

ADULT CARE AND HEALTH POLICY DEVELOPMENT AND SCRUTINY COMMITTEE

Minutes of the meeting held at 7.00 pm on 22 January 2020

Present:

Councillor Mary Cooke (Chairman)
Councillor Robert Mcilveen (Vice-Chairman)
Councillors Gareth Allatt, Judi Ellis, Robert Evans,
Christine Harris, Simon Jeal, David Jefferys and
Angela Wilkins

Roger Chant and Justine Jones

Also Present:

Councillor Angela Page, Executive Assistant for Adult Care and Health
Councillor Diane Smith, Portfolio Holder for Adult Care and Health

49 APOLOGIES FOR ABSENCE AND NOTIFICATION OF SUBSTITUTE MEMBERS

Apologies for absence were received from Councillor Keith Onslow and Councillor Christine Harris attended as substitute.

Apologies for absence were also received from Lynn Sellwood (Bromley Safeguarding Adults Board) and Mina Kakaiya (Healthwatch Bromley).

Apologies for lateness were received from Councillor Angela Page.

The Chairman welcomed Vicki Pryde, Chair of the Bromley Mental Health Forum who was observing the meeting, and would be formally co-opted to the Committee.

50 DECLARATIONS OF INTEREST

There were no declarations of interest.

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

No questions had been received.

52 MINUTES OF ADULT CARE AND HEALTH PDS COMMITTEE MEETING HELD ON 19TH NOVEMBER 2019

The minutes of the meeting held on 19th November 2019 were agreed, and signed as a correct record.

53 WORK PROGRAMME AND MATTERS ARISING

Report CSD20016

The Committee considered a report setting out matters outstanding from previous meetings and the proposed work plan for 2019/20.

Following a brief discussion, it was agreed that the following items be added to the Adult Care and Health PDS Work Programme:

- An update from Bromley Well, to include work undertaken relating to governance / conflict of interest and service user input on governance. (January 2021).
- Capital Programme - Learning Disabilities (Spring 2020).
- Mental Health Strategy Action Plan.
- Learning Disability and Shared Lives update.

RESOLVED that the report be noted.

HOLDING THE ADULT CARE AND HEALTH PORTFOLIO HOLDER TO ACCOUNT

54 UPDATE FROM THE DIRECTOR OF ADULT SOCIAL CARE

The Director of Adult Social Care gave an update to Members on work being undertaken across the Adult Social Care department.

Following what had been an extremely busy Christmas period at the Princess Royal University Hospital (PRUH), which had caused a knock-on effect to a number of teams, the Director of Adult Social Care acknowledged and thanked the staff for their work to keep the system moving. In response to a question, the Director of Adult Social Care confirmed that the Winter Plan had been robust, and had worked well, but hospitals across the country had been extremely busy with very high volumes of patients.

A Member noted that many residents may not have been aware of the out of hours GP services, as they had not been well publicised. The Portfolio Holder for Adult Care and Health advised that the CCG were aware of this issue, and were working on how to best publicise the service in the future.

The Transformation Programme was progressing well, and an update report would be brought to a future meeting of the Adult Care and Health PDS

Committee. The Director of Adult Social Care noted the enthusiasm of staff as work continued on the detailed thinking behind the programmes.

One of the priorities for the Department had been to reduce the number of agency staff, and the Director of Adult Social Care was pleased to inform the Committee that the number of permanent staff had increased from 50% the previous year, to 77%. There were two teams, Deprivation of Liberty and Transfer of Care Bureau, who had historically used agency staff, but a decision had now been made to recruit to posts, which would hopefully deliver further savings.

A piece of work on Market Sustainability would be undertaken. This would look at the viability and sustainability of the market and whether placements were LBB or privately funded. It was noted that a report looking at how market sustainability could be built-in would be brought to a future meeting of the Adult Care and Health PDS Committee. A Member noted they were aware that following an options appraisal, a Bromley Care Home would not be going ahead, and asked what would happen to the funding set aside in the Improved Better Care Fund (iBCF), and if an alternative provision of beds had been identified. The Director of Adult Social Care said that the money would be kept within Adult Social Care, and would be used to off-set other pressures. As part of a draft Market Position Statement, colleagues were already in the process of talking to providers regarding the number of beds.

In response to a question relating to the Wake Up 2 Care initiative, the Director of Adult Social Care said that the provider-focused scheme had been piloted this year, led by colleagues in HR. Work had been undertaken with Care Homes and care providers, to attract new staff into the sector. The scheme would now be reviewed, and the Director of Adult Social Care was aware that they would like the scheme to be expanded.

