

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 5.29 pm on 13 June 2017

Present:

Councillor Mary Cooke (Chairman)
Councillor Pauline Tunnicliffe (Vice-Chairman)
Councillors Ruth Bennett, Judi Ellis, Robert Evans and
Terence Nathan

Linda Gabriel 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

4 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Will Harmer, Councillor David Jefferys and Councillor Charles Rideout QPM CVO. Apologies were also received from Councillor Catherine Rideout and Councillor Robert Evans attended as her substitute.

Apologies were received from Justine Godbeer and Rosalind Luff.

The Chairman was pleased to welcome all Members and Co-opted Members to the first meeting of Care Services PDS Committee for the 2017/18 municipal year.

5 DECLARATIONS OF INTEREST

Councillor Mary Cooke declared that she had worked for Bromley Healthcare until 2012.

Councillor Judi Ellis declared that her daughter worked for Oxleas NHS Foundation Trust.

Councillor Diane Smith declared that her daughter worked for St Christopher's Hospice.

Councillor Pauline Tunnicliffe declared that she was a foster carer for the London Borough of Bromley and supported a young person through the 'Staying Put' scheme.

Linda Gabriel declared that she was the Chairman of Bromley and Lewisham Mind.

**6 CO-OPTIONS TO THE CARE SERVICES PDS COMMITTEE
AND COMMITTEE MEMBERSHIPS FOR 2017/18**

Report CSD17089

The Committee considered a report outlining Co-opted Member appointments to the Care Services PDS Committee and Member appointments to the Health Scrutiny Sub-Committee and Our Healthier South East London Joint Health Overview and Scrutiny Committee for 2017/18.

RESOLVED that

- 1) The following Co-opted Membership appointments be made to the Care Services PDS Committee for 2017/18:**

Co-Opted Member	Organisation	Alternate Member
Justine Godbeer	Experts by Experience (X by X)	-
Rosalind Luff	Carers Forum	-
Linda Gabriel	Healthwatch Bromley	Leslie Marks
Lynn Sellwood	Bromley Safeguarding Adults Board and Voluntary Sector Strategic Network	-

- 2) Councillor Robert Evans be appointed to the membership of Health Scrutiny Sub-Committee for 2017/18; and,**
- 3) Councillor Judi Ellis and Councillor Ian Dunn be appointed to the membership of the Our Healthier South East London Joint Health Overview and Scrutiny Committee for 2017/18.**

7 HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

8 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO HOLDER REPORTS

A ADDITIONAL NURSING HOME PLACEMENTS TO SUPPORT HOSPITAL DISCHARGE FOR WINTER 2017/18

Report CS18011

The Committee considered a report outlining a proposal to support hospital discharge and help prevent delayed discharges through the commissioning of additional nursing bed placements for a fixed period. To deliver this it was requested that a variation be agreed to the existing nursing bed block contract with Mission Care for a period of up to nine months from 1st July 2017, and that a temporary Project Manager post be created to oversee the management of the proposal.

The Local Authority had a statutory responsibility to ensure that it was not contributing towards the unnecessarily delay of patients being discharged from hospital. To support this, the Local Authority had a block contract for 48 nursing home placements and a further contract with Mission Care for an additional 12 placements on a first refusal basis. 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 during Winter 2017/18, it was proposed to secure a maximum of 12 additional nursing home placements managed by the Local Authority for a nine month trial period. These additional places would be allocated on the basis of a maximum stay of up to six weeks after which patients would either be ready to return home or to have a permanent placement identified. To deliver this, it was recommended that the Local Authority vary an existing contract with Mission Care to purchase 12 additional places from 1st July 2017 to ensure that sufficient capacity was in place by 1st October 2017. In addition, it was proposed that a Project Manager be recruited for a period of 12 months to oversee the implementation and management of the proposal to enable placements to be fully maximised and for the programme to be monitored and evaluated.

In response to a question from a Member, the Programme Manager, Commissioning confirmed that of the four care homes used by Mission Care to provide nursing home placements to the Local Authority, three had been rated as generally being 'Good', and one had an improvement plan in place with which the Local Authority was satisfied. The Project Manager would monitor the quality of these nursing home placements as part of their role.

RESOLVED that the Portfolio Holder for Care Services be recommended to:

- 1) Agree to the variation of the existing nursing bed block contract with Mission Care for a period of 9 months commencing on 1st July 2017;**
- 2) Approve a Project Manager post for 12 months to oversee the implementation and management of the proposal; and,**
- 3) Note that an update report will be provided to Care Services PDS Committee in January 2018, with the final evaluation reported in April 2018.**

9 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

A REABLEMENT SERVICE CONTRACT AWARD PART 1 (PUBLIC) INFORMATION

Report CS18012/1

The Committee considered a report providing an overview of the tendering process for the Reablement Service.

