

Minutes of the Adult Social Care Select Committee

**Wednesday 15th November, 2023 at 6.00 pm
In the Council Chamber,
The Council House, Priory Road, Dudley**

Present:

Councillor L Johnson (Chair)
Councillor J Elliott (Vice-Chair)
Councillors A Aston, S Bothul, T Crumpton, A Davies, M Hanif, P Lee and
A Qayyum

Dudley MBC Officers:

M Bowsher (Director of Adult Social Care), M Spittle (Head of Access and
Prevention, Commissioning, Performance and Complaints), J Cox (Adult Service
Manager), C Petford (Team Manager Adult Safeguarding) and S Griffiths
(Democratic Services Manager)

Also in attendance:

Dr P Kingston (Independent Chair – Dudley Safeguarding Adults Board)

Councillor M Rogers (Cabinet Member for Adult Social Care)

21 **Apologies for Absence**

Apologies for absence from the meeting were submitted on behalf of
Councillors R Collins, A Hopwood and C Sullivan.

22 **Appointment of Substitute Member**

It was reported that Councillor P Lee had been appointed to serve as a substitute Member for Councillor R Collins, for this meeting of the Committee only.

23 **Declaration of Interest**

No Member made a declaration of interest in accordance with the Members' Code of Conduct.

24 **Minutes**

With reference to Minute No. 17 of the meeting held on 7th September, 2023, the Director of Adult Social Care advised there were three places available for Members of the Select Committee to join the Adult Social Care STAR awards on Monday 18th December, 2023 at Himley Hall. An email would be circulated to Members. The Director asked that interested Committee Members confirm their attendance by the end of November.

Resolved

That the minutes of the meeting held on 7th September, 2023, be confirmed as a correct record and signed.

25 **Public Forum**

No issues were raised under this agenda item.

26 **Annual Adult Safeguarding Report and Deprivation of Liberty Safeguards (DoLS)**

A report of the Director of Adult Social Care was submitted on a summary of the previous 12 months of performance in relation to Adult Safeguarding and Deprivation of Liberty Safeguards (DoLS). The report also set out a recommended sustainable plan to meet the requirements of DoLS in light of Liberty Protection Safeguards (LPS) being delayed indefinitely while identifying preparations to meet the regulatory framework for the Care Quality Commission (CQC) Inspection of Adult Social Care in 2023/24.

The Committee received a data summary for Adult Safeguarding (September 2023) and the Dudley Safeguarding Adults Board's Annual Report for 2022/2023. Dr P Kingston (Independent Chair of Dudley Safeguarding Adults Board) attended the meeting and addressed the Committee alongside C Petford (Team Manager for Adult Safeguarding) and the Director of Adult Social Care. The Director expressed thanks to the Safeguarding Team for managing the safeguarding process in a timely and proportionate fashion. The Director noted that further work was required to reduce the number of outstanding DoLS assessments but there was a clear rationale for prioritisation of cases.

Arising from the presentation of the report, Members asked questions, made comments and responses were provided as follows:-

- (a) The Chair (Councillor L Johnson) raised a concern regarding evidence there was a risk that DoLS referrals were increasing and the capacity to complete assessments had decreased, which might lead to an increase in citizens being illegally detained. The Director of Adult Social Care referred to the complexity of DoLS assessments and emphasised the need to undertake assessments in a necessary and proportionate fashion. Further infrastructure to undertake DoLS reviews would be requested as part of the Council budget setting for 2024/25 onwards.
- (b) The Chair (Councillor L Johnson) requested clarification of the comment that, compared to many local authorities, Dudley had a very high number of safeguarding concerns, in part due to the way contacts were recorded. Dr P Kingston reported that approximately 6,000 concerns were recorded each year. The Council operated an 'open door' approach and a review of the system for recording and reporting was being considered.

- (c) Councillor A Aston commented on the increase in safeguarding concerns over the past 8 years without a corresponding increase in the budget provision. Clarification was sought on the process following a safeguarding report and how this might be escalated to a full investigation. The Director of Adult Social Care referred to the system operated by the Multi-Agency Safeguarding Hub (MASH). Concerns were referred to a Senior Social Worker and up to 70% of concerns were dealt with at the triage stage. In appropriate cases, requests for information were made to partners/agencies. There was a high statutory threshold for conversion to Section 42 enquiries (Care Act 2014).
- (d) In response to comments from Councillor T Crumpton, the Director of Adult Social Care acknowledged inherent risks in relation to safeguarding concerns for vulnerable adults, including people with dementia. There was a growing number of cases. Decisions were made on individual cases taking account of the best evidence available. In cases of doubt, these should be referred to the MASH and ongoing efforts were being made to raise awareness of the safeguarding process with both the public and professionals. There was a continual focus on education and the adoption of best practices in safeguarding. It was acknowledged that there should be genuine reasons as to why cases were dealt with in the MASH, due to their complexity or the need for a decision. All cases were unique and decisions needed to be made in the best interests of each individual, following detailed consideration. All decisions needed to be proportionate and defensible in the circumstances and complex cases required professional judgement regarding DoLS.
- (e) The Vice-Chair (Councillor J Elliott) referred to reasons for the increase in domestic abuse referrals. Dr P Kingston outlined various reasons, including increased education and the visibility of domestic violence issues and some victims feeling more prepared to report issues. This was acknowledged as a multi-faceted issue and reference was made to the impact of Covid-19 lockdowns and an increase in alcohol and drug related referrals. Although the profile of domestic abuse had been raised through increased public knowledge, media and social media, it was acknowledged that some difficulties remained in reporting cases. The Director of Adult Social Care referred to the significant increase in self-neglect and self-harming cases and the need to build multi agency data trends with a view to increasing the focus on prevention and the re-positioning of resources accordingly.

