

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 14 March 2018

Present:

Councillor Mary Cooke (Chairman)
Councillor Pauline Tunnicliffe (Vice-Chairman)
Councillors Ruth Bennett, Kevin Brooks, Judi Ellis,
Robert Evans, David Jefferys, Terence Nathan,
Keith Onslow and Charles Rideout QPM CVO

Linda Gabriel, Rosalind Luff and Lynn Sellwood

Also Present:

Councillor Diane Smith, Portfolio Holder for Care Services
Councillor Angela Page, Executive Support Assistant to the Portfolio
Holder for Care Services

78 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Will Harmer and Councillor Keith Onslow attended as his substitute. Apologies for absence were also received from Justine Godbeer.

The Chairman noted that this was the final meeting of Care Services PDS Committee for Councillor Ruth Bennett, Councillor Terence Nathan and Councillor Charles Rideout QPM CVO, as well as for Linda Gabriel, Co-opted Member representing Healthwatch Bromley. On behalf of the Committee, the Chairman thanked the Members for their commitment to Bromley's care and health services over many years.

The Chairman also thanked the Members of the Care Services PDS Committee for their excellent work during the 2017/18 municipal year.

79 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

One written question had been received from a member of the public and is attached at Appendix A.

**81 MINUTES OF THE CARE SERVICES PDS COMMITTEE
MEETING HELD ON 9TH JANUARY 2018**

RESOLVED that the minutes of the meeting held on 9th January 2018 be agreed.

**82 MINUTES OF THE HEALTH SCRUTINY SUB-COMMITTEE
MEETING HELD ON 6TH MARCH 2018**

RESOLVED that the minutes of the meeting held on 6th March 2018 be noted.

83 MATTERS ARISING AND WORK PROGRAMME

Report CSD18020

The Committee considered its forward work programme, the schedule of Council Members' visits and matters arising from previous meetings.

The Vice-Chairman reported that she had undertaken a range of work to explore how the Shared Lives Service might be further developed, including researching best practice by other local authorities with similar schemes. A number of additional foster carers had recently been recruited and it had been recognised that the Local Authority was performing well in this area in comparison to neighbouring local authorities with 32 service users benefitting from the Bromley Shared Lives scheme against 29 and 25 service users in the London Boroughs of Lewisham and Bexley respectively. A further update would be provided to the next meeting of Care Services PDS Committee on 27th June 2018.

RESOLVED that the Care Services forward work programme, the schedule of Council Members' visits and matters arising from previous meetings be noted.

**84 UPDATE FROM THE DEPUTY CHIEF EXECUTIVE AND
EXECUTIVE DIRECTOR: EDUCATION, CARE AND HEALTH
SERVICES (VERBAL UPDATE)**

The Deputy Chief Executive and Executive Director: Education, Care and Health Services gave an update to Members on work being undertaken across the Education, Care and Health Services Department.

There were currently two key areas of focus within the Care Services Portfolio comprising Adult Social Care and Housing. With regard to Adult Social Care, the Local Authority was working with the Bromley Clinical Commissioning Group to further integrate services, which would include taking a co-productive approach to service design with service users and carers. The work by the Local Authority and its partners to review Occupational Therapy services and reduce duplication of service provision had now been completed and the outcomes were being assessed, and a review of the Reablement

Service was being planned. A range of work would be undertaken across the Housing Service during the 2018/19 municipal year. This included the delivery of the Homelessness Strategy Action Plan and the development of an overarching housing strategy, as well as the progression of a proposed modular housing scheme in the Borough.

In considering the Care Services PDS Committee forward work programme, the Deputy Chief Executive reported that Key Performance Indicators were being developed to support Members to monitor performance across the Portfolio. The Deputy Chief Executive suggested that the Committee consider inviting providers to present to future meetings of the Care Services PDS Committee to develop Members' understanding of the provider experience. In discussion, Members generally agreed that this would be useful. A Member suggested that it might also be helpful to hear from a range of providers prior to the start of tendering processes for key services, and the Deputy Chief Executive would speak with the Director: Commissioning to identify if this was appropriate. A Co-opted Member suggested that service users also be invited to present to future meetings of the Care Services PDS Committee to give their perspective.

RESOLVED that the update be noted.

85 HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

The Portfolio Holder for Care Services responded to Members' questions on work being undertaken across the Education, Care and Health Services Department.

