

## **CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 23 September 2015

### **Present:**

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

Linda Gabriel, Justine Godbeer and Rosalind Luff

### **Also Present:**

Councillor Robert Evans

#### **23 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS**

Apologies for absence were received from Councillor Ruth Bennett.

#### **24 DECLARATIONS OF INTEREST**

There were no declarations of interest.

#### **25 QUESTIONS FROM COUNCILLORS AND MEMBERS OF THE PUBLIC ATTENDING THE MEETING**

No questions had been received.

#### **26 QUESTIONS TO THE CARE SERVICES PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING**

Two questions for written reply had been received from Ms Susan Sulis – these are attached as Appendix A.

#### **27 MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETINGS HELD ON (A) 23RD JUNE 2015 AND (B) 22ND JULY 2015**

**RESOLVED** that the minutes of the meetings held on 23<sup>rd</sup> June (excluding exempt information) and 22nd July be agreed.

**28 MATTERS ARISING AND WORK PROGRAMME**  
Report CSD15098

The Committee considered matters arising from previous meetings, the programme of member visits and the work programme for 2015/16.

Councillor Charles Rideout gave an update on the Care Homes Reference Group, which had been re-convened to monitor the arrangements for moving residents from Lubbock House. Of the 19 residents, the majority (15) had moved to extra care housing in various locations. There had been some complaints at the start of the process, but these had been dealt with swiftly. The Working Group particularly commended Joy Smith for her role in ensuring that the changes were implemented smoothly.

At its last meeting the Committee asked for further information on preventative measures in place to reduce homelessness – this had not yet been circulated.

The Chairman drew attention to the proposed meeting on 3<sup>rd</sup> November with the Public Protection and Safety PDS Committee to consider supply and demand for illegal drugs.

A visit had been made to the Bethlem Royal Hospital on 9<sup>th</sup> September – a report back had been received from the hospital stating that the visit had been very helpful.

**29 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS**

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

**A) CAPITAL PROGRAMME MONITORING - 1ST QUARTER 2015/16**  
Report FSD15052

At its meeting on 15<sup>th</sup> July 2015 the Executive had received the first quarterly capital monitoring report for 2015/16 and agreed a revised Capital Programme for the four year period 2015/16 to 2018/19. The Committee received a report highlighting changes to the Capital Programme for the Care Services Portfolio. It was confirmed that some expenditure had been re-phased from 2015/16 to 2016/17.

**RESOLVED that the Care Services Portfolio Holder be recommended to note and confirm the changes to the Care Services Capital Programme in July.**

**30 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS**

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

**A) PROCUREMENT STRATEGY FOR THE PROVISION OF CARE SERVICES IN EXTRA CARE HOUSING**

The report set out options and recommendations for the Executive for care and support services in the extra care housing schemes in the borough when the current contracts expired. The report also recommended that the extra care housing service currently provided by the in-house Direct Care Service be included in the tender.

Linda Gabriel mentioned a recent Healthwatch visit to Sutherland House in Penge where an issue had arisen about people who did not have care whilst going to the toilet included within their care packages. Officers confirmed that this issue was always considered very carefully by care managers, and residents could approach the care provider if they wanted any additional services provided for a supplement.

Members noted the high numbers of voids set out in the report. It was confirmed that there were now 15 voids in external schemes and 10 within in-house schemes. However, by the end of October this was projected to reduce to 5 in each category, with all voids expected to be filled by the end of November.

**RESOLVED that the Executive be recommended to agree that**

**(1) The contracts for care and support in Bromley's six extra care housing schemes be tendered.**

**(2) The contract length will be for a period of five years with the potential to extend for a further two years plus a further two.**

**(3) In order to facilitate the tendering of care and support in one contract, the contract with Hanover Housing Association to deliver housing related support in Crown Meadow Court be extended for one year from 25<sup>th</sup> March 2016 until 24<sup>th</sup> March 2017.**

**(4) In order to facilitate the bundling of a number of separate contracts, the contract with Mears Care to deliver care in Crown Meadow Court be extended for a maximum period of one year from 25<sup>th</sup> March 2016 until 24<sup>th</sup> March 2017.**

**B) DEPRIVATION OF LIBERTY SAFEGUARDS UPDATE**  
Report CSD15921

The report updated Members on the implications of the Supreme Court judgement in March 2014 relating to Deprivation of Liberty Safeguards (DOLS) and to the deprivation of liberty of individuals. The report requested that the Executive agree the drawdown of the further agreed funding for continued staffing as highlighted in the report to Executive in February 2015.

