,000	-1,000	Maximisation of investment for social care services which benefit health
22	Invest to save - reablement	4,902	-150	-150	-250	-250	Impact of further investment in reablement
23	Supporting People - Increased efficiencies	1,413	-250	-250	-250	-250	Review of service levels in floating support and young peoples schemes
24	Further savings to be identified through efficiencies		-500	-1,000	-1,000	-1,000	
25	Better Care Fund - increase in negotiated funding of social care		-200	-200	-200	-200	
Total Care Services - Adult Social Care			-7,650	-8,710	-8,810	-8,810	
Care Services - Children's Social Care							
26	Reduce overall net cost of Placements through efficiencies and obtaining health income. Currently 33 Residential and 345 Fostering placements	11,964	-500	-500	-500	-500	Discussions in progress with the CCG
27	Savings from remand placements (LAPSO). Service has operated for two years (achievable)	498	-250	-250	-250	-250	Achieved
28	Review of fostering arrangements	3,343	-119	-119	-119	-119	Work in progress
29	Management Savings/Restructure - Care & Resources	13,775	-160	-160	-160	-160	Subject to formal staff and Trade Union consultation
30	Children with Disabilities	2,379	-120	-120	-120	-120	Review of Short Breaks and Direct Payments
31	Section 17 - Preventative Payments (Children's Act - Provision of services for children in need, their families and others)	124	-25	-25	-25	-25	Underspend achieved in recent years
32	Section 18 - Children's Act - Day care for pre-school and other children	72	-25	-25	-25	-25	Underspend achieved in recent years.
33	Full year saving of 2 residential placements (currently 33 residential placements)	5,497	-250	-250	-250	-250	Increase support to foster care
34	Virtual School efficiencies	360	-75	-75	-75	-75	General efficiencies
Total Care Services - Children's Social Care			-1,524	-1,524	-1,524	-1,524	
Public Health							
35	Sexual Health	3,630	-104	-104	-104	-104	Reduction in GP activity (contraception and sexually transmitted infections testing), cessation of targeted outreach service and HIV support.
36	NHS Health Checks	739	-126	-126	-126	-126	Reduction in GP activity
37	Health Protection	7	-7	-7	-7	-7	General efficiencies
38	Childhood Obesity Programme	308		-188	-188	-188	Cessation of childhood obesity programme
39	Adult Obesity Programme	59	-59	-59	-59	-59	Cessation of adult weight management programme for very high risk patients
40	Physical Activity	30	-30	-30	-30	-30	Cessation of exercise referral scheme
41	Substance Misuse	2,266	-420	-420	-420	-420	Reduction in service
42	Smoking and Tobacco	727	0	-726	-726	-726	Cessation of smoking cessation service
43	Miscellaneous Public Health Prog	204	-12	-202	-202	-202	Cessation of dental public health service in 16/17 and cessation of health improvement service (diabetes prevention, mental wellbeing) in 17/18
44	School Nursing		-958	-958	-958	-958	Alternative funding arrangements to be considered for 16/17 and stop direct funding from 17/18
45	Public Health Staff	836	-325	-325	-325	-325	Savings related to cessation of non-statutory services
46	Public Health Unallocable	-10,034	-36	-36	-36	-36	Savings related to cessation of non-statutory services
Total Public Health			-2,077	-3,181	-3,181	-3,181	
Total Savings to date			-11,251	-13,415	-13,515	-13,515	

Care Services

DRAFT REVENUE BUDGET 2016/17 - SUMMARY

2014/15 Actual	Service Area	2015/16 Budget	Increased costs	Other Changes	2016/17 Draft Budget
£		£	£	£	£
	Adult Social Care				
89	AIDS-HIV Grant	0	0	0	0
26,788,103	Assessment and Care Management	24,656,740	121,190	Cr 2,252,700	22,525,230
3,378,683	Direct Services	3,200,050	7,320	Cr 1,929,120	1,278,250
1,948,718	Learning Disabilities Day and Short Breaks Service	1,952,730	0	Cr 1,952,730	0
2,528,793	Learning Disabilities Care Management	2,852,490	14,690	83,980	2,951,160
1,335,615	Learning Disabilities Housing & Support	1,249,690	0	Cr 1,249,690	0
35,980,001		33,911,700	143,200	Cr 7,300,260	26,754,640
	Childrens Social Care				
17,077,556	Care and Resources	17,357,580	70,160	Cr 1,326,570	16,101,170
2,101,720	Children's Disability Services	2,378,640	7,780	Cr 146,100	2,240,320
1,172,473	Early Intervention and Family Support	1,149,390	2,830	Cr 194,600	957,620
5,553,869	Safeguarding and Care Planning	5,518,970	7,000	45,920	5,571,890
1,878,765	Safeguarding and Quality Assurance	1,482,460	820	62,330	1,545,610
27,784,382		27,887,040	88,590	Cr 1,559,020	26,416,610
	Commissioning				
0	Better Care Fund	Cr 150,890	0	0	Cr 150,890
3,101,185	Commissioning	2,747,960	6,000	67,670	2,821,630
1,199,012	Information & Early Intervention	0	6,140	Cr 6,140	0
24,053,719	Learning Disabilities Services	24,693,850	145,830	1,111,350	25,951,030
5,764,752	Mental Health Services	6,513,820	31,220	Cr 615,650	5,929,390
Cr 681,395	PCT Funding (Social Care & Health)	0	0	0	0
1,779,456	Supporting People	1,413,470	7,060	Cr 370,000	1,050,530
35,216,729		35,218,210	196,250	187,230	35,601,690
	Environmental Services - Housing				
168,824	Housing Improvement	184,730	Cr 630	5,800	189,900
168,824		184,730	Cr 630	5,800	189,900
	Operational Housing				
Cr 716	Enabling Activities	Cr 900	0	0	Cr 900
Cr 1,594,155	Housing Benefits	Cr 2,122,490	Cr 10,610	0	Cr 2,133,100
5,683,236	Housing Needs	5,638,790	20,890	676,580	6,336,260
4,088,365		3,515,400	10,280	676,580	4,202,260
	Strategic and Business Support Service				
297,748	Learning & Development	305,040	1,510	1,110	307,660
1,807,563	Strategic and Business Support Service	2,143,380	2,880	Cr 707,080	1,439,180
2,105,311		2,448,420	4,390	Cr 705,970	1,746,840
	Public Health				
Cr 363,929		Cr 371,650	0	0	Cr 371,650
104,979,682		102,793,850	442,080	Cr 8,695,640	94,540,290
1,479,513	TOTAL NON CONTROLLABLE	Cr 222,290	110	Cr 353,840	Cr 576,020
10,761,978	TOTAL EXCLUDED RECHARGES	9,733,200	0	Cr 514,510	9,218,690
117,221,174	PORTFOLIO TOTAL	112,304,760	442,190	Cr 9,563,990	103,182,960

**CARE SERVICES PORTFOLIO
SUMMARY OF BUDGET VARIATIONS 2016/17**

Ref	VARIATION IN		ORIGINAL
	2016/17	£'000	BUDGET 2015/16 £'000
1 2015/16 BUDGET		112,305	
2 Increased Costs		442	
Full Year Effect of Allocation of Central Contingency			
3 Increase in Public Health Grant	Cr 3,802	Cr	12,954
Health Visiting and Family Nurse Partnership	3,802		0
4 Transfer of Housing Strategy	31		
5 LD Day Care, Supported Living and Short Breaks contract - pensions costs	66		
6 Increase in cost of Homelessness/Impact of welfare reform	649		
7 Reduction in Public Health Grant 15/16	<u>919</u>	1,665 Cr	12,954
Movement Between Portfolios / Departments / Divisions			
8 Customer services invest to save	Cr 76		
9 Transport - virement to ECS	<u>Cr 159</u>	Cr 235	
Real Changes			
<i>Other Real Changes</i>			
10 National Insurance increase with effect from April 2016		385	
<i>Savings identified for 2016/17 as part of the 2015/16 budget process</i>			
11 Organisational efficiencies and management costs restructure		Cr 188	
<i>New Savings Identified for 2016/17 (Subject to Approval)</i>			
12 Adult learning disability services	Cr 1,390		24,694
13 Better Care Fund Grant	Cr 1,200	Cr	20,837
14 Review of Domiciliary Care packages for Older People (OP) and People with Physical disabilities (PD)	Cr 600		5,144
15 Additional charging income generated by legislative changes	Cr 503	Cr	3,991
16 Further savings to be identified through efficiencies	Cr 500		
17 Reduce overall net cost of Placements through efficiencies and obtaining health income. Currently 33 Residential and 345 Fostering placements	Cr 500		11,964
18 Contract awards and price negotiations - already achieved	Cr 430		
19 Substance Misuse	Cr 420		2,266
20 Review all service users aged above 65 whose placements are above the ceiling rates	Cr 380		13,635
21 Focus on management of ECH voids re: residential nursing placements	Cr 334		10,758
22 Public Health Staff	Cr 325		836
23 Commissioning - Further contract savings	Cr 280		
24 Reablement - recruit to vacant facilitator posts / ensure all service users suitable for reablement are referred to the service	Cr 250		4,902
25 Supporting People - Increased efficiencies	Cr 250		1,413
26 Savings from remand placements (LAPSO). Service has operated for two years	Cr 250		498
27 Full year saving of 2 residential placements (currently 33 residential placements)	Cr 250		5,497
28 Adult's Transport Service	Cr 243		1,852
29 LD Day Care/Supported Living/Short Breaks	Cr 200		4,035
30 Increased income from Day Care and Transport	Cr 200	Cr	3,991
31 Mental Health	Cr 180		6,514
32 Management Savings/restructure - Care and Resources	Cr 160		13,775
33 Invest to save - reablement	Cr 150		4,902
34 NHS Health Checks	Cr 126		739
35 Supporting People	Cr 120		1,413
36 Children with Disabilities	Cr 120		2,379
37 Review of fostering arrangements	Cr 119		3,343
38 Sexual Health	Cr 104		3,630
39 Day Opportunities - continuation of invest to save	Cr 100		944
40 Supported Living contracts	Cr 100		11,001
41 Virtual school efficiencies	Cr 75		360
42 Closure of Lubbock House ECH unit	Cr 70		1,214
43 Review of service users needing Appointeeship & Deputyship	Cr 60		10,758
44 Adult Obesity Programme	Cr 59		59
45 Review of respite provision (OP and PD)	Cr 50		174
46 In-house Extra Care Housing / Carelink	Cr 40		1,280
47 Public Health Unallocable	Cr 36		
48 Physical Activity	Cr 30		30
49 Chief Executives savings	Cr 30		
50 Section 17 - Preventative Payments (Children's Act - Provision of services for children in need, their families and others)	Cr 25		124
51 Section 18 - Children's Act - Day care for pre-school and other children	Cr 25		72
52 Additional recurring underspends - Commissioning	Cr 20		
53 Miscellaneous Public Health Prog	Cr 12		204
54 Health Protection	<u>Cr 7</u>	Cr 10,323	7
55 Variations in Capital Charges		Cr 387	
56 Variations in Recharges		Cr 515	
57 Variations in Insurances		29	
58 Variations in Rent Income		Cr 1	
59 Variations in Building Maintenance		6	
60 2016/17 DRAFT BUDGET		<u>103,183</u>	