With regard to a query from a Member, the Portfolio Holder for Care Services confirmed that the Council's standard criteria for evaluating tenders was 60% price, 40% quality. The Member queried whether this might be varied for tenders within the Care Services Portfolio. The Portfolio Holder confirmed that it was possible to vary the standard criteria where a business case could be made for an increased emphasis on quality; however there continued to be significant financial pressure on the Local Authority in the medium to long term, and price would remain a key consideration going forward. A Co-opted Member noted that the prominence of price over quality could lead to the experience of longstanding local providers, including voluntary and third sector organisations being under-valued in the tender evaluation process. The Chairman suggested that the Committee review the appropriateness of using the standard criteria on an individual tender basis when considering Gateway Reviews. The Deputy Chief Executive would provide further information to Members on how the standard criteria for tender evaluation could be varied following the meeting.

RESOLVED that the update be noted.

**86 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO
HOLDER REPORTS**

**A CAPITAL PROGRAMME MONITORING - 3RD QUARTER
2017/18 AND CAPITAL STRATEGY 2018 TO 2022**

Report FSD18019

On 7th February 2018, the Council's Executive received the 3rd quarterly capital monitoring report for 2017/18 and agreed a revised Capital Programme for the five year period 2017/18 to 2021/22.

The Committee considered the changes to the Capital Programme for the Care Services Portfolio which included the re-phasing of a number of schemes totalling £5,733k into 2018/19 to reflect revised estimates of when expenditure on the Care Services schemes was likely to be incurred. During the annual review of the Capital Programme no bids had been submitted in respect of any new capital schemes within the Care Services Portfolio, although it was possible that a bid might be submitted during the 2018/19 financial year for a replacement IT system for Adult Social Care at approximately £2.5M.

The Head of Education, Care and Health Services Finance would provide additional information relating to the final costs of the refurbishment of Manorfields to the Vice-Chairman following the meeting.

RESOLVED that the Portfolio Holder be recommended to confirm the revised Capital Programme agreed by the Council's Executive on 7th February 2018.

B BUDGET MONITORING QUARTER 3 2017/18 REPORT

Report CS18124

The Committee considered a report setting out the budget monitoring position for the Care Services Portfolio for 2017/18, based on expenditure to the end of December 2017.

The controllable budget was forecast to be in an underspend position of £104k, assuming further management action was taken throughout the year to maintain this position. There continued to be overspends across a range of services including Assessment and Care Management, Learning Disabilities, Mental Health and Temporary Accommodation due to higher than expected demand for services and increased costs related to the impact of the National Living Wage on some care contracts. These overspends had been offset by one-off contributions from a range of sources including the Better Care Fund and the Improved Better Care Fund. The Local Authority was legally required to undertake assessments for the Deprivation of Liberty Safeguards (DOLS) service for which demand was increasing. It was therefore requested that £118k held in contingency be released to cover the cost of conducting these

assessments whilst the Local Authority trained in-house social workers to become Best Interests Assessors.

In response to a question from a Member, the Head of Education, Care and Health Services Finance confirmed that work was ongoing to address water supply and electricity metering issues at two Travellers' Sites across the Borough. An options appraisal was also underway to review Traveller's Sites and consider any refurbishment works required. The Head of Education, Care and Health Services Finance clarified that the underspend on staffing raised within the report referred to the full range of Housing Needs sites and not just Travellers' Sites, which were supported by a number of staff including a Travellers' Sites Manager. The commentary in future Budget Monitoring reports would be amended to reflect this.

The Vice-Chairman queried what progress had been made in increasing the uptake of Direct Payments. The Interim Director: Programmes advised Members that a Direct Payments Lead Officer had recently been appointed and would work to increase the uptake of Direct Payments with a target of rolling it out to 30% of service users and 60% of carers over the next 12 months. A range of options to support this were being explored, including pre-paid cards, and a Co-opted Member underlined the importance of developing the local care market to ensure that service users with Direct Payments were able to make meaningful choices about their care. In response to a question from a Member, the Interim Director: Programmes confirmed that an increase in the take-up of Direct Payments would not have a direct financial benefit to the Local Authority but would realise some efficiencies as the Local Authority moved towards becoming an enabler of provision rather than a provider. A Co-opted Member emphasised the role of voluntary and third sector organisations as part of the local care market meeting the needs of service users with Direct Payments.

The Committee thanked the Head of Education, Care and Health Services Finance for his exemplary work in managing the Care Services Portfolio budget during the 2017/18 municipal year.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the latest projected underspend of £104k forecast on the controllable budget for 2017/18 based on information as at December 2017;**
- 2) Note the full year effect of cost pressures of £3,202k for the Care Services Portfolio budget for 2018/19;**
- 3) Agree the release of £118k held in contingency relating to Deprivation of Liberty Safeguards (DOLS);**
- 4) Note the comments of the Department in Section 9 of Report CS18124; and,**

- 5) Note the in-year savings achieved within the Care Services Portfolio for 2017/18 outlined in Section 8 of Report CS18124; and,
- 6) Approve the Care Services Portfolio Budget Monitoring Report 2017/18.

