



Questions from Members of the Public

Full Council – 19 September 2024

1. **Question from Smita Patel to Councillor Nerva (Cabinet Member for Community Health & Wellbeing)**

Can the Cabinet Member for Adult Social Care please advise:

- (a) What is the role of Adult Social Care in monitoring the placement and quality of care of vulnerable adults (particularly those affected by mental health issues) by private care providers in small converted residential care facilities (e.g. single 3 bedroom family homes) within the borough along with the adequacy of the facilities provided and wider wraparound support available from GPs and the NHS.
- (b) The CQC makes an annual visit to privately cared for houses. Being registered with the CQC does not necessarily mean that the company has had stringent and regular testing in respect to the qualifications of staff in their employment, looking after these vulnerable persons. Who independently checks the staff providing care to assure they have sufficient expertise and qualifications to be adequately providing care to these vulnerable adults, including CRB checks?
- (c) The CQC does not make decisions on whether a property is safe or suitable for the provision of care. Who ensures that any single family homes converted to support these individuals are safe and have sufficient communal facilities and separate areas for care providers and therapists in the house? What is the role of Adult Social Care regarding vulnerable adults placed in premises run by private CQC registered companies?

Response:

- (a) In England the Care Quality Commission is responsible for the regulation of care home services, and regulated personal care delivered from supported living services. There is comprehensive guidance for providers, who have a responsibility to register if they are delivering regulated services.

Information on CQC regulations can be found here - <https://www.cqc.org.uk/guidance-regulation/providers/regulations>

The Brent Adult Social Care Commissioning, Contracting and Market Management Service is responsible for the commissioning and quality assurance of care services and placements for Brent Adult Social Care. The approach in Brent is different to many other council's and our commissioning model incorporates "traditional" commissioning functions, such as quality assurance, contract management and end to end commissioning, with tasks more associated with social care teams, such as placement reviews and safeguarding enquiries. Bringing together information from a range of sources enriches the information held about services and their clients and helps the service to take an overview of the quality of care provision in Brent.

Each provider in Brent has an allocated Placement Relationship Officer (PRO), who is responsible for quality assurance and service user reviews within their allocated portfolio of services, overseen by managers in each of the Commissioning teams.

Having an allocated PRO is a particularly effective way of working with the care sector. With over 50 care homes, 75 supported living locations, eight extra care services and 99 homecare providers registered in the borough, having a good oversight of the sector is crucial in managing quality issues. With each PRO managing a portfolio of 12-15 providers this becomes more manageable. It also gives registered managers a route to contact the council when seeking support. This way of working helps to manage provider issues effectively, and there is a single point of contact for understanding quality issues with providers in the borough.

Each team within the Commissioning, Contracting and Market Management Service runs a robust quality assurance (QA) process with providers working in their sector, including mental health service providers. Each provider based in Brent is visited at least once a year for quality assurance purposes, with each team working through a specific QA checklist with providers that operate in their care sector. Providers are RAG rated based on the findings, and if rated Red are given more support through the year to address quality concern issues. Details of the quality assurance checklists and sample reports have been made available to support the CQC inspection.

In addition to information gathered from the QA visits, officers bring together information from placement reviews, views from service users and their family members and safeguarding information to build up a comprehensive picture of quality within care services. This information is collated into a report for each provider, with actions to be addressed as part of the monitoring process. As set out above Placement Relationship Officers take the lead on this work with support from managers in the Commissioning service, who provide oversight and guidance during the quality monitoring process.

Brent Council's Adult Social Care service is responsible for residents placed in CQC regulated services by the local authority following a Care Act assessment. This includes a care review on an annual basis. CQC registered accommodation may also be used by residents placed by other local authorities. In such cases the placing authority, not Brent, continues to be responsible for managing Care Act responsibilities.

The council does not inspect GP or NHS services, but care plans will include services to complement those delivered by the NHS.

- (b) Checks on care provision includes an audit of staff files, which includes making sure staff are recruited using safer recruitment principles, Disclosure and Barring Service (DBS) checks are in place for all staff and training records are up to date. If providers are not able to demonstrate these measures are in place actions are taken to ensure that shortfalls are addressed.

The CQC also undertake a Fit and proper employer test. Details on this regulation can be found here - <https://www.cqc.org.uk/guidance-providers/regulations/regulation-19-fit-proper-persons-employed>

The intention of this regulation is to make sure that providers only employ 'fit and proper' staff who are able to provide care and treatment appropriate to their role and to enable them to provide the regulated activity. To meet this regulation, providers must operate robust recruitment procedures, including undertaking any relevant checks. They must have a procedure for ongoing monitoring of staff to make sure they remain able to meet the requirements, and they must have appropriate arrangements in place to deal with staff who are no longer fit to carry out the duties required of them.

It is important to note that "person employed" will include any member of staff who currently works in the service as a volunteer or a contractor, as well as agency or bank staff. This is based on the broad meaning of "employment" set out in Regulation 2, which extends the scope to those engaged who are not under a contract.

Employing unfit people, or continuing to allow unfit people to stay in a role, may lead CQC to question the fitness of a provider.

- (c) If premises are to be converted into a care home, then planning consent needs to be sought. Brent Council's Planning Service will oversee this process. Supported accommodation services are not always subject to planning conditions. In these cases, the Adult Social Care commissioning service will carry out due diligence, which includes property checks, before considering whether to place with a care provider.

