

## Decisions of the Adults and Safeguarding Committee

23 April 2015

Members Present:-

Councillor Sachin Rajput (Chairman)

Councillor Barry Rawlings

Councillor Philip Cohen

Councillor Pauline Coakley Webb

Councillor Helena Hart

Councillor David Longstaff

Councillor Reema Patel

Councillor Reuben Thompstone

Councillor Anthony Finn

Apologies for Absence

Councillor Tom Davey

### 1. MINUTES

**RESOLVED** that the minutes of the meeting of 19 March 2015 are agreed as a correct record.

### 2. ABSENCE OF MEMBERS

Apologies for absence were received from Councillor Tom Davey who was substituted by Councillor Anthony Finn.

### 3. DECLARATIONS OF MEMBERS DISCLOSABLE PECUNIARY INTERESTS AND NON-PECUNIARY INTERESTS

Councillor Barry Rawlings declared a non-pecuniary interest in relation to Agenda Items 7 and 8 by virtue of being a member of Unison.

Councillor Reema Patel declared a non-pecuniary interest in relation to Agenda Items 7 and 8 by virtue of being a member of Unison.

### 4. REPORT OF THE MONITORING OFFICER (IF ANY)

None.

### 5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

The Committee noted the details of the submitted public questions and the published answers which were provided with the agenda papers for the meeting. Responses to the supplementary public questions were given at the meeting.

Mr. Tony Solomons addressed the Committee and made a public comment in relation to Agenda Item 7 (Your Choice (Barnet) (YCB) – follow up report to Care Quality

Commission's (CQC) inspection of the Barnet Supported Living Service, August 2014). Following the comment, Members asked questions which were answered by Mr. Solomons.

Ms. Janet Leifer made a public comment in relation to Agenda Item 7 (Your Choice (Barnet) (YCB) – follow up report to Care Quality Commission's (CQC) inspection of the Barnet Supported Living Service, August 2014) and answered queries raised by Members of the Committee.

## **6. MEMBERS' ITEMS (IF ANY)**

There were none.

## **7. YOUR CHOICE (BARNET) (YCB) - FOLLOW UP REPORT TO CARE QUALITY COMMISSION'S (CQC) INSPECTION OF THE BARNET SUPPORTED LIVING SERVICE, AUGUST 2014**

The Chairman introduced the report which set out the response to items requested by the Chairman and the Members' item in the name of Councillor Barry Rawlings and the full action plan as formally submitted to the Care Quality Commission in March 2015.

At the previous meeting of the Adults and Safeguarding Committee on 19 March 2015, the Chairman requested that an update report is brought to the Committee.

The Committee noted the responses as set out in the report (pp 2-6) in relation to the issues raised at the previous meeting.

- *Whether any reviews of care plans highlighted any issues before the inspection*
- *An analysis of the increase in use of agency / temporary staff from 2010/11 to date*
- *An analysis of the impact of changing the management structure to only one manager across 5 sites*
- *Whether there were any safeguarding alerts relating to the service at any point*
- *An update on implementation of the action plan since the inspection*

A Member of the Committee queried the delay in recruiting full time staff. Julie Riley (Care and Support Director, Barnet Group) informed the Committee that recruitment of staff is currently taking place.

Following a question from the Committee about the six month period for producing the CQC report, Dawn Wakeling briefed the Committee about the testing that was piloted to ensure consistency of the methodology for ratings used in the report.

The Chief Executive of the Barnet Group, Troy Henshall informed the Committee in response to a question about bringing services in-house, that it is not fully clear what those benefits will be by bringing services in-house and noted the importance of continuity of services being provided in light of the financial challenge and the competition in the market.

In order to have oversight of the performance indicators as reported quarterly to the Performance and Contract Management Committee, the Head of Governance noted that Members of the Adults and Safeguarding Committee will be added to the mailing list to receive electronic notification of the publication of the Performance and Contract Management Committee agenda. (**Action:** Governance Service)

The Committee noted the Care Quality Commission Action Plan as part of the report at Appendix A.

