

**ADULT AND COMMUNITY
POLICY DEVELOPMENT AND SCRUTINY COMMITTEE**

Minutes of the meeting held at 7.00 pm on 14 June 2011

Present:

Councillor Judi Ellis (Chairman)
Councillor Roger Charsley (Vice-Chairman)
Councillors Ruth Bennett, Peter Fookes, Julian Grainger,
William Huntington-Thresher, Tom Papworth,
Catherine Rideout and Charles Rideout

Babul Ali, Brebner Anderson, Angela Clayton-Turner and
Leslie Marks

Also Present:

Councillor Robert Evans, Adult and Community Portfolio Holder

**1 APOLOGIES FOR ABSENCE AND NOTIFICATION OF
ALTERNATE MEMBERS**

Apologies were received from Lynne Powrie and from Keith Marshall, who was replaced by Brebner Anderson. Councillor William Huntington-Thresher submitted apologies for lateness. Councillor Diane Smith, the new Executive Assistant, was also unable to attend the meeting.

**2 APPOINTMENT OF CO-OPTED MEMBERS TO THE ADULT
AND COMMUNITY PDS COMMITTEE**
Report RES11042

The Committee considered a report summarising the proposed Co-opted Membership Appointments for 2011-12. The Chairman reported that following the winding up of the Learning Disability Forum, Richard Lane would not be re-appointed to the Committee. She had approached Bexley and Bromley Advocacy Project and Mencap to see if a suitable person with learning disabilities would be willing to take on the role, and Mr Lane had offered to provide support to the representative.

The Chairman thanked current and past Co-opted Members for their service on the Committee, and encouraged those Members without alternates to nominate suitable substitutes.

RESOLVED that the following representatives be appointed to the Committee as non-voting Co-opted Members for 2011-12 -

- **Bromley Housing Federation - Mr Babul Ali;**
- **Bromley Mental Health Forum - Mrs Angela Clayton-Turner;**

- **Bromley Council on Ageing - Mrs Leslie Marks, (alternate – Maureen Falloon);**
- **Disability Voice Bromley - Mr Keith Marshall, (alternate: Brebner Anderson);**
- **Carers Bromley - Mrs Lynn Powrie, (alternate Maureen Falloon);**
- **Learning disabilities – Appointment deferred (alternate Vivienne Lester).**

3 DECLARATIONS OF INTEREST

Councillor Judi Ellis declared that her father was resident in a care home in Bromley.

Councillor Ruth Bennett declared in relation to agenda item 13 that she worked for borough MPs and may have been involved in forwarding complaints from constituents to the Council.

Babul Ali declared in relation to agenda item 11b that he worked for A2 Dominion which owned properties in the borough affected by the proposals.

Councillor Ruth Bennett declared a personal interest during consideration of agenda item 8 as both of her parents had suffered strokes.

Councillor William Huntington-Thresher declared a personal interest during the consideration of agenda item 11b as the Council's representative on the Board of Broomleigh.

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

One question to the Committee had been received from Mrs Susan Sulis Secretary of the Community Care Protection Group relating to MissionCare Residential and Nursing Homes in Bromley. The question and response are attached at Appendix A.

5 QUESTIONS TO THE ADULT AND COMMUNITY PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC AND COUNCILLORS ATTENDING THE MEETING

Two questions had been received from Susan Sulis, Secretary of the Community Care Protection Group relating to the Winterbourne View care home in Bristol run by Castlebeck. The questions and responses are attached at Appendix A.

The Chairman reported that Mrs Sulis had also contacted her about two care homes in Bromley, St Raphael's and Lauriston House, in view of the financial difficulties being experienced by their owner, Southern Cross. She would ensure that these homes were considered by the Accommodation and Care for Older People Reference Group.

The Director of Adult and Community Services emphasised to the Committee that there were no Bromley residents in any of Castlebeck's homes.

6 MINUTES OF THE MEETING OF ADULT AND COMMUNITY SERVICES PDS COMMITTEE MEETING HELD ON 29 MARCH 2011 AND THE JOINT MEETING WITH PUBLIC PROTECTION AND SAFETY COMMITTEE HELD ON 4TH APRIL 2011

RESOLVED that

(1) Subject to the correction of the word "wither" to "with" in minute 91, the minutes of the meeting held on 29th March 2011 be confirmed.

