

SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 11TH FEBRUARY, 2009

PRESENT: Councillor J Chapman in the Chair

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

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

IN ATTENDANCE : Councillor A Blackburn – Member of (Scrutiny
Board (Health)

71 Chair's Opening Remarks

The Chair welcomed everyone to the Board meeting, especially those Members from Scrutiny Board (Health) in attendance for Item 9 – Safeguarding – Strengthening Strategic Partnerships.

72 Declarations of Interest

The following interests were declared:

Councillor Chapman declared a personal interest in Agenda Item 9 (Minute 75) – Adult Safeguarding as she has a relative who works in private industry as a homecare worker.

Ms Joy Fisher – Co-optee declared a personal interest in Agenda Item 9 (Minute 75) – Adult Safeguarding as a service user and as a Voluntary Organisation representative for Safeguarding.

Ms Sally Morgan – Co-optee declared a personal interest in Agenda Item 9 (Minute 75) – Adult Safeguarding as a service user.

73 Apologies for Absence

Apologies for absence were received on behalf of Councillor D Coupar and Councillor E Taylor.

74 Minutes - 7th January 2009

RESOLVED – That the minutes of the meeting held on 7th January 2009 be confirmed as a correct record.

75 Adult Safeguarding

The Board listened to an extensive presentation given by Officers from Adult Social Services Department on Adult Safeguarding which provided Members with a factual overview of safeguarding and to provide the context of the framework Adult Social Services works within.

The presentation gave an extensive overview of:

- Who is a vulnerable adult
- What is abuse - the types of abuse and where this happens
- Responding to safeguarding by Alerter, Management, Social Workers and Safeguarding Adults Enquiry Co-ordinators
- Responding to Safeguarding – the outcomes including criminal and non-criminal matters.
- What to do to make sure that the abused person is safe and receiving any medical attention needed.
- What to do if a crime has been committed and the basic information required.
- Terminology for abuse, protection and safeguarding.
- An example of a recent Case Study.

The Chair welcomed the following Officers to the meeting who responded to Members' questions and comments on the awareness session:

- Sandie Keene – Director of Adult Social Services
- Dennis Holmes – Chief Officer Social Care Commissioning
- Christine Clark – Safeguard Adults Co-ordinator
- Emma Mortimer – Adult Protection Co-ordinator

The following leaflets were tabled at the meeting for the information of Members:

- 'Safeguarding adults from abuse or mistreatment' – the leaflet explains what adult abuse was and told you where to go in Leeds for advice and support. Members were also informed that this leaflet was in the process of being updated with new contact telephone details.
- 'Keeping yourself safe' – an information leaflet for adults who have a learning disability in Leeds.
- 'Multi-Agency Policy, Procedure and Practice Guidelines – an information leaflet for staff/volunteers who work with vulnerable adults in Leeds.

The main areas of clarification and discussion were:

- Clarification on procedure when a criminal act had been committed, or where the abused fears repercussions.

In response, the officer informed the meeting that there were a number of considerations to be made including the wishes of the individual, mental capacity and whether a criminal act had been committed to assess the

form of action. Effective communication was important especially if action had to be taken against the wishes of that person or without their consent. Advocacy support was also offered to help and support to the complainants to help them through their ordeal.

Members felt that people need to understand that abuse can take all sorts of forms and that action needs to be taken to protect them and others who may also come into contact with the abuser.

- In the case study the abusers were volunteer workers, how would their services be withdrawn?

In response, the officer informed the meeting that the Police would be involved and arrests would be made as part of the process taken through the criminal justice system.

- There were various contact points such as Advocacy Network, Victim Support Helpline etc listed in the leaflet 'Safeguarding adults from abuse or mistreatment' how are these cases co-ordinated and does this system work well?

In response, the officer informed the meeting that Leeds Adult Social Care were the lead agency and that the other agencies had an obligation to pass on information. The process did work effectively as Leeds Adult Social Care had established a close working relationship with the other agencies across Leeds, although there was always work that could be done to make improvements on any service. One of the objectives in the action plan was aimed at improving this service.

- Members expressed their concern that the study carried out in 2004 showed that 64% of abuse cases were actually carried out in people's own homes often by members of their own family. What ways had the department encouraged people abused in their own homes to come forward?

