

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 6.30 pm on 13 September 2016

Present:

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

Justine Godbeer, Rosalind Luff, Leslie Marks and Lynn
Sellwood

Also Present:

Councillor Robert Evans, Portfolio Holder for Care Services
Councillor Diane Smith, Executive Support Assistant to Portfolio
Holder for Care Services
Councillors Kathy Bance MBE, Nicholas Bennett J.P.,
Kim Botting FRSA, Stephen Carr, David Cartwright QFSM,
Ian Dunn, Will Harmer, William Huntington-Thresher, Kate Lymer,
Alexa Michael, Tom Philpott, Chris Pierce and Michael Tickner

17 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Terry Nathan and
Councillor Peter Fortune. Apologies were also received from Linda Gabriel,
Healthwatch Bromley and Leslie Marks attended as her substitute.

18 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

Ten oral questions and three written questions were received from members
of the public and these are attached at Appendix A and Appendix B.

20 MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 28TH JUNE 2016

RESOLVED that the minutes of the meeting held on 28th June 2016 be
agreed.

21 MATTERS ARISING AND WORK PROGRAMME

Report CSD16106

The Committee considered its work programme for 2016/17, the schedule of visits to day centres and residential homes and matters arising from previous meetings.

In considering the work programme for 2016/17, the Chairman noted that the Committee would be scrutinising progress against aspects of the Children's Service Improvement Action Plan at all forthcoming meetings.

RESOLVED that the Care Service work programme for 2016/17, the schedule of visits to day centres and residential homes and matters arising from previous meetings be noted.

22 OFSTED INSPECTION OF CHILDREN'S SERVICES

Report CS17036

The Committee considered a report outlining the findings of the Ofsted Inspection of Children's Services and a linked Inspection of the Bromley Safeguarding Children Board undertaken from 11th April to 5th May 2016, the actions taken immediately to respond to these findings, and the Local Authority's plans for further improvement.

The Inspection had been undertaken using the latest version of Ofsted's Framework for Inspection which was substantially different to the previous framework used when the Local Authority's services were last inspected in 2012, and included intense scrutiny and challenge of individual cases. The focus of the Inspection had been on the quality of frontline practice and management and the 'child's journey' and experience of services, and had included the auditing of a number of cases as well as observation of direct practice, visits to children's centres and meetings with parents, carers and young people.

The Inspection report was published on 27th June 2016. Although the Inspection had identified some strengths across Children's Services, the Local Authority had received an overall judgement of 'Inadequate' and the Bromley Safeguarding Children Board was rated with a judgement of 'Requires Improvement'. The Chief Executive, Interim Director of Children's Services and the Lead Member for Children had accepted the findings of the Inspection and a number of immediate actions had been taken to address the identified weaknesses. These included a recruitment drive to increase social worker and management capacity in key areas, measures to reduce delays in achieving permanence for children looked after including the establishment of the Early Permanence Panel, and a range of actions around thresholds including a review of all open Child in Need and Child Protection cases. Measures had also been taken to address concerns around systems to

monitor children missing from home and placements, ensure suitable accommodation and support was in place for young people post-18 years, and provide appropriate legal support to Children's Social Care staff. The Lead Member for Children's Services had established the multi-agency Children's Service Improvement Governance Board in June 2016 to oversee the improvement process and support the development of the Improvement Action Plan, which had been grouped into ten themes corresponding to the recommendations of the Ofsted Inspection report and would be submitted to the Department for Education for consideration before 26th September 2016. A multi-agency Officer Group had also been established to lead on work streams identified in the improvement plan, as well as to monitor the improvement actions and performance measures and report progress to the Governance Board.

Following the publication of the Ofsted report, the Department for Education had appointed the Commissioner for Children's Services in Bromley. The role of the Commissioner was to make recommendations for the immediate improvement of children's social care and recommend any additional support required to drive the required improvement, review the Local Authority's leadership and management capacity and capability to drive forward the necessary changes, and to make a recommendation to the Secretary of State as to whether alternative delivery arrangements were the most effective way of securing and sustaining the required improvement. The Commissioner had been working closely with the Local Authority during Summer 2016 and would provide her report to the Secretary of State by 30th September 2016. Ofsted would also carry out an ongoing programme of monitoring activities, including quarterly monitoring visits to report on the progress made by the Local Authority and the first monitoring visit would be in November 2016, which would focus on individual cases as an overall reflection of how the Local Authority was serving young people.

