

CARE SERVICES POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 15 November 2016

Present:

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

Linda Gabriel, Justine Godbeer, Rosalind Luff and Lynn
Sellwood

Also Present:

Councillor Robert Evans, Portfolio Holder for Care Services
Councillor Diane Smith, Executive Support Assistant to the Portfolio
Holder for Care Services
Councillor Angela Wilkins

40 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Hannah Gray and
Councillor Terry Nathan.

Apologies were received from Councillor David Jefferys for leaving the
meeting early at 7.30pm due to an alternate commitment.

41 DECLARATIONS OF INTEREST

Councillor Pauline Tunnicliffe declared that she was a foster carer for the
London Borough of Bromley.

Councillor Kevin Brooks declared that he was employed by the Shaw Trust.

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

Three written questions were received from a member of the public and these
are attached at Appendix A.

43 MINUTES OF THE CARE SERVICES PDS COMMITTEE MEETING HELD ON 13TH OCTOBER 2016

RESOLVED that the minutes of the meeting held on 13th October 2016 be
agreed.

44 MATTERS ARISING AND WORK PROGRAMME

Report CSD16163

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.

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

45 LIVING IN CARE COUNCIL PRESENTATION

The Committee received a presentation from five representatives of the Living in Care Council about being in care, which included two short films created by children looked after that expressed their feelings and experiences about being in care and starting a new school and would be used to support other young people on their journey into care. Members were also provided with a pack of detailed information about the Living in Care Council, which was open to young people aged 12-18 years who met regularly to consider issues impacting children looked after. The Living in Care Council had completed a number of key projects in recent years including developing the Bromley Pledge, and creating welcome packs and short films to help children looked after understand their situation and where they could access support.

In discussion with the representatives of the Living in Care Council, the Chairman explained that the role of Corporate Parents was to support children looked after to make the progress needed to achieve their potential, and that it was important for all Corporate Parents to recognise that children looked after were their priority. The representatives of the Living in Care Council explained that whilst they had good relationships with most of the people who made decisions in their best interests, such as their foster carers and social workers, they did not have any relationship with their Corporate Parents. The Vice-Chairman reported that work was underway to identify different ways that Corporate Parents could engage with children looked after. This included a possible voluntary programme where children looked after could communicate with a specific Councillor and share their thoughts about their life experiences. The Chairman suggested that the Living in Care Council consider the issue of how Corporate Parents could better engage with children looked after, and also how communication between children looked after and the Living in Care Council could be built on, such as through an online forum.

The Chairman noted that there was an annual review of foster care placements which helped ensure that children looked after were in the right placement for them, and that children looked after were also able to voice any concerns about their placement with their social worker. Concern was raised by the representatives of the Living in Care Council around the high number

of agency social workers who were less able to provide continuity of support needed by children looked after over a sustained period. All the representatives of the Living in Care Council had experienced changes in their social worker during their time in care. The Portfolio Holder for Care Services confirmed that this had been identified as an issue and that work was ongoing to increase the number of permanent social workers in Children's Social Care teams.

The Chairman led Members in thanking Jordan, Elliott, Lola, Millie and Taylor for their excellent presentation and the work of the Living in Care Council.

In continuing the discussion, a Member underlined the expectation that all Councillors should have a full understanding of the roles and responsibilities of Corporate Parents, and that in-depth consideration needed be given to how the role of Corporate Parents could be developed. Another Member highlighted the need to communicate that all Councillors had equal responsibility as Corporate Parents regardless of their committee memberships, and should bear in mind the impact on vulnerable adults and children in all decision making. The Chairman emphasised that all Councillors should attend Corporate Parenting training and requested that a list of training dates and Member attendance be appended to the Matters Arising report for future meetings.

RESOLVED that:

- 1) The presentation be noted; and,**
- 2) All Members of the Council be recommended to attend Corporate Parent Training and that additional training sessions be made available in early 2017 to accommodate this.**

HOLDING THE PORTFOLIO HOLDER AND EXECUTIVE TO ACCOUNT

46 PRE-DECISION SCRUTINY OF CARE SERVICES PORTFOLIO REPORTS

A CARE SERVICES PORTFOLIO BUDGET MONITORING 2016/17

Report CS17053

The Care Services Portfolio Holder introduced a report setting out the budget monitoring position for the Care Services Portfolio based on expenditure to the end of August 2016.

