

**SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL**

A meeting of the Social Care and Adult Services Scrutiny Panel was held on 16 April 2018.

**PRESENT:** Councillors McGee (Chair), Dryden, Higgins, McGloin, Uddin, J Walker and Walters.

**OFFICERS:** C Lunn and E Scollay.

**APOLOGIES FOR ABSENCE:** Councillor Coupe.

**DECLARATIONS OF INTERESTS**

There were no Declarations of Interest.

**1 MINUTES - SOCIAL CARE AND ADULT SERVICES SCRUTINY PANEL - 21 MARCH 2018**

The minutes of the Social Care and Adult Services Scrutiny Panel meeting held on 21 March 2018 were submitted and approved as a correct record.

**AGREED****2 MATTERS ARISING**

A Member made reference to page five, paragraph three of the minutes, and commented that a number of organisations across Middlesbrough appeared to be actively engaging in various different initiatives to address the issues of loneliness and social isolation. This was felt to be extremely positive in that these were being seen as collective issues for the town, and not as issues solely for the Local Authority to address.

The Chair of the Health Scrutiny Panel, Councillor Dryden, referred to page six of the minutes and provided an update in relation to the Review of Learning Disability Respite Services, for information. Members heard that the South Tees Health Scrutiny Joint Committee would next be meeting with the Clinical Commissioning Group (CCG) on 25 April 2018, where it was hoped that a final resolution would be presented.

Regarding the Task and Finish Group work that this Scrutiny Panel would be undertaking in respect of the Review of Learning Disability Respite Services, the Chair advised that, as this was the final meeting of the current Municipal Year, this would need to be reviewed by the Panel at the beginning of the 2018/2019 Municipal Year.

**NOTED****3 UPDATE ON PREVIOUS SCRUTINY REVIEW - 'SAFEGUARDING VULNERABLE ADULTS'**

The Director of Adult Social Care and Health Integration provided the Panel with an update in respect of its previous review of 'Safeguarding Vulnerable Adults'. The information was presented in line with each of the Scrutiny recommendations that had been made, and the action that had been taken by the service area in response.

**Scrutiny Recommendation i**

**That measures be put in place to improve partnership working between the Local Authority's Scrutiny Panels, and/or between the Authority and its neighbouring Local Authorities, in order to scrutinise the topic of safeguarding more effectively and efficiently.**

Regarding the Peer Review Audit System, it was indicated that the first round of peer audits had been undertaken. This had consisted of managers from each of the Local Authorities within the Teeswide Safeguarding Adults Board (TSAB) area visiting their counterparts to

review their safeguarding arrangements, with the learning outcomes then being fed through the work of the TSAB's various Sub-Groups. This enabled best practice to be disseminated and any questions that had been asked to be shared. The peer review process would be an on-going initiative.

Further peer review activity was currently being planned by the North East Association of Directors of Adult Social Services (ADASS), which would review safeguarding across the North East region. A timeframe around this was currently awaited.

Details were provided in respect of the annual Quality Assurance Framework work that was carried out. It was indicated that staff were at the beginning of the process for the current year. Activity included data sets from safeguarding teams being brought together and analysed to determine any anomalies or inconsistencies, and conversion into section 42 enquiries.

The Independent Chair of the TSAB had been approached via the TSAB's Business Unit to give consideration to a Tees meeting of Scrutiny Chairs; a further update in respect of this was awaited. However, it was explained that the Independent Chair currently met with Chairs from other Boards, such as the Children's Safeguarding Adults Board, and therefore a network was already in existence. A Member commented that it was important to note that the structure of Scrutiny Panels across the Tees Local Authorities may have varied.

It was indicated to Members that TSAB meetings were held on a quarterly basis. Minutes of the meetings were available on the TSAB website; however, as previously agreed, links to these were circulated to the Panel Members, for information.

In response to an enquiry regarding current safeguarding issues/concerns that Directors of Adult Social Care Services were raising, the Panel heard that these included such topics as: Modern slavery; Self-neglect; and Domestic abuse. It was highlighted that financial abuse was and continued to be one of the most significant issues. Further consideration was required in terms of how this could be policed more vigorously, and how levels of reporting could be improved.

A Member highlighted the importance of ensuring that appropriate mechanisms were in place to allow for these and other significant issues to be fed back into Scrutiny Panel work. Reference was made to the Scrutiny Work Programme and the opportunity for potential review topics to be forwarded by all stakeholders. It was explained to Members that one of the roles undertaken by the statutory TSAB was to detect any emerging issues. Reference was made to the TSAB's Performance and Quality Assurance Sub-Group, one of the purposes of which was to review data and look at under-reporting and changes to reporting categories. There was, essentially, a systematic mechanism in place that allowed for the four Local Authorities to detect issues, as a group, which could then be progressed to the main TSAB for consideration. The Board would then create a work plan for the Sub-Groups for the subsequent year.

