





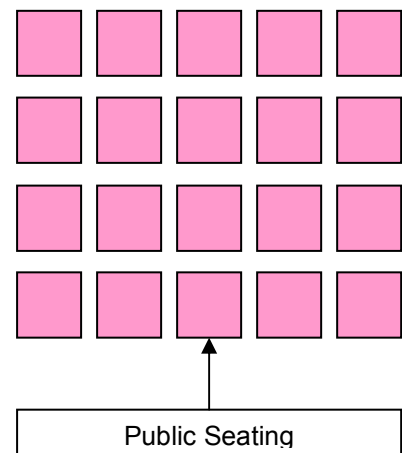
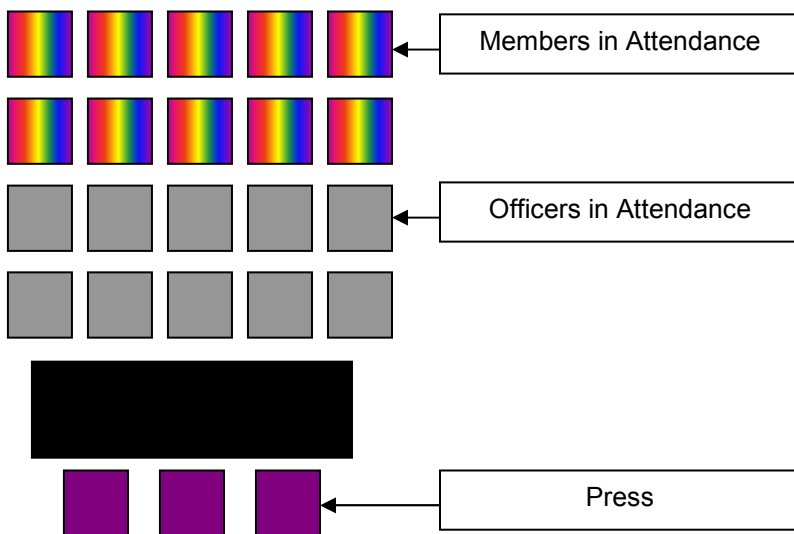
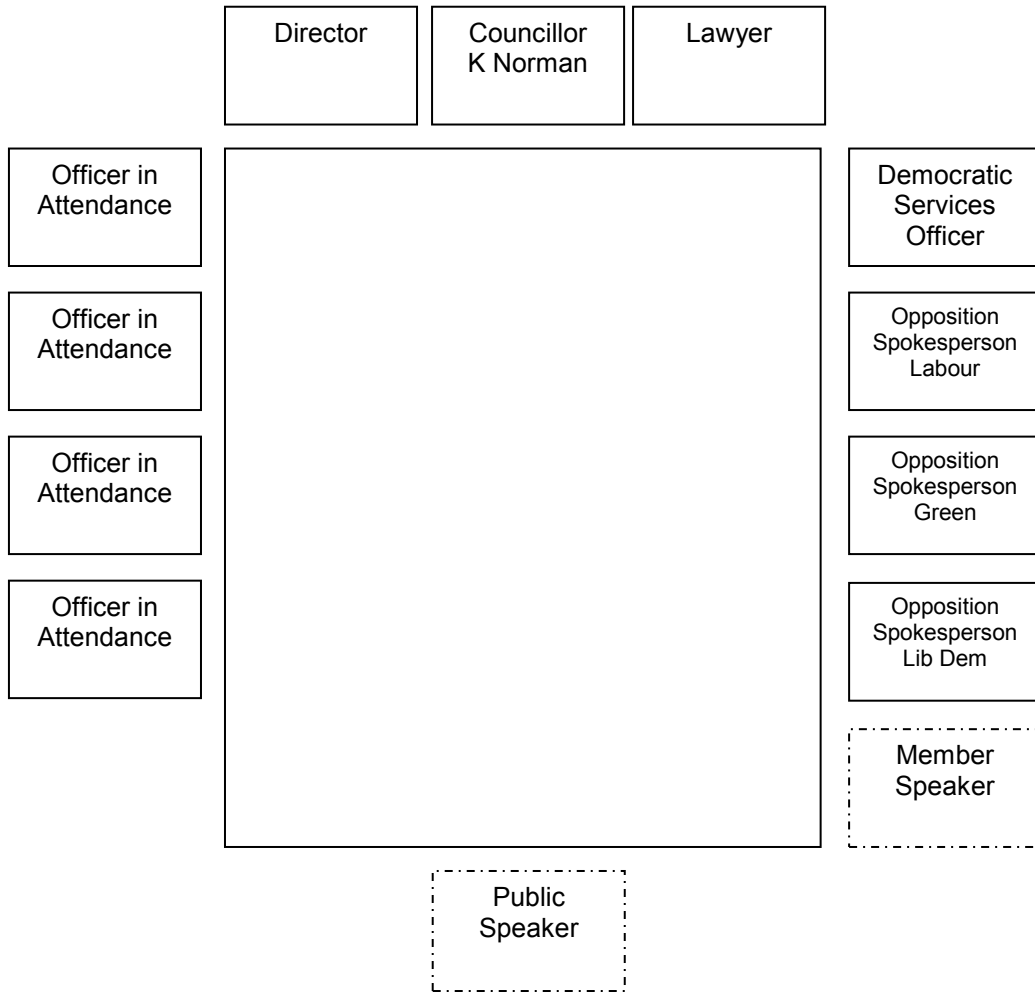
Brighton & Hove
City Council

Cabinet Member Meeting

Title:	Adult Social Care & Health Cabinet Member Meeting
Date:	15 March 2010
Time:	4.00pm
Venue	Committee Room 1, Hove Town Hall
Members:	Councillor: K Norman (Cabinet Member)
Contact:	Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk

	The Town Hall has facilities for wheelchair users, including lifts and toilets
	An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival.
	FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so.

