

**OVERVIEW AND SCRUTINY BOARD**

A meeting of the Overview and Scrutiny Board was held on 9 January 2020.

**PRESENT:** Councillors J Thompson (Chair); M Storey (Vice Chair); Councillors; Cooke, Coupe, Furness (As Substitute), Garvey, Hellaoui, Mawston, McIntyre, Platt, and Saunders and

**PRESENT AS OBSERVERS:** A. Metcalfe (Local Democracy Reporter)

**ALSO IN ATTENDANCE:** A Baxter (Chair of the Teeswide Adult Safeguarding Board)

**OFFICERS:** S. Bonner, A. Humble, D Skaife.

**APOLOGIES FOR ABSENCE** Councillors; Higgins, McTigue and Uddin. .

**DECLARATIONS OF INTERESTS**

None were declared at this point in the meeting.

**19/102 MINUTES - OSB - 14 NOVEMBER 2019**

The Minutes of 14 November were submitted and accepted as a true record.

**19/103 TEESWIDE SAFEGUARDING ADULTS BOARD - ANNUAL REPORT AND STRATEGIC BUSINESS PLAN.**

4. The Chair of the Teeswide Safeguarding Adults Board (TSAB) presented its annual report to OSB and made the following points:

- The TSAB was required under the Care Act 2014, with statutory partners including Local Authorities, Police and Health Services.
- Safeguarding Adults could be seen as easier than safeguarding children because should concerns be raised there were issues such as free will and capacity to consider.
- TSAB helped to bring together agencies that could help people aged over 18, which increasingly meant people with mental health and dependency issues.
- Since the Care Act 2014 new categories of abuse had been included in TSAB's remit including modern day slavery and exploitation.
- This meant the line between safeguarding adults and safeguarding children had become even more blurred.
- Approximately four years ago a decision was made to only do things once in the Tees area, so TSAB operated across all four Tees Local Authority Areas, much like Fire and Police Services.
- The engine room of TSAB were the six sub groups that focussed on specific themes across the Tees area. These were complemented by numerous task and finish groups.
- One of the statutory responsibilities of TSAB was to write an annual report, which by its nature contained relatively old data.
- The data in the report suggested that safeguarding activity across the Tees area increased by approximately 10%. This could be interpreted either positively or negatively and could be an indication that people's awareness of safeguarding services had increased.
- There had also been an increase in concerns raised about people in their own homes rather than residential homes. This was a national trend.
- When concerns were raised this was termed a 'concern' and staff then decided if the 'concern' should be a safeguarding issue.
- It was noted that Middlesbrough's safeguarding issues had reduced in 2018/19, but

this was due to different ways of reporting issues. In reality the activity levels in Middlesbrough had remained quite static. This suggested the message about safeguarding had been working.

- The report set out the four priorities of safeguarding, with a specific focus on prevention and protection.
- There were a number of activities available to try and raise the profile of safeguarding and this work was detailed on page 13 of the report, namely via web and social media presence as well as traditional methods such as leaflets.
- TSAB also participated in a range of multi-agency audits to ensure their work, and their results, were robust.
- There had been a rise in concerns raised about modern day slavery and exploitation, which was likely due to a greater awareness that this can happen in Teesside.
- A further statutory duty of the Board was the publication of serious Adults Reviews, namely in cases where death had occurred. Such reviews involved more than one agency and in most cases involved adults in their late 20s or early 30s who were leading vulnerable and chaotic lives. In a lot of cases such adults were well known to a number of agencies and were difficult to help.
- An agreed action arising from such cases was the introduction of teams around the individual, which would include all agencies involved with that individual, who would also have one key worker.
- This structure allowed for greater learning from serious cases.
- It was important that links created are maintained and this was why the Chair of TSAB attended Scrutiny Meetings across the Tees area.
- The priorities of TSAB were to improve on existing work as well as raising the profile of the Board's work.

