

**Minutes of the People Services Scrutiny Committee**

**Thursday 28<sup>th</sup> January, 2016 at 6.00 pm**  
**in Committee Room 2 at the Council House, Dudley**

**Present:**

Councillor M Mottram (Chair)  
Councillor M Attwood (Vice-Chair)  
Councillors N Barlow, R Body, P Bradley, C Perks, G Simms, S Tyler, D Vickers; Mr A Qadus and Reverend A Wickens.

**Officers:**

M Williams - Chief Officer Environmental Services (Lead Officer) (Place Directorate); M Bowsher - Chief Officer Adult Social Care, A Harris – Head of Adult Safeguarding, R Clayton (Independent Safeguarding Chair), S Lackenby (Head of Integrated Commissioning) (People Directorate); I Newman - Chief Officer Finance and Legal Services and H Shepherd - Democratic Services Officer (Resources and Transformation Directorate).

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24 **Apologies for absence**

Apologies for absence from the meeting were submitted on behalf of Councillors C Baugh and D Hemingsley.

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25 **Appointment of a Substitute Member**

It was noted that Councillor E Taylor had been appointed as a substitute member for Councillor C Baugh, for this meeting of the Committee only.

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26 **Declarations of Interest**

Councillor G Simms declared a pecuniary interest, in accordance with the Member's Code of Conduct, in respect of agenda item numbers 7, 8 and 9, due to her employment with the Care Quality Commission and withdrew from the meeting during consideration of these items.

Reverend A Wickens declared a non-pecuniary interest, in accordance with the Member's Code of Conduct, as he was a Trustee for the Centre of Equality and Diversity.

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27 **Minutes**

In referring to Minute No. 23, in particular the request for a written response to questions 1 to 7 listed on page 17, the Chief Officer Adult and Social Care stated that the details in response to questions 1, 3, 4, 5 and 6 were included in the Medium Term Financial Strategy report that would be considered at Agenda Item no. 6.

It was further stated that a response to question 2 would be provided by the Interim Chief Officer Children's Services following completion of the Ofsted inspection and a response to question 7 would be quantifiable once the Voluntary Redundancy process had concluded.

**Resolved**

That, the minutes of the People Services Scrutiny Committee meeting held on 18<sup>th</sup> November, 2015, be approved as a correct record and signed.

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28 **Public Forum**

No issues were raised under this agenda item.

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29 **Medium Term Financial Strategy**

A joint report of the Chief Executive, Chief Officer Finance and Legal Services and the Strategic Director People was submitted to consult the Scrutiny Committee on the updated Medium Term Financial Strategy (MTFS) to 2018/19, approved by Cabinet on 18<sup>th</sup> January as a basis for further consultation, with emphasis on those proposals relating to the People Services Scrutiny Committee terms of reference. Items directly related to the People Services Scrutiny Committee were those in relation to the People Directorate, as set out in paragraphs 32 and 34 of the report submitted.

In presenting the report, the Chief Officer Finance and Legal Services referred to the forecast that had been presented at the previous Scrutiny Committee meeting and highlighted the main changes in the report compared with the proposals that were considered at that time.

The Chief Officer Finance and Legal Services referred to the important changes that had been identified in the way in which funding would be distributed between Local Authorities, which benefited Authorities with a high deprivation level. It was also stated that Councils that were responsible for Adult Social Care, would have capacity to increase Council Tax by a further 2% without the need for a referendum, provided that the additional resources was proven to be allocated to the provision of Adult Social Care.

Further reference was made to the changes within the report, with particular reference to non-pay budgets that would no longer have provision for general price increases and any inflationary pressures would need to be managed within directorate budgets and the renegotiation with social care providers with regards to the impact of the increase in the National Living Wage.

The Chief Officer Finance and Legal Services confirmed that the Council was still in a difficult financial position, but with the new proposals would be able to set a lawful budget for 2016/17. Additional savings would still be required to ensure lawful budgets could be set in future years.

In response to a question raised with regards to how the car mileage savings would be achieved, the Chief Officer Finance and Legal Services stated that it was proposed to reduce Dudley's mileage allowance to 45p in line with the allowance paid by neighbouring authorities.

Arising from a further question raised, the Chief Officer Finance and Legal Services confirmed that existing income levels only had been incorporated into the strategy, but that this had been recognised as part of the transformation and income fees and charges would be benchmarked with neighbouring Local Authorities to ensure that Dudley was as competitive as possible.

In response to a question raised by a Member, the Chief Officer Adult and Social Care stated that the Better Care Fund performance element remained in the Medium Term Financial Strategy as negotiations between the Clinical Commissioning Group were still underway. A further update would be reported to a future Scrutiny Committee and the Medium Term Finance Strategy would be amended accordingly as a result of the outcome of the negotiations.

### **Resolved**

That, the Cabinets proposals for the Medium Term Financial Strategy to 2018/19, taking into account the considerations set out in paragraph 47 of the report submitted, be noted.

### **Dudley Safeguarding Adult Board Annual Report 2014-2015**

A report of the Strategic Director People was submitted to provide an executive summary of the Annual report of the Dudley Safeguarding Adult Board for 2014/15.

The Independent Safeguarding Chair presented the report and in doing so provided Members with an overview of the responsibilities and functions of the Dudley Safeguarding Adults Board and outlined the breakdown of safeguarding incidents that had been reported during the period from 1<sup>st</sup> April, 2014 to 31<sup>st</sup> March, 2015.

The Independent Safeguarding Chair considered the Safeguarding Board to work well, with a strong partnership ethos, providing support to all partners. It was stated that although the Board had a good relationship with all of its partners it would not however be afraid to challenge a partner if it was considered that they were not performing to the required standard. It was also considered that Dudley Safeguarding Adult Board worked well with other associates such as Safe and Sound, the Children's Corporate Parenting Board and the Health and Wellbeing Board to discourage silo working and duplication.