The Director of Adult Social Care introduced the new Head of Service for Learning Disabilities. It was noted that this role would also include work relating to the Shared Lives service. The Chairman suggested that the Head of Service for Learning Disabilities may wish to present a report to a future meeting of the Adult Care and Health PDS Committee, providing an update on the work undertaken by the team.

RESOLVED that the update be noted.

55 PRE-DECISION SCRUTINY OF ADULT CARE AND HEALTH PORTFOLIO HOLDER REPORTS

The Committee considered the following reports where the Adult Care and Health Portfolio Holder was recommended to take a decision.

A PROCEEDING TO PROCUREMENT: SERVICES FOR THE BLIND AND PARTIALLY SIGHTED (PART 1)

Report ACH19021

The Committee considered a report seeking permission from the Portfolio Holder for agreement to proceed with a new procurement for services for the blind and partially sighted. The Council had a contract in place with the Kent Association for the Blind (KAB), a local voluntary sector organisation, to provide a range of services to visually impaired adults in Bromley.

The current contract had commenced in July 2016, for a two year and three month period, with the option to extend for up to a further two years on a 1+1 basis. The second and final contract extension was due to finish on 30th September 2020 and permission was therefore sought to proceed with a new procurement for the period 1st October 2020 to 30th September 2024, with the option to extend for a further two years.

A Member highlighted that when the contract had gone out to tender previously, the Committee had requested that as part of the contract specification, the provider should be required to have a physical location within the Borough. The Head of Early Intervention, Prevention and Community Services Commissioning confirmed that this requirement could be included in the new contract specification.

A Member noted that paragraph 4.1.1 of the report stated that, '*...KAB appear to be meeting the outcomes of Bromley service users*', and asked for more information relating to KPI's. The Head of Early Intervention, Prevention and Community Services Commissioning advised that the KPI's had changed mid-way through the current contract. The Occupational Therapy Service Lead further noted that she would be involved in work to improve the KPI's.

In response to a question, the Occupational Therapy Service Lead said that an extremely positive stakeholder engagement event had been held the week previous. They had met with service users, some of whom had been using the service for more than twenty years.

RESOLVED: That the Portfolio Holder be recommended to approve the decision to proceed with a new procurement for the period 1st October 2020 to 30th September 2024, with the option to extend for a further two years.

B CAPITAL PROGRAMME MONITORING - 2ND QUARTER 2019/20

Report FSD20011

On 27th November 2019, the Executive received a report summarising the current position on capital expenditure and receipts following the 2nd quarter of 2019/20, and agreed a revised Capital Programme for the four year period 2019/20 to 2022/23. The Committee considered a report highlighting changes

agreed by the Executive in respect of the Capital Programme for the Adult Care and Health Portfolio.

In response to a question from the Chairman, the Head of Finance for Adults, Health and Housing advised that despite timescales for the tender process slipping, it was still anticipated that the new Social Care Case Management System scheme would be completed within the original timescales, with the contract expected to be awarded in May 2020.

RESOLVED: that the Portfolio Holder be recommended to note and confirm the changes approved by the Executive on 27th November 2019.

C ADULT CARE AND HEALTH PORTFOLIO DRAFT BUDGET 2020/21

Report FSD20007

The Committee considered a report setting out the draft Adult Care and Health Portfolio Budget for 2020/21, which incorporated future cost pressures and initial draft budget saving options which were reported to the Council's Executive on 15th January 2020. Members were requested to provide their comments on the proposed savings and identify any further action to be taken to reduce cost pressures facing the Local Authority over the next four years.

The Head of Finance for Adults, Health and Housing highlighted key points for the Adult Care and Health Portfolio Summary of Budget Variations 2020/21:

- Growth of £6.1m had been allocated to the Adult Care and Health Portfolio, which included a 'one-off' use of the Improved Better Care Fund (iBCF) budget.
- £1.7m planned mitigation items.
- £1.2m of planned savings from the first phase of the Transformation Programme. It was noted that work was ongoing to develop the second stage of the Programme, an update on which would be reported at a future meeting of the Committee.

In response to a question, the Head of Finance for Adults, Health and Housing advised Members that the 2019/20 overspends on Mental Health, Learning Disabilities and Assessment and Care Management had been reflected in next years' budget, which had resulted in an increase of £2m to the base budget.

A Member noted the staff vacancy factor of £400k, and questioned if this was a realistic saving that could be achieved in this year's budget. The Director of Adult Social Care responded that the staffing vacancy factor was a corporate approach, which had been taken across all departments, which would be delivered through the Transformation Programme. It was noted that there would be some natural turnover of staff, however some vacant posts may not be recruited to, or the recruitment process may be slowed down to ensure that the right person was brought into the role. In relation to assessments and

reassessments, a strength-based approach would be taken. Assessments would take place in a timelier manner, with a focus on not over-prescribing and instead divert to services, therefore providing only what was needed.

