

EXECUTIVE MEMBER REPORT TO COUNCIL 14 October 2015

ADULT SOCIAL CARE

Care Act Workshop

1. On 15 of September staff from Social Care and associated partners were invited to participate in a workshop to consolidate the implementation of the Care Act 2015 and to plan further related work. Although a recent government announcement confirmed that phase two of the Act will not progress until 2020 at the earliest, there is still work to be undertaken in embedding the changes brought by phase one in April of this year. The workshop was very productive and from it we are developing our action planning for the forthcoming months. The consolidation work will be co-ordinated by our departmental Care Act Steering Group. Significantly, we have still to see increases in demand as a result of the new legislation.

Approved Mental Health Professional (AMHPs)

2. All local authorities have a duty to provide an AMHP service; these are the specially trained Social Workers who work with individuals who have become acutely mentally ill and require assessment and potentially detention under the Mental Health Act. This is a complex and stressful role where our staff members are individually accountable in law for the decisions that they take, often in difficult, or potentially hazardous, circumstances. In common with some other authorities, Middlesbrough has for some time been losing AMHPs to other Councils who provide higher salaries; this has brought us to the point where we have the bare minimum number necessary to maintain the rota of staff. An exercise is being undertaken to address the issue of staff retention.
3. The Social Care and Adult Services Scrutiny Panel is in the process of looking at AMHP provision and they have identified two further obstacles to the delivery of the AMHP duty, namely delays in attendance by ambulances to convey patients to hospital and the difficulty of obtaining the necessary medical opinion needed to "section" an ill patient. The panel has indicated that these issues will be passed to Health Scrutiny for follow-up.

Better Care Fund/Single Point of Access

4. Work on the Better Care Fund continues. In relation to the Single Point of Access a mapping exercise, undertaken by the project manager, with support from Peopletoo staff has begun to understand the range of services to be included in the project and the current referral routes in and out. Streamlining of these referral routes will be key to understanding how we will simplify the processes and develop common pathways and services. Project milestones along with progress to date will be reported to the Integration Programme Board in October with an outline of how we will use the work that has been achieved so far to benefit the health and social care community in the forthcoming winter in advance of the full delivery of the SPA.

ADULT HEALTH

New Safety Requirements for Rented Housing

5. The Smoke and Carbon Monoxide Alarm (England) Regulations, 2015, came into force on 1 October 2015 and applies to housing in the private rented sector.
6. From this date, landlords are required to :-
 - Fit a smoke alarm on each floor of the premises
 - Fit a carbon monoxide alarm in rooms containing solid fuel appliances (eg wood burning stoves and coal fires)
 - Check the alarms are working at the start of each new tenancy.
7. The Council has a duty to enforce the regulations and will require by way of a legal notice that alarms are installed in premises that have not been upgraded. If necessary works will be carried out by the Council with costs and additional penalties imposed. It is expected that many landlords will already be aware of this requirement and will have taken steps to ensure that they are compliant, but in the event they are not aware we have written to all those we know of to advise them.
8. A comprehensive guide can be viewed or downloaded at: -

<https://www.gov.uk/government/publications/smoke-and-carbon-monoxide-alarms-explanatory-booklet-for-landlords>

Waste Accumulations

9. An Environmental Health Officer has removed 120 bags of waste from a rear yard in a town centre premises after a complaint about the accumulation of rats in the area. The occupier failed to comply with a legal notice requiring them to remove 'Noxious matter' served under the Public Health Act 1936, so the Officer arranged for the works to be carried out in default of the legal notice. The bill for this work will be sent to the occupier in due course.

Warrant Execution

10. An Environmental Health Officer secured a warrant to enter a premises following concerns that the occupier was living in a 'filthy and verminous' house. The concerns for the occupiers welfare arose after complaints were received about the overgrown gardens at the property, and further investigation flagged a number of issues including an alleged lack of water supply to the house. Several unsuccessful attempts were made to engage with the occupier but failed, leading to the warrant application. The warrant was executed shortly afterwards, with the help of a locksmith. Enquiries are ongoing.

Estates Excellence and Extra Life – Improving Health through the Workplace.