Democratic Services: Meeting Layout



AGENDA

51. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

52. MINUTES OF THE PREVIOUS MEETING

1 - 6

Minutes of the Meeting held on 4 February 2010 (copy attached).

53. CABINET MEMBER'S COMMUNICATIONS

54. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

55. PETITIONS

No petitions have been received by the date of publication.

56. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 8 March 2010)

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

No public questions have been received by the date of publication.

57. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 8 March 2010)

No deputations have been received by the date of publication.

58. LETTERS FROM COUNCILLORS

No letters have been received.

59. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

60. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

61. INDEPENDENT & VOLUNTARY SECTOR FEE REPORT 2010/11 7 - 12

Report of the Acting Director of Adult Social Care & Health (copy attached).

Contact Officer: Ambrose Page *Tel:* 01273 295341

Ward Affected: All Wards;

62. SAFEGUARDING VULNERABLE ADULTS DATA 13 - 18

Report of the Acting Director of Adult Social Care & Health (copy attached).

Contact Officer: Karin Divall *Tel:* 29-4478

Ward Affected: All Wards;

63. VERNON GARDENS SHARED CARE HOUSING - APPROVAL TO TENDER 19 - 24

Report of Acting Director of Adult Social Care & Health (copy attached).

Contact Officer: Judith Cooper *Tel:* 01273 296313

Ward Affected: All Wards;

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 291063, email caroline.demarco@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 5 March 2010

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 52

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

4.30pm 4 FEBRUARY 2010

COMMITTEE ROOM 1, HOVE TOWN HALL

MINUTES

Present: Councillor K Norman (Cabinet Member)

PART ONE

37. PROCEDURAL BUSINESS

37(a) Declarations of Interests

37.1 There were none.

37(b) Exclusion of Press and Public

37.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

37.3 **RESOLVED** - That the press and public be not excluded from the meeting. It was agreed that the part 2 report at item 50 was no longer an exempt item.

38. MINUTES OF THE PREVIOUS MEETINGS

38.1 **RESOLVED** – That the minutes of the Adult Social Care & Health Cabinet Member Meeting held on 19 October and 3 December 2009 be agreed and signed by the Cabinet Member.

39. CABINET MEMBER'S COMMUNICATIONS

Joy Hollister

39.1 The Cabinet Member reported that Joy Hollister, Director of Adult Social Care & Housing would be leaving the council on Thursday 11 February, and would be starting a

new job at the City of London. The Cabinet Member praised the Director for her tireless work for the council over the last two years.

Denise D'Souza

- 39.2 The Cabinet Member reported that Denise D'Souza would become Interim Director of Adult Social Care & Health as from Friday 12 February.

Care Quality Commission

- 39.3 The Cabinet Member reported that the department was going to be inspected by the Care Quality Commission in the first half of the financial year. The inspection would consider safeguarding; outcomes in relation to well being; choice and control; Leadership/commissioning, and use of resources.

40. ITEMS RESERVED FOR DISCUSSION

- 40.1 **RESOLVED** – All items were reserved for discussion.

41. PETITIONS

- 41.1 There were none.

42. PUBLIC QUESTIONS

- 42.1 The Cabinet Member reported that one public question had been received.

- 42.2 Mr Barry asked the following question:

“I appreciate that current economic circumstances and the government’s personalisation programme are driving the Council to review its Day Services Agenda paper 48, **Personalisation and Day Services**, considers rationalising services on grounds of economy and of providing a better service through working with health partners For many users the Day Centres provide key services:

- equal access to services city-wide
- trained, experienced staff
- stimulating activities
- reduced social isolation, with important health benefits

May I ask that the proposed consultation brings impartial consideration to the needs of older people, and engages without preconceptions with all viewpoints and options?”

- 42.3 Mr Barry stated that he was attending the meeting in the spirit of supporting older people and in recognition of the fact that the council did a great deal to support old people .

- 42.4 The Cabinet Member gave the following response:

“This paper sets out the challenges that are facing day services at the present time. It is also transparent about the fact that occupancy in some of our centres is low, and that we need to make best use of the valuable resources available to us.

However, the paper emphasises that there are also a number of opportunities open to us, in relation to how we might provide services that will be responsive to the needs of people who require them.

The consultation proposed will describe the issues facing day services in an open transparent way as we want to explore the way in which Adult Social Care can make best use of its staff expertise, valuable buildings and transport.

We also need to make sure that we have the right balance between building based services and services that work with people directly in their communities.

Considerable consultation has taken place recently with service users who attend day centres organised by the council, with most people being very satisfied with the service they are receiving.

At this stage therefore, we intend therefore to concentrate on consulting partner organisations, the voluntary sector, staff and trade unions with a view to exploring the views of services users and carers further when a blueprint for day services has been produced”.

42.5 Mr Barry asked the following supplementary question:

“I hope that the Council seeks to provide the best support for those using Day Services.

I note that proposals in the Day Services paper aim to make the best use of resources, and would offer choice to users through direct payments, the personalisation agenda and working with partners.

The Chief Executive has written recently of the Council: “We must place greater emphasis on what matters to our residents and focus our efforts in meeting their needs and aspirations”. (John Barradell. A Council that the city deserves, Brighton & Hove City Council (2010). P4.)

