



Executive
14th Executive 2005

**Report from the Director of
Housing and Community Care**

For Information

Wards Affected:
ALL

Closure of Brent Triangle

Forward Plan Ref: A&SC-04/05-34

1.0 Summary

- 1.1 This report provides details of the background of the decision by the Trustees of Brent Triangle - a charitable organisation providing respite care services to carers looking after elderly people with mental health problems - to close down the organisation. It also describes alternative arrangements that have been implemented to meet the needs of service users and carers.

2.0 Recommendations

- 2.1 Members are asked to note the contents of the report.

3.0 Detail

- 3.1 Brent Triangle began as a charity in 1983 under the organisation's Terms of the Constitution drawn up in 1982. The organisation is a registered charity and a company limited by guarantee and registered in England and is governed by its memorandum and articles of association.
- 3.2 Brent Triangle Limited is run by the Management Committee who are the directors of the company. The members appoint the trustees at the Annual General Meeting. The day to day affairs of the charity are delegated to paid employees namely the Chief Executive Officer and Chief Executive Officer - Care.

3.3 The objectives of the charity are to 'relieve the suffering in Brent of:

- The families or persons responsible for the care of older people with mental health problems living at home by provision of domiciliary care workers; and
- At the discretion of the trustees to provide such home domiciliary care workers for older people with mental health problems without family or persons responsible for their care.'

3.4 Brent Triangle operated an open referral system, accepting referrals from all sources. The service was provided in the form of respite care by trained support workers, being available 24 hours a day throughout the year. The duration of a respite care session is defined by needs of the carers. In most cases, the service was provided on a continuous basis. At the end of June 2005, 56 people were receiving a service from Triangle.

3.5 Brent Triangle received funding from the local authority through various sources. The table below details funding over the past three years.

	2003/4	2004/5	2005/6
Social Services Grant	108,200	110,364	112,571
Mental Health Grant	123,244	102,655	102,655
Carers Grant	109,247	111,432	111,432
'Community Care' Grant	50,000	50,000	0
TOTAL	390,691	374,451	326,658

3.6 Funding Decisions

Funding decisions have been based on information submitted in the grant application forms and bids, past performance, the ability to meet the grant conditions and analysis of future assessed needs of the community.

A decision was made to withdraw 'Community Care Grant' funding 2005/6 as Brent Triangle could not provide evidence of what this funding had provided, or any activity data relating to the grant for the previous years. Value for money issues were central to this decision.

3.7 Administration and Monitoring of the Grants

Each grant is administered and monitored by officers of the Council, except for the Mental Health Grant which is administered and monitored by the Joint Commissioner for Mental Health.

Since funding was first granted to Triangle, various methods are used to monitor the grants. These include:

- Quarterly monitoring data submitted by the CEO giving details such as number of respite care sessions provided, number of carers served, age, ethnicity, gender of carers, number of carers on the waiting list
- Annual monitoring visits to examine records such as case files, staff files, complaints

- annual satisfaction surveys
- annual audited accounts submitted by Brent Triangle.

- 3.8 Numerous, repeated requests were made to Brent Triangle to submit comprehensive details of people using the service. However, this information was not provided in full until a new Chief Officer came into post at Triangle in April 2005.
- 3.9 Officers from Social Services met with senior staff from Triangle in June 2005 to discuss the services provided by Triangle and funding arrangements. It is important that Social Services department sought to ensure best value in the services it was funding.
- 3.10 Following this meeting Triangle were invited to consult with staff and Trustees on options to address these issues with a view to implementing formal contractual arrangements with them subject to satisfactory resolution of these concerns.
- 3.11 Following consultation with trustees and the organisation's accountant, taking legal advice and seeking the views of independent management consultants, Triangle representatives met with council officers again at the end of June 2005 to explain that in their opinion Triangle was in a financially unviable position and their decision was to close down the organisation at the end of September 2005.
- 3.12 This decision was based on consideration of the cost issues as raised by council officers, but also taking into account other information, including financial details, which it seems had not previously been made fully available to Trustees or the council.
- 3.13 Council Officers entered into dialogue with the Trustees and the CEO of Brent Triangle to ensure that all options had been considered and that they had reached an appropriate decision. The Chief Officer of Triangle was clear that the Trustees could not develop an action plan that was viable and then instigated a closure plan. The Trustees were reassured that the Council would continue to fund the organisation until the 30th of September 2005.
- 3.14 Throughout the closure process council officers worked closely with Triangle staff and Trustees to ensure that the needs of service users and carers would continue to be met, and that they would experience as little disruption as possible during this difficult period.
- 3.15 Social Services agreed to assess all users of the service and their carers in accordance with Fair Access to Care Services Criteria (FACs), with a view to ensuring continued provision of respite care support after 1st of October 2005. This included the 37 Triangle service users already in receipt of statutory services.

- 3.16 Brent Triangle undertook consultation with the service users, their carers and with the employees. They were provided with details of care agencies that would be contracted to provide the service to their carers following assessment by the local authority. Employees were given similar information to assist them in seeking alternative employment and to provide continuity of care if possible.
- 3.17 During the closure process, council officers maintained regular communication with Triangle's senior staff and Trustees. A number of meetings were held to review the situation and to offer support where necessary.
- 3.18 Following the decisions by Triangle's Trustees to close the organisation, formal processes were entered into by them to address staffing issues, notably redundancy for all staff.
- 3.19 Council officers and the lead Member for Adults, Health and Social Care met again with Triangle Trustees, the Chief Officer and the organisation's accountant in late September in order seek re-assurances that all possible alternatives to closure had been fully explored, and to further ensure that arrangements were in place to continue service provision where appropriate.
- 3.20 Excepting one trustee who was keen to see Triangle continue, though with no suggestions as to how this may happen, the representatives of Triangle were clear that their decision to close was the only possible option taking into account their financial position and their duties and responsibilities under charity law.
- 3.21 There has been significant ill-informed comment in the local press concerning the closure of Triangle, primarily through letters to local papers.
- 3.22 A petition signed by 662 people seeking assurances that services to carers will continue has also been handed into the council.
- 3.23 In addition, members and former users of the service have requested the Charity Commission undertake an investigation into Brent Triangle to address their concerns over the decision by Trustees to close Triangle, and its management prior to this.
- 3.24 Following the closure of Triangle, alternative service provision has been put in place where possible. Two service users are in hospital, two have cancelled and withdrawn from service provision, and one has made family arrangements. For all other users and carers, alternative care arrangements have been provided through the usual Adults and Social Care mechanisms.
- 3.25 The decision by Trustees that Triangle would cease service delivery at the end of September has now been implemented. There are still some issues to resolve before the organisation is formally closed down which the Trustees are addressing. The timescale for winding-up the organisation is likely to be affected by the Charity Commission investigation.

3.26 It is regrettable that, as a result of the decision by Trustees to close down Brent Triangle, service users and carers have experienced some anxiety and changes in service delivery. However, officer from the Adults and Social Care department have sought throughout to minimise disruption to users and carers and to ensure that services continue to be provided to those in need.

4.0 Financial Implications

4.1 In 2005/06, funding of £327,000 was approved for Brent Triangle. The levels of service provided demonstrated poor value for money. Following the decision by Triangle's Trustees to close the organisation, these resources will be used to fund alternative provision of respite care which will provide similar levels of service but providing better value for money. .

5.0 Legal Implications

5.1 Respite care is provided under the Chronically Sick and Disabled Persons Act 1970 s2(1)(a) or National Health Service Act Sch 8 para 3 or Health Services and Public Health Act 1968 s45. The Local Authority has reassessed the needs of both the service users and the carers under the Fair Access to Services Criteria.

6.0 Diversity Implications

6.1 Brent Triangle provided respite care services to carers looking after elderly mentally ill relatives or friends. The service was provided to carers aged 18 years and above, however the person looked after had to be aged 55 years and above.

The Council have assessed all the carers and the service users and those that are eligible for care services under the Fair Access to Care Services Criteria already have their respite care service continued with an alternative service provider.

Service Providers were selected to deliver the services that are:

- Culturally sensitive by matching specific language requirements where
- those that have a local workforce which reflects the communities of Brent;
- Able to offer carers and service users a male or female support worker if specifically requested;
- Able to care for service users with mental illness through suitably trained staff.

7.0 Staffing Implications

7.1 There are no council staffing implications

Background Papers

Brent Triangle files

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