

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on 4 December 2018.

**PRESENT:** Councillors J Sharrocks (Chair), M Storey (Vice Chair), Councillors: Coupe, Hellaoui, L Lewis and J A Walker

**APOLOGIES FOR ABSENCE** Councillors Dryden, Higgins, Mawston, McGee, McGloin, Saunders.

**DECLARATIONS OF INTERESTS**

None were declared.

**1 MINUTES - OSB - 30 OCTOBER 2018**

A query was raised about the wording of budget proposal ASC01, which was brought to the previous meeting of OSB. The proposal related to over provision of budgets for Asylum Seekers requiring additional care after their asylum application had been unsuccessful. A Member queried the status of the wording for that proposal and it was confirmed that, at the request of OSB, the wording of the proposal had been amended. The wording was considered and approved by Executive and would be considered by full Council on 5 December.

The Minutes were accepted as a true record.

**2 TEESWIDE SAFEGUARDING ADULTS BOARD - ANNUAL REPORT AND STRATEGIC BUSINESS PLAN**

The Independent Chair of the Teeswide Safeguarding Adults Board (TSAB) presented the Board's annual report and Strategic Business case for 2017/ 18 and made the following comments as part of the presentation:

- The report covered the geography of the four Teesside Councils and their partners.
- Feedback was sought from OSB about the report's format.
- It was explained that TSAB consisted of all the relevant partners in the Tees Valley and that a great deal of work was undertaken by the Board's sub-groups and Task and Finish groups. The purpose of TSAB was to provide a consistent approach to policy, bring together the work of all partners, increase awareness of Adult Safeguarding issues and provide training. It was also commented that TSAB enabled the sharing of best practice across the area.
- The annual report was structured around four main aims: Prevention, Protection, Personalisation and Partnership and Professional Accountability.
- With regard to Prevention, this was about raising awareness of Adult Safeguarding issues. It was commented that Children's Safeguarding issues seemed to receive more attention in the media, despite issues affecting adults being equally contentious, such as modern day slavery.
- As part of awareness raising, TSAB had developed its website which had received more than 10,000 visits from a variety of individuals. These visits included the general public accessing resources.
- An awareness raising campaign was undertaken last year that saw 60 events, and utilised local media that enabled contact with members of the public about safeguarding.
- An annual survey was undertaken which saw 640 surveys completed. Of those respondents previously involved in safeguarding situations the majority stated they now felt safer. The survey also suggested that safeguarding professionals felt well informed.
- The main learning from the survey was a need for greater emphasis on prevention and early help. However, it was commented that this was a challenge in the current financial climate.
- There was a rise in activity between 2016/17 and 2017/18, specifically a 27% increase

in concerns - i.e. those people making contact reporting actual safeguarding incidents as well as a rise in safeguarding activity by 18%. While such increases could be seen as worrying, it was also seen as a sign that safeguarding awareness, and the mechanisms to report it, were improving.

- The location of the highest safeguarding activity continued to be care homes. While this was a positive indicator, as vulnerable residents were in care homes, those residents were in the minority. The majority of vulnerable people lived in the wider community and as such there was more work to be done to ensure the majority could be heard.
- The highest areas of reported abuse continued to be neglect or acts of omission. While there were new areas of abuse including modern slavery, self-neglect and exploitation, the reported levels of these remained low.
- As part of TSAB's role to collect data it was found there was a rise in activity across the Tees Valley and this information was audited and challenged by an independent panel.
- There were no serious Adult Reviews in 2017/18, i.e. cases of death or serious concern, although the Serious Review of 2016/17, involving a widely reported incident in Hartlepool, was published which received over 2000 reads. There were three reported cases of serious reviews that were received but none reached the required threshold to be taken further.
- The overall message was that the structure of TSAB, and the various partnerships, were generally working well. There were issues about staff turnover in some of the partnerships, which could affect working relationships.
- There were also concerns about demand on resources going forward, which would likely be exacerbated by populations living longer and having complex needs.

A challenge for TSAB were changes to Children's Safeguarding brought about by the Children and Social Work Act 2017. This legislation changed the parameters of Local Safeguarding Boards meaning they no longer needed to be as structured as they currently were. The Adults Safeguarding Board needed to work closely with Children's Safeguarding Boards and potentially look at safeguarding issues as a whole.

