



London Borough of Hammersmith & Fulham

Housing, Health And Adult Social Care Select Committee Minutes

Wednesday 2 April 2014

PRESENT

Committee members: Councillors Lucy Ivimy (Chairman), Joe Carlebach, Peter Graham, Rory Vaughan (Vice-Chairman), Andrew Brown and Daryl Brown

Co-opted members: Patrick McVeigh (Action on Disability) and Bryan Naylor (Age UK)

Other Councillors: Andrew Johnson

Officers: Stella Baillie (Tri-borough Director, Provided Services, Mental Health Partnerships and Safeguarding for ASC), Helen Banham (Tri-borough Strategic Lead, Professional Standards and Safeguarding), Mel Barrett (Executive Director of Housing & Regeneration), Liz Bruce (Tri-borough Executive Director of ASC), Toni Camp (Planning & Service Improvement Manager), Stephen Kirrage (Director for Asset Management & Property Services) and Sue Perrin (Committee Co-ordinator)

60. MINUTES AND ACTIONS

RESOLVED THAT:

The minutes of the meeting held on 19 February 2014 were approved as an accurate record of the proceedings and signed by the Chairman.

61. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Oliver Craig, Peter Tobias and Stephen Cowan and Marcus Ginn.

62. DECLARATIONS OF INTEREST

Councillor Andrew Brown declared an interest in that he is an elected representative for Hammersmith & Fulham of the Tri-borough Safeguarding Adults Executive Board.

63. SELF DIRECTED SUPPORT: PROGRESS UPDATE

Ms Bruce introduced the progress update on Self-Directed Support, which included: the review of Direct Payments (DPs), initiated in the previous year as part of the closure plan for the DP Support Service provided by HAFAD; the Tri-Borough Personalisation Project, currently in progress, through which an improved operating system for DPs was being developed across the three authorities; arrangements for DP support in Hammersmith & Fulham in 2014/15; and changes to the commissioning of day services in Hammersmith & Fulham, linked to the personalisation agenda.

Ms Camp responded to members' queries in respect of the payment system. DPs were currently made to an individual's bank account with quarterly returns submitted to the Council. Improvements were being made with the introduction of a pre-loaded card, which would enable Council officers to view individual accounts on line and check how the money was being spent. It would also set alerts on the system which would highlight significant fluctuations in expenditure or other potential causes for concern.

The Government Procurement Service (GPS) was developing a framework agreement for pre-loaded cards, which could be accessed by any public sector body. However, the GPS had not kept to its original timescale and Adult Social Care was currently deciding whether to continue waiting or select the best available for a small scale pilot.

The pre-loaded card would make it possible to review all DP accounts regularly and on a more frequent basis. Currently, there was one dedicated member of staff monitoring nearly 400 H&F DPs. Under the new system, a Tri-borough Finance Team would manage all DP activity. On the basis of current DP numbers, it was likely that there would be two/three dedicated staff.

In respect of people assessed as having the mental capacity to consent to a DP but unable to manage the necessary financial administration, the DP could be Council-Managed. To support this, it was planned to establish an Approved List of day services across Tri-borough. Those people who managed their own DPs did not have to purchase from the Approved List.

Ms Camp stated that an individual with mental capacity to consent to a DP but who wanted someone else to manage the money on their behalf, retained all legal responsibilities for the DP. Members considered that there might be circumstances where the third party was liable, and asked that the legal advice be queried.

Action: Toni Camp

In respect of the in-house DP support, Ms Bruce stated that whilst this was the current preferred option, as part of the medium term planning, all options would be considered.

Councillor Carlebach commended Action on Disability on the professional way in which it had worked with the Council during the transition to ensure that service users were not impacted.

Mr Naylor commented that potential users were influenced by stories about the monitoring of spending and that there was a need to inform the population and to dispel rumours. Mr Naylor advised officers not to delay in countering bad press.

Ms Camp responded that a Tri-borough policy on DP use had been developed with considerable user and staff involvement. The policy was being rolled out to operational teams, with staff briefings and associated training. This would be translated into a user friendly version within the next few months.