A Member queried how effective TSAB's work was given there were 24 agencies working together. It was confirmed that while a large group, it was important it did not become a talking shop. It was also confirmed that the bulk of the work was undertaken in the subgroups.

A Member queried how TSAB's work could help people who did not see themselves as being vulnerable and therefore not requiring intervention. It was commented there were certain tools that could be used, such as the Mental Capacity Act, which allowed staff to establish the individual's capacity and if they were a danger to themselves and/ or others.

In terms of increases of Section 42 and Domestic Abuse Section 42 enquiries, reported on pages eight and nine of the report, a Member asked if such increases had been going on for some time. This was confirmed and could be attributed to population increase as well as awareness of processes and the emergence of new issues, such as exploitation. As such the Care Act increased the remit of the term abuse.

A Member queried if the rise in Deprivation of Liberty cases was a trend, and if so, would such a rise be manageable given current financial constraints. It was confirmed that a conference and training on these issues was held which was well attended by both practitioners and managers. It was also commented that such training and its impact was not just directed at specific agencies but for the wider public. It was also commented that Deprivation of Liberty cases had increased significantly, and that the legal term of 'held' had also been broadened. For example, an individual in hospital could, for these purposes, be classed as being held.

It was confirmed that Deprivation of Liberty had become a process driven issue and, as yet, there had not been any negative repercussions as a result.

A Member commented that some housing associations housed adults together, adults that could be seen as vulnerable or leading chaotic lives, especially in relation to drug use. This could sometimes result in those adults not receiving the help they needed which could be seen as a form of abuse. This was a challenge for Adult Safeguarding as it was difficult to identify some forms of abuse and, therefore, the most effective intervention. It was also queried how such situations could be challenged and it was confirmed such challenges should be made via the Council's Director of Adult Social Services.

A Member queried if TSAB had strategies in place to assist vulnerable people who were struggling with Universal Credit. It was confirmed there was no direct strategy to deal with this, however where applicable individuals would be signposted to the relevant agencies.

A Member queried if there were any mental health agencies included in the Board's work and it was confirmed that the Tees, Esk and Wear Valley health trust were members.

The Chair of OSB thanked the Chair of TSAB for their attendance.

**ORDERED:- that the information presented be noted.**

#### 19/104 STRATEGIC PLAN UPDATE AT QUARTER 2 2019/20

The Head of Financial Planning and Support and the Analytics Manager provided an update on the progress of the Strategic Plan at quarter two. As part of their presentation the following points were raised:

- Due to mitigating factors, such as the Parliamentary election, the quarter two update was slightly later than normal.
- The quarter three report was scheduled to go to Executive on 8 February.
- From a performance perspective, of the Council's 30 priorities 23 were assessed to be on target. Nine out of the 28 measures of success showed improvement with 14 remaining static and five deteriorating. The details of these measures were detailed in the report.
- It was commented that the Council's Looked after Children rate continued to increase as well as the rates for Child Protection and Children in Need.
- From a financial perspective, the main concern was the Council's projected overspend of £4.4 million, the majority of which constituted Children's Social Care spending.
- In response, additional actions had been put in place to try and mitigate this which were detailed in paragraph 11 of the report. This included a child-by-child review of 68 external residential placements and resources and early help services being redeployed.
- Monthly financial updates were provided to CMT which would hopefully account for any overspends.

A Member commented that closer working relationships with North Yorkshire County Council could improve the situation in Children's Services. It was commented that a number of initiatives were being implemented and that details of these would be discussed at the February meeting of OSB. An example of costs for Children in Care was provided whereby if two children were taken into care, and cost £8,000 per week this would equate to approximately £200,000 per year for their care. This cost was attributed to paying for residential places. It was also commented that there had been a significant increase the number of children looked after, both nationally and locally.

A discussion took place during which it was commented the situation was difficult but until a suitable solution could be found there was no choice in how the Council could operate in order to protect children.

A Member commented that caution should be exercised when exploring what residential setting would be suitable for looked after children. For example, large residential homes may not be the most appropriate environment for children with complex needs.