Will the proposed consultation be guided primarily by the needs of older people, and listen without preconceptions to all viewpoints?”

42.6 The Cabinet Member responded by informing Mr Barry that the council would ensure that the consultation was carried out absolutely correctly and for the proper benefit of all residents in the city.

43. DEPUTATIONS

43.1 There were none.

44. LETTERS FROM COUNCILLORS

44.1 There were none.

45. WRITTEN QUESTIONS FROM COUNCILLORS

45.1 There were none.

46. NOTICES OF MOTIONS

46.1 There were none.

47. PERFORMANCE AND MONITORING OF OLDER PEOPLE'S SERVICES - APRIL TO SEPTEMBER 2009

47.1 The Cabinet Member considered a report of the Director of Adult Social Care & Housing on the performance and monitoring of Older People and Older People Mental Health care homes and home care, for the period 1 April to 30 September 2009 (for copy see minute book).

47.2 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

(1) That the following be noted:

- The performance of the above mentioned services
- How the quality of these services is monitored and the outcomes of these monitoring arrangements
- Any particular trends in respect to the above mentioned areas

(2) To require a further report that covers the period 1st October 2009 to 31st March 2010 and thereafter on a six monthly basis.

48. PERSONALISATION AND DAY SERVICES

48.1 The Cabinet Member considered a report of the Director of Adult Social Care & Housing which provided information on actions taken following the Value for Money Review of Day Services for Older People. The report outlined issues affecting day services, including work that was being carried forward within Adult Social Care which would impact on demand for more traditional building based day services. The report further outlined opportunities for the development and modernisation of day services through partnership working (for copy see minute book).

48.2 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

(1) That the following be noted:

- Low occupancy and under utilisation of staff, buildings and transport in day services
- The Increase in demand for day opportunities that promote citizenship and independence
- Opportunities exist to make best use of staff buildings and transport through developing services in partnership with other organisations

(2) That a full consultation is carried out over a three month period to collect views of partner organisations, staff and unions about the future shape of Day Services and Day Options.

(3) That a further report be received at the end of the consultation period.

49. HEALTH OVERVIEW & SCRUTINY COMMITTEE WORK PROGRAMME 2009/2010

49.1 The Cabinet Member noted the Health Overview & Scrutiny Committee Work Programme 2009/2010 (for copy see minute book).

50. TENDER FOR INDEPENDENT MENTAL CAPACITY ADVOCACY

50.1 The Cabinet Member considered a report of the Director of Adult Social Care & Housing concerning the re-tendering of the contract for the statutory Independent Mental Capacity Advocacy (IMCA) Service.

50.2 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendation:

(1) To ratify the agreement of the Director of Adult Social Care & Housing after consultation with the Cabinet Member for Adult Social Care & Health to appoint POHWER for a three year contract to provide the Independent Mental Capacity Advocacy service from 1st April 2010, as the current contracts ends on 31st March 2010.

The meeting concluded at 5.11pm

Signed

Chairman

Dated this

day of

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 61

Brighton & Hove City Council

Subject: Independent & Voluntary Sector Fee Report 2010/11
Date of Meeting: 15th March 2010
Report of: Acting Director of Adult Social Care & Health
Contact Officer: Name: **Ambrose Page** Tel: **29-5341**
Contracts Manager
E-mail: Ambrose.page@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1 This report has been presented to the Adult Social Care & Health (ASCH) Cabinet Member Meeting within the context of annual discussions about fees with a range of independent and voluntary sector providers who are supplying care services on behalf of Brighton and Hove City Council.
- 1.2 Its purpose is to seek ASCH Cabinet Member Meeting approval for the following:
- To hold the fee levels at the 2009/10 rates for 2010/11, for all independent and voluntary sector providers, with the exception of those providers who are supplying care services for people with learning disabilities. The latter are dealt with under a separate report entitled 'Independent and Voluntary Sector Learning Disabilities Fees Report 2010/11' which is being presented to the Housing Cabinet Member Meeting on 3rd March 2010.
 - To hold the Direct Payment rates at the 2009/10 levels for 2010/11.
 - For the Council to match the applicable host authority set rates for new placements made in Out of City care homes for Older People and OPMH for 2010/11 (this does not apply for any other care groups).

2. RECOMMENDATIONS

- 2.1 That approval is granted for the fee levels of all independent and voluntary sector providers to be held at the 2009/10 rates, except learning disability providers who will be reported on separately.
- 2.2 That approval is granted for new placements in Out of City care homes Older People and OPMH to be made at the applicable host authority set rate.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS

3.1 Within Brighton & Hove

In previous years the Council has been generous in its fee increases, and at times has awarded above inflationary increases. For example, the fee increases for 2009/10 including a 3.5% uplift for those in City Older People and OPMH care homes which were eligible for inclusion on the Preferred Provider Scheme. Additionally, in 2008/9 the 3% increase awarded that year included a 0.5% uplift in recognition of the financial implications to service providers of the new Working Time (Amendment) Regulations 2007; as well as awarding an above inflation increase for Direct Payments sleep-in rates with regard to the new national minimum wage requirements introduced that year.

3.2 Though the recommendation is for the fee levels of all independent and voluntary sector providers to be held at the 2009/10 rates, those care homes providing nursing care will receive increases in Funded Nursing Care (FNC) payments of 2.5% for 2010/11.

3.3 Historically the fees paid by Brighton and Hove City Council have exceeded those paid by its neighbouring Authorities, i.e. East and West Sussex; and, having consulted with those Authorities, their early predictions are that they are unlikely to be increasing fees for the forthcoming financial year. This is also echoed in communications which the Contracts Unit has received from other local authorities in the United Kingdom.

