THE RESETTLEMENT OF PEOPLE WITH LEARNING DISABILITIES FROM THE THREE HORIZON (NHS) TRUST LONG STAY HOSPITALS WHICH ARE PLANNED TO CLOSE

ITEM 11

CONTACT OFFICER: Martin Smith
TELEPHONE: 0895 250437

SUMMARY

This report provides background on the department’s work to resettle People with Learning Disabilities from Leavesden, Cell Barnes and Harperbury Hospitals.

It also seeks Member’s approval to continue to work to achieve the resettlement of the remaining people in hospital.

Members are also informed about the findings of a research project by Value into Action (VIA), supported by the Joseph Rowntree Foundation and launched at a Kings Fund seminar in April which highlights Hillingdon’s approach to Resettlement as an example of good practices.

RECOMMENDATIONS:

1. Members to note the contents of this report and to agree that:-

2. That Officers continue the work of planning and implementing the resettlement of clients from the three closing NHS Trust hospitals, subject to adequate resourcing being negotiated with Hillingdon Health Agency and Regional Health colleagues and by utilising high quality and cost effective providers of services.

3. That the cost of resettlement to achieve the Trust hospitals closure dates is at nil cost to the Local Authority.

BACKGROUND

11.1 Leavesden, Cell Barnes and Harperbury NHS Trust hospitals are long stay hospitals. They were built around the turn of the century and at their height of usage had over 2000 patients in large dormitory style wards. The residents had a range of needs based upon their learning disability (previously termed “Mental Handicap”) and/or mental health needs. Some people were admitted at a very young age and lived for the vast majority of their lives in the institutions; some originally being admitted for extremely dubious reasons - for example, single pregnant women and people who had committed minor offences.

11.2 The Hospital Closure Programme is as follows:-

Leavesden - To close by September 1995
Cell Barnes - To close by 1998
Harperbury - To close by 2000
11.3 The work to achieve closure consists of resettling those people who remain in hospital into the community. The majority of the people who remain have high dependency needs and consequently require expensive packages of care.

11.4 The services that are arranged to provide for each person must be based upon the needs of each individual, should improve the quality of life of those persons and be of sufficient quality to greatly reduce the need for re-admission to other hospitals, bearing in mind the non-availability of the three closed hospitals in the future.

11.5 The funding of resettlement is complex. The Regional Health Authority allocate revenue for each person transferred from hospital. From 1993 this has been in the form of an ‘average dowry’ of £26,000 per person.

This money transfers, via Hillingdon Health Agency to the Social Services Department which, as the ‘lead’ agency responsible for arranging the care with services providers, is also able to claim DSS benefits on behalf of service users. These benefits cannot be claimed by the Health Agency and provide substantial amounts to the budget for the management of resettlement (Appendix A) and services required. For example, in 1993, 43 people resettled from Leavesden provided £310k from DSS benefits. There is therefore considerable advantage to Social Services undertaking the lead agency role.

Regional Capital funding is also available to be bid for. The estimated Regional total for 1995/6 is £7,000,000 and for 1996/7 is £6,000,000.

11.6 Since 1988/9 over 60 people who were former residents of the borough have been resettled from hospital. In addition, 43 people had been resettled in 1993 who the Regional Health Authority regard as ‘stateless’ in that they were admitted prior to the local government reorganisation of 1972. The People with Disabilities Team (PDT) is responsible for managing all these resettlements. (See Appendix B).

11.7 There are currently approximately 240 people remaining in Leavesden, of whom 29 are due to be resettled as Hillingdon residents. In Harperbury there are approximately 430 of whom 26 are from Hillingdon. There is only one Hillingdon resident at Cell Barnes.

11.8 The lead role of the Social Services department in ‘Care in the Community’ for the resettlement of previous residents of the borough from the long-stay hospital is clear. It has been formalised in Hillingdon since 1986 with the signing of the MESH agreement with the Health Agency. This has confirmed the local authority as having sole agency responsibility for the management of services for people with a learning disability and included the transfer of staff such as psychologist and community nurse to the People with Disabilities Team.

11.9 In terms of resettlement this means that the PDT will work in partnership with Provider Services teams, external providers and the Health Agency to commission appropriate services. These are funded via the ‘average dowry’ and DSS benefits.
11.10 It is important for Members to note that the remaining Hillingdon people in Leavesden have the most costly and complex care needs and a number of them have ‘Challenging Behaviour’. The costs of care are on average between £50 - £80,000. Clearly ‘average dowry’ plus DSS benefits will not be adequate. Plans for the needs of those still to be resettled are well advanced and one of the key tasks over the next year is to look at ways, in collaboration with the Health Agency, of creating new provisions and ensuring adequate funding for these people.

11.11 The specific issues for resettlement are the continuing process of planning and creating appropriate services for those still to be resettled. The priority is Leavesden given its closure date of September 1995. Financial penalties will be applied by the Regional Health Agency to the Hillingdon Health Agency if the closure date is not achieved. These penalties could be passed on to the Local Authority through a reduction in the available funding for resettlement, so there are both professional and financial pressures to resettle people.

The funding available needs to be adequate and negotiated by Social Services with the Health Agency and Regional Health Managers. Without adequate revenue and capital funding being made available, resettlements cannot occur to enable the hospitals to close.

The needs of People with Learning Disabilities being resettled need to be considered alongside the needs of such people already in the borough and support services developed so that as high a quality of life in the community as possible is maintained.

11.12 Values into Action Report: Members are requested to note the VIA report which was circulated in April 1994 (Appendix C). This report commends Hillingdon’s “Lead Agency” approach to Resettlement and the role of the People with Disabilities Team. Officers are keen to further develop and build on existing good practice. The full VIA Report is available for Members should they so wish.