In response to queries raised by the Committee, Ms Riley informed that risk assessments are reviewed on a regular basis and at least every six months.

In relation to Regulated Activity under Regulation 9 HSCA 2008 - welfare of people who use the service, the Committee were informed that a review date has been set against each identified risk which is being monitored and that a series of quality monitoring spot checks are in place to ensure the service is being delivered to a good standard. The Committee heard that additional support is provided to ensure that documents are up to date, legible and clear for all to understand.

It was noted that in response to Regulation 10 HSCA 2009 – assessing and monitoring the quality of service Providers, a Quality Assurance Group has been established to carry out quarterly audits based on CQC standards which will be monitored by the registered manager for improvement.

Ms Riley informed the Committee that in relation to Regulation 12 HSCA 2008 – cleanliness and infection control, checks are carried out every morning and evening to ensure that equipment and stock items are available. Measures have been taken to ensure that all staff are aware of the location of storage areas and this will be followed up at team meetings. Furthermore, Ms Riley noted that monthly reviews are carried out to ensure that assurance is received and that all staff, including agency staff, are properly trained.

The Chairman highlighted the importance of effective arrangements to be put in place towards the management of medication. Ms Riley noted that medication spot checks are taking place as part of a monthly monitoring schedule. The Committee heard that team members are reminded of the updated medication policy to ensure that all are clear about their respective responsibilities and that an easy guide has been introduced for recording and dispensing medication.

In order to ensure that medication is being administered correctly, Ms Riley noted that local pharmacist will be asked to carry out an independent audit of the services. Ms Wakeling noted that where no responses are received, Barnet CCG could be asked to support this request. (**Action:** Dawn Wakeling and Julie Riley)

In response to queries raised about Regulated activity under Regulation 14 HSCA 2008 – meeting nutritional needs, it was noted that all food is regularly checked for its use-by date and that training will be sourced for all staff in relation to food hygiene and safety.

Lanna Childs (HB Public Law) informed the Committee in relation to Regulation 18 HSCA 2008 – consent to care and treatment, about the recent changes and the tests set out in case law around Deprivation of Liberty Safeguards (DoLS) and deprivation of liberty assessments.

Ms Wakeling noted that as part of the safeguarding training framework, refresher training will be scheduled to take place following initial training sessions.

In respect to the concerns raised by Committee Members under Regulation 23 HSCA 2008 – supporting staff, Ms Riley briefed the Committee about the records to evidence that all permanent staff except one had their appraisals before the end of July 2014. The Committee also heard that measures have been put in place to ensure that checks are carried out by managers in accordance with relevant organisational policy.

Councillor Reema Patel moved a motion to request that a report is brought before the Committee regarding the option for services to be brought in-house which was duly seconded by Councillor Barry Rawlings.

The votes were recorded as follows:

For	4
Against	5
Abstentions	0

Upon being put to the vote, the motion was declared lost. The Chairman moved to the vote on the recommendations as set out in the report. Votes were declared as follows:

For	5
Against	0
Abstentions	4

It was therefore **RESOLVED** that:

**The Committee note and comment as appropriate on:**

**a) Officer responses to the points raised in the Chairman’s statement and Member’s item at Adults & Safeguarding Committee on 19 March 2015.**

**b) The YCB Action Plan submitted to CQC on 27 March 2015, following the Regulator’s inspection of Barnet Supported Living Service in August 2014 and published in February 2015.**

## **8. THE INDEPENDENT LIVING FUND TRANSFER**

The Chairman of the Adults and Safeguarding Committee introduced the item which sets out a number of recommendations on how the Independent Living Fund transfer will be managed in Barnet and invited Jon Dickinson (Assistant Director, Adults and Communities) to join the table.

Mr Dickinson briefed the Committee about the contents of the report and noted that from 30 June 2015 the Independent Living Fund will close and that from the 1<sup>st</sup> of July 2015 funding will be transferred to the Council. The Committee heard that ILF provides funding for disabled people with high care needs to live independently in their own homes.

