ADULT AND COMMUNITY SERVICES SCRUTINY FORUM AGENDA



Monday 28th February 2011

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 of Adult and Community Services Scrutiny Forum held on 17th January 2011

4. RESPONSES FROM THE COUNCIL, THE EXECUTIVE OR COMMITTEES OF THE COUNCIL TO FINAL REPORTS OF THIS FORUM

Noitems.

5. CONSIDERATION OF REQUEST FOR SCRUTINY REVIEWS REFERRED VIA SCRUTINY CO-ORDINATING COMMITTEE

No items.

6. CONSIDERATION OF PROGRESS REPORTS / BUDGET AND POLICY FRAMEWORK DOC UM ENTS

No items.

7. ITEMS FOR DISCUSSION

Scrutiny Investigation into 'Safeguarding of Vulnerable Adults'

- 7.1 Evidence from Hartlepool Child and Adult Services Department
 - (a) Covering Report Scrutiny Support Officer
 - (b) Presentation *Head of Service (Adults)*
- 7.2 Evidence from the Teesw ide Safeguarding Vulnerable Adults Board
 - (a) Covering Report Scrutiny Support Officer

(b) Verbal Evidence - *Teeswide Safeguarding Vulnerable Adults Board Business Manager*

7.3 Feedback from Members visit to the Hartlepool Adult Protection Committee

(a) Covering Report - Scrutiny Support Officer

(b) Feedback from the visit to the Adult Protection Committee – *Members of the Forum*

- 7.4 Written evidence from the Hartlepool General Practitioner Commissioning Consortium Steering Group and the Cleveland Police Vulnerability Unit – Scrutiny Support Officer
- 7.5 Responses to the Adult Safeguarding Questionnaire Scrutiny Support Officer

Councillor Visits to Care Homes

7.6 Elected Member Visits to Care Homes for Adults - *Commissioned Services Manager*

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, 28th March 2011 at 2.00 pm in Committee Room B, Civic Centre, Hartlepool

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM MINUTES

17 JANUARY 2011

The meeting commenced at 2.00 p.m. in the Civic Centre, Hartlepool

Present:

Councillor: Jane Shaw (In the Chair)

Councillors: Mary Fleet, Sheila Griffin, Peter Ingham, Trisha Lawton, Ann Marshall and Arthur Preece.

Resident Representatives: Christine Blakey and Evelyn Leck.

Officers: Jill Harrison, Assistant Director, Adult Social Care Alan Dobby, Assistant Director, Support Services John Mennear, Assistant Director, Community Services Joan Stevens, Scrutiny Manager Elaine Hind, Scrutiny Support Officer Kerry Trenchard, Strategy and Performance Officer David Hunt, Strategy and Performance Officer David Cosgrove, Democratic Services Team

54. Apologies for Absence

None.

55. Declarations of interest by Members

None.

56. Minutes of the meeting held on 13 December 2011

Confirmed.

Members questioned the issue raised at the joint meeting on 27 September 2010 in relation to the take up of benefits by people in the town. The Scrutiny Support Officer indicated that the Child and Adult Services Department had indicated that it was not in a position to undertake a campaign on benefit take up at this time. Details on the support available through the Citizen's Advice Bureau, West View Advice centre and Connected Care had been circulated to forum members.

57. Responses from the Council, the Executive or Committees of the Council to Final Reports of this Forum

No items.

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

No items.

59. Proposals for Inclusion in Child and Adult Services Departmental Plan 2011/12 (Director of Child and Adult Services)

The three Assistant Directors gave a presentation to the forum outlining the following issues: -

- the risks facing the council as a whole;
- the key achievements in adult social care, community services, cultural services, Tees Archaeology and adult education;
- the challenges for the service in 2011/12 and the delivery of the Service Delivery Option (SDOs) reviews;
- the specific additional challenges for the department in terms of the cuts facing the voluntary sector, demographic changes, continuing to protect vulnerable adults, low level support and early interventions and the delivery of high quality community services.

The Assistant Directors also referred to many of the successes from the past year and highlighted in particular –

- The development of the Hartlepool Now website for service users by including more positive stories to give a better idea of how services can work for them.
- The Ship in a Shop had been a great success during the Tall Ships event and discussions were taking place with the shopping centre to reopen the shop on a new site for six months. The shop would be staffed by volunteers and would involve a different community/charity group each week.

The Officers highlighted that as well as the budget implications for this year there were still a two major SDO's to be delivered within adult social care for example, which would bring a further £1.4m of savings. There were significant challenges to the provision of services across the town due to factors such as the changing demographics and the increase in vulnerable adults and the impacts of budgetary pressures on the voluntary sector. The provision of low-level support and early interventions has shown great benefits and could be very effective in preventing and/or reducing the need for significant input at later stages. However, the pressure on budgets could add further to the pressures on this type of work as the focus could become

centred on children and adults with higher dependency needs only.

The Officers referred members to the appendices to the report which set out in detail the Departmental Plan Proposals for the Adult and Community Services divisions for 2011/12. It was indicated that some elements of the appendices were incomplete at this stage as final year results were awaited in some areas.

In discussing the presentation and the appendices to the report setting out the departmental plan, Members raised the following observations/questions –

- Members asked for details on the opening/location of the Ship in a Shop in the Middleton Grange Shopping Centre. The Assistant Director (Community Services) gave some background on how the original shop had been funded and how the management of the shopping centre had been very helpful in making it happen through reduced and waived costs. Comment was made at the meeting to an on-going issue of Police provision in the shopping centre.
- The opening of the Centre for Independent Living was welcomed, though it was stressed that it was not a community centre. The forum was advised that the management committee for the centre was looking to arrange an event for local residents in the near future.
- Members questioned the occupancy at the Hartfields development. Officers indicated that all the social housing allocation was full and there were discussions on the potential to increase this element. Not all the private property element was full. It was suggested that at Hartfields and other private developments, discussions could be held with social landlords to release some of the property to the social housing sector, even if only for short term leases, so that property was occupied and secured.
- Comment was made at the meeting on the apparent failure of the local authority to place its equal opportunities policy on the website. Officers indicated that they would check the website and correct it if necessary.
- A member of the forum sought details of the department's 'definition' of vulnerable children and vulnerable adults. Officers indicated that this would be provided to the member in question.
- Members commented on the excellent Summer Reading Challenge and hoped that this was a service that could be continued as it gave a reading opportunity to children who had little access to books at home. Members were concerned that with the pressure on branch libraries and budgets, such schemes could be under threat. Officers indicated that they were unable to give an assurance on any service in the current economic climate. The Chair commented that the authority may have to look at alternative ways of providing such services in the future should the budget for their provision be under threat.
- Members questioned if the increased numbers in the Mill House leisure centre set out in the report were due to the improvements in the facilities or the free swims scheme. The Assistant Director (Community Services) commented that the free swims campaign had ended before the improvements to the changing facilities had been opened. Feedback from

users was very good and officers were very confident that there was an increasing usage of the centre.