In response to an enquiry regarding current issues/concerns, it was indicated to the Panel that there were a number of varying matters, including: Differential rates of reporting between BAME and other communities; Under the Transforming Care programme - individuals with a learning disability and forensic history being discharged from hospital into local communities; Modern slavery; Human trafficking; and Issues that had come to the forefront during national serious case adult reviews, such as poor communication between partner organisations. These issues were not new; the key task in tackling them was to ensure that all of the services being provided by the Local Authority and its partners were caring, and that they fully utilised all of the community resources available to ensure that all issues were reported.

A discussion ensued in relation to the Transforming Care programme. It was explained to the Panel that one of the issues around Transforming Care was that, in principal, should an alternative hospital or Health Trust place an individual into a registered provision within Middlesbrough, there was no obligation for that hospital or Health Trust to inform the Local Authority. There was an obligation for Directors of Social Care Services to inform Directors of other Local Authorities if they were placing an individual into their respective areas, but there

was no obligation for Health Trusts and independent providers to do the same. Some of the individuals being discharged under Transforming Care did have a history of high risk offending and required considerable monitoring. The Local Authority did not have a locus for involvement unless there was a safeguarding alert, which would require investigation. This issue had been discussed by the Directors of Adult Social Services at a previous meeting of the TSAB Safeguarding Adult Review (SAR) Sub-Group, and work was currently being undertaken to determine the measures that could be taken to address it.

The Panel considered the possibility of forming a recommendation at this stage, for consideration by the appropriate person(s) or body/bodies, that there should be some obligation placed upon Health Trusts and independent providers to inform Local Authorities when such individuals were placed within their respective areas. The Chair agreed to commit to working with the Vice Chair to consider the points raised, and to look at the mechanisms of which this recommendation could be moved forward. The matter would also be discussed with the Chair of the Overview and Scrutiny Board. It was felt that, at this point in time, careful reflection was needed in terms of what form these potential mechanisms could take.

### **Scrutiny Recommendation ii**

**That work be undertaken to ensure that safeguarding remains part of Middlesbrough's core business, through effective partnership working and by designing services to meet the needs of the most vulnerable people within the community. For example:**

**a) Improving awareness of safeguarding in all service areas by considering the topic at all Local Authority meetings, and referencing any matters raised within the associated minutes; and**

**b) Consideration of safeguarding during the preparation of service area policies and procedures - e.g. in respect of report writing, identification of safeguarding as a key factor, alongside such other matters as Ward, Equality Impact and Financial Assessments.**

The existence of the TSAB Sub-Groups and the formal process of feeding lessons learnt from serious adults case reviews and learning reviews into Social Care departments was reiterated to the Panel. This was felt to be particularly beneficial, as learning obtained from the Tees partner authorities could be shared.

In terms of the main safeguarding area, it was explained to Members that a number of initiatives had been implemented, including staff from Adult Social Care and the Safeguarding Unit being involved in domestic abuse forums and partnership meetings, and safeguarding training being built into the Council's induction process for all staff. Safeguarding was not only concerned with adult protection, but also with broader health matters. Therefore, training in respect of equality and diversity had also been built into this induction process. Work had also been undertaken with the Public Protection Team and the Community Safety Partnership in respect of safeguarding issues.

In response to an enquiry regarding the assessment of the impact of this staff training, it was explained that a mechanism was being built into the training modules. However, it was felt that, on a general-basis, the ability to measure the impact of induction training on staff was difficult. Reference was made to Mental Health First Aid training and Suicide Prevention training that was being undertaken with some Social Care staff; an element of self-reporting would be undertaken as to when this information had been used, which would provide a mechanism in this regard. Further consideration would be given as to how the effectiveness of this training could be measured. Members suggested that this Mental Health First Aid and Suicide Prevention training could perhaps be made available to Elected Members.

The Panel was advised that the service area had extended its contract with Community Care Inform (CC Inform), which provided practice guidance and legislation, together with relevant case law. All of the Authority's field work staff utilised this resource, which also allowed for topics to be set. This had resulted in the service area potentially setting monthly topics and building online learning courses with assessments. The first round of this had recently been

completed, which had revolved around the Mental Capacity Act. All field work staff had completed this; it was highlighted that Middlesbrough Council had achieved the best first time return of any of the Social Care departments, which was an excellent accomplishment. The Panel congratulated all of the staff on this achievement. The Director of Adult Social Care and Health Integration advised the Panel that he was able to set the content of future tests, and therefore if there were any issues that emerged from Scrutiny, these could be used to shape some of the online learning. A discussion ensued in respect of online training initiatives.