A Member queried if the £1.5m listed as the fall out of non-recurring and carry forward iBCF grant included the proposed money allocated for the Care Homes options appraisal. The Head of Finance for Adults, Health and Housing confirmed that it was within the overall iBCF underspend, £1.5m of which would be used as further one off funding in 2020/21.

In response to a question, the Head of Finance for Adults, Health and Housing advised Members that the figure for the Public Health Grant listed under mitigation would be used in accordance with the ring-fenced grant conditions, and it was noted that this would be used to contribute to the Health Support to Schools service, which was included as an area of growth.

A Member noted that savings had been achieved in sexual health services, and asked if this had been reflected in the budget. The Director for Adult Social Care advised that this was part of the Public Health programme, however this question could be passed on to the Director of Public Health to provide a response.

RESOLVED that:

- 1) The financial forecast for 2020/21 to 2023/24 be noted;**
- 2) Members' comments on the initial draft Adult Care and Health Portfolio budget 2020/21 as a basis for setting the 2020/21 budget be noted; and,**
- 3) Members' comments on the initial draft Adult Care and Health Portfolio budget 2020/21 be provided to the meeting of the Council's Executive on 12th February 2020.**

56 PRE-DECISION SCRUTINY OF EXECUTIVE REPORTS

The Committee considered the following report on the Part 1 agenda for the meeting of the Executive on 12th February 2020.

**A AWARD OF CONTRACT FOR DISCHARGE TO ASSESS (D2A)
(PART 1)**

Report ACH20006

The Committee considered a report detailing the outcome of the tender process for the Domiciliary Care element of the Discharge to Assess (D2A) service, and sought approval to award the contract to multiple providers on a call off framework to meet requirements from March 2020 to August 2021.

The D2A service had commenced in October 2017 on a pilot basis, funded through the Better Care Fund. The Domiciliary Care delivery element of the service was procured by the Bromley Clinical Commissioning Group (CCG) on an interim basis on behalf of the London Borough of Bromley (LBB). In July 2019 (Report No. CS18146), the Executive agreed continuation of the pilot, and to proceed to procurement for the Domiciliary Care element of the service for a one year contract to commence from August 2020, following which the requirement would be included within the broader procurement process for all Domiciliary Care provision from August 2021.

In September 2019, it became apparent that the procurement timetable had to be brought forward due to ongoing quality and value for money issues with the CCG interim contract. Following consultation with the Portfolio Holder for Adult Care and Health Services and the Leader, and an update given to Adult Care and Health Policy and Development Scrutiny Committee on 19th November 2019, a tender process for a LBB framework contract for D2A Domiciliary Care had commenced in November 2019.

The Chairman highlighted the excellent performance in Bromley regarding DToCs, and extended the Committee's congratulations and thanks to all involved in helping to achieve this.

RESOLVED that:

- 1) **The report be noted; and,**
- 2) **The Executive be recommended to award a Domiciliary Care for Discharge to Assess Framework contract to the providers detailed in the Part 2 report, paragraph 5.1, for an eighteen month period, commencing 1st March 2020 until 27th August 2021. The framework contract would operate on a call off basis with an estimated contract value of £810k per annum and whole life value of £1.215m.**

POLICY DEVELOPMENT AND OTHER ITEMS

57 ANNUAL CONTRACT MONITORING REPORT: BROMLEY WELL (BTSE)

Report ACH20001

The Committee considered a presentation and annual monitoring report on Bromley Well. The report provided a summary of service performance and key service priorities going forward.

The Chairman welcomed Mark Ellison – Chair of BTSE and Toni Walsh – Partnership Manager, BTSE to the meeting. A copy of the Bromley Well presentation delivered to the Committee had been provided in the agenda pack. It was noted that Ward level statistics and links to the films produced

with funding from the Mayor of London Rewarding Volunteers Grant could be provided to Members following the meeting.

The Bromley Joint Strategic Needs Assessment (JSNA) 2017 and January 2019 refresh on Older People indicated that the number of older people in Bromley was rising, and health and social care provision needed to reflect the increased need. One of the key purposes of the JSNA was to assist Commissioners in understanding and planning for current and future demand.