The controllable budget was forecast to be in an overspend position of £5,877k following overspends across a range of services including Adult Social Care, Temporary Accommodation (Bed and Breakfast) and Children's Social Care which was due to a number of reasons including higher than expected demand for services and the need for further efficiency savings to

be identified. Members were advised that on 15th June 2016, the Council's Executive approved a number of carry forward requests for funding to be transferred into contingency for 2016. These carry forward requests which totalled £395k related to either unspent grant income or delays in expenditure where cost pressures had followed through into 2016/17. The Council's Executive was also requested to approve the release of £1,436k held in contingency to support the continued delivery of the Tackling Troubled Families Programme and the Deprivation of Liberty Safeguards service, and to cover cost pressures arising from homelessness.

In considering the report, the Chairman advised Members that service-specific explanatory notes would be provided by budget holders to give context to financial information in future reports where appropriate.

In response to a question from a Member, the Assistant Director: Housing Needs confirmed that a budget pressure relating to the high cost of utilities at two traveller sites was due to issues around the communal provision of utilities and the replacement of a water supply. Property Services was working to address this and a timescale for completion was being developed. In discussion, Members underlined the need to resolve this issue as a matter of urgency but recognised the delays that could occur when working with utility companies. Progress on resolving this issue would be reported to the Committee as part of future Capital Monitoring reports.

With regard to Children's Social Care, a Member noted the difficulty in obtaining suitable carers from independent foster care placements due to a significant increase in demand for placements by other local authorities. The Head of Education, Care and Health Services Finance reported that the Local Authority would continue to seek to identify value for money alternatives to independent foster care wherever possible, and that work to recruit additional in-house foster carers was ongoing.

A Member was concerned that the Best Value Performance Plan, "Making a Difference" referred to the Local Authority's intention to remain amongst the lowest Council Tax levels in outer London. The Portfolio Holder confirmed that the Local Authority had increased Council Tax by 1.9% and charged the maximum 2% precept allowable to help fund adult social care costs in 2016/17, and was mindful of the need to address budget pressures across the Care Services Portfolio going forward. The Council's Executive continued to lobby the Government and local MPs around funding levels, and work was also underway to reduce the number of agency staff employed across the Portfolio, including a further recruitment and retention package and a forthcoming meeting with agency staff to promote the benefits of working directly for the Local Authority. A Member queried if the perception of the lower cost of permanent staff included recruitment costs, and whether the costs of long term sickness were taken into account where agency staff were used to 'backfill' the positions of permanent staff, and this information would be provided to Members following the meeting. Another Member noted the high cost of mother and baby placements ordered by the Court and requested that information on how many of these placements were successful in

achieving permanence for families be provided to Members following the meeting.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Note the latest projected overspend of £5,877k forecast on the controllable budget, based on information as at August 2016;**
- 2) Note the full year effect of cost pressures of £4,682k for the Care Services Portfolio budget for 2016/17;**
- 3) Agree to the release of the carry forward amounts held in contingency relating to Adult Social Care, Housing and Children's Social Care;**
- 4) Refer the funding release requests held in contingency relating to the Tackling Troubled Families Programme, Homelessness and the Deprivations of Liberty Safeguards service to the Council's Executive for approval; and,**
- 5) Approve the Care Services Portfolio Budget Monitoring Report 2016/17.**

B UPDATE ON TACKLING TROUBLED FAMILIES (OUTCOMES/DRAWDOWN)

Report CS17056

The Care Services Portfolio Holder introduced a report setting out expenditure on the Tackling Troubled Families Programme, and requesting agreement for additional grant funding to be drawn down from central contingency to support the delivery of the Programme.

The Tackling Troubled Families Programme was a non-statutory Government programme launched in 2011 which provided targeted support to families impacted by a number of complex issues including those with parents or children involved in crime or antisocial behaviour, adults out of work or at risk of financial exclusion, and parents and children with a range of health problems. The criteria for participation in the programme had been expanded under Phase 2 of the national programme with a more holistic focus that allowed for earlier intervention. The Department for Communities and Local Government had also increased the data collection requirements for Phase 2 which supported the funding mechanism.

The Bromley Tackling Troubled Families Programme was in the second year of the five year Phase 2 programme which aimed to provide support to 1700 families across the Borough through a multi-agency approach. The Programme was coordinated through the Bromley Children Project and provided a comprehensive programme of intervention and support through a

number of work streams including Early Intervention and Family Support Services and also by key partners including Jobcentre Plus.

In considering the report, a Member queried how an intervention was judged to be a success. The Head of Early Interventions and Family Support confirmed that the progress of families was measured through the rigorous framework of the Outcome Plan, and that this would be revised during 2016/17 to reflect changes to the national and local drive to identify and support families where children were identified as being in particular risk groups. Internal Audit reviewed every claim before it was submitted, and where change was not sustained, families were given further support. Since 2014, the Programme had supported 1772 cases, of which 75.8% had only presented once, with those families presenting more than once often being impacted by a different issue.