- The Forum requested that in future reports, percentage figures be accompanied by actual figures to give a more realistic picture for Members.
- Members questioned if there was any finance attached to achieving any of the targets quoted in the report. Officers indicated that none of the target now had reward attached to them.
- It was highlighted that the Corporate Plan Outturn report was reported to the Scrutiny Coordinating Committee quarterly.
- Members queried the current target of safeguarding referrals of 160 (Outcome 10, P079) quoted in the departmental plan. Officers indicated that this was a target for improving the reporting of safeguarding issues by vulnerable people or their families to improve the standards of care they received.

Following the conclusion of the discussion, the Chair thanked the forum and officers present for their comments and input into the debate.

Recommended

That the comments of the forum be referred for inclusion in the overall response on the Departmental Plan Proposals for the Adult and Community Services divisions for 2011/12 to the Scrutiny Coordinating Committee.

60. Issues Identified from the Forward Plan

No items.

The meeting concluded at 3.30 p.m.

CHAIR

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

28 February 2011

Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO 'SAFEGUARDING OF VULNERABLE ADULTS' – EVIDENCE FROM HARTLEPOOL CHILD AND ADULT SERVICES DEPARTMENT – COVERING REPORT

1. PURPOSE OF REPORT

1.1 To inform Members of the Forum that the Head of Service (Adults) has been invited to attend this meeting to provide evidence in relation to the ongoing investigation into Adult Safeguarding.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 16 August 2010, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence were approved by the Forum for this scrutiny investigation into 'Safeguarding of Adults'.
- 2.2 Consequently the Head of Service (Adults) from Hartlepool Borough Council has agreed to attend this meeting to provide a presentation outlining the future challenges faced with regard to the provision of adult safeguarding services in relation to:
 - i) the impact of current and potential future council budget cuts on the safeguarding services;
 - ii) the impact and nature of partner agency budget cuts on the safeguarding agenda;
 - iii) the fluid nature of safeguarding referrals.
- 2.3 The Head of Service (Adults) has also agreed to provide an overview of the safeguarding departmental structures of Hartlepool, Middlesbrough and Salford Councils.



3. RECOMMENDATION

3.1 It is recommended that the Adult and Community Services Scrutiny Forum consider the evidence of Head of Service (Adults) in attendance at this meeting and seek clarification on any relevant issues where required.

Contact Officer:-Elaine Hind – Scrutiny Support Officer Chief Executive's Department – Corporate Strategy Hartlepool Borough Council

> Tel: 01429 523647 Email: elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

Report of the Scrutiny Support Officer titled 'Scrutiny Investigation into (i) 'Safeguarding of Adults' - Scoping Report,' presented at the meeting of the Adult and Community Services Scrutiny Forum of 16 August 2010.

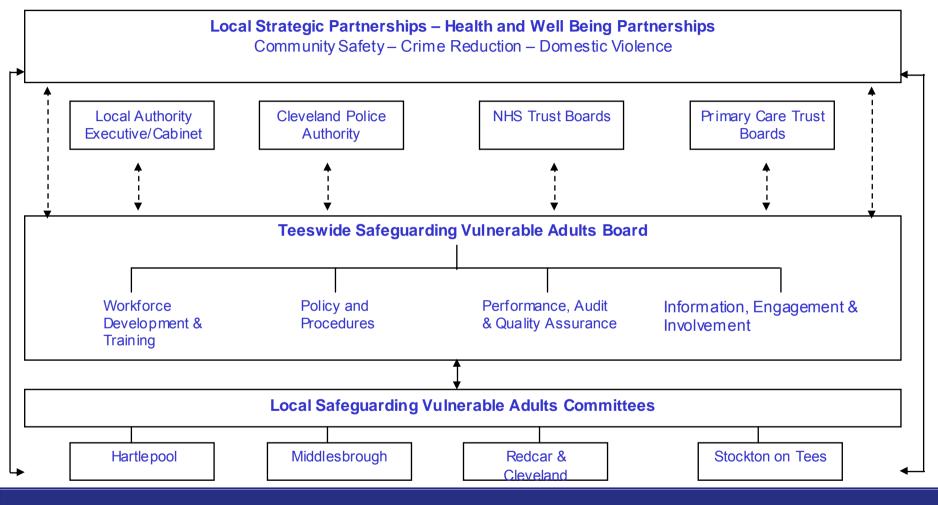


ADULT SOCIAL CARE SERVICES

PRESENTATION TO ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

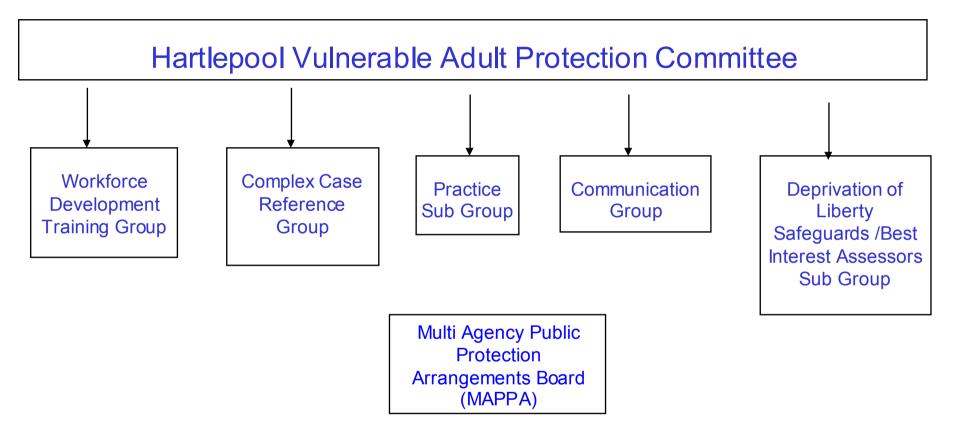
28 February 2011

STRATEGIC VULNERABLE ADULT FRAMEWORK MANAGING RISK AND SAFEGUARDING ADULTS AT RISK OF HARM





HARTLEPOOL STRATEGIC FRAMEWORK Managing Risk and Safeguarding People at Risk from Significant Harm