A permanent central DOLS team was being established – it was expected that internal staff would be interested in some of the posts, but an external advertisement might be needed.

**RESOLVED that the Executive be recommended to note that additional grant funding of £126,982 has been allocated by Government and approve that it is released from the central contingency to the Care Services budget to fund the additional costs of £130k as set out in the report.**

**C) PUBLIC HEALTH COMMISSIONING INTENTIONS 2016/17**  
Report CS15925

The report set out the public health commissioning intentions for 2016/17 for approval by the Executive. It was intended that the Public Health Framework would be extended for a further two years; this did not commit the Council to a particular level of expenditure and there would still be manoeuvrability to adjust expenditure if necessary.

The Chairman asked for clarification if all the reviews carried out by Health Visitors mentioned at paragraph 3.12 in the report were carried out face to face. Details would be circulated outside the meeting.

**RESOLVED that, subject to corporate savings decisions, the Executive be recommended to:**

**(1) Approve the extension of the Public Health Framework for two years until 31 March 2018.**

**(2) Note the intention to continue to use the commissioning arrangements with Bromley Clinical Commissioning Group (CCG) through section 75 for provision of community services by Bromley Healthcare.**

**(3) Note that the Public Health lead for sexual health has pursued a cross-London solution for the commissioning of Genito-Urinary Medicine (GUM) services as agreed by Executive in Nov 2014.**

**(4) Approve the exemption of acute GUM contracts from tendering in line with CPR 13.**

**(5) Approve the continued use of Service Level Agreements for services offered by General Practitioners for 2016/17 by granting an exemption as per sections 3 and 13 of the contract procedure rules.**

**D) POST DIAGNOSIS DEMENTIA SUPPORT**  
Report CS15926

Bromley was known to have the highest number of people with dementia in London and dementia support remained a key priority under the Council's Health and Wellbeing Strategy. In recent months there had been a national

programme, led by NHS England to increase diagnosis rates. In the last 12 months diagnosis rates in the borough had gone up from 47% to 58% due to the work of Oxleas and GP Surgeries in primary care. The Council and local Clinical Commissioning Group now proposed to commission against the funds set aside in the Better Care Fund for Dementia to improve and in some cases fill a critical gap in post diagnosis support to Bromley residents with dementia. It was reported that the Health and Wellbeing Board had set up a Dementia Working Group. The Portfolio Holder commented that these proposals fitted alongside other initiatives on dementia and it was important that there was not duplication.

**RESOLVED that the Executive be recommended to:**

**(1) Note that funding for these services comes from the Better Care Fund where funds had previously been set aside for dementia services and approved by the Executive and Health and Wellbeing Board, as well as the CCG Clinical Executive in 2014.**

**(2) Approve:**

- (a) The proposed service as set out in paragraph 3.5 of the report;**
- (b) The procurement approach as set out in paragraph 3.6 (a) of the report;**
- (c) The extension of contracts as set out in paragraph 3.6 (b) of the report.**

**E) GATEWAY REPORT: OLDER PERSONS RESPITE CARE**  
Report CS15922

The Council contracted for and arranged respite care to enable carers to take a break from their caring role. This support made an important contribution in preventing carer breakdown and supported them in maintaining their caring role.

The Council currently contracted for respite in care homes and for at-home sitting services as well as making spot purchase arrangements. In order to ensure consistency in quality, accessibility and availability it was proposed to establish a framework of providers that could deliver respite care in the borough through an open tender. This would establish a pool of providers that were approved to provide these services and which could then either be approached directly to deliver specific services or from which a mini-tender could be conducted where larger tranches of service were required.

The framework approach also allowed flexibility in the allocation of the level of respite to an individual and in the allocation of funding. This approach allowed a variety of different types of scheme, which could include providers using volunteers. The report proposed the extension of existing contracts for a short period in order to facilitate the establishment of the framework.

The legal requirements relating to this service were clarified – there was a statutory requirement under the Care Act to assess carers and to meet their eligible needs, but there was no stipulation about how these needs should be met.