(2) Consideration of the minutes of the joint meeting with Public Protection and Safety Committee held on 4th April 2011 be deferred to the next meeting.

7 MATTERS ARISING FROM PREVIOUS MEETINGS
Report RES11032

The Committee considered a report providing an update on the progress made on matters outstanding from previous meetings -

Minute 91: Matters Arising: Angela Clayton-Turner stated that there were difficulties in booking respite care in advance for people with severe dementia. The Director confirmed that respite had been identified as a priority and his officers would be working on this issue. The Committee was due to consider a Dementia strategy at its meeting on 27th September.

Minute 92: Update: Thyme Out and Branching Out: The Chairman suggested that the Branching Out scheme be referred to the Shadow Health and Wellbeing Board.

Minute 96 (A): Supporting Independence in Bromley Phase 3: Angela Clayton-Turner asked whether officers had considered the role of carers yet. The Director responded that Jean Penney was now looking at this, and added that the My Life web portal included a section on carers which would address the issues raised.

Minute 97: Budget Monitoring 2010/11: The Chairman sought assurances that the Meals Service would remain in-budget in future, and requested that this item continue to be monitored through the "Matters Arising" report. The Director informed the Committee that options would be considered in the coming year and a report would come forward to the Portfolio Holder.

RESOLVED that the progress made on matters outstanding from previous meetings be noted.

8 STROKE SERVICES IN BROMLEY
Report RES11041

The Committee considered a report introduced by Dr Angela Bhan providing an analysis of the results of the 2010 CQC Review of Stroke Services in South East London. Dr Bhan explained that she was still joint Director of Public Health for Bromley but was also managing Director of the new Business Support Unit.

The review had been compiled by the South London Cardiac and Stroke Network, and focused on the pathway of care from the point where stroke patients prepare to leave hospital through to long term care and support in the community.

The Chairman welcomed the provision of a Hyper Acute Stroke Unit in Bromley at the Princess Royal University Hospital, which commenced a phased opening in January 2011 and was expected to be fully operational in October. Dr Bhan confirmed that there was closer cooperation between health and social care, assisted by the Health and Wellbeing Board. Members noted that the review had called for improved information for patients and carers, and were assured that information was improving. The Director pointed out that Stroke information figured prominently in the new My Life web portal.

Councillor Julian Grainger commented that the report did not contain the usual financial, policy, legal and customer impact summaries that Council reports required. Dr Bhan offered to send details of the outcomes and mortality rates to Members, and the Chairman suggested that in future where there were reports impacting on joint services the Council report template should be completed in full.

Councillor Ruth Bennett declared a personal interest during consideration of this item as both of her parents had suffered strokes.

RESOLVED that:

- (1) The progress made since the CQC review be noted.**
- (2) Further local work on reviewing all aspects of stroke and stroke services in Bromley, from primary and secondary prevention to management and rehabilitation be supported.**
- (3) A further report on progress be made in six months.**

9 QUALITY, INNOVATION, PRODUCTIVITY AND PREVENTION (QIPP) PROGRAMME UPDATE
Report RES11046

The Committee considered a report providing an update on the Bromley features of the South East London Quality, Innovation, Productivity and Prevention (QIPP) Programme, which replaced the old PCT Commissioning

Strategy Plan. The purpose of the programme was to identify how health services could be redesigned to achieve improved quality and increased efficiency. The Report was introduced by Dr Angela Bhan, who summarised the current QIPP schemes – the Muscular-skeletal Clinical Assessment and Treatment Service, Gynaecology and Dermatology assessment and intermediate community services, Admissions Avoidance, Chronic Obstructive Pulmonary Disease (COPD) community service, specialist Neuro-rehabilitation service and Ophthalmology Primary Eyecare Assessment and Referral Service (PEARS), as well as improvement opportunities in long term conditions (LTC), Maternity and Mental Health.

The Chairman informed the Committee that the Health Sub-Committee would look at urgent care centres and the impact of the closure of the A&E at Queen Mary's Hospital.

RESOLVED that the update be noted.