Departmental Structures – Adult Safeguarding Salford – Middlesbrough – Hartlepool

Salford Council •Safeguarding Coordinator •Senior Practitioner Social Worker •Admin Officer •3 Minute Takers	 Middlesbrough Council Strategic Lead Safeguarding Adults (30 hours) Adult Protection Coordinator (34 hours) Adult Protection Support Officer (1.5 posts 	Hartlepool Council SEE NEXT SLIDE
NHS Salford PCT •Lead Nurse Adult Safeguarding	NHS Tees Safeguarding Lead	
 Salford Royal Foundation NHS Trust Assistant Director of Nursing (Board Member) Modern Matron (Safeguarding Children and Adults) 	James Cook NHS Foundation Trust •Safeguarding Lead	North Tees and Hartlepool NHS Foundation Trust •Safeguarding Lead

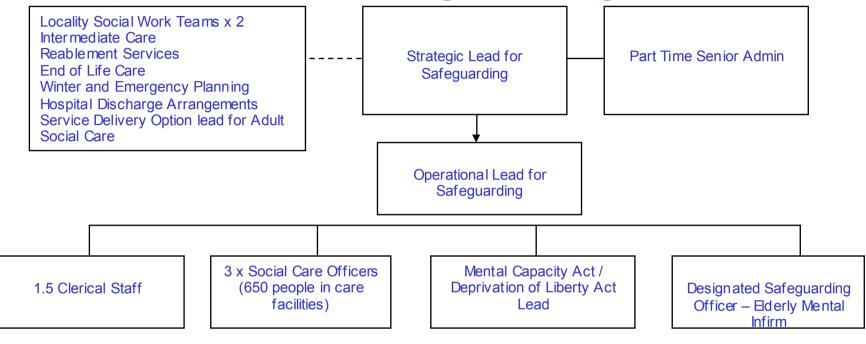


Cont.....Departmental Structures – Adult Safeguarding Salford – Middlesbrough – Hartlepool

Greater Manchester	Cleveland Police	Cleveland Police
Police	 Headed by Detective Inspector 	 Headed by Detective Inspector
 Detective Inspector 	• 4 Detective Sergeants (2 child, 2	• 4 Detective Sergeants (2 child, 2
 Detective Sgt Adult Safeguarding 	Adult, and Domestic Violence)	Adult and Domestic Violence)
•3 Detective Constables and 6 PC's (who lead all investigations)	 20 Detective Constables (10 child, 9 Domestic Violence and 1 dedicated vulnerable adult) 	 20 Detective Constables (10 child, 9 Domestic Violence and 1 dedicated vulnerable adult)
Housing Strategy • Principal Manager Safeguarding (Children and Adults)	Middlesbrough Adult Protection Committee has representatives from the Safer Middlesbrough Partnership and the local housing provider	Hartlepool Adult Protection Committee has representation from statutory, independent and voluntary sector.



Adult Social Care Services – Operational Safeguarding Structure



- * Duty Team
- * Best Interest Assessors
- * Investigators Across Working Age Adults, Mental Health Services, Learning Disability Services, Older People



Activity April 2007 – March 2010

Hospital Discharges	Referrals \rightarrow 20% increase
Locality Based Social Work Teams	Caseloads \rightarrow 34 % (average) increase
Occupational Therapy	Referrals \rightarrow 15% increase
Mental Health Service	Referrals \rightarrow 56% increase
Learning Disability Services	Referrals \rightarrow 11% increase
Direct Care and Support Service	Referrals \rightarrow 24% increase
Statutory Reviews	Reviews \rightarrow 24% increase
Deprivation of Liberty Safeguards	Introduced April 2009 – 163 Assessments



Staffing Levels

- Local Authority Social Care staff declined from 404 in 2007/2008 to 342 in 2009/2010 \rightarrow 18%
- Managerial spans of control have broadened
- Service Delivery Options for Safeguarding and Assessment and Care Management 2011- 2012 in the region of £200,000.



When Things Go Wrong



Baby P



Steven Hoskins



Victoria Climbie



Mark Cannon



Any Questions?



ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

28 February 2011

- **Report of:** Scrutiny Support Officer
- SCRUTINY INVESTIGATION INTO Subject: 'SAFEGUARDING OF VULNERABLE ADULTS' -EVIDENCE FROM THE TEESWIDE SAFEGUARDING VULNERABLE ADULTS BOARD -COVERING REPORT

1. PURPOSE OF REPORT

1.1 To inform Members of the Forum that a representative from the Teeswide Safeguarding Vulnerable Adults Board has been invited to attend this meeting to provide evidence in relation to the ongoing investigation into 'Safeguarding of Adults'.

2. BACKGROUND INFORMATION

- Members will recall that at the meeting of this Forum on 16 August 2010. the 2.1 Terms of Reference and Potential Areas of Inquiry / Sources of Evidence were approved by the Forum for this scrutiny investigation into 'Safeguarding of Adults'.
- 2.2 Consequently, a representative from the Teeswide Safeguarding Vulnerable Adults Board has been invited to this meeting to provide evidence to the Forum in relation to the role and responsibilities of the Board in relation to the 'Safeguarding of Adults'.
- 2.3 During this evidence gathering session with the Teeswide Safeguarding Vulnerable Adults Board, it is suggested that responses should be sought to the key questions below:-
 - What is the role of the Teeswide Safeguarding Vulnerable Adults Board (a) in the Adult Safeguarding Agenda in the Tees Valley and how does it ensure that this role is discharged effectively?



JARTLEPOO

- (b) How does the Board ensure that all appropriate agencies attend and contribute to its meetings?
- (c) What are the multi-agency priorities for the Teeswide Safeguarding Vulnerable Adults Board for the next year?
- (d) Does the Board have any other views / information that it may feel would be useful to the Members of the Adult and Community Services Scrutiny Forum when considering the recommendations arising from their Safeguarding Adults investigation?