3.4 The proposed nil increase is also supported by the fact that the current low rate of inflation is expected to continue throughout 2010/11.

3.5 Out of City (OOC) Placements

With reference to recommendation 2.2 it is recommended that BHCC places new people in Older People and OPMH care homes at the host authority rate. This approach has been used for many years for several reasons:

- If BHCC do not place at this rate there is no clear alternative to use; the BHCC rate is based on the East Sussex and Brighton & Hove Registered Care Homes Association rate which is calculated with reference to Older People and OPMH living in a city environment; it is thus not relevant to large rural counties.
- It would be highly time consuming and resource intensive to negotiate a spot purchase rate each time someone is placed OOC due to the numbers involved; there are currently over 250 older people placed out of city, as compared, for example, to the number of people with physical disabilities where there are only 27 in care homes OOC (February 2010). The reason for placing people outside of BHCC is due to capacity where there are no suitable beds available locally.
- However, over 200 of the OOC placed Older People are in the neighbouring authorities of East and West Sussex - See Appendix 1. As stated in 3.2 above BHCC traditionally pays more than either authority and, in any event neither authority is planning a fee uplift in 2010/11 (this is now confirmed in East Sussex). As such, care home providers within Brighton & Hove should not be financially disadvantaged.

3.6 Aligned to this is the increasing drive for efficiency within the public sector. The proposed nil increase needs to be viewed within the context of significant efficiency savings being made within the Council's own care services. Better commissioning of services from independent providers will deliver efficiencies by cash limiting contract values.

4. CONSULTATION

- 4.1 Senior managers from within the Council have met with the representative of the Registered Care Homes Association with regard to the above proposals and how they may effect in City care homes for older people and OPMH.
- 4.2 All independent sector providers have already been written to let them know that a nil percent increase for 2010/11 is being considered, thus enabling those providers to plan accordingly.
- 4.3 Extensive discussion has also taken place with NHS Brighton & Hove.

5. FINANCIAL & OTHER IMPLICATIONS

Financial Implications

- 5.1 The proposal to hold fees at 2009/10 rates is in line with the budget strategy agreed by Council on 25 February. This is expected to deliver efficiency savings of approximately £300,000 in 2010/11 and will enable achievement of reductions in unit costs and bring spend more in line with comparator authorities.

Finance Officer Consulted: Anne Silley Date: 9 February 2010

Legal Implications:

- 5.2 There are no procurement issues regarding this report. The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.'

Lawyer Consulted: Sonia Likhari Date: 9 February 2010

Equalities Implications:

- 5.3 There are no equalities implications arising from this report. Saying that, the decision not to undertake an Equalities Impact Assessment was because the report does not fall within the criteria whereby one would be required, e.g. developing a new policy.

Sustainability Implications:

- 5.4 The Contracting arrangements which underpin these fee increases include clauses on sustainability.

Crime & Disorder Implications:

- 5.5 There are no implications for crime and disorder.

Risk & Opportunity Management Implications:

- 5.6 The main risks associated with these increases are financial and have been set out in the Financial Implications section.

Corporate / Citywide Implications:

- 5.7 The recommendations of this report are in line with the Council's Corporate Priority, 'Better Use of Public Money', and the need to keep the costs of delivering services under careful review.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S)

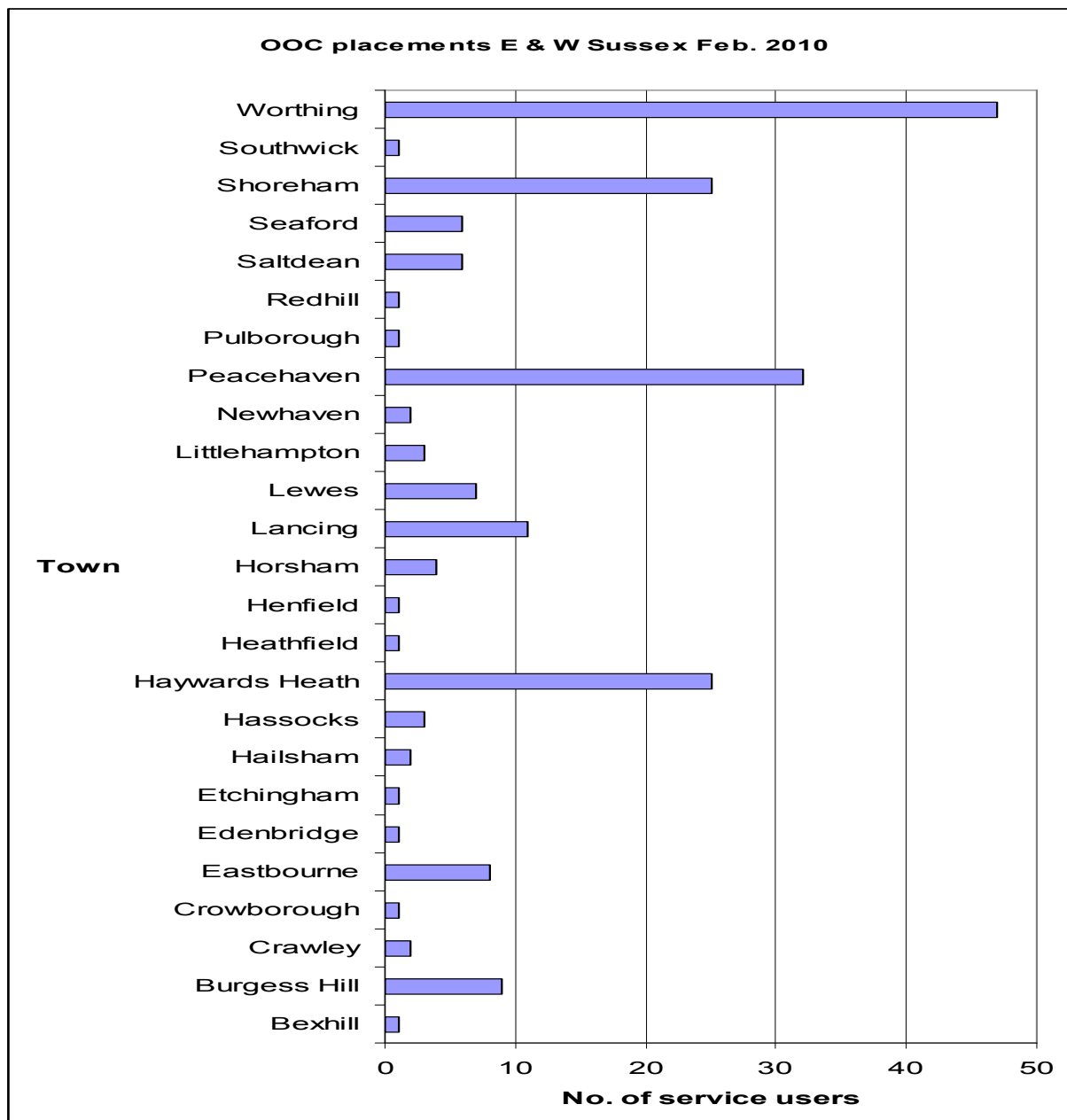
- 6.1 Within the context of the current financial pressures and efficiency savings being requested of the public sector, the Council would not be in a position to be able to award an inflationary increase for 2010/11.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The report recommendations are made within the context of predicted national fee increase trends, low rates of inflation and the need for the public sector to make efficiency savings.