In considering the Ofsted Inspection of Children's Services the Chairman highlighted that a number of areas had been found to be providing a good quality service and that focus should be maintained in these areas whilst delivering the Improvement Plan for those areas judged as 'Inadequate'. Another Member noted that since the new Ofsted Inspection Framework had been introduced in November 2013, of the 106 local authorities inspected, 53 had been judged as 'Requires Improvement' and 25 as 'Inadequate' and suggested it would be useful to know the previous Ofsted ratings of these local authorities and what similarities they might have to Bromley.

Councillor Nicholas Bennett JP was concerned that the Inspection had revealed the Local Authority's scrutiny arrangements to be inadequate. There was a need to consider how scrutiny could be more robust and challenging, and reassurance should be provided that the recommendations of scrutiny committees would be treated seriously. The Chief Executive confirmed that the scrutiny arrangements of the Local Authority would be reviewed and that Officers would be working with Members to develop efficient processes to ensure effective scrutiny as well as to review the 'pyramid' of managing Council business. Measures being considered to improve scrutiny included

Members having sight of more 'live' cases. The Chairman noted that committees needed to communicate more effectively, and that there should be a clear audit trail of the information shared. The Chairman was concerned that the Ofsted Inspection appeared not to have recognised that there had been two joint meetings of the Care Services and Education PDS Committees on 7th May 2013 and 25th February 2015 to explore the theme of child safeguarding in Bromley.

With regard to scrutiny committees, a Member was concerned that key ongoing issues such as recruitment and retention had not been routinely brought to Members' attention. The Chief Executive reported that audit and quality processes had been identified as a key area for improvement by the Inspection, and that a range of measures had been put in place to strengthen this, including the recruitment of a new Assistant Director who would be developing a new Quality Assurance and Audit Framework. Work was underway to develop a stronger package of information to be provided to Members which would include critical headlines and data on caseloads, drift and delay across a full range of services. The Chairman noted that there was a need to consider how information which supported scrutiny could best be presented to enable Members and Co-opted Members to undertake independent research and requested that the Chief Executive take this forward.

In considering the corporate parent role, a Member was concerned that some Members did not appear to fully appreciate their responsibilities as a corporate parent, and suggested that a special emphasis should be placed on Member training after the next Council elections to ensure that all new Councillors fully understood this responsibility. Members generally discussed their role as corporate parents and how the information that could be shared about children in care could be improved. A Corporate Parent Training session would be provided to Members shortly to assist them in understanding the corporate parent role, and consideration was being given to how Members could develop a better understanding of the quality of case work. Members requested that information on the findings of case audits due to be considered by the Children's Service Improvement Governance Board as part of the quality audit processes be provided to Members of the Care Services PDS Committee as a briefing paper. The Chairman requested that thematic reports from quality auditing be presented at future meetings of the Care Services PDS Committee and that this be included in the Committee's work programme.

In reviewing the Improvement Action Plan, a Member highlighted the issues identified around leadership, management and governance and queried if the level of additional resources requested in the report would be sufficient to deliver the required improvement. The Chief Executive advised that the report was seeking approval by Full Council to fund posts included in Phase 1 and Phase 2 of improvement works that had already been committed but that where necessary, further funding could be requested. In response to a question from a Member, the Chief Executive confirmed that work was being undertaken to ensure that social worker practice was safe on the ground in

frontline practice and that this was better evidenced at a strategic level through the improvements to the Quality Assurance Systems, and as these measures became embedded, confidence in the system would increase. A Member underlined the need to increase the pace of change and requested that a column be added to the Improvement Action Plan which reported progress against each measure. The Interim Director: Children's Social Care informed Members that initial feedback provided at the Ofsted Action Planning Seminar in July 2016 had been positive around the pace of change and the measures being developed for improvement.

With regard to case management, the Interim Director: Children's Social Care reported that 40 case audits would be undertaken on a monthly basis until there was evidence that improvement measures had been embedded. These cases would be followed up after 4-6 weeks by Heads of Service to ensure any required action had been completed, and face-to-face feedback would be provided to social workers who had also received training on using an audit tool. Some local authorities brought in independent audit teams to consider their casework and the potential benefit of this to the Local Authority would be explored. A Co-opted Member recognised the benefits of using 'near misses' in improving practice and the Interim Director: Children's Social Care advised that the Bromley Safeguarding Children Board undertook reviews of 'near miss' cases to identify learning points.

A Member noted that the outcome of the Inspection of the Youth Offending Service in January 2015 by HM Inspectorate of Probation had also been poor and that there had been several common themes in the two inspections, including issues with leadership and management. The Member asked for reassurances that services provided to other vulnerable residents were robust, and the Chief Executive confirmed that following the outcome of the Inspection, all Local Authority Directors and Assistant Directors had been challenged to review their services using best practice, peer group comparisons and other measures including peer review to evidence that their services were being delivered to a high standard.

In response to a question from a Member regarding whether recent changes to foster carer payments had contributed to the outcome of the Inspection, the Chief Executive advised that the remuneration of foster carers had been a 'live' issue at the time of the Inspection, but that since the Local Authority had repositioned foster carer payments more in line with neighbouring local authorities, the number of foster carers had remained steady, although work continued to recruit new foster carers. The need for additional support had been identified through the consultation process with foster carers, and a training programme had now been put in place. Work was also being undertaken to identify best practice in neighbouring local authorities. With regard to care leavers, the Interim Director: Children's Social Care confirmed that Pathway Plans were in progress. Staff had been provided with training to ensure that clear objectives were set and audits would be completed by managers and Heads of Service to check the quality of the work and that actions were being completed. No member of staff would undertake an audit of their own cases.

In considering recruitment, a Member queried whether the emphasis would be on newly qualified or experienced social workers. The Interim Director: Children's Social Care advised that the Local Authority aimed to recruit experienced staff where possible as newly qualified staff had more limited caseloads and required more support, but that the Local Authority was also committed to developing newly qualified social workers, and recruited up to six social workers through the Step Up to Social Work Scheme per annum in addition to newly qualified social workers recruited through other routes. The additional social worker posts created since the Inspection had been filled with the exception of one post, and a Court Team had been established which would focus on all Court work with the aim of reducing the caseloads held by practitioners in the Safeguarding and Care Planning Teams. A Member suggested that an anonymous survey might be useful to identify how social workers felt about their work and common themes for improvement. The Chief Executive reported that there had been several events at which social work staff could provide feedback including three staff meetings and three staff forums, as well as informal engagement during 'walkabout' sessions.

A Co-opted Member noted the issue under Priority Three for the Bromley Safeguarding Children Board to develop a systematic way to engage with young people. Partners such as Healthwatch Bromley engaged with young people on a regular basis and could offer assistance in this area. The Chairman underlined the excellent work of the Living in Care Council in representing children looked after and recommended all Members attend one of their meetings in their role as corporate parents.

RESOLVED that the Council's Executive be recommended to:

- 1) Agree the actions set out in the draft Children's Services Improvement Plan which would be submitted to Ofsted (subject to any comments received at the meeting);**
- 2) Request the Constitution Improvement Working Group support the Director of Corporate Services in developing and delivering any necessary constitutional changes required by the Improvement Action Plan;**
- 3) Recommend to Full Council that funding be approved for the posts included in Phase One and Phase Two which had already been committed and which totalled £949k in 2016/17 with a full year effect of £1,471k as set out in paragraph 6.3 to Report CS17036; and,**
- 4) Subject to approval by Full Council, agree that the appointment of any posts included in Phase Three (as set out in paragraph 6.3 to Report CS17036) be delegated to the Chief Executive in consultation with the Leader, Portfolio Holder for Resources, Portfolio Holder for Care Services and Director of Finance as previously agreed.**

Councillors Kathy Bance MBE, Nicholas Bennett J.P., Kim Botting FRSA, Stephen Carr, David Cartwright QFSM, Ian Dunn, Will Harmer, William Huntington-Thresher, Kate Lymer, Alexa Michael, Tom Philpott, Chris Pierce and Michael Tickner left the meeting following consideration of this item.

HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

23 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS

A CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2016/17

Report FSD16058

On 20th July 2016, the Council's Executive received the 1st quarterly capital monitoring report for 2016/17 and agreed a revised Capital Programme for the four year period 2016/17 to 2019/20.

The Committee considered the changes to the Capital Programme for the Care Services Portfolio which included a £19k reduction in grant funding for the Manorfields Refurbishment Scheme from the Greater London Authority, an increase of £739k in grant funding for Renovations Grants (Disabled Facilities Grant) and the virement of £50k for the Eclipse System from Social Care Grant to Performance Management/Children Services - IT scheme. There was also an increase of £113k in Section 106 receipts from developers (uncommitted balance). A number of net underspendings were re-phased into 2016/17 which totalled £926k. Schemes totalling £1,589k were also rephased from 2016/17 to 2017/18 to reflect revised estimates of when expenditure on Care Services schemes was likely to be incurred including London private sector renewal schemes, Renovations Grants – Disabled Facilities and PCT Learning Disability Reprovision Programme.

RESOLVED that the Portfolio Holder be recommended to confirm the revised Capital Programme agreed by the Council's Executive on 20th July 2016.

B COMMISSIONING STRATEGY FOR PRIMARY AND SECONDARY INTERVENTION SERVICES

Report CS17033

The Care Services Portfolio Holder introduced a report setting out a proposed commissioning strategy for the future provision of Primary and Secondary Intervention Services. The report also requested approval to develop a Primary and Secondary Intervention Fund work stream within the Better Care Fund and existing strategic partner funding, and to procure the services

against the eight categories set out in the report, introducing a new delivery model from April 2017.

Primary and Secondary Intervention services gave targeted support to vulnerable residents in the community who were at risk of developing further complications or emerging needs to support them in maintaining their independence and to delay or prevent the need for high cost care packages and early admissions to care homes or hospital. The Local Authority and Bromley Clinical Commissioning Group had a range of statutory requirements to provide Primary and Secondary Intervention Services which were currently delivered by third sector partners through twelve active contracts with six suppliers and included peer support, training, education, advice, support planning and capacity building with carers.

The proposed commissioning strategy had been developed with the aim of reducing the number of small individual contracts held, and to take a more strategic approach to future funding by utilising the Better Care Fund in partnership with Primary and Secondary Intervention services. A preferred provider would be identified through a joint commissioning exercise with the Bromley Clinical Commissioning Group, following which the preferred provider would be required to enter a negotiated procurement process and to co-design the specifications for eight identified categories of preventative service provision, as well to build capacity over and above the core funding made available through the Better Care Fund through local voluntary sector capacity and community assets. It was proposed to engage with the local Third Sector to encourage collegiate bids which complemented the work of the Integrated Care Networks and Building a Better Bromley priorities, and engagement would also be undertaken with service users in the development of services.

In considering the report, a Member outlined the benefits of commissioning primary and secondary intervention services together which was likely to benefit users through provision of more holistic services as well as realise value for money.

A Co-opted Member was concerned to note that learning and physical disabilities had been included within the same category and underlined the need for them to be treated separately to ensure that appropriate services that met the individual needs of service users were commissioned. The Chairman requested that clarification be provided in the current budget for these two distinct areas, and that all future reports identify the funding for learning and physical disabilities as separate categories. Another Co-opted Member expressed concern that the figures quoted in the report around the number of interactions with each supplier in the current contracts appeared to underrepresent the total number of interactions and requested that this information be checked. The Programme Manager: Commissioning reported that the data presented was part of the current monitoring arrangements and it was important for providers to ensure that this data was accurate. The Co-opted Member noted that third sector partners were very impressed by the work of Director: Health Integration Programme who had supported partners to work more closely together.

In considering the recommendations, Members generally agreed that contracts should be awarded on a three year basis with the option to extend for an additional two years, rather than an additional one plus one year which made it difficult for providers to plan in the longer term.

RESOLVED that the Council's Executive be recommended to:

- 1) Develop a Primary and Secondary Intervention Fund within the Better Care Fund jointly managed with Bromley Clinical Commissioning Group; and,**
- 2) Agree the procurement of the services against the eight categories set out in report CS17033, including for carers' support services, using a new model from April 2017.**

C GATEWAY REVIEW OF INTERMEDIATE CARE

Report CS17027

The Care Services Portfolio Holder introduced a report outlining a gateway review undertaken on the Intermediate Care Service which was currently delivered via a contract with Bromley Healthcare which was due to expire in September 2017. Approval had been granted for the Local Authority's financial contribution to the Intermediate Care Service until 31st March 2017, and the report sought the approval of the Council's Executive for an extension to the existing funding arrangements until 30th September 2017 when it was proposed the service was once again jointly commissioned with the Bromley Clinical Commissioning Group as part of the wider Community Health Contract.