3. **RECOMMENDATION**

3.1 It is recommended that the Members of the Adult and Community Services Scrutiny Forum consider the views of the representative from Teeswide Vulnerable Adults Safeguarding Board in relation to the questions outlined in section 2.3.

Contact Officer:- Elaine Hind – Scrutiny Support Officer Chief Executive's Department - Corporate Strategy Hartlepool Borough Council Tel: 01429 523647 e-mail: elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

(i) Report of the Scrutiny Support Officer titled 'Scrutiny Investigation into 'Safeguarding of Adults' – Scoping Report,' presented at the meeting of the Adult and Community Services Scrutiny Forum of 16 August 2010.

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

28 February 2011

Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO 'SAFEGUARDING OF VULNERABLE ADULTS' – FEEDBACK FROM MEMBERS VISIT TO THE ADULT PROTECTION COMMITTEE - COVERING REPORT

1. PURPOSE OF REPORT

1.1 To facilitate a discussion amongst Members in relation to the responses received to questions put to the Adult Protection Committee on behalf of the Forum.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 16 August 2010, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence were approved by the Forum for this scrutiny investigation into 'Safeguarding of Adults'.
- 2.2 As a result three members of the Adult and Community Services Scrutiny Forum were invited to attend a meeting of the Adult Protection Committee held at Hartlepool Council on 15 February 2011. A summary of the responses to the questions put to the Committee, as agreed by the Adult and Community Services Scrutiny Forum at it's meeting on 13 December 2010, are attached as **Appendix A**.
- 2.3 Members of the Adult and Community Services Scrutiny Forum asked two supplementary questions at the meeting of the Adult Protection Committee. In accordance with the Authority's Access to Information Rules, it has not been possible to include the response to the additional questions within the statutory requirements for the dispatch of the agenda and papers for this meeting, the response to the additional questions will be circulated in advance of the meeting under separate cover as **Appendix B**.



- 2.4 The Adult Protection Committee agenda contained a number of further items Members of the Adult and Community Services Scrutiny Forum may wish to discuss with those Members of the Forum who attended the meeting of the Committee. Those items are as follows:-
 - The appointment of an Independent Chair to the Adult Protection Committee;
 - The invitation to the Chief Inspector of Neighbourhood Policing to join the Hartlepool Adult Protection Committee;
 - An adult safeguarding peer review to be undertaken in May 2011. A report circulated at the Adult Protection Committee providing background to this review is attached as **Appendix C**.

3. **RECOMMENDATION**

- 3.1 It is recommended that the Adult and Community Services Scrutiny Forum:
 - (i) Note the content of this report; and
 - (ii) Discuss the responses received to the questions put to the Adult Protection Committee and further items identified

Contact Officer:- Elaine Hind – Scrutiny Support Officer Chief Executive's Department – Corporate Strategy Hartlepool Borough Council

Tel: 01429 523647 Email: elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

(i) Report of the Scrutiny Support Officer titled 'Scrutiny Investigation into 'Safeguarding of Adults' – Scoping Report,' presented at the meeting of the Adult and Community Services Scrutiny Forum of 16 August 2010.

Responses to questions put to the Hartlepool Adult Protection Committee

What is the role of the Adult Protection Committee in the Adult Safeguarding Agenda in Hartlepool and how does it ensure that this role is discharged effectively?

- Role: To work together as inter-agency partnerships to safeguard and promote the welfare of vulnerable adults, the principles of safeguarding and adult protection work, respect for a person's individuality, dignity, human rights and the right to live their life free from violence and abuse.
- **Role discharged**: Through consultation and communication about safeguarding and adult protection issues with local provider organisations, user led groups, carers groups and voluntary organisations.

By raising awareness within the wider community of the need to safeguard vulnerable adults and promote their welfare and to explain how the wider community can contribute to these objectives.

By supporting organisations in the informing and training of employees to carry out their responsibilities in accordance with the Teeswide multiagency Policy, Procedures and Practice Guidance.

To collate information which can be used to inform and change multiagency practice.

How does the Committee ensure that all appropriate agencies attend and contribute to its meetings?

The Safeguarding Adults / Adult Protection Co-ordinators and all statutory partner agencies are represented on the HVAPC these include:

- Local Authority Department of Adult Social Care •
- **Primary Care Trusts** •
- **Cleveland Fire Service** •
- NHS Foundation Trusts •
- **Cleveland Police**

Additional members include representation from local provider organisations, user led groups, carers groups and voluntary organisations, to ensure a multi agency approach to Safeguarding.

Attendance is recorded at HVAPC meetings, and highlighted annually in the annual report available to all

Responses to questions put to the Hartlepool Adult Protection Committee

A recent discussion to strengthen the membership and attendance of the HVAPC has been to introduce a Memorandum of Understanding, the purpose of which is to provide a framework to define roles, responsibilities, accountability and authority for all partner agencies, to which all partner agencies sign up to.

What are the views of the Committee on how Adult Safeguarding Services will be provided going forward given the following challenges facing service provision:-

- current and future budgetary pressures

It is a worrying time for everyone as front line services will be affected and potentially more vulnerable citizens will fall through the Gap

- an ageing population

Potentially even more need for front line services - not a reduction in them. More older Carers will be inevitable

- the increased prevalence of dementia

Again increased specialist services will be required to help support and protect the most vulnerable citizens

- GP access to dementia prevention drugs

Vital information and treatments available are of crucial importance at diagnosis!

With regard to the deprivation of liberty what rights does the individual's family have if they have:-

- been granted power of attorney
- a living will

The word Living Will is not included in the Mental Capacity Act 2005 or Mental Capacity Act, Deprivation of Liberty Safeguards

The **No Refusals Assessment** would consider whether an authorisation to deprive the relevant person of their liberty would conflict with other existing authorities for decision making:

• If the relevant person had made an **advanced decision to refuse treatment** that remains valid and is applicable to some or all of the treatment that is the purpose of the authorisation then the authorisation can not be given. Adult and Community Health Services Scrutiny Forum – 28 February 2011 **7.3 (a) Appendix A**

Responses to questions put to the Hartlepool Adult Protection Committee

If the proposal to deprive someone of their liberty conflicts with a valid decision of a person who holds a Lasting Power of Attorney (Welfare) or Court of Protection appointed Welfare Deputy then the authorisation can not be given. People who hold Lasting Powers of Attorney (Property and Affairs) or Enduring Power of Attorney can not stop a DOLS authorisation but should be consulted.