**RESOLVED** that the Executive be recommended to agree the commissioning intentions outlined in paragraph 3.4.1 of the report and the extension of the following contracts at a cost of £14k in 2015/16 and £166k in 2016/17:

- (a) Bromley and Lewisham Mind contract for respite at home sitting service from 1<sup>st</sup> April 2016 to 30<sup>th</sup> September 2016;
- (b) Carers Bromley contract for respite at home sitting service from 1<sup>st</sup> April 2016 to 30<sup>th</sup> September 2016;
- (c) The Heathers contract for residential respite from 1<sup>st</sup> July 2016 to 30<sup>th</sup> September 2016;
- (d) BUPA contract for residential respite from 3<sup>rd</sup> January 2016 to 30<sup>th</sup> September 2016.

**31 PUBLIC HEALTH CONTRACTS UPDATE**  
Report CS15924

The report provided an update on the performance of Public Health Commissioned services in 2014/15 across three areas – Adult Public Health Services, Children and Young People’s Public Health Services and Sexual Health Services (Substance Misuse was only mentioned briefly as it had been covered in another recent report.)

**RESOLVED** that the activity and performance of the Public Health programmes during 2014/15 be noted.

**32 REVIEW OF CONSULTANTS EMPLOYED BY THE COUNCIL**

The Executive and Resources PDS Committee at its meeting on 3<sup>rd</sup> September 2015 had received a report on expenditure on consultants across the Council. This had been referred to all other PDS Committees to consider expenditure in their own portfolios. Reports would be provided every six months in future.

**RESOLVED** that the overall level of expenditure on consultants set out in the report be noted.

**33 CHILDREN’S PREVENTION AND EARLY INTERVENTION STRATEGY 2015 – 18**  
Report CS15927

The Prevention and Early Intervention Strategy 2015-18 had been developed for a number of purposes - to evidence the existing and planned preventative and early intervention work undertaken in Bromley, to bring together all relevant partners both at a strategic and an operational level in order to prevent duplication of services, to focus limited resources where they were

most needed in a climate of financial constraint, to look at Bromley and the current needs of its residents, to recognise what Bromley and its partners had already achieved and more importantly to establish what the focus would be for the coming three years.

The strategy required all partners to focus on not only the 'what' in terms of activity, but also the evidence to support the 'why and how;' that is, the impact of the existing and planned interventions and services. This would be critical in order to measure and report on the success of the preventative and early intervention work of all partners.

It was noted that 83 young people between the ages of 10-17 had entered the criminal justice system for the first time in 2013. This was a slight increase, but officers confirmed that the numbers were still low.

The Committee commented that the strategy was very well written and this would be fed back to the officers concerned.

**RESOLVED that the draft Prevention and Early Intervention Strategy 2015-18 be noted.**

**34 ANNUAL ECHS DEBT STATUS REPORT 2015/16**  
Report FSD15056

The Committee received a report on the level of debt for the Education, Care and Health Services (ECHS) Department and the action being taken to reduce the level of long term debt.

The debt stood at £9.23m as at 31<sup>st</sup> March 2015, compared to £8.18m a year earlier. Officers emphasised that the figures presented in the report were a snapshot of all debt at a particular point in time. Therefore, these figures included both long term outstanding debt and recent invoices. All possible actions were taken to recover debts, and only once all cost effective avenues were exhausted would they consider writing off any debts.

A Member commented that the previous year there had been problems with debt associated with young people leaving care – this had been partly due to Liberata and the difficulties caused by frequent moves. Liberata, Children's Social Care and Housing were working together to address these difficult problems.

Members commented that it would be useful in future to have the figures broken down to show debt over three months old – the real debt, and also to have some comparative figures for other authorities. Members also suggested that more should be done to encourage payment in advance or by direct debit and to make earlier interventions to avoid a build-up of debt.

**RESOLVED that the level of ECHS debt over a year old and the action being taken to reduce this sum be noted, and reports continue to be**

**submitted on an annual basis, but in future setting out the level of older debt.**

**35 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING**

No questions had been received.

**36 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.**

**37 EXEMPT MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 23RD JUNE 2015**

The Committee confirmed the exempt minutes of the meeting held on 23<sup>rd</sup> June 2015.

**38 CONTRACT EXEMPTION - SUPPORTED LIVING SCHEME**

The Committee supported a proposal for an exemption from tendering for a learning disability tenancy support service.

The Meeting ended at 8.09 pm

Chairman