10 PORTFOLIO HOLDER DECISIONS TAKEN SINCE THE LAST MEETING

The Committee noted the decisions taken by Councillor Graham Arthur, the former Portfolio Holder, since the last meeting held on 29th March 2011. The Chairman thanked him, and his Executive Assistant Councillor Catherine Rideout, for their work with the Committee, and welcomed the new Portfolio Holder, Councillor Robert Evans, who stated that he was looking forward to his new role and working with the Committee.

11 PRE-DECISION SCRUTINY OF ADULT AND COMMUNITY PORTFOLIO REPORTS

The Committee considered the following reports relating to proposed decisions by the Adult and Community Portfolio Holder -

A) ADULT AND COMMUNITY PORTFOLIO PLAN 2011/12 Report ACS11030

On 29th March 2011 the Committee had considered the draft Portfolio Plan. Following the Committee's comments and further consultation, the Plan had now been updated and was presented for the Committee's views before it was approved.

Councillor Julian Grainger requested that targets be expressed not just as percentages, but also as real numbers, and with baseline measures. He also referred to the indicator for new visitors to the My Life web portal (page 21) – officers confirmed that this was designed to provide better advice and information, and that it would be possible to monitor its use.

Questioned by Councillor Peter Fookes, officers confirmed that the indicator at page 17 for percentage of people leaving re-ablement having no ongoing care package was a local target. Councillor Fookes referred to efforts to

return people with learning disabilities to supported living placements within the borough, suggesting that progress was slow, but officers confirmed that the programme was very successful. Leslie Marks supported this, stating that the project had been well conducted and that as a result of careful evaluation people had only been moved where this would lead to better outcomes. Councillor Fookes also commented that the indicator at page 25 for the proportion of people who use services who feel safe should always be 100% - the Chairman agreed that this was the ultimate target.

Councillor William Huntington-Thresher noted that there were still targets waiting to be confirmed or where figures were awaited. He suggested that Members be alerted when these were available.

In relation to the targets for Jobmatch and Job Carve, (page 52), the Portfolio Holder agreed to encourage all Council departments to commit to at least one placement each year.

It was confirmed that the bid to the HCA for funding to bring 50 empty homes back into use had been submitted.

With respect to travel training for people with learning disabilities (page 62), training had started in January 2011 and funding had been extended until September 2011. Four people had completed the course and were independent; six were in training with three so far expected to become independent travellers. The Portfolio Holder added that travel training for younger people was important and he was aware that special schools were putting this in place. Councillor William Huntington-Thresher suggested that feedback from these schemes was passed to the travel operators through the Transport Liaison Group, whose next meeting was in November.

RESOLVED that the Portfolio Holder be recommended to agree the final Portfolio Plan for 2011/12, taking into account the Committee's comments.

**B) HOUSING RELATED SUPPORT FOR OLDER PEOPLE -
TRANSITIONAL ARRANGEMENTS**
Report ACS11025

The report advised Members of developments in the transitional arrangements for housing related support since November 2009, and the work undertaken in relation to the transition from block accommodation-based contracts for sheltered housing in favour of targeted floating support for older clients with an assessed need for housing support, delivering major savings.

Concerns were raised about whether residents would feel secure with floating support rather than a warden, and would fear losing someone on hand to do odd-jobs. It was emphasised that there had been extensive discussions with landlords and providers, assessments had been carried out where it was proposed to implement changes and there were other services available to deal with odd jobs. The Committee sought some explanation of the various

support approaches - definitions of terms such as concierge service would be circulated and included in the minutes (Appendix B).

Councillor William Huntington-Thresher declared an interest during the consideration of this item as the Council's representative on the Board of Broomleigh.

RESOLVED that

(1) The transitional arrangements put in place for accommodation based support for older people and the approaches to minimise the impact on individuals be noted.

(2) The establishment of a needs based approach delivered through floating support be supported.

(3) The Portfolio Holder be recommended to approve the proposed expansion of the existing floating support service in 2011/12 to cover the requirements in sheltered housing and to inform the demands of future commissioning.