87 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

A NURSING CARE BEDS CONTRACT AWARD PART 1 (PUBLIC) INFORMATION

Report CS18127-1

The Committee considered a Part 1 (Public) report requesting the Council's Executive approve the award of a block contract of 70 nursing care beds for a period of seven years from 2nd January 2018 to 1st January 2025, with the option to extend the contract for a further three year period.

The Local Authority had a statutory responsibility to ensure that it was not contributing towards the unnecessary delay of patients being discharged from hospital. To support this, the Local Authority had agreed a block contract with Mission Care which provided 48 nursing home placements and an additional 12 placements on a first refusal basis in 2012 which had been identified as offering good value for money but had no option to extend beyond 1st January 2018. As it was not possible to predict the future demand for nursing home beds and there were times when all contracted beds were full, the Local Authority often had to spot-purchase additional nursing bed placements which had a significant cost implication and the potential to delay discharge from hospital. To ensure sufficient availability of nursing home placements in the medium term, it was proposed that the Local Authority commission a new block contract for 60 nursing home placements and 10 placements on a first refusal basis. Purchasing nursing home beds via a block contract had been identified as being a cost effective strategy as it provided beds at a guaranteed price and reduced the administration associated with making placements. The Local Authority had maximised the use of the existing block contract and was achieving 100% usage of block and first refusal beds at very competitive prices.

In considering the way that the quality of care homes was rated, the Interim Director: Programmes confirmed that there was often a significant interval between Care Quality Commission (CQC) Inspections and CQC Inspection reports being published during which time a significant amount of work was undertaken by providers and the Local Authority to implement any necessary improvement measures. The Local Authority's Quality Monitoring Team closely monitored the quality of provision at any care home rated as 'Requires Improvement' or 'Inadequate' which ensured that any care placement made was based on the current quality of service and not an out-of-date rating which could not be updated until the CQC revisited a home.

Councillor Kevin Brooks requested that his opposition to the proposed contract award be recorded in the minutes.

RESOLVED that the Council's Executive be recommended to:

- 1) Approve a contract award for 70 block nursing care beds for a period of seven years from 2nd January 2018 to 1st January 2025, with the option to extend the contract for a further three year period;**
- 2) Approve the increase in supporting budget arising from the impact of the National Living Wage as detailed in the Part 2 (Exempt) report; and,**
- 3) Delegate the authorisation to extend the contract for a period of up to three years to the Executive Director: Education, Care and Health Services in consultation with the Portfolio Holder for Care Services, the Director: Finance, the Director: Corporate Services and the Director: Commissioning.**

B HOMELESSNESS STRATEGY

Report CS18135

The Committee considered a report presenting the final Homelessness Strategy 2018-23 following the completion of the recent public consultation exercise, and detailing the feedback from the consultation, together with the final draft of the strategy taking account of the feedback received.

The Homelessness Strategy 2018-23 set out how the Local Authority would prevent homelessness and provide support to people who were homeless or at risk of becoming homeless over the coming five year period, and would be supported by the Homelessness Strategy Action Plan. The strategy was structured around four key priority areas that comprised early identification and prevention of homelessness, achieving positive outcomes for our young people, increasing access to and promoting the supply of accommodation, and improving health and wellbeing and supporting people to break the cycle of homelessness. The strategy and action plan had been developed in consultation with key partners and agencies delivering housing and homelessness services to ensure a strong collaborative approach was taken to preventing and reducing homelessness, particularly when addressing complex needs and the wider factors which could lead to homelessness. Following agreement by the Council's Executive as its meeting on 6th December 2017, an eight week public consultation exercise had been undertaken to which a total of 232 individual responses had been received, with 37% of respondents having experienced homelessness. A range of key partners including housing associations, landlords, business organisations and health services had also been consulted. The vast majority of respondents agreed that the key priorities around which the Homelessness Strategy 2018-23 was based were appropriate and that no key areas had

been excluded from the strategy. The wider issue of affordable housing supply was raised and would be considered in more detail in the forthcoming overarching housing strategy.