### **Scrutiny Recommendation iii**

**That the Panel receives further information following the outcomes of the TSAB's Safeguarding Mapping Report work, in order to achieve a greater understanding of the comparative data and its validity.**

**In addition, that the reporting systems are streamlined to ensure consistency of data across the four Local Authorities.**

Members were advised that the Safeguarding Mapping Report had been utilised to shape the business plan for the TSAB. The outcomes relating to BAME had formed part of the action plan for the Board, which had shaped a lot of activity in areas such as stakeholder involvement, engagement and training. A report detailing the response to the BAME elements of the Safeguarding Mapping Report had been progressed through the Policy, Practice and Procedures (PPP) Sub-Group, and was scheduled to progress to the TSAB in June 2018.

With regards to a briefing for Elected Members, reference was made to a session that had been held in December 2017.

### **Scrutiny Recommendation iv**

**That the TSAB framework develops in order to improve the transition process for children.**

The Panel heard that this recommendation had been addressed in combination with the Children's Trust, which had now been established. It was explained that there was a group of young people with very complex needs that were progressing towards Adult Social Care; reference was made to the legal frameworks around this and the management of both the transition and the associated expectations.

### **Scrutiny Recommendation v**

**That the Panel receives on-going updates in respect of the work and development of the TSAB; matters of interest to be identified by the Panel and correspondence undertaken accordingly with the TSAB representatives.**

This had been achieved through the circulation of TSAB minutes. A Member commented that TSAB's Independent Chair also attended the Council's Overview and Scrutiny Board on an annual basis. It was felt that it would be beneficial for this Panel to consider any specific questions that Members may wish to have raised with the Independent Chair.

### **Scrutiny Recommendation vi**

**That publicity and marketing campaign work continues to be undertaken in conjunction with Marketing and Communications, and partners, via such communication methods as Love Middlesbrough Magazine, the Local Authority's website and intranet site (and those of its partners), advertisements in public buildings such as community hubs and libraries, and radio campaigns, as appropriate, in order to:**

**a) Deliver the message that safeguarding is 'everybody's business';**

- b) Encourage volunteering to address the issues of loneliness and isolation;**
- c) Demonstrate that the professional caring role is highly valued and essential, and significant in terms of addressing loneliness and isolation; and**
- d) Facilitate exploration of opportunities for service areas in raising the profile of carers, and to reward both members of staff and the general public for undertaking exceptional care-related work.**

Regarding the professional caring role, it was highlighted that the Authority had strengthened its contracts with domiciliary care providers in Middlesbrough and was now paying more than the other Teesside authorities. The Panel highly welcomed this news. Reference was made to the value and importance of caring roles.

Members were appraised of the various publicity and awareness-raising activities that were being undertaken, which included: Induction training for staff; Training within care homes; An inter-faith network event on the topic of Adult Safeguarding; Information stalls in the Cleveland Centre; and Radio campaign work with Community Voice FM (CVFM). Reference was made to the publicity and annual survey work undertaken by the TSAB.

A discussion ensued in respect of social media, including the associated advantages and disadvantages, the management and monitoring of content, the opportunities for networking and reaching people currently unknown to services, and the resources required for operating social media accounts. It was felt inevitable that certain aspects of this area of work would require social media use in the future. Reference was made to the Council's website as a potential source for awareness-raising, in addition to supporting the Council's values.

The Panel discussed referrals and offline-based professional support being offered to individuals. It was indicated that referrals were received from a variety of sources, including the Department for Work and Pensions (DWP), Health bodies, GPs, Thirteen Group and other partners. Mention was made of the number of referrals being received directly from Middlesbrough's communities.

#### **Scrutiny Recommendation vii**

**That the Care Quality Commission (CQC) be requested to consider whether it can:**

- a) Shorten the timeframe for the formulation and publication of reports following formal inspections; and**
- b) Notify the Local Authority of any potential issues following a preliminary inspection via the provision of shorter 'notification' or summary reports.**

It was explained to Members that these recommendations had been conveyed to the CQC by the Head of Strategic Commissioning and Procurement; the CQC had also been invited to attend TSAB meetings.