The Intermediate Care Service supported Bromley residents by facilitating hospital discharge and enabling better and speedier recovery following a period of hospitalisation through health-based therapy services and social care personal care services, both within service users' homes or in nursing home beds which supported them in maintaining their independence. The service aimed to reduced readmission rates and prevent unnecessary hospital admission. The current contract had been awarded to Bromley Healthcare in October 2013 via a joint tender led by Bromley Clinical Commissioning Group and included the provision of intermediate care beds at Lauriston House nursing home and the Community Based Assessment and Rehabilitation Team service. This service was also supported by 4.25 FTE Local Authority care management staff who worked solely with the Intermediate Care Service and who carried out the social care assessments for referrals to the service.

RESOLVED that the Council's Executive be recommended to:

- 1) Agree the continuation of the Local Authority's current funding arrangements for the intermediate care contract from 1st April 2017 to 30th September 2017 (six month pro-rata amounts) at a**

cost of £535,500 in 2017/18, of which £150k would be recharged to the Better Care Fund;

- 2) Agree to jointly tender the intermediate care services with the Bromley Clinical Commissioning Group with a new contract commencing on 1st October 2017; and,**
- 3) Agree to contribute a maximum of £1,071k per annum (of which £150k per annum would be recharged to the Better Care Fund), plus the cost of 6 FTE care worker posts (£188k per annum) to the Intermediate Care Service from October 2017.**

D COPPICE/SPINNEY AND THE GLADE - CONTRACT AWARD

Report CS17030

The Care Services Portfolio Holder introduced a report providing a summary to Item 12b: Coppice/Spinney and the Glade which gave an overview of the process for the tendering of the learning disability supported living schemes in accordance with the Local Authority's financial and contractual requirements.

At its meeting on 2nd December 2015, the Council's Executive considered a Gateway Review on the current provision of supported living services for eleven people with significant disabilities living in two properties which projected that these services would be required for future service users in order to prevent their move to expensive residential care. The Council's Executive agreed the proposed commissioning strategy for these services and for the commencement of the procurement procedure.

The tender process was undertaken as a two stage open tender procedure using Pro-contract, the Council's electronic tendering system. A total of 70 suppliers expressed an interest in providing the service, with 29 suppliers submitting compliant bids. Following evaluation of the Pre-Qualification Questionnaire, 8 suppliers were shortlisted to go through to the second 'service specific' stage of the tender process, with 3 of these suppliers deciding not to progress. The evaluation of the tender submissions in the second stage was undertaken by a panel of Officers on a 60% price and 40% quality basis, and supported by supplier interviews which were used to inform the suppliers' final evaluation scores. A service user was present at the interviews and asked questions on behalf of service users living in the schemes.

RESOLVED that the Council's Executive be recommended to note the summary when considering the recommendations in the Part 2 (Exempt) Appendix detail report to award the tender.

24 POLICY DEVELOPMENT AND OTHER ITEMS

**A FINAL REPORT OF THE AUDIT SUB-COMMITTEE:
MANORFIELDS REFURBISHMENT**

Report CSD16130

The Committee considered the final report of the Audit Sub-Committee on the refurbishment of Manorfields which outlined the findings of the review.

Manorfields was a former residential care home which had been converted into a temporary accommodation provision to enable the local authority to meet its statutory housing duties. The original estimated cost of the necessary works had been £563,437, however a range of additional works had been identified during the refurbishment, including the replacement of the boiler and new fire doors, and it was now expected that the final cost of works would be approximately £798k. At its meeting on 12th January 2016, the Care Services PDS Committee requested that a number of issues identified around the refurbishment of Manorfields be considered by Audit Sub-Committee, particularly regarding the cost of the refurbishment. The review had been undertaken by Audit Sub-Committee during Spring 2016 and the final report of the review was published on 1st August 2016.

The review concluded that the investigation into the refurbishment of Manorfields had been difficult due to an inadequate audit trail to support the project, key decisions and variances. Internal Audit had found that the Manorfields project was not robustly managed in terms of financial management and contract monitoring, and that there was a need for management to consider how to address several areas of weakness identified during the investigation. As no tendering process was undertaken for this project, Internal Audit could not state that value for money had been achieved, but it was noted that the business case for Manorfields should still allow for significant savings to the Local Authority, despite any overspend on refurbishment works.

