

# **ADULT AND COMMUNITY SERVICES SCRUTINY FORUM**

## **MINUTES**

13 December 2010

The meeting commenced at 2.00 pm in the Civic Centre, Hartlepool

### **Present:**

Councillor: Jane Shaw (In the Chair)

Councillors: Reuben Atkinson, Mary Fleet, Sheila Griffin, Trish Lawton, Ann Marshall and Arthur Preece

Resident Representatives:

Christine Blakey and Evelyn Leck

Also Present: Philip Dand and Keith Bonner, Salford Council

Bridget Farrand, Middlesbrough Borough Council

Officers: John Lovatt, Acting Assistant Director, Child and Adult Services  
Laura Stones, Scrutiny Support Officer  
Elaine Hind, Scrutiny Support Officer  
Jo Wilson, Democratic Services Officer

### **41. Apologies for Absence**

Apologies for absence were submitted by Councillor Peter Ingham.

### **42. Declarations of interest by Members**

None.

### **43. Minutes of the joint meeting held on 27<sup>th</sup> September 2010**

Confirmed.

### **44. Matters Arising from the Minutes**

A member queried whether the Council had looked into instigating and supporting a campaign to encourage the take up of attendance allowance, with a view to a possible increase in Central Government funding. The Scrutiny Support Officer would report back on this. The Chair acknowledged

that as this had been part of a joint scrutiny meeting some of the information was not readily available.

#### **45. Minutes of the meeting held on 18<sup>th</sup> October 2010**

Confirmed.

#### **46. Matters Arising from the Minutes**

The Chair confirmed that all members had received a copy of the deprivation of liberty safeguards data. The safeguarding evaluations actions data would be updated in due course.

#### **47. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum**

None

#### **48. Consideration of request for scrutiny reviews referred via Scrutiny Co-ordinating Committee**

None

#### **49. Consideration of progress reports/budget and policy framework documents**

None

#### **50. Scrutiny Investigation into Safeguarding of Vulnerable Adults – Evidence from other Local Authorities and Hartlepool Child and Adult Services Department – Covering Report** *(Scrutiny Support Officer and Acting Assistant Director of Operations)*

The Scrutiny Support Officer advised that as part of the Forum's investigation into Safeguarding Vulnerable Adults safeguarding representatives from Salford and Middlesbrough Councils, along with the Acting Assistant Director of Operations from Hartlepool Borough Council, had been invited to attend the meeting to provide evidence. They would outline the results of their respective Care Quality Commission Safeguarding Inspections, the structure of their safeguarding departments, details of their links with other agencies and the methods they use to maintain current levels of service given budget constraints.

Salford Council

The Adult Safeguarding Co-ordinator from Salford Council and the Lead Nurse Adult Safeguarding from NHS Salford attended the meeting. In May 2010 the Care Quality Commission had assessed Salford City Council as 'excellent' with regard to Adult Safeguarding following their inspection into Adult Social Care. The report highlighted the following as examples of good practice:

- Good basic systems and recording
- Staff group who are keen and confident in what they are doing
- A happy workforce
- Work with NHS – cutting edge
- Work with Greater Manchester Police – exemplar in force
- Work with sustainable regeneration – national cutting edge

Figures showed an increase in the number of referrals over the last 5 years. However this was due to improvements in awareness training and a willingness to come forward with concerns rather than from any particular safeguarding problem in Salford. Joint planning processes were well established using the independently-chaired Safeguarding Board. A number of sub-groups fed into this including the Mental Capacity Act & DoLS Group and the Crime & Disorder Reduction Partnership. At the heart of the process was the Adult Safeguarding Unit working in partnership with Salford Royal Foundation NHS Trust, Greater Manchester West Mental Health NHS Foundation Trust (Salford), Greater Manchester Police and Sustainable Regeneration. The Safeguarding Board were keen to retain these partnerships which they saw as the key to their success. The Safeguarding Board had outlined the following as necessary for efficient delivery of safeguarding services:

- Putting people first
- Sustaining excellence in practice
- Embed adult safeguarding in our communities
- Partnership (prevents and protects)
- Commissioning

The following queries were raised by members:

What effect would the budget cuts imposed by the coalition government have on Salford's safeguarding service? The Adult Safeguarding Co-ordinator advised that safeguarding was seen as a top priority by the Council therefore the majority of safeguarding posts were protected. However there were potential job losses among social workers, many of whom carried out safeguarding inspections. Given ongoing increases in the number of alerts this could prove to be problematic in the future however it was important to get the service right to ensure safe places are commissioned in care homes.

