

	<p>Policy and Resources committee</p> <p>28 June 2016</p>
<p style="text-align: right;">Title</p>	<p>Member's Item – Cllr Ross Houston Retirement and sheltered housing</p>
<p style="text-align: right;">Report of</p>	<p>Head of Governance</p>
<p style="text-align: right;">Wards</p>	<p>All</p>
<p style="text-align: right;">Status</p>	<p>Public</p>
<p style="text-align: right;">Enclosures</p>	<p>None</p>
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Summary

The report informs the Policy and Resources Committee of a Member's Item and requests instructions from the Committee.

Recommendations

1. That the Policy and Resources Committee's instructions in relation to this Member's item are requested.

1. WHY THIS REPORT IS NEEDED

1.1 Councillor Ross Houston has requested that a Member's Item be considered on the following matter:

'Recommendation: To identify, inspect and monitor retirement/sheltered housing in Barnet both in the private and public sector and to produce a report that will provide clarification around the level of service residents or potential residents can expect to receive and to ensure their safeguarding and measure it against new legislation.

On 1 June 2016 the ARHM (Association of Retirement Home Managers) code received government approval and came into force in order to protect those living in Retirement homes.

While there are existing checks of Care Homes by among others, the Care Quality Commission, measured against national care standards such as:

- a written agreement in a format you can understand that outlines your occupancy rights and the terms and conditions of your residence*
- be treated with dignity and respect at all times*
- have your privacy and property respected (for example, to have a lock on your bedroom door and for staff to knock and wait for permission to enter)*
- make informed choices about your life in the care home, how you spend your time and how you receive support*
- feel safe, secure and free from bullying, harassment and discrimination*
- make complaints without worrying about the consequences*

these rights are often denied to residents in retirement properties where checks are not carried out, and elderly, vulnerable residents are often too timid to speak out fearing the consequences. There are also issues of the Health and Safety, provision of emergency support, management of finances, breaches of Age Discrimination and Data Protection, etc.

The ARHM (Association of Retirement Home Managers) Code of Practice for England, which was approved by the Government under the Leasehold, Housing and Urban Development Act 1993, aims to promote best practice in the management of leasehold retirement housing, regardless of whether the services are provided by private companies or housing associations. It not only sets out the statutory obligations that apply to the management of leasehold properties, but also sets out additional requirements which should be followed as a matter of good practice. The Code has just been updated and offers parameters against which the standard of retirement homes can be measured.'

2. REASONS FOR RECOMMENDATIONS

2.1 The Committee are therefore requested to give consideration and provide instruction.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

4.1 Post decision implementation will depend on the decision taken by the Committee.

5. IMPLICATIONS OF DECISION

5.1 Corporate Priorities and Performance

5.1.1 As and when issues raised through a Member's Item are progressed, they will need to be evaluated against the Corporate Plan and other relevant policies.

5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

5.2.1 None in the context of this report.

5.3 Legal and Constitutional References

5.3.1 The Council's Constitution (Meeting Procedure Rules, Section 6) states that a Member, including appointed substitute Members of a Committee may have one item only on an agenda that he/she serves. Members' items must be within the terms of reference of the decision making body which will consider the item.

5.3.2 The Council's Constitution, Responsibility for Functions (Annex A) states that 'If any report comes within the remit of more than one committee, to avoid the report being discussed at several committees, the report will be presented and determined at the most appropriate committee. If this is not clear, then the report will be discussed and determined by the Policy and Resources Committee. As this report falls under the remit of two committees' terms of reference (Adults and Safeguarding Committee and Housing Committee) it is appropriate it be considered by Policy and Resources Committee.

5.3.3 Officers considered which committee would be the appropriate committee to consider this Members Item. It is noted that the matters raised concerning consideration of care homes operated by LBB, the existence of a written agreement including occupancy rights and conditions of residence fall under the terms of reference of the Housing Committee which has responsibility for 'All matters related to Private Sector Housing..' and 'Housing licensing and housing enforcement'. The consideration of the level of care provided both by LBB units and those in private ownership fall under the terms of reference of the Adults and Safeguarding Committee which has responsibility for 'promoting the best possible adult social care'. On balance it is considered that the matters in the Members Item fall under the remit of both the

committees, potentially in equal measure, and it is therefore considered appropriate that this report is considered by the Policy and Resources Committee.

5.4 Risk Management

5.4.1 None in the context of this report.

5.5 Equalities and Diversity

5.5.1 Members' Items allow Members of a Committee to bring a wide range of issues to the attention of a Committee in accordance with the Council's Constitution. All of these issues must be considered for their equalities and diversity implications.

5.6 Consultation and Engagement

5.6.1 None in the context of this report.

6. BACKGROUND PAPERS

6.1 None.