

## ITEM NUMBER: 13.1

### CONFIDENTIAL REPORT

# DRAFT CONFIDENTIAL MINUTES – ALWYNDOR MANAGEMENT COMMITTEE – 17 JANUARY 2019

*Pursuant to Section 83(5) of the Local Government Act 1999 the Report attached to this agenda and the accompanying documentation is delivered to the Alwyndor Management Committee Members upon the basis that the Alwyndor Management Committee consider the Report and the documents in confidence under Part 3 of the Act, specifically on the basis that Alwyndor Management Committee will receive, discuss or consider:*

- b. Information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom Alwyndor is conducting, or proposing to conduct, business, or to prejudice the commercial position of Alwyndor; and would, on balance, be contrary to the public interest.

**Recommendation – Exclusion of the Public – Section 90(3)(b) Order**

- 1 That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 49/19 Draft Confidential Minutes – Alwyndor Management Committee – 17 January 2019 in confidence.
  
  2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 49/19 Draft Confidential Minutes – Alwyndor Management Committee – 17 January 2019 on the following grounds:
    - b. pursuant to section 90(3)(b) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is information the disclosure of which could reasonably be expected to confer a commercial advantage on a person with whom the Alwyndor Management Committee is proposing to conduct business; or would prejudice the commercial position of Alwyndor.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.
  
  3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.
-

Confidential Minutes of the Alwyndor Management Committee Meeting held in the Boardroom, Alwyndor Aged Care, 52 Dunrobin Road Hove on Thursday 17 January 2019.

7. ITEMS IN CONFIDENCE

7.1 Short-term Strategy (Report No: 01/19)

Exclusion of the Public – Section 90(3)(d) Order

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 01/19 Short-term Strategy in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 01/19 Short-term Strategy on the following grounds:

- d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party as the knowledge of our requirement to employ additional resources may provide a commercial advantage to a third party regarding the sourcing and employment of those resources.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Mr Bamford, Seconded Cr Chabrel

Carried

This report outlines the short-term plan for Alwyndor to focus on key priorities and address areas of risk.

Short Term Suspension of Meeting Procedures

The Chairperson, Ms T Aukett with the approval of all members present suspended the meeting procedures pursuant to Regulation 20(1) of the *Local Government (Procedures at Meetings) Regulations 2013* for a period of 1 hour (or a period sufficient to facilitate informal discussion in relation to the matters raised by the General Manager Alwyndor and will resume at the discretion of the Presiding Member.

The meeting procedures were suspended at 6.38pm

The Chairperson brought the suspension of the meeting to a close at 7.41pm

Ms Jeffery, Ms Cantos, Ms Helbers and Mr Drew left the meeting at 7.42pm

*The Acting General Manager advised that the primary focus of the Executive team at this time is Alwyndor's accreditation. Alwyndor's accreditation expires in November. Alwyndor can expect an agency accreditation visit any time from May and will be one of the first organisations to go through accreditation under the new quality standards. As part of aligning to the new quality standards, we need to re-do all 355 care plans across Residential and Home Support departments. The Committee queried why it is necessary to re-do all care plans - the Residential Services Manager advised that current plans do not meet the new quality standards.*

*The Acting General Manager advised that an internal accreditation working party has been formed. This team will also address Alwyndor's preparedness for the Royal Commission. Although smaller providers have not been invited (or legally obliged) to respond to the Royal Commission – it has been requested that smaller providers make a submission. The Committee recognised that both accreditation and the Royal Commission are matters we must be properly prepared for. The Acting General Manager agreed to provide a copy of Alwyndor's submission to the Royal Commission to the Committee once complete.*

*The Committee acknowledged that we are in a position to use the accreditation preparation process to improve team culture and to bring into focus our key vision of "active, healthy and meaningful lives for all people as they age". The Committee encouraged the executive team to communicate, and guide staff in how to generate the best outcomes for Alwyndor's community.*

*Short-term (three month) staffing resources required were discussed at length in order to prepare to meet the new quality standards and accreditation.*

