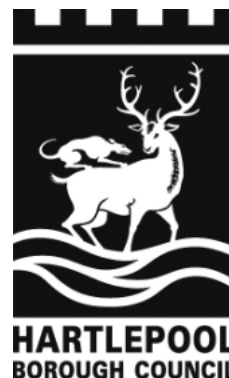


ADULT AND COMMUNITY SERVICES SCRUTINY FORUM AGENDA



Monday 16th August 2010

at 2.00pm

**in Committee Room B,
Civic Centre, Hartlepool**

MEMBERS: ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

Councillors Atkinson, Fleet, Griffin, Ingham, Lawton, A Marshall, McKenna, Preece, and Shaw

Resident Representatives:

Christine Blakey and Evelyn Leck

- 1. APOLOGIES FOR ABSENCE**
- 2. TO RECEIVE ANY DECLARATIONS OF INTEREST BY MEMBERS**
- 3. MINUTES**
 - 3.1 To confirm the minutes of the meeting held on 5th July 2010
- 4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM**

No items.
- 5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE**

No items.

6. **CONSIDERATION OF PROGRESS REPORTS / BUDGET AND POLICY
FRAMEWORK DOCUMENTS**

No items.

7. **ITEMS FOR DISCUSSION**

- 7.1 Scrutiny Investigation into Safeguarding of Adults – Scoping Report - *Scrutiny
Support Officer*

8. **ISSUES IDENTIFIED FROM FORWARD PLAN**

9. **ANY OTHER ITEMS WHICH THE CHAIRMAN CONSIDERS ARE URGENT**

ITEMS FOR INFORMATION

(i) Date of next meeting:-

Monday, 13th September 2010 at 2.00 pm in Committee Room B, Civic
Centre, Hartlepool

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

MINUTES

5 July 2010

The meeting commenced at 10.00 am in the Civic Centre, Hartlepool

Present:

Councillor: Jane Shaw (In the Chair)

Councillors: Mary Fleet, Peter Ingham, Ann Marshall and Arthur Preece.

In accordance with Council Procedure Rule 4.2 (ii), Councillor Allan Barclay was in attendance as substitute for Councillor Sheila Griffin.

Resident Representatives: Evelyn Leck

Officers: Jill Harrison, Assistant Director of Commissioning
Joan Stevens, Scrutiny Manager
Elaine Hind, Scrutiny Support Officer
Angela Hunter, Principal Democratic Services Officer

1. Apologies for Absence

Apologies for absence were received from Councillors Reuben Atkinson, Sheila Griffin and Patricia Lawton.

2. Declarations of interest by Members

None.

3. Minutes of the meeting held on 31 March 2010

Confirmed.

4. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum - Portfolio Holder's Response to the Investigation into 'Putting People First' – The Delivery of Personalised Adult Social Care Services *(Director of Child and Adult Services and Portfolio Holder for Adult and Public Health Services)*

On 10 May 2010, Cabinet considered the Final Report of the Adult and Community Services Scrutiny Forum into 'Putting People First – The Delivery of Personalised Adult Social Care Services'. The Assistant Director of Commissioning was in attendance and provided feedback following Cabinet's consideration of, and decisions in relation to this Forum's recommendations. Submitted as an appendix to the report was the action plan approved by Cabinet providing details of the response and any proposed action in relation to each of the Scrutiny Forum's recommendations. Members welcomed the adoption of all the Forum's recommendations by Cabinet.

A discussed which included the following issues.

- (i) A Member sought clarification on the difference between Centres for Independent Living and Day Centres. The Assistant Director confirmed that Centres for Independent Living focussed around physical disability, hence the attachment to the Havelock Day Centre. The aim of Centres for Independent Living was to bring together a range of voluntary groups with a focus of promoting and encouraging independent living.
- (ii) A resident representative questioned how someone qualified to receive a personalised budget plan for the provision of social care. The Assistant Director confirmed that the eligibility criteria for the receipt of social care remained the same and anyone who meets the criteria was eligible for a personal budget.
- (iii) The level of satisfaction with the level of care provided at the day centres was questioned. The Assistant Director commented that through personal budgets, some people chose to do different things rather than attend day centres. However, the Assistant Director confirmed the commitment of the Council to maintain day services for people who chose to use them, although due to demand, this provision may be reduced.

Recommended

The report was noted.

5. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee

None.

6. Consideration of progress reports/budget and policy framework documents

None.

7. The Role of the Adult and Community Services Scrutiny Forum *(Scrutiny Manager)*

The Scrutiny Manager submitted a report for Members' information which set out the role and remit of Scrutiny in general and specifically the Adult and Community Services Scrutiny Forum. Details of the scheduled meetings for 2010/11 were also set out.

The Scrutiny Manager indicated that all Members would be invited to attend an induction session which would look at all aspects of scrutiny responsibilities.

Recommended

The report was noted.

8. Determining the Scrutiny Forum's Work Programme 2010/11 *(Scrutiny Manager)*

The Scrutiny Manager reported that the Scrutiny Forum needed to develop a Work Programme for the 2010/11 Municipal Year, together with a timeframe for each review, for consideration by the Scrutiny Co-ordinating Committee on 23 July 2010. As such, the Director of Child and Adult Services, Cabinet Members for Adult and Public Health Services and Culture, Leisure and Tourism; Corporate Plan; and consultation with the Local Involvement Network had been the foundation sources for the report.

The following issues had been put forward for consideration as part of the forum's work programme for 2010/11:-

- Business Transformation – Service Delivery Options
- Dementia Care
- Safeguarding Adults
- Broadband provision in Rural Areas

The Scrutiny Manager informed Members that consideration would also need to be given to the Budget 2011/12 and Departmental Plans along with the potential to consider any referrals received. It was therefore suggested that the forum may wish to consider limiting its investigations to one issue for 2010/11.

The Chair confirmed that as the Business Transformation would be considered by Scrutiny as the Service Delivery Options progressed, ideally

only one topic should be considered and as such, the safeguarding of adults was proposed. A discussion ensued on the other options included within the report and it was acknowledged that elements of dementia care would form part of the consideration of safeguarding adults.

The Scrutiny Manager confirmed that the scoping report for the investigation chosen would be presented to the Forum on 2 August 2010 with the work programme being submitted to Scrutiny Co-ordinating Committee for formal approval on 23 August 2010. Members were informed that further information on the topic chosen for investigation would be circulated to inform Members prior to the meeting to scope the investigation.

Recommended

That the Safeguarding of Adults be undertaken as the main topic for investigation during the 2010/11 municipal year.

The meeting concluded at 2.48 pm.

CHAIR

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

16 AUGUST 2010



Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO SAFEGUARDING
OF ADULTS – SCOPING REPORT

1. PURPOSE OF REPORT

- 1.1 To make proposals to Members of the Adult and Community Services Scrutiny Forum for their forthcoming investigation into 'Safeguarding of Adults'.

2. BACKGROUND INFORMATION

- 2.1 At the meeting of this Forum on 5 July 2010, Members determined their work programme for the 2010/11 Municipal Year. The issue of 'Safeguarding of Adults' was selected as the Scrutiny topic for consideration during the current Municipal Year. Members suggested that this investigation should form the major in-depth Scrutiny Inquiry for the Forum's 2010/11 work programme.
- 2.2 In 2000, 'No Secrets: Guidance on developing and implementing multi agency protection of vulnerable adults' was introduced by the Department of Health.
- 2.3 No Secrets guidance described abuse as 'the violation of an individual's human and civil rights by any person or persons'. This right is underpinned by the duty, under the Human Rights Act (1998), on public agencies to intervene proportionately to protect the rights of citizen's, the guidance confirm that any intervention must not be excessive in comparison to the risk posed.
- 2.4 No Secrets guidance confirms that a multi-agency approach is required when investigating and intervening in order to safeguard and protect adults at risk of significant harm; with Social Services being the lead co-ordinating agency

charged with the responsibility for ensuring, wherever possible, coherent and collaborative working.