In considering the final report of the Audit Sub-Committee, Members generally discussed a range of concerns identified in the report. In response to a question from a Member around what reassurance could be given that a similar situation could not happen again, the Chief Executive confirmed that lessons had been learned from the review and that the identified issues were being addressed at a corporate level, including the introduction of new processes and procedures based on best practice. The actions taken included the restructuring of all contracts and the appointment of a Director of Commissioning. The Chairman underlined the need to ensure that the new processes and procedures were followed. The Chairman also noted that due to continued challenges around housing supply, the length of stay for residents of Manorfields was likely to be longer than initially envisaged and that this should be considered at a future meeting of the Care Services PDS Committee.

A Ward Councillor was pleased to see that complaints in relation to the operation of Manorfields, including those for anti-social behaviour, were being addressed which would be reassuring for local residents and residents of Manorfields.

The Chairman requested that two reports be provided to the meeting of Care Services PDS Committee on 10th January 2017. These would comprise an evaluation of the service provided at Manorfields including occupation, quality of service and the impact on residents of Manorfields and in the local area, and a report following up on the recent audit findings and contract management and monitoring, including changes being made within the Local Authority to improve contract management and monitoring.

RESOLVED that Members' comments on the final report of the Audit Sub-Committee on the refurbishment of Manorfields be noted.

25 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

The Care Services PDS Information Briefing comprised two reports:

- Contract Activity 2016/17
- Annual ECHS Complaints Report 2015/16

RESOLVED that the Information Briefing be noted.

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

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

27 EXEMPT MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 28TH JUNE 2016

RESOLVED that the exempt minutes of the Care Services PDS Committee meeting held on 28th June 2016 be agreed.

28 PRE-DECISION SCRUTINY OF EXEMPT (PART 2) CARE SERVICES PORTFOLIO REPORTS

A ANNEX A TO FINAL REPORT OF THE AUDIT SUB-COMMITTEE: MANORFIELDS REFURBISHMENT PART 2 (EXEMPT INFORMATION)

The Committee noted the Part 2 (Exempt) Annex A to Item 8a: Final Report of the Audit Sub-Committee: Manorfields Refurbishment.

B COPPICE/SPINNEY AND THE GLADE - CONTRACT AWARD PART 2 (EXEMPT) INFORMATION

The Committee considered Part 2 (Exempt) information relating to Item 7d: Coppice/Spinney and the Glade – Contract Award and supported the recommendations.

C REABLEMENT GATEWAY REVIEW

The Committee considered the report and supported the recommendations.

D EXTRA CARE HOUSING TENDERING UPDATE

The Committee considered the report and supported the recommendations.

The Meeting ended at 8.43 pm

Chairman

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CARE SERVICES PDS COMMITTEE
13th September 2016

ORAL QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER

Oral Questions to the Care Services Portfolio Holder received from Mrs Kay Miller

1. Manorfields – Secure by Design certificate. Will the Portfolio Holder please provide, as promised on 10 March 2016, the certificate which confirms that the Secure by Design requirements were met before the residents began to be accommodated in the hostel?

Reply:

Prior to first occupation, all required inspections were undertaken to ensure that the necessary standards were met in terms of Secure by Design, Building Control and Health and Safety. A copy of the Secure by Design certificate subsequently issued will be provided to the questioner following the meeting and will be appended to the minutes as Annex A.

Supplementary question:

No supplementary question was asked.

2. Manorfields - front wall. Has the Portfolio Holder agreed the solution to raise the height of the front wall to stop the problems of cars lights shining into the houses opposite and to deter residents sitting on the wall, and if so what is it and how quickly will this be implemented?

Reply:

Options were initially considered such as parking vehicles the other way round or changing the direction of the exit and entrance to the car park, however these were not feasible due to the risk posed to residents exiting and entering Manorfields. Due to the recurring issues local residents have reported regarding headlights, a further options appraisal has been conducted to consider options to raise the height of wall at the front of Manorfields. The options and quotes have just been submitted and are currently under consideration, and following a meeting with Officers yesterday, extra wall height will be added to resolve the issue with headlights.

Supplementary question:

No supplementary question was asked.

3. Will the Portfolio Holder please instruct Orchard and Shipman not to allow any new residents to move into Manorfields later than 9.00pm at night? There have been instances of individuals moving in at 2.30am which disturbs the elderly local residents and is against the assurances previously given.

