

Decisions of the Adults and Safeguarding Committee

19 September 2016

Members Present:-

Councillor Sachin Rajput (Chairman)
Councillor Tom Davey (Vice-Chairman)

Councillor Paul Edwards
Councillor Claire Farrier
Councillor Helena Hart
Councillor David Longstaff

Councillor Reema Patel
Councillor Reuben Thompstone
Councillor Anne Hutton (In place of Councillor
Dr Devra Kay)

Apologies for Absence

Councillor Dr Devra Kay

1. MINUTES

The Chairman, Councillor Sachin Rajput welcomed all attendants to the meeting.

The Committee considered the minutes of the last meeting.

RESOLVED that the minutes of the last meeting be agreed as a correct record.

2. ABSENCE OF MEMBERS

Apologies for absence were received from Councillor Dr. Devra Kay, who was substituted for by Councillor Anne Hutton.

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

Councillor Reema Patel declared a non pecuniary interest in relation to Agenda Item 8 (Revised Business Case on Adult Social Care Alternative Delivery Vehicle and Implementation of the New Operating Model) by virtue of being a member of Unison.

Councillor Claire Farrier declared a non pecuniary interest in relation to Agenda Item 8 (Revised Business Case on Adult Social Care Alternative Delivery Vehicle and Implementation of the New Operating Model) by virtue of being a member of Unison.

Councillor Paul Edwards declared a non pecuniary interest in relation to Agenda Item 8 (Revised Business Case on Adult Social Care Alternative Delivery Vehicle and Implementation of the New Operating Model) by virtue of being a retired member of Unison.

4. REPORT OF THE MONITORING OFFICER (IF ANY)

There were none.

5. PUBLIC QUESTIONS AND COMMENTS (IF ANY)

There were none.

6. MEMBERS' ITEMS (IF ANY)

There were none.

THE CHAIRMAN ANNOUNCED A VARIATION IN THE ORDER OF THE AGENDA, WITH AGENDA ITEM 12 - ANY OTHER ITEMS THE CHAIRMAN DECIDES ARE URGENT - BEING CONSIDERED NEXT.

7. ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT

The Chairman informed the Committee that on the 5 September 2016, the Council's Enablement contract had changed from being provided by Housing 21 to a company called Aquaflo Care and that during the transfer, an issue had arisen.

The Chairman made the following points which were noted by the Committee:

- That the Council has over 400 contracts for the support of adults in the Borough.
- That Council Officers had been working very closely with Aquaflo Care to resolve the situation.
- That Aquaflo Care is registered to provide care with the CQC.
- That Aquaflo Care provides services in the London Borough of Bexley as well as other areas and is an established provider.

The Chairman advised that he would like the Committee to receive a report at a future meeting in order to provide an update on the matter. The Chairman noted that Councillor Patel had provided him with information that she would like to be addressed and that this had been passed to the Commissioning Director for Adults and Health for inclusion in the future report.

At the invitation of the Chairman, Mathew Kendall, Adults and Communities Director informed the Committee that the contract had been awarded to Aquaflo Care following a full procurement process. Mr. Kendall noted that the issues with the new provider included missed and late calls for people using the services. Mr. Kendall advised the Committee that in response, the Council had proactively contacted families to ensure that each individual case was picked up on, and made amendments to care where necessary. The Committee noted that no new referrals would be made to the Enablement service whilst the issues were being stabilised and that the Council was using alternative provision from its other contracted providers to meet people's needs. Mr. Kendall advised the Committee that there were also many people receiving a good service from the provider. Mr. Kendall further noted that the nature of enablement meant that people would generally receive care for a period of up to six weeks in order to enable them to return to independence.

The Committee noted that Aquaflo Care has been established for 10 years and that it had been inspected by the CQC in other areas including Bexley and Wandsworth.

A Member questioned if anyone had been readmitted to hospital as a result of the issues with the contract. Mr. Kendall informed the Committee that he was not aware of anyone who went back into hospital as a direct result of the issues.

The Committee noted that a report addressing the concerns as set out above would be received at a future date.

RESOLVED that the Committee note the urgent item.

8. BARNET MULTI-AGENCY SAFEGUARDING ADULTS BOARD ANNUAL REPORT 2015/16

The Chairman introduced the Barnet Multi-Agency Safeguarding Adults Board Annual Report 2015-16, which as a result of The Care Act 2014, is now a statutory requirement.

The Chairman invited Chris Miller, the Independent Chair of the Safeguarding Adults Board to the table.

Mr. Miller noted that the Barnet Multi-Agency Safeguarding Board (BSAB) was a coalition of partners including the Local Authority, Clinical Commissioning Group and Police with the purpose of working together to protect people in need of care and support. Mr. Miller advised that the report covered the performance of the Board over the last year, following the presentation of the Board's business plan which was received by the Adults and Safeguarding Committee at their meeting on 16 June 2016.

A Member questioned if there was anything that Members could do in order to increase funding contribution made by the Metropolitan Police. Mr. Miller noted that he would consider raising this issue in a public forum in due course.

Responding to a question from a Member on if enough is being done to promote awareness of disabled victims of hate crime, Mr. Miller advised the Committee that often, disabled people do not necessarily realise when they suffer such treatment and that the Board would be undertaking a piece of work over the next two years under the "Access to Justice" priority.

The Committee welcomed the fact that during 2015/16, the Board received a total of 1215 safeguarding concerns, representing a 59% increase on the previous year.