CARE PORTFOLIO

Notes on Budget Variations in 2016/17

Ref Comments

2 **Increased Costs (Dr £442k)**

Inflation of £442k has been allocated to budgets for contracts, SLAs, running expenses and income. At this point in time, no inflationary increase has been applied to salaries budgets in relation to 2016/17.

Full Year Effect of Allocation of Central Contingency

3 **Increase in Public Health Grant (Cr £3,802k) / Increase in Expenditure (Dr £3,802k)**

Additional Public Health Grant to Fund Health Visiting and Family Nursing Partnership (0-5 Children's Service's)

4 **Transfer of Housing Strategy (Dr £31k)**

Following the departure of the Head of Housing Strategy, the service budget was transferred to Operational Housing from Renewal and Recreation Portfolio.

5 **LD Day Care, Supported Living and Short Breaks contract - pensions costs (Dr £66k)**

During 2015/16, the former in-house services for LD day care, supported living and short breaks were outsourced to the Southside Partnership. Funding of £66k in a full year has been released from the central contingency to fund the additional pension costs of LBB staff that transferred to the Southside Partnership.

6 **Increase in cost of Homelessness/Impact of welfare reform (Dr £649k)**

This relates to the draw down from Central Contingency of funding held for the continued increase in costs of providing temporary accommodation.

7 **Reduction in Public Health Grant 15/16 (Dr £919k)**

During 2015/16 the government consulted on reducing the grant to local authorities for Public Health. As a result Bromley's grant was reduced by £919k.

Movement Between Portfolios / Departments / Divisions

8 **Customer services invest to save (Cr £76k)**

As part of the Customer Services Invest to Save Scheme, savings totalling £76k have been identified from the Care Services Portfolio

9 **Transport - virement to ECS (Cr £159k)**

Transfer of budget to ECS to reflect new commissioning arrangements

Real Changes

Other Real Changes

10 **National Insurance increase with effect from April 2016 (Dr £385k)**

With effect from 6th April 2016 contracted out rates for Defined Benefit pension schemes have been abolished.

Savings identified for 2016/17 as part of the 2015/16 budget process

11 **Revised ECHS Department management arrangements (Cr £188k)**

Revised ECHS Department senior management arrangements have been put in place and this is the effect on the Care Services Portfolio

New Savings Identified for 2016/17 (Subject to Approval)

- 12 Adult learning disability services (Cr £1,390k)
Managing placements/contract renegotiation/early intervention/asset based assessment and management of voids in supported living schemes
- 13 Better Care Fund Grant (Cr £1,200k)
Maximisation of investment in social care services which benefit health
- 14 Review of Domiciliary Care packages for Older People (OP) and People with Physical disabilities (PD) (Cr £600k)
We will continue to review packages of care to users and ensure they get the support they need.
- 15 Additional charging income generated by legislative changes (Cr £503k)
Maximisation of income
- 16 Further savings to be identified through efficiencies (Cr £500k)
Further savings to be identified
- 17 Reduce overall net cost of Placements through efficiencies and obtaining health income. Currently 33 Residential and 345 Fostering placements (Cr £500k)
Discussions in progress with the CCG
- 18 Contract awards and price negotiations - already achieved (Cr £430k)
Contract awards at the end of 2014/15 have resulted in lower ongoing contract costs
- 19 Substance Misuse (Cr £420k)
Reduction in service
- 20 Review all service users aged above 65 whose placements are above the ceiling rates (Cr £380k)
We will review packages of care to make sure that users are receiving the care that they need and LBB are getting value for money.
- 21 Focus on management of ECH voids re: residential nursing placements (Cr £334k)
We will focus on ECH so that robust scrutiny continues with placements, so that residents get the support they need
- 22 Public Health Staff (Cr £325k)
Savings related to cessation of non-statutory services
- 23 Commissioning - Further contract savings (Cr £280k)
Ongoing effect of contract efficiencies already achieved in early intervention/ prevention contracts
- 24 Reablement - recruit to vacant facilitator posts / ensure all service users suitable for reablement are referred to the service (Cr £250k)
Currently in the process of making job offers to 3 successful candidates, when in post it will enable us to offer reablement to more people in their homes
- 25 Supporting People - Increased efficiencies (Cr £250k)
Review of service levels in floating support and young peoples schemes
- 26 Savings from remand placements (LAPSO). Service has operated for two years (Cr £250k)
Savings already achieved
- 27 Full year saving of 2 residential placements (currently 33 residential placements) (Cr £250k)
Increase support to foster care
- 28 Adult's Transport Service (Cr £243k)
Contract efficiencies
- 29 LD Day Care/Supported Living/Short Breaks (Cr £200k)
Contract award to Certitude wef 1.10.15

- 30 Increased income from Day Care and Transport (Cr £200k)
Some Day Care previously charged at a flat rate when in a block contract are now in spot placements. These can now be charged at the full cost recovery rates. Charging a small contribution for transport. Both will need to be consulted on
- 31 Mental Health (Cr £180k)
Ongoing effect of efficiencies already achieved
- 32 Management Savings/restructure - Care and Resources (Cr £160k)
Subject to formal staff and trade union consultation
- 33 Invest to save - reablement (Cr £150k)
Impact of further investment in reablement
- 34 NHS Health Checks (Cr £126k)
Reduction in GP activity
- 35 Supporting People (Cr £120k)
Ongoing effect of efficiencies already achieved
- 36 Children with Disabilities (Cr £120k)
Review of Short Breaks and Direct Payments
- 37 Review of fostering arrangements (Cr £119k)
Work in progress
- 38 Sexual Health (Cr £104k)
Reduction in GP activity (contraception and sexually transmitted infections testing), cessation of targeted outreach service and HIV support.
- 39 Day Opportunities - continuation of invest to save (Cr £100k)
Invest to save. Report number CS12067 - 6/2/2013
- 40 Supported Living contracts (Cr £100k)
Ongoing effect of contract efficiencies already achieved
- 41 Virtual School efficiencies (Cr £75k)
Savings identified from educational equipment, and running costs, etc
- 42 Closure of Lubbock House ECH unit (Cr £70k)
This relates to the net full year effect of the saving from the closure of Lubbock House ECH scheme.
- 43 Review of service users needing Appointeeship & Deputyship (Cr £60k)
ACM will work with our A&D Team to ensure residents get the support they need
- 44 Adult Obesity Programme (Cr £59k)
Cessation of adult weight management programme for very high risk patients
- 45 Review of respite provision (OP and PD) (Cr £50k)
We will continue to review packages of care to users and ensure they get the support they need.
- 46 In-house Extra Care Housing / Carelink (Cr £40k)
Review of services to achieve savings
- 47 Public Health Unallocable (Cr £36k)
Savings related to cessation of non-statutory services
- 48 Physical Activity (Cr £30k)
Cessation of exercise referral scheme