Reply:

The vast majority of new residents will move in during the day or early evening and every effort is undertaken to avoid residents moving in after 9.00pm. Having checked records, Orchard and Shipman confirm that the latest entry to date has been 6.00pm. However it is necessary to take into consideration the individual circumstances of each household e.g. an individual may not have had assistance to move or with childcare arrangements, and work or other commitments may have restricted them. Therefore on occasion it will be necessary to allow a household to move in at a later hour to ensure that they have accommodation for that night. All staff at Manorfields remind new residents of the need to have consideration for surrounding residents and comply with the expected behaviour during their tenancy, including the need to minimise any possible disturbance whilst they move their belongings into Manorfields.

Supplementary question:

Can you confirm what the Committee intends to do regarding a survey of local residents which was due to be undertaken six months after the first residents moved into Manorfields.

Reply:

Any commitment to undertake a survey will be fulfilled. It is intended to undertake a review of Manorfields at an appropriate interval which will include feedback from local residents and residents of Manorfields.

Additional note: At the Chairman's request, a report on Manorfields which includes feedback from local residents and residents of Manorfields will be added to the Work Programme for Care Services PDS Committee for the meeting on 10th January 2017.

Oral Questions to the Care Services Portfolio Holder received from Mr Bob Thatcher

1. Manorfields Refurbishment audit. The report demonstrates that a number of the Council individuals involved with the refurbishment failed to meet the standards and controls expected. Please confirm a) what action has been taken against and b) what education has been provided to those individuals responsible for the shortcomings?

Reply:

All recommendations arising from the audit report have been actioned. Where this has resulted in updates or revisions to practice and procedure, this has been followed through to update procedures for any future schemes. Where the recommendations relate to guidance for actions not yet having occurred, this has been built into procedures to ensure the guidance is followed as this stage of the project is reached.

Supplementary question:

No supplementary question was asked.

2. Manorfields – Refurbishment works. As per section 67 of the Report, is the Authority (and who precisely does that mean?) planning to compose the suitable response to the public, by which we assume they mean the AAAG?

Reply:

It was decided in the interests of transparency to publish the Manorfields report which covered everything in terms of a response.

The report was not only sent directly to Mr Miller, but also placed on the internet for the public to see. The Portfolio Holder understood that representatives of the AAAG would also be meeting with the Chief Executive and Assistant Director: Housing Needs shortly to discuss a range of issues relating to Manorfields.

Supplementary question:

No supplementary question was asked.

3. Manorfields - Boiler replacement. The response from the auditors is appreciated but the AAAG remain unconvinced that Bromley were not overcharged for the base cost of the two boiler units (without installation or other costs). Can the Portfolio Holder confirm the precise cost of these items including VAT, please?

Reply:

The Audit report confirms in paragraph 25 that the final cost in relation to the boiler works was £65,800 (excl. VAT). The works included provision of one new boiler and overhaul of the second (£40,575) and associated building works to ensure full compliance with the relevant regulations. The audit conclusion was that whilst source documentation had not been seen at that stage, it appeared that tendering was carried out and that the contract was awarded to the lowest tenderer. Copies of the documentation relating to the quotes obtained have since been submitted by Orchard and Shipman as part of the final verification and close down of works.

Supplementary question:

Independent research suggests the cost of the boiler should have been no more than £7-8k. Is the Portfolio Holder concerned the Local Authority may have been overcharged?

Reply:

As shown in the Audit report, documentation has been provided which shows the three quotes received for undertaking this work, and that the contractor proceeded with the lowest quote received.

Oral Questions to the Care Services Portfolio Holder received from Ms Chris Pecover

1. Manorfields – Drain problems. The ‘sludge-gulper’ continues to make regular appearances. Will the Committee please confirm that a drains/sewer survey has been or will be undertaken and share the findings and the longer term solution, please?

Reply:

Workmen were required to attend Manorfields and clear the drains servicing the building that were blocked due to the building being empty for some time. The workmen were present for four days completing the job on 19th May 2016. No further drainage issues have been experienced at Manorfields and as such no further works have needed to be undertaken.

Supplementary question:

No supplementary question was asked.

2. Manorfields – incidents. Please confirm what incidents of anti-social behaviour or other disturbances have been reported to the management or to the emergency services and what learnings from these have been used to improve the welfare of the residents at the hostel?

