

MINUTES OF THE MEETING OF THE CABINET MEMBER SIGNING HELD ON TUESDAY, 20TH JUNE, 2017, 13:00

PRESENT:

Councillor Claire Kober (Chair)

Also Present:

Councillor Pippa Connor

21. FILMING AT MEETINGS

The Leader referred those present to agenda Item 1 as shown on the agenda in respect of filming at this meeting and asked that those present reviewed and noted the information contained therein.

22. URGENT BUSINESS

None.

23. DECLARATIONS OF INTEREST

None.

24. OSBORNE GROVE

The Leader noted the report, which sought approval to enter into consultation around a proposal to close Osborne Grove Nursing Home.

Councillor Connor raised concerns that the consultation was based only on one option, namely to close the nursing home. Cllr Connor enquired whether an option to implement a temporary closure could be included, with the option to retain use of the site as in-borough nursing home provision, at a later juncture if it was required. In response, it was noted that there was a common law duty on the Council to consult with stakeholders; however the Director of Adult Social Services was putting forward this course of action as part of the statutory functions of their role. The Leader acknowledged the need to set out a range of options but advised that given the severity of the situation the primary concern had to be the quality of care offered to patients. The intention would then be to comeback with a range of follow up options. The Leader also acknowledged that there were questions around nursing home capacity both within Haringey and also sub-regionally.

Officers emphasised that no decision had been made yet on the future of the facility but stated that the consultation was effectively a binary choice between closing and not closing the service. Cabinet would then have the final decision on the outcome of the proposals. The Leader advised that significant resources had been put into bolstering the

management and service delivery at Osborne Grove and that there was always an option to retain use of the facility if, for instance, a further CQC inspection reported significant improvements in care standards.

Cllr Connor sought assurances around where patients would go if the site was closed and when that information would be available to patients and their families. Officers advised that they would be speaking to patients and their families on an individual basis and would seek their input as to what type of provision they would like receive. Officers also reiterated that each patient affected would receive a further reassessment of need in the eventuality that the nursing home was closed. Officers acknowledged that there would be further conversations taking place with patients independent of the consultation outcome and advised that this was normal practice given that peoples' needs change over time.

RESOLVED

- I. To approve for consultation with residents, carers and other stakeholders the proposal to close Osborne Grove Nursing Home.
- II. To agree that a report on the findings of the consultation and the proposed recommendation be brought back to Cabinet for a decision.

Reasons for decision

In November 2015 a decision was taken by Cabinet to retain Osborne Grove as a nursing and residential provision and develop additional reablement and intermediate care provision on site in partnership with the NHS. The site comprises a 32-bedded nursing unit, with a day centre space and a large car-park in Stroud Green.

Since this decision was taken the home has been subject to a local authority led "Establishment concerns" process to manage through a number of essential improvements to service user safety and the quality of care. Alongside this process CQC inspected the home in December 2016, and then again in March 2017, and the home continues to be under special measures and is rated overall by the CQC as "Inadequate". An embargo is in place, and there are currently 18 residents living in the site (down from 32 at full occupancy). The issues with the home are entrenched and linked to ineffective management and significant competency and performance issues. Despite significant resource investment from the Council to bring about change, it is likely given the lack of improvements realised that the current range of issues will remain into the foreseeable future.

Given the above, including the protracted staffing issues, that are impacting adversely on the standards required to ensure compliance, the proposal is that OGNH be closed on quality of care and safety grounds. There must be a period of consultation with residents, family members and other stakeholders on the proposal and before any final decision is made. The service will continue to work to meet full compliance with the required standards of care and ensure that residents care and support needs are met.

Alternative options considered

As noted above, there was an option to continue with the previous Cabinet decision to enter into partnership with the NHS to deliver the care at Osborne Grove Nursing Home. However, the on-going concerns with quality of care and resident safety on site has made this position untenable.

The Council could decide to await the outcome of the CQC re-inspection. But there are serious concerns about the sustainability of planned interventions and improvements and the wellbeing and safety of residents in the short and longer term.

25. MEALS ON WHEELS CONSULTATION

The Leader noted the report, which sought approval to enter into consultation around a proposal to end the subsidy for meals on wheels.

Cllr Connor noted that the report set out that one proposal was around providing service users with kitchen appliances, frozen meals and accompanying home care, if required.

Cllr Connor suggested that this could involve a significant initial outlay and enquired whether there was any expectation that that would happen. In response, officers advised that there were a number of options set out in the report and that these would be evaluated as part of the consultation process.

RESOLVED

- I. To approve consultation with service users, carers and other stakeholders the proposal to end the subsidy for meals on wheels.
- II. To agree that a report on the findings of the consultation and the proposed recommendation be brought back to Cabinet for a decision.

Reasons for decision

In delivering the Corporate Plan, the Council aims to enable all adults to lead healthy, long and fulfilling lives through a strong emphasis on promoting independence, personalisation and choice and control. The current arrangements for meals on wheels, in which a subsidy is paid by the Council for each meal delivered through a contract with an external supplier, are taken up by approximately 110 users each month. The proposals set out in this paper would offer greater choice to residents in need of support to access a daily hot meal, whilst enabling the Council to make savings and to build a more sustainable community offer to more residents.

There has been no increase in client contributions to the service since 2012/13 and the contribution has only increased by 20p from £3.20 to £3.40 since 2010. Costs of the meal overall have increased, however, with a standard meal now costing £7.60 and the Council pays at least £4 towards every meal, costing over £140,000 each year. In addition, the number of users accessing the service has reduced from over 300 in 2011 to only around 110 users now. The Council is keen to hear from stakeholders directly, through consultation, their views of the current service, of the proposed new offer and of the implications of removal of subsidy for them.

Alternative options considered

Significant work has been undertaken to explore an alternative offer to replace the current arrangements and this is set out in more detail in Section 6. Continuing with the current arrangements has been considered but rejected as the payment of the subsidy is not sustainable and only a limited number of users benefit from a hot meal. Given that neither the Care Act nor preceding legislation require meals to be subsidised or the cost of food to be met by the Council, consideration was given to withdrawing the subsidy whilst not building community based alternatives. This, however, was rejected as the development of a strong, community offer supports independence and meets the wider Council aspirations to build a stronger community in the borough.

Over 50% of London boroughs have ended their meals on wheels services. Haringey Council is the only borough in North Central London which still offers a subsidised Meals on Wheels service. Islington, Camden and Enfield ended their direct provision of Meals on Wheels services in 2011 and Barnet in 2015.

26. DISABILITY RELATED EXPENDITURE CONSULTATION

The Leader noted the report, which sought approval to enter into consultation around a proposal to decrease the disability related expenditure disregard to 40% (£22.04) by 2019/20.

Officers outlined that Haringey currently operated a 65% (£35.82) Disability Related Expenditure (DRE) disregard and this policy has remained the same since 2011. Other authorities had reduced the DRE; ranging is from a flat rate of £10.00, to a rate of 35% (£19.00). The Mid-Term Financial Strategy (MTFS) proposal for Adult Services was to operate a DRE of 40%, (£22.04 per week) by 2019/20 to deliver £328k savings.

Councillor Connor questioned whether the recommendation proposed through the Adults and Health Scrutiny Panel meeting around increasing the implementation period from 3 to 5 years had been considered. The Leader advised that a whole range of options had been considered and emphasised that even with a 40% DRE disregard rate, Haringey would be offering one of the highest rates of any London Borough. In response to a follow up question, officers advised that they had undertaken an extensive benchmarking exercise and they were not aware of any hidden benefits being offered by other boroughs to offset a lower rate.

RESOLVED

- I. To approve for consultation with service users, carers and other stakeholders the proposal to decrease the disability related expenditure disregard to 40% (£22.04) by 2019/20.
- II. To agree that a report on the findings of the consultation and the proposed recommendation be brought back to Cabinet for a decision.

REASONS FOR DECISION

Haringey currently operates a 65% (£35.82) disregard and this policy has remained the same since 2011. Other authorities have reduced the DRE and the range is from a flat rate of £10.00 to a rate of 35% (£19.00).

The MTFS proposal for P2 agreed by Cabinet on 14th February 2017 is *to operate a DRE of 40%, (£22.04 per week) by 2019/20*. Therefore the proposal seeks to bring the disregard for DRE more in line with other London Boroughs and will seek to deliver £328k savings.

The reduction will result in an increase in charges for service users who are currently making a contribution and have a DRE disregard included in their financial assessments. In addition, when DRE reduces to 40%, this will result in some service users of working age, who are currently assessed not to contribute, having to make a small contribution.

ALTERNATIVE OPTIONS CONSIDERED

The options available to the service are limited, due to the scale of the financial reductions required, however the proposal will ensure compliance with our statutory responsibilities and we are committed to the continued delivery of high quality service provision that supports the needs of the people we support.

An additional option is not to make the budget savings agreed in the Medium Term Financial Plan; however this would result in serious financial gap of £328,000, which would jeopardise the sustainability of services in the future.

27. AWARD OF FRAMEWORK AGREEMENT FOR THE PROVISION OF ADAPTATION WORKS TO PROPERTIES WHERE RESIDENTS HAVE DISABILITIES

The Leader noted the report, which sought approval to enter into framework agreements for the provision of disabled adaptations works.