A Member noted the significant increase in homeless households in the Borough since 2001 and underlined the need to explore schemes to increase the housing options available within the Borough, including encouraging social landlords to extend their properties and maximising the occupancy of social housing, as well as promoting house-share and live-in guardian schemes. The Director: Housing advised that a full range of schemes were being investigated, and that this included work by housing associations to review their estates that would feed into the overarching housing strategy. In response to a question from the Member, the Director: Housing confirmed that households with dependents, including young people aged over 16 years who had special educational needs or were attending an in-Borough school were treated as a priority need for housing.

A Member was pleased to note actions to improve access to financial, training and employment advice within the Homelessness Strategy Action Plan, and highlighted that early intervention was key in avoiding homelessness. Another Member emphasised the importance of working closely with the Planning Service to ensure that developers delivered the agreed number of affordable or social housing units. In considering the 'More Homes in Bromley' scheme which aimed to acquire 400 properties over two years to be used as temporary accommodation within the Borough and sub-region, the Director: Housing reported that the Mears Group was on track to complete the purchase of 400 properties within 2.5 years, and that consideration would be given to expanding the programme as the current scheme progressed.

The Committee thanked the Director: Housing and her team for the excellent work that had been undertaken to prevent and manage the issue of homelessness in the Borough during the 2017/18 municipal year.

Councillor Kevin Brooks requested that his opposition to the proposed agreement of the final draft of the Homelessness Strategy 2018-23 by the Council's Executive be recorded in the minutes.

RESOLVED that the Council's Executive be recommended to:

- 1) Approve the final draft of the Homelessness Strategy 2018-23, subject to final formatting;**
- 2) Delegate authority to the Director: Housing to finalise the action plan to implement and deliver the strategy; and,**
- 3) Note that the implementation of any of the proposed actions might be subject to further decision making in accordance with the Schedule of Delegation.**

88 POLICY DEVELOPMENT AND OTHER ITEMS

A CHAIRMAN'S ANNUAL REPORT

The Committee considered the Chairman's annual report of the Care Services PDS Committee that would be provided to the meeting of Executive and Resources PDS Committee on 21st March 2018. The Chairman thanked all Members and Co-opted Members for the significant contribution they had made to the Care Services PDS Committee during the 2017/18 municipal year.

The Chairman requested that Members provide any further comments on the annual report to the Clerk to the Committee following the meeting.

RESOLVED that the report be noted.

B ADASS PEER REVIEW OF BROMLEY - USE OF RESOURCES

Report CS18128

The Committee considered a report outlining a summary of the key findings of the London Association of Directors of Social Services (ADASS) Peer Review on the use of resources in Adult Social Care within the Local Authority. The report set out the identified areas for consideration and the Officer response to findings, including where actions were already being taken and where new actions would be implemented.

The London Association of Directors of Social Services worked together to improve and develop services in the Adult Social Care sector in London. This included a programme of Peer Reviews that were undertaken by teams of peers from across London led by a Director: Adult Social Care. The Peer Review on the use of resources in Adult Social Care within the Local Authority took place between 22nd and 24th November 2017 and was based around seven themes comprising overall budget, benchmarking data, commissioning and the market, managing demand, controls and processes, partnerships, and governance and planning. The review identified a range of good practice by the Local Authority including the positive approach to managing demand in adult social care, close working with key partners and the high level of Member interest and engagement. Areas for consideration that had been identified included increased co-production of services, benchmarking with statutory neighbours, and a clear vision and shared forward view of the next five years across a number of key service areas including personalisation (Direct Payments), for which the Officer response to findings had been provided.

In considering the report, a Member noted the establishment of a Care Homes Programme Board in relation to Key Line of Enquiry 3: Commissioning and the Market. The Interim Director: Programmes advised that this was a shared piece of work between the Local Authority and Bromley Clinical Commissioning Group which had a number of aims including agreeing a joint

market strategy for procurement of care home placements, as well as establishing a clear health and safety offer to care homes and considering how quality could best be managed. The Board was also working with care homes and local colleges to develop a sustainable social care workforce in the Borough. In response to a question from a Member, the Interim Director: Programmes confirmed that the proposed innovation board to be introduced as part of the response to Key Line of Enquiry 3: Overall Budget aimed to help the Local Authority identify new ways to generate income, but that the reference to a 'Dragon's Den' style approach would be removed from the Officer response.

A Co-opted Member queried the proposal to develop a Multi-Agency Safeguarding Hub for vulnerable adults and the Director: Adult Social Care explained that the potential to bring key partners and resources together to support the safeguarding of vulnerable adults was being explored, with the aim of providing a more efficient, joined-up service. The Director: Adult Social Care confirmed that the Local Authority was also working with the Bromley Clinical Commissioning Group to develop the Extra Care Housing model as a key community resource, and a progress report would be presented to the meeting of Care Services PDS Committee on 27th June 2018.