A Member underlined the need to ensure that community-based police were aware of the Tackling Troubled Families programme and how families could be referred for support. It was also requested that ward-based information on the number of families being supported by this programme and anonymised case studies be provided to Members following the meeting.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Agree to release the carry forward amount of £138k held in contingency; and,**
- 2) Request the Council's Executive agree to drawdown a further sum of £610k from contingency to support the delivery of the Tackling Troubled Families Programme for 2016/17.**

C DRAWDOWN OF HOMELESS CONTINGENCY NEEDS GRANT

Report CS17055

The Care Services Portfolio Holder introduced a report providing an update on homelessness pressures during 2016/17, and the range of initiatives being undertaken to reduce rising budget pressures. The report also requested that the Council's Executive release £760k set aside in the central contingency to offset homelessness and welfare reform pressures.

The number of approaches to the Local Authority in relation to homelessness had been steadily increasing in recent years. This was due to a number of factors including the rising costs of accommodation and the impact of welfare reform changes. The majority of homelessness approaches were now from households unable to afford market rental prices and facing eviction as a result, and there was a significant gap between the demand for affordable housing and the available supply of both social housing and affordable rented accommodation which had increased the demand for temporary accommodation. The Local Authority was keeping temporary accommodation

under continuous review to meet the level of statutory need whilst achieving best value, and a range of work had been undertaken during 2016/17 to support this including securing four block-booking arrangements and the refurbishment of Manorfields residential home to provide additional temporary accommodation units.

There were currently 1,348 households placed in temporary accommodation by Bromley (excluding those placed in supported accommodation as part of a rehousing pathway), and it was projected that there would be further increases in the demand for temporary accommodation and affordable housing into the future. The Government had recently announced £40m additional funding to support innovative approaches to tackle and prevent homelessness and Members were requested to support the development of a bid in partnership with South East Boroughs to expand on the early intervention pilot, increasing access to private sector accommodation and building resilience amongst those threatened with homelessness.

RESOLVED that the Council's Executive be recommended to:

- 1) Release £760k set aside in the central contingency for homelessness and welfare reform pressures;**
- 2) Note the current pressures being faced, mitigating actions underway and the likely budget impact going forward;**
- 3) Support submission of a bid to assist in preventing homelessness under the recently announced homelessness prevention trailblazer funding; and,**
- 4) Note and agree the procurement considerations set out in Section 8 to Report CS17055 relating to cost effective block contracts for temporary accommodation in both private sector leasing and nightly paid accommodation.**

D GATEWAY REPORT - STRATEGIC SCHOOL HEALTH TEAM

Report CS17065

The Care Services Portfolio Holder introduced a report outlining the findings of a detailed assessment of the needs of school-age children in Bromley. This assessment had identified some areas of risk and it was proposed that two new services be commissioned from 1st April 2017 comprising a health safeguarding function for school age children (including targeted safeguarding of vulnerable groups) and a new nurse-led team to provide strategic health support and training to schools.

Since the decision in February 2016 not to re-procure the School Nursing service from 1st April 2016, work had been ongoing to identify and prioritise the ongoing health needs of school-age children and to determine appropriate

services to meet these needs. This work included a Risk Assessment and a Child Wellbeing Needs Assessment which was led by Public Health and involved key partners including Bromley Clinical Commissioning Group and schools. Through this work, a range of issues had been identified including the number of children with complex health needs who did not have an Education, Health and Care Plan or Statement, young people identified as being in need of support to address emotional health concerns, and child safeguarding concerns for vulnerable groups, including those at risk of child sexual exploitation and children missing from home, care and school.

Two options had been developed in response to the assessment, and it was recommended to progress Option 2, which proposed the development of a Strategic Health Team and Safeguarding Nursing Support Team during 2017/18 and 2018/19 to ensure that specific vulnerable groups were appropriately safeguarded and that strategic health support was given to schools to minimise the risks of children with health conditions not being adequately supported. During the first year of the proposed new delivery model, both functions would be fully evaluated and discussions would be held with schools to establish how the services could be funded beyond the initial period.

In considering the report, the Chairman noted that schools valued the School Nursing service and that work would be undertaken with schools to sustain the provision of this service beyond the initial period of funding.

RESOLVED that the Council's Executive be recommended to:

- 1) Agree that the services be funded for a period of up to two years from the Better Care Fund up to a maximum of £606k; and,**
- 2) Agree the drawdown of the funding for 2017/18 from the Better Care Fund, with any funding required for 2018/19 being subject to a further report to the Council's Executive.**

E COMMISSIONING OF SERVICES FOR THE DEAF AND HEARING IMPAIRED

Report CS17052

The Care Services Portfolio Holder introduced a report setting out the position with regards to the provision of a Hearing Impairment Resource Centre in Bromley and making recommendations for when the existing service contract expired in March 2017.

The Hearing Impairment Resource Centre was currently provided by Deaf Access which worked to deliver a range of support including information and advice, and specific support groups including a parent and toddler group. The service also hosted a Local Authority employed Technical Officer post as part of its contract to undertake a range of functions including community care

assessment and care planning, the provision of equipment and onward referral. This service had previously been commissioned from Deaf Access via waiver due to its specialist nature and the existing contract was for the one year period 1st April 2016 to 31st March 2017 and had a total contract value of £48,718, which was topped up by Deaf Access by £25k.

In considering the future delivery of this service, it had been identified that Deaf Access was the only organisation identified as having the level of specialist skills and experience, infrastructure and local knowledge required to provide the wide range of support services to people with hearing impairments in Bromley. Reductions of 10% and 16.5% had been negotiated, respectively for the 2012/13 and 2013/14 contract periods and no increase had been awarded for 2014/15, 2015/16 or 2016/17 with no reduction in service quality. Deaf Access also provided a significant subsidy on top of the contract value which, together with the use of volunteers to deliver some services, made it unlikely that another provider could match the value for money currently provided. It was proposed that a further extension to the contract be agreed from 1st April 2017 to 31st March 2018 for a one year period, and that market testing using a light-touch procurement regime be undertaken during the contract period to establish the best value option for future service delivery.

RESOLVED that the Portfolio Holder be recommended to:

- 1) Agree an exemption to tender the contract due to the specialist nature of the service and current value for money arrangements to put a contract in place with Deaf Access from 1st April 2017 to 31st March 2018 for a period of one year; and,**
- 2) Agree to carry out market testing using a light-touch procurement regime during the contract period to establish the best value option for the future delivery of this service.**

F CARELINK (INCLUDING TELECARE) SERVICE - UPDATE

Report CS17066a

The Care Services Portfolio Holder introduced a report providing an update on the tendering of the Carelink (including Telecare) service which had not resulted in the recommendation for award.

A community alarm and telecare service, Carelink supported approximately 1700 Bromley service users to live more independently and with the ability to call for assistance if required, including 713 social care clients and approximately 1000 self-funding clients. Whilst this was not a statutory service, it supported the Local Authority in meeting its statutory duty under the Care Act 2014 to support and promote wellbeing and to help people remain as independent as possible in their homes. The current service was managed through separate contracts for supply and installation of equipment and call

monitoring/handling of the alarms, as well as an in-house mobile response service.

Three options had been considered for the future delivery of this service and it was recommended that Option 3 be progressed which was to competitively tender the existing contracted elements of the service and continue to deliver the response service in-house.

RESOLVED that the Council's Executive be recommended to:

- 1) Approve Option 3 to Report CS17066a, and agree that the supply, installation and maintenance of equipment be competitively tendered for a period of three years with an option to extend for a further two year period to be delegated to the Portfolio Holder for Care Services and the Chief Officer, and that the response service be retained in-house on a formal trading account;**
- 2) Agree to continue the spot purchasing arrangements with Red Alert Telecare Ltd for equipment installation services, pending the result of competitive tendering; and,**
- 3) Agree to extend the current contract with Tunstall Healthcare (UK) Ltd for the supply of equipment for up to one year, pending the result of competitive tendering.**

47 POLICY DEVELOPMENT AND OTHER ITEMS

A DOMICILIARY CARE QUALITY MONITORING REPORT

Report CS17068

The Committee considered a report outlining the quality monitoring arrangements for agencies delivering domiciliary care across the Borough.

The Local Authority commissioned domiciliary care services from external agencies with 79% of the service delivered by 24 agencies on a Framework and the remainder provided by agencies that had spot contracts with the Local Authority. The quality of service provision was monitored by the Contract Compliance Team, and was focused on providers with most users and those with CQC ratings of 'Requires Improvement' or 'Inadequate'. A total of 41 complaints had been received from service users and their families during 2016/17 in relation to domiciliary care services. Service users and their families were encouraged to resolve their complaints directly with providers, but of the 41 formal complaints received by the Local Authority in 2016/17, 22 were being investigated under the safeguarding regime, and of the 13 investigations completed, five had been fully or partially upheld, six were not substantiated and two had no clear outcome, with 28 investigations remaining unresolved.