Mr McVeigh referred to the paragraph in the report regarding individuals identified as using the HAFAD service and 100 people using their DP to employ a carer who did not have arrangements that met basic legal/good practise arrangements. Mr McVeigh stated that this was entirely possible as HAFAD had been employed to provide advice and would not know whether this had been followed.

Mr McVeigh supported HAFAD's projection that 200 people would require a significant level of ongoing support to manage their DP, and gave examples of potential problems. Mr McVeigh considered that the Care Management training provided by the Council was not as good as that provided by the other boroughs and that care managers did not understand the dichotomy between the DP offer and the broad range of things which could be bought. Officers were invited to attend the HAFAD peer group where DP users were able to raise their concerns.

Ms Bruce acknowledged the role of HAFAD and stated that she and Ms Camp would attend the peer group. Mr McVeigh agreed to provide the dates.

Action: Patrick McVeigh

Ms Bruce stated that Adult Social Care was aligning social work practices across the Tri-borough and was working towards a single social work model.

Ms Camp referred to employers' liability and the importance of users knowing all their legal liabilities. It was a large part of the role of DP support staff to discuss employment provisions and help users to set up employment arrangements. It was still possible for users to disregard this advice and a system needed to be put in place to monitor compliance. It was intended to build capacity across the Tri-borough and to consider pooled budgets.

RESOLVED THAT:

1. The report be noted.
2. The Committee recommended that feedback from service users be included in future reports.
3. The Committee recommended that attention be given to communication with users and potential users.
4. An update report be added to the work programme.

64. SAFEGUARDING ADULTS IN HAMMERSMITH & FULHAM

Ms Bruce introduced the report which set out the arrangements in place for the Council to meet its new statutory responsibilities when the Care Bill becomes law in 2015. The report updated on the improvements in respect of; leadership and good governance of adult safeguarding; the development of best practice in adult safeguarding casework; and the measurement of effectiveness of safeguarding work during 2012/2013.

The Tri-borough Safeguarding Adults Executive Board, which had had its inaugural meeting on 30 July 2013, had agreed the following five high level outcomes:

People are aware of safeguarding and know what to do if they have a concern or need for help;

People are able to report and are listened to;

Concerns about harm or abuse are properly investigated and people can say what they want to happen;

People feel and are safer as a result of safeguarding action being taken (but being safe on its own is not enough); and

The wider well-being of people was maintained and enhanced as a result of safeguarding activity.

The work of the Board was carried out through three workstreams: Community Engagement, Communications and Prevention; Developing Best Practice; and Measuring Effectiveness.

Peer audits had been introduced in all three boroughs. The findings were shared and the learning and remedial actions agreed and monitored in a borough based Quality Improvement Group. This had resulted in significant improvements in the number of cases sampled 'performing well' or above. The findings from peer and external audit, and the Annual return to the Department of Health had been used by the Tri-borough Learning and

Development team to commission Safeguarding and Mental Capacity Act training.

Work was ongoing in respect of improving the quality of care in care and nursing homes through monitoring patterns of care, contracts and reports from families and the Care Quality Commission (CQC) monthly reports on homes inspected. A Tri-borough protocol was in place, and this had been used to address concerns with the owners and manager of a large nursing home used by residents of all three boroughs. The home had been subject to a CQC recommendation not to place people there in the previous year, but with consistent hard work and commitment to raising standards by all concerned, was now fully CQC compliant and was reporting high levels of satisfaction.

Ms Baillie highlighted the work with contractors and commissioners to improve quality checks on homes and to provide staff training to improve practice and quality assurance.

In response to a query regarding the involvement of Healthwatch, Ms Banham stated that Paula Murphy, Director of Healthwatch was now a member of the Safeguarding Board.

Members' queried benchmarking against other London boroughs, deprivation of liberty safeguards and the external and peer audits.

Ms Banham responded that the Department of Health published the Annual Return and that from 2013/2014 the return would include a question on whether or not the safeguarding process had removed or reduced the risk to the person. There was informal benchmarking with other boroughs and monitoring by external audit (Frameworki) across the three boroughs had significantly improved the quality of recording and information sharing. It was intended to produce a Tri-borough Annual Report in the Autumn.