The **Best Interest Assessment** would have regard to **Written/verbal statements of wishes and feelings** that are '**reasonably ascertainable**' these have no prescribed form but must be made before the person looses capacity. They would be used to help find out what someone's wishes and feelings might be, as part of working out their best interests. They are **NOT** the same as advanced decisions to refuse treatment and are not binding.

Does the Committee have any other views / information that it may feel would be useful to the Members of the Adult and Community Services Scrutiny Forum when considering the recommendations arising from their Safeguarding Adults investigation?

Training - at present all the safeguarding foundation awareness that we commission and coordinate on behalf of the committee is funded from area based grant which will reduce on a yearly basis. Going forward we may need to discuss a recharge.

We need to improve our understanding of what the member organisations are delivering to staff at this level.

Intermediate training is also funded for Child & Adult Services staff and the private and voluntary sector – health and other agencies who access this Teesside University module pay for it themselves.

Advanced safeguarding has a social work focus and is also funded by the department.

There are other courses that have close links to safeguarding – dementia – managing behaviours etc that we need to consider and ensure are covered in the training programmes in the future.

ADULT SAFEGUARDING PEER REVIEW Jill Harrison

REPORT TO HARTLEPOOL ADULT PROTECTION COMMITTEE

15 FEBRUARY 2011

ADULT SAFEGUARDING PEER REVIEW

Purpose of Report

To inform the Committee of the planned Adult Safeguarding Peer Review in May 2011 and to give some background information about what this will involve.

Background

The Adult Safeguarding Peer Review developed by Local Government Improvement and Development (LGID) aims to assist local agencies to respond to the changing agenda for adult safeguarding.

The peer review is a learning process which assesses current achievements and areas of good practice and identifies areas for improvement.

The review will explore ambitions, performance and delivery structures against the LGID's Standards for Adult Safeguarding which have been develop din conjunction with the Association of Directors of Adult Social Services (ADASS), the Local Government Association, the Social Care Institute for Excellence and the NHS Confederation.

The standards are centred on four key themes:

- Outcomes for and the experiences of people who use services
- Leadership, strategy and commissioning •
- Service delivery, effective practice and performance and resource management; and
- Working together.

The Review Process

In preparation for the review a facilitated self assessment will be completed by members of the Hartlepool Adult Protection Committee, with support from LGID, on 9 March 2011. A range of documentation is also submitted to the Review Manager in advance of the review. This will include annual report, policies and procedures, statistics, information about the local management arrangements, Serious Case Review summaries and relevant Scrutiny reports.

A peer review team will visit Hartlepool for five days commencing 9 May 2011. The review team will be made up of five people:

- A serving Director of Adult Social Services or Independent Chair of a Safeguarding Adults Board.
- A specialist senior manager with direct experience of adult safeguarding.

- A senior manager from the NHS or the police. •
- A local government member peer with knowledge and experience of adult safeguarding (ideally a current Portfolio Holder).
- ALGID Improvement manager to act as Review Manager.

The review team will undertake a programme of focus groups, individual and group meetings with leaders, senior managers, staff, partners, people who use services and the wider community.

Involvement from the Local Authority will include the Leader of the Council. Portfolio Holder for Adult Services, Scrutiny Chairs, Chief Executive, Director of Adult Services, Commissioners, safeguarding leads (including legal and training leads) and frontline staff.

Involvement from health partners will include Chair and / or Chief executive of the PCT, Chief Executive of Acute Foundation Trust, Chief Executive of Mental Health foundation Trust and NHS safeguarding leads.

Criminal Justice System involvement will include Area Police Commander and senior manager from specialist safeguarding division as well as courts and CPS staff with safeguarding responsibilities / experience.

Other members of the Adult Protection Committee will also be involved as well as cares, people who use services, advocates, voluntary and community sector groups and the Local Involvement Network (LInK).

The Review Report and Recommendations

The review team will present their findings on the final day of the review.

The Council then has the option of receiving a full written report provided within four weeks of the review being completed (with an opportunity to respond and comment before the report is finalised) or an action planning workshop involving members of the Adult Protection Committee, based on a summary of key findings.

A local action plan will be agreed to take forward recommendations and this will be monitored on an ongoing basis through the Adult Protection Committee.

Recommendation

Committee Members are asked to:

- note the report and the expectation about involvement in the review
- contribute to the facilitated self assessment on 9 March 2011 •

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

28 February 2011

- **Report of:** Scrutiny Support Officer
- SUBJECT: SCRUTINY INVESTIGATION INTO 'SAFEGUARDING OF VULNERABLE ADULTS' – WRITTEN EVIDENCE FROM THE HARTLEPOOL GENERAL PRACTITIONER COMMISSIONING CONSURTIUM STEERING GROUP AND THE CLEVELAND POLICE VULNERABILITY UNIT

1. PURPOSE OF REPORT

1.1 To inform Members that key stakeholders have been invited to submit written evidence to the Forum in relation to the investigation in to 'Safeguarding of Adults'.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 16 August 2010, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence were approved by the Forum for this scrutiny investigation into 'Safeguarding of Adults'.
- 2.2 Consequently written evidence has been sought from the following organisations in relation to their role and responsibilities regarding adult safeguarding:-
 - General Practitioner Commissioning Consortium;
 - Cleveland Police Vulnerability Unit.
- 2.3 In accordance with the Authority's Access to Information Rules, it has not been possible to include the evidence outlined in section 2.2 within the statutory requirements for the dispatch of the agenda and papers for this meeting, written evidence received from the organisations noted above will be circulated in advance of the meeting under separate cover as **Appendix A**.



3. **RECOMMENDATION**

3.1 It is recommended that the Adult and Community Services Scrutiny Forum consider the written evidence submitted as part of the evidence gathered for the investigation.

Contact Officer:- Elaine Hind – Scrutiny Support Officer Chief Executive's Department – Corporate Strategy Hartlepool Borough Council

> Tel: 01429 523647 Email: elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

(i) Report of the Scrutiny Support Officer titled 'Scrutiny Investigation into 'Safeguarding of Adults' – Scoping Report,' presented at the meeting of the Adult and Community Services Scrutiny Forum of 16 August 2010.