Why had there been such a large increase in alerts between 2003/4 and 2009/10? The Adult Safeguarding Co-ordinator indicated that this was due to increased safeguarding training in the NHS which is now mandatory rather than Salford having an exceptionally high number of safeguarding incidents. A lot of referrals also came from the regulated service. One of the hardest groups to reach were GPs, partly because of concerns and confusion around the difference between confidentiality and data protection, however once this had been explained to them GPs tended to become much more proactive.

What action was taken to ensure people's concerns were not dismissed? This could be a particular problem and in extreme cases could lead to suicidal thoughts. The Adult Safeguarding Co-ordinator reported that there were a number of ways to identify people at possible risk such as cross referencing accident and emergency referrals with those on housing welfare notices. Unfortunately while many problem cases tended to be a cause of concern for most services they were generally just under the criteria for action to be taken. Where persons of concern were identified a multi-agency meeting would be called and a suitable action plan formulated. It was important however that services work together and nobody's concerns were rebuffed.

Where doctors given mental health awareness training? This was mandatory for PCT doctors but not for GPs. They were encouraged to take up the training but due to the requirements on their time many were not keen to do so, particularly single GP practices. However there was a GP representative on the Safeguarding Board and it was hoped that their enthusiasm would influence their fellow GPs

#### Middlesbrough Borough Council

The Strategic Lead in Safeguarding Adults, attended on behalf of Middlesbrough Borough Council. The Care Quality Commission had identified a number of areas where Middlesbrough were performing well with regard to safeguarding adults, as follows:

- Ensured that some social care activity contributed to community safety; issues around harassment and hate crime being addressed
- People were made safe once alerts were received; complexities in cases were recognised and staff usually worked to promote individuals' best interests
- Issues around mental capacity taken very seriously and good attempts made to understand and deal with the legal complexities
- Safeguarding issues addressed in contracting arrangements
- Sound foundation and intermediate training arranged for council staff and many providers

A number of recommendations for improving outcomes and capacity had been made which would be addressed in a way forward action plan. Governance for safeguarding adults was controlled via the Teeswide Safeguarding Vulnerable Adults Board which comprised a number of sub groups such as workforce development & training and information, engagement &

involvement. Middlesbrough also had their own dedicated Safeguarding Vulnerable Adults Committee. Details were also given of the departmental structures in place for safeguarding adults which had recently been restructured at senior level. Future priorities for Middlesbrough were to embed safeguarding responsibilities across Adult Social Care and the wider Council, to improve the analysis of outcomes for adults at risk, to develop personalised safeguarding and to improve specialist resources in the Safeguarding Adults Unit.

The following queries were raised by members:

What action was taken to ensure people's concerns were not dismissed? Would they be able to meet with multi-agency staff if they felt their grievances were not being addressed? These sorts of problems would be addressed if the person making the grievance was contacted at the earliest possible opportunity and there should be no need to involve multiple agencies. The person involved knew their situation best so their involvement was preferable to having groups of professionals discuss the case on a hypothetical level..

What effect would the budget cuts imposed by the coalition government have on Middlesbrough's safeguarding service? The Strategic Lead in Safeguarding Adults advised that while the implications were not fully known at the moment as the safeguarding unit was relatively small it would be protected.

Could witnesses raise concerns anonymously? Salford's Lead Nurse Adult Safeguarding felt this could be problematic when it came to reporting back on the results of any investigation. Also there were occasions when identification could be made despite the best efforts of everyone involved. A Resident Representative indicated that Crimestoppers were able to provide anonymity, even in a court setting.

