

SCRUTINY BOARD (ADULTS, HEALTH & ACTIVE LIFESTYLES)

TUESDAY, 21ST FEBRUARY, 2023

PRESENT: Councillor A Marshall-Katung in the Chair

Councillors C Anderson, Dr John Beal,
S Burke, L Farley, J Gibson, N Harrington,
C Hart-Brooke, M Iqbal, W Kidger, E Taylor
and E Thomson

Co-opted Member present – Dr J Beal

OPENING REMARKS

At the start of the meeting, the Chair welcomed Caroline Baria to her first Scrutiny Board meeting as Interim Director of Adults and Health. The Chair explained that Cath Roff recently stepped down as Director to take up a new role with the Council as the Project Manager for Social Care Transformation. The Chair therefore took the opportunity to also pay tribute to Cath for her achievements as Director and for the support she provided to the work of Scrutiny over the years.

62 Appeals Against Refusal of Inspection of Documents

There were no appeals.

63 Exempt Information - Possible Exclusion of the Press and Public

There were no exempt items.

64 Late Items

There were no formal late items.

65 Declaration of Interests

No declarations of interests were made at the meeting.

66 Apologies for Absence and Notification of Substitutes

No apologies for absence had been received.

67 Minutes - 17 January 2023

RESOLVED - That the minutes of the meeting held on 17th January 2023, be approved as an accurate record.

Minutes approved at the meeting
held on Tuesday, 21st March, 2023

68 Matters Arising

Minute 54 – Minutes of the meeting held on 22nd November 2022

During its November meeting, the Board had discussed access to local NHS dental services (minute no. 44 refers) and at that stage it was acknowledged that a service review of Yorkshire and Humber Community Dental Services (CDS) was being undertaken by NHS England. Having sought further clarification from NHS England on the status of the review, the Principal Scrutiny Adviser explained that work remained ongoing in terms of the review findings being subject to further clinical and stakeholder engagement/consultation to support final publication in the summer.

Linked to the Board's existing commitment to maintain a watching brief of progress towards improving access to local NHS dentistry, the Chair explained that, once available, the findings of the CDS review would form part of a future update report to the Board. Members also acknowledged the work of the West Yorkshire Joint Health Overview and Scrutiny Committee on dentistry, which involved a written submission to the Health and Social Care Parliamentary Select Committee as part of a national inquiry on dentistry. It was noted that the findings of the national inquiry would also be reported back to the Scrutiny Board for consideration in due course.

Minute 57 - Performance Update

Last month, the Board referred to the Rob Burrow Leeds Marathon and particularly the costs associated with taking part in this event as it was felt that this may be seen as a potential barrier for the most disadvantaged groups and communities. It was acknowledged that the Chief Officer for Operations and Active Leeds had subsequently liaised with the organisers on this matter and provided a written response to Board Members summarising some of the targeted engagement initiatives in place. This helped to give further assurance that community is at the heart of this event. The Board extended their gratitude to the organisers.

Minute 59 - Initial Budget Proposals for 2023/24

The Principal Scrutiny Adviser confirmed that the Board's deliberations on the relevant budget savings proposals did inform a composite report from Scrutiny. This report had been acknowledged by the Executive Board during its meeting held on the 8th February 2023 and also formed part of the agenda papers for consideration at Full Council on 22nd February 2023.

69 Leeds Safeguarding Adults Board Progress Update

The Head of Democratic Services submitted a report which presented a progress report produced on behalf of the Independent Chair of the Leeds Safeguarding Adults Board (LSAB) for the Scrutiny Board's consideration. The report from the LSAB included its annual report for 2020/2021 and

summarised progress made against its Strategic Plan for 2021/22, as well as sharing some early thinking about its ambitions for 2022/23. Also appended for the Board's attention was the feedback report from the Safeguarding Adults Board Peer Challenge that was undertaken as part of sector led improvement within the Yorkshire and Humber ADASS Region.

The following were in attendance for this item:

- Cllr Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Cllr Salma Arif, Executive Member for Public Health and Active Lifestyles
- Caroline Baria, Interim Director of Adults and Health
- Victoria Eaton, Director of Public Health
- Shona McFarlane, Deputy Director Social Work and Social Care Service
- Richard Jones CBE, Independent Chair of Leeds Safeguarding Adults Board

The Chair welcomed the attendance of the Independent Chair of the LSAB, Richard Jones CBE, and invited him to briefly introduce the LSAB report. As part of this introduction, the Board was assured that all safeguarding partners remained committed towards developing effective ways of working collaboratively. As partners continue to recover from the impacts of Covid-19, it was highlighted that such development work involves building on innovative practice that was developed during the pandemic. Reference was also made to existing workload pressures, with the data showing an increasing trend in safeguarding referrals since 2018/19. Given the significant challenges that individuals, families and communities are now facing within the context of the current cost of living and energy crisis, Members were advised that this was also likely to create more vulnerable individuals as well as impacting those already considered vulnerable. However, the LSAB Chair explained that the increased trend in referrals could also be seen as an indicator of greater awareness of adult safeguarding and how to seek support when someone has concerns for a person's safety and wellbeing.

When a referral is received by Leeds City Council: Adults & Health, then a decision is made on whether to undertake a safeguarding enquiry based upon the criteria set out within Section 42 of the Care Act 2014. It was highlighted that in 2021/22, there were 3101 safeguarding enquiries commenced, which equated to 25% of all referrals. While the data over recent years showed a decreasing trend in the percentage of referrals leading to Section 42 enquiries, the LSAB Chair assured Members that whenever a safeguarding enquiry is not deemed to be required, other forms of support, advice, information or other services will have often been provided dependent upon the nature of the risks, the specific concerns and the person's particular needs.

The LSAB Chair then summarised some of the key achievements and future challenges linked to the four key ambitions of the LSAB which are: develop citizen-led approaches to safeguarding; improve awareness of safeguarding

across communities and partner organisations; develop citywide approaches to safeguarding practice; and learn from experience to improve how we work.

In concluding, the LSAB Chair extended his thanks to all frontline staff, practitioners and organisations for their ongoing commitment and valuable contribution to the safeguarding agenda. A message of thanks was also passed to Cath Roff for the leadership and challenge role that she had provided as Director of Adults and Health.

The Executive Member for Adult and Children's Social Care and Health Partnerships also took the opportunity to reflect on the positive work of the LSAB, with references made to the cross-cutting strategy to tackle the issue of self-neglect and the key focus on citizen-led approaches to safeguarding. It was highlighted that the Council's Executive Board had also considered the LSAB annual report during its meeting on 8th February 2023.

The following key points were also raised during the Board's consideration of the report:

- *Working closely with West Yorkshire Police* - The Board discussed the importance of working closely with West Yorkshire Police in identifying and safeguarding vulnerable adults at risk of targeted crime. The Board was advised that a senior representative of West Yorkshire Police is a member of the LSAB and provides information about emerging police priorities, as may relate to vulnerable adults in Leeds, which also helps to inform strategic plans for the year ahead. There was also confidence in the locality working arrangements and partnerships in helping to safeguard adults.
- *A need for further analysis and narrative surrounding the reporting data* – There was further discussion surrounding the reported data that showed the number of safeguarding referrals increasing since 2018/19 alongside a decreasing trend in the percentage of referrals leading to a Section 42 enquiry. The Board identified the need for further analysis and narrative surrounding this data to be reflected within the LSAB report. While acknowledging that it is the view of the LSAB that the increasing numbers of referrals are an indicator of greater awareness of adult safeguarding and how to seek support, such analysis would help to support this position, as well as provide further assurance that every referral, including those that do not meet the criteria for Section 42 enquiry, is responded to appropriately. The LSAB Chair agreed to feed this back to the LSAB for consideration.

The Chair thanked everyone for their contributions and acknowledged the continued hard work and commitment of the Leeds Safeguarding Adults Board.

RESOLVED – That the contents of the report, along with Members comments, be noted.

70 Review of out of hours bereavement arrangements at Leeds Teaching Hospitals NHS Trust.

The Head of Democratic Services submitted a report relating to a review of out of hours bereavement arrangements at Leeds Teaching Hospitals NHS Trust (LTHT).

The following were in attendance for this item:

- Cllr Fiona Venner, Executive Member for Adult and Children's Social Care and Health Partnerships
- Cllr Salma Arif, Executive Member for Public Health and Active Lifestyles
- Caroline Baria, Interim Director of Adults and Health
- Victoria Eaton, Director of Public Health
- Rob Newton, Associate Director of Policy and Partnerships, Leeds Teaching Hospitals NHS Trust (LTHT)
- Mike Philpott, General Manager Pathology, LTHT
- John Adams, Medical Director (Governance and Risk), LTHT
- Reece Wolfenden, Lead Service Manager for Bereavement and Medical Examiner Services, LTHT
- The Rev'd Ben Rhodes, Head of Chaplaincy and Spiritual Care, LTHT

In introducing this item, the Chair explained that in September 2019, the Adults, Health and Active Lifestyles Scrutiny Board had received a briefing from Leeds Teaching Hospitals NHS Trust (LTHT) regarding changes to its out of hours bereavement arrangements aimed at improving the experience of bereaved families. Such changes involved the introduction of new processes to enable the timely release of deceased adult patients for ceremonial and burial purposes for religious and cultural reasons. However, the Chair explained that the Trust is now undertaking a further review of its out of hours bereavement arrangements and was therefore invited to today's meeting to engage with the Scrutiny Board at this early stage of the review process.

The Board received a presentation that was led by the Medical Director (Governance and Risk) at LTHT. The key points raised during this presentation were as follows:

- The Trust currently operates a 24 hour service, with the out of hours service operating on weekday evenings (from 16:30 onwards) and at weekends.
- The responsibility for releasing deceased adult patients to funeral directors out of hours is taken on by Clinical Site Managers (CSM). There is one CSM at Leeds General Infirmary and one at St James's University Hospital.
- Out of hours release requires a significant amount of resource and coordination by CSMs. During times of operational pressure, a timely

service by CSMs cannot be guaranteed given other urgent needs for patient care.

- While a new service model is being developed, the Trust will continue to provide an out of hours service. However, in doing so it is proposed that the Trust considers moving to a 08:00 to 20:00 service on weekends and weekdays.
- The Trust is awaiting further details surrounding a new Statutory Medical Examiner System that is expected to come into force in April 2023. This system will require Medical Examiners to provide independent scrutiny of all deaths not taken for investigation by a coroner which is therefore likely to have an impact on service delivery.
- Other considerations linked to making changes to the service were also outlined and included establishing clear policies and practice for out of hours during both weekdays and weekends; ensuring timely release of bodies with the potential to reduce the need of out of hours release; effective liaison and co-ordination with the Council's bereavement services; establishing more consistent policies and practice across the West Yorkshire region, with co-ordination through the West Yorkshire Association of Acute Trusts (WYAAT); quality control and assurance measures concerning the release of bodies; better understanding of demand levels and the best use of resources; and ensuring that the needs of other patients in hospital are being met with high quality and timely service provision from CSMs, Pathology and Mortuary.
- A timeline for the service review was shared with the Board which involved developing a new model, with identified responsibilities, by 31st March 2023. Testing and approval of the model is expected to take place during April with a view to begin implementing the final model by 1st May 2023.
- As well as engaging with the Scrutiny Board, ongoing engagement with faith and community groups, funeral directors, bereavement services, LTHT staff and West Yorkshire NHS Trusts were also deemed necessary as part of the process for change.

During the Board's discussions on this matter, the following points were also raised:

- The Board was advised that there is a significant amount of quality checks involved to ensure that the release of bodies of deceased patients is undertaken correctly and safely. During this time, Clinical Site Managers are not contactable for any other urgent site issues and under current processes, would be unable to delegate this responsibility to another individual or group of staff.
- It was highlighted that work to identify other qualified individuals or groups of staff to release the deceased was being undertaken as part of the review process.
- While it was acknowledged that some Trusts have utilised their mortuary staff to assist with out of hours releases, the Board was advised that this option is not considered feasible in Leeds due to capacity issues.

- While the physical release of deceased bodies primarily requires some administrative training, it was highlighted that the paperwork and clinical processes would require a medical examiner or senior consultant to authorise the release.
- Some Members shared their experience of having increased contacts from constituents over the last few months regarding issues of late release of deceased kin. While understanding the service pressures being placed on the CSMs, importance was placed on finding a suitable and sustainable way forward given this very difficult and sensitive matter.
- A statement was also read out on behalf of the Interfaith Director at the Leeds Jewish Representative Council which explained that the provision of out of hours bereavement services for Jewish and Muslim communities is critical. Concerns for the communities to provide timely burials for their loved ones were raised and any efforts to improve the situation were supported with the offer to meet with the Trust to consider how best to improve the situation.
- The Medical Director (Governance and Risk) apologised on behalf of the Trust for the service not being delivered to the intended level.
- In response to a question from Members, it was explained that the new Statutory Medical Examiner System is a national policy applying to all NHS organisations in England and Wales and will cover all deaths, even those in the community. However national legislation for full operation, funding and provision was still unclear.
- The Board considered the proposed move to a 08:00 to 20:00 service hours as being reasonable and practical. However, a query was raised regarding the working arrangements of Medical Examiners and the practicality implications moving forward when the new national system is put in place.
- The Board was advised that the Trust already have 13 Medical Examiners with 4 supporting administrative officers and that these primarily work from 08:00 to 16:00. It was highlighted that an additional 10 Medical Examiners are to be recruited to support community provision, with working hours being more aligned with registration services to provide greater flexibility.
- The Board was advised that while the government has issued guidance linked to the new system, which can be shared with the Scrutiny Board, the Trust is still awaiting further clarify surrounding the legislation to understand the full implications. Given the tight timescales involved, it was predicted that the introduction of this new system may be delayed. However, this remained a concern for the Trust.
- A suggestion was made to address a letter to the appropriate Minister for details of the practical arrangements of the new legislation, which was agreed to be done through the Executive Member for Public Health and Active Lifestyles.
- Members highlighted that some General Practitioners (GPs) in Leeds, although not offering out of hours services, do provide telephone numbers for religious communities to provide necessary documentation enabling the deceased's next of kin to register the death.

- Work with GPs to have accessible records was noted to be ongoing to ensure Medical Examiners have essential information when certifying a death at any hour. Permission for access is through application to the given practice and not through NHS patient record management systems.
- It was highlighted that digitalised death certificates were also being progressed through the government which should also assist with issues surrounding accessibility and out of hours provision.
- As the NHS continues to recover from the Covid-19 pandemic, it was noted that there remain ongoing issues around staff recruitment and retention. Improving the position will require dedicated funding while also recognising services are unable to predict what happens clinically.
- The Board suggested that it would be helpful for the Trust to provide Elected Members with guidance of the process for the release of bodies out of hours to assist them when advising their constituents.
- As part of the ongoing engagement process, the Director of Public Health suggested that it would be helpful for the Trust to also engage with the GP Federation and other partners through the Local Care Partnerships and Primary Care Networks and would be able to assist in facilitating that engagement.

The Chair thanked everyone for their contributions and requested that the Board be kept informed of progress linked to the ongoing review process.

RESOLVED – That the contents of the report and presentation be noted, along with Members comments and requests for information.

71 Work Schedule

The Head of Democratic Services submitted a report that presented the work schedule for the remainder of the municipal year.

The Principal Scrutiny Advisor introduced the report and reminded Members that the Board had agreed to hold a working group meeting to consider the current position surrounding the delivery of the Leeds Mental Health Strategy with a view to also identifying key areas that would potentially benefit from more focused scrutiny work to be taken forward into the new municipal year. This working group had been arranged for Thursday 9th March 2023.

While acknowledging that the Board is expected to hold its final formal meeting on 21st March 2023, suggestions for future work items were also made. These involved inviting the new Chief Executive of Leeds Teaching Hospitals NHS Trust to discuss their vision for the Trust with the Board and having an item to understand the current position surrounding the demand and provision of local cancer treatment services.

RESOLVED – That the contents of the work schedule for 2022/2023 and the suggested areas of future work be noted.

72 Date and Time of Next Meeting

Minutes approved at the meeting
held on Tuesday, 21st March, 2023

RESOLVED – To note the next meeting of the Board as Tuesday, 21st March 2023 at 1:30pm (pre-meeting for all Board Members at 1.00 pm)