It was confirmed that in-house fostering provision had increased as opposed to employing fostering agencies which contributed to reducing costs. It was also commented that the levels of expenditure in Children's Care was unsustainable.

It was queried if the Council's reserves had depleted significantly since the Quarter one report and it was confirmed that the reserves were largely intact and remained at approximately

£9.4m.

A Member queried the Risk Register entry regarding insufficient school places, and if this was still the case given the development of a new school in Middlehaven. It was confirmed that while this was the case at Quarter two it may not be the case at Quarter three.

It was also queried if the risk associated with a decline in house building affecting Council income was connected to a review of the Local Plan. It was confirmed that risk entry may need to be reviewed going forward.

A Member queried if the information contained in Appendix 3 of the report, regarding the investment strategy, was available on a more granular level. It was agreed that this information could be broken down further and specifics could be provided if requested.

A discussion took place regarding the New Homes Bonus during which it was confirmed the money received was in the form of a grant but that this was changing in the near future.

A queried was raised about changes to Capital budgets and it was confirmed that the figures in the report reflected projects that had slipped rather than had fallen off the scheme.

A Member queried where the funding would come from for Middlesbrough to become a leading digital city. It was clarified that further details would be provided to the Board but the majority was likely to come from private investment.

**ORDERED:-**

1. That further details be provided with regard to investment projects.
2. That further details be provided to Members regarding the Mayor's digital city scheme.
3. That the information provided be noted.

19/105

**FINAL REPORT– CULTURE AND COMMUNITIES SCRUTINY PANEL – FOODBANKS.**

The Chair of the Culture and Communities Scrutiny Panel presented the Panel's Final Report in relation to the use of Foodbanks. He drew the Board's attention to the conclusions and recommendations contained within the report.

As part of the presentation the Vice Chair of the Panel made the following points:

- It was regrettable that Foodbanks were required but they did play an essential role in the lives of many families.
- Thanks were expressed to the volunteers that worked at foodbanks for their commitment.

The Culture and Communities Scrutiny Panel recommended to the Executive:

1. That the Council worked with the Trussel Trust to develop a foodbank within the Centre of Middlesbrough. Whilst the Panel was conscious that Middlesbrough Town Hall may not be a suitable location, initial discussions had taken place with officers of the Council and a number of potential locations being identified. The Panel recommend that these be explored and be kept up to date on progress.
2. In terms of the operation of the foodbank, the Panel was aware that this would depend on the goodwill of volunteers. It was therefore recommended that agreement be sought for Middlesbrough Council staff, where appropriate, to be granted paid time off to volunteer in the Foodbank. Appropriate training from the Trussel Trust would be provided for this.
3. That the Civic Centre reception become a food and toiletries donation drop off point

for Middlesbrough Foodbanks. This would be published on the staff weekly bulletin and officers would work with the Trussel Trust to ensure that there are regular collections.

4. That an awareness session on foodbanks be established for elected members. This would include information regarding foodbank drop off points, locations of the foodbanks and information on how to become an emergency foodbank voucher distributor.

**ORDERED: - That the findings and recommendations of the Culture and Communities Scrutiny Panel be endorsed and referred to the Executive.**

#### 19/106 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.

A Member commented that Appendix A of the contained reference to the Mayor's Strategic Plan 2020-2023 which contained language that could be interpreted as inflammatory and did not have sufficient regard for the consequences of such language. The Member also commented that in documents such as this it was important to realise that appropriate use of language and vocabulary was essential.

A Member also commented that, with regards to the Council Tax Support Scheme, it should be rolled out to more residents that may be in need. It was also commented that the Council will provide support to residents who are in need in forms other than cash, such as food vouchers, if it can.