SUPPORTING DOCUMENTATION

Appendix 1:



Data taken from CareFirst6

Documents In Members' Rooms

1. None

Background Documents

[List any background / supporting documents referred to or used in the compilation of the report. The documents must be made available to the public upon request for four years after the decision has been taken]

1. None

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 62

Brighton & Hove City Council

Subject:	Safeguarding Vulnerable Adults Data		
Date of Meeting:	15th March 2010		
Report of:	Acting Director, Adult Social Care and Health		
Contact Officer:	Name:	Karin Divall	Tel: 29-4478
	E-mail:	Karin.divall@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT

- 1.1 Brighton & Hove City Council Adult Social Care are the statutory lead authority for protection of vulnerable adults from abuse. Abuse can take a number of forms including physical, sexual, psychological, financial abuse and neglect against vulnerable, older and disabled people. Abuse can be spontaneous or premeditated and can be a single incident or repeated and abusers could be a family member, a friend, staff, a professional and volunteer.
- 1.2 Adult Social Care (ASC) are the lead investigating authority for safeguarding alerts which are raised when someone has a concern about the way a vulnerable person has been treated. ASC collect statistical information on the number of safeguarding alerts received and the investigations that they carry out.
- 1.3 From October 2009 the NHS Information Centre for Health and Social Care has requested additional information to be collected by Local Authorities, as part of the development of a national data collection on the abuse of vulnerable adults. This report sets out the activity during October, November and December 2009 for work completed in Adult Social Care Services, and includes this additional information which is now required, giving more detail about adult abuse than we have been previously been able to analyse.

2. Recommendations

- 2.1 That the Cabinet Member notes the trends for this period for safeguarding adults work in Brighton and Hove.
- 2.2 That the Cabinet Member requests that this information will be included in the Safeguarding Annual Report for April 2009/2010.

3.0 RELEVANT BACKGROUND INFORMATION

- 3.1 The additional data that we are now collecting for analysis means that we can see the source of the safeguarding alert, so we will be able to identify any partner organisations where referrals are low, and consider awareness raising within that organisation. We are now also able to collect information about location of abuse, and the relationship of the vulnerable adult to the alleged perpetrator. This will enable us to understand more about where abuse is taking place, and what risks are posed to vulnerable people, for example by paid carers, or family members.
- 3.2 This data will now be collected and reported every quarter. Once several quarters are collected patterns and trends are likely to emerge, which can inform strategies in the City for preventing abuse and for enabling vulnerable people to live positive and independent lives.
- 3.3 During the period October 1st - December 31st 2009 a total of 88 safeguarding alerts were received and investigated within Adult Social Care. The source of these alerts and the outcomes of the investigations are set out in Appendix 1.

4. CONSULTATION

- 4.1 None

5. FINANCIAL & OTHER IMPLICATIONS:

5.1 Financial Implications:

There are no direct financial implications arising from the recommendations made in this report. Any changes in the volume of activity will need to be managed as part of the budget strategy.

*Finance Officer Consulted: Mike Bentley
2010*

Date: 16th February

Legal Implications:

- 5.2 There are no specific legal implications which arise from this report as it is for information only. The additional data collected however will clearly assist the Council in facilitating good practice in terms of the protection of vulnerable adults.

Lawyer Consulted: Hilary Priestley

Date: 1/03/10

Equalities Implications:

- 5.3 Older people, people with disabilities and mental illness can be vulnerable to abuse.

Sustainability Implications:

- 5.4 There are no sustainability implications.