*The Committee agreed that overall sustainability must also continue to be an area of ongoing prioritisation and focus.*

*The Committee acknowledged the efforts made by the executive team to focus on care, customers and compliance during a period of change in the aged care industry. The Committee also recognised that under the Acting General Manager the executive team are motivated and united to achieve these short-term goals and have the full support of the Committee.*

**Motion**

That the Alwyndor Management Committee:

1. notes the information outlined in this report.
2. agrees for the Acting General Manager to focus on and address key areas of risk over the next six months.
3. approves the Acting General Manager to employ short-term additional resource to meet requirements as appropriate having regard to the key areas of risk identified and discussed.
4. requests the Acting General Manager reports progress against accreditation action plan to the AMC each month.

**RETAIN IN CONFIDENCE - Section 91(7) Order**

5. That having considered Agenda Item 7.1 Short-term Strategy (Report No: 01/19) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor, pursuant to section 91(7) of that Act orders that the Report and Attachments be retained in confidence for a period of 12 months and that this order be reviewed every 12 months.

Moved Ms Cudsi, Seconded Ms Bonnici

Carried

7.2 **Financial Update (verbal)**

**Exclusion of the Public – Section 90(3)(d) Order**

1. That pursuant to Section 90(2) of the *Local Government Act 1999* Alwyndor Management Committee hereby orders that the public be excluded from attendance at this meeting with the exception of the General Manager and Staff in attendance at the meeting in order to consider Report No: 81/18 Monthly Financial Report – October 2018 in confidence.
2. That in accordance with Section 90(3) of the *Local Government Act 1999* Alwyndor Management Committee is satisfied that it is necessary that the public be excluded to consider the information contained in Report No: 71/18 Monthly Financial Report – October 2018 on the following grounds:
  - d. pursuant to section 90(3)(d) of the Act, the information to be received, discussed or considered in relation to this Agenda Item is commercial information of a confidential nature (not being a trade secret) the disclosure of which could reasonably be expected to confer a commercial advantage on a third party of Alwyndor, in addition Alwyndor's financial position is reported as part of Council's regular budget updates.

In addition, the disclosure of this information would, on balance, be contrary to the public interest. The public interest in public access to the meeting has been balanced against the public interest in the continued non-disclosure of the information. The benefit to the public at large resulting from withholding the information outweighs the benefit to it of disclosure of the information.

3. The Alwyndor Management Committee is satisfied, the principle that the meeting be conducted in a place open to the public, has been outweighed by the need to keep the information or discussion confidential.

Moved Cr Chabrel, Seconded Ms Bonnici

Carried

*The Financial Accountant talked through the December financial results for benefit of members, as reports were tabled and not available in advance.*

*Forecast deficit is \$233k.*

*The Committee noted the ACFI trend line is looking up. The Residential Services Manager also advised that the supply of incontinent aids are a very high cost that wasn't been factored into this Financial Year's budget for care costs (supplies, medical consumables additional food costs, lifestyle activities, additional equipment that falls under capex) and that the budget needs to be adjusted for this.*

#### Motion

1. That the Alwyndor Management Committee note the monthly financial reports as tabled.

#### RETAIN IN CONFIDENCE - Section 91(7) Order

2. That having considered Agenda Item 7.2 Financial Update (verbal report) in confidence under section 90(2) and (3)(d) of the *Local Government Act 1999*, the Alwyndor Management Committee, pursuant to section 91(7) of that Act orders that the Attachments and Minutes be retained in confidence for a period of 18 months and that this order be reviewed every 12 months.

Moved Mr Cheater, Seconded Cr Chabrel

Carried

Ms Wirth and Ms Klenk left the meeting at 8.10pm

### 7.3 Review of Confidential Minutes

#### Motion

That the Committee note the confidential minutes of the meeting held on 18 December 2018 with a minor adjustment to the wording of *payout* to *payment* on page 49 of the 2018 confidential minutes.

Moved Mr Cheater, Seconded Cr Chabrel

Carried

**CONFIRMED** 21 February 2019

**CHAIRPERSON**

DRAFT - CONFIDENTIAL