

ADULT SAFEGUARDING TASK AND FINISH REVIEW

2.00pm - Wednesday, 30th January 2013
Committee Room 1, Town Hall

PRESENT – Councillor Sue Richmond (in the Chair); Councillors Harman, Knowles and Thistlethwaite. (4)

APOLOGIES – Councillor Kelley. (1)

OFFICERS IN ATTENDANCE – Ann Workman, Assistant Director – Adult Social Care, and Paul Dalton, Elections Officer (Democratic Services).

The following issues were discussed :-

- Members received an initial presentation from the Assistant Director – Adult Social Care which outlined which adults were perceived as being ‘at risk’, the types of abuse that may be suffered by somebody perceived to be at risk, the use of the Executive Strategy process, the key agencies and roles within Adult safeguarding, and the action planning required.
- Members were informed that the Executive Strategy process is instigated when there have been a number of alerts. Executive Strategy is a formal meeting chaired by the Assistant Director – Adult Social Care and all agencies, including the Care Quality Commission (CQC) who are the regulator, are represented. Members enquired how often Executive Strategy meetings were held, and were advised that there were four underway at present, with eight having taken place in total since January 2012.
- The Assistant Director – Adult Social Care provided Members with an overview of cases, to illustrate the range of issues that Officers attend to, and to provide examples of when the Executive Strategy process would be used.
- Members entered into discussion on their own experiences drawn from visiting care homes, and it had been observed that there are varying degrees of awareness and understanding amongst residents. It was suggested that in many homes a ‘pecking order’ may exist between residents, and Members enquired as to how this was monitored and whether there were any examples of ‘bullying’ by those residents who were more aware than others. Members were advised that residents did have differing levels of need, however it was explained that care homes maintained the correct level of staff to attend to the needs of residents. It was suggested that, if there were any concerns, family members should raise concerns within the setting, though Social Care staff should recognise any issues. It was appreciated that there was a balance to be struck between a care home being an individual’s home and the requirement of a resident to give respect to other residents who were also living within the home, however Members did acknowledge that it could be hard to adjust.

- Discussion ensued on the number of different agencies involved in Adult safeguarding work, and the role of the Council within this area. It was explained that the Council commissioned placements, and the contracts outlined the standards the Council expected in relation to those placements. Where there was a breach in the contract (i.e. where the standards stipulated were not met), then the Council would initiate an Executive Strategy and stop any further admissions to that care home. Members enquired as to whether the Council had the power to stop the care home taking all new admissions. It was explained that the Council had the authority to stop all placements that the Council made, however could not stop the care home from accepting placements from those people who were self-funding. Members were advised that, as part of the Executive Strategy arrangements, the Council wrote to all residents and family members, including those who were self-funding, to advise that the care home was under Executive Strategy arrangements. Members sought clarification regarding whether the Council was responsible for every care home place, and it was explained that the Council was responsible for every placement that it commissioned. Members enquired how the Council could write to all residents under the Executive Strategy arrangements if it only maintained the records of its own placements, and they were advised that the care home would provide contact details for those residents that were self-funding. It was stressed that the Council would also offer support to any self-funding residents with issues.
- It was noted that, in one of the case studies presented to Members, nine residents had actually come forward to say that the care home involved was wonderful, so the process also afforded some protection to the care home where appropriate.
- Members were advised that, as part of the protection arrangements under Executive Strategy, the Council wrote to other local Councils advising them of the position.
- Discussion ensued on the role of the Care Quality Commission (CQC), and whether they had a role to play in terms of inspecting care homes and investigating complaints. Members were advised that, as the regulator, the CQC certainly had a role, however as the commissioner the Council had a responsibility to investigate providers in breach of contract and stop further admissions. It was explained that the Safeguarding Adults Board (SAB) sat within the Council and responded to everyone.
- Members raised concerns in relation to the financing of placements, both by the Council and by residents, and felt that there was not enough information for residents and their family members. One example was cited whereby a couple had been separated when one entered a care home and the other partner remained at home. The Group were informed that joint bank accounts had to be split into separate accounts, the ownership of the property had to be separated, etc. to protect the capital of the partner remaining at home. It was suggested that the individual remaining at home could become at risk from a financial perspective. Members entered into discussion on the composition of the budget and contributions received from residents. It was explained that

the financial assessment is key, with it becoming more difficult for the Council to meet the full cost of care, and there was a real worry that residents would have to pay more. Members felt that the impending welfare reforms would also have a huge impact.

- Members entered into discussion on staffing ratios, the differing levels of staff based on the different categories of care required, and training standards.
- The Assistant Director - Adult Social Care stated that she was pleased that Members were scrutinising the safeguarding adults remit, and raising awareness of the safeguarding agenda. Members were encouraged to make observations during their care home visits as part of the 'Nutrition in Care Homes' task and finish review group, and seek feedback from people involved in the safeguarding process. Members entered into discussion on the role of the scrutiny process, and were keen to ensure that adults safeguarding was not understaffed and that the Council could deliver on its role. Members felt that it was important that the Council was a facilitator, rather than a gatekeeper/barrier. Going forward, the Assistant Director – Adult Social Care stated that the Council would need to be clear about what its statutory functions were (which were protected), and the non-statutory functions that could be submitted as efficiency savings.

IT WAS AGREED THAT:

- (a) Members receive further information in relation to the cost of care provision, financial assessments, and the cost of continuing health care.
- (b) The following documents be circulated to Members for their information:
 - i. 'Adult Safeguarding Scrutiny Guide' - The Centre for Public Scrutiny (CfPS) and Improvement and Development Agency (I&DeA);
 - ii. 'Darlington Safeguarding Adults Partnership Board – Annual Report 2011/12 and Business Plan 2012/13';
 - iii. 'Protecting Adults At Risk: Darlington Multi-Agency Policy and Procedures to Safeguard Adults from Abuse';
 - iv. 'Preventing Harm to Yourself and Others: Keeping Yourself Safe';
 - v. 'Preventing Harm to Yourself and Others: Looking After Your Health';
 - vi. 'Transparency in Outcomes: A Framework for Quality in Adult Social Care: The 2012/13 Adult Social Care Outcomes Framework'.
- (c) A request be submitted to the Safeguarding Adults Board to ascertain whether representation from the Adults and Housing Scrutiny Committee could be invited to the next meeting of the Board as observers.

(d) An ongoing work programme be developed to enable Members to further their knowledge and involvement in Adult Safeguarding.