- 49 Chief Executives savings (Cr £30k)
Staff reductions and general efficiencies
- 50 Section 17 - Preventative Payments (Children's Act - Provision of services for children in need, their families and others) (Cr £25k)
Underspend achieved in recent years
- 51 Section 18 - Children's Act - Day care for pre-school and other children (Cr £25k)
Underspend achieved in recent years. Nursery provision provided by LBB recharge.
- 52 Additional recurring underspends - Commissioning (Cr £20k)
Various savings within Commissioning
- 53 Miscellaneous Public Health Prog (Cr £12k)
Cessation of dental public health service in 16/17 and cessation of health improvement service (diabetes prevention, mental wellbeing) in 17/18
- 54 Health Protection (Cr £7k)
General efficiencies
- 55 Variations in Capital Charges (Cr £387k)
The variation in capital charges is due to a combination of the following:
 (i) Depreciation – the impact of revaluations or asset disposals in 2014/15 (after the 2015/16 budget was agreed) and in the first half of 2015/16;
 (ii) Revenue Expenditure Funded by Capital Under Statute (REFCUS) – mainly due to variations in the value of schemes in our 2016/17 Capital Programme that do not add value to the Council's fixed asset base.
 (iii) Government Grants – mainly due to variations in credits for capital grants receivable in respect of 2016/17 Capital Programme schemes, which are used to finance expenditure that is treated as REFCUS.
- These charges are required to be made to service revenue accounts, but an adjustment is made below the line to avoid a charge on Council Tax.
- 56 Variations in Recharges (Cr £515k)
Variations in recharges are offset by corresponding variations elsewhere and have no impact on the overall position.
- 57 Variations in Insurances (Dr £29k)
Insurance recharges to individual portfolios have changed between years, in some cases significantly, partly because we have factored in an extra year of claims experience since the 2015/16 budget was finalised and partly because of increased General Fund charges as a result of further academy conversions (academies are not permitted to be covered by the Council and conversions lead to costs having to be spread across fewer services/establishments). In addition, Insurance Premium Tax was increased from 6% to 9.5% in November 2015 and the full-year effect of this will be felt in 2016/17. All of the Council's insurance premium contracts are currently either being retendered or are being renegotiated and the current difficult market conditions mean that there may be significant premium increases, which could have a further impact on the 2016/17 budget figures.
- 58 Variations in Rent Income (Cr £1k)
This relates to the reallocation of rental income budgets across departments / portfolios. There are corresponding adjustments in other portfolios and these net out to zero in total.
- 59 Variations in Building maintenance (Dr £6k)
This relates to the reallocation of building maintenance budgets across departments / portfolios. There are corresponding adjustments in other portfolios and these net out to zero in total.

Report No.
FSD16003

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 12 January 2016

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

Title: UPDATED DEBT REPORT

Contact Officer: Claudine Douglas-Brown, Head of Exchequer Services
Tel: 020 8461 7479 E-mail: Claudine.Douglas-Brown@bromley.gov.uk

Chief Officer: Director of Finance

Ward: (All Wards);

1. Reason for report

- 1.1 To provide an update on the current level of Education, Care and Health Services (ECHS) debt and the action being taken to reduce the level of long term debt.
-

2. RECOMMENDATIONS

2.1 The Care Services PDS Committee is asked to:

- i) Note and comment on the level of ECHS debt over a year old and the action being taken to reduce this sum; and
- ii) Agree that further reports be submitted on an annual basis.

Corporate Policy

1. Policy Status: Existing Policy
 2. BBB Priority: Excellent Council
-

Financial

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

Staff

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

Legal

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

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

Level of Debt

- 3.1 The collection of the Education, Care and Health Services debt is undertaken by Liberata as part of the Exchequer Services Contract.
- 3.2 The ECHS debt as at 31st March 2015 was £9.23m. This reduced to £5.45m by the 30th September 2015. This is shown in Appendix 1. The reduction of £3.78m includes write offs totalling £175k.
- 3.3 The £5.45m outstanding is expected to be reduced to less than £3m by the end of 2015/16, with further reductions in 2016/17.
- 3.4 Although additional invoices and charges have been raised during the period 1st April 2015 to 30th September 2015 the overall total debt has reduced from £9.23m to £8.91m as at 30th September 2015. Appendix 2 provides a breakdown of the total debt and Appendix 3 provides an age profile of the outstanding debt.
- 3.5 For the 12 months to 30 September 2015 the Council raised 10,410 invoices to the value of £28,300,637 on behalf of all areas in ECHS. As at 30 September 2015, £1,778,893 (6%) remained outstanding, of which £930,052 (3%) was less than 30 days old.
- 3.6 The value of unpaid invoices over one year as at 30th September 2015 was £1,520,842. Appendix 4 gives an analysis of the service the debts relate to and Appendix 5 provides information as to the stages of recovery.

Adult Social Care

- 3.7 In June 2015 a policy for the management and recovery of social care debt was introduced within ECHS, Finance and Liberata. The policy establishes clear lines of responsibility and includes timeframes for tasks such as the referral of cases to the council's Appointee and Deputyship teams.
- 3.8 Officers continue to monitor the compliance with the policy and monthly case reviews are held to ensure that cases are followed up promptly and corrective action is taken when required.
- 3.9 Officers have explored the possibility of requesting payment in advance for services provided by ECHS such as Carelink and planned respite and from April 2016 changes will be made to the way private Carelink is invoiced. Clients will be given two payment options, payment in advance when they receive their annual invoice or payment by quarterly direct debit. This will improve cash flow and help to reduce the level of outstanding debt for this service area.
- 3.10 The advice from the Council's Senior Solicitor, for Children and Adults services is that there would be a number of obstacles to having a policy of payment upfront for other social care services where they are provided under the Council's statutory duty to meet people's eligible care and support needs. However having regard to the position that there is a need to protect the Council's finances and that bad debts have impacted on the budget it is felt that it would be prudent for a regime of upfront charging to be in place wherever possible.
- 3.11 Any policy of charging in advance will need to show that there is a suitable process in place to reimburse pro rata or otherwise a person who has paid in advance and has not received the services they have paid for.

- 3.12 The options available for charging in advance and the reasons for the proposed change to the current charging methodology will be included in the ECHS Debt report in July 2016.

Temporary Accommodation

- 3.13 The number of statutory homeless households placed in temporary accommodation has continued to increase. This together with the effect of the Welfare Reforms and Benefit Cap means that there has been a large increase in Housing Benefit claimants having to make a contribution to their rent. This has resulted in an increase in the volume of debts and the recovery becoming more demanding due to the mobility of the clients in such accommodation.
- 3.14 The bed and breakfast caseload handled by the Temporary Accommodation team has continued to increase resulting in an increase in the level of debt. Although resources have remained the same the cash payments have increased from £146,585 to £256,396 (75%) when compared to the same time last year.
- 3.15 The leasehold debt has reduced slightly from £855,394 to £780,451 as at 30th September 2015. Orchard and Shipman are making regular monthly payments which should see the debt reduced considerably by the end of the year. Going forward, the expected position will be that each quarter following a reconciliation exercise Orchard and Shipman will pay the arrears from the previous quarter.
- 3.16 On the traveller sites there are a few cases affected by the benefit cap and therefore now face a shortfall which the Emergency Placement Team is working through.
- 3.17 The outstanding debt relating to 16-18 year olds placed in temporary accommodation has reduced from £435,935 to £191,722 as at 30th September 2015. The reduction was largely due to housing benefit payments, however some uncollectable debt has also been written off.
- 3.18 LBB officers and Liberata are reviewing the processes from the initial sign up process when the person is placed in temporary accommodation through to the eviction process and subsequent recovery action to ensure they are robust.
- 3.19 The Housing Needs team have also worked with the Housing Benefits team to tighten up the process around the Housing Benefits interview and the follow up when the person fails to attend the initial interview.
- 3.20 The methods of payment available currently include, cash, cheque, standing order, debit and credit card. Our current housing system does not have the facility for direct debits however this has been included in the specification for the new housing system that is being procured.

Debt Recovery

- 3.21 Liberata regularly meets with LBB officers to discuss arrears and proposals for process changes in order to improve the service to the council's customers and to increase income collection. Liberata are continuing with targeted recovery activities which include:
- Additional recovery resources focussing on social care debt
 - Process improvements and enhanced system reports to streamline the process of producing reminder letters for domiciliary care debts
 - Improved reports to ensure all debts are progressed through the recovery cycle promptly.
 - Targeting large debts and older debts.
 - Using debt collection agencies to maximise recovery.

- Progressing unpaid debts through to County Court Judgment and taking appropriate enforcement action.
- Monitoring payment arrangements to ensure that customers are adhering to their payment plans and taking appropriate action for any broken arrangements.
- Reviewing and recommending historic unrecoverable debts for write off.

3.22 As part of our continuous improvement process we have reviewed the current recovery systems and have expanded the scope for the Single View system to include a debt management system. We are expecting to implement the system within the next nine months. This will allow data concerning an individuals' debt to be extracted from different systems and presented in a single screen to give a consolidated view of their debt position. Debt information will be extracted from the systems covering Sundry Debts, Domiciliary Care Debt, Council Tax, Housing Benefit Overpayments, Trade Waste and Business Rates. The Single View will provide:

- Improved debt collection – improving the visibility of a client's debt position will lead to an increase in recoverability
- Improved debt management – the consolidated view of a customer's debt will aid early intervention in cases where they may be experiencing financial difficulties. repayment plan can be put into place to prevent additional costs from being incurred by the customer
- Improved customer experience – rather than being chased separately by the different debt recovery teams, the customer can be chased once in order to discuss all of their debts

The added benefits from the Debt Management system include:

- Automated direct debit facility
- Ability to set up direct debits to collect current charges and arrears (e.g. for domiciliary care, carelink or commercial rents)
- Powerful instalment arrangement facilities allowing multiple debt types to be incorporated into a single arrangement
- Performance management reporting for monitoring recovery staff
- Online performance and benchmarking analysis for monitoring contractor performance

4. FINANCIAL IMPLICATIONS

4.1 Non collection of monies owed to the Council result in a £ for £ loss to the Council and delays in recovery have a negative effect on the authority's cash flow.