The Chairman requested that the following changes be made to the Safeguarding Adults Board Annual Report 2015-16 prior to its publication:

- That final paragraph on page 10 of the report be amended to include the following text: "...and section 44 Mental Capacity Act offences involving 'vulnerable adults' who are ill-treated or neglected by those caring for them"
- That a lower case "C" is used for the word, "collated" on page 11 of the report.

The Chairman moved to the vote on the recommendations as set out in the report. It was unanimously RESOLVED that:

1. **The Adults and Safeguarding Committee comment on the Safeguarding Adults Board Annual Report 2015-16**
2. **The Committee note that following the Adults and Safeguarding Committee meeting on 19th September, the Annual Report will be published on the Council website.**

9. REVISED BUSINESS CASE ON ADULT SOCIAL CARE ALTERNATIVE DELIVERY VEHICLE AND IMPLEMENTATION OF THE NEW OPERATING MODEL

The Chairman introduced the report, which presented the findings of the public consultation for a revised business case on the adult social care alternative delivery model and the implementation of the new operating model.

The Chairman commented that there were two options presented within the recommendations put to the Committee and advised that due to significant changes in the NHS landscape, NHS colleagues would need time to formulate their element of a delivery model.

The Chairman noted that Officers had suggested that a further report be bought back to Committee in 2017 and requested that the report be scheduled for the Committee's meeting on 6 March 2017.

The Chairman MOVED the following amendment to recommendation 4:

- 4. That the Adults and Safeguarding Committee agrees to the continued development of two delivery vehicle options: a reformed in-house service and a shared service with the NHS, with a further report to be brought to the Committee in March 2017, containing more detail on the NHS shared service option.**

The Committee unanimously agreed to this amendment, and the motion was CARRIED to become the substantive motion.

The Chairman MOVED the following motion:

- 5. That the Adults and Safeguarding Committee instructs officers to ensure that in developing the NHS shared service option, democratic involvement and accountability in adult social care and integrated health and care is maintained; and that the specific proposal on the NHS shared service option to be presented to Committee describes explicitly the governance arrangements for this.**

The motion was unanimously carried and became the substantive motion.

A Member welcomed that the “Public Service Mutual” option had not been recommended for development as an option and commented that this demonstrated how seriously the Council took the views of the public.

The Committee queried if the recommendations were approved as set out above, it would still be possible for the Committee to consider a third option with Barnet operating with one or more local authorities whilst as a part of the NHS shared service, should this be felt appropriate at the time. The lawyer in attendance confirmed that this would be the case.

Members requested that the future report coming back to Committee contains the following detail:

- More information on a strength-based assessment and social work practice
- The implications on the workforce.

The Chairman moved to the vote on recommendations 1 – 3 as set out in the report. The recommendations were unanimously agreed.

The Chairman moved to the vote on the amended recommendation 4 as set out above. The recommendation was unanimously agreed.

The Chairman moved to the vote on the substantive motion which had become recommendation 5. The recommendation was unanimously agreed.

RESOLVED that:

- 1. That the Adults and Safeguarding Committee considers the findings of the consultation on the new operating model and the alternative delivery vehicle.**
- 2. That the Adults and Safeguarding Committee agrees to the implementation of the new operating model within the current service.**
- 3. That the Adults and Safeguarding Committee notes the context of long term planning for the NHS through the Sustainability and Transformation Planning process.**

4. That the Adults and Safeguarding Committee agrees to the continued development of two delivery vehicle options: a reformed in-house service and a shared service with the NHS, with a further report to be brought to the Committee in March 2017, containing more detail on the NHS shared service option.
5. That the Adults and Safeguarding Committee instructs officers to ensure that in developing the NHS shared service option, democratic involvement and accountability in adult social care and integrated health and care is maintained; and that the specific proposal on the NHS shared service option to be presented to Committee describes explicitly the governance arrangements for this.

10. BARNET SPORT & PHYSICAL ACTIVITY STRATEGY: FIT & ACTIVE BARNET FRAMEWORK 2016 - 2021

The Chairman introduced the report, which set out the draft Fit and Active Barnet Framework 2016-2021.

The Chairman noted that subject to the approval of recommendations outlined within the report, the Sport & Physical Activity Team would work to co-ordinate the following activity:

Area	Month	Lead
Public Consultation	September – October 2016	SPA Team
Final Fit & Active Barnet Framework 2016 – 2021	November 2016	SPA Team
Fit & Active Barnet Partnership established	January 2017	SPA Team

Ms. Wakeling informed the Committee that Barnet benefitted from a wide range of sports clubs, active schools and a public health team and noted that partnership was a key way to bring those groups together to increase participation in physical activity in Barnet. Ms. Wakeling also advised that the Officers would like to undertake further public consultation and come back to Committee with a final framework, with the intention of the strategy going live January 2017.

Members of the Committee commented that many people would participate in physical activity such as walking, but not sport. Officers noted this point.

A Member commented on the return on investment from sports programmes and questioned if there were any negotiations with the Police on investment. Ms. Bridger advised the Committee that the intention in developing the framework was that it became a collaborative document so that whilst the Local Authority bore the brunt of the cost, it would become a consortia approach within Barnet. The Chairman requested that this matter be addressed in future reports coming to the Committee.

The Chairman moved to the recommendations as set out in the report. It was unanimously RESOLVED that:

1. The Adults & Safeguarding Committee approves the draft Fit & Active Barnet Framework 2016 – 2021 for public consultation.
2. The Adