

## SCRUTINY BOARD (ADULT SOCIAL CARE)

WEDNESDAY, 8TH APRIL, 2009

**PRESENT:** Councillor J Chapman in the Chair

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

**CO-OPTEEES:** Joy Fisher – Alliance Service Users and Carers

### 94 Apologies for Absence

Apologies for absence were received on behalf of Councillor D Coupar, Councillor Mrs R Feldman and Sally Morgan, Equality Issues (Co-optee)

### 95 Minutes of the Previous Meeting

#### Minute 87 – Adult Inspection Progress Report Against Key Recommendations

The Chair informed the meeting that she had sent a letter on behalf of this Board to the Chair of the Safeguarding Board regarding non attendance of partner organisations.

#### Minute 88 – Independence Wellbeing and Choice Inspection Action Plan: January 2009

The Chair reported that she had also written to Councillor B Anderson, Chair of Scrutiny Board (Environment & Neighbourhoods) requesting an inquiry into Roseville Doors.

**RESOLVED** – That the minutes of the meeting held on 11<sup>th</sup> March 2009 be confirmed as a correct record.

Note: Councillor C Fox declared a personal interest as a Management Member of Roseville Enterprises.

### 96 Declarations of Interest

The following interests were declared at the meeting in relation to items:-

- (a) Agenda Item 7 - Income Review – Review of Consultation
- (b) Agenda Item 8 - Safeguarding – Strengthening Strategic Partnerships and Implementation of Quality Assurance Processes and Procedures
- (c) Agenda Item 9 – Independence Wellbeing and Choice – Action Plan Update

Councillor S Andrew declared a personal interest in the above items as he works for Martin House Childrens' Hospital.

Councillor S Armitage declared a personal interest in the above items in her capacity as a member of Swarcliffe Good Neighbours Scheme.

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.

Joy Fisher – Co-optee declared a personal interest in the above items as a service user, as a disability organisation representative on the income review and a voluntary organisation representative for Safeguarding.

## **97 Safeguarding - Strengthening Strategic Partnerships and Implementation of Quality Assurance Processes and Procedures**

The Director of Adult Social Services submitted an update report on progress made against recommendations since the inspection of social care services by the Care Quality Commission (formerly CSCI) and the resulting Independence Wellbeing and Choice action plan.

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

- (a) Appendix 1 - Independence, Wellbeing & Choice Inspection Progress Review – 19<sup>th</sup> March 2009.
- (b) Appendix 2 - Case Audit – CPEA Associates – March 2009.
- (c) Appendix 3 – Safeguarding Supervision Checklist for Team Managers – January 2009.

The Chair welcomed Doctor Margaret Flynn and her associate Mr Vic Citarella from CPEA Limited, who are experts in the field of adult safeguarding, to the meeting.

The Chair also welcomed Sandie Keene, Director of Adult Social Services who advised the board that the CSCI inspector had conducted a review on the 19 March 2009. The Inspector had given some positive feedback and recognised the extensive work the department had already undertaken on the action plan in relation to safeguarding, cultural change, management and quality assurance process, personalisation and partnerships.

In attendance at the meeting were the following officers:-

Emma Mortimer – Safeguarding Co-ordinator  
Christine Clarke – Safeguarding Co-ordinator

The Director also introduced Richard Graham the newly appointed Quality Assurance Manager.

Doctor Flynn then gave a brief update on the audit work carried out in November 2008 with her colleague Pamela Shelton which was supervised by Vic Citarella. A sample of twenty cases selected included those for older

people, people with mental health problems, people with learning disabilities and people with sensor impairments and physical disabilities.

The audit highlighted a connection between abuse and alcohol . There was also concern that to manage the problem other agencies such as the Police would sometimes operate independently from the local authority. Doctor Flynn informed the meeting that the overall picture for Leeds in her opinion was promising and that she perceived that Leeds had a humane approach to dealing with safeguarding cases.

In brief, the main issues raised were:

- Confirmation that the structures in terms of the safeguarding committees and partnerships were going to be right.

In response, the Director informed the meeting that cultural change was being established throughout the whole of the authority. The department is getting systems into place. It is expected that in three years time they would be well on their way to being transformed and that in five years time the department should be completely transformed.

- Concern was expressed that case information was not held in one central place, as highlighted in Doctor Flynn's report. There were examples of cases being held on computer in part and the remaining information held in a paper based filing system.

In response, the Director informed the meeting there is a need to look at the way data is being stored, which may mean updating or replacing the current computer system. Data on care matters however needs to be readily available in one place.

- What had been learnt from auditing the cases and what had been done with the case studies to rectify the mental health cases?

In response, the Director informed the meeting that in general lessons are learnt from bad cases. Nationally there are very few referrals from the Mental Health Service. Doctor Flynn informed the meeting that an enormous amount of work needs to be done nationally with mental health providers to enhance safeguarding and the awareness of abuse in mental health settings.

- How can the voluntary sector be supportive in helping service delivery with personalisation changes and safeguarding activity and would Doctor Flynn recommend advocacy for the service users throughout the process of personalisation?

In response, Doctor Flynn informed the meeting that those in a position to employ personal assistants need to make sure they are checked out thoroughly. Unlike local authorities who carry out CRB checks, people

who receive individual budgets can employ a person who has not been CRB checked. For those with compromised mental capacity authorities should intervene and specify who should be recruited. Doctor Flynn did believe that advocacy is a vital service adding that the voluntary sector could play a crucial part in assisting service users and relatives when recruiting personal assistants.

- Had the case files being audited by Doctor Flynn been a fair example or did she feel that they had been 'tidied up' in preparation of her visit?

In response, Doctor Flynn informed the meeting that the case files were a typical sample of cases which reflected the different groups of vulnerable adults. Some of the cases were very complex ongoing cases and some cases were straight forward.

- Why was there no black or ethnic minority cases reflected in the study?

In response, the Director informed the meeting that service delivery managers had taken a sample of the most recent investigations deliberately choosing those which were live. It was clarified that the data in respect of referrals was representative of the overall population.

Doctor Flynn also informed the meeting that nationally there were very few referrals from black and ethnic minority communities.

- Why did Dr Flynn think that there were very few black and ethnic minority cases referred?

In response, Doctor Flynn informed the meeting that awareness is not always raised and there are barriers with language.

- What was the department doing in getting the message across, especially with regard to the language problems?

In response, the officer reminded the meeting that as part of the publicity and marketing process leaflets were being produced in various languages and distributed to numerous organisations .

- What help or assistance was there for people or organisations who support asylum seekers and may need to make a safeguarding referral?

In response, the Director informed the meeting that safeguarding referrals for asylum seekers should be a straight forward process. The marketing plan referred to previously, includes making sure that information is provided to the Refugee Council and other related organisations .

- What was the current position regarding the setting up of the sub-groups on the Safeguarding Board?

In response, the officer gave an overview of the sub-groups and informed the meeting that the Training and Workforce Development Sub Group was now doing its work. The Quality Assurance Sub Group was now established and a work plan for this sub group was now ready. The Serious Case Sub Group has also been established, and there are a number of cases that the group would be looking at. The Policy and Procedures Sub Group had also been set up .

- Clarification was sought on the training figures as the percentage of the workforce receiving safeguarding training was less than expected.

In response, the Director informed the meeting there was a limit on how quickly specialist training could be implemented. It was the department's aim to have staff trained by December 2009 which is on target . Much of the training had been commissioned from expert training agencies from outside the council.

The Chair thanked Doctor Flynn and Mr Vic Citarella for their attendance and for their very interesting report.

#### **RESOLVED –**

- (a) That the report and its appendices in relation to the Adult Inspection Adult Plan be noted.
- (b) That the continuing involvement of the Corporate Governance and Audit Committee in the overview of risk management arrangements and governance arrangements in relation to the Leeds Adult Safeguarding Partnership Board be noted.

Note: Councillor P Ewens joined the meeting at 10.45 a.m. during discussions on the above item.

### **98 Independence, Well-being and Choice - Action Plan Update**

The Head of Scrutiny and Member Development submitted a report and appendices to consider the outcome of the Adult Social Care Proposals Working Group meeting held on 25<sup>th</sup> March 2009, and the proposals made against the action plan arising from the Inspection report.

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

- Appendix 1 - Draft minutes of the Proposals Working Group meeting held on 25<sup>th</sup> March 2009.
- Appendix 2 - The Independence Wellbeing and Choice Summary Report – February 2009.
- Appendix 3 - The Independence Wellbeing and Choice Progress Report – February 2009.

Sandie Keene, Director of Adult Social Services gave a brief overview of the report and, together with Stuart Cameron Strickland, Adult Social Care responded to Members' questions and comments.

In brief, the main points discussed were:

- Clarification was sought as to why 14.5 – Development of joint commissioning frameworks with health to extend the range of options for delivering personalised services was still in amber but seemed to be going backwards in its progress rather than forward.

In response, the Director informed the meeting that the department is doing some audit work with the NHS regarding the homecare statistics and a further meeting with the NHS would take place to map out some project planning for the development of more joint approaches to commissioning.

The Director also informed the meeting that there were still ongoing discussions in order to develop the strategy for continuing the modernisation of day services. In addition the NHS is still awaiting national guidance for contracting which is slowing the process.

- Clarification was sought on the progress with recruitment of the senior practitioner posts.

In response, the Director informed the meeting that they had recruited nine of the ten posts and were advertising for the post not recruited to. The department had recruited a number of people from outside of the council who would have to give notice but it was envisaged some of the senior practitioners would be in post by May 2009.

The Chair thanked officers for their attendance.

**RESOLVED** - That the draft minutes of the Proposals Working Group meeting held on the 25<sup>th</sup> March 2009 and the summary and progress reports for February 2009 be noted.

## **99 Income Review - Review of Consultation**

The Director of Adult Social Services submitted a report detailing the outcomes from the review of the consultation/engagement it had undertaken with service users and other stakeholders and how the department intended to use the intelligence gained from the review to improve its engagement with stakeholders.

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

- Appendix 1 – Income Review Communication and Consultation Plan 2008 – Progress Update – 10<sup>th</sup> November 2008.

- Appendix 2 - Review of Income Review Consultation – Questions for Individual Users of Day Services and their Carers.
- Appendix 3 – Review of Consultation – Briefing Note for Organisations.
- Appendix 4 – Outcomes of the Income Review Consultation Review.
- Appendix 5 – A Summary of Adult Social Care Income Review – Consultation Feedback.
- Appendix 6 – Equality, Diversity and Community Cohesion Impact Assessment Form.
- Appendix 7 – Service User Income Review – Survey Form.
- Appendix 8 – Executive Board Report dated 13<sup>th</sup> February 2009 – Income Review for Community Care Services.

Janet Somers, Adult Social Services gave a brief overview of the report and, together with Sandie Keene, Director of Adult Social Services responded to Members' questions and comments.

In brief, the main points discussed were:

- Clarification was sought on what actions had been taken with regard to the information received back and how the consultation could be improved in the future.

In response, the officer informed the meeting that in terms of complexity the department were now setting up an Editorial Board of service users and carers to provide feedback on outward facing documentation/policies produced by the department before it goes out on general release.

One of the other lessons learnt was the need to do more face to face surveys. It would mean that the survey would have to be undertaken over a longer period of time but it would be more meaningful.

- Clarification was sought on the weight the department put on a response for someone who does not pay?

In response, the officer informed the meeting that in terms of knowing who it might really affect, the department did not know before the survey took place and the survey did not ask for any personal information.

- Clarification was sought on what changes did the department actually make based on the consultation or did they just consult and make the changes anyway?

In response, the officer informed the meeting that people were offered three choices and the one implemented was the preferred choice.

Joy Fisher, Co-optee and as a member of the Service Users Reference Group thanked officers for their conduct during the review consultation. She also

thanked the Executive Board for the staggered introduction as although there are increases in the pipeline at least they feel that service users would be supported financially to some degree through those changes. The only request the Service Users Reference Group would like to make was that financial review information be left with the clients after the review so that they had the information for a repeat assessment if at any point their financial situation changes.

The Chair thanked Joy Fisher for her useful feedback and thanked officers for their attendance.

**RESOLVED -**

- (a) That the contents of the report and numerous appendices be noted.
- (b) That a further impact report be submitted to next years' ScrutinyBoard (Adult Social Care).

**100 Performance Management**

The Head of Policy, Performance and Improvement submitted a detailed report and appendices on the Quarter 3 performance information for 2008/2009 (October to December) on Adult Social Care Performance issues for Members' consideration.

Sandie Keene, Director of Adult Social Services gave a brief overview of the report and its appendices and, together with S Cameron-Strickland, Adult Social Services responded to Members' questions and comments.

The Board requested an update on the following performance indicators:

- NI133 – Acceptable waiting times for care packages.
- LKI-SS35 – Adult and older clients receiving a review as a percentage of those receiving a service.
- NI16 – Serious acquisitive crime rate. Members were informed that this was probably a question for the Director of Environment and Neighbourhoods as it was around burglary and theft. The Director did indicate that as part of the Safeguarding Board, Adult Social Services had developed closer links with West Yorkshire Police.

In brief, the main issues raised were:

- Clarification was sought on when the Board would receive the available performance information for Quarter 4 (January 2009 to March 2009), to identify if there will be an improvement reported for indicators NI133 and LKI-SS35 from the 2007/8 position.

In response, the officer informed the meeting that they were still calculating Quarter 4 final results and would not be in a position to give those results today. Quarter 4 performance figures would not be available until the end of May 2009, although the Director did indicate



that she might be able to give a verbal update at the 6<sup>th</sup> May 2009 Board Meeting.

The Board requested that a verbal update be provided at the 6<sup>th</sup> May 2009 Board meeting.

The Chair thanked officers for their attendance.

**RESOLVED -**

- (a) That the contents of the report and appendices be noted.
- (b) That any outstanding comments referred to above be dealt with by the Officer identified within the minutes.

**101 Work Programme**

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

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

- Appendix 1 - The Board's draft work programme for the final meeting to be held on 6<sup>th</sup> May 2009.
- Appendix 2 - An extract from the Forward Plan of Key Decisions for the period 1<sup>st</sup> April 2009 to 30<sup>th</sup> July 2009.
- Appendix 3 – Minutes of the Executive Board meeting held on 4<sup>th</sup> March 2009.

In brief, the main points discussed were:-

- That an additional update report be submitted on the Quarter 4 performance indicators.
- Members were reminded that there was a Proposals Working Group meeting scheduled for the 30<sup>th</sup> April 2009 at 10.15 a.m.
- That a further meeting of the Personalisation Working Group was scheduled for the 22<sup>nd</sup> April 2009 at 10.00 a.m.

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

**102 Dates and Times of Future Meetings**

Wednesday, 6<sup>th</sup> May 2009 at 10.00 a.m. (Pre-meeting at 9.30 a.m.)

The Chair thanked everyone for their attendance.

(The meeting concluded at 12.00 noon)

Draft minutes to be approved at the meeting  
to be held on Wednesday 6<sup>th</sup> May 2009