The Bromley Well contract was commissioned by the London Borough of Bromley (LBB) and Bromley Clinical Commissioning Group (BCCG). The LBB was the lead commissioner for this contract, which had commenced on the 1st October 2017, on a 3 plus 2 years basis. The Bromley Well delivery focus included:

- Early intervention and prevention, and managing demand;
- Working with the NHS (hospitals, Section 117 continuing healthcare and joint funding); and
- Developing their practices to provide better support.

Support to the sector was also provided, by working with partners and providers to get the right services and support in Bromley.

An overview of the nine pathways (Single Point of Access, Long Term Health Conditions, Elderly Frail, Employment and Education, Learning Disabilities, Physical Disabilities, Carers, Mental Health and Young Carers) and their key performance indicators (KPI) were provided at the meeting. The review of service performance between April 2018 and June 2019 demonstrated that the service was delivering to the KPI's. A Member noted that the majority of KPI's had been exceeded and asked if these would be reset for the future. The Integrated Strategic Commissioner said that these KPI's would be used to set the baseline, and negotiate the targets set for Bromley Well this year.

A service development plan had been produced with the CCG in relation to improving the Bromley Well offer. A number of key actions were scheduled to commence between December 2019 and June 2020, including the development of a communications strategy, workforce development and integration with Health and Wellbeing hubs.

In respect of user-led service design, a Member questioned what changes had been made. The Partnership Manager, BTSE highlighted the Young Carers service as an example. There had been a target number of training session to be provided, however they were poorly attended. This had been discussed with Young Carers, and their feedback provided to the Commissioners. Following this, consideration was given to other ways that the offer could be provided to this group, such as workshops. There had also been engagement with Adult Carers who had influenced the events and activities that were held. In response to a question, the Partnership Manager, BTSE noted that service users were not presently involved in governance, however this was something that they would like to look at as part of the service review.

A Member enquired if there were plans to elevate the profile of Bromley Well, and if so, would they be able to cope with increased demand. The Integrated Strategic Commissioner noted that part of Bromley Well's function was task and finish, and success was dependent on successful signposting on to other more appropriate services. They also offered "step-downs" to the community, with a Carers Service and Peer Support, which involved training those who had been service users to help support others. In response to a question, the Partnership Manager, BTSE highlighted that in the case of Mental Health referrals, Bromley Well stepped in to support service users until they had fully accessed the required service. The Integrated Strategic Commissioner noted that the service was engaging with service users that had much higher Mental Health needs than had been anticipated.

In respect of the Innovation Fund, the Integrated Strategic Commissioner advised Members that the criteria for the grant process had been approved internally. Organisations would bid for funding, and the Bromley Well panel would approve the request if it was judged that the criteria had been met.

A Member asked if contractors and sub-contractors were part of the core membership of Bromley Well, and questioned how conflicts of interest were balanced out. The Integrated Strategic Commissioner responded that as part of the service review currently taking place, this would be addressed. There was a transparent process in relation to accessing funds, and where there was a conflict of interest, that individual would step back from the process.

The Chairman thanked Mark Ellison and Toni Walsh for their enlightening presentation, which had been hugely beneficial.

RESOLVED that:

- 1) The performance against targets be noted; and,**
- 2) Key actions for year 3 of the contract be noted.**

**58 ANNUAL QUALITY MONITORING REPORT: CARE HOMES
(PART 1)**

Report ACH20002

The Committee considered a report which detailed the findings of the quality monitoring of care homes during 2019 and set out the work undertaken by the Council and its partners to improve the standards of care delivered to people living in residential settings.

The Contract Compliance Team closely monitored and reviewed the quality of care delivered in care homes, extra care housing and supported living schemes in Bromley. This was done using intelligence gathered from monitoring visits; Care Quality Commission (CQC) ratings; reports and

reviews of safeguarding alerts; complaints received by the Council and information shared by the health and third sector partners in Bromley.

The Head of Contract Compliance and Monitoring highlighted that the number of care homes rated 'good' improved during 2019, however one care home had recently been rated 'inadequate'. The percentage of Bromley care homes rated 'good' or above had improved over the last three years to 87% at December 2019, compared to 77% in December 2018 and 65% in December 2017. It was noted that this showed the impact of the hard work put in by the team, the CQC and the care homes themselves. There had been significant improvements in the activities provided, and plans written, by both nursing and care homes.

A Member noted that this was another 'good news story' which, along with the work undertaken in relation to DToC, could be passed on to other Directors of Social services. It was suggested that the Director of Adult Social Care could speak with the Communications Executive to consider how the Borough's success stories could be shared across London. Another Member asked if there was the potential for income generation from these value added services. The Director of Adult Social Care said that this was not been something that was currently being considered, but it was certainly a service whose strengths should be celebrated.

In respect of Extra Care Housing, the Head of Contract Compliance and Monitoring said that there were currently two schemes rated 'requires improvement'. Both were working on improvement plans towards achieving 'good' ratings, and during the year there had been significant improvements in the service delivery. A Member questioned how Bromley benchmarked against other comparative boroughs. The Head of Contract Compliance and Monitoring advised that the CQC published PAN London figures, which indicated that Bromley were performing well.

In response to a question, the Director of Adult Social Care informed Members that there was enough capacity in care homes for those looking to fund their own care. It was noted that some care homes would charge a premium rate for patients coming out of hospital. There were enough beds overall, however they were not necessarily at the rates which the Local Authority could pay, and an incentive needed to be built in to encourage the care homes to work with them.

A Member noted that the budget head for the service was stated as £40.8m, and requested that a breakdown of the finance costs for the Contract Compliance Team be provided.

The Chairman led the Committee in thanking the Head of Contract Compliance and Monitoring for her contribution to the Committee over a number of years, and wished her all the best for her upcoming retirement.

RESOLVED that the actions taken to ensure that Providers maintain and improve the quality of service provided to care home residents be noted.

59 CONTRACTS REGISTER AND CONTRACTS DATABASE REPORT (PART 1)

Report ACH20003

The Committee considered an extract from the January 2020 Contracts Register for detailed scrutiny by the PDS Committee. Members noted that the Contracts Register contained in Part 2 of the agenda included a commentary on each contract.

The Head of Complex and Long Term Commissioning advised Members that the Contracts Register was RAG rated. It was noted that a red RAG rating did not indicate that there were concerns with a contract, and highlighted that a contract was nearing its end date.

If there were concerns relating to a contract, it would be “red flagged”. The Head of Complex and Long Term Commissioning noted that at this current time, there were no contracts flagged.

RESOLVED: that the report be noted.

60 CHAIRMAN'S ANNUAL REPORT: DISCUSSION

Prior to the meeting, Members had been provided with a draft copy of the Chairman's annual report of the Adult Care and Health PDS Committee, due to be provided to the meeting of the Executive, Resources and Contracts PDS Committee on the 26th March 2020.

As noted earlier in the meeting, Members suggested that the ‘good news’ stories relating to the Delayed Transfer of Care (DToC) performance and the improved rating of Care Home be included as part of the Committee's achievements for 2019/2020.

The Chairman extended her thanks to all Committee Members for their invaluable contribution to the meetings of the Adult Care and Health PDS Committee.

RESOLVED that Members' comments be noted.

61 QUESTIONS ON THE ADULT CARE AND HEALTH PDS INFORMATION BRIEFING

The Adult Care and Health PDS Information Briefing comprised one item:

- Bromley Local Quality Account 2018/19

Members noted this was an excellent piece of work, and passed their appreciation for the work undertaken by officers.

RESOLVED: that the Information Briefing be noted.

62 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.

63 EXEMPT MINUTES OF ADULT CARE AND HEALTH PDS COMMITTEE MEETING HELD ON 19TH NOVEMBER 2019

The exempt (Part 2) minutes of the Adult Care and Health PDS Committee meeting held on 19th November 2019 were agreed, and signed as a correct record.

64 PRE DECISION SCRUTINY OF EXEMPT ADULT CARE AND HEALTH PORTFOLIO HOLDER REPORTS

The Committee considered the following Part 2 (exempt) report where the Adult Care and Health Portfolio Holder was recommended to take a decision.

A PROCEEDING TO PROCUREMENT: SERVICES FOR THE BLIND AND PARTIALLY SIGHTED (PART 2)

Report ACH19021

The Committee noted the exempt information within the report.

65 PRE-DECISION SCRUTINY OF EXEMPT EXECUTIVE REPORTS

The Committee considered the following report on the Part 2 agenda for the meeting of the Executive on 12th February 2020.

A AWARD OF CONTRACT FOR DISCHARGE TO ASSESS (D2A) (PART 2)

Report ACH20006

The Committee noted the exempt information contained in the report.

**66 PRE DECISION SCRUTINY OF EXEMPT POLICY
DEVELOPMENT AND SCRUTINY REPORTS**

**A ANNUAL QUALITY MONITORING REPORT: CARE HOMES
(PART 2)**

Report ACH20002

The Committee noted the exempt information contained in the report.

**B CONTRACTS REGISTER AND CONTRACTS DATABASE
REPORT (PART 2)**

Report ACH20003

The Committee noted the exempt information contained in the report.

67 URGENT BRIEFING NOTE

The Committee noted the exempt information contained in the Briefing Note.

The Meeting ended at 9.28 pm

Chairman