- 2.5 The introduction of the No Secrets guidance also led to the creation of Adult Protection Committees and it emphasised the need for local procedures, co-ordination, collection and monitoring of data; including the identification of categories of abuse.
- 2.6 Hartlepool has a Vulnerable Adult Protection Committee, chaired by Officers from the Child and Adult Services Department and made up of a range of professionals and other stakeholders, who formally represent organisations in the statutory, independent and third sector. In order to safeguard and protect vulnerable people in Hartlepool, this Committee has a Safeguarding Action Plan which identifies action that should be taken to make improvements in safeguarding and protection of adults and it is used to monitor performance and measure progress made.
- 2.7 Hartlepool are also members of the Tees-wide Safeguarding Adults Board (TSVAB), whose function it is to ensure strategic policies and procedures and practices designed to prevent abuse and to promote the safety of vulnerable adults are developed. The Strategic Lead for Safeguarding and Vulnerabilities, and the Assistant Director of Operations, attend and represent Hartlepool Vulnerable Adult Protection Committee on this board.
- 2.8 The Tees-wide Safeguarding Adults Board has developed a work programme for 2010 to review Performance, Audit and Quality Assurance; Workforce Development and Training; Policy and Procedures; and Information Involvement and Engagement. It has been agreed that a Tees-wide Annual Report will be produced with input from each local authority.
- 2.9 In selecting this investigation, Members are keen to gain a clear understanding of how safeguarding services are provided in Hartlepool. In doing this Members are keen to identifying ways of improving or maintaining service provisions for the benefit of all. In order to facilitate this, suggestions for the terms of reference, potential areas of enquiry / sources of evidence and timetable for the investigation are outlined in Sections 4, 5 and 8 of the report. Member's views on these suggestions and the way forward for the conduct of the investigation are now being sought.

3. OVERALL AIM OF THE SCRUTINY INVESTIGATION/ENQUIRY

- 3.1 To explore and evaluate the provision of adult safeguarding services in Hartlepool.

4. PROPOSED TERMS OF REFERENCE FOR THE SCRUTINY INVESTIGATION/ENQUIRY

4.1 The following Terms of Reference for the investigation/review are proposed:-

- (a) To gain an understanding of:-
 - (i) Legislation and policy relating to the provision of adult safeguarding services in Hartlepool;
 - (ii) The overall aim of the provision of adult safeguarding services in Hartlepool and what a positive outcome looks like.
- (b) To examine how adult safeguarding services are currently provided in Hartlepool (including areas of partnership working) and explore their effectiveness;
- (c) To gain an understanding of the challenges facing the provision of adult safeguarding services in Hartlepool, including demographic pressures and the increasing prevalence of dementia;
- (d) To gain an understanding of the impact of current and future budget pressures on the way in which adult safeguarding services are provided in Hartlepool;
- (e) To explore how the adult safeguarding services could be provided in the future, giving due regard to:-
 - (i) Improving the effectiveness and efficiency of the way in which the service is currently provided; and
 - (ii) If / how the service could be provided at a reduced financial cost (within the resources available in the current economic climate).

5. POTENTIAL AREAS OF ENQUIRY / SOURCES OF EVIDENCE

5.1 Members of the Forum can request a range of evidential and comparative information throughout the Scrutiny review.

5.2 The Forum can invite a variety of people to attend to assist in the forming of a balanced and focused range of recommendations as follows:-

- (a) Member of Parliament for Hartlepool;
- (b) Elected Mayor;
- (c) Cabinet Member with Portfolio Holder for Adult and Public Health Services;

- (d) Director and / or appropriate officers of Child and Adult Services;
- (e) Independent Evidence (i.e. results / summary of the independent evaluation of the service);
- (f) Appropriate national/regional organisations and partner agencies
(i.e. Representatives from the Care Quality Commission, Tees-wide Safeguarding Board);
- (g) The Adult Protection Committee Board
(Membership of the Committee:- Hartlepool Borough Council officers, Police, NHS Hartlepool (Primary Care Trust), NHS Tees, Tees Esk & Wear Valleys NHS Foundation Trust, North Tees & Hartlepool NHS Foundation Trust, private sector provider representatives, Care Quality Commission, North East Ambulance Service, Hartlepool Local Improvement network (LiNK), Cleveland Fire Brigade);
- (h) Local residents and people who use services
(i.e. Hartlepool Local Improvement Network (LiNK), Hartlepool Carers, 50+ Forum, Older Persons Local Implementation Team, Hartlepool Mental Health Local Implementation Team, Learning Disability Partnership Board, Life Chances Partnership Board, Community Network; Community Consultation Group, (this will also include the use of case studies as evidence));
- (i) Another Local Authority as an example of 'good practice' (i.e. Middlesbrough Borough Council);
- (j) Representatives of minority communities of interest or heritage (Expressions of interest to be sought from such groups through the HVDA [mailto:t.herrington@hvda.co.uk]; and
- (k) Ward Councillors.

5.3 The Forum may also wish to refer to a variety of documentary / internet sources, key suggestions are as highlighted below:-

- (a) Adult Safeguarding Scrutiny Guide – I&DeA CfPS;
(<http://www.idea.gov.uk/idk/aio/19170842>)
- (b) Councillors' Briefing: Safeguarding Adults;
(<http://www.idea.gov.uk/idk/aio/15017462>)
- (c) Nottingham County Council – Overview and Scrutiny Safeguarding of Vulnerable Adults Report October 2008;
(<http://www.nottinghamshire.gov.uk/safeguardingvulnerableadultsoctober2008.pdf>)

6. COMMUNITY ENGAGEMENT / DIVERSITY AND EQUALITY

- 6.1 Community engagement plays a crucial role in the Scrutiny process and diversity issues have been considered in the background research for this enquiry under the Equality Standards for Local Government. Based upon the research undertaken, paragraph 5.2 includes suggestions as to potential groups which the Forum may wish involve throughout the inquiry (where it is felt appropriate and time allows).

7. REQUEST FOR FUNDING FROM THE DEDICATED OVERVIEW AND SCRUTINY BUDGET

- 7.1 Consideration has been given, through the background research for this scoping report, to the need to request funding from the dedicated Overview and Scrutiny budget to aid Members in their enquiry. At this stage no additional funding has been identified as being necessary to support Members in their investigation. Members, however, may wish to seek additional funding over the course of the investigation and the blank pro forma attached at **Appendix A** outlines the criteria on which a request to Scrutiny Co-ordinating Committee will be judged.

8. PROPOSED TIMETABLE OF THE SCRUTINY INVESTIGATION

- 8.1 Detailed below is the proposed timetable for the review to be undertaken, which may be changed at any stage:-

13 September 2010

‘Setting the Scene’ – Presentation to covering *Term of Reference (a) and (b)* to include;

- (i) Details of legislation and policy documentation / requirements relating to the provision of the service;
- (ii) Provision of clear definitions of the terms ‘safeguarding’ and ‘vulnerable adult’ (to be agreed by the Forum for the purpose of the investigation);
- (iii) Clarification of the responsibilities of Councillors in the provision of the service;
- (iv) Clarification as to what a positive outcome would be, including:
 - The use of case studies to engage members (covering EMI personalised budgets and learning disability cases).
- (v) An overview of the services provided by the department (to be expanded in the next meeting).

- (vi) Evidence (written or in person) from Mayor, MP and Portfolio Holder for Adult and Public Health Services.

18 October 2010

Evidence gathering – Reports / presentations covering *Terms of Reference (b and (c))*.

- (i) Presentations / Reports to include:
 - A detailed overview of the services provided by the department;
 - Details of the challenges facing the Department (including, demographic pressures, increased prevalence of dementia, deprivation of liberty safeguards, increased awareness and the reducing resources of partnership agencies); and
 - A summary of the recommendations of the independent evaluation undertaken of the services in Hartlepool.

8 November 2010 - Reports / presentations covering:-

- (i) Initial Budget Consultation (Separate Item);
- (ii) Safeguarding Investigation.
 - (a) Invitation to be extended to Middlesbrough Borough Council to give evidence as an example of good practice, including feedback from the Care Quality Commission inspection on Middlesbrough Borough Council;
 - (b) Departmental presentation on where Hartlepool sits in relation to the recommendations of good practice and areas for development from the Middlesbrough inspection; and
 - (c) Questions to be set and members to be selected for attendance at Adult Protection Committee on behalf of the Forum.

Between 8 November 2010 and 18 January 2011 – To seek partner views on adult safeguarding services in Hartlepool

- Attend a meeting of the Adult Protection Committee*

*Suggested that up to three Members attend a meeting of the Adult Protection Committee to explore the views of members of the Committee. Agenda item

to be added to ask the Committee members specific questions (details of questions to be agreed by Members at the meeting on the 8 November).

17 January 2011 - Reports / presentations covering:-

- (i) Finalised Budget Consultation (Separate Item);
- (ii) Safeguarding Investigation. To gain an understanding of the impact of current and future budget pressures on the way in which adult safeguarding services are provided in Hartlepool.

28 February 2011 – Presentation/ report from the Department to covering *Term of Reference (d) and (e)*.

- (i) Invitations to hear the views of national, regional and partner organisations (Care Quality Commission, Teesside Safeguarding Board);
- (ii) Feedback report from Members following the Adult Protection Committee visit;
- (iii) Invitations to hear the views of Local residents and people who use services

(i.e. Hartlepool Local Improvement Network (LINK), Hartlepool Carers, 50+ Forum, Older Persons Local Implementation Team, Hartlepool Mental Health Local Implementation Team, Learning Disability Partnership Board, Life Chances Partnership Board, Community Network; Community Consultation Group, (this will also include the use of case studies as evidence));
- (iv) Invitations to hear the views Representatives of minority communities of interest or heritage; and
- (v) Identification by the forum of suggestions for improvements to the Safeguarding of Adults in Hartlepool, including how services can be maintained at a reduced financial cost (to cover *Terms of Reference (e)*).

28 March 2011 – Consideration of Draft Final Report.

15 April 2011 – Consideration of Final Report by the Scrutiny Coordinating Committee

9 or 23 May 2011 – Consideration of Final Report by the Cabinet/Council (tentative date)

9. RECOMMENDATION

- 9.1 Members are recommended to agree the Adult and Community Service Scrutiny Forum's remit of the Scrutiny investigation as outlined in paragraph 4.1.

Contact Officer: - Elaine Hind - Scrutiny Support Officer
Chief Executives Department – Corporate Strategy
Hartlepool Borough Council
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Email:- elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background paper was used in the preparation of this report:-

- (i) Health Service Circular 2000 No Secrets: Guidance on developing and implementing multi agency protection of vulnerable adults.

APPENDIX A

**PRO-FORMA TO REQUEST FUNDING TO SUPPORT
CURRENT SCRUTINY INVESTIGATION**

Title of the Overview and Scrutiny Committee: ADULT AND COMMUNITY SERVICES SCRUTINY FORUM
Title of the current scrutiny investigation for which funding is requested: ADULT SAFEGUARDING
To clearly identify the purpose for which additional support is required:
To outline indicative costs to be incurred as a result of the additional support:
To outline any associated timescale implications:
To outline the 'added value' that may be achieved by utilising the additional support as part of the undertaking of the Scrutiny Investigation:

To outline any requirements / processes to be adhered to in accordance with the Council's Financial Procedure Rules / Standing Orders:

To outline the possible disadvantages of not utilising the additional support during the undertaking of the Scrutiny Investigation:

To outline any possible alternative means of additional support outside of this proposal: