

Decisions of the Safeguarding Overview and Scrutiny Committee

27 November 2013

Members Present:-

Councillor Bridget Perry (Chairman)
Councillor Kate Salinger (Vice-Chairman)

Councillor Alison Cornelius	Councillor Kath McGuirk
Councillor Barry Evangeli	Councillor Brian Salinger
Councillor Brian Gordon	Councillor Agnes Slocombe
Councillor Anne Hutton	Councillor Zakia Zubairi

Also in attendance

Councillor Sachin Rajput, Cabinet Member for Adults
Councillor Reuben Thompstone, Cabinet Member for Education, Children and Families

Apologies for Absence

Councillor Maureen Braun

1. MINUTES OF THE PREVIOUS MEETING

Referring to the minutes, a Member noted that the Committee had been provided with the contact details for the new, Independent Chair of the Barnet Children's and Adults Safeguarding Board, and requested that the Committee be provided with a short biography of the new, Independent Chair.

RESOLVED that:-

- 1) The minutes of the meeting dated 23 October 2013 be agreed as a correct record;**
- 2) The Committee request to be provided with a biography of the Independent Chair of the Barnet Children's and Adult's Safeguarding Board.**

2. ABSENCE OF MEMBERS

Apologies for absence were received from Councillor Maureen Braun, in relation to Agenda Item 6 (Your Choice Barnet Task and Finish Group Report) Councillor Maureen Braun nominated Councillor Brian Salinger to present this report in her absence.

3. DECLARATION OF MEMBERS' INTERESTS

Member	Subject	Interest Declared
Councillor Kate Salinger	Agenda Item 6 (Your Choice Barnet Task and Finish Group)	Non-pecuniary interest as her son is in receipt of a personal budget.
Councillor Brian Salinger	Agenda Item 6 (Your Choice Barnet Task and Finish Group)	Non-pecuniary interest as his son is in receipt of a personal budget.
Councillor Arjun Mittra	Agenda Item 6 (Your Choice Barnet Task and Finish Group)	Non-pecuniary interest as a Member of the "Unison" union.

4. PUBLIC QUESTION TIME (IF ANY)

Details of the questions asked of, and the answers given by the Chairman, were circulated at the meeting, made available to the public questioners in advance of the meeting and published online with the agenda papers for the meeting. Verbal responses were given to supplementary questions asked at the meeting.

RESOLVED that the Committee note the questions submitted by members of the public.

5. MEMBERS' ITEMS (SUBMITTED IN ACCORDANCE WITH OVERVIEW AND SCRUTINY PROCEDURE RULE 9) (IF ANY)

There were none.

6. YOUR CHOICE BARNET TASK AND FINISH GROUP

YOUR CHOICE BARNET TASK AND FINISH GROUP

The Committee received public comments from: Mrs Janet Leifer; Mrs Barbara Jacobson; Mr Phillip Rackham; Ms Tirza Waisal; and Mr John Sullivan, whose comments were read out by Mrs Barbara Jacobson.

Representatives from Unison sought permission from the Chairman to address the Committee in relation to the item. The Committee noted that a request to speak at the meeting had not been received in advance of the meeting. Councillor Kath McGuirk MOVED a motion that the Unison representatives be allowed to address the Committee. The motion was duly SECONDED. Upon being put to the vote, the motion was carried. Unison representatives were provided with three minutes to address the Committee to make their representations.

Following consideration of the public comments and Unison representation, the Chairman invited Councillor Arjun Mittra to address the Committee. Councillor Mittra declared a non-pecuniary interest as a Member of the Unison union. Councillor Mittra, who had been a Member of the Your Choice Barnet Task and Finish Group, suggested that the Task and Finish Group be re-opened to enable the Group to receive submissions from staff, service users and carers.

A Member of the Committee asked Councillor Mitra if he expressed any reservations regarding the consultation approach and conclusions made by the Group on which he sat as a Member. In response, Councillor Mitra advised the Committee that he considered that the Task and Finish Group had a narrow set of parameters. The Committee noted that the findings and conclusions of the Task and Finish Group had been unanimously agreed and questioned why Councillor Mitra had not expressed his reservations at an earlier stage. Councillor Mitra advised that he had stated his reservations at the time, and that he considered that the recommendations were a compromise between Members. The Committee commented that any such reservations could have been incorporated into the report.

The Chairman asked Councillor Brian Salinger to present the report of the Task and Finish Group in the absence of the Councillor Maureen Braun, the Chairman of the Task and Finish Group. Councillor Salinger thanked the Members of the Task and Finish Group, officers from Your Choice Barnet / The Barnet Group Ltd and the Lead Officer from the Overview and Scrutiny Office for their work during the review.

In introducing the report, Councillor Salinger advised the Committee that the report was the result of a short, focused piece of work which had been seeking to review an issue of public concern. Councillor Salinger advised the Committee that Members had been given opportunities to comment throughout the review and informed the Committee that the report had been unanimously agreed.

Referring to Recommendation Four of the Task and Finish Group's Final Report which was made a recommendation about the composition of the Your Choice Barnet Board, Councillor Salinger advised that the Group had considered that there should be councillor representation on the Board. He added that Members were elected to represent all residents of the Borough, and that having a councillor on the Board would provide for better representation.

Councillor Salinger stated that through the work of the Task and Finish Group, he had been able to see that Your Choice Barnet had engaged with carers and service users regarding service changes and it was on that basis that the Group had not undertaken a separate consultation as part of the review.

Councillor Salinger commented on how Members of the Task and Finish Group had been impressed with the commitment of staff to their clients. Referring to staff morale, Councillor Salinger noted that the staff that the Task and Finish Group met on site visits seemed to have no specific issues of morale. He added that whilst all of the site visits had taken place in one day, some Members were already familiar with the facilities. Referring to the evidence gathering visits undertaken by the TFG, Councillor Salinger advised that if the Group had had any concerns about service quality, then it would have been investigated.

Councillor Salinger advised the Committee that he would not support asking the Task and Finish Group to re-open the review due to the limited resources available.

Councillor Salinger MOVED that the Committee endorse the report for onward referral to the next Cabinet meeting. This was SECONDED by Councillor Gordon.

The Chairman requested a vote for the onward referral of this item to Cabinet. The vote was carried.

RESOLVED that:-

- 1) The Committee note the findings and recommendations of the Your Choice Barnet Task and Finish Group as set out in the report;**
- 2) The Committee endorse the report for onward referral to the next Cabinet meeting.**

7. HEALTHWATCH BARNET: ENTER AND VIEW REPORTS

Julie Pal, the Chief Executive of Community Barnet present a report that contained two “Enter and View” reports which had been produced by volunteers following their visits to Carlton Court Care Home and Cantelowes Care Home.

In introducing the report, Ms. Pal advised that the Carlton Court Care Home had produced six recommendations, and noted that one recommendation was around increasing the amount of dementia care training, which the volunteers conducting the visit had been concerned about. Referring to the fourth recommendation made within the Carlton Care Home Report, which recommended investigation into securing dentist visits to the home, Ms. Pal advised the Committee that the home is now able to provide a dentist.

Referring to the report, a Member noted that a staff Member at Carlton Court Care Home had felt there had been a high turnover of care assistants, and questioned why this hadn’t been formulated into a recommendation. Ms. Pal advised that she would contact the “Enter and View” Team and ensure a response was received by the Committee.

Referring to the report, a Member noted that a “NUTMEG” system was used within Carlton Court Care Home to provide residents with a varied and nutritionally balanced diet, and sought clarity on what the “NUTMEG” system was. Ms. Pal advised that she would provide this information to the Committee outside of the meeting.

A Member noted that it could be difficult to train all members of staff at a care home in dementia care. Ms. Pal advised that the training of care staff is essential, and noted the importance of training being kept up to date.

Ms. Pal advised the Committee that the “Enter and View” reports aimed to ensure a high level of care, and that the volunteers provided valuable insight through their visits. The Committee were also advised that “HealthWatch” were planning to begin “Enter and View” visits to hospitals under their statutory powers in due course.

RESOLVED that:-

- 1) The Committee note the HealthWatch Barnet “Enter and View” reports;**
- 2) The Committee request to be provided with an explanation as to why a comment made within the Carlton Court Care Home was not turned into a recommendation;**
- 3) The Committee request to be provided with an outline of the “NUTMEG” system on nutrition.**

8. NATIONAL WINTERBOURNE VIEW PROGRAMME - BARNET'S RESPONSE & COMPLIANCE REPORT

The Cabinet Member for Adults, Councillor Sachin Rajput introduced a report that outlined the results of a statutory stocktake on the progress that has been made locally within Barnet in response to the “Winterbourne View” concordat, which was published by the Department of Health in December 2012.

The Cabinet Member for Adults highlighted the key actions for local implementation from the concordat, which were:

- Clinical Commissioning Groups to maintain a register of people with Learning Disabilities (LD) and autism who are in receipt of NHS funded packages of care;
- The completion of multi-disciplinary reviews of people with learning disabilities and autism who are in receipt of NHS funded packages of care in hospital settings by the end of June 2013; and
- Moving people to other local care settings by June 2014.

The Cabinet Member for Adults advised the Committee that there were currently 77 people on the learning disabilities register of people in receipt of NHS funded packages, of which 16 are in hospital settings and therefore fall within the scope of the concordat.

The Committee were advised by the Cabinet Member for Adults that the Stocktake document, which was appended in the report, was circulated to the Health and Well-Being Board in July 2013. The Committee noted that the stocktake had been signed off as required, by the Council and Clinical Commissioning Group.

The Committee were informed that the stocktake had been presented to the Barnet Learning Disability Partnership Board on 17 September 2013; and noted that it draws heavily on Barnet’s Winterbourne View action plan.

The Committee were advised that feedback from the Health and Well-Being Board and Learning Disability Partnership Board was positive and it was noted that robust systems were in place to progress the action plan.

Karen Jackson, the Assistant Director for Adult Social Care advised the Committee that there two main areas for further development, which were the need for strong work on transition, and the need for market development. Ms. Jackson also noted the importance of working jointly with colleagues within the Children’s Service.

A Member of the Committee noted the need for continued market development, and stressed the importance of making sure that the market place within the borough is monitored to ensure.

RESOLVED that:

- 1) Committee note the actions that have been taken locally to ensure delivery against the Winterbourne View requirements, published in December 2012;**
- 2) The Committee note the outcome of the stocktake exercise which was undertaken following the letter from the Minister for Care Services dated 31st May 2013, and called for the Scrutiny Committee to take a leadership role in ensuring that the commitments made in the Winterbourne View Concordat are achieved.**

9. OFSTED INSPECTION FRAMEWORKS

Councillor Reuben Thompstone, the Cabinet Member for Education, Children and Families introduced a report that provided a summary of the new OFSTED inspection framework for Children's Social Care Departments and the Local Children's Safeguarding Boards.

In summarising the new OFSTED inspection frameworks, the Cabinet Member for Education, Children and Families advised the Committee that one of the biggest changes was that "only good is now good enough", and noted that services that are less than "good" will no longer be judged as "adequate", but to "require improvement" until they meet the standard that children, young people and families have a right to expect.

The Cabinet Member for Education, Children and Families also noted that under the new framework, inspectors would make the following key judgements within a single inspection which were the 'overall effectiveness of services and arrangements for children looked after, care leavers, and children who need help and protection.

The Committee noted that the 'overall effectiveness judgment is a cumulative judgment derived from the following three judgments:

- The experiences and progress of children who need help and protection;
- The experiences and progress of children looked after and achieving permanent homes and families for them; and
- Leadership, management and governance.

The Committee was advised that if a local authority is judged 'inadequate' in any of these three critical areas, then it would be likely to be judged 'inadequate' overall.

A Member noted that most Members of the Safeguarding Overview and Scrutiny Committee were members of Governing Bodies, and noted that it was up to Members to ask the right questions, particularly in relation to looked after children, and questioned how looked after children were doing academically. A Member advised that this was why the "education champions" scheme was being re-launched.

A Member commented the important responsibilities in relation to children with Special Educational Needs, and looked after children, and requested that the Cabinet Member of Education, Children and Families write a letter to all Governing bodies reminding the Special Educational Needs Governor of their responsibilities in particular to looked after children and looked after children with Special Educational Needs.

A Member questioned how often the new inspections would take place. The Cabinet Member for Education, Children and Families advised that they could take place at any point in the year, and that the cycle would pick up after Christmas.

Responding to a question, the Cabinet Member for Education, Children and Families advised that all Aspects of the Multi-Agency Safeguarding Hub would be open to scrutiny.