Crime & Disorder Implications:

- 5.5 Vulnerable people can be subject to financial abuse and physical and sexual violence which are forms of adult abuse that are reported to Adult Social Care.

Risk and Opportunity Management Implications:

- 5.6 Safeguarding Adults is a key role for Adult Social care in ensuring that the most vulnerable people are able to live safely. Failure to manage this responsibility well puts individuals at risk as well as exposing the local authority to risk and challenge.

Corporate / Citywide Implications:

- 5.7 Safeguarding work is carried out across the City.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Safeguarding is a core statutory responsibility and it is important that there is good monitoring and oversight of performance

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure that the Cabinet Member has an overview of Safeguarding Performance.

SUPPORTING DOCUMENTATION

Appendices:

None

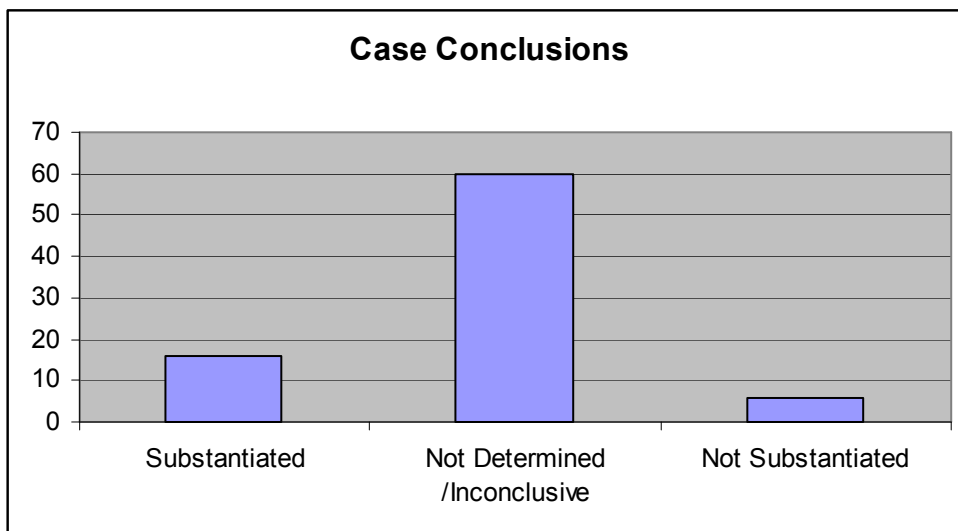
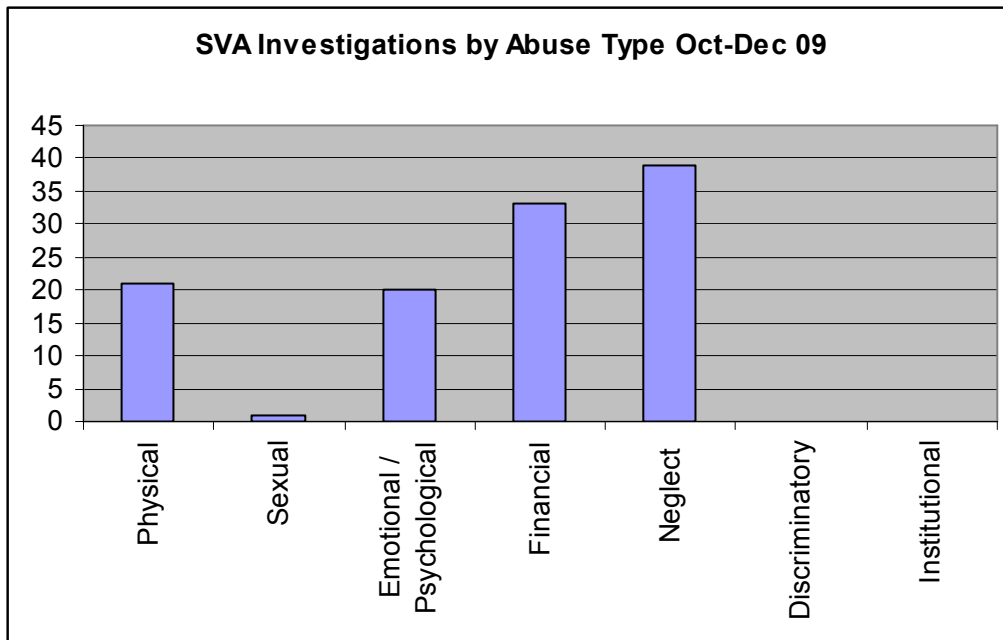
Documents In Members' Rooms