7.4

Information from the General Practitioner Commissioning Consortium Steering Group

• What adult safeguarding training is undertaken by General Practitioners (is it voluntary or mandatory);

GPs through their professional appraisal will ensure that they have received training or updates in relation to specific areas of their development which includes children's safeguarding – as a matter of routine GP's do not undertake training in relation to adult safeguarding but are aware of issues associated with vulnerable adults and are receptive to ensuring that their knowledge and understanding of adult safeguarding is current.

• Is there are requirement for GP representatives to sit on local Adult Protection Committees (or has there been an approach/would there potentially be an interest to sit on such a board in Hartlepool);

The emerging GP consortia in Hartlepool are actively working with NHS Hartlepool to ensure that the transition to the proposed new General Practitioner Commissioning Consortium are seamless and all statutory duties and responsibilities are understood in order to ensure compliance. Currently NHS Hartlepool provide representation on the Committee and it is envisaged that they will do so over the next 12 – 18 months until such time as the General Practitioner Commissioning Consortium is in a position to confirm the approach it will take in respect of its full role and responsibilities which are still being clarified. The General Practitioner Commissioning Consortium are aware of the importance of the safeguarding agenda and want to ensure that they are able to respond proportionately at both a strategic and operational level; The General Practitioner Commissioning Consortium are confident that NHS Hartlepool are able to provide this assurance at this time.

Information on Cleveland Police Vulnerability Unit to Hartlepool Adult and Community Services Scrutiny Forum

1 Introduction

- 1.1 As requested at the last Adult Protection Committee this report is to update members on the structure, role and remit of the Police Vulnerability Unit.
- 1.2 The teams were established in July 2009 to bring together the working practices of child abuse investigation, vulnerable adult abuse investigation and to investigate serious and complex cases of domestic violence.
- 1.3 The Vulnerability Units investigate all allegations perpetrated against a vulnerable adult where the suspect has 'custody, care or control of the vulnerable adult.' This includes paid carers or family who have care of their relative.
- 1.4 Hartlepool District Police are responsible for investigating incidents within the community. E.g. where an elderly resident or a person with a disability is being harassed by groups of youths.

2 Structure

- There are two Vulnerability Unit teams one north of the Tees 2.1 (Hartlepool and Stockton) and one south of the Tees (Middlesbrough and Redcar and Cleveland).
- 2.2 Each team is headed by a Detective Inspector. There are four Detective sergeants (two specialise in child abuse work, two in vulnerable adult investigations and serious and complex domestic violence).
- 2.3 There are 20 detective constables at the North Tees team. Ten of these are child abuse investigators, nine are domestic violence investigators and one is the dedicated vulnerable adult investigator.
- 2.4 There are also seven police staff involved in risk assessment, safety planning, preparation and dissemination of police information and research.

3 Role and responsibility

3.1 In relation to vulnerable adults the team is the first point of contact for Cleveland Police to link with partner agencies.

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- 3.2 Referrals are made to police from the Adult Protection Coordinator at Hartlepool. Referrals across Tees have grown in recent years and this has included Hartlepool.
- 3.3 Once a referral is accepted the case is researched and the dedicated investigator will attend the multi agency strategy. Police are committed to working in partnership under 'No Secrets' guidance.
- 3.4 On occasion, when immediate evidence needs to be secured police will act independently and the police investigation will take precedence. However, partners are updated on the progress of the case (provided potential disclosure to suspects is not compromised). If necessary a brief telephone strategy can be held.
- 3.5 The primary role of the police is to investigate criminal allegations. Police will utilise their powers where necessary to arrest, detain, search or interview suspects. Police will take statements from victims and witnesses and ensure support for victims is given in accordance with the legal requirements of the 'Victim's Code of Practice' (VCOP). When required the services of Scenes Of Crime Officers (SOCO) are deployed. Police will build case files to put to the Crown Prosecution Service. It is the CPS who are the charging decision makers.
- 3.6 In addition to criminal investigations police will also assist in the safeguarding process. This can include joint home visits with care / medical staff. This is particularly relevant if entering private properties and there is a potential for violence / hostility. Police can enable another professional to carry out their task without interference or intimidation from family members etc.

4 Complex and sensitive cases

- 4.1 Abuse against vulnerable adults can take many forms including physical abuse, sexual abuse, financial abuse or wilful neglect.
- 4.2 The Mental Capacity Act 2005 introduced the new offence of 'Wilful neglect of a person lacking capacity' (section 44 MCA).
- 4.3 As this is relatively new legislation very little case law is available. The essence of section 44 is that if a person is *wilfully* neglected (That is with malice or recklessness rather than accidental) then a criminal offence is committed. This is a complex area of law as police must prove not only that the act is wilful but also that the person lacked capacity. If the victim had some form of capacity then the offence is not made out.
- 4.4 Prosecutions are therefore rare. However a successful section 44 prosecution was conducted in Stockton last year resulting in a suspended prison sentence for the care worker.

7.4 ACSSF 28.02.11 Scrutiny investigation into safeguarding of vulnerable adults App A2 Hartlepool Borough Council 4.5 The concept of capacity also becomes an issue when gathering medical evidence. I.e. who is it that 'consents' for an examination of a vulnerable adult if they lack capacity. Police need to discuss fully with all partners (MCA / DoLs leads or medical professionals) on the proportionality of carrying out what may be a very invasive procedure. E.g. an allegation of rape where an extremely serious crime has occurred. An examination will be crucial to the investigation and conviction of an offender yet the procedure may cause a great deal of distress to the victim.

5 Performance management / resources

- With an increasingly elderly population all services are stretched. 5.1 Policing is no different and the investigation of abuse against vulnerable adults is one of many policing requirements. Allocation of resources must compete with other demands (e.g. Neighbourhood Policing priorities, Safer Hartlepool Partnership priorities, terrorism, drugs etc).
- 5.2 It is essential that with only one dedicated vulnerable adult investigator for the whole North Tees area (Hartlepool and Stockton) the Detective's time must be concentrated on the most appropriate referrals.
- 5.3 To give a general idea of numbers: In Hartlepool police received 4 referrals in December 2010 and 6 in January 2011. From these there are currently two 'live' investigations. (One for physical abuse, the other financial abuse). However during these same two months police received a total of 33 referrals from Stockton.
- 5.4 If a serious allegation is referred to police (E.g. death by wilful neglect in Stockton in January 2011 or a multiple victim rape allegation in Hartlepool in 2010) then additional officers are allocated and the Detective Inspector is appointed as SIO (Senior Investigating Officer).