DIRECTOR OF FINANCE COMMENTS

Nil

BACKGROUND DOCUMENTS

Appendix A PDT staffing for Resettlement
Appendix B Work brief for Resettlement
Appendix C VIA report and Team Managers memo of 21 April
appendix b
appendix c
appendix c
SUMMARY

This report presents a profile of mental health service users, and the services provided by the statutory and independent agencies operating within the borough.

It seeks to inform members of the current situation in the Social Services Department, its response to legislation, service developments, and the plans to raise the profile of Mental Health within the borough.

USER PROFILE

12.1 It is estimated that about one in ten people who visit their GP have suffered a mental health problem. These may range from milder depressions or anxiety states; very distressing conditions such as obsessive compulsive disorders, phobias and eating disorders; to serious and enduring conditions such as manic depressive psychosis and schizophrenia.

12.2 Most of the people with mental health problems seek to lead as full and independent lives as possible. It is the task of the department and staff to empower them to achieve this. Many will be living in their own homes either alone or with their families, others in unstaffed group homes. A substantial number will be in staffed accommodation and a smaller but significant group are in continuing care hospital wards where they have been for many years.

SERVICE PROFILE

12.3 Following the Departmental Management Review there have been a number of changes to the management of the Mental Health service. The staffed residential homes of Tasman House and Hayes Park House and their satellite, unstaffed, group homes are now managed by the Provider Team Managers. These services provide a range of rehabilitation and semi-independent accommodation to 70 adults with mental health problems. It is proposed to transfer the management responsibility for day care at Hillingdon Day Centre at Moorcroft, to the Provider Group once the Service Manager for Day Care has been appointed.

12.4 The Commissioning, Assessment and Purchasing Team consists of professional social workers organised on a North/South basis to offer a needs-led assessment of service and provide care management for people with mental health problems. They also have a statutory duty to assess people who may be in need of detention in hospital or guardianship under the Mental health Act 1983.

12.5 In the voluntary sector, MIND provide a range of befriending, advocacy, leisure and residential services. Cheshire Homes and Advance Housing have a number of group homes in the borough. There are a number of small, private group homes in Hillingdon, some of which are part of an adult placement scheme.
NEW DEPARTMENTAL STRUCTURE

12.6 The reorganisation of Social Services has provided a clearer distinction between Commissioning, Assessment and Purchasing on the one hand, and Service Provision on the other. It has provided a clear focus for the mental health teams to develop services in response to assessed need both on an individual basis and on broader service delivery. In due course the Commissioning Team will be drawing up service level agreements with the provider group specifying the quality and type of service required, the number of people to be served and the agreed cost of the service. This is already happening with the independent sector, on an individual “spot contract” basis but will be extended to include “block” contracts as appropriate.

12.7 The role of the Commissioning Team Manager (Mental Health) will be to develop and monitor services for people with mental health problems, in close collaboration with Health colleagues, local user and carer groups, voluntary organisations and others in the independent sector. The postholder will identify need, ensuring that services are of a high quality, are accessible and respond to prioritised need.

12.8 It was one of the declared criteria of the Management Review to raise the profile of mental health in the borough. This objective becomes more achievable for the Commissioning Team Manager (Mental Health) in this new role. A priority service development will be the provision of alternatives to residential care through promoting domiciliary care initiatives to enable people with mental health problems to receive support in their own homes.

12.9 A further priority will be to ensure that the range of services provided are responsive to the needs of ethnic minority service users.

SERVICE DEVELOPMENTS

Pembroke Centre

12.10 The Pembroke Centre, the first Community Mental Health Resource Centre in the borough, opened in April 1992 and provided the first major mental health facility in the north of the borough. It represents an excellent example of joint planning, financing and working between the health service and the local authority. It offers a comprehensive range of mental health services, GP’s and the public have access to social workers, community mental health nurses, psychologists and psychiatrists. Centre staff provide a day programme and a drop-in facility.

Mead House

12.11 Planning is continuing on the commissioning of Mead House, the second Community Mental Health Resource Centre.

The Hillingdon Day Centre and the South Social Work Team will move to Mead House along with a multi-disciplinary team from the Hillingdon Hospital Trust.

As reported at the June 1994 Committee a Senior Day Care Officer has been recruited to the day centre and this has allowed the number of attendees to rise to 30 per day.
Resettlement from St Bernards

12.12 Through the Joint Commissioning process we will be supporting the local health purchasers and the Hillingdon Health Agency, in developing overdue plans to resettle the remaining long-stay patients at St Bernards. One or two are being resettled in social services facilities, though the Health Agency are indicating a preference for resettlement of the majority with an independent provider.

Mental Illness Specific Grant

12.13 The Department of Health Mental Illness Specific Grant provides funding for the development of mental health services. The Department of Health makes available 70% of the indicative allocation and the Local Authority must contribute 30%.

From the Grant we fund a Project Officer who is exploring Employment Initiatives for people with mental health problems. A full report will be provided at a future Social Services Committee.

Further service developments include a Weekend Club organised by MIND at the Pembroke Centre which will provide an alternative to the Weekend Club at Moorcroft. The Mental Illness Specific Grant is also supporting a carers initiative to provide holiday breaks for people with serious mental health problems.

The Health Agency with support from the Local Authority, are planning a special pilot project targeted at those with the most severe and enduring mental illness, aimed at providing maximum community treatment and support, and avoiding hospital admissions or reducing the length of stay.

Campaign for a 24hour Crisis Service

12.14 MIND are campaigning both locally and nationally for the provision of 24 hour Crisis Service. At present our out of hours service response is provided by the Emergency Duty Team, an emergency bed at Tasman House and the availability of a very limited out of hours service at the Hospital Mental Health Unit. It will be the task of the Joint Commissioning Group for Mental Health to investigate that need and if necessary plan and identify the resources for such a scheme.

