

SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 10TH DECEMBER, 2008

PRESENT: Councillor J Chapman in the Chair

Councillors S Andrew, S Armitage,
P Ewens, Mrs R Feldman, C Fox,
T Hanley, T Murray, A Taylor and E Taylor

CO-OPTees Joy Fisher – Alliance Service Users and Carers
Sally Morgan – Equality Issues

51 Chair's Opening Remarks

The Chair welcomed everyone to the Board meeting and thanked them for their attendance.

52 Declarations of Interest

The following interests were declared on Agenda Item 7 – Annual Performance Assessment (Star Rating) for Adult Social Services 2007/2008 and Agenda Item 8 Independence Well-Being and Choice Inspection of Adult Social Services 2008:-

Councillor J Chapman declared a personal interest in the above items as she has a relative who works in private industry as a homecare worker, and also in her capacity as a Director of West North West ALMO (Minutes 56 & 57 refers).

Councillor E Taylor declared a personal interest in the above items in her capacity as a nurse who works for Leeds Community Mental Health (Minutes 56 & 57 refers).

Councillor S Armitage declared a personal interest in the above items in her capacity as a member of Swarcliffe Good Neighbours (Minutes 56 & 57 refers).

Joy Fisher declared a personal interest in the above items as a member of the Safeguarding Committee, Trustee of the Independent Disabled Council and as user receiving aids and adaptations (Minutes 56 & 57 refers).

Sally Morgan declared a personal interest in the above items as a service user receiving aids and adaptations (Minutes 56 & 57 refers).

53 Late Item

In accordance with her powers under Section 100B(4)(b) of the Local Government Act 1972, the Chair admitted to the agenda a late report from the Head of Scrutiny and Member Development introducing a report that was

submitted to the Executive Board at its meeting on 3rd December 2009 on the outcome of an Independence, Wellbeing and Choice inspection of Adult Social Services conducted by the Commission for Social Care Inspection. The report was embargoed by the Inspector until it had been considered by the Executive Board on the 3rd December 2008. For this reason the report had not been available for agenda despatch.

54 Apologies for Absence

Apologies for absence were submitted on behalf of Councillors D Coupar and A Hussain.

55 Minutes and Matters Arising - 12th & 24th November 2008

Minute 41 – 12th November 2008 – Mental Capacity Act 2005

Members noted that contact had been made with the Member Development Officer regarding holding a general Members Seminar on the implications of the Mental Capacity Act 2005.

Minute 42 – 12th November 2008 – Leeds Joint Strategic Needs Assessment

Members noted that a further update report was now schedule for the 11th March 2009 Board meeting.

Minujte 48 – 24th November 2008 – Income Review for Community Care Services – Consultation

Members noted that the report on the review of the Consultation process would now be presented to this Board in April 2009. It was explained to the Board that the proposals in relation to Charging and Income Review would be presented to the Executive Board in February 2009 and as the dates for the March 2009 meeting were quite early in the month for Scrutiny Board Adult Social Care, the report would not be ready in time.

RESOLVED – That the minutes of the meeting held on 12th and 24th November 2008, be confirmed as a correct record.

56 Annual Performance Assessment (Star Rating) For Adult Social Services 2007/2008

Appended to the report were copies of the following documents for the information/comment of the meeting:-

- The report that was submitted to the Executive Board on 3rd December 2008 on the Annual Performance Assessment (Star Rating) for Adult Social Services 2007/2008.
- A letter from the Commission for Social Care Inspection (CSCI) dated 27th October 2008 regarding the Performance Ratings for Adult Social Care Services.

- A letter from the Commission for Social Care Inspection dated 27th October 2008 regarding the Performance Summary report of 2007-2008 Annual Performance Assessment of Social Care Services for Adult Services.

The Chair informed the meeting that the CSCI Inspector involved in the production of the Star Rating report had been invited to attend the meeting on the 21st October 2008. A further reminder was issued on the 26th of November. The invitation was declined on the 2nd December 2008. The CSCI Inspector, responsible for overseeing the Independence Wellbeing and Choice inspection, had also been invited in October 2008. Unfortunately the CSCI administrative team did not pass the invitation to the inspector and therefore the Board meeting had been removed from his diary. The Chair expressed her disappointment that neither inspector was present. This was echoed by other members of the Board.

The Chair welcomed the following attendees/witnesses to the meeting who outlined the report and responded to Members questions and comments:

- Councillor P Harrand , Executive Board Member with the portfolio for Adult Health and Social Care.
- Sandie Keene – Director of Adult Social Services
- Dennis Holmes – Chief Officer (Commissioning) – Adult Social Services

Councillor Harrand informed the meeting that the CSCI Inspector had attended the Executive Board meeting held on 3rd December 2008 to present the inspection report.