6 Summary

- 6.1 Hopefully elected members will find the report informative.
- 6.2 As part of the process police were asked to comment on whether cuts in other vulnerable adult services would impact on the police role. The police point of view is the absolute necessity of a 'gate keeping' service and single point of contact. It is imperative police can quickly access all services and so need the point of contact to advise and refer. Likewise without a quality gate keeping service (Which exists at present) the concern is that police would receive inappropriate referrals from agencies which would divert them from their primary function.

Mike Cane **Detective Inspector** 19.2.11

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM

28 February 2011

Report of: Scrutiny Support Officer

Subject: SCRUTINY INVESTIGATION INTO 'SAFEGUARDING OF VULNERABLE ADULTS' – RESPONSES TO ADULT SAFEGUARDING QUESTIONNAIRE

1. PURPOSE OF REPORT

1.1 To inform Members that responses received from local groups to a scrutiny questionnaire on adult safeguarding services have been circulated for consideration in relation to the investigation in to 'Safeguarding of Adults'.

2. BACKGROUND INFORMATION

- 2.1 Members will recall that at the meeting of this Forum on 16 August 2010, the Terms of Reference and Potential Areas of Inquiry / Sources of Evidence were approved by the Forum for this scrutiny investigation into 'Safeguarding of Adults'.
- 2.2 Consequently, as part of the evidence gathering process, a questionnaire has been circulated to local groups whose members may have previously used or could potentially use safeguarding services in the future. A summary of the 4 responses received are attached as **Appendix A**.
- 2.3 In accordance with the Authority's Access to Information Rules, it has not been possible to include all responses from service users within the statutory requirements for the dispatch of the agenda and papers for this meeting, any further responses received in advance of the meeting will be circulated under separate cover as **Appendix B**.



3. RECOMMENDATION

3.1 It is recommended that the Adult and Community Services Scrutiny Forum consider the responses received to the questionnaire as part of the evidence gathered for the investigation.

Contact Officer:-Elaine Hind – Scrutiny Support Officer Chief Executive's Department – Corporate Strategy Hartlepool Borough Council

> Tel: 01429 523647 Email: elaine.hind@hartlepool.gov.uk

BACKGROUND PAPERS

The following background papers were used in the preparation of this report:-

Report of the Scrutiny Support Officer titled 'Scrutiny Investigation into (i) 'Safeguarding of Adults' - Scoping Report,' presented at the meeting of the Adult and Community Services Scrutiny Forum of 16 August 2010.

7.5

Comments Received in Response to Scrutiny Questionnaire on Safeguarding Vulnerable Adults

Do you / your group feel you understand adult safeguarding and when (a) it is appropriate to make a safeguarding referral?

The majority of respondents were confident that they knew the procedures and received regular updates.

Hartlepool Deaf Centre commented that whilst they understood the procedures it may be the case that deaf people in Hartlepool are not aware of or do not have any understanding of the process.

(b) Are you / your group aware of the process to follow and who to contact should you suspect a vulnerable adult is in need of safeguarding intervention?

The majority of respondents understood who to call and the number, it was also mentioned that the duty team were contactable and accessible.

Respondents from Hartlepool Deaf Centre were not aware of who to contact.

(C) If you / a family member / someone you care for has been subject to adult safequarding, was the issue dealt with satisfactorily? If not what do you feel could have been done to improve the service you received?

Were applicable issues had been dealt with to the satisfaction of the respondent, there were also comments that guidance received was useful and of a high standard.

(d) Do you have any suggestions as to how adult safeguarding services could be improved going forward?

Comments received include:

The more agencies that can be represented on the HVAPC helps ensure better working links. Good clear up to date information and guidance needs to be made available to anyone who is in a position where they work or are caring for vulnerable people

Comments Received in Response to Scrutiny Questionnaire on Safeguarding Vulnerable Adults

Opportunities for the police to be in attendance in an advisory capacity where the level or issue of abuse does not amount to a criminal act.

Awareness needs to be maintained of safeguarding issues – would like to explore whether there is any potential to share any lessons learned via approved forums (maintaining confidentiality).

(e) Views / comments / questions

Respondents felt that the board and Safeguarding teams in Hartlepool & Teesside work well together and that these vital services must be allowed to continue and evolve.

Suggestions included HBC delivering a talk to the deaf community to ensure they are aware of safeguarding and the process they need to follow if they believe a vulnerable adult is in need of safeguarding intervention, this would also enable HBC to ensure the processes are user friendly for deaf people.

ADULT AND COMMUNITY SERVICES SCRUTINY FORUM REPORT

28 February 2011



7.6

Report of: Commissioned Services Manager

Elected Member visits to Care Homes for Adults Subject:

PURPOSE OF REPORT 1.

- 1.1 This report provides an overview of the current inspections, visits and surveys of care homes for adults, within the Borough.
- 1.2 The report also includes a proposal outlining how Elected Members could become involved in contributing to the evaluation of care homes for adults in the Borough that are in contractual arrangements with the Council

2. BACKGROUND

- 2.1 Elected Members had previously been involved visits to Council owned residential care homes for adults. This was a requirement under the Registered Homes Act 1984
- 2.2 Following the transfer of ownership of Council owned older people's care homes to the private sector and the dosure of learning disability care homes this was no longer a requirement and the visits ceased.
- 2.3 Recently, Members have requested suggestions on how they can become involved in visits to Independent Sector care homes.

CURRENT POSITION 3.

- 3.1 There are already a number of inspections / visits carried out by different agencies in care homes. The frequency of these can vary depending on the body undertaking the visit.
- 3.2 The Care Quality Commission (CQC) is the regulatory body for the registration of care homes, providers and managers of care services. CQC undertake inspections to ensure conformity with the requirements of the Care Standards Act 2000

- 3.3 The Commissioned Services Team within Child and Adult Services, carry out contract compliance visits to determine whether care homes are meeting the contractual requirements of the Council and also contribute to complaints and safeguarding investigations.
- 3.4 The Primary Care Trust undertakes annual medication audits and also respond to issues highlighted in particular homes.
- 3.5 Hartlepool's Local Involvement Network (LINk) carry out 'enter and view' visits in various health and social care establishments, including care homes, on an ad-hoc basis.
- 3.6 Child and Adult Services also carried out a 'User Led' evaluation of specific areas of care within care homes in 2009. The areas which the evaluation looked at were Privacy and Dignity, Independence and Choice and Rights and Fulfilment of the service user.
- 3.7 The Department of Health carry out a Personal Social Services Adult Social Care Survey annually and this year will include a random sample of service users in care homes. This survey collects information and allows benchmarking about service users experiences of how services are affecting their lives
- 3.8 .Child and Adult Services employ Social Care Officers who carry out regular individual care reviews in the homes but also feedback any relevant issues raised with the management of the home to the Commissioned Services Team.

4. PROPOSAL

- 4.1 Through negotiation with the owners of Independent Sector care homes, it should be possible to facilitate Elected Member visits to care homes using a modified version of the 'user led' evaluation tool. The original version of the tool is attached at Appendix 1.
- 4.2 The use of an evaluation tool introduces consistency in the areas evaluated and allows aggregation and analysis of the findings.
- 4.3 Some training on the use of the evaluation tool would be of benefit to Members.

5 FINANCIAL IMPLICATIONS

5.1 It will be necessary to provide administrative support to organise Member visits, publicise with residents of care homes and for the analysis of the evaluation results plus feedback to the care homes and residents.

Determining the cost is difficult as it will depend on the frequency of visits (for example, annually or six monthly).

- 5.2 There is no spare capacity within the Commissioned Services Team to absorb this additional work.
- 5.3 As Members will be engaging with vulnerable people, it may be necessary for those Members who take part in the visits to have Criminal Records Bureau (CRB) checks

5. **RECOMMENDATIONS**

5.1 That the Adult and Community Services Scrutiny Forum consider the report.

CONTACT OFFICER

Brian Ayre Commissioned Services Manager Child and Adult Services

Appendix 1

<u>CARE HOMES</u> <u>USER LED EVALUATION</u>

SERVICE AIMS

The Adult & Community Services Department aims to ensure that people with specific needs are assured of a relevant response which enables them and builds on their strengths.

SERVICES, VALUES AND PRINCIPLES

The services offered will promote the values and principles adopted by the Adult & Community Services Department as below. All of which are underpinned by the principle of equality of opportunity whereby people receive the same quality of service irrespective of gender, culture, race, disability or special personal requirements.

PRIVACY	-	The right of individuals to be left alone or undisturbed and free from intrusion or public attention to their affairs.
DIGNITY	-	Recognition of the intrinsic value of people regardless of circumstances, by respecting their uniqueness and their personal needs and treating with respect.
INDEPENDENCE	-	Opportunities to act and think without reference to another person, including a willingness to incur a degree of calculated risk.
CHOICE	-	Opportunity to select independently from a range of options.
RIGHTS	-	The maintenance of all entitlements associated with citizenship.
FULFILMENT	-	The realisation of personal aspirations and abilities in all aspects of daily life.

USER LED EVALUATION

Independent Assessor:	Date:
Name of Care Home:	
Location:	
Officer in Charge:	Time:

Resident's Views

Privacy and Dignity

Do you have a key to your own room?	YES	NO
Can you lock items such as money, private papers or valuables away in your room?	YES	NO
Do staff knock before entering your room?	YES	NO
Are you able to spend time with your relatives or friends in private?	YES	NO
If you have help with dressing or bathing is your privacy protected at all times?	YES	NO
Are you able to make a telephone call in private?	YES	NO
Do the staff call you by your preferred name? (first name or surname)	YES	NO
Do the staff treat you and speak to you with respect?	YES	NO
Are your clothes looked after properly? (washed, ironed, kept in your room and not mislaid)	YES	NO
Are you provided with soap, a flannel and towel to promote your personal hygiene?	YES	NO
If you have a personal preference for the way things are done for you, do the staff carry out your requests/wishes?	YES	NO
Are the toilet facilities easily accessible?	YES	NO
Does the call alarm always work?	YES	NO
When you ask for help are you satisfied with the staff's approach, manner and response times?	YES	NO
If you have cultural or religious beliefs that influence the way things are done for you, do the staff carry out your requests/wishes?	YES	NO

Comments

Independence and Choice

Are there aids or equipment available to help you to be independent?	YES	NO
When you use equipment such as walking frames or hoists do you feel safe?	YES	NO
Are you given the choice to handle your own money?	YES	NO
Are you provided with the opportunity to become involved in activities inside and outside the home?	YES	NO
Are you happy with the activities currently provided?	YES	NO
Can you choose what time you get up and go to bed?	YES	NO
Are you happy with the choice and quality of food?	YES	NO
Were your nutritional requirements assessed?	YES	NO
Were you and/or your family consulted with on whether you have cultural or religious requirements in terms of food?	YES	NO
Are your individual food requirements catered for?	YES	NO
Do you have a choice of where to eat and where to sit?	YES	NO

Do you have any input into the decoration and colour scheme in your room?	YES	NO
Were you allowed to bring personal things from your home such as a favourite piece of furniture?	YES	NO
Are your family and friends allowed to visit at any time?	YES	NO

Comments

<u>Rights</u> and **<u>Fulfilment</u>**

Have you and/or your relatives been given information or advice about how to make a complaint if you are unhappy with any element of your care?	YES	NO
On admission to the Home where you provided with inform ation/Welcome Brochure?	YES	NO
At election times do the staff help make arrangements for you to vote, and/or are you given an opportunity to use the postal vote?	YES	NO
Are there arrangements for you to practice your religion?	YES	NO
Do you feel that your opinions are listened too?	YES	NO
Do you have a named key worker?	YES	NO

Are the staff able to spend time with you?	YES	NO
Do staff support you to do the things you like to do?	YES	NO
Are you happy with the care you receive?	YES	NO
If you had a complaint/concern do you feel comfortable to raise this with the Manager or staff?	YES	NO
Are you confident that your complaint/concern will be responded to appropriately?	YES	NO
Is there a residents group or forum where you can discuss issues and put forward your suggestions? Are residents views listened too?	YES	NO

Comments

Observation Notes

Summary