A discussion ensued around the issues associated with these recommendations. A Member commented on the importance of ensuring that the Local Authority was notified of any issues in a timely manner. Reference was made to the reporting of any concerns that had been received, to this Scrutiny Panel, for information. This was felt to be a national issue and not specific to Middlesbrough. Consideration was given to the reasons for potential delays and the reasonable timeframes that could be expected.

#### **Scrutiny Recommendation viii**

**That the Panel receives copies of any CQC formal inspection reports that have raised concerns, for information.**

Discussed under Scrutiny Recommendation vii.

**Scrutiny Recommendation ix**

**That formal monitoring of 'Band D' contracts be kept under review.**

Members were advised that smaller 'Band D' contracts continued to be reviewed. This was a process that was in place and well established.

In response to an enquiry regarding the outcomes of the annual framework review, which was last undertaken in January 2018, it was explained that no issues had arisen from the review that had caused particular concern, and therefore the framework remained as it was - 'Band D' contracts continued to be monitored and reviewed. Individuals that sat within these contracts would have Social Worker and/or Occupational Therapist (OT) involvement, who would review their cases and provide care management.

**Scrutiny Recommendation x**

**That work be undertaken to ascertain the amount of time carers spend travelling between appointments and the impact of this on service users, with findings to be reported back to the Panel.**

The Panel was advised that a formal review had not been undertaken on the amount of time that individual carers spent travelling as of yet; however, pay rates had been reviewed. Clarification would be obtained as to whether a request had been made to organisations, during the contract renewal process, to pay carers for travel time. The Panel was appreciative of the work that had been carried out in respect of pay, and the positive outcome that had been achieved.

**Scrutiny Recommendation xi**

**That data be collected and analysed to identify the levels of staff turnover, for those employed by the Local Authority and commissioned service providers, and the reasons for this.**

A Member commented that there were some significant challenges around this in terms of anonymised staff data, but also that it was not mandatory for this information to be provided from commissioned service providers.

It was indicated to the Panel that the service area had re-established its contracts; there were issues with staff turnover in domiciliary care, but this was felt to be a national issue and not specific to Local Authorities.

A query was raised as to whether a mechanism could be introduced to facilitate the collection of data during a review period. In response, it was explained that there were contract monitoring points. The Director of Adult Social Care and Health Integration would liaise with the Head of Strategic Commissioning and Procurement to determine where these were, and how this issue could be addressed once they had been reached.

Consideration was given to the notion of comparative data that could potentially be obtained over time, which could perhaps provide information in respect of staff turnover, and offer a comparison between Middlesbrough and other Local Authorities.

It was explained to the Panel that in-house data was available; it was data in respect of external services and those individuals employing their own home care that was more difficult to attain. A discussion ensued in relation to the employment of personal assistants and the varying issues pertaining to this. Mention was made of Disclosure and Barring Service (DBS) checks and, although the Local Authority could not enforce the completion of these, it was recommended to personal budget recipients that these be undertaken.

In relation to a broader safeguarding issue, the Panel was informed of recent pilot work that had been undertaken by the Council's OTs in relation to postural management. Regarding people within care homes who had contracted limbs, for example, work was piloted with

equipment that could be used to shape forms in their beds in order to help prevent contractions at night. The OTs had achieved some excellent results, e.g. people who had problems sitting were now able to sit comfortably in chairs. The OTs had been selling and delivering this training within care homes, but in addition, had also been selling this training to the acute hospitals. The Panel congratulated the OTs on this achievement and felt it important that good news stories like this be shared.

The Chair thanked the Director of Adult Social Care and Health Integration for his attendance and contribution to the meeting.

**AGREED that:**

1. **In relation to the Transforming Care programme and the placement of individuals within the Middlesbrough area, the Chair and Vice Chair would consider the points raised and look at the mechanisms of which a potential recommendation could be moved forward. The matter would also be discussed with the Chair of the Overview and Scrutiny Board.**
2. **The Democratic Services Officer would follow-up the suggestion for Mental Health First Aid and Suicide Prevention Skills training to be made available to Elected Members.**
3. **The Director of Adult Social Care and Health Integration would obtain clarification as to whether, during the contract review process, commissioned service providers had been requested to pay carers for travel time.**
4. **Regarding the level of turnover in respect of care staff, the Director of Adult Social Care and Health Integration would liaise with the Head of Strategic Commissioning and Procurement to determine contract monitoring points, and how this issue could be addressed within those once reached.**

4 **OVERVIEW AND SCRUTINY BOARD UPDATE**

The Chair provided a verbal update on the matters that were considered at the Overview and Scrutiny Board meeting on 10 April 2018.

**NOTED**