11. Workplace safety and wellbeing are the focus of a new partnership initiative in Middlesbrough launched at the end of September.
12. The Estates Excellence & Extra Life (EE&EL) programme will offer businesses free support and the tools needed to drive up health and safety standards and improve employee health and wellbeing.
13. Middlesbrough Council has teamed up with the Health and Safety Executive, Cleveland Fire Authority, Middlesbrough College, local businesses and other organisations to deliver the approach locally.
14. Estates Excellence is a national initiative developed by the Health and Safety Executive. It has already led to significant improvements in workplace health, safety and welfare, including reduced sickness absence, a reduction in workplace accidents and better workplace standards for employees.
15. 'Extra Life' is a Middlesbrough Council health improvement initiative, which supports local employers to improve the health and wellbeing of their employees whilst at work and at home. Through Extra Life, employees are able to access simple health advice sessions, health screening and become more physically active.
16. Working together, Estates Excellence and Extra Life complement each other in terms of improving health.
17. The Environmental Health Team has been visiting businesses in the Riverside Park Estate to invite them to take part in the scheme. Businesses that sign up will be offered a site visit by an EE&EL representative followed by free training and awareness sessions on a variety of health, safety and wellbeing topics, as well as ongoing support through the Extra Life initiative.

Controlling E.coli (Escherichia Coli) O157

18. E.coli bacteria are found in the intestines of animals and humans. Most strains of E.coli are harmless but there are strains that cause severe illness which can be life-threatening to the young, elderly and the vulnerable.
19. E.coli O157 is a strain of the bacteria that can cause serious illness. It has been linked to several large food poisoning outbreaks in the UK. It is often associated with the consumption of undercooked beef – particularly burgers and similar meat products, or where poor food handling has resulted in the contamination of ready-to-eat foods. The illness can also be passed through contact with farmed animals and be spread from person to person.
20. Whilst serious cases are rare, the illness has a very high public health significance and controls are in place throughout the food chain – from farm to plate, to prevent the spread of the illness. Environmental Health Officers (EHOs) have an important role to play in the prevention of E Coli O157 illness when they inspect food businesses, particularly those which handle raw and cooked meats such as butchers' premises.

21. EHOs work together with Public Health England and its Consultants in Health Protection to investigate all cases of E.coli O157 and other serious foodborne infections. The primary role in an outbreak investigation is to identify the cause and source of infection and to prevent further spread. Information and advice on the illness and the necessary public health control measures is provided to those affected.
22. Officers have the legal powers to require control measures at any food business that has been implicated in an outbreak. Investigations may also lead to criminal proceedings under food safety laws.
23. Unfortunately, outbreaks continue to occur. Recently, there was an outbreak of E.coli O157 linked to two butchers' shops in Stockton and Durham, both operated by the same company, which led to 12 cases of the illness - four of these were children aged 8 to 12 years. Some of the cases were hospitalised due to the severity of their symptoms, including kidney failure.
24. Whilst cases of E.coli O157 in Middlesbrough are extremely rare, due to the potential harm to human health, they are always investigated immediately and infection control measures put in place.

Closure of Linthorpe Road Takeaway

25. A takeaway in Linthorpe Road was required to close by Environmental Health Officers when evidence of a mouse infestation and poor standard of cleanliness were found during a routine night-time inspection in September.
26. Following the closure, the Council was granted a Hygiene Emergency Prohibition Order at Teesside Magistrates' Court. This requires the premises to remain closed until Council Officers are satisfied that the mouse infestation has been eradicated and the premises has been sanitised.
27. The business remained closed for 6 days and was permitted to re-open following a further food hygiene inspection. Investigations into the conditions found are ongoing and further enforcement action may be taken against the food business operator.

New Consumer Laws

28. The Consumer Rights Act 2015 comes in to force on 1 October. It replaces existing consumer legislation including the Sale of Goods Act which is enforced by the Council's Trading Standards Officers
29. The shake-up marks the biggest change in consumer rights in almost 40 years. Officers are urging businesses to train their staff to make sure ensure they are ready for this major change in consumer law.
30. The new Act outlines a clearer route for consumers to understand their rights and remedies when goods they have bought are faulty. It also provides redress over poor quality services and problems with digital content, with new provisions covering unfair terms in consumer contracts.

31. The most important changes come in the time periods following purchase for the repair, replacement and rejection of goods by consumers.
32. Within 30 days of purchase the consumer has a right to reject goods that are not of satisfactory quality, not fit for purpose, not as described, not matching any sample or not in accordance with information provided before the contract was agreed.
33. After 30 days the seller then has one opportunity to repair or replace the goods, but if the repair or replacement is impossible, or the first attempt fails (or the replacement is also defective), the consumer then has a 'final right to reject' and get their money back or a price reduction.
34. These are very important changes for both consumers and businesses. Middlesbrough is an important shopping venue and consumers should have the confidence that businesses are following the new rules.

Councillor Julia Rostron
Executive Member for Adult Health & Social Care