RESOLVED that:-

- 1) **The Committee note the contents of the report;**

- 2) **The Committee note Barnet's response of the new OFSTED inspection framework;**
- 3) **The Committee request that the Cabinet Member of Education, Children and Families write a letter to all Governing bodies to remind the Special Educational Needs Governor of their responsibilities in particular to looked after children and looked after children with Special Educational Needs.**

10. ANALYSIS OF CHILDREN SUBJECT TO CHILD PROTECTION PLAN 2012/13

The Cabinet Member for Education, Children and Families introduced a report that provided data and analysis of Barnet's Children who were subject to a child protection plan between April 2012 and March 2013. The report provided an analysis of the Barnet data, and drew comparisons with national data.

In introducing the report, the Cabinet Member for Education, Children and Families commented on the importance of the report, which contained data broken down into various categories, including ethnicity, age, and categories of abuse.

A Member noted that the re-neglect of children was the hardest and most dangerous issue, and stressed the importance of working with other agencies in protecting neglected children, and questioned what impact changes to legislation which could privatise child protection would have on Barnet. The Cabinet Member for Education, Children and Families advised that the responsibility for Safeguarding lay with the Council and the Cabinet Member. The Cabinet Member for Education, Children and Families advised that Barnet cannot outsource the responsibility for Safeguarding.

A Member asked for a definition of a Child Protection Order. The Cabinet Member for Education, Children and Families advised that a Child Protection Order takes place following an intervention from Social Services and that this can follow from a Court Order from a judge that deems that there are sufficient concerns for plans to be put in place. Nicola Francis, Family Services Director, advised that the matter should be referred to as a Care Order.

A Member questioned the difference between a Child Protection Plan and a Care Order. Ms Francis, explained that a Child Protection Plan was a multi-agency plan, drawn up with the child's parents and carers to diminish child protection risks. This was a voluntary arrangement. A care order, which can be interim or permanent, sets out the legally binding arrangements for the care and protection of a child as determined by the court.

A Member questioned the number of children in care within the Borough. Ms. Francis advised that there were currently 306 children within the care of the Local Authority, and noted that this figure did not include the figures for children subject to a Child Protection Plan.

Referring to a table in the report that provided a breakdown of child protection plans by categories of abuse, a Member expressed concerns about all types of abuse but in particular, sexual abuse.

RESOLVED that that Committee note the contents of the report.

11. ADVANCE NOTIFICATION OF EXECUTIVE DECISIONS

The Committee considered the Advanced Notice of Executive Decisions, as set out in the body of the report.

A Member expressed dissatisfaction of the Advanced Notification of Executive Decisions as a method of identifying future scrutiny work. Anita Vukomanovic, the Overview and Scrutiny Officer, advised the Committee that the Advanced Notification of Executive Decisions was a statutory requirement, and that in order to assist Members, the Overview and Scrutiny Office had set up a notification to alert Overview and Scrutiny Members as to when a new Advanced Notification was published.

RESOLVED that the Committee note the Advanced Notice of Executive Decisions.

12. SAFEGUARDING OVERVIEW AND SCRUTINY COMMITTEE FORWARD WORK PROGRAMME

The Committee considered the Forward Work Programme as set out in the report.

The Chairman noted that an item on "Crime and Disorder" in relation to youth crime and safeguarding was yet to be allocated. Ms. Vukomanovic advised that this item would be more suitable for the remit of either the Business Management Overview and Scrutiny Committee, as their Terms of Reference include crime and disorder scrutiny, or for the Corporate Parenting Advisory Panel. The Committee advised that they wished for this item to be deferred to the Corporate Parenting Advisory Panel.

RESOLVED that:-

- 1) The Committee request that the Corporate Parenting Advisory Panel receive a report on crime and disorder in relation to youth crime and safeguarding;**
- 2) The Committee note the Forward Work Programme.**

13. ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none.

14. MOTION TO EXCLUDE THE PRESS AND PUBLIC

15. MEMBER VISITS TO YOUTH HOSTELS

RESOLVED that the Committee note the exempt information.

16. ANY OTHER EXEMPT ITEMS THE CHAIRMAN DECIDES ARE URGENT

There were none.

The meeting finished at 9.58 pm