In response, the officer informed the meeting that the leaflet 'Safeguarding Adults from Abuse or Mistreatment' had been written for the general public. The leaflet was now on general release in libraries, doctors surgeries, ALMOs, community centres, care agencies etc. Those who already receive a care service from the Council had already had these leaflets delivered by their care workers.

Members expressed their concern that some of the leaflets were quite complex for people with learning difficulties or those suffering from dementia.

In response, the officer informed the meeting that there was also a leaflet published for those people with learning difficulties.

- Clarification was sought on whether the leaflets were being put on display in banks, credit union offices or the Citizens Advice Bureau for those people who might find themselves being abused financially.

In response, the officer informed the meeting that they were currently working on a marketing campaign to reach vulnerable people using media such as BBC Radio Leeds, poster campaigns and a range of different ways to increase awareness and get the information to people. More work needs to be done on the campaign and that banks, credit union offices and the Citizens Advice Bureau could potentially be included.

- How many complaints had the Council received?

In response, the officer informed the meeting the Council received around 800 complaints, compared with last year when 500 complaints were received. It was felt that the increase in the number of complaints received were due to the increase in awareness.

- How long was it before someone was in touch with the complainant once abuse had been reported?

In response, the officer informed the meeting that there used to be no timescale but with the new safeguarding policy there was now a response within 24 hours for serious cases and 48 hours for less serious cases. For life threatening cases there was an immediate response.

Members felt it was essential that response times should always be explained to the complainant at the time of reporting their complaint.

- Does the list of 800 cases show the type of abuse i.e. physical, sexual, emotional etc?

In response, the officer informed the meeting that Leeds Safeguarding Board publish this type of information and it would be included in their annual report. Cases were listed not just in terms of type of abuse but gender, age and geographical area etc.

- Were the outcomes of cases involving criminal matters included in the annual report?

In response, the officer informed the meeting that the outcomes of criminal matters were not reported at the present time and that the system would actually be revised to include this information. The Director also informed the meeting that the department would not have the figures for those cases going through the criminal justice system for the whole year and they had just started collecting this information.

- Clarification was sought on those cases involving refugees or asylum seekers who had racial abuse or had been denied health care and support etc. How was this kind of case work being dealt with?

In response, the officer informed the meeting that cases were dealt with by the kind of abuse through different agencies but it was an issue certainly worth monitoring by the department.

Members felt that contact with the Asylum Seekers network might be a group of people to be included in their network of agencies.

Board Members thanked Officers for producing such a helpful and informative presentation.

RESOLVED - That the contents of the presentation be noted and that any outstanding issues referred to above be dealt with by those officers now identified within the minutes.

Note: Councillor P Ewens joined the meeting at 10.35 a.m. during discussions on the above item.

76 Adult Inspection Progress Report Against Key Recommendations

The Chief Officer Social Care Commissioning submitted a report and appendices as agreed at the 10th December 2008 Board meeting that an update of progress against specific actions in the Adult Inspection Action Plan be provided to this Board.

The Board resolved to undertake two areas of specific safeguarding inquiries, the first one being Strengthening Strategic Partnerships (Recommendations 3, 7, 8 and 25 as outlined in the submitted report).

Appended to the report was a copy of the Memorandum of Understanding and Supporting Annexes.

Dennis Holmes, Chief Officer Social Care Commissioning gave a brief outline of his report and, together with Sandie Keene, Director of Adult Social Services responded to Members' questions and comments.

It was reported that the Corporate Governance and Audit Committee were looking directly at the multi-agency governance arrangements to be implemented by the Director of Adult Social Services to meet national standards and to help ensure the protection of vulnerable adults.

Before questions could commence on the report Members sought clarification on the allegations expressed by a Council whistleblower interviewed by Look North television which had been broadcast on 10th February 2009. It was alleged that the vulnerable would suffer as a result of proposals by Leeds City Council to reduce the number of qualified staff and replace them with unqualified, less experienced and low paid staff resulting in fewer assessments and a degeneration in services.

A long discussion ensued and the Director of Adult Social Services informed the meeting that the Council had made a statement to Look North rejecting

the claim that the proposals would put people at risk. The Council asserted that the service would in fact be improved as there was due to be greater investment in front line support. Discussions were taking place between staff and trade unions to iron out any problems. All Members of Council were to be given an explanation and update on this issue on the 11th February 2009. Members requested that the background information including the facts and figures are reported to the next Proposals Working Group for consideration.

The Co-optees suggested that the Director's explanation should be shared with partner organisations, Leeds Involvement Group and Leeds Advocacy Support, to promote understanding within the voluntary sector and engender support to the Social Services department.

The Board returned to the report and Members asked for an update following recruitment for the Head of Safeguarding post. In response the Chief Commissioning Officer informed the meeting that candidates would normally have to give three months notice after being offered the post, however there may be scope for reducing this time via negotiation. No firm job offer would be made until the candidate had successfully been processed through the usual pre-employment checks.

The Officer also informed the meeting that a letter had gone out to all the partnership organisations asking them to nominate people for the Leeds Safeguarding Adult Partnerships Board and its Sub Groups and had achieved a 50% success rate. A reminder letter would also be sent to those organisations who had not yet responded. The first meeting of the revised Safeguarding Board was due to take place on 18th February 2009, therefore, nominations were needed before the Board meeting takes place.

Members were advised that that the minutes of the Safeguarding Board meeting to be held on 18th February 2009 were due to be submitted to the next Proposals Working Group.

Clarification was sought on the two cases identified to be used as a pilot for the serious case review process.

In response, the Officer informed the meeting that with serious case reviews there was a statutory requirement to set up an independent Sub Group of the Partnership Board to oversee serious case review function which would then be reported back to the Partnership Board with lessons learnt and recommendations for action to be taken by the partners to improve how they work together.

The Chair thanked Officers for their attendance.

RESOLVED –

- (a) That the contents of the report and appendices in relation to the Adult Inspection Adult Plan be noted.
- (b) That the involvement of Corporate Governance and Audit Committee in the overview of risk management arrangements and emerging

governance arrangements arising out of the anticipated revisions to 'No Secrets' guidance be noted.

- (c) That an update on the allegations by the whistleblower will be issued to all Members of Council by the Director of Social Services be noted.
- (d) That the Director of Social Services submit an update report to the Proposals Working Group on the facts and figures regarding the modernisations proposals.
- (e) That any outstanding issues referred to above be dealt with by those Officers now identified within the minutes.

77 Independence Wellbeing and Choice Inspection Action Plan: December 2008

It was agreed by the Board at its meeting held on 10th December 2008 that the Board's Proposals Working Group (Adult Social Care) meet on a monthly basis to monitor overall progress of Adult Social Services performance against objectives set out in the Independence Wellbeing and Choice action plan. The Head of Scrutiny and Member Development submitted a report following the meeting of the Proposals Working Group meeting held on 30th January 2009.

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

- Draft Minutes of the Proposals Working Group (ASC) held on 30th January 2009.
- Independence, Wellbeing and Choice Inspection Action Plan: Summary Report December 2009.

(Note: Members requested that the traffic light system to denote stages in the action plan should be revised to take into account people who were colour blind).

The Chair gave a short introduction and informed the meeting that the Proposals Working Group had considered all targets falling within the action plan which met the following criteria:

- (a) Completed tasks within this reporting period
- (b) Overdue tasks within this reporting period
- (c) Tasks due for completion by the next reporting period
- (d) Tasks commencing in the next reporting period

The two main areas considered by the Working Group were the risk element as there had been an increase in the number of referrals for 2008/2009 and the problems with recruitment and the length of time it was taking to get people into posts.

The Chair also welcomed Dennis Holmes, Chief Officer Social Care Commissioning who responded to Members' questions and comments.

Members expressed their concern that they were still receiving quite a few complaints from patients following hospital discharges and referrals to services provided by Adult Social Services, especially from those patients being discharged from the outer hospitals like Harrogate District Hospital. In response, the Officer informed the meeting that the department were still working on this problem. Members were advised to pass these complaints on to him to make sure they go in the right direction.

The Chair thanked the Officer for his attendance.

RESOLVED –

- (a) That the draft minutes of the Proposals Working Group and the summary and progress reports for December 2008 be noted.
- (b) That any outstanding issues referred to above be dealt with by the Officer now identified within the minutes and reported back to the Proposals Working Group.