Reply:

On receipt of any complaint or following any incident, Orchard and Shipman conducts a full investigation, taking statements from those involved alongside a full review of CCTV footage. If behaviour is deemed a breach of tenancy, Orchard & Shipman serves an appropriate warning reminding the tenant that they are risking their future tenancy. Should there be a continual repeat of this behaviour then the tenant involved will be served notice ending their tenancy. To date, Orchard and Shipman have served notice on two tenants for anti-social behaviour and both tenants left amicably.

There have been a total of 20 individual complaints received since the opening of Manorfields across 10 complaint reasons, with some complaints being received from a number of residents regarding the same issue. The main reasons for complaints were in relation to noise, car headlights and parking. All complaints were responded to within 48 hours unless they were submitted via a Councillor or the Local Authority which might have caused a slight delay. All complaints have been investigated if required and actions taken to minimise any reoccurrence. The Manorfields Complaints Register will be provided to the Questioner following the meeting and will be appended to the minutes as Annex B.

Supplementary question:

Does the Committee accept there are a growing number of incidents at Manorfields, that Orchard and Shipman is losing control and that the out of hours contact number is not being manned.

Reply:

The Local Authority does not accept Orchard and Shipman is losing control, but does agree that there have been a number of occasions where the emergency number has not been staffed. Orchard and Shipman are currently in negotiations with the provider of this service to resolve this issue.

Oral Questions to the Care Services Portfolio Holder received from Mr Bill Miller

1. Manorfields – please confirm when the last reconciliation was attempted in respect of the sums due from Orchard and Shipman to Bromley Council in respect of rental and other income from Manorfields and what discrepancies arose. Also how are the council, pursuing this discrepancy?

Reply:

Reconciliations are undertaken on a quarterly basis for all tenancies ending within the previous quarter as set out in the contract. This reconciliation process is up to date and there are no discrepancies.

Supplementary question:

Were there any arrears at the end of the Quarter?

Reply:

The arrears collection rate is currently running at 98% which is within the target set.

2. Please confirm the current situation in respect of monies due to Bromley Council from Orchard and Shipman (not just in relation to Manorfields). Specifically are there any outstanding sums due and are there any difficulties in reconciling the monies due or owed?

Reply:

There are no outstanding sums due and reconciliations are up to date.

Supplementary question:

No supplementary question was asked.

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CARE SERVICES PDS COMMITTEE 13th September 2016

WRITTEN QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER

Written Questions to the Care Services Portfolio Holder received from Mrs Susan Sulis, Secretary, Community Care Protection Group

1. With regard to an unanswered written question to the Portfolio Holder at 16th August 2016 Special Meeting relating to the Ofsted Report on Children's Services:

Please answer the following question which has not received an answer (even though it has the same status as a FOI request):

When, why, and by whom was the decision taken to delay/defer the appointment of a new Director of Children's Services for over a year?

Reply:

This question was asked and answered at the special Care Services Portfolio meeting on 16th August 2016. Copies of this answer are available to be viewed on the Council's website at:

<http://cds.bromley.gov.uk/ieListDocuments.aspx?CId=587&MId=5844&Ver=4>

2. With regard to Bromley Council 'Compromise Agreement' with Terry Parkin, previous Director of Children's Services, Education, Adult Care and Health:
 - a) What was the date of this Agreement?
 - b) Did the £96,000 figure of 'compensation for loss of office' include any other elements as well as salary, eg pension entitlement?
 - c) Were any other benefits/allowances agreed separately from this figure?
 - d) Which Committees was this severance package scrutinised/approved by and when?

Reply:

Mr Parkin left LB Bromley in May 2015 by mutual consent. With regard to the compromise agreement, I cannot comment on this as I am bound by the terms of the compromise agreement between Mr Parkin and the Council.

3. With regard to public accountability of Bromley's Senior Management and Politicians to users, staff and the public regarding the Ofsted report:

Will Members of this Scrutiny Committee recommend that the Council hold a public meeting when the Improvement Plans required by Ofsted have been approved, with Senior Management and Council Leaders attending to answer questions from the public?

Reply:

Tonight's meeting of the Care Services PDS is focusing on ensuring that the Ofsted Improvement Action Plan is scrutinised in public. Members of the public were able to submit questions to this committee in the usual manner.