The Reablement Service provided short term personal care and support to vulnerable adults, often following an acute health crisis. Service users received support for up to 6 weeks to help them regain and retain their independence and to reduce or prevent the need for longer term intervention such as further hospital admissions or longer term care packages. The service supported up to 50 service users at any one time and assisted approximately 500 service users per year. At its meeting on 14th September 2016, the Council's Executive agreed for the Bromley Clinical Commissioning Group to tender the Reablement Service as part of its community contract tender under Lot 3: Integrated Rapid Response and Transfer of Care Services, which incorporated a range of hospital discharge services and could be supported by other pathways including rehabilitation and medical response services.

The tendering process for the Reablement Service had been undertaken in accordance with the Local Authority's financial and contractual requirements. The tender was based on the provision of reablement services to approximately 700 service users, with an option to increase this up to 900 users, and for service users to receive 30-42 hours of reablement. Providers were asked how they would construct the service to maximise resources, ensure efficiencies and deliver a seamless offer to residents, whilst enabling the Local Authority's Care Management teams to remain the principle point of referral. Following the evaluation process for the tender, the recommended provider was identified as demonstrating a good level of quality and an integrated approach to working across the various hospital discharge pathways and with the Local Authority's Care Management teams, and also showed a commitment to working with service users to enable them to regain and retain as much independence as possible. This bid included a proposal to transfer the Local Authority staff currently employed within the Reablement Service to the provider in accordance with the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE), and for the transfer ongoing pension liabilities associated with these staff to the provider.

RESOLVED that the Council's Executive be recommended to:

- 1) Note that the Bromley Clinical Commissioning Group intends to award a contract for community provision including the Local Authority's Reablement Service commencing on 1st December 2017 for a period of 5 years until 2022, with the potential to extend for a further period of up to 2 years;**
- 2) Agree that the contributions to this service will be made via the existing agreement the Local Authority has with the Bromley Clinical Commissioning Group under Section 75 of the NHS Act 2006; and,**
- 3) Note that consultation with staff, trade unions and departmental representatives commenced on 15th May 2017 and ended on 13th June 2017 regarding the proposals for the Bromley Clinical Commissioning Group to award a contract for community**

provision including the Local Authority's Reablement Service, and that meetings had taken place with staff affected by these proposals, without prejudice to any subsequent TUPE staff/trade unions' consultation in the event of the contract being awarded.

B CONTRACT AWARD INTERMEDIATE CARE UPDATE PART 1 (PUBLIC) INFORMATION

Report CS18009/1

The Committee considered a report providing an update on the tendering process for the Intermediate Care Service.

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 and in nursing home beds which assisted them in maintaining their independence. The service aimed to reduce readmission rates and prevent unnecessary hospital admission. At its meeting on 14th September 2016, the Council's Executive agreed to jointly tender the Intermediate Care Service with the Bromley Clinical Commissioning Group as part of its community contract tender under Lot 3: Integrated Rapid Response and Transfer of Care Services, which incorporated a range of hospital discharge services and could be supported by other pathways including rehabilitation and medical response services, and that Bromley Clinical Commissioning Group act as the lead commissioner.

The tendering process for the Intermediate Care Service had been undertaken in accordance with the Bromley Clinical Commissioning Group's financial and contractual processes which were compliant with legislation. Providers were asked how they would construct the service to maximise resources, ensure efficiencies and deliver a seamless offer to residents. Following the evaluation process for the tender, the recommended provider was identified as demonstrating a good level of quality and an integrated approach to working across the various hospital discharge pathways and with the Local Authority's Care Management teams, and also showed a commitment to working with service users to enable them to regain and retain as much independence as possible. The Bromley Clinical Commissioning Group had extended the contract award date by two months to 1st December 2017 to ensure adequate time for tendering and for the process of informing and consulting staff and trade unions about the Transfer of Undertakings (Protection of Employment) Regulations 2006 (TUPE) if applicable.

In response to a question from a Member, the Programme Manager, Commissioning advised that the Local Authority was developing a Memorandum of Understanding with Bromley Clinical Commissioning Group that would specify the client-side processes within the community contract, and that the Local Authority would work closely with the Bromley Clinical Commissioning Group in monitoring performance.

RESOLVED that the Council's Executive be recommended to:

- 1) Note the Part 1 (Public) summary when considering the recommendations in the Part 2 (Exempt) report to award the tender; and,
- 2) Note that formal consultation with staff, trade unions and departmental representatives commenced on 15th May 2017 and ended on 13th June 2017 regarding the proposals for the Bromley Clinical Commissioning Group to award a contract for community provision including the Intermediate Care Service, and that meetings had taken place with staff affected by these proposals, without prejudice to any subsequent TUPE staff/trade unions' consultation in the event of the contract being awarded.

10 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.

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

A REABLEMENT SERVICE CONTRACT AWARD PART 2 (EXEMPT) INFORMATION

The Committee considered the report and supported the recommendations.

B CONTRACT AWARD INTERMEDIATE CARE UPDATE PART 2 (EXEMPT) INFORMATION

The Committee considered the report and supported the recommendations.

C LD SUPPORTED LIVING CONTRACT EXTENSION (5 AVENUES SCHEME)

The Committee considered the report and supported the recommendations.

The Meeting ended at 5.54 pm

Chairman