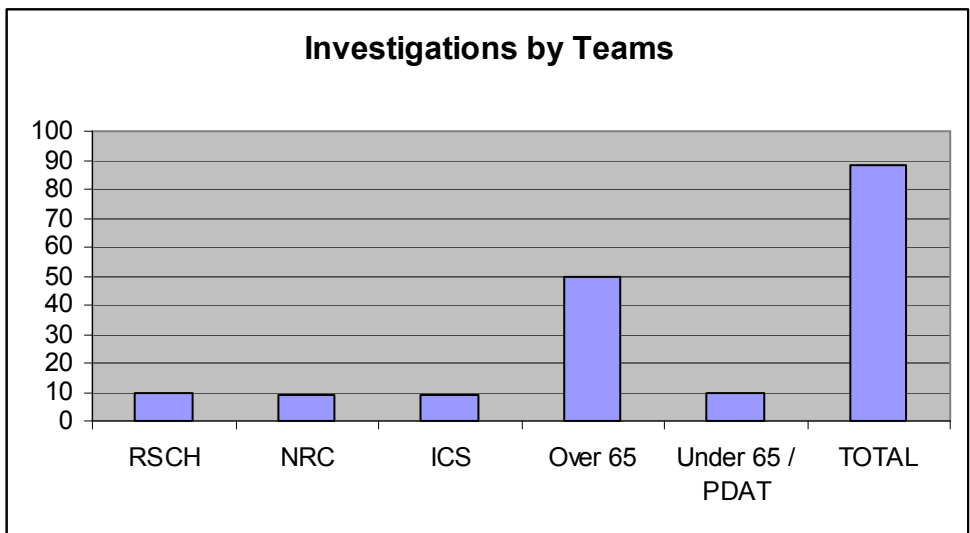
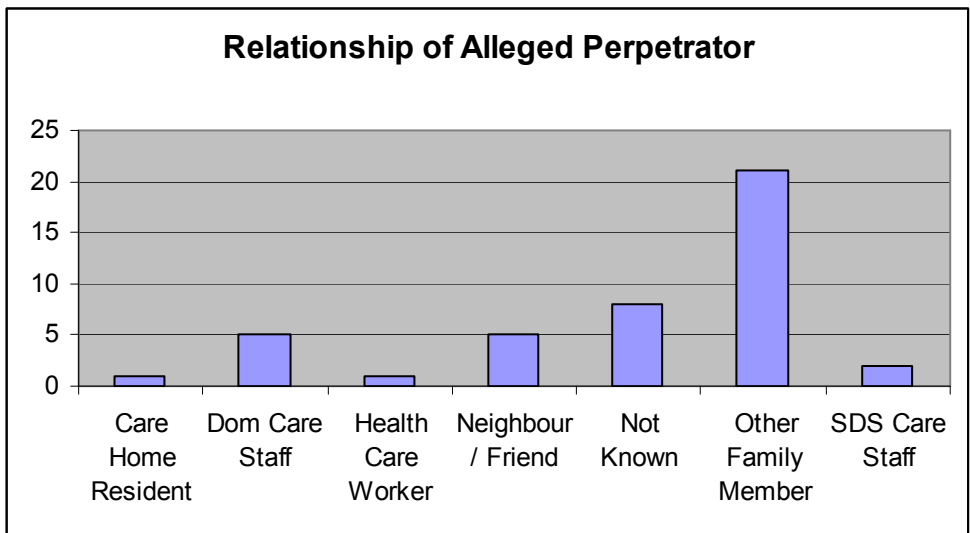
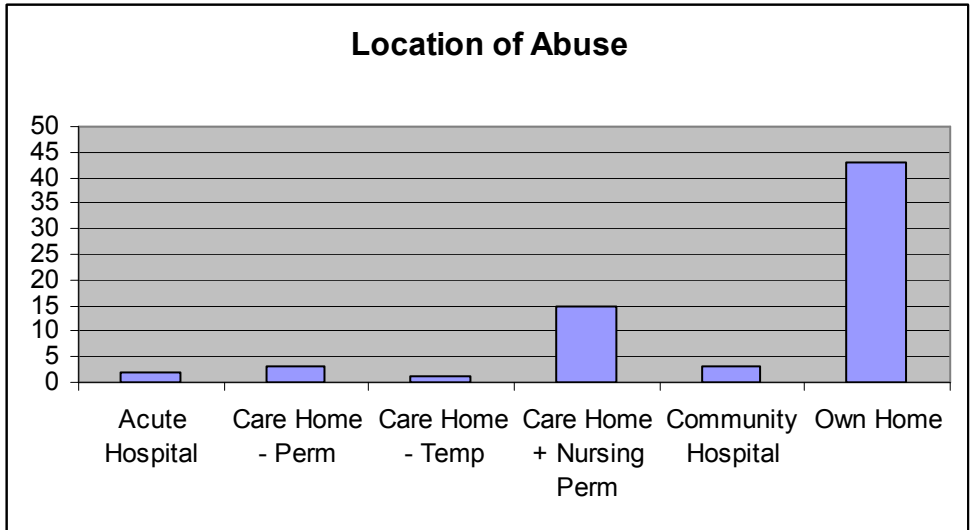
None

Background Documents

None

Appendix 1





ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 63

Brighton & Hove City Council

Subject:	Vernon Gardens Extra Care Housing – Approval to Tender		
Date of Meeting:	15 th March 2010		
Report of:	Denise D'Souza – Acting Director of Adult Social Care & Health		
Contact Officer:	Name: Judith Cooper	Tel: 29-6313	
	Contracts Manager		
	E-mail:	judith.cooper@brighton-hove.gov.uk	
Key Decision:	No		
Wards Affected:	All		

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report has been presented to the Adult Social Care & Health Cabinet Member Meeting as an opportunity to take forward work related to the Personalisation agenda and the transformation of Adult Social Care by the provision of an Extra Care Housing scheme for Brighton and Hove residents of working age with a range of complex Physical Disabilities.
- 1.2 Its purpose is to seek approval from the Cabinet Member for Adult Social Care & Health to go out to tender for the provision of care and support for the residents who will be living in 10 units of accommodation in Vernon Gardens with the aim of such service commencing in August 2010.
- 1.3 That the figure for the tender is not as yet known, as it will be based on the value of the support packages that the potential residents receive; but over the 3 years it is likely to exceed £500,000.