**ORDERED: That the information provided be noted.**

#### 19/107 SCRUTINY CHAIRS UPDATE

The Vice Chair of the Health Scrutiny Panel advised the Board that representatives of the South Tees Health Authority provided an update on various issues including parking at James Cook hospital, recruitment and how a partnership had been established with Teesside University in an effort to recruit more nurses. It was commented that this had been quite successful and further progress was hoped for. A Member also commented that a meeting had taken place with a doctor that had created a plan to address Opioid dependency at a cost of £30,000. The South Tees Clinical Commissioning Group (CCG) had decided not implement the plan. As such Middlesbrough Health Scrutiny had invited the doctor to provide a full report with a view to advocating the plan to the CCG.

The Chair of the Culture and Communities Scrutiny Panel advised the Board that the Panel's focus had now shifted to Social Inclusion and had invited the Police to provide feedback on their role within that purview. A Member queried what was meant by social inclusion. It was confirmed that part of the Panel's remit was to speak to several agencies, including the Police about their work in the community with regard to community cohesion.

The Chair of the Economic Development, Environment and Infrastructure Scrutiny Panel advised that the Board that the Panel's final report on Infrastructure Delivery was nearing completion. The Panel also received an update regarding MHomes from the Director of Regeneration. MHomes was now called Middlesbrough Development Company. The Chair of the Panel also expressed thanks to a member of the Panel for their unilateral work regarding rail services. The Panel was expecting to hear further evidence regarding recycling and waste management.

The Chair of the Adult Social Care and Services Panel advised the Board that the Panel had appointed Cllr S Hill as its interim Vice Chair, and that this position would be in place until the end of the municipal year owing to the resignation of Cllr D Smith. The Panel continued to examine physical activities for older people, those being 65+. Information had been received from the Council's Sport and Client Relationship Manager and Health Improvement Practitioner. The Panel would be discussing the progress of the review at its next meeting. Also at its next meeting the Panel would receive updates from the Director of Adult Social Care and Health Integration about the how Adult Social Care and Health Integration was progressing as well as updates on the Panel's previous review on LGBT+Q Community in elderly care.

The Chair of the Children and Young People's Learning Scrutiny Panel advised the Board that the Panel was continuing with its current review of Addressing Poverty Issues and the Impact this had on learning. Middlesbrough had one of the highest rates of poverty which, after housing costs, was 35%, ahead of Hartlepool with a rate of 34% and Stockton with a rate of 25%. The Panel also received evidence on the work of Middlesbrough Achievement Partnership in respect of its aim to address poverty issues and the impact on learning. This included information on removing the barriers to learning, parental partnership, careers and employability. The Panel also received evidence on Poverty Proofing the School Day, which was an audit undertaken by the charity Children North East. This aimed to tackle the effects of poverty in schools and the issues associated with inequality and disadvantage. The Panel's next meeting would receive information on the early educational support provided to children from deprived backgrounds. A Member queried what metrics would be used to define which children were in poverty. It was confirmed that defining poverty was extremely difficult, and could encompass different criteria. A Member commented that a national formula was available for ascertaining poverty.

The Chair of the Children and Young People's Social Care and Services Scrutiny Panel advised the Board that, as part of the Panel's review into managing demand in Children's Social Services, the Panel received information regarding the national and local perspectives on Social Worker recruitment and retention. This included well-being, case load management and career progression. It was also commented this this was an ongoing investigation and the review intended to look at a broad spectrum of serviced provided. The Vice Chair of the Board suggested that the Tees Valley Combined Authority could play a role as they had responsibility for further education and skills training. There was a significant lack of trained Social Workers across all of the five Tees Valley authorities and the Combined Authority had not drawn down on a significant portion of the budget allocated to this. It was commented that it may be useful for the Combined Authority to invest in attracting people into Social Work as part of its aim to develop the economic vitality of the Tees Valley. The Chair of the Panel welcomed the idea of approaching the Combined Authority. A discussion took place whereby Members commented that the career length of a Social Worker was approximately eight years and that incentives for Social Workers to remain in their positions had been discussed, and that if the Combined Authority could contribute to setting up a certain amount of new social workers this may help to alleviate demand.

**ORDERED:- that the information provided be noted.**