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

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EDUCATION, CARE AND HEALTH SERVICES DEBTS

Update on the debt that was outstanding at the end of 2014/15

Debt Type	Total Balance as at 31/03/15	Balance Outstanding as at 30/09/15	% Reduction
	£		
ECHS Invoices	3,800,672	1,950,929	49%
Domiciliary Care	1,866,639	834,951	55%
Sub Total	5,667,311	2,785,880	51%
Temporary Accommodation	3,563,554	2,663,594	25%
Total Debt	9,230,865	5,449,474	41%

TOTAL DEBT AS AT 30 SEPTEMBER 2015

Debt Category	Debt Type	30 Sept 2013 Total Balance	30 Sept 2014 Total Balance	31 Mar 2015 Total Balance	31 Mar 2015 Number of Accounts	30 Sept 2015 Total Balance	30 Sept 2015 Number of Accounts
		£	£	£		£	
ECHS Invoices	Private Carelink	8,771	10,780	7,322	71	6,277	118
ECHS Invoices	Adults Respite Care	359,289	371,146	313,343	120	302,537	122
ECHS Invoices	Adults Residential Care	1,800,294	1,197,389	1,699,776	185	1,409,552	170
ECHS Invoices	ECHS General (inc. CS - General)	1,347,430	1,524,935	1,287,269	308	872,719	249
ECHS Invoices	Independent Living Fund	99,920	72,134	51,411	12	43,412	9
ECHS Invoices	Children's Social Care	193,655	213,288	106,624	20	48,876	18
ECHS Invoices	ECHS - All other areas			334,927	42	616,361	105
	Sub Total ECHS Invoices	3,809,359	3,389,672	3,800,673	758	3,299,735	791
Domiciliary Care	Domiciliary Care	2,067,841	1,654,149	1,866,639	2,457	2,089,223	2,445
A	Sub Total Social Care Debt	5,877,200	5,043,821	5,667,312	3,215	5,388,958	3,236
	Temporary Accommodation						
TA	Bed & Breakfast	1,444,012	1,832,430	2,157,974	1,606	2,367,824	1,883
TA	LATCH	60,082	15,487	521	25	39,838	26
TA	Safepad	10,619	10,094	11,547	15	11,547	15
TA	Leaving Care	204,784	404,582	435,935	246	191,723	218
TA	Supported Living	85,874	87,293	65,684	20	67,381	22
TA	Travellers Sites	75,199	35,103	36,499	42	42,955	47
TA	Leasehold Properties	136,673	660,442	855,394	363	780,451	396
TA	LBB Owned Properties					21,971	5
B	Sub Total TA Debt	2,017,243	3,045,431	3,563,555	2,317	3,523,690	2,612
	Total ECHS Debt (A + B)	7,894,443	8,089,252	9,230,867	5,532	8,912,648	5,848

Age Profile of ECHS Debt as at 30 September 2015

Debt Type	0 - 3 Months	3 - 6 Months	6 Months - 1 Year	1 - 2 Years	Over 2 years	Total Balance
	£	£	£	£	£	£
ECHS Invoices	930,052	418,755	430,086	339,390	1,181,452	3,299,735
Domiciliary Care	840,518	413,754	297,964	536,987		2,089,223
Total	1,770,570	832,509	728,050	876,377	1,181,452	5,388,958

Temporary Accommodation	Under 1 year	1 - 2 Years	Over 2 years	Total Balance
	£	£	£	£
Former Clients *	203,842	481,657	1,242,276	1,927,775

* It is not possible to provide a complete age debt analysis of the temporary accommodation charges however the age profile of the former client arrears has been determined using the date the client left the accommodation and a split between current and former client arrears is shown below.

Temporary Accommodation Type	Current Clients	Former Clients	Total Balance
	£	£	£
Bed & Breakfast Accommodation	1,109,882	1,257,942	2,367,824
LATCH	-2,956	42,794	39,838
Safepad		11,547	11,547
Leaving Care	80,422	111,301	191,723
Supported Living	6,946	60,435	67,381
Travellers Sites	8,339	34,616	42,955
Leasehold Properties	371,311	409,140	780,451
LBB Owned Properties	21,971	0	21,971
Total	1,595,915	1,927,775	3,523,690

**Education, Care and Health Services Debts
Invoices over 1 year as at 30 September 2015**

Debt Type	30 September 2013 Total Balance	30 September 2014 Total Balance	31 March 2015 Total Balance	31 March 2015 Number of Accounts	30 September 2015 Total Balance	30 September 2015 Number of Accounts
	£	£	£		£	
Private Carelink	3,204	2,993	2,239	22	2,339	17
Adults Respite Care	119,071	180,877	247,964	81	229,971	76
Adults Residential Care	1,109,047	803,811	799,931	38	779,924	86
ECHS General (inc CS General)	167,537	506,396	490,798	120	420,049	108
Independent Living Fund	73,151	33,273	40,727	7	35,940	6
Children's Social Care	19,582	22,114	24,695	12	23,557	10
ECHS - All other areas			48,097	8	29,063	6
Total Debt	1,491,592	1,549,464	1,654,450	288	1,520,842	309

Education, Care and Health Services Debts
Overall Recovery Position of Invoices over 1 year as at 30 September 2015

Recovery Status	Pre 2011	2011-12	2012-13	2013-14	2014-15	Total	Number of accounts
	£	£	£	£	£	£	
Applying for Power of Attorney				317	158	475	1
Appointee & Deputyship in place	2,836	16,505	11,814	40,283	946	72,385	16
Awaiting probate				3,157	35,185	38,342	4
County Court Action	183,218	4,090	31,205	103,816	2,994	270,486	45
Disputed debts referred back to LBB			42,396	4,360	4,969	51,725	13
In recovery, paid by instalments	20,607	416	7,394	21,098	1,591	51,106	21
Issue under investigation by Liberata	11,181		5,404	2,959	16,953	36,496	6
Marked for cancellation				21,316		21,316	1
Pre debt collector/court checks	80,929	41,249	38,353	9,218	10,620	180,370	42
Probate granted	1,660	697	4,898	109	619	7,983	7
Recommended for write off	175,858	11,708	59,588	8,986	517	256,657	70
Referred to LBB for instructions	84,471	15,120	46,673	12,385	2,835	161,483	20
Secured by charge on property	62,037	69,252	45,441	18,397		249,964	6
Standing probate search in place		142	16,199	11,531	6,007	33,878	9
With debt collector	1,671	3,062	3,335	26,891	11,028	45,988	19
With LBB legal department		14,855			27,333	42,188	2
Grand Total	624,468	177,097	312,699	284,823	121,756	1,520,842	282

Report No.
CS16010

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

EDUCATION POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: Tuesday 12 January 2016

Tuesday 19 January 2016

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

Title: EDUCATION OUTCOMES FOR LBB CHILDREN IN CARE

Contact Officer: Helen Priest: Head Teacher, Bromley Virtual School
E-Mail: helen.priest@bromley.gov.uk

Kay Weiss, Director: Children's Services
E-mail: kay.weiss@bromley.gov.uk

Chief Officer: Director: Children's Services (ECHS)

Ward: All Wards

1. Reason for report

- 1.1 The annual attainment and attendance report of the virtual school is presented for Members' consideration.
-

2. **RECOMMENDATION(S)**

- 2.1 Member of the Care Services and Education Policy, Development and Scrutiny Committees are asked to note and comment upon the content of this report

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: 808180 – Children in Care Education
 4. Total current budget for this head: £360,910 (controllable)
 5. Source of funding: RSG and Pupil Premium Funding distributed to schools
-

Staff

1. Number of staff (current and additional): 5
 2. If from existing staff resources, number of staff hours:
-

Legal

1. Legal Requirement: Statutory Requirement
 2. Call-in: Not Applicable
-

Customer Impact

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

Ward Councillor Views

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

3. COMMENTARY

- 3.1 The Virtual School was established in 2008 to focus upon improving outcomes for children looked after. The school offers additional support to students, and tracks progress, attainment and attendance ensuring that concerns are flagged and acted upon without delay.
- 3.2 Since 2014, the virtual school has been tasked with ensuring that the pupil premium for children looked after, including children in early years settings is used in a way that actively supports positive outcomes.
- 3.3 The 2014/15 academic year report outlining attainment and attendance is attached.

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

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REPORT OF THE HEAD TEACHER, BROMLEY VIRTUAL SCHOOL

Children Looked After Attainment and Attendance 2014 – 2015 Academic Year

1. Introduction

- 1.1 Local authorities have a duty under the Children Act 1989 to safeguard and promote the welfare of a child looked after by them. This includes a particular duty to promote the child's educational achievement, wherever they live or are educated. The authority must therefore give particular attention to the educational implications of any decision about the welfare of those children, including children who have been placed for adoption until the court makes the adoption order giving parental responsibility to the adoptive parents.
- 1.2 Every local authority is required to ensure that a Virtual School Head Teacher is in place, giving that officer responsibility for arrangements which ensure that looked after children have access to a suitable range of high quality education placement options and that there are robust procedures in place to monitor the attendance and educational progress of the children in its care.
- 1.3 The role and function of the Virtual School are underpinned by the core activities of maintaining an up-to-date roll of looked after children who are in school or college settings and gathering information about their education placement, attendance and educational progress;
- ensuring up-to-date, effective and high quality Personal Education Plans (PEPs) that focus on educational outcomes are in place for looked after children.
 - ensuring social workers, designated teachers and schools, carers and independent reviewing officers (IROs) understand their role and responsibilities in initiating, developing, reviewing and updating the child's Personal Education Plan (PEP) and how they help meet the needs identified in that PEP.
 - administering Pupil Premium Plus and other resources in such a way that they target children according to need effectively and have an impact on outcomes.
 - providing support and challenge to educational settings where school placements are at risk of breakdown.
- 1.4 During the academic year 2014/15, the Virtual School has had over 300 children on roll, with every child over the age of 3 who becomes looked after becoming entitled to a service, regardless of whether they remain in care for a few days or for several years. At any time during the year, the average number of children on roll is around 270.
- 1.5 Staff of the Virtual School are often the most consistent local authority professional during the care experience of a child, including a substantial amount of face-to-face contact. One of the strengths of the service is its knowledge and understanding of the child's journey and the impact of change and decision-making on the eventual outcomes for that individual.