COMMENTS OF DIRECTOR OF FINANCE

12.15 This report has no financial implications beyond those identified in previous Committee Reports.

BACKGROUND DOCUMENTS - Nil.
SUMMARY

To report final outturn for 1993/94 and the latest financial position for 1994/95.

RECOMMENDATION

That Members note this report and in particular the projected overspend for 1994/95 which is attributable mainly to the additional costs of implementing nationally agreed conditions for the Harmonisation of Hours for Residential and Manual staff and additional costs relating to Refugee Foster Carers.

INFORMATION

1993/94 Position

13.1 This report identifies the overall position for the Social Services Committee in 1993/94 comparing the agreed budget against the actual income and expenditure for the year. An interim summary position was given to Policy Committee (21/2/94). This report gives the final position for the year.

13.2 Appendix 1 shows actual income and expenditure by service compared with the agreed budget for the year. The classification of services is in accordance with the latest recommendations of the Chartered Institute of Public Finance and Accountancy (CIPFA). The outturn shows a net underspend of £274,372 and the major variances that make up this figure are explained below.

Explanation of Major Variances (1993/94 Outturn)

13.3 Policy Committee (9th September 1993) approved reinstatements to the Committee’s revenue budget totalling £403k (detailed in 13.7 below). This reflected the policy priorities contained within the Leader’s Statement of Intent to Council on 6th September 1993. Because of delays to the programme, actual expenditure amounted to only £49k and this related to the Under 5s Resource Centres (£20k) and compensating for the abolition of transport charges to Day Care Centres (£29k) resulting in an underspend of £354k.

13.4 Other material variances are as follows:

(a) an overspend of £515k relating to (Children’s) Out Borough Placements. This was identified as a budget risk during the year. (Note that this overspend is unrelated to the government grant of £582k that L.B. Hillingdon received for refugee children in that year.)
(b) an overspend of £108k largely on the staffing budget at Bourne Lodge (residential home for people with disabilities). This overspend was identified during the year and compensating savings totalling £107k were found from within other Disabilities Residential and Day Centre establishments.

(c) an underspend of £300k on the Home Care wages budget was achieved in order to compensate for budget pressures identified at the time both generally and within the Elderly service provision (for example reinstating the home-to-base mileage conditions of service for Home Care car users).

13.5 The apparent “underspend” of £181k on the Community Care Special Transitional Grant (STG) in reality is the accounting treatment to reflect base expenditure being specifically identified and accounted for under the 15% in-house expenditure as required by the STG rules.

13.6 Other variations were in respect of debt charges (+£98K) and capitalisation of certain items of expenditure from within the revenue account (-£29K). These are corporate variations and are outside the control of this Committee.

Summary of 1993/94 variations

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1994/95 Position

13.8 The revenue budget totalling £35,017,450 was approved by the Committee on 24/2/1994. This figure included an amount of £131k which had not been allocated at that time. The £131k was added to £247k - which was made up of savings identified from within existing resources - resulting in £378k being made available for specific “new initiatives”. This was approved by Committee on 17/3/1994.

13.9 Appendix 2 shows the agreed budget for 1994/95 compared with the latest forecast outturn for the year. Overall, there is a projected net overspend of £275,180 which is explained below.

Harmonisation of Hours

13.10 Members will be aware that the National Joint Committee (NJC) settlements in 1991 and 1992 for Manual Workers and Residential Social Workers sought a reduction in weekly working hours from 39 to 37. The cost of implementation was expected to be found from within existing resources. The current position is that 37 hours has been achieved for RSWs and 38 for Manual staff. Members will recall that budget provision of £150k was made available for this purpose in 1994/95. However, current calculations show that the cost of implementing harmonisation of hours will exceed the budget provision by £369k. Members are advised that this cost is after taking into account the efficiencies arising from changing working practices e.g. work rotas, minimising the period of handovers between different shifts etc. The figure will increase if backdating (to 1993/94) is taken into consideration and for the further reduction from 38 to 37 hours for Manual staff. At the time of writing these costs have not been quantified.

13.11 Members will wish to note that Officers are actively seeking supplementary budget for this item. If unsuccessful, compensating savings will have to be found from within the Committee’s existing budget.

Refugee Foster Carers

13.12 The projected overspend on this budget (shown under “Children & Families - Fostering & Adoption”) based on present information is £180,000. This is based on the Council having to fund foster placements for 10 young persons in addition to the 30 that are already in care.

Other

13.13 There are anticipated underspends, totalling £195k, as follows:

£147,160 - relating to Wood End Under 5s Resource Centre. Committee will recall that reinstatements were approved for this service area. Based on present information, it is not anticipated that this establishment will be operational in the current year.
With reference to the aforementioned New Initiatives (see paragraph 2.1), further slippage has occurred in a number of schemes resulting in a projected underspend for the year of £48k as follows:

- £25k relating to the appointment of Social Workers in the C&F Team.

- £10k relating to an appointment of staff within the Elderly Assessment Team.

- £13k relating to slippage within Disabilities - Occupational Therapist for Adult Services (£5k) and Contracts Compliance (£8k).

The 1994/95 budget has been adjusted to reflect the transfer of the Grants Officer post from Social Services to the Chief Executive’s Office (£31k).

**Summary of 1994/95 projected variations**

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<td>Wood End Resources Centre</td>
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<tr>
<td>Slippage on New Initiatives</td>
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<tr>
<td>Transfer of Grants Officer post</td>
<td>31-</td>
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<td><strong>Total</strong></td>
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SOCIAL SERVICES CAPITAL PROGRAMME        ITEM 14
MONTHLY MONITORING REPORT TO PERIOD 4 (31ST JULY 1994)

CONTACT OFFICER: David Lester
TELEPHONE: 0895 250406

SUMMARY

This report outlines capital spend to date and progress on capital projects for 1994/95.