2. RECOMMENDATIONS:

- 2.1 That approval is given to go out to tender for a 3-year contract for the provision of care and support services for the residents who will be living in the 10 units of accommodation comprising the new Extra Care Housing Scheme for people with Physical Disabilities at Vernon Gardens.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 Brighton & Hove currently has 40 residents with physical disabilities in long-term residential care, of which 13 are living in the City and 27 are living out of City. Of the 13 living locally 6 are in specialist provision for people with physical disabilities and the remainder are in older people's care establishments which have been assessed as suitable for their needs (all 7 are over the age of 50).
- 3.2 The project at Vernon Gardens is an opportunity to increase the volume of accessible accommodation within the local area for this service user group. Vernon Gardens will provide 10 units of specialist accommodation for people with a physical disability within the Brighton & Hove area and has been partially funded through the Extra Care Housing Fund held by the Department of Health and which BHCC successfully bid for. As a result there are some conditions to the model of extra care to be delivered, the primary consideration being around the need for 24/7 cover all year round.
- 3.3 Extra Care housing offers flexible care, with 24-hour support from social care and health teams. People living within extra care housing facilities have their own private flat or bungalow but also have access to meals, domestic support, leisure and recreation facilities, nursing care where necessary and 24/7 security to create a genuinely safe environment. Extra care housing also provides an opportunity for some to invest their assets in the property by purchasing their living space (this has happened at Patching Lodge).
- 3.4 The registered social landlord for the accommodation is Guinness Care & Support Ltd who manage 5 other extra care housing schemes in the south of England, plus many other types of housing scheme. The Community Space that is a key part of the development will be held on licence by the Federation of Disabled people with the aim of developing a social enterprise.
- 3.5 Still under discussion are the models for care and support. As a key part of the BHCC commitment to 'Putting People First' and personalisation of services, funding was secured from the Institute of Excellence South East to engage consultants to work with the potential residents so that they could make decisions about their preferred models for care and support.
- 3.6 During January and February 2010 a series of events have been organised for the potential residents, their families, carers and others, to attend and participate in group and individual discussions. 9 potential residents have attended and the response has been very positive to date.
- 3.7 The Service Models for Care and Support under consideration include:
 - A fully Commissioned Service by BHCC

- A part Commissioned Service by the Local Authority
- Utilising Personal Budgets and Individual Commissioning
- Pooling Personal Budgets

All models have pros and cons and these have been highlighted. The decision on which model is preferred (or a combination thereof) will be made by the service users at the end of February 2010 and the support service model will then be tendered out.

3.8 As the residents are not yet finalised and the model is not yet confirmed it is difficult to put a value on the contract at this time. However, due to the 24/7 care requirement the service users who become residents at Vernon Gardens will be receiving complex packages of social care.

3.9 Additionally, whilst it is not possible to give an exact figure, the total for a 3 year contract will be in excess of the Standing Orders requirement to seek tenders for the service. Due to the tight deadline the project is operating to (August 2010) it is important that the procurement process commences as soon as possible and is seen to be transparent and open.

4. CONSULTATION

4.1 The Vernon Gardens project has been in subject to discussion within the senior management of Adult Social Care and Housing, as well as with partner organisations and third sector partners such as Guinness Care & Support Ltd and the Federation of Disabled People.

4.2 Consultation is also underway with the potential residents, their families and carers.

5. FINANCIAL & OTHER IMPLICATIONS

Financial Implications

5.1 The current average gross unit costs for long-term residential care for Physical Disabilities is approximately £1,030 per week. For those clients living out of the City and with complex needs the costs are considerably more, ranging between £1,500 and £1,800 per week.

5.2 It will be important that the process of identifying and moving residents from existing long-term placements is carefully managed to ensure that care costs are contained within the Community Care budget and the impact on future years is assessed. The provision of 10 additional units should help to reduce current unit costs and provide better value for money.

Finance Officer Consulted: Anne Silley Date: 17 February 2010

Legal Implications:

- 5.3 The services referred to in this report are 'Part B' service for the purpose of EU procurement law and UK procurement Regulations, and therefore not subject to the full application of either. The Council is nevertheless required to comply with EU Treaty objectives of non-discrimination and openness in procurement, as well as comply with its obligation to seek Value for Money. If the value of the subsequent contract is in excess of £75,000 it must be in a form approved by the Head of Law.
- 5.4 The Council must take the Human Rights Act into account in respect of its actions but it is not considered that any individual's Human Rights Act rights would be adversely affected by the recommendations in this report.

Lawyer Consulted: Sonia Likhari

Date: 22nd February 2010

Equalities Implications:

- 5.5 There are no equalities implications arising from this report. The decision not to undertake an Equalities Impact Assessment was because the report does not fall within the criteria whereby one would be required, e.g. developing a new policy.

Sustainability Implications:

- 5.6 The procurement arrangements that are planned include significant considerations on sustainability; no organisation could satisfy the procurement requirements without addressing sustainability issues.

Crime & Disorder Implications:

- 5.7 There are no implications for crime and disorder.

Risk & Opportunity Management Implications:

- 5.8 The main risks associated with these increases are financial and have been set out in the Financial Implications section.

Corporate/Citywide Implications:

- 5.9 The recommendations of this report are in line with the Council's Corporate Priority, 'Better Use of Public Money', and the need to keep the costs of delivering services under careful review.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S)

- 6.1 Due to specific Department of Health funding allocated specifically for Extra Care housing, no alternative options were under consideration.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 The report recommendations are made within the context of supporting the aims of 'Putting People First', the personalisation agenda and providing needed accommodation for people with physical disabilities within the Brighton & Hove area.

SUPPORTING DOCUMENTATION

'Putting people first: a shared vision and commitment to the transformation of adult social care' (December 2007)

LAC(DH)(2009)1: Transforming adult social care (March 2009)