- 1.6 The changing nature of the age profiles of looked after children in Bromley has continued to have an impact on the work of the Virtual School. During the 2014/15 academic year, we have seen unprecedented growth in size of the year group cohorts in key stages 1 and 2. Where we would previously have been working with a YR1 group of 5 or 6 children, the group was as large as 11 at one stage during the year. Many of these children have placement orders, so are already in pre-adoptive placements or awaiting matching. This means that Virtual School involvement with the children can be very brief but is very intensive as we ensure that we assist in the adoption process and secure places in new schools when children are placed.
- 1.7 The year 6 cohort, normally 12-14 children rose to 20 during the year. Unlike the younger, YR1 children, these children are likely to stay in care for longer periods and we expect to monitor them throughout the secondary school careers and beyond. This 'bulge' year group is likely to grow still further through KS3 and 4 and may be almost double that size by YR11.
- 1.8 In response to statutory requirements that commenced during the academic 2014/15 year, the role of the virtual school was expanded to include years 12 and 13. The role has been further expanded to undertake Personal Education Planning activity and administer Pupil Premium Plus for children aged three and four. An Early Years PEP has been developed and PEP meetings are now being held for children up to two years before they enrol in statutory education. Many of these children will be adopted or will return home before they enter school or during KS1. Work with them is intensive and specialist and provides valuable information that has never previously been captured and it is highly valued by Early Years settings and by the new schools in which children placed for adoption are enrolled.
- 1.9 The reporting cohort for KS4 was made up of 19 students who had been in care for at least a year on 31st March 2015. In addition to the outcome report for the year group, a more detailed, pupil-level report in Annex A shows how the length of time each student has been in care and their attainment levels at the point of accommodation. Most students even those who had performed significantly below expectation previously made good or very good progress.
- 1.10 Changes in national attainment reporting in the last year mean that most schools have abandoned national curriculum levels and level descriptors. Each school or group of schools has made its own decisions about the methodology they use to codify levels of attainment and how it measures success. The changes have made it very difficult for them to contextualise the progress of children against their previous individual trajectories and against other children nationally. The outcome of this change for the local authority and for the Virtual School is that the attainment and monitoring data that has been collected through the year cannot be used for the purpose of trend analysis or comparison with other years but can only be seen as stand-alone data and as the start of a collection of new data sets for individuals. The issue of comparing individuals in different schools, especially when up to half of the schools are in other authorities will remain a significant challenge for some time to come. This has not yet affected SATs reporting for the academic year, but the DfE has announced that how 'sufficient progress' is measured from KS1 to KS2 will not be decided until the first new KS2 tests are sat in the summer of 2016.

2. KEY Stage 1 Outcomes Summer 2015 (Age 7 years)

(N.B. All 2015 figures are provisional and subject to change. National comparative data will not be available until after the publication of the First Statistical release in December 2015)

- 2.1 Key Stage 1 outcomes in 2015 were lower than any previous year. As can be seen in the table at 3.2.6, below, this outcome reflects the high level of special needs experienced by the children and reflected in the number of statements of SEN.
- 2.2 Out of 9 looked after children who completed KS1 in August 2015 only **6** of these had been continually looked after during the reporting period (April 2014 to March 2015). These 6 children form the **reporting cohort**.
- 2.3 The national age-related expectation at age 7 is level 2.
- 2.4 Four of these children (66%) have Statements of SEN or EHC plans.
- 2.5 Two children were adopted out of authority during year 2. Both had been placed in their new schools during YR1 and both achieved at national expectation in KS1 SATs tests, despite the disruption and short periods out of school. In both cases, the Virtual School had secured places in new schools and provided significant support to the schools to integrate the children.
- 2.6 **Key Stage 1 Pupil Level Data, 2015.** (Please see the end of this report for a glossary of terms)

 = in reporting cohort

 = in care at end YR2 but not in reporting cohort

Date of Birth	In/Out of Borough	Date became CLA	SEN	Reading	Writing	Maths
2008	OUT	05/11/2012	S	1	P8	1b
2008	IN	10/04/2012	S	B	B	B
2008	IN	adopted		2b	2c	2c
2008	IN	23/11/2012	S	1	2	W
2007	OUT	adopted		2a	2c	2a
2008	IN	07/02/2014	S	1b	P7	1c
2007	OUT	29/04/2015		2b	2b	2b
2008	IN	27/01/2015	S	P8	P8	1c
2008	IN	31/10/2014	SA+	1b	1c	1c

2.7 **Key Stage 1 Outcome data 2015 with historical context. Pupils achieving level 2 or above:**

Indicator	2015	2014	2013	2012	2011
Reading	33% (2 of 6 pupils)	55% (6 of 11 pupils)	60% (3 of 5 pupils)	57% (4 of 7 pupils)	76% (6 of 9 pupils)
Writing	50% (3 of 6 pupils)	55% (6 of 11 pupils)	60% (3 of 5 pupils)	57% (4 of 7 pupils)	44% (4 of 9 pupils)
Speaking and Listening		64% (7 of 11 pupils)	Not reported	Not reported	Not reported
Maths	33% (2 of 6 pupils)	55% (6 of 11 pupils)	60% (3 of 5 pupils)	42% (3 of 7 pupils)	76% (6 of 9 pupils)


3. **Key Stage 2 Outcomes Summer 2015 (Age 11 years)**

(N.B. All 2015 figures are provisional and subject to change. National comparative data will not be available until after the publication of the First Statistical release in December 2015)

- 3.1 Key Stage 2 outcomes are in line with the expectations of the Virtual School. They reflect the current requirement to report how many children have reached a common target and not the progress on the individual child against his or her starting point. The table at 3.3.6 gives pupil level information, including the pleasingly high number of 7 year-old looked after children who made more than the expected two levels of progress between KS1 and KS 2, even if they did not reach national age-related expectation. This demonstrates that schools are setting high targets for children and that support and resources are being effectively targeted.
- 3.2 Twenty children in care ended KS2 in August 2015. Of these, **11** had been continuously looked after for at least 12 months (to 31st March 2015) and these pupils form the **reporting cohort**.
- 3.3 National age-related expectation at age 11 is level 4.
- 3.4 Two children in the reporting cohort (18%) have Statements of SEN or EHC plans and a further 4 are at School Action Plus, making a total of 6 (34%) with identified special educational needs.
- 3.5 All but one of the children in the YR6 cohort achieved *an increase of two or more levels of attainment or better in both English and Maths between YR2 and YR 6, including one who was working below the level of assessment*. The remaining pupil also exceeded expectations at the end of the key stage, national curriculum level 1 in his teacher assessments

3.6 **Key Stage 2 Pupil Level Data 2015** (Please see the end of this report for a glossary of terms)

 = in reporting cohort

 = in care at end YR 6 but not in reporting cohort

Figures in brackets represent KS1 attainment

DOB	In/Out of Borough	Date became LAC	SEN	Reading	Writing	Grammar, Spelling Punctuation	Maths	2 or more levels of progress
2004	IN	07/08/2013	SA+	4 (1b)	4c (1b)	4	4 (1b)	Eng ✓ + Maths ✓
2003	IN	30/04/2010		4A (2a)	4A (2b)	5C	5B (3)	Eng ✓ Maths ✓
2003	IN	12/06/2009	SA	3 (1b)	4 (1b)	3	4 (1b)	Eng ✓ + Maths ✓ +
2004	OUT	17/06/2009		5a (3c)	5b (2b)	5a	6b (3c)	Eng ✓ + Maths ✓ +
2004	IN	03/02/2014		4 (1a)	3 (1)	3	4 (2c)	Eng ✓ + Maths ✓ +
2004	IN	11/03/2011		4 (2b)	4 (2b)	4	4 (2b)	Eng ✓ Maths ✓
2004	IN	04/03/2010		4 (2b)	4 (2c)	3	4 (2a)	Eng ✓ Maths ✓
2004	IN	27/11/2009	S	2b (P6)	2c (P6)		2a (P7)	Eng ✓ + Maths ✓
2003	OUT	24/08/2012	S	1 (b)	1 (b)		1 (b)	Eng N/A Maths N/A
2004	IN	27/02/2009	SA	3 (2c)	3 (1)	3	3 (1)	Eng ✓ Maths ✓
2004	In	23/03/2010		5 (1a)	4 (1b)	4	4 (2c)	Eng ✓ + Maths ✓ +
2003	IN	02/06/2008	SA	5 (2b)	5 (2c)	5	4 (2a)	Eng ✓ + Maths ✓
2004	IN	30/07/2014		2 (1c)	3 (1c)	3	3 (1c)	Eng ✓ Maths ✓
2003	IN	05/06/2015		5	4	4	4	Eng ✓ Maths ✓
2004	IN	17/09/2014		4 (1)	4 (1)	4	4 (2c)	Eng ✓ + Maths ✓
2004	OUT	30/06/2014	S	3 (1)	3 (1)	3	3 (2c)	Eng ✓ Maths ✓

3.7 Key Stage 2 Outcome Data with Historical Context

Indicator	2015	2014	2013	2012	2011
NI 99: Percentage of children in care reaching level 4 in English at KS2	Combined Reading, Writing and Maths scores Bromley 58% (7 of 12 pupils)	Combined Reading, Writing and Maths scores Bromley 63% (5 of 8 pupils)	Combined Reading, Writing and Maths scores Bromley 55% (5 of 9 pupils)	Bromley 28% (2 of 7 pupils)	Bromley 50% (5 of 10 pupils)
NI 100: Percentage of children in care reaching level 4 in Maths at KS2		National 48%	National 45%	Bromley 28% National 56%	Bromley 40% National 52%