What was done to ensure that specialist advice in this area was not being provided by just one person? Hartlepool's Acting Assistant Director advised that Hartlepool's safeguarding service had been restructured earlier in the year to mitigate this. The Strategic Lead in Safeguarding Adults advised that Middlesbrough's specialist staff would often pick up complex cases

Members asked if they could see a chart detailing the chain of command for the safeguarding units at Salford, Middlesbrough and Hartlepool to enable comparisons.

#### Hartlepool Borough Council

The Acting Assistant Director for Child and Adult Services advised the Forum of the following strengths in relation to Hartlepool's safeguarding service:

- Involvement with Teeswide Safeguarding Board helps Partner Agencies to achieve consistency
- Embedded operational framework

- Significant operational strengths (as highlighted by an independent review of safeguarding)
- Issues around dealing with mental capacity and complex cases positively addressed via the Mental Capacity Act/ Deprivation of Liberty Standards Lead – significant opportunities for training

A number of areas for improvement had been identified including a need for improved links to Community Partnership, the need to inform service users about safeguarding procedures and more consistent attendance at the Adult Protection Committee. Details were also given of ways in which the team hoped to develop such as engaging with and learning from other local authorities and introducing a memorandum of understanding for the Adult Protection Committee. A review of Adult Social Care Law might also lead to a less fragmented legal system for adults.

The following queries were then raised by members:

Why was attendance at the Adult Protection Committee so inconsistent? The Acting Director advised that all bodies were committed operationally but it appears that strategically as organisations become more challenged as they respond to increasing demands with more limited resources it seems to be becoming more difficult to achieve continuity and consistency of attendance.. Partners did attend but sometime the input was not as robust as it had been previously due to changes in personnel and broader spans of control. Updates on the work of the committee were provided to the Portfolio Holder every quarter

What action was taken to ensure people's concerns were not dismissed? People needed to be encouraged to come forward. The Acting Director reported that a lot of work had been undertaken to raise awareness of the safeguarding service such as advertising in the local media and at GP's surgeries which had led to a 34% increase in referrals. Nationally there were challenges in making GPs understand they had a responsibility in this area under Section 44 of the Mental Capacity Act as most believed that Social Services would deal with these issues. Mental Capacity Awareness training was offered to all GPs but it was not mandatory. Members suggested that safeguarding training should form part of the commissioning strategy.

The Chair thanked all the representatives for their presentations and the information they had provided.

### **Recommended**

That the information given be noted and the comments of the Forum and evidence provided be used to assist with the scrutiny investigation.

## **51. Adult Protection Committee Nominations** *(Scrutiny Support Officer)*

Members were advised that three members of the Forum had been invited to

attend a meeting of the Adult Protection Committee on 15<sup>th</sup> February 2011. Nominations were sought, the Chair asked that Councillors attend rather than Resident Representatives if possible. However should councillors be unable to attend Resident Representatives could substitute for them, something the Resident Representatives were happy to do. The Chair, Councillor Preece and Councillor Lawton indicated their interest in attending

A list of suggested questions was distributed to members. The following additions were requested:

- Are GPs able to access drugs to prevent the deterioration of those suffering from dementia?
- What rights does a Power of Attorney give over both the family and the person?

The Chair asked that any further questions be forwarded to the Scrutiny Support Officer prior to the meeting.

### **Decision**

That Councillors Lawton, Preece and Shaw will attend the meeting of the Adult Protection Committee on 15<sup>th</sup> February

That the Resident Representatives will be on stand-by to substitute should 3 councillors be unable to attend.

## **52. Issues Identified from Forward Plan**

None

## **53. Date and Time of Next Meeting**

It was reported that the meeting previously scheduled for 17<sup>th</sup> January 2011 and subsequently cancelled had now been re-scheduled and would take place on Monday 17<sup>th</sup> January at 2.00pm. Members were asked to attend from 1.50pm for group photographs.

The meeting concluded at 4.20 pm

CHAIR