RECOMMENDATIONS

1. That the Committee note and agrees the spend to period 4 (31st July 1994) and projected outturns for the year.

2. That projects still in the planning stage are reviewed to meet new circumstances of site availability and service need and detailed reports submitted to the November Committee.

3. Agree that a schedule of new and existing projects liable for carry over to 1995/96 be submitted to the November Committee.

4. Agree the spend of Supplementary Credit Approvals granted by the government in May 1994 for spend in 1994-95.

INFORMATION

14.1 A report on proposed Capital spending of £2,842K for 1994-95 was agreed by Social Services Committee on 17th March 1994.

14.2 Projects were divided into four categories as defined by the Policy Committee.

These are:

Category 1 - Unavoidable Schemes (£386K)

Expenditure that cannot be avoided due to specific obligation to the Council or as a result of existing member decisions.

Category 2 - Maintenance Works (£200K)

All expenditure on building, infrastructure or equipment maintenance.

Category 3 - Service Enhancements (£500K)

Projects arising from members or the Committee’s service plans.
Category 4 - Financially Advantageous (£0K)

Projects that either generate revenue savings or attract Government funding or other sources of external funding for the whole project.

14.3 Additionally a number of projects (totalling £1,756K) were carried over from 1993-94.

14.4 These projects are listed in Appendix A together with spend to period to 1st August and projected outturn for the year. Notes on projects are provided where progress has been delayed because of changes in service need or site availability.

14.5 Supplementary Credit Approvals (SCA) are listed in Appendix B. SCA are authority given by central government to raise extra capital to spend on specific purposes. They are a welcome extension on tight capital restrictions and the Council has a general policy of taking up its full allocation.

Level of Spend

14.6 There are two factors which need to be taken into account in considering the level of spend

(a) Projects take time to organise and commission. Many of the projects for which there is little spend to 1st August are out to tender and will be completed by the 31st March 1995.

(b) Detailed information on spend to date is lacking due to difficulties experienced by Property Consultancy in extracting data from its systems at the time this report was written.

(c) There is some minimal variation in figures carried over 1993/94 based on more complete information which has become available pending the March Committee Report.

Director of Finance Comments

This is a financial report which has been prepared in consultation with the Director of Finance. It clearly falls within Section 106 of the Local Government Finance Act 1992.

BACKGROUND DOCUMENTS

Nil.
APP C
NOTES TO APPENDIX A

1. The Burroughs and Refurbishment of Homes for Older People

Although listed originally £650K was the estimated cost of refurbishing the Burroughs to registration standards. This has proved insufficient and costs are estimated to exceed £1M for these works. Members have not given the approval to proceed and at Committee on 6th January 1994 Members agreed that the future use of The Burroughs be considered within the context of a wider review of Local Authority Services to Older People. This review has commenced and will be completed for the November 1994 SSD Committee.

There is a variation from the £570K listed for The Burroughs in the March Committee to £557K for this report. Also from £640K for the EPH Refurbishment listed in the March Committee to £650K for this report. This is because information available in March 1994 has now been updated.

2. Asian Day Centre

The Centre is currently housed in temporary Portakabins structures on land adjacent to the Uxbridge College Annex in Hayes. The site was recently the subject of a ruling by the Education Asset Board awarding the land used by the centre to the Council. This means that money reserved for possible relocation of the Centre can be used for planning and design work of a permanent location for the site to meet the Manifesto Pledge.

There is a variation from £200K to £207K from March to August based on more complete information.

3. Hoists

Because of a change in rules for capital spending the purchase of hoists could not be capitalised. Substitution of revenue spending was agreed with hoists provided from revenue spending and a revenue build project funded from this capital item.

4. Under 5’s Resource Centre at Wood End

Members have recently agreed that re-opening Wood End for two years life does not represent good value. Also that service need is now at Willow Tree Lane “Peabody Estate”. Also that the funding should be redirected to a facility on this site.

5. Merrimans Respite Care Unit

The £135K was conceived as “seed corn” money to purchase land and commission basic design work to replace Merrimans. Further work on the brief indicates a possibility of using existing sites and further investigation is being carried out.

The figure of £100K reported in March SSD Committee report was incorrect. It should have been £135K.

6. IT Development
The figure of £85K listed in March SSD Committee report was incorrect. It should have been £50K.

7. **Refurbishments of Kitchens**

There is a variation from £100K to £109K on from March to August based on more complete information.

8. **Replace Dangerous Flooring**

There is a variation of £100K to £107K from March to August based on more complete information.

9. **Replace Water Tanks**

There is a variation of £46K to £39K from March to August based on more complete information.

10. **Miscellaneous Structure Work**

There is a variation of £100K to £125K from March to August based on more complete information.
NOTES TO APPENDIX B

SUPPLEMENTARY CREDIT APPROVAL (SCA)

B1. SCA For Information Technology support in Implementing Caring for People

£121,718 for 1994-95.

This SCA is limited to credit arrangements and expenditure for capital purposes to develop information technology systems, including the purchase of software, in support of “Caring for People” implementation.

This SCA will be spent on

(a) Software to develop the Client Information system

   (i) Phase II Care Management
   (ii) Client Accounting
   (iii) Management information collection systems
   (iv) Sharing data with Health Authorities.

(b) Purchase of hardware to enable remaining establishments to access the client system and the Council’s CFACS ledger system.

B2. Supplementary Credit Approval for the Development of Social Care Services for People with a Mental Illness

£220K for 1994-95

This SCA was granted for two purposes

(a) Mead House Resource Centre - General Mental Health £100K

   This item was reported at the June SSD Committee.

(b) Day Care Services for Older People with Dementia - Grassy Meadow £120,000

   This development requires revenue funding not available in this financial year. Additionally the Mead House project required further funding. The Department of Health has indicated outline approval to switch this SCA to Mead House.
SUMMARY

To provide Members with a progress report on the implementation of the Social Services Plan approved by Committee on 13.6.94.

RECOMMENDATIONS

That members note the content of this report.

BACKGROUND

15.1 The Social Services Plan detailing the service objectives was approved by Committee on 13.6.94.

15.2 This report provides members with a schedule of action to achieve these objectives.

15.3 More detailed reports on specific areas will be provided on a regular basis and several are included on the agenda of this Committee.

ACTION PLAN

The attached schedule provides an Action Plan for both Childrens and Adults Services.

These will be reviewed and revised with the new Director when she takes up post.
A CHARGING POLICY FOR YOUNG PEOPLE WITH DISABILITIES AT TERMLY RESIDENTIAL COLLEGES

CONTACT OFFICER: Martin Smith
TELEPHONE: 0895 250959

SUMMARY

The purpose of this report is to identify a particular anomaly in existing financial arrangements and to propose an equal charging policy.

RECOMMENDATIONS

1. That young people (i.e. aged 16-25 years) who have a disability and are in college on a termly basis, receiving part-funding from the Further Education Funding Council, should no longer be subject to the financial assessment applicable to people in full-time residential care.

2. That such young people should, instead, be subject to a fixed charged equal to the maximum level for full-time Personal Domiciliary Care, currently £21.75 per week.

INFORMATION

16.1 Until 1993, young people with disabilities who wished to attend Colleges of Further Education were funded through their Local Authority Careers Service. This applied to residential as well as day time Colleges. The residential Colleges tend to offer a broader-based curriculum of social and rehabilitative skills, including the opportunity to “try-out” living away from home, as well as academic opportunities.

16.2 These further education opportunities are generally available up to the age of 19 years, sometimes to 21 years, and occasionally to 25 years. Until last year, they were fully funded through the education and careers services.

16.3 Since April 1993, funding for all these Colleges has become the responsibility of the Further Education Funding Council (F.E.F.C.). This is a Central Government agency which allocates funds according to laid down criteria, albeit the requests are made via local careers officers. The F.E.F.C. comes into operation when the young person reaches 16 years of age.

16.4 In reality, support to disabled students at residential Colleges has been reduced in nearly every case from the 100% afforded under the previous arrangements, to 50% under the F.E.F.C. arrangements. This has been because the F.E.F.C. is concerned with the academic part of the curriculum, rather than wider educational opportunities.
16.5 This new policy was implemented in September 1993 when many students were in the middle of, or just about to start, their courses. Local Authority Social Services Departments were then expected to meet the 50% funding short fall. This expectation was particularly high amongst the students and their parents.

16.6 In Hillingdon, this expectation and responsibility fell on the People with Disabilities Team (PDT). The team undertook a number of needs led assessments (often at very short notice) with the young people concerned. It was then decided whether their needs could be met in a local service, or whether a residential (Out-Borough) termly College facility was appropriate.

16.7 In 7 cases, it was agreed to offer the 50% funding, using the first tranche Special Transitional Grant (STG). Each of these 7 young people were already at, or had been offered places at, a College of their choice which met their identified needs.

16.8 In using STG funding we have a duty to undertake a financial assessment of the student’s ability to contribute towards their costs. However, this has resulted in an inconsistency for the students as a result of the following variables:-

i) If the Colleges are also registered under the 1984 Residential Care Homes Act, then the students can claim Residential Care Allowance (RCA) as part of their Income Support. If the Colleges are not so registered, then RCA is not claimable. If the RCA is received, then it is reclaimable by the Social Services Department as part of the financial assessment.

(It is not mandatory for Colleges to register under the Act if their “care” is term-based only).

ii) Different Benefit Agencies appear to be unclear as to interpretation of the rules. For example, the Disability Living Allowance - Care Component (formerly Attendance Allowance) is not normally payable after someone has been in “residential care” for 4 weeks. This raises the question as to whether a term-based College is truly “residential”, or should the 4 weeks rule apply each term? This dilemma is evidenced by the time that different Agencies are taking, around the country, to agree someone’s entitlement.

iii) A similar problem exists with Income Support (IS) and Severe Disablement Allowance (SDA). The young person is in the position of claiming at two different Benefits Agencies - home and College - with the inevitable delays, mislaid claims etc. This is compounded by our current financial assessment process which affects income in the College terms, but not whilst the student is at home.

iv) Age of student. Income Support level is higher from the age of 18 years.

v) College terms vary from 36 to 41 weeks total in a year, usually in 3 occasionally 4 terms.
16.9 The result has been that most students have had to contribute all their benefits except a Personal Allowance of £13.10 per week. This is the sum allowed by the Central Government Department of Health for people in (full) Residential Care. Because of uncertainty as noted above, some students have yet to contribute. Under previous arrangements, the students made no contribution.

16.10 PDT and Social Services Income Section wish to regularise the position so that there is an equitable outcome for all students with disabilities who are in this situation.

**Current Situation**

16.11 Of the 7 students affected by the issue in the academic year 1993/94, two have now moved to full-time residential care and the other five are requesting further support this year at termly-based residential Colleges, whilst aiming for independent living. There are two new applicants for this support, one of whom is about to start her second year, and one of whom is about to start her first. As with last year’s applicants, they have been offered 50% funding from the F.E.F.C.

16.12 Needs led assessments completed with all 7 applicants for this year have identified that the Colleges being accessed can meet their differing needs for the foreseeable future, although full-time Residential Care is neither needed, wanted nor anticipated at this time.

16.13 All the Colleges involved are managed by Independent (Private or Voluntary) organisations. Funding is therefore available from the Special Transitional Grant (STG) allocated to PDT (85% block), as well as from Care Budget. First tranche STG was used for applicants in 1993/94. Second tranche could be used for new applicants in 1994/95.

**Proposal**

16.14 That the full financial assessment rules be applied only when the young person is receiving full residential care, as agreed as part of a needs led assessment. This would normally be those people (of any age) who need a total full-staffed care setting for the foreseeable future. They would thus be eligible (only) for the statutory Personal Allowance, currently £13.10.

16.15 Those young people (i.e. aged 16-25 years) with disabilities who are in College receiving (on a termly basis) educational, social and rehabilitation skills training under the (part) sponsorship of the Further Education Funding Council, should not be subject to the same level of financial assessment. Instead they should be charged a fixed rate towards their care costs in term time - currently £21.75 per week. The rationale for this figure is:-

i) The figure of £21.75 is equivalent to the maximum domiciliary personal care charges levied in the Borough, including for those who require 24 hour care at home.

(NB - The young people at College do not generally receive their Disability Living Allowance - Care Component whilst at College, only in the holidays, at home).

ii) Educational (i.e. academic) fees are met by the F.E.F.C. 50% funding.
iii) Any “day care” element in the College courses should be free to the user as is day care within the service in Borough.

16.16 Any future charges should be fixed to the Departmental General Charging Policy, including any waiver scheme in operation.

**Implications**

16.17 For the young people themselves. Those receiving £13.10 now would find their weekly disposable income rise to £25.20 (16-17 year olds) or £33.85 (18 and over). Those currently not making any contribution towards their care costs would start to do so.

(NB - The Disability Living Allowance - Mobility Component has always been discounted in financial assessments and would continue to be so). See Appendix A for details of Benefits applicable.

16.18 For the Social Services Department. This would depend on the difference between the charge made and the 50% College fees. There is already a commitment made. The proposal would increase this commitment by £6,000 in the current financial year. See Appendix B for details. This current and additional funding is available through the Transitional Grant arrangements.

16.19 In future years, new applicants would have their costs met from funding released by existing students, either moving into independent living or into Residential Care. If the latter, they would be subject to a full financial assessment, thus increasing income to the Department.

16.20 A charge maintains the principle that the young person makes a contribution towards the cost of their care, to offset against the Social Services Department’s meeting 50% of the fees.

**Director of Finance’s Comments**

This report has been prepared in consultation with the Director of Finance and falls within Section 106 of the Local Government Finance Act 1992.

**CONCLUSION**

We propose that a fair charging system be implemented as set out above.

**BACKGROUND DOCUMENTS**

DSS BENEFITS AVAILABLE TO YOUNG PEOPLE WITH DISABILITIES

Disability Living Allowance - Mobility Component £12.15 per week (lower) or £31.95 per week (higher). This is paid to students with a physical disability, though not necessarily to students with other disabilities. It is not included in or affected by current or proposed arrangements. It is available to the students whether at home or at College.

Disability Living Allowance - Care Component £12.15 per week (lower), £30.55 per week (middle) or £45.70 per week (higher), is awarded depending on level of need. This benefit is surrendered after the first 4 weeks of “residential care”, but can be claimed during holidays and weekends “at home” (i.e. with parents/carers).

Severe Disablement Allowance £34.80 plus age allowance of £12.15 for all in this age group. Total of £46.95 per week. This is claimed by all the young people/students involved and would be the source for the £21.75 charge proposed. Thus all would retain a minimum of £46.95 less £21.75 per week, i.e. £25.20.

Income Support

<table>
<thead>
<tr>
<th>Basic Rate (under 18 years)</th>
<th>£27.50</th>
</tr>
</thead>
<tbody>
<tr>
<td>(over 18 years)</td>
<td>£36.15</td>
</tr>
<tr>
<td>Add Single Disability Premium</td>
<td>£19.45</td>
</tr>
</tbody>
</table>

Thus for anyone under 18, Income Support plus single Disability premium equals £46.95, same as the Severe Disablement Allowance i.e. this would be the claimant’s total. Under the proposal they would therefore retain £25.20, rather than the Personal Allowance of £13.10.

For anyone over 18 years, Income Support plus Single Disability Premium equals £55.60. After charging £21.75, the student would be left with £33.85 per week, rather than the Personal Allowance of £13.10.

These figures would apply in term time. Full benefits are retained in the holidays.

Anyone going into Residential Care and eligible for Income Support can claim the Residential Care Allowance of £53 per week (in London) or £48 per week (outside London). It remains unclear as to whether or when this is correctly claimable for someone in a termly residential service. If it is, then it should be reclaimable by Social Services as a further contribution towards the person’s fees.
APPENDIX B

DETAILS OF FUNDING IMPLICATION FOR SOCIAL SERVICES

For the 5 students requesting funding for a second year:-

Under existing financial assessment

<p>| | |</p>
<table>
<thead>
<tr>
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<tbody>
<tr>
<td>Total College Fees</td>
<td>£87,427</td>
</tr>
<tr>
<td>F.E.F.C. Contribution</td>
<td>£40,593 *</td>
</tr>
<tr>
<td>Student’s Benefits</td>
<td>£10,830</td>
</tr>
<tr>
<td>Social Services Contribution</td>
<td>£36,004</td>
</tr>
</tbody>
</table>

(*Not exactly 50% due to some individual variations).

Under proposed financial charging

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<table>
<thead>
<tr>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Total College Fees</td>
<td>£87,427</td>
</tr>
<tr>
<td>F.E.F.C. Contributions</td>
<td>£40,593</td>
</tr>
<tr>
<td>Students Charge</td>
<td>£4,176</td>
</tr>
<tr>
<td>Social Services Contribution</td>
<td>£42,658</td>
</tr>
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</table>

Additional cost to Social Services is £6,654 in current academic year for existing students. Add 2 new applicants - total additional cost likely to be £9,315.

This relates to the academic year 1994/95 so cost spread across two financial years - approximately £6,000 in the 1994/95 financial year.
SUMMARY

On reference from the Whips Sub-Committee this report sets out revised arrangements for Member attendance at conferences.

RECOMMENDATION

That approval be given to the proposals for approving attendance at conferences and a report be submitted to the next meeting on conferences likely to be relevant to this Committee during the remainder of this financial year.

INFORMATION

17.1 At its meeting on 27 June 1994 the Whips Sub-Committee reviewed the arrangements for the funding and approval of Member attendance at conferences. The following was agreed:-

(i) That the booking fees for attendance at conferences by Members be met from within the budget of the relevant Committee.

(ii) That the costs of travelling and subsistence be met from the Members’ budget under the control of the Whips Sub-Committee up to a maximum of 5 days a year for each Committee.

(iii) That each Committee receive an annual report on conferences which Members may wish to attend in the coming year and consider reserving one or two days for ad hoc conferences and seminars.

(iv) That Members attending conferences be required to submit a brief report to the relevant Committee on the outcome.

(v) That an annual report be submitted to the Sub-Committee on overall Member attendance at conferences across the Council.

Financial Implications

17.2 Financial implications will depend on decisions at the next meeting about how many and which conferences are to be attended.

BACKGROUND DOCUMENTS

Report to and minutes of Whips Sub-Committee 27 June 1994.
REPORTS TO COUNCIL

ITEM 18

CONTACT OFFICER: Adrienne Godfrey
TELEPHONE: 0895 250636

SUMMARY

This report invites the Committee to identify a maximum of two matters which it wishes to report to the next ordinary meeting of the Council.

RECOMMENDATION

That the Committee identifies whether there are any issues on which it wishes to report, up to a maximum of two.

INFORMATION

18.1 The procedures for the conduct of the Council meeting provide for Committees to submit reports on any two major items of business or achievements since the last meeting of the Council. These reports are to be submitted for debate rather than for decision but may be subject to motions of regret or reference back.

18.2 It is not necessary for Committees to report to every meeting of the Council unless there are issues which justify such action.

Resources Implications

18.3 This report has no resource implications.

BACKGROUND DOCUMENTS:

Standing Orders.
MS B - UPDATE

CONTACT OFFICER: Jane Campion
TELEPHONE: 0895 250654

This item is contained with Part 2, the confidential part of the meeting because it contains information classified as exempt under the Local Government (Access to Information) Act 1985.

“Information relating to a particular employee, former employee, or applicant to become an employee of, or a particular office holder or applicant to become an office holder under the authority.

SUMMARY

Ms B a Social Worker was attacked by a client on 7th July 1993 whilst shopping locally and a physical assault was only prevented by other shoppers. She has been unfit to return to work since the incident and suffered further verbal threats. She felt it unsafe for her to remain working for the Department and living in the area. On the 27th January 1994 this Committee received a report and agreed ex gratia payments to Ms B to enable her to continue to receive full salary for an extended period, to rent accommodation whilst she was in the process of selling her home and to pay the expenses connected with removal, sale and relocation. This report is to inform Members of Ms B’s present circumstances.

RECOMMENDATION

That members note the information.

INFORMATION

19.1 On 27th January 1994, Members received a report and agreed the following recommendations:-

a) That Ms B continue to receive a full salary for 1 year or until she obtains alternative employment whichever is the earlier.

b) That the Local Authority do pay Ms B’s rent to a maximum of £400 a month for a period of 6 months.

c) That the Local Authority do pay additional expenses in connection with the move to rented accommodation.

d) That the Local Authority do pay expenses to enable Ms B to sell her existing property and purchase a new property to include:

i) removal expenses

ii) estate agent’s fees

iii) solicitor’s fees
iv) stamp duty  
v) surveyor’s fees

e) In the event that Ms B is unable to sell her property at a reasonable price the Committee agrees to receive a further report to enable them to consider a bridging loan or further ex gratia payment.

19.2 Ms B subsequently moved to Gloucestershire and rented alternative accommodation. Her house in Hillingdon was on the market for sale.

19.3 On 3rd May 1994 the Acting Director of Social Services agreed that, in the event of Ms B obtaining employment at a lower salary than that which she would bearing were she still working for the borough, her salary would be protected for a period of 1 year to enable her to adjust to a working environment again.

In July 1994 Ms B successfully completed the sale of her home.

Ms B was encouraged to accept the borough’s offer to pay for specialised counselling to enable her to recover form the trauma that she had suffered and she has now commenced counselling.

Ms B was encouraged to make a claim to the Criminal Injuries Compensation Board and it is understood that she has now done this.

Ms B will continue to receive full salary until the end of January 1995.

In the event of Ms B deciding to purchase another property her expenses of so doing will be met following the Committee’s decision of 27th January 1994.

The Senior Legal Adviser comments:

19.4 “In January 1994 the Committee were advised that in Ms B’s exceptional circumstances the Council should take steps to ensure her safety and enable he rot move to another area pending the sale of her house. An ex gratia payment for this purpose fell within the ambit of Section 111 Local Government Act 1972 as being incidental to the Council’s functions in relation to the maintenance of good staff relations. The purpose of the ex gratia payment has now been achieved and any further payment to Ms B would not be justifiable on the grounds of reasonableness”.

BACKGROUND DOCUMENTS

This item is to be considered in the confidential part of the meeting because it contains exempt information as defined under the Local Government (Access to Information) Act 1985:-

‘Information relating to any particular occupier or former occupier of, or applicant for, accommodation provided by or at the expense of the authority’.

SUMMARY

The occupying tenants of 32 Sullivan Crescent, Harefield have been given the ‘Right to Buy’ the property from the Council and an offer has been made in accordance with their statutory entitlement.