In response to a concern raised by a Member around the number of formal complaints received regarding negligence including length and time of calls, the Head of Contract Compliance and Monitoring confirmed that providers used an electronic recording system for the timing of visits and that this was monitored by the Local Authority. The Local Authority monitored the quality of domiciliary care providers across a range of measures including CQC scores, the annual user satisfaction survey and by conducting visits with service users, and worked with providers where concerns were identified. A Co-opted Member underlined the need to continue to engage with service users around their experiences of service provision.

A Member noted that the recruitment and retention of domiciliary care staff was an ongoing issue for providers in Bromley as a number of neighbouring local authorities paid the London Living Wage. The Portfolio Holder for Care Services confirmed that the Local Authority aimed to provide a value-for-money provision, but that value was placed on service quality as well as cost in commissioning providers to deliver services. The Member asked that it be noted that the care services run directly by the Local Authority currently had 'Good' CQC ratings. The Chairman highlighted that domiciliary care services were increasingly delivered by small and medium sized enterprises. As a geographically large Borough, this had the potential to benefit distinct communities across Bromley, but there was a need to ensure that provision was sustainable into the future.

In considering the quality of service provision, the CQC was placing an increasingly emphasis on the proper recording and supply of medication to service users, including pain relief. In discussion, Members generally agreed that this was a safeguarding issue, as care workers did not have the relevant medical training to fully understand the different medications. Pharmacists in some neighbouring local authorities were commissioned to produce pre-populated medication administration charts for care workers to complete, which might be included as part of the work being undertaken by Bromley Clinical Commissioning Group to transform the way that pharmacies operated over the next two years. The Committee requested that a letter be drafted referring this issue to the Bromley Safeguarding Adults Board and the Bromley Clinical Commissioning Group, and that progress be reported back to the Committee.

The Chairman requested that further information also be provided to Members following the meeting regarding the complaints received by the Local Authority in relation to domiciliary care services during 2016/17, such as whether the complaints were upheld, as well as details of the annual user satisfaction survey and any available user experience information.

RESOLVED that:

- 1) The action taken to ensure that providers maintained and improved the quality of the service delivered be noted; and,**

- 2) Arrangements made for the Portfolio Holder for Care Services and his Executive Support Assistant to visit domiciliary care agencies during 2016/17 be noted.

B EXPENDITURE ON CONSULTANTS 2015/16 AND 2016/17

Report CSD16149

The Committee considered a report outlining the total expenditure of the Local Authority on consultants for 2015/16 for the Care Services Portfolio.

At its meeting on 7th September 2016, the Executive and Resources PDS Committee considered a report on Local Authority expenditure on consultants across all Council departments for both revenue and capital budgets and requested that this expenditure be considered by the PDS Committees for each Portfolio. Within the Care Services Portfolio, revenue expenditure which was focused on the need for one-off specialist advice and to respond to insufficient in-house skills or resources had totalled £139,236 in 2015/16 and £3,300 in 2016/17 to date. Capital expenditure on consultants totalled £4,589.13 in 2015/16 and there had been no expenditure in 2016/17 to date.

RESOLVED that the expenditure on consultants relating to the Care Services Portfolio be noted.

48 QUESTIONS ON THE CARE SERVICES PDS INFORMATION BRIEFING

The Care Services PDS Information Briefing comprised three reports:

- Adult Social Care Local Account 2015/16
- Bromley Safeguarding Children Board Annual Report 2015/16
- Contract Activity Report 2016/17

RESOLVED that the Information Briefing be noted.

49 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.

**50 EXEMPT MINUTES OF THE CARE SERVICES PDS
COMMITTEE MEETING HELD ON 13TH OCTOBER 2016**

RESOLVED that the exempt minutes of the Care Services PDS Committee meeting held on 13th October 2016 be agreed.

**A AUTHORISATION FOR EXEMPTION TO CONTINUE THE
CONTRACT FOR SUPPORT SERVICES TO CHILDREN AT
RISK OF SEXUAL EXPLOITATION**

The Committee considered the report and supported the recommendations.

B DOLS CONTRACT AWARD

The Committee considered the report and supported the recommendations.

**C CARELINK (INCLUDING TELECARE) SERVICE - UPDATE -
PART 2 (EXEMPT) INFORMATION**

The Committee considered Part 2 (Exempt) information relating to Item 8f: Carelink (including Telecare) Service Update and supported the recommendations.

**52 QUESTIONS ON THE EXEMPT (PART 2) CARE SERVICES PDS
INFORMATION BRIEFING**

The Exempt (Part 2) Care Services PDS Information Briefing comprised one report:

- Scadbury/Shaw Trust Service

RESOLVED that the Exempt (Part 2) Information Briefing be noted.

The Meeting ended at 9.44 pm

Chairman