The CQC also has regulations to manage the quality of accommodation - <https://www.cqc.org.uk/guidance-providers/regulations/regulation-15-premises-equipment>

The intention of this regulation is to make sure that the premises where care and treatment are delivered are clean, suitable for the intended purpose, maintained and where required, appropriately located, and that the equipment that is used to deliver care and treatment is clean, suitable for the intended purpose, maintained, stored securely and used properly. Providers retain legal responsibility under these regulations when they delegate responsibility through contracts or legal agreements to a third party, independent suppliers, professionals, supply chains or contractors. They must therefore make sure that they meet the regulation, as responsibility for any shortfall rests with the provider.

Officers from Adult Social Care would be happy to meet with any service users or their carers who are concerned about the quality of their care home or supported living service to see what can be done to address those concerns.

2. **Question from Carol McKoy to Councillor Krupa Sheth (Cabinet Member for Environment & Enforcement)**

Why does there seem to be more investment in street cleaning and grounds maintenance in some parts of the borough compared to others, especially given the poor state of Malvern Road and Carlton Vale.

The hedges, bushes and trees are over hanging with overgrown grass verges and it appears no one is taking responsibility with different street cleaning schedules (as an example) for roads including Malvern Place and Malvern Road. Please could the Cabinet Member explain the basis for this approach.

Response:

Street Cleansing:

We have adopted an intelligence led approach to street cleansing which means that resources are now directed to where they are needed, when they are needed. This new approach enables us to provide cleansing teams that can prioritise localised issues efficiently.

In addition to regular cleansing, an additional deep clean of Malvern Road was conducted as recently as 23rd July this year as part of this intelligence led approach.

Grounds Maintenance:

All areas of the borough receive the same service delivery of grounds maintenance. The shrubs at Kilburn Open Space that were overhanging Malvern Road were cut back in late August.

Shrub maintenance is generally undertaken in the Autumn and we are working on the schedule to make sure all expected maintenance is, or will shortly, be taking place.

All verges have been cut in the Malvern Road area and we are not aware of any that are not being maintained.

We do rely on members of the public to help us by being our eyes and ears on the ground, and both grounds maintenance and litter/waste issues can be reported at <https://report.brent.gov.uk>

3. Question from Andy Brommage to Councillor Krupa Sheth (Cabinet Member for Environment & Enforcement)

Please could the Cabinet Member explain the reason why the pavements either side approaching and under the bridge between Draycott Avenue and Windermere Avenue in South Kenton appear to have been so poorly maintained.

Response:

We maintain our pavements through planned and reactive maintenance programmes.

For planned maintenance, independent condition surveys are carried out and the data is used to identify priorities for inclusion in yearly programmes. The current data indicates this section of Windermere Avenue is considered "good to fair" and would not be a priority for planned works.

Reactive maintenance is to address specific safety issues and scheduled walked inspections take place every twelve months or as a result of a customer report of a particular problem. Defects identified are repaired on a priority basis, subject to meeting investigation levels.

In the last two years there have been 29 High priority defects raised along Windermere Avenue all of which have been repaired. A further 20 Medium priority defects were raised of which 4 were repaired and 16 were not prioritised for repair at the time.

4. **Question from Martin Francis to Councillor Tatler (Cabinet Member for Regeneration, Planning & Growth)**

In relation to progress on the delivery of various regeneration schemes across the borough, please could the Cabinet Member for Regeneration, Planning and Growth:

- (1) Provide an update on the plans for the Bridge Park, Technology House, car breakers and Unisys site in Stonebridge noting that the Unisys building has been unused for 26 years. See 2013 Decision: <https://democracy.brent.gov.uk/ieDecisionDetails.aspx?AllId=9146>
- (2) In respect of (1) above:
 - (a) Confirm whether Brent Council remains in a relationship with Grand Mediterranean Holdings as a partner, joint developer or otherwise in this development.
 - (b) Provide a timeline for the development of a new sports centre, housing and hotel on the site including planning permission and completion.
- (3) Also provide an update on the plans and timeline for the development, including housing and adult college, at Altamira, 1 Morland Gardens, Stonebridge, NW10

Response:

(1) & (2) Bridge Park Update

Brent Council and General Mediterranean Holdings (GMH) exchanged the Bridge Park Conditional Land Sale Agreement (CLSA) in June 2017. Therefore, the Council is in a contractual relationship with GMH as its developer partner for the Bridge Park site.

Completion of the CLSA is subject to the following 4 conditions:

1. Vacant Possession
2. Trust Claim Condition
3. Financial Viability
4. Planning

Brent Council completed the Vacant Possession and Trust Claim conditions and is progressing delivery against the two outstanding conditions (Financial Viability and Planning) to enable CLSA completion.

A target milestone plan has been outlined below for the New Bridge Park Centre, and this is based on current information so may be subject to change based on progress against each milestone:

- Complete RIBA 2 - Concept Design Fix: Autumn 2024

- Complete Pre-Planning Resident Consultation: Winter 2025
- Complete RIBA 3 Spatial Co-ordination Design Fix: Spring 2025
- Submit Planning Application: Summer 2025
- Contractor Procurement: Autumn 2025
- Complete RIBA 4 – Technical Design Fix: Spring 2026
- Complete RIBA 5 – Commence on-site Construction: Summer 2026 – Summer 2028 (assuming 24-month construction programme)

The immediate priority is to progress scheme plans for a pre-planning resident consultation towards the end of 2024, which will include the latest New Bridge Park Centre Bridge proposals and target dates for planning submission, planning determination and on-site delivery.

(3) Morland Gardens Update

The Council is reviewing its options and proposals for the Morland Gardens site. Once the Council has completed its review, officers intend on providing an update to the public later this year.

In parallel with this review, the Council is continuing to monitor the condition of the Altamira building so it remains structurally safe.