C) SHORT BREAK SERVICE (RESPITE) FOR PEOPLE WITH LEARNING DISABILITIES

Report ACS11029

The report setting out proposals for a new integrated short break (respite) service for adults with learning disabilities to be located at 118 Widmore Road, Bromley. The proposal involved the transfer of ownership of 118 Widmore Road from Bromley PCT to Bromley Council, and the allocation of funds from the learning disability re-provision capital programme for the purchase and refurbishment of 118 Widmore Road. It was confirmed that the proposals would result in a more flexible service.

RESOLVED that the Portfolio Holder be recommended to agree the proposals for the integrated short break service for people with learning disabilities and recommend to the Executive the transfer of ownership of 118 Widmore Road from Bromley PCT to London Borough of Bromley, subject to confirmation by the PCT, and the allocation of £1m from the learning disability capital fund towards its purchase and refurbishment.

D) HOUSING AND RESIDENTIAL SERVICES: 2010/11 PERFORMANCE REPORT

Report ACS11027

The Portfolio Holder introduced a report providing an overview of the performance of Housing and Residential Services against the key objectives and targets for 2010/11. The report also set out the key drivers for future performance, including the increase in those presenting as homeless since the start of the recession, the reduced supply of available properties and changes to housing benefit. It was confirmed that the Empty Homes bid to the

HCA was an expression of interest for 50 properties per annum. Detailed housing advice casework was being provided to 4,000 households per annum, nearly all of which originated from within the borough. It was recognised that there was a need to manage the expectations of those in the lower priority bands. It was confirmed that where statutorily accepted homeless people were found accommodation in the private sector the Council still retained its statutory duties to them to provide a permanent tenancy unless they actually stated they accepted the property was a discharge of the Council's statutory duty. Consequently the focus on prevention, options and alternatives to homeless applications was particularly important.

Councillor Tom Papworth referred to the issue of developers seeking to reduce their commitments to provide affordable housing due to the change in market conditions which made their schemes less viable. He suggested that while the Council might want to resist such moves, there was a danger that schemes might not proceed and housing targets would be missed.

The Chairman encouraged Members to spend some time in the Housing service in Joseph Lancaster Hall to observe the variety and complexity of the cases being considered.

As this was the last occasion on which Martin Parsons, Head of Residential Services, was appearing before the Committee, the Chairman thanked him for his service and wished him well in retirement.

RESOLVED that performance against key objectives and targets in the 2010/11 Portfolio Plan be noted and the Portfolio Holder be recommended to agree the proposed priorities for 2011/12 as set out in paragraphs 1.30 and 1.31 of the report.

12 OUTTURN REPORT 2010/11 - ADULT & COMMUNITY SERVICES
Report ACS11026

The Committee considered a report providing the final outturn position for Adult and Community Services for 2010/11. The final outturn for the 'controllable' element of the budget in 2010/11 was a £277,000 underspend. Although some budgets were very volatile, with good information it was possible to maintain close control of cost pressures. At its meeting on 22nd June 2011 the Executive would be requested to approve carry forward requests relating to unspent grant income for those grant-funded projects and initiatives which would continue in 2011/12.

RESOLVED that

(1) The final outturn position for Adult and Community Services for 2010/11, with an underspend of £277,000, be noted.

(2) The proposal to request the Executive to agree net carry forwards totalling £809,000, including a required change in accounting

requirements to address ‘technical accounting’ changes in 2010/11, be noted.

**13 ANNUAL REPORT ON ADULT & COMMUNITY SERVICES
COMPLAINTS RECEIVED APRIL 2010 TO MARCH 2011**
Report ACS11024

The Committee considered a report providing Members with an overview of the main issues raised and lessons learnt from the annual report on Adult and Community Services complaints received April 2010 to March 2011. Officers informed the Committee that the report referred to formal complaints, defined as an expression of dissatisfaction that required a formal response, as opposed to low-key informal complaints that were easily resolved within 48 hours as part of normal business or requests for service.

Councillor Charles Rideout referred to the importance of learning from complaints, and asked why more ombudsman complaints were not dealt with at an earlier stage. The Director reported that ombudsman cases tended to be complex and might involve complainants who were unwilling to settle cases.