- (f) Councillor M Hanif referred to the section of the report on life expectancy, health conditions and health inequalities and expressed concern about the increase in the suicide rate in Dudley. This was recognised as a growing concern. Support would need to be a focus for future learning and development and the future service offer in Adult Safeguarding. Dr P Kingston referred to ongoing work on suicide prevention being undertaken by Public Health and other agencies.
- (g) Councillor T Crumpton referred to a breakdown of domestic abuse data, including statistics concerning different social groups and ethnicity. Dr P Kingston acknowledged the points and referred to ongoing challenges. It was acknowledged that difficulties had arisen in engaging with appropriate community representatives and faith groups. Councillor T Crumpton expressed concern that more work should be undertaken to target resources appropriately.

Resolved

- (1) That, subject to the comments outlined above, the report and assurances about the safeguarding of adults in Dudley Borough be noted.
- (2) That the draft priorities for the Safeguarding Adults Board for 2023/24 be noted.

27 Quarterly Performance Report – Quarter 1 (1st April to 30th June, 2023)

A report of the Director of Adult Social Care was submitted presenting the Quarter 1 Adult Social Care Select Committee performance report for the financial year 2023/24, covering the period 1st April to 30th June 2023. It was noted that the performance information was aligned to the 3-year Council Plan. The Committee reviewed the performance report and Members were invited to refer any identified performance issues to the Director of Adult Social Care.

The Cabinet Member for Adult Social Care commented that the corporate quarterly performance report was also regularly reviewed by the Overview and Scrutiny Committee and commended the Adult Social Care Directorate on its ongoing performance. The Director drew the Committee's attention to the continued improvement in assessment times and reduction of waiting lists and acknowledged the focus had now moved to ensuring performance on completion of annual reviews improved.

Resolved

That the report be noted.

28 Market Position and Sustainability

A report of the Director of Adult Social Care was submitted on the current adult social care market position, key market sustainability issues and the market sustainability plan.

The Committee received a detailed presentation from the Adult Service Manager outlining key market challenges, risks and sustainability plans. Following the presentation, Members asked questions, made comments and responses were provided as follows:-

- (a) Councillor T Crumpton referred to the importance of care homes to the overall care system in terms of caring for older people who might otherwise be in hospital. Reference was made to the need to address staff shortages associated with the recruitment and retention of care and personal assistants, funding challenges and the need for increased collaboration across the health and adult social care sector. The Director of Adult Social Care acknowledged these issues and the budgetary challenges faced by partners within the Integrated Care System. The significant budget challenges faced by Adult Social Care would need to be considered in the context of the Council's overall financial position and budget setting process.
- (b) Councillor T Crumpton commented further that the funding situation in relation to adult social care had not been adequately addressed at a national level and fewer care homes were faced with increasing demands. It was acknowledged that the Council's budget setting process would be scrutinised by Members during January, 2024.

- (c) Councillor A Aston commented on the volatile nature of the care market and stressed the importance of this issue being highlighted to all Members of the Council. Ongoing difficulties with recruiting personal assistants was widely acknowledged and had been raised at the direct payments user group.
- (d) Councillor A Davies referred to a potential extra care development in Brierley and questioned whether connections had been made with West Midlands Combined Authority concerning funding opportunities. The Director of Adult Social Care referred to the need for the proposal to be economically viable in terms of capital and ongoing revenue funding and undertook to check on progress.
- (e) Councillor A Davies referred to the place-based domiciliary care model and queried the level of interest in the tendering process and the operational date. The Adult Service Manager confirmed there had been considerable interest and it was anticipated that the contract would be operational from 1st April, 2024.

Resolved

- (1) That the report and presentation on the adult social care market position and key pressures be noted.
- (2) That the Market Sustainability Plan be noted.

29 **Adult Social Care Select Committee Progress Tracker and Future Business**

The Committee received the progress tracker and programme of planned future business for the 2023/24 municipal year.

Resolved

- (1) That the Adult Social Care Select Committee Progress Tracker and Future Business, be noted.
- (2) That the programme of business for the Committee meetings in January and March, 2024 be reviewed, in consultation with the Chair and Vice-Chair, to take account of the scrutiny of the Council's budget proposals.

30 **Questions under Council Procedure Rule 11.8**

There were no questions to the Chair pursuant to Council Procedure Rule 11.8.

The meeting ended at 7.35pm

CHAIR