In response to this legislation all Council's needed to report their new Safeguarding Board arrangements by June 2019 and have them in place by September 2019.

A query was raised about the accuracy of safeguarding reports received from care homes and it was commented that there were cases of Omission reported, including incorrect dietary provision issued to residents.

TSAB had offered training in this regard to care home providers free of charge but its impact may be limited due to the care sector having high staff turnover.

It was also commented that when inspections were carried out by the Care Quality Commission (CQC) there was a delay of approximately three months until the report was published. It was confirmed that TSAB now had CQC representation which improved information sharing which may improve the time delay.

A query was raised regarding how concerns about care homes were submitted and if they were submitted by families or staff. It was confirmed that reports were submitted by both families and staff and the process for submitting reports had been reviewed and rationalised. It was, however, noted that while training had been delivered its effectiveness may be blunted due to high turn-over of staff .

OSB applauded the layout and format of the report and found it very accessible. A suggestion was made to potentially include an index and to make the aims of the report more pronounced and earlier in the report.

A discussion took place regarding exploitation within communities, especially as more of the population were living independently, and how the issues remained largely hidden. It was also commented that training had been provided to a range of partners, such as banks, to enable them to identify if an individual was being exploited. It was also commented that exploitation

cases could be multi agency in nature and in some circumstances could lead to uncertainty about who takes the lead.

**ORDERED: That the information presented by the Independent Chair of TSAB be noted.**

### 3 **BUDGET AND BALANCED SCORECARDS - POSITION AT QUARTER 2 2018/19**

The Head of Financial Planning and Analytics Manager presented the Council's progress against its Strategic Plan at Quarter 2.

During the presentation the following points were made:

- The Council was projected to overspend by £660,000 for 2018/19 which equated to 0.6% of the overall budget and this was due, primarily, to continuing pressures in Children's Care.
- There was one-off winter pressures funding in Adult Social Care of £758,000 from Central Government which alleviated other financial pressures in that department.
- Partly because of the one-off winter pressures, the Executive approved the allocation of £392,000 from the Social Care Risk Reserve to mitigate pressures in Children's Care instead of Adult Social Care. Regardless of this, winter conditions would be monitored in case of increased demand.
- The Board was also made aware that the Strategic Commissioning and Procurement Service was moved between Finance Governance and Support department and Adult Social Care.

A query was raised regarding increased demand on services due to the introduction of Universal Credit. It was confirmed that while discussions had taken place with a view to analyse Universal Credit's impact there was still work to be done on this.

A query was made regarding what grants had been applied for by Children's Services, as these were likely to be important in alleviating budget pressures. It was confirmed the service had placed bids for a number of grants, but no further detail could be provided at the meeting. It was also queried if the Council had considered contingency planning should bidding for grants be unsuccessful.

It was agreed that detailed information about what bids Children's and Adult Social Care had submitted should be provided to the Board.

A concern was raised about overspend in Children's Care and that spending and investing in Children's Care should not depend on bidding for proportions of grants. It was confirmed that the levels of investment and support for Children's care would not be known fully until confirmation of the Local Government financial settlement in the autumn of 2019. It was commented that concern about Children's services financial pressures was now being recognised in many of Middlesbrough Council's peer group, for example North Yorkshire. It was noted that the Council had made representations to the Fair Funding Review about this issue and the results of this would be brought back to the Board.

It was also confirmed that while there was a medium term financial plan in place, there were still many financial unknowns.

**ORDERED:**

- 1. That information relating to all current financial bids made by Adults and Children's Services be made available to OSB.**
- 2. That performance information presented to OSB be noted**

### 4 **EXECUTIVE UPDATE**

The Democratic Services Officer explained this agenda item was being reintroduced as a

means to keep OSB updated with issues discussed at Executive and requested it be included as a standing agenda item going forward.

The Democratic Services Officer provided the Board with an overview of the Executive Update report, which summarised the decisions and discussions from the Executive meeting of the 20 November 2018. These included:

- The adoption of the Council's first Cultural Strategy
- An update on the Council's Strategic Plan at Quarter 2
- An Ofsted focussed visit on the 7th and 8th August 2018

The Chair of Environment, Economic Development and Infrastructure Scrutiny Panel provided an update on the panel's Final Report regarding Housing Delivery Vehicle (HDV) that was agreed by Executive. It was noted that the Panel's report helped to shape the definition of HDV going forward.