The Chairman noted the value of electronic monitoring of care worker arrival and departure times, and recommended that this be specified in all new contracts. She sought assurances that the complaints referring to missed calls for domiciliary care did not all relate to the same providers or locations – this would be covered in more depth in a report to the Committee’s November meeting. She also commented on the use by one agency of the International English Language Testing System (IELTS), and requested that the Committee be given access to the test.

The Committee noted that the complaint relating to Mencap referred to Royal Mencap, and not Bromley Mencap.

RESOLVED that the annual complaints report be noted.

14 UPDATE FROM BROMLEY MOBILITY FORUM
Report RES11035

The Committee considered a report providing Members with an update on the progress made by the Bromley Mobility Forum in the past year. The prioritised work programme had included a Passenger Experience Survey and a proposal for involvement in the planning of the redevelopment of Bromley South Station. Other workstreams included work to ensure that Bromley Council and other Bodies had received comments on mobility related proposals – she highlighted the proposals to charge blue badge holders for using Council car parks, where the consultation had appeared to be limited initially to Disability Voice.

Leslie Marks had chaired the Forum and she introduced the report. She reported that the Passenger Experience Survey, whilst reporting some examples of very poor experiences, showed that on the whole people were

satisfied with local transport. They were intending to repeat the survey in a few months.

She reported that it had been difficult to liaise with the Police – the Chairman offered to provide contact details for the specialist Disability Police Officer.

The Chairman thanked Leslie Marks and her colleagues for their work on the Forum.

RESOLVED that the update be noted.

15 MOTION FROM COUNCIL: NHS REFORMS
Report RES11033

At the meeting on 11th April 2011, Councillors Peter Fookes and Katherine Bance had moved the following motion -

“This Council calls on the Coalition Government to abandon its proposed reforms to the NHS and to ensure that under the next proposals that in the interests of patients, costs and accountability that local councils have a major role in the future of health care delivery.”

After brief discussion Council had agreed to defer consideration of the matter to this PDS Committee meeting when it was hoped more detail would be available on the proposals and implications. The Chairman agreed that it was important to clarify the role of local authorities in the new system, but as the Government’s response to the NHS Future Forum had only just been announced, it was considered that further consideration should be deferred to the next meeting.

RESOLVED that consideration of the motion be deferred.

16 WORK PROGRAMME 2011/2012
Report RES11034

The Committee considered its work programme for 2011/2012.

RESOLVED that

(1) The work programme and schedule of meetings for 2011/12 be noted.

(2) A Health Scrutiny Sub-Committee be established with the same membership as the PDS Committee, plus additional representation for Bromley LINK and Older People, to meet on a bi-annual basis to review health scrutiny issues.

(3) The Accommodation with Care for Older People Reference Group be reappointed with the following membership –

Councillor Ruth Bennett

Councillor Charles Rideout
Angela Clayton-Turner
Leslie Marks
Ray Clay
Ken Keepen
Marion Purll

**17 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.

**18 PRE DECISION SCRUTINY OF PART 2 (EXEMPT) PORTFOLIO
HOLDER REPORTS**

**A) CONTRACTUAL ARRANGEMENTS FOR SERVICES FOR PEOPLE
WITH A LEARNING DISABILITY AT SWINGFIELD COURT,
BROMLEY**

The Committee considered and supported proposals to extend by one year the care contracts with Avenues Trust for support services to people with a learning disability at Swingfield Court and 213 Widmore Road.

**B) CONTRACT FOR SUPPLY OF COMMUNITY EQUIPMENT AND
MINOR ADAPTIONS**

The Committee considered and supported the recommendations in the report to negotiate a new 9 months contract with the current providers pending completion of a major options appraisal for the service.

The Meeting ended at 10.26 pm

Chairman

Appendix A

4. QUESTIONS TO THE COMMITTEE FROM MEMBERS OF THE PUBLIC

From Susan Sulis, Secretary, Community Care Protection Group (CCPG) -

1. MISSIONCARE RESIDENTIAL AND NURSING HOMES IN BROMLEY

Some MissionCare homes have a history of abuse and neglect, and most have not been inspected by the Regulator for 3 years.

How many visits to each home have been made by (i) Care Managers and (ii) Contract Staff, to ensure compliance with National Care Standards, and the Council's Contract terms?