Councillor Connor raised concerns with the minimal number of Occupational Therapists available at a community care level and highlighted that this could cause delays in the process. In response, officers acknowledged these concerns and advised that consideration would be given to how this could be mitigated.

RESOLVED

- I. That the Cabinet Member for Adult Social Care & Culture approve the proposal to enter into framework agreements for the provision of disabled adaptations works with Keepmoat Regeneration Ltd, Richwell Construction Ltd, Effectable Construction Services and The AD Construction Group as allowed under Contract Standing Order (CSO) 16.02, for a period of two years with the option to extend the framework agreements for a further two years on an annual basis subject to satisfactory performance of the suppliers.

Reasons for decision

The intention is for the proposed framework agreement to:

- Deliver value for money through a competitively procured schedule of rates, with scope for good economies of scale with the suppliers and the council working together to achieve cost reductions and continuous improvement;
- Provide four specialist adaptations suppliers to allow for a responsive service with good capacity;
- Ensure consistency and continuity over the term of the agreement;
- Allow for suppliers to be assessed on quality as well as cost to ensure a high standard of work and customer service; and
- Ensure delivery of housing adaptations in the shortest possible time.
- Ensure that through the term of the contract Value for Money is reflected in all commitments;
- Guarantee that the framework and call-offs issued under it are all fully compliant with the Public Contract Regulations 2015.

Alternative options considered

The options set out below have been considered by the Head of Adaptations Service and Strategic Procurement.

The options were considered in detail against the various project objectives. It was concluded that Option D was the preferred option.

Of significance, the adaptations works are classified as works under Schedule 2 of the Public Contracts Regulations 2015. The anticipated value of spend under the framework agreement over the next four years is over the EU threshold value for works and is therefore within the scope of the Public Contract Regulations 2015 and subject to a full EU wide compliant procurement route.

Option A – Tender work in batches

This would mean continuing with the current arrangement whereby the work is competitively tendered in batches which is both very time consuming and a lengthy process for already stretched internal resources.

The existing arrangement was only a short term expedient to maintain continuity in the provision of services pending the development of a more lasting solution that fully complied with the Public Contract Regulations 2015 which is necessary given the projected value of the work over the next four years which is in excess of the EU threshold for works.

Option B - Access an existing Adaptations Framework operated by other public sector bodies.

While this option might be efficient in terms of staff time in the procurement process there are the following disadvantages if joining an existing framework:

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- There will be a cost to the council to access the framework;
- It may not provide the wide range of services that the council and Homes for Haringey require;
- It may increase the level of sub- contracting as suppliers on a framework may not have a local presence or have the capacity or capability to meet the council's requirements;
- It may prevent the council being able to determine its own contract terms as they are already prescribed in the framework structure ;

Option C - Measured Term Contract with a single Supplier

This contract is suitable for a regular flow of adaptations works to be carried out by a single contractor over a specified period of time. The work is measured and valued on the basis of an agreed Schedule of Rate. The major concern about option C is reliance on a single contractor and is therefore not recommended.

Option D - Council Framework Arrangement with one or more Suppliers

Framework Agreements can be either sole supplier or multi supplier frameworks and are an agreement between the contracting authority and the contractor(s) detailing the terms and conditions against which the contracting authority may place orders or tasks. The contracting authority is not obliged to order, accept or pay for any of the services other than those actually ordered and / or authorised under the terms of the framework agreement.

Each order or task raised against a framework agreement is a separate legally binding contract relating only to the services covered by the particular order or task, subject to the terms and conditions stated in the framework agreement.

Under a framework agreement that there is no commitment for either party to undertake any business until the first contract is 'called off'.

It is considered that a multi supplier framework is best suited to the council's requirements for housing adaptations. The possibility of incorporating the needs of Enfield's requirements into the framework agreement was explored but did not get off the ground as Enfield decided to develop their own framework agreement tailored to their specific requirements.

28. NEW ITEMS OF URGENT BUSINESS

N/A

29. EXCLUSION OF THE PRESS AND PUBLIC

That the press and public be excluded from the reminder of the meeting as the items contained exempt information, as defined under paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

30. AWARD OF FRAMEWORK AGREEMENT FOR THE PROVISION OF ADAPTATION WORKS TO PROPERTIES WHERE RESIDENTS HAVE DISABILITIES

The Leader noted the exempt section of the report.

31. NEW ITEMS OF EXEMPT URGENT BUSINESS

N/A

CHAIR: Councillor Claire Kober

Signed by Chair

Date