RESOLVED that:

- 1) The findings of the ADASS Peer Review be noted; and,**
- 2) The Officer response to the areas of consideration identified through the Peer Review process be endorsed.**

C JOINT STRATEGIC NEEDS ASSESSMENT (JSNA)

Report CSD18129

The Committee considered the Joint Strategic Needs Assessment 2017 which had been approved by the Health and Wellbeing Board at its meeting on 8th February 2018.

The Local Authority and NHS Primary Care Trusts had a statutory requirement to produce a Joint Strategic Needs Assessment which should be updated on an annual basis and aimed to build an understanding of the current and future health and wellbeing needs of the population to support the setting of strategic priorities in the short and longer term and to inform local commissioning across health and social care. The Bromley Joint Strategic Needs Assessment 2017 explored factors affecting health and wellbeing of the Bromley population and identified a number of key issues including the increasing population as well as specific issues around infant mortality, the prevalence of diagnosed depression and concerns around the rates of self-harm, suicide and drug misuse across the Borough. In approving the Joint Strategic Needs Assessment 2017 at its meeting on 8th February 2018, the Health and Wellbeing Board had agreed that a comprehensive evaluation of the Bromley Joint Strategic Needs Assessment be undertaken to review the

structure, process and outcomes of the report to ensure it was fit for purpose and capable of answering the complex commissioning questions of the future, and that the Joint Health and Wellbeing Strategy be reviewed concurrently to this evaluation to inform the publication of a refreshed strategy later in the year.

In considering the report, the Chairman noted the value of the Joint Strategic Needs Assessment in supporting policy development and scrutiny of care and health services and noted that the Director: Public Health would be working more closely with the Health Scrutiny Sub-Committee in future. The Consultant (Public Health) confirmed that a range of factsheets summarising the key findings of the Joint Strategic Needs Assessment were being developed and would be available shortly.

RESOLVED that:

- 1) **The key findings of the Joint Strategic Needs Assessment 2017 be noted;**
- 2) **The proposals for an evaluation of the Joint Strategic Needs Assessment 2017 be noted; and,**
- 3) **The proposal to develop a new Joint Health and Wellbeing Strategy in 2018 be noted.**

89 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.

90 EXEMPT MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 9TH JANUARY 2018

RESOLVED that the exempt minutes of the Care Services PDS Committee meeting held on 9th January 2018 be agreed.

91 PRE-DECISION SCRUTINY OF PART 2 (EXEMPT) EXECUTIVE REPORTS

A NURSING CARE BEDS CONTRACT AWARD PART 2 (EXEMPT) INFORMATION

The Committee considered the report and supported the recommendations.

**B GATEWAY 0: COMMISSIONING OPTIONS FOR TRANSPORT
PROVISION IN CHILDREN'S AND ADULT'S SERVICES**

The Committee considered the report and supported the recommendations.

**92 PART 2 (EXEMPT) POLICY DEVELOPMENT AND OTHER
ITEMS**

**A REFERRAL FROM APPEALS SUB-COMMITTEE:
DOMICILLIARY CARE**

The Committee considered the report and supported the recommendations.

The Meeting ended at 9.27 pm

Chairman

CARE SERVICES PDS COMMITTEE
14th March 2018

WRITTEN QUESTION TO THE CARE SERVICES PORTFOLIO HOLDER

Written Question to the Care Services Portfolio Holder received from Mr Colin Willetts

1. With regard to Caremark, 10th January 2018, clearly the CQC “Good” rating doesn't apply to Alzheimer's sufferers in this case:
 - i) Bearing in mind they are cobbling rotas on day to day basis, how can this be 'continuous improvement'?
 - ii) In general, have the Contracts Compliance Team received any other complaints(if so how many) against this provider?

Reply:

The Care Quality Commission (CQC), not the Council is the statutory regulator of Domiciliary Care Services. The judgement of “Good” has been made by the CQC.

The Council's Contract Compliance Team last visited this provider on 31st January 2018 and overall I have been advised that the agency is meeting the Council's requirements.

I have been told that rotas are planned weekly in advance, however the Council does expect all providers to have to respond flexibly on a daily basis to changes, such as hospital admissions and emergencies encountered in the community, and for example a service user being unwell. I understand that in such instances providers generally use their supervisors in emergency situations in order to enable the carers to continue with scheduled rounds.

The Council continues to and will include more detailed monitoring of the electronic call monitoring system in addition to reviewing timings of visits.

The Council has received six complaints about Caremark during the last six months (two of these were about this case).

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