It was noted that the next Scrutiny Final Report to be considered by Executive would be the Ad Hoc Scrutiny Panel's investigation of Council Tax collection processes in Middlesbrough on December 18 2018.

**ORDERED:**

- 1. That the information presented to OSB be noted.**
- 2. That the Executive Update be a standing agenda item for OSB.**

**5 EXECUTIVE FORWARD WORK PROGRAMME**

The Chief Executive submitted a report which identified the forthcoming issues to be considered by the Executive as outlined in Appendix A to the report.

The report provided the Overview and Scrutiny Board with the opportunity to consider whether any item contained within the Executive Forward Work Programme should be considered by the Board or referred to a Scrutiny Panel.

**NOTED**

**6 SCRUTINY PANEL PROGRESS UPDATES**

The Chair of OSB provided an update on the work of the Ad Hoc Scrutiny Panel and advised that the panel's next topic, Loneliness and Isolation in adolescents, would begin in early 2019 with an overview from the Public Health team.

The Chair of the Economic Development, Environment and Infrastructure Scrutiny Panel advised the panel's next topic was air pollution. The Council's Head of Planning would be attending its next meeting to discuss how air pollution was addressed through the Local Plan. The panel will then hear from a representative of the hydrogen industry, based in Leeds, to hear how Leeds was trying to use hydrogen in public transport.

The Vice Chair of the Children's and Young People's Social Care and Services Scrutiny Panel advised OSB the panel was looking at early help and prevention and that Members had spent time with staff working within early help services. Feedback about the visits would be provided at the panel's next meeting. The Vice Chair of the panel advised that the exercise was extremely beneficial and enjoyable and expressed his thanks to all the staff involved. It was commented that families who experienced difficulties requiring Council intervention of this nature were not just those from low socio-economic backgrounds.

The Chair of the Children and Young People's Learning Scrutiny Panel advised that the panel's current investigation into Holiday Hunger, or Feast of Fun as it was known locally, found that due the numbers of children requiring assistance, the programme needed to be

extended. The Final Report would be submitted at the panel's next meeting. The Board was advised that funding for the Feast of Fun had generated a five to one spend/ benefit ratio. The Chair also advised that the Council had decided to support the Feast of Fun programme going forward, and that negotiations were taking place with local businesses in this regard. The Chair also advised that different options were being explored to try and secure additional funding. The panel's next topic would be Mental Health in Schools and would have potential cross over issues with the Ad Hoc Panel's investigation into loneliness in adolescents.

The Chair of the Culture and Communities Scrutiny Panel advised that at the panel's last meeting it received the final presentation regarding Community Learning, in relation to their work with local communities, businesses and the NHS. The panel heard from several recipients of Community Learning and how the scheme had assisted in their financial and personal development. The panel would agree its final report in January 2019 and would receive an overview of its next topic. This topic would focus on the work of the Voluntary and Community Sector and Mark Davies, Chief Executive of the Middlesbrough Voluntary Development Agency, would be in attendance.

The Vice Chair of the Adult Social Care and Services Scrutiny Panel advised OSB that the Panel's draft report into the LGB&T Community and Elderly Care was considered. It was noted that while the report had generated media attention regarding the use of the acronym LGB&T, this should not distract from the report's core remit. The Panel's final report would be submitted to OSB in January 2019.

The Vice Chair of the Children and Learning Scrutiny Panel advised that, with regard to Health Scrutiny, it was anticipated that an initial response to the Panel's referral to the Secretary of State regarding respite services would be received in early 2019. In the interim period the Clinical Commissioning Group (CCG) had contacted all of those affected by the proposals to advise that the current respite provision and allocation system would remain in place until end of September 2019.

At a joint meeting of the Health and Adult Social Care and Services Scrutiny Panel on 3 December 2018 further information had been requested from the CCG's and TEWV in relation to the proposed new assessment tool and the involvement of parent / carer representatives in the co-production of that tool. In light of the information presented and requests made at that meeting by both Members and parent/carer representatives the CCG's agreed that no further work would be undertaken in relation to respite until early 2019.

The panel continued to undertake further work in respect of its review into Breast Radiology Diagnostic Services in South Tees. It was noted that the Council's Principal Solicitor had been invited to attend the panel's December meeting to advise on the legal options available given there had been a significant variation to service provision and no statutory consultation had been undertaken.