The main areas of clarification and discussion were as follows:-

- Clarification on the judgement of leadership as described in the Inspectors report.

The Director informed the meeting that the leadership judgement refers to the whole of the Authority, political, senior and middle management and front line leadership in terms of the Authority's whole corporate leadership. The Inspector concluded that the Authority did not have a significant track record of improvement and change but other elements of professionalism were deemed adequate.

- The action taken by the Adult Social Services Department in response to the Inspector's judgement on Leadership.

The Director informed the Board that the department had identified a range of problems at senior/ middle and front line management and have acted quickly to resolve the immediate safeguarding issues. The department had developed an Action Plan (referred to in Minute 57), which the Inspector deemed a well constructed and realistic action plan.

- Clarification of when the Authority was last reviewed by the CSCI Inspectors.

The Director informed the Board that there were two elements to the star rating.

- Self Assessment - A desk top exercise which relied on information the Authority had provided to the Commission for Social Care Inspectors. This had occurred in previous years.
- Direct Inspection - This year the Inspectors carried out a rigorous inspection at Leeds City Council using data specifically selected by them.

The Inspector's main areas of concern were as follows:

- Quality assurance mechanisms insufficient
- Lack of progression, not keeping pace with the times.
- The fragility of the Authorities relationship with other agencies in order to maintain effective communications and function on a productive basis.

The department is looking at various authorities across the country that have an excellent star rating in order to identify best practice and understand the mechanisms they have in place.

- It was stated that the role of Elected Members in monitoring the department's performance should be enhanced. Clarification of the membership of the Safeguarding Board was also sought.

The Chief Officer (Commissioning) informed the Board that he is now chairing the Safeguarding Board. Membership of the Safeguarding Board are professional officers and it was reported that a number of local authorities have an independent chairperson, however the Chief Officer stipulated that to fulfil this role the chair must have the necessary skills.

Councillor Peter Harrand added that it would be inappropriate to have a political chair on this board.

The Director went on to inform the meeting that there were proposals to establish a Quality Assurance Sub Group of the Safeguarding Board which will be examining individual cases. Their findings would be communicated to the different stakeholder agencies.

- The Board sought clarification about the size of the Authority and if responsibility for a large number of service users in part had an influence on the star rating.

The Director advised the board that this had no influence. Other large authorities have performed well.

- Clarification was sought on the level of investigation the Inspector had undertaken for the customer facing service delivery functions.

The Director informed the Board that the inspector had undertaken the following review:

- Surveyed 200 service users
- Advertised in the local press requesting people to write to them with their comments.
- Scrutinised in detail 35 cases.
- Front line workers were interviewed.
- A range of groups, carers and partnerships were interviewed over a two week period.

The Inspector found a number of weaknesses around administration, filing, ordering and the department's mixture of file and IT systems. The department were informed that the best star rated authorities had paperless offices and that everything was computerised.

The Chief Officer (Commissioning) added that to enhance the practices of our front line staff and strengthen partnership working more training and monitoring would be undertaken.

- Concern was expressed that the Inspector's report implied that this Authority was more focused on cost rather than quality of services provided for users.

The Director informed the meeting that she recognised that a focus on the budget was required. The service will be working on personalisation changes to deliver the level of independence people want, again pledging commitment to providing the very best service for the people of Leeds.

- Clarification on whether there had been any additional investment in the budget for Adult Social Care over the last few years.

The Director informed the meeting that it was hard to provide precise figures, as budgets for previous years had been combined for both Adults Social Care and Children's Services, however there had been significant additional funding.

It was reported that there was a need for additional money over and above the Council's settlement and the department was proposing the need for additional funding in the 2009/2010 budget negotiations as well as analysing the best use of the current budget.

- The Director advised the Board of the Safeguarding Conference which was delivered to front line staff and attended by Tim Willis (CSCI Inspector). The attendees were given a presentation about the Performance Assessment and the Safeguarding Action Plan

Annual Safeguarding Conferences had been held for the past two years. In addition a Personalisation Conference had been delivered. Road shows were also undertaken to provide Adult Social Care staff with updates and information.

The Board requested that Elected Members be invited to any future conferences held by the Adult Social Services Department.

- Clarification on the specific implications for ethnic minorities and disabled groups and the Authority's overall approach to attainment of level 4 of the Equality Standards.

The Director informed the meeting that the Authority's performance was classed as good and were performing well. As stated in the report there were no further recommendations made by the Commission.

Further information relating to the equality standard were to be provided to the Co-opted Members on this Board.

The Chair thanked the Executive Board Member and Officers for their attendance.