The CQC had prioritised Deprivation of Liberty Safeguards and ensuring that people in residential care were there within the legislative framework. In 2012/2013 eight out of ten Deprivation of Liberty Safeguards applications made by the Council had been authorised. These would normally relate to someone in the care of a hospital or care home who needed care or treatment and wanted to leave and would be at risk by doing so. The decision would be based on the principle of the least restrictive option. The case would be referred to the Court of Protection, should benefit and risk be finely balanced. The person would receive independent support throughout the process.

in respect of Police training, Ms Banham stated that a police superintendent was a member of the Safeguarding Board and that there was good engagement with the police. However, it was no longer possible to provide regular briefings.

Ms Bruce stated that the Care Bill would introduce a duty of candour.

RESOLVED THAT:

1. The report be noted.
2. The Annual Safeguarding Report be added to the work programme.

The Chairman agreed to the change of order in which the Housing and Regeneration Department items were taken.

65. HOUSING AND REGENERATION DEPARTMENT KEY PERFORMANCE INDICATORS

Mr Barrett introduced the report, which provided KPIs for the period ending February 2014. The principal area of concern was Rent Collection from Council tenants which accounted for three of the targets rated as red and only one of which had started to show an improving trend on a monthly basis.

The main area where performance had dipped compared with the previous report related to transition to the new Repairs and Maintenance Contract with MITIE. The reporting period covered the performance of both the previous repairs and maintenance arrangements and that of MITIE. Prior to new arrangements coming into place performance from the previous incumbents fell back towards the end, which had impacted on the numbers reported: MITIE's performance had been affected by the number of legacy repairs and other issues they had had to pick up. It was agreed that discussion of MITIE's performance should be taken with the following item.

Whilst the number of homeless acceptances reflected the on-going pressure on the service as the buoyancy of the housing market in the borough made it difficult for people on low/ modest incomes to access the private sector, the number of families in Bed & Breakfast accommodation had reduced to zero.

RESOLVED THAT:

The report be noted.

66. GAS AND HEALTH AND SAFETY UPDATE

The new arrangements with MITIE incorporated the provision for gas servicing, and therefore an update on gas safety, together with a general Health & Safety update in respect of the Council's housing stock had been included in the Housing Repairs and Maintenance report.

67. HOUSING REPAIRS AND MAINTENANCE

The Committee welcomed Matthew Bishop and John D'Souza representing MITIE Property Services Ltd, which had been awarded a 10 year repairs and maintenance contract with effect from 1 November 2013. This had consolidated eight previous contracts into a single borough wide contract and was projected to save the Council approximately £2 million per year when compared to the previous arrangements on a like for like basis. As is common practise with the transition and mobilisation of a major contract a period of approximately six months had been allowed from the inception of the contract before 'hard' penalties were applied in respect of missed KPIs during the settling in period. The progress report which had been planned for after the initial six month period, but had been brought forward at the Committee's request.

Mr Kirrage highlighted progress in respect of Health & Safety matters including:

- the complete managed asbestos register covering Council stock;
- the ongoing lift modernisation and upgrade programme comprising £25 million of capital investment over five years, which included an innovative lift monitoring, reporting and messaging system. This approach had received recognition from the London Fire Brigade, which had granted a six month amnesty to the Council such that attendance to lift entrapment would not be charged; and
- the completion of Fire Risk Assessments (FRA) on all Council properties. The Council was working with the Fire Brigade to monitor and all areas of work identified as part of the FRA process planned into the on-going capital works programme.

Mr Kirrage confirmed that the new contract included planned preventative maintenance and specifically gutter clearing. Overtime It was proposed to achieve 60% reactive work and 40% planned.

Mr Kirrage highlighted the additional repairs brought about by the recent rain storms and high winds. In February there had been 675 roofing jobs awaiting completion. There were 100 new capital projects as a consequence of continuous repairs, rather than capital investment.

Call volumes had increased threefold (some 1600 calls on day one compared with 500 normally); and in the first four months of the contract, 45,000 calls resulting in 32,000 orders against an historic requirement of 50,000 orders per annum. Of these 47% had been classified as emergency or urgent.

MITIE had received approximately 1500 jobs which had been held back from the former incumbent contractors as they would not have been completed by the end of the contract. In addition, there had been a high level of communal lighting repairs, as part of the legacy of uncompleted works from the previous repairs contractor.

Telephone answering performance had been severely hampered by the significantly increased volume of calls and difficulties encountered installing MITIE's Wider Access Network (WAN) Line. The effect of this was that when telephone call handling capacity was reached calls 'dropped out', giving callers the impression that the Call Centre had hung up. This had been reflected in the KPIs.

As part of the new contract, a total of 170 staff had been transferred under TUPE regulations from the Council and four other employers. MITIE had been obliged to engage agency staff to make up the shortage of gas engineers who had elected not to transfer from the previous service provider.

Matthew Bishop and John D'Souza presented background information in respect of MITIE and the outline scope of the partnership contract and their approach to meeting the challenges of the new contract and improved repairs performance. Mr D'Souza advised that, based on some of the work practices and absence of skills in some of the workforce inherited under TUPE arrangements, MITIE has brought forward restructuring and organisational change activity, Mr Bishop advised that notwithstanding that call and order volumes had proved to be much greater than anticipated, having regards to historic trends, MITIE had introduced the necessary additional resources to meet this demand, as they were keen that this important contract was a success and became a flagship for MITIE.

Mr Barrett stated that MITIE had funded the backlog repairs to reduce to a steady state over time, with the expectation of recovering this early investment over the duration of the contract, as properties in good repair would be more cost effective to maintain in the long run.

The Committee considered the KPIs to the end of March 2014, which had been tabled as an update to previously circulated data and noted the month on month improvement in all KPIs. It was also noted that:

KPI 1: Those properties without a valid Landlord's Safety Certificate had refused access and the matter was being pursued via the legal department.

KPI 2: The tenants not satisfied with the repairs service, included those who were dissatisfied because they wanted a service which was not available.

KPI 4: MITIE was investing and looking at innovative ways of working to achieve, what it considered to be a stringent target of ten calendar days.

In response to a query, Mr Kirrage outlined some of the new items which had been included as capital expenditure: damage from severe weather storms, roof repairs/guttering, structural issues and renewal of all boilers within a ten year lifetime.

There was a three year planned maintenance programme and, before moving on from an estate, MITIE would ensure that all jobs had been completed.

Mr D'Souza outlined other planned work in respect of: estate lighting being replaced with LED lights; door access control systems; a strategic and detailed asset management survey; and geographical mapping of roof and drainage problems in order to identify hotspots.

Members commented on improvements in their wards.

In accordance with paragraph 27 of the Overview and Scrutiny Procedure Rules, the Committee extended the meeting by 15 minutes.

Mr D'Souza responded to comments in respect of the Call Centre problems not being anticipated that there had been variance analysis based on historic data for the previous three years and the worst case scenario plus 20% had been taken. The increase of 300% in Call Centre volumes in the early stages of the new contract was outside any reasonable expectation.

Mr D'Souza responded to queries in respect of communication with residents regarding work which was not being undertaken, such as garden fences and in respect of complaints regarding roof leaks. A letter had proactively been sent to all residents with leaking roofs explaining the need to erect scaffolding. The work would be undertaken by a dedicated roofing team which would also respond to emergencies.

Mr D'Souza stated that MITIE had met with Tenants & Residents Associations and that they were starting to effectively deliver and to get across this message. Mr D'Souza assured the Committee of MITIE's commitment.

Mr Kirrage stated that fencing repairs were the responsibility of residents, but in certain circumstances such as older or vulnerable people or financial hardship, it might be possible for the Council to make concessions. Members acknowledged and welcomed this flexibility.

RESOLVED THAT:

1. The report be noted.
2. The Committee commended MITIE on a very promising start and the management team.

68. WORK PROGRAMME AND FORWARD PLAN 2014-2015

RESOLVED THAT:

The work programme for the first meeting of the new municipal year be approved.

69. DATE OF NEXT MEETING

This was the last meeting of the municipal year.

Meeting started: 7.00 pm
Meeting ended: 10.05 pm

Chairman

Contact officer: Sue Perrin
Committee Co-ordinator
Governance and Scrutiny
Tel 020 8753 2094
E-mail: sue.perrin@lbhf.gov.uk