78 Draft Health and Wellbeing Partnership Plan 2009 to 2012

The Director of Adult Social Services submitted a report and a working draft of the Health and Wellbeing Partnership Plan, prior to its presentation to the Executive Board and full Council. The new plan covers both health and wellbeing, incorporating the strategic priorities for adult social care and bringing together relevant actions from a range of separate strategies into one place.

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

- Councillor Brenda Lancaster – Chair Healthy Leeds Partnership
- John England – Deputy Director Partnerships and Organisational Effectiveness – Adult Social Care
- Christine Farrar – Director, Health Improvement and Partnerships – Leeds Initiative

Councillor Lancaster thanked the Board for the opportunity to attend today's meeting then went on to give a brief outline of the health and wellbeing plan which was being overseen by Healthy Leeds Partnership. The four aims which tie in with the national priority themes are:

- Influences on health;
- People's lifestyle;
- The services people use;
- Community development and involvement

The Board were informed that this was the 10th Anniversary of the Health Plan which the Authority first joined in 1999.

In brief, the main areas of concern were:

- Clarification on the figures quoted in the indicators and targets in the action plan.

In response, the officer informed the meeting that these were national figures.

Members informed the officer that it would be useful to have more up-to-date figures and that the figures quoted should be made clearer.

- The actions in the Plan include the increase in the number of trips made by walking and cycling in a effort to reduce the rate of obesity and raise physical activity for all. Members felt there was an element of risk due to the cycling accident statistics which were desperately high and it was felt this action should include 'subject to safety'.

In response, the officer agreed that there was an element of risk in this activity and informed the meeting that cycling safety was part of the action programme.

- Concern that the Action Plan does not seem to include providing increased physical activity for people with impairments, for example those with learning disabilities.

In response, the officer informed the meeting that the Council were working closely with NHS Leeds looking at ways to promote physical activities, particularly for those people who had difficulties with access.

The Officer informed the meeting that the final Health and Wellbeing Partnership Plan for 2009 to 2012 would be submitted to the April Council meeting and it was intended to launch the Plan in July 2009.

The Chair requested a six monthly update on the effectiveness of this Action Plan.

The Chair thanked Councillor Lancaster and Officers for their attendance.

RESOLVED -

- (a) That the contents of the report and appendices be noted.
- (b) That a six monthly update report on the effectiveness of the Action Plan be submitted to this Board.

79 Dignity in Care Statement

(This item was deferred for consideration at the 11th March 2009 meeting).

80 Scrutiny Board (Adult Social Care) - Work Programme

The Head of Scrutiny and Member Development submitted a report inviting Members to consider and approve the draft working programme for the remainder of 2008/2009.

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

- The Board's draft work programme.
- An extract from the Forward Plan of Key Decisions for the period 1st February 2009 to 31st May 2009.
- Minutes of the Executive Board meeting held on 14th January 2009.

In brief, the main points discussed were:

- Proposals Working Group meeting to be held on 25th February 2009 – Look North Whistleblower issue to be reported to the working group together with correspondence updating Members of Council on the restructure.
- An additional item to be submitted to the March meeting on the proposals within the Sustainable Communities Act. This report would also be scheduled for submission to other Scrutiny Boards during the March cycle to advise Members of what powers that Act would give Local Authorities.
- Dignity in Care Statement – Report now deferred to March 2009.
- Arrangements had now been made for an additional Board meeting to be held on 6th May 2009 at 10.00 a.m. (Pre-meeting at 9.30 a.m.)
- That both the update reports on Homecare Provision and Mental Capacity Act be rescheduled for the May 2009 meeting.
- That a Personalisation Working Group be established with the same Members who attend the Adaptations Working Group, with the addition of Councillor A Taylor. The first meeting to take place on the 16th March 2009 between 2 – 4pm followed by a further meeting either Monday, 22nd April 2009 at 10.00 a.m. or alternatively, 20th April 2009 in the afternoon. Members would be contacted and asked to specify a preference.

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

81 Date and Time of Next Meeting

Wednesday, 11th March 2009

Wednesday, 8th April 2009

Wednesday, 6th May 2009 (Additional Meeting)

All meetings to commence at 10.00 a.m. (Pre-meeting at 9.30 a.m.)

The Chair thanked everyone for their attendance.

(The meeting concluded at 12:20 p.m.).