The Chairman noted the corrections at paragraphs 1.18, 1.19 and 2.2.1 (page 26-27 of the Agenda Report pack) and that the corrected version should read:

1.18 In Barnet there are 11 Group one users (pre-1993 applicants) who receive a total of £374,000 (gross) per year, ~~£334,000,889~~ £334,889 (net) and 79 Group two users (post-1993 applicants) who receive a total of £1,508,000 (gross) per year, £1,240,000 (net). The gross amount is the value of the Independent Living Fund payment before a client contribution, the net amount is the actual amount paid after deducting client contribution.

1.19 In addition to receiving payments from the Independent Living Fund, the 90 people transferring across have been assessed as having care needs by Adults and Communities. There are ~~79~~ 87 people receiving care services provided by the London Borough of Barnet at a cost of ~~£1,830,000~~ £1.99 million a year.

2.2.1 There are ~~79~~ 87 people receiving Independent Living Fund payments who also receive care services either as a managed personal budget or as a direct payment from the Council. The remaining ~~44~~ 3 users (all Group one) do not receive care funding from the Council and rely on funding from the Independent Living Fund to pay for their care.

In response to queries from the Committee, Mr Dickinson informed the Committee that an update report will be brought back to the Committee in relation to this item in six months' time with feedback incorporated from service users. (**Action:** Adults and Communities team and Governance Service)

Ms Wakeling briefed the Committee around funding arrangements and stated that all users of Independent Living Fund payments are also required to undergo a financial assessment. Ms Wakeling informed the Committee that following a review of care needs, a scheme of transitional protection is proposed to mitigate against any reductions for those receiving ILF funding. Ms Wakeling further noted that where there is a reduction in support provided, this will not take place until six months after the review date.

The Chairman moved to the vote. Votes were recorded as follows:

For	9
Against	0
Abstentions	0

**RESOLVED that:**

1. **That the Adults and Safeguarding Committee approve the recommendations on the transfer of the Independent Living Fund as set out in paragraphs 2.2.4, 2.3.3 and 2.4.3 of this report:**
  - 1(a) **That approval is given to the Adults and Communities Delivery Unit to assess the care and support needs of Independent Living Fund users in accordance with the national adult social care eligibility criteria for adults with care needs, adopted by Barnet Council in April 2015 in line with the requirements of the Care Act 2014.**
  - 1(b) **That approval is given to assess financial contributions towards care in accordance with Barnet Council's adult social care community based Fairer Contributions Policy.**

**1(c) That approval is given for a 6 month transitional protection scheme for those individuals who require it during the transition from Independent Living Fund financial support to Barnet Council adult social care support.**

**9. VARIATION OF CONTRACT WITH THE ALZHEIMER'S SOCIETY FOR THE PROVISION OF DEMENTIA SUPPORT SERVICES**

The Chairman introduced the report which seeks approval to increase the number of Dementia Advisors from one to three. The Committee noted the contents and the recommendation as set out in the report.

The Chairman of the Committee moved to the vote. Votes were recorded as follows:

For	9
Against	0
Abstentions	0

The Committee therefore **RESOLVED:**

- 1. That a variation to the Council's contract with the Alzheimer's Society for the provision of dementia support services be approved to increase the number of Dementia Advisors from one to three, from 1st May 2015 until the contract ends on 31<sup>st</sup> March 2016.**

**10. COMMITTEE FORWARD WORK PROGRAMME**

The Governance Officer introduced the report. Members of the Committee noted the items on the work programme for the Adults and Safeguarding Committee. It was noted that the forward work programme will be refreshed for the new municipal year.

Ms Wakeling informed the Committee that an item will be added to the Forward Work Programme in six months' time to update on the Independent Living Fund transfer.

**RESOLVED**

**that:**

- 1. The Committee consider and comment on the items included in the 2014/15 work programme.**

**11. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT**

There were none.

The meeting finished at 9.20 pm