32 Sullivan Crescent is the house adjoining the western boundary line of Knightscote Residential Home for older persons. It has been established that the boundary line between the properties is not correct and it is now necessary to regularise the title to Knightscote to enable the sale to proceed.

RECOMMENDATION

That Members give authority to the transfer from Housing Services to Social Services of 3 small parcels of land and the transfer of 1 parcel of land from Social Services to Housing Services. It is further recommended that this should be effected at nil consideration, with legal costs shared. On implementation of the title “swap” no alteration of possession of land or alteration to fencing will arise.

BACKGROUND DOCUMENTS

Memo from John Bent, Sales Valuer received in Social Services on 3rd August 1994
Drawings G155/3/RTB 234
H.M. Land Registry Title MX411333 plan.
SUMMARY

To report final outturn for 1993/94 and the latest financial position for 1994/95.

RECOMMENDATION

That Members note this report and in particular the projected overspend for 1994/95 which is attributable mainly to the additional costs of implementing nationally agreed conditions for the Harmonisation of Hours for Residential and Manual staff and additional costs relating to Refugee Foster Carers.

INFORMATION

1993/94 Position

21.1 This report identifies the overall position for the Social Services Committee in 1993/94 comparing the agreed budget against the actual income and expenditure for the year. An interim summary position was given to Policy Committee (21/2/94). This report gives the final position for the year.

21.2 Appendix 1 shows actual income and expenditure by service compared with the agreed budget for the year. The classification of services is in accordance with the latest recommendations of the Chartered Institute of Public Finance and Accountancy (CIPFA). The outturn shows a net underspend of £274,372 and the major variances that make up this figure are explained below.

Explanation of Major Variances (1993/94 Outturn)

21.3 Policy Committee (9th September 1993) approved reinstatements to the Committee’s revenue budget totalling £403k (detailed in 1.7 below). This reflected the policy priorities contained within the Leader’s Statement of Intent to Council on 6th September 1993. Because of delays to the programme, actual expenditure amounted to only £49k and this related to the Under 5s Resource Centres (£20k) and compensating for the abolition of transport charges to Day Care Centres (£29k) resulting in an underspend of £354k.

21.4 Other material variances are as follows:

(a) an overspend of £515k relating to (Children’s) Out Borough Placements. This was identified as a budget risk during the year. (Note that this overspend is unrelated to the government grant of £582k that L.B. Hillingdon received for refugee children in that year.)

(b) an overspend of £108k largely on the staffing budget at Bourne Lodge (residential home for people with disabilities). This overspend was identified during the year and compensating savings totalling £107k were found from within other Disabilities Residential and Day Centre establishments.
an underspend of £300k on the Home Care wages budget was achieved in order to compensate for budget pressures identified at the time both generally and within the Elderly service provision (for example reinstating the home-to-base mileage conditions of service for Home Care car users).

21.5 The apparent “underspend” of £181k on the Community Care Special Transitional Grant (STG) in reality is the accounting treatment to reflect base expenditure being specifically identified and accounted for under the 15% in-house expenditure as required by the STG rules.

21.6 Other variations were in respect of debt charges (+£98K) and capitalisation of certain items of expenditure from within the revenue account (-£29K). These are corporate variations and are outside the control of this Committee.

**Summary of 1993/94 variations**

<table>
<thead>
<tr>
<th>Reinstatements</th>
<th>Agreed Budget £’000</th>
<th>Actual £’000</th>
<th>Variance £’000</th>
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</thead>
<tbody>
<tr>
<td>Dining Centres X 5</td>
<td>87</td>
<td>0</td>
<td>87-</td>
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<tr>
<td>Start up costs</td>
<td>10</td>
<td>0</td>
<td>10-</td>
</tr>
<tr>
<td>Under 5’s Resources C X 3</td>
<td>182</td>
<td>0</td>
<td>182-</td>
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<tr>
<td>One-off costs</td>
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<td>20</td>
<td>0</td>
</tr>
<tr>
<td>Day Care Centres - abolition of transport charges</td>
<td>29</td>
<td>29</td>
<td>0</td>
</tr>
<tr>
<td>Disability Day Care - 5 day week service</td>
<td>54</td>
<td>0</td>
<td>54-</td>
</tr>
<tr>
<td>Childline Service</td>
<td>21</td>
<td>0</td>
<td>21-</td>
</tr>
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</table>

**Other**

<table>
<thead>
<tr>
<th>Reinstatements</th>
<th>Agreed Budget £’000</th>
<th>Actual £’000</th>
<th>Variance £’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Children &amp; Families - Out Borough Placements</td>
<td>515</td>
<td>515+</td>
<td></td>
</tr>
<tr>
<td>Disabilities - Bourne Lodge</td>
<td>108</td>
<td>108+</td>
<td></td>
</tr>
<tr>
<td>Home Care - wages</td>
<td>300-</td>
<td>300-</td>
<td></td>
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<tr>
<td>Disabilities - Day Centres &amp; Establishments</td>
<td>107-</td>
<td>107-</td>
<td></td>
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<tr>
<td>Transitional Grant</td>
<td>181-</td>
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<td>Additional Debt Charges</td>
<td>29-</td>
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<tr>
<td>Miscellaneous items</td>
<td>24-</td>
<td>24-</td>
<td></td>
</tr>
</tbody>
</table>

**1994/95 Position**

21.8 The revenue budget totalling £35,017,450 was approved by the Committee on 24/2/1994. This figure included an amount of £131k which had not been allocated at that time. The £131k was added to £247k - which was made up of savings identified from within existing resources - resulting in £378k being made available for specific “new initiatives”. This was approved by Committee on 17/3/1994.

21.9 **Appendix 2** shows the agreed budget for 1994/95 compared with the latest forecast outturn for the year. Overall, there is a projected net overspend of £275,180 which is explained below.