

Minutes of the Adult Care and Well Being Overview and Scrutiny Panel

County Hall, Worcester

Tuesday, 15 March 2022, 2.00 pm

Present:

Cllr Shirley Webb (Chairman), Cllr Jo Monk (Vice Chairman),
Cllr David Chambers, Cllr Lynn Denham, Cllr Paul Harrison, Cllr Matt Jenkins,
Cllr James Stanley and Cllr Emma Stokes

Also attended:

Cllr Adrian Hardman, Cabinet Member with Responsibility for Adult Social Care
Keith Brown, Worcestershire Safeguarding Adults Board
Bridget Brickley, WSAB Manager
Paula Furnival, Strategic Director of People
Mark Fitton, Interim Strategic Director of People
Steph Simcox, Deputy Chief Finance Officer
Sally Baldry, Principal Management Information Analyst
Samantha Morris, Overview and Scrutiny Manager
Jo Weston, Overview and Scrutiny Officer

Available Papers

The Members had before them:

- A. The Agenda papers (previously circulated);
- B. The Minutes of the Meeting held on 14 January 2022 (previously circulated).

(A copy of document A will be attached to the signed Minutes).

418 Apologies and Welcome

Apologies had been received from Cllr Adrian Kriss.

The Chairman welcomed Mark Fitton, Interim Strategic Director of People and thanked Paula Furnival in advance of her leaving the Council at the end of March.

419 Declarations of Interest

None.

420 Public Participation

None.

421 Confirmation of the Minutes of the Previous Meeting

The Minutes of the previous meeting held on 14 January 2022 were agreed as a correct record and signed by the Chairman.

422 Safeguarding Adults

The Independent Chair and Board Manager of Worcestershire Safeguarding Adults Board (WSAB) had been invited to present the 2020/21 WSAB Annual Report and discuss developments in safeguarding adults in Worcestershire.

The WSAB Chair explained that he was contracted by WSAB for 30 days each year, had been in post since April 2021 and was involved in a number of safeguarding initiatives nationally. He recognised that Worcestershire's issues were in line with those experienced nationally – rough sleeping, the role of the lead professional and exploitation.

During the reporting period, achievements included the increased awareness of fraud and fraud reporting, agreement to jointly fund a post on exploitation, the development of a complex risk adult framework, the publication of a rough sleeping thematic review and the creation of a reference group of lived experience. 8 referrals had been made and 2 had met the criteria. 6 serious case reviews had been completed and published on the website.

Of particular note was a pilot scheme to provide challenge to SAR decision making by providing a rapid review, with the process taking 6 to 8 weeks, rather than up to 2 years. This pilot provided closure for families and was well received, especially as learning was shared much quicker.

Worcestershire data was in line with national data and during 2020/21 there had been more enquiries which met the s42 (safeguarding) criteria. The Chair urged caution in relation to the data, especially in relation to fraud, as the scale of the issue was much higher, with only 5 to 10% of cases reported.

Nationally, staffing was a major challenge, especially in domiciliary care and care settings, and the Chair advocated the need for the care profession to be uplifted.

Member questions raised the following main points:

- When asked what the biggest challenge was, the WSAB Chair was very concerned about staffing. He reported that wages would need to rise

above the rate now paid by many retailers and with Home First being advocated as best practice, the care profession would need to be viewed differently

- The Strategic Director of People agreed and reported that detailed analysis had been carried out which had fed into the budget setting process. Retail and distribution was in competition with the care sector for staff. Reference was made to the Scrutiny on Care Work as a Career and the Council had noted that conditions of service was an important part of any contract, not just enhanced rates of pay. In the last Quarter, £1m had gone into staffing within Worcestershire, which had been funded by the NHS
- The thematic review into rough sleeping would be monitored by a newly formed Assurance Panel of the WSAB. Membership included WSAB Partners and external agencies, including Onside Advocacy, and it would scrutinise actions taken and make recommendations. The Board Manager was pleased with the differing approach. The Chair welcomed initiatives in other areas, whereby 'pods' were used to accommodate rough sleepers rather than the shared facilities which was more usual
- A Member asked what role District Councils would play going forward, to be informed that representation was at Strategic Housing level, however, the Board Manager agreed to look at a greater role
- In relation to the transition from children's services to adult services, it was reported that the Mental Capacity Act would include 16 to 18 year olds. This was of concern nationally, especially with the increased awareness of adverse childhood experiences and their impact in later life
- The Board Manager reported that although not in the reporting period, an Exploitation Co-Ordinator had been successfully appointed and one of their roles would be to recognise the issues crossing between children and adult services
- The subject of capacity and consent was complex and determining whether an individual was able to make their own decision or whether there was coercion was often very difficult. There was a need to promote professional curiosity, especially in relation to adults who had no care or support needs. The WSAB Chair commended the Council's Team for their proactive work and offered to host a Member Briefing if it would be helpful to the Panel
- When asked what Members could do to assist in recruitment, greater recognition of the role was highlighted as a key factor
- A Member asked about the role of West Mercia Police, to be informed that they were a key partner although more consistent representation would be welcome. The WSAB Chair had met the new Chief Constable and was pleased with their commitment and although fraud cases were increasing, the cases often originated outside of the UK or were committed by organised crime groups and therefore referred to regional Police Teams. Fraud within families continued to be more common, with cases often linked to domestic abuse
- When asked about the extent of modern slavery in Worcestershire, it was reported that WSAB had commissioned the University of Worcester to investigate, however, the situation was no clearer. As

part of their role, the Exploitation Co-ordinator would be tasked to identify the scale

- A Member asked about the high number of Deprivation of Liberty Safeguards (DoLS), with the Strategic Director reporting that a landmark case in Cheshire West had resulted in eligibility being changed. Nationally, this remained an area of concern and numbers have risen. In Worcestershire, high risk and more urgent cases were completed in a timely manner
- The Panel was informed that Liberty Protection Safeguards would replace the DoLS system and would deliver improved outcomes for people who are or who need to be deprived of their liberty. The new system would include those aged 16+ and the implications for health services were huge, however, Council Officers were commended for their level of understanding
- Digital technology could support safeguarding both in Home and Care Home settings in a number of ways and its use would likely increase over time

The Panel Chairman thanked everyone for the informative discussion and looked forward to receiving the next Report.

423 Care Quality Commission (CQC) Assurance Framework for Adult Social Care

The Strategic Director referred the Panel to the Agenda Report, highlighting that the new Care Quality Commission (CQC) assurance framework for adult social care was part of the Health and Care Bill, published 6 July 2021, which set out key legislative proposals to reform the delivery and organisation of health and care services in England, building on the existing Integrated Care Systems (ICS) model.

Little was known about the new framework, however, the CQC was planning stakeholder engagement workshops to help establish a baseline for assessing local authorities and was working closely with Directors of Adult Social Services. It was anticipated that CQC inspection of local authority adult social care would begin from April 2023.

Since 2010, Councils had worked together to support their own performance through 'Peer Reviews'. The West Midlands network was active and Worcestershire had benefitted from this approach in January 2020. In addition, to prepare for CQC assurance, several self-assessment tools had been developed by Worcestershire Officers and shared regionally. Feedback received was good, which added to the progress made since the 2020 Peer Review.

The Government's Integration White Paper was published on 9 February 2022. It focussed on integration at place level and aligned with the Health and Social Care Bill, however, it was noted that children's services were not included and questions on governance, leadership and digital transformation remained unanswered.

In the ensuing discussion, the following main points were made:

- When asked in what areas the Council was weakest, the Strategic Director suggested that more evidence of co-production would likely be required. In addition, long term funding of adult social care, however, this was an area of concern for all Councils. It was anticipated that comparisons would be made with similar local authorities and the use of the Council Tax Levy would be a contributing factor
- The Cabinet Member with Responsibility added his concern about the budget, especially the introduction of the cap on care costs. In Worcestershire, 60% of residents were self funders and this would result in a considerable challenge. It was noted that other authorities, such as Nottinghamshire, had a higher Council Tax
- Concern was raised around the proposals of measuring shared outcomes across the ICS, rather than outputs, which would come into force from April 2023. The notion of the right healthcare and the right care at the right time would focus partners to collaborate
- The White Paper included, under Leadership, the appointment of a single person accountable for the delivery of a shared plan and outcomes in each place or area, agreed by relevant local authorities and Integrated Care Board. The Strategic Director commented that there was no further detail, nor whether the position would be executive or non-executive
- When asked whether the relationship between the CQC and the Council would change, it was reported that it would likely evolve and become more of a partnership model, especially as the CQC workforce would change due to the inspection regime
- The ICS was a long term initiative, with the ability to align budgets and share resources. The Panel noted that any consideration of organisation reform would be a massive distraction to service improvement
- Clarification was given about plans for shared digital records and the benefits and safeguards of such systems. Data protection would not change and information sharing protocols would be in place. Furthermore, digital technology could assist in remote monitoring of patients and remote consultations and the potential for further improvement was huge
- A Member asked about the key line of enquiry in relation to leadership capability, to be informed that it would likely be wide, to include Senior Leaders in the Directorate, relationships with Directors of Finance and Chief Executives and Members involved in decision making and scrutiny.

424 Performance and In-Year Budget Monitoring

As part of the Agenda, the Panel had received an update on Quarter 3 Performance and Budget in relation to the remit of the Panel.

Budget

The Head of Finance reported that at the end of Quarter 3, the forecasted end of year budget in relation to services covered by the Panel was broadly a breakeven position, with a variance of -£37,000. Increased unit costs and an increase in activity were a cause for concern. Lobbying of Government was taking place for the continuation of the NHS Hospital Discharge Grant, with funding currently being claimed via this stream. The Council was continuing to work proactively with Health Partners to manage joint funding and an updated s117 policy was approved by February Cabinet.

Performance

The Management Information Analyst summarised the performance information provided. There were more admissions compared to national data, however, the direction of travel was promising and all action plans were focussed on alternatives to long term care. The scrutiny of Continuing Health Care funding had been useful. Reablement services had strong performance and there was an improving picture of performance since Mental Health services had returned to the Council.

During Member discussion, key points included:

- In relation to Mental Health staffing savings, it was clarified that following the move of staff from Herefordshire and Worcestershire Health and Care Trust to the Council, there was a temporary underspend
- When asked if vacancies were keeping the overspend lower, it was reported that service demand was higher than the budget and unit costs were also higher for the activity undertaken
- Following the last meeting, thanks were given to Officers for providing additional information which provided clarity to the performance information presented
- When asked why the number of Annual Care Package Reviews completed was poor, the Strategic Director reported that there were clear expectations on the number required to be completed each month. It was stressed that the target was very high, rightly so, but there was no reason why a review should not take place
- Clarity was given that admissions to permanent care per 100,000 for those aged 18-64 was reported on a rolling yearly basis, for example 68 in December 2021, was the figure for the 12 month period January to December 2021. It was noted that the cohort was relatively small as families often used other services first, such as supported living and Shared Lives. Currently, 2,600 individuals aged 18 to 64 were supported by the Council.

425 Work Programme

From the existing Work Programme, the Panel agreed to schedule the following Items to its May Agenda:

- Direct Payments
- Independence Focussed Domiciliary Care Service in Worcestershire.

The meeting ended at 4.25 pm

Chairman