4. Key Stage 4 Outcomes 2015 (to be confirmed)

- 4.1 GCSE outcomes for Bromley Looked After children in academic year 2014/15 were the best since reporting began. The small cohort size means that this data will be suppressed in national reporting, however, the figure of 26% of LAC leaving year 11 with five or more GCSEs at grade A*-c including English and Maths will place Bromley within the top 10% of all authorities in England this year. This outcome also compares favourably with geographical neighbours (National reporting not available at time of writing).
- 4.2 28 children in care ended YR11 in August 2015. Of these, 19 had been continuously looked after *and* on roll in YR11 for at least 12 months (to 31st March 2015) and these pupils form the **reporting cohort**.
- 4.3 37% of the reporting cohort has identified special educational needs, with **5 young people having a Statement of SEN**. This equates to 26% of the cohort having a Statement of SEN against a national figure of 2.8%.
- 4.4 Seven of the young people in this year group were accommodated by the local authority at the end of YR9 (after April 2013) or during Key Stage 4. Most of these young people continued to experience placement changes in the months after they become looked after although all were finally able to have a period of stability.
- 4.5 Two students in this cohort are unaccompanied minors.
- 4.6 Only 7 young people in last year's reporting group were in Bromley schools and of those one was on roll in alternative provision. All of the children achieving the expected outcome of 5 GCSEs at A*-C including English and Maths were in Bromley Schools.
- 4.7 A notable feature of these results is that all of the highest-achieving children in this group have experienced a period of long term, stable care in foster placements. This stability is

a nationally recognised contributor to academic and personal success for Looked After children and is promoted by children's social care and the Virtual School.

4.8 Of the students placed out of authority, 7 were in specialist residential or school settings and only 4 in mainstream out of authority schools.

4.9 GCSE Outcomes, reporting cohort 2015

DOB	Date LAC most recent episode	In/Out of Borough	SEN	Total Number of GCSEs	Acquired Maths A-C grade?	Acquired English A-C grade?	5 A*-C including English and Maths?	5 A* - C?
1999	27/06/2013	IN		11	•	•	•	•
1998	12/05/2012	IN		10		•		•
1999	29/06/2007	IN		10	•	•	•	•
1998	08/11/2010	IN		9	•	•	•	•
1998	21/04/2013	IN		8	•	•	•	•
1999	12/08/2005	IN		9	•	•	•	•
1999	25/11/2012	OUT	S	8	•			•
1998	20/02/1999	OUT	S	8		•		
1999	31/07/2013	OUT	S	7				
1999	11/10/2012	OUT		7		•		
1999	05/12/2013	OUT		6				
1998	18/02/2009	OUT	SA	6	•			
1997	15/11/2012	OUT		6				
1999	12/11/2013	OUT	S	5	•			
1999	20/09/2011	OUT	SA+	4				
1999	13/03/2014	OUT		2				
1999	04/02/2008	OUT	S	0				
1999	13/11/2013	OUT		0				
1999	27/03/2013	IN	SA+	0				

4.10 GCSE outcomes 2014 with some historical context

GCSE results	2015 Reporting Cohort of 19 pupils	2014 Reporting Cohort of 28 pupils	2013 Reporting cohort of 19 pupils	2012	2011	2010	2009
5 A* - C including English and Maths	26% (5 pupils)	14% (4 pupils)	16% (3 pupils)	11 % (2 pupils)	8.6% (3 pupils)	25% (4 pupils)	10% (2 pupils)
5 A* - C	37% (7 pupils)	25% (7 pupils)	21%	22%	26%	43%	29%
5 A*-G	63% (12 pupils)	46% (13 pupils)	21%	55%	49%	63%	48%
1 A*-G	84% (16 pupils)	74% (20 pupils)	26%	88%	74%	75%	71%

4.11 A table showing results for individual looked after pupils with detail showing progression since becoming looked after and KS2 attainment with brief commentary can be found at **appendix A**. The virtual School collects and collates this level of data about all children, including their attainment level at entry in to care. The judgements made by the Virtual School about the appropriateness of that attainment level both in the context of the underlying ability of the individual and of national expectation drive the allocation of resources and support that goes into schools and also dictate the degree of challenge that is directed towards them.

5. Exclusions

5.1 There have been no permanent exclusions of Bromley looked After Children for 7 years.

5.2 Table showing fixed term exclusions of Bromley Looked After Children 2009-2015

	Total number of days FX	No. of pupils represented	Bromley schools	Other schools	Total schools
2009/10	232	33	9	21	30
2010/11	134	24	9	13	22
2011/12	126	23	11	12	23
2012/13	91	13	5	6	11
2013/14	120	22	9	9	18
2014/15	80	20	8	11	19

5.3 During academic year 2014/15, exclusions for Bromley looked after children reduced significantly, to the lowest number of days of fixed term exclusions since reporting began and resuming the downward trend after last year's spike. This reduction is a result of partnership working with schools, to develop their understanding of the effects of trauma and neglect and encouraging them to view social, emotional and mental health difficulties as special needs and not simply as behavioural problems that need managing. Schools inside and outside the authority have responded well, finding new ways of managing the behaviour of these children without the need for repeated fixed term exclusions and have supported the Virtual School in managing school changes when it has become clear that children are in the wrong provisions. This activity has been supported by the changes in the role and function of Core Panel and by the re-establishment of the Children Out of Mainstream Education (COOME) working group.

5.4 17 days are accounted for by one student. This student has been successfully transferred to a smaller, maintained alternative provision in another local authority and has successfully negotiated a whole term without further exclusions

5.5 7 of the students who experienced fixed term exclusions during the year were in year 11 and were had come into care with histories of difficult behaviour in school. Of those, 5 are now securely established in post-16 education.

5.6 6 of the excluding schools were primary schools, four of which were in Bromley. With the exception of one child, who was placed in alternative provision while awaiting a long term

placement, all of the children involved had only a single exclusion and all have remained settled in their schools.

5.7 The Virtual School attends re-integration meetings wherever possible.

6. Young people in Higher Education

6.1 The Virtual School has a discrete but significant role in supporting young people access higher education.

6.2 At the beginning of the 2015/16 academic year 12 young people were attending university, with 6 in year one, 4 in year 2, one in year 3 and one in year 4. In addition, two young people had commenced Masters programmes.

7. Glossary of terms used in reporting tables:

Terminology	Definition
National curriculum levels	At Key Stages 1, 2 and 3, attainment in the National Curriculum has historically been measured against 8 national attainment levels between the ages for 5 and 14. Level 1 is the lowest level and level 8 is the highest and is attained by the most able pupils at age 14. Each level is divided into three sub-levels: C – starting to work at this level B - working well within the level A - the child has reached the top of the level and is working towards the next level Children are expected to be considered to be progressing well if they have made two sub-levels or progress in an academic year.
P scales	Performance scales (P scales) are used at the end of key stages 1, 2 and 3 for reporting teacher assessment in English, mathematics and science for children with special educational needs who are working below level 1 of the national curriculum. P levels can be recorded from P1 to P8, with P1 being the lowest. P levels can further broken down in to i or ii (e.g. P3ii being a higher level than P3i)
TA	Teacher assessment. A teacher assessment is recorded where a child is absent from school on the day of the test of is considered to be below the level of assessment, Teacher assessment levels are also used where a curriculum area is no longer subject to national testing.
S	Statement of Special Educational Needs
SA	School Action is used when there is evidence that a child is not making progress at school and there is a need for action to be taken to meet learning difficulties. SA can include the involvement of extra teachers and may also require the use of different learning materials, special equipment or a different teaching strategy.
SA+	School Action Plus is used where SA has not been able to help the child make adequate progress. At SA+ the school will seek external advice from the other support services, the local Health Authority or from Social Care.

Helen Priest, Head Teacher
Bromley Virtual School

December 2015

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GCSE results and progression commentary for 2015 reporting cohort.

This table shows KS4 outcomes for Looked After pupil who had been in care for at least one year to 31st March 2015. The 'RAG rated' column denotes levels of attainment at the point the young person became looked after. This is colour-coded green if the child was achieving at national expectation and/or achieving their potential. Amber and red denote the level of concern of the Virtual School at the time. The commentary column on this table gives a brief explanation of the situation of the child and details of some of the intervention and support provided by the Virtual School. It also provides details of post-16 destinations. Some of these students have had many hours of support in the form of meetings, phone calls and assessments during KS4, help with college applications, requests for bursary funding and the provision of laptops and other essential equipment.

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P9887	27/06/13	IN		11	.	.	.	.	.	.	Eng: 7B M: 6A TA	Eng: 5 M: 4	Student above national expectation when accommodated. Single foster placement throughout. Provided with English and Maths tuition through academic years 10 and 11 and February 1/2 term revision programme.
P7988	12/05/12	IN		10		.		.	.	.	Eng: 5A M: 4b	Writing:3 Reading: 5 M:3	Student made negligible progress between end of key stage 2 and being accommodated aged 13.5. Very positive change of foster placement provided robust support for education and aspirational environment. Provided with English and Maths tuition through academic years 10 and 11
P8536	29/06/07	IN		10	.	.	.	.	.	.	Reading:3a Writing: 2a Sp and List:2 M: 2a	Eng:4 M: 4	Below national expectation when accommodated at age 8. Student has been placed with a single carer since becoming looked after achieving at national expectation by end of Key stage 2 and significantly above at GCSE. Provided with English and Maths tuition through academic years 10 and 11

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P129510	08/11/10	IN		9	.	.	.	.	.	.	Eng: Absent M: 5 TA	Eng: Absent M: 5 TA	Student missing from education at end of Key stage 2 and beginning of KS3. Virtual School managed programme of home tuition and gradual integration into mainstream with additional support. Ended KS4 significantly above individual and national expectation. Provided with English and Maths tuition through academic years 10 and 11
P7953	21/04/03	IN		8	.	.	.	.	.	.	Eng: D M: F	Eng :4 M: 4	Student fully engaged and aspirational when accommodated. Successful and supportive foster placement. Provided with English and Maths tuition through academic years 10 and 11
P17050	12/08/05	IN		9	.	.	.	.	.	.	Reading: P8 Writing: P7 M: L1b	Eng: 4 M: 4	Student extremely vulnerable when accommodated aged 6 having suffered neglect and abuse and erratic school attendance. Single foster placement since becoming looked after but a period of disruption in the middle of year 11 which was overcome with support exceptional support from school. Provided with English and Maths tuition through academic years 10 and 11. Stayed on in school sixth form

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P44388	25/11/12	OUT	S	8	.			.	.	.	Eng: 2TA M:3TA	Writing: B Reading: B M:B (2TA)	Child with disabilities and mental health difficulties. History of multiple school changes and elective home education. School change at end of year 10 and a new residential environment provided opportunity for academic engagement and success. Stayed on i residential 6th form with access to FE college.
P7636	20/02/99	OUT	S	8	.				.	.		Eng: 5 M: 3	Student with significant SEMH. Moved from mainstream to special school for KS3 and to specialist provision for young people exhibiting sexualised behaviour for KS4. Provided with English and Maths tuition through academic years 10 and 11. Exceptional achievement. Now in mainstream FE college with support. Accessing level 3 programme.
P8715	31/07/13	OUT	S	7						.	Eng: 3 M:4	Reading:B Writing:B M: B	Student with SEBD and MLD placed in out of authority special school at the beginning of year 10. Progress and achievement (7 GCSEs at entry level), exceeded expectation based on all previous measures. Stayed on special school 6th form.

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P211574	11/10/12	OUT		7		.			.	.	Read:age: 8yr 10 m Spell: 9yr 7m		New arrival in Uk when accomodated with limited English although clearly educated in her own language. Overcame abandonment and language barrier with high levels of support from School and VS. Provided with English and Maths tuition through academic years 10 and 11. Attending 6th form college outside LA.
P246660	05/12/13	OUT		6					.	.	Eng: C M: D/C		Not in the Uk at KS2. Accommodated midway year 10 following permanent exclusion from high achieving school out of LA. Unsuccessful attempt at integrating student into mainstream resulted in eventual placement in alternative provision with expected outcome of 6-8 GCSEs at C or above. Provided with English and Maths tuition through academic years 10 and 11. However student absconded from placement and was missing from school during examination period. Now engaged in pre-apprenticeship programme.

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P22367	18/02/09	OUT	SA	6	.				.	.	Read: 4c Write: 3A	Eng: 4 M: 4	Student on track and meeting expectations until early year 11 when attendance dropped and student disengaged with all services. Foster placement broke down. Placed in alternative education provision. Refused tuition. Now refusing all attempts at engagement.
P7215	15/11/12	OUT		6					.	.	Eng:4TA M:5TA	Writing:3 Reading:3 M:3	Missing from education when accommodated. Provided with home tuition when placed in remote rural setting and returned to mainstream out of chronological year group in year 10. Provided with English and Maths tuition through academic years 10 and 11. Expected grades not achieved. No longer looked after.
P116579	12/11/13	OUT	S	5	.					.	Eng:4TA Maths:4TA	Eng:4 M: 4	Student missing from education when accommodated and at risk of CSE. Placed out of authority in residential provision with education on site. Exceeded expectation. No longer looked after.
P170663	20/09/11	OUT	SA+	4						.			Unaccompanied minor arrived in UK at end of year 6. No previous education and no English. Placed out of authority with culturally matched foster carers and enrolled in mainstream secondary school successfully. Provided with English and Maths tuition through academic years 10 and 11 and additional support for conversational English.

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
													Achievement in line with expectation. Now in college accessing level 2 programme and apprenticeship.
P91755	13/03/14	OUT		2						•	Functional: Read: L1 Writing: L1	Eng: 4 M:4	Student in and on the edge of care for a number of years following an adoption breakdown and periods missing from home. High risk of CSE and difficult to foster. Period in secure accommodation from March 2014 then successful step down into out of authority residential provision. Student attending FE college accessing level 1 car mechanics.
P20482	04/02/08	OUT	S	0									Below level of assessment. Remains in residential special school.
P235233	13/11/13	OUT		0							Eng: 5 M: 3	Eng: 3 M: 2 TA	Young carer whose mother died during year 11. Disruptive, angry behaviour resulted in a multiple placement and school changes. Provided with English and Maths tuition through academic years 10 and 11. Engaged in alternative provision late in year 11 but not entered for GCSEs. Enrolled at FE college accessing Art & Design at level 1.

P number	Date became LAC	In/Out of Borough	SEN	Total Number of GCSEs	Maths A-C grade?	English A-C grade?	5 A*-C including English and Maths?	5 A* - C?	5 A*-G?	1 GCSE A*-G?	Attainment level on entry	KS2 outcomes	Commentary
P38711	27/03/13	IN	SA+	0							Eng: 4B M: G	Eng: M Read:M-TA4 Write:M Maths: M - 3TA	At risk of permanent exclusion when accommodated, this student had a history of poor attendance and family disengagement with education. Provided with an alternative education package which included work placement but unable to maintain acceptable levels of behaviour. Finally placed in independent, alternative school and achieved a short period of stability. Provided with English and Maths tuition through academic years 10 and 11.

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Report No.
CS16012

London Borough of Bromley

PART ONE - PUBLIC

Decision Maker: CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Date: 12th January 2016

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

Title: Extra Care Housing Update

Contact Officer: Tricia Wennell, Head of Assessment and Care Management
Tel: 020 8461 7495 E-mail: tricia.wennell@bromley.gov.uk

Chief Officer: Stephen John, Assistant Director with Statutory Responsibilities, Adult Social Care, Education, Care and Health Services

Ward: Borough-wide

1. Reason for report

- 1.1 To update the Care Services PDS Committee on the current void status within both the commissioned and LBB ECH schemes
-

2. **RECOMMENDATION**

- 2.1 The Care Services PDS Committee is asked to note and comment on the attached report.

Corporate Policy

1. Policy Status:
 2. BBB Priority:
-

Financial

1. Cost of proposal: Not Applicable:
 2. Ongoing costs: Recurring Cost: Existing cost is £3,021,000. Future costs dependant on outcome of any tendering exercise.
 3. Budget head/performance centre: Adult Social Care – Assessment & Care Management and Direct Care Services
 4. Total current budget for this head: £1,797,000 and £1,224,000 respectively
 5. Source of funding: Adult Social Care Base Budget
-

Staff

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

Legal

1. Legal Requirement: N/A
 2. Call-in: Not Applicable
-

Customer Impact

1. Estimated number of users/beneficiaries (current and projected): 283 apartments
-

Ward Councillor Views

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

3. COMMENTARY

3.1 The Service:

Extra Care Housing in Bromley is provided across the borough in 6 schemes with a total of 283 apartments. Of those 271 are available for long term tenancy lets and 12 are set aside for assessment purposes. 2 schemes are owned and managed by Affinity Sutton who are the landlords for Norton Court (NC) and Durham House (DH) and one by A2 Dominion who are the landlords for Apsley. Within these 3 schemes LBB Direct Care currently provides the care and support. The other 3 Schemes are owned and managed by Hanover Housing Association with two external care providers, Mears Care in Crown Meadow Court (CMC) and Sanctuary Care in Regency (RC) and Sutherland Court (SC)

3.2 There is a policy governing nominations giving priority to the Hanover Schemes to meet the aims of a zero void target within that service because of the financial implications. All staff follow this policy and nominations are defaulted to the next longest void by the ECH Administrator. Exceptional to this directive would be circumstances regarding safety/risk issues and care management are required to put a case for an exceptional circumstance to the Head of Service for consideration.

3.3 The average length of stay in a tenancy is three years and with an approximate turnover of 20% we would expect an annual movement of around 55 people in and out of the schemes. In the last 12 months care management have submitted 95 service users to Panel for nomination and of those 72 were approved, 17 were rejected and the remaining 6 were deferred. This would indicate that approximately 25% of nominations are unsuccessful at the point of decision making by LBB. There are additional rejections at the point of decision by ECH Providers and a combination of those reasons is stated below.

3.4 Voids:

Extra Care Housing in Bromley was developed with the intention that care services would have 100% nomination rights. It would therefore only be accessible to people who are ordinarily resident in the borough who have been assessed as meeting the eligibility threshold for care and support with housing needs. Any change to the nominations agreement would have to be negotiated with Hanover Housing and would need to be reflected in further legal agreements between the Council and the other local authorities, and between the other local authorities and Hanover Housing. Under the current contractual arrangements other Local Authorities cannot therefore be offered the opportunity to nominate people for an apartment.

3.5 The Council has nominations agreements with Hanover Housing for RC, SC and CMC. These legal agreements give the Council the right to nominate people to the extra care schemes and set out the eligibility criteria as agreed with Hanover Housing and in accordance with the funding conditions set by the Homes and Communities Agency. The criteria refer to the requirement for nominees to have a local connection to the area as defined by DCLG in their Homeless Code.

3.6 Current position

As of the 8th December there are 23 voids across all 6 schemes with 13 voids in Hanover and 10 in the LBB Schemes. Of the 13 voids in the Hanover Schemes all

tenancies have been allocated and agreed. Of those 5 will have moved in by the end of December and the remaining 7 are planned to move in early January. The 10 vacant apartments in the LBB Schemes currently do not have a nominated person against them. However; there are currently 4 people in the process of being assessed and nominated for ECH. The situation is fluid and therefore is subject to frequent change.

3.7 Breakdown by Scheme (as at end of November):

Hanover :

CMC has 5 voids ranging from 0 to 406 days

RC has 5 voids ranging from 15 to 439 days

SC has 7 voids ranging from 15 to 155 days.

Of the voids in the Hanover Schemes two predate the January 15 hold relating to the Lubbock closure described below. Apartment 10 in CMC (406 days) and apartment 39 in RC (439) days have been void for this period because they have two bedrooms and are only filled if there are no one bedroom apartments vacant (the provision of two bedroom apartments was a condition of the funding received by Hanover from the Homes and Communities Agency).

LBB:

NC has 7 voids ranging from 28 days to 322 days

DH has 4 voids ranging from 22 days to 203 days

Apsley has no voids.

The reasons for voids are varied and are detailed below.

3.8 Closure of Lubbock House

A directive was given in December 2014 to put a hold on offering tenancies in ECH because of the possible closure of Lubbock House. The hold was implemented on the 22nd January 15 and at the point of releasing the tenancies in June 15 there were 27 SUs on the waiting list. This was in addition to the 15 SUs who were transferred from Lubbock in to 8 tenancies in LBB's DH and Apsley schemes and 7 in the Hanover CMC and RC schemes. These Service Users were given choice as to where they would like to move to hence the 8 tenancies in the LBB schemes being filled when there were voids in the Hanover schemes.

3.9 Based on that information the Head of Service estimated that all voids in Hanover would be filled by the end of September 15. However; given the period of time between initially being assessed and agreed for ECH and being allocated an apartment 17 SUs conditions had deteriorated and their needs were too high to be managed in ECH resulting in them being placed in care homes.

3.10 Age Criteria

Of the 271 apartments across the 6 schemes, 36 people are 65 or under (5 of those are under 55). The 36 people occupy 7 tenancies in the Hanover Schemes and 29 in the LBB schemes. The age range in the Hanover Schemes is from 55 because the

landlord has to meet the Home and Community Agencies Agreement to secure funding. Research tells us that other LA's are complying with the age criteria of this agreement. The age range in the LBB schemes is lower because they are not bound by this agreement. Their youngest tenant is 36 (although this is a temporary situation and very unusual), they have 4 tenants between the ages of 40 – 54 and the remaining 32 range between 55 and 65 years of age and are across all schemes.

3.11 Given that ECH is a service for people over 55 and the majority are over 65 with an average age of 78, careful considerations must be given regarding suitability, when considering using the service for younger adults.

3.12 Mental Capacity Act 2005

Under the Mental Capacity Act we are required to ensure that a Deputy or Attorney is appointed to sign a tenancy if a person lacks mental capacity to hold a tenancy or manage their financial affairs. Although this has been law since 2005 in recent years landlords have strictly implemented this aspect of the Act resulting in the requirement of social care to follow time consuming legal processes. The demand on the Court of Protection has resulted in delays of several months preventing offers of tenancies being made or taken up.

3.13 The immediate response to this requirement was to create a process for the council to have a Licence Agreement with willing landlords so that a designated Officer of the Council could sign the tenancy and claim housing benefit on behalf of the SU once the PoA arrangements are in place. Legal has confirmed that there is no financial risk to the Council from this arrangement. After extensive negotiations A2 Dominion agreed to this which has helped fill some voids in Apsley. The Head of Service is in the process of using the positive experience with Apsley to encourage the other landlords, who have so far refused this agreement, to implement it.

3.14 The longer-term measures implemented are for all staff to raise awareness and encourage SUs and their families to complete Lasting Power of Attorney forms before there is a mental capacity issue.

3.15 Safeguarding

There were several safeguarding concerns in relation to Sanctuary in RC, which lead to a 6 week suspension in August/ Sept 13 and a 7 week suspension in June 14 until August 14. This had an impact on the availability of tenancies and on the confidence staff had in the service in that scheme. This has improved and there have been no further suspensions.

3.16 Refusal of Tenancy by the Landlord and or the Care Provider

The list below provides a breakdown of reasons why tenancies were not offered and, where available, the number of people this applies to:

High needs – combination of reasons listed below (16)

- Mental Health
- Dementia (walking with purpose)

- Behaviour issues (call alarm pressing, frequent attention)
- Challenging family members
- Hoarding
- Falls
- Fire risk (smoking, oxygen)
- Admission to hospital
- Prison History – concerns regarding risks to other tenants (3)
- Furniture issues – where existing furniture is infested - (2)

Other reasons for Voids

- Death
- SU/Family refusal – (8)
- Equipment issues.
- Delays in the CM
- Service User/Family refusal

3.17 Service Users or their family are often worried about how they will manage in ECH and some respond well to the information provided by the care manager and from a visit to the scheme to meet the care staff. However; there are others who refuse to consider alternative options to a care home or will refuse once they have visited a scheme.

3.18 Of the 8 people who refused the offer of a care and support plan in ECH 4 were residing in care homes and their family decided to continue to fund them privately. 2 chose to stay in their sheltered schemes and 1 refused because he believed he was too young and there was a lack of specialist care. The remaining person is currently in the complaints process challenging the decision to move relative from a care home to ECH.

3.19 Delays with Care Management.

The demand on care management time in managing service users within the Hanover Schemes exceeded expectation. To address this the Head of Service worked closely with Commissioning to address the issues and jointly provided mandatory training for all care management staff. This resulted in improvements in quality and practice but was not enough on its own to address the issue of delay.

3.20 As a result of a more detailed look at the demand the Head of Service calculated that a person in the Hanover Schemes required at least three additional reviews in a given business year compared to the LBB schemes. This is because unscheduled and planned reviews in the LBB schemes were being carried out by Direct Care staff but CM staff are required to complete this work in the Hanover Schemes which adversely affects capacity within care management. In 2013/2014 the Head of Service began the process of developing a dedicated ECH Team but with no additional resource this had to be found from within existing staff.

3.21 The ECH Team have established close working relationships with the Hanover Schemes and are working with all Schemes to improve processes and address issues as they arise to assist with maintaining tenancies and reduce void periods.

3.22 The other issues listed above are addressed on a case by case basis with care management working closely with the management in ECH to agree a plan around risks and concerns. This is ongoing and success is often dependent on which scheme the nomination is being sent to.

3.23 **Dependency Levels and Age Ranges**

3.24 Dependency Levels:

Dependency levels are worked out in hours across all the schemes. Table 1 below provides recent data indicating that the highest dependency is with 119 service users making up 48% of the ECH population. The next highest is in the low age range with 33% and the fewer dependency levels sit in the medium hours with 19% of care hours.

3.25 Analysis as at Oct 15

Table 1

Scheme	Low < 10 hrs	Medium 10 -14 hrs	High 15 – 20 hrs	Higher 20 hrs +
Apsley	1	1	12	10
Durham House	8	0	3	16
Norton Crt	11	8	9	13
Regency Crt	21	12	9	10
Sutherland Crt	22	8	11	5
Crown Meadow Crt	19	17	9	12
Total	82 (33%)	46 (19%)	53 (21%)	66 (27%)

3.26 Five of the total number of people with a tenancy in ECH are under 55 and of those:

- 1 person has low hrs,
- 3 have medium hrs
- 1 person has high hours.

3.27 Thirty-one of the total number of people with a tenancy are between 55 and 65 and of those:

- 16 have low hrs
- 9 have medium hrs
- 6 have high hrs

3.28 This would suggest that the highest dependency levels are with the adults in the older age ranges.

3.29 Age Range:

As at October 2015 the age range was 36 to 101 and the average age for those between 55 and 101 is 78. For those between 36 and 54 the average age is 46. As can be seen in Tables 2 and 3 below there is a slight drop in the average age since 2013/14. The difference can be attributed to the death of the older extremely frail service users and the age of the slightly younger people entering the service.

3.30 Analysis 2013/14

Table 2

No of Residents	Average Age	Physical Disability	Dementia Specific	Dual Diagnosis	Learning Disabled		Mental Health Specific	Dual Diagnosis
					Phys Dis	Dementia		
(7 Schemes)				Phys Dis & Dementia	Phys Dis	Dementia		Mental Health & Phys Dis
276	80	45%	10%	21%	5%	3%	8%	8%

3.31 Analysis as at Oct 15

Table 3

No of Residents	Average Age	Physical Disability	Dementia Specific	Dual Diagnosis	Learning Disabled		Mental Health Specific	Dual Diagnosis
					Phys Dis	Dementia		
(6 Schemes)				Phys Dis & Dementia	Phys Dis	Dementia		Mental Health & Phys Dis
239	78	39%	12%	21%	9%	1%	17%	20%

3.32 **Summary**

The voids have been a challenge as have the age criteria and managing the dependency levels in ECH.

3.33 The closure of Lubbock House and resulting hold on tenancies for a six month period has clearly recently added to that challenge along with the other issues mentioned above in pages 2 and 3. However; it is anticipated that the combination of a reduction from 7 to 6 schemes and a dedicated ECH Team within care management working jointly with Commissioning, those issues will be addressed. The age criteria will remain an issue for the service provision and dependency levels will continue to be a challenge for all involved given the needs we are required to meet under the Care Act 2014.

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

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