It was stated that following the reporting period of the Annual Report, two Safeguarding incidents had been reported and was currently under investigation as a result of the deaths of two individuals. The conclusion of the investigations would be reported back to a future meeting of the Scrutiny Committee.

Arising from the presentation, Members asked questions, made comments, and responses were provide when appropriate, as follows:-

- That an increase in the number of incidents reported did not necessarily suggest that there was an increase in abuse occurring, but identified that there was more awareness of the reporting process and victims appeared to have more confidence in reporting an incident. Training had been provided to Social Care staff and group providers on how to deal with reported incidents.
- From the data collected, the Safeguarding Board could ascertain where abuse was taking place, the nature of the abuse and any trends or patterns that were occurring to try to find the reasoning behind the abuse and how this could be rectified. It was emphasised that each referral would be responded to.
- All staff were required to attend and partake in the mandatory basic level of Safeguarding training and any specific training, relevant to a particular job role would also be provided.
- The number of staff and Members that had attended Safeguarding Training within the last 12 months would be provided to Scrutiny Committee Members following the meeting.
- A hospital discharge process was in operation in collaboration with Russells Hall Hospital to ensure that patients were not discharged prematurely to reduce the risk of re-admission. Further work would be undertaken to analyse the discharge process from a safeguarding perspective.
- That data identifying hospital discharge issues and re-admission due to being discharged prematurely was not currently available, but work, on a national level, was currently being done to collate this information and once concluded, a summary of the findings would be submitted to both the People Services Scrutiny Committee and the Health Scrutiny Committee for consideration.

## Resolved

- (i) That, the Dudley Safeguarding Adult Board Annual Report 2014/2015 and the comments made at the meeting be noted and that the information be placed on the Safeguard website and distributed to partner agencies.
- (ii) That, the Head of Adult Safeguarding provide the number of staff and Members that had attended Safeguarding Training within the last 12 months to Scrutiny Committee Members.

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### **Deprivation of Liberty Safeguards (DoLS)**

A report of the Strategic Director People was submitted on changes to adult safeguarding since the implementation of the Supreme Court Judgement in 2014 and the Care Act 2015 and to consider the impact on adult safeguarding in Dudley.

In presenting the report, the Head of Adult Safeguarding defined the definition of 'deprived of their Liberty' and provided Members with examples of when this may occur.

The Chief Officer Adult and Social Care referred to the Supreme Court judgement that had widened the definition and focus of liberty deprivation and the significant impact this had had on the number of deprivation of liberty referrals and the additional work that had been generated. A grant had been provided by the Department of Health to assist with the training of staff and five staff had been trained as best interest assessors during 2015 with a further three staff due to be trained in 2016. Every effort would be made to retain trained staff in Dudley.

Arising from a question raised by a Member with regards to the timeframe that referrals were dealt with, the Head of Adult Safeguarding stated that prior to the judgement, referrals were processed within 5 days except for instances of a very high level of referrals. It was stated that priority would always be given to those that had previously been subjected to deprivation and those in hospital so that the hospital discharge process would not be impacted upon.

The Head of Adult Safeguarding referred to the different types of abuse and confirmed that the highest was neglect and there had been a significant increase in the number of self neglect cases, which included people that had fallen between the gaps or people that did not want to engage. These cases were referred to the Adult at Risk Team but were resource intensive.

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

- The age of a person classified as an adult was 18.

- When cases were received, these were initially assessed by the Access Team and each case was assessed on its own merit with no priority given to any specific type of abuse, however the safety of a patient was paramount while the investigation was underway and this would take priority. In cases where a patient chose not to move, alternative care provisions would be put into place while the incident was investigated. Support was provided by a selection of sources such as Housing and voluntary agencies and the victim would always be consulted and asked what their wishes were, which would be honoured wherever possible.
- Various services were available to help prevent self neglect and further work was being undertaken to promote these services.
- Care providers were accountable to the Care Quality Commission and the Safeguarding Board was accountable to the Local Authority.
- The Access Team would deal with a referral with immediate effect to decide what initial action was required to make that person safe. Each case would be considered on a case by case basis and there was no blanket as to what safeguarding issue would be given priority. In the instance of financial abuse, these cases could sometimes be difficult to prove, but every case would be investigated.
- Further work would be undertaken during 2016 to promote safeguarding within the Black, Minority and Ethnic Communities in the Borough.

### **Resolved**

That, the information contained in the report and the increased complexities and demands placed on Adult Safeguard in 2015 and the consequent risks this brings to manage adult safeguarding concerns, be noted.

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### **Dudley New Model of Care (Vanguard) Programme Update**

A report of the Strategic Director People was submitted to provide Scrutiny Committee Members with an update on the Dudley New Model of Care (Vanguard) programme.

The Chief Officer Adult and Social Care outlined the purpose and aims of the new model and stated that representatives from the Clinical Commissioning Group, Dudley Healthwatch, local GP's and Social Care were currently attending all ten Community Forums to obtain the public's view on the plans and future shaping of integrated care.

It was also stated that a powerpoint presentation, incorporating more detailed information would be submitted to a future meeting of the Scrutiny Committee.

### **Resolved**

That the information contained in the report and the good progress made, be noted.

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33 **Comment made by the Chair**

The Chair and Members of the Scrutiny Committee expressed their best wishes to Roger Clayton for a long and happy retirement and thanked him for the exceptional work that he had done with regards to Safeguarding.

The meeting ended at 7.25 pm.

CHAIR