Reply:

The questioner is not accurate in alleging a history of 'abuse and neglect' in Mission Care homes. There were a number of instances in 2006-7 when there were concerns over the quality of care in some Mission Care homes. These matters were resolved.

All Mission Care homes are visited by the Council's Contract Compliance officer at least once a year. Between 2008 and 2011, 28 visits have been made to Mission Care homes. Care managers regularly visit the homes as part of individual service user reviews and would highlight any issues of concern to the Contract Compliance Officer. The Council has no current concerns over the quality of care in Mission Care homes.

5. QUESTIONS TO THE PORTFOLIO HOLDER FROM MEMBERS OF THE PUBLIC

From Susan Sulis, Secretary, Community Care Protection Group (CCPG)

1. CARE QUALITY COMMISSION FAILURE TO PROTECT RESIDENTS OF CASTLEBECK'S WINTERBOURNE VIEW

In view of the CQC's gross incompetence demonstrated by the Panorama programme, the public can have no confidence in them as a regulator, and therefore grave concerns about standards of care in Bromley's care homes.

What additional action does the Council intend to take to ensure that residents are safe-guarded?

Reply:

Everyone who saw the Panorama programme would have been appalled by the horrific abuse inflicted upon the residents at Winterbourne View.

I can confirm that there were no Bromley residents at Winterbourne View and further that there are no Bromley residents in any other Castlebeck establishment.

It is not for the Council to comment on the questioner's view of the Care Quality Commission. However, the Council does liaise closely with CQC when issues of concern are raised about standards of care in homes in Bromley.

Whilst the CQC is the regulatory authority for registered care services, the Council is also committed to ensuring that quality is maintained in all registered care homes in the borough and carries out a programme of regular monitoring. Monitoring extends to all care homes in the borough, not just those with which the Council holds a contract. Priority is given to homes rated by CQC as one star – 25% of monitoring visited which took place in 2010/11 were to one star homes. A Quality Assurance Framework has been developed and is being rolled out during 2011 to all providers who contract with the Council.

Following the Panorama programme, in addition to the regular monitoring that the Department undertakes, a series of additional visits to LD residential units was instituted to add further reassurance that residents are safe and well cared for.

2. BROMLEY COUNCIL CONTRACTS FOR LEARNING DISABILITY, DEMENTIA AND NURSING CARE

Will the Council carry out their own inspections of all Homes contracted to provide this type of care for the Council, and publish reports on the Council's website?

Reply:

The Council's monitoring arrangements are set out in the answer to Question 1. The Adult and Community Policy Development and Scrutiny Committee receive an annual report on care home quality – the last report was published in February 2011.

Appendix B

**11 (B) HOUSING RELATED SUPPORT FOR OLDER PEOPLE –
TRANSITIONAL ARRANGEMENTS**

DEFINITIONS

ENHANCED HOUSING MANAGEMENT - All landlords have a responsibility for housing management – the management of tenancies and of the premises. Enhanced Housing Management relates to supported housing where vulnerable people live and describes additional activities undertaken by the landlord to assist their tenants maintain their tenancy. This may include security, such as controlling access of the premises and facilitating and monitoring site visits from contractors and other visitors/professionals. It may also include arranging aids and adaptations, health and safety risk assessments of property and facilitation of some housing services.

CONCIERGE – This describes a role that is often created by landlords to carry out enhanced housing management activities. It can be either a full time or a part time post, depending on the local arrangements and requirements and it establishes an on-site presence at key times. Typical activities undertaken may also include:

- Manage daily contact with all tenants / residents
- In the event of illness, ensure liaison with the appropriate agencies and relatives etc
- Arranging and co-ordinating regular tenant / resident meetings.
- Co-ordinating any tenant / resident activities which are integral to the communal facilities such as crime prevention talks, support surgeries, customer surveys.

The concierge may also undertake some 'handyperson' activities as part of property maintenance.

FLOATING SUPPORT – This is to assist people to maintain independence, advising, assisting or, if necessary, acting on their behalf in communications with various services and organisations. It may include such things as assistance with benefit claims, form filling and making referrals. Floating support is not tied to the accommodation; there is an expectation that the support will be to meet defined needs and once these have been fulfilled the support will 'float off' to respond to others support needs.