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That any outstanding issues referred to above be dealt with by those Officers now identified within the minutes and reported back to Board Members.
- (c) That a letter be issued to Linda Christon, Commission for Social Care Inspection expressing the Boards disappointment that no CSCI representative attended for this item.

57 Independence, Wellbeing and Choice Inspection of Adult Social Services 2008

The Director of Adult Social Services submitted a late report on the outcome of the Independence Wellbeing and Choice inspection and presented an Action Plan relating to the 25 recommendations contained in the Inspection report (Minute 53 refers).

Appended to the report were copies of the following documents for the information/comment of the meeting:

- Report submitted to the Executive Board meeting held on 3rd December 2008.
- Service Inspection Report on Independence, Wellbeing and Choice July/August 2008.
 - Appendix 1 Inspection Themes and Descriptions
 - Appendix 2 Methodology

- Leeds City Council Action Plan in response to the Commission for Social Care Inspection (CSCI).

The Chair welcomed the following attendees/witnesses to the meeting who provided additional detail on the report and Action Plan and responded to Members' questions and comments:-

- Councillor P Harrand , Executive Board Member with the portfolio for Adult Health and Social Care.
- Sandie Keane – Director of Adult Social Services
- Dennis Holmes – Chief Officer (Commissioning) – Adult Social Services

In summary, the main areas raised and discussed were as follows:

- Following on from the previous item Members sought clarification of the governance arrangements for the Adult Safeguarding Board.

In response, the Director informed the meeting that the representative from the following organisations formed the membership of the Adult Safeguarding Board as follows:

- Leeds Teaching Hospitals Trust
- NHS Leeds (formerly PCT)
- Partnership Trust
- Mental Health Trust
- Police Authority
- Leeds City Council – Adult Social Services Department
- Service Users and Carers representatives
- Voluntary representatives
- Commission for Social Care Inspection
- Probation Service

Members expressed their concern that 90% of the above membership were outside bodies who were renowned for sending substitute members.

The Director informed the Board that she had met with all of the Chief Officers from the above mentioned organisations and would continue to monitor the commitment and function of the Adult Safeguarding Board. The membership of the Board listed above had all signed up to a Concordat, a copy of which would be provided.

It was also reported that details of attendance were included in the Annual Safeguarding Report.

- It was also pointed out at the meeting that some Members had still not received a copy of the blue booklet on Safeguarding.

The Director informed the meeting that she would arrange for the booklets to be distributed.

- Concern was expressed at the lack of Advocacy and the important role it can play especially in cases of abuse. It was felt that there were many gaps within Advocacy.

The Director assured the meeting that there were proposals for a review of the Advocacy Service.

The Chair thanked the Executive Board Member and Officers for their attendance.

RESOLVED –

- (a) That the contents of the report and appendices be noted.
- (b) That any outstanding issues referred to above be dealt with by those Officers now identified within the minutes and reported back to Board Members.
- (c) That future minutes of the Adult Safeguarding Board and its Sub Groups be circulated to the Adult Social Care Scrutiny Board.
- (d) That a letter be issued to Tim Willis, Commission for Social Care Inspection expressing the Boards disappointment that no CSCI representative attended for this item.

58 Work Programme

The Head of Scrutiny and Member Development submitted:

- A report regarding the Board's work programme, updated to reflect decisions taken at previous meetings
- A schedule of the established Working Groups
- An extract of the Council's Forward Plan of Key Decisions for the period 1st December 2008 to 31st March 2009
- A copy of the minutes of the Executive Board meeting held on 5th November 2008.

In brief, the main points discussed were:

- That the Director of Adult Social Services submit a monthly progress report on the Action Plans to the Proposals Working Group. A member of the Health Scrutiny Board would be invited to join the working group for this item.
- That the Adult Social Care Scrutiny Board focus on the following elements within safeguarding :
 - Strengthening Strategic Partnerships
 - Quality Assurance Proposals and Procedures

There were elements within the action plan that would necessitate the focus of both this Board and Scrutiny Board (Health), therefore, the Chair would invite Members from the Health Scrutiny Board to work jointly with

the Adult Social Care Scrutiny Board and to participate in future meetings for the relevant items.

- A request be presented to the Health Scrutiny Board for an inquiry into Hospital Discharges.

RESOLVED – That subject to any changes necessary as a result of today's meeting, the work programme be approved.

59 Dates and Times of Future Meetings

The following schedule of meetings were noted:

Wednesday, 7th January 2009
Wednesday, 11th February 2009
Wednesday, 11th March 2009
Wednesday, 8th April 2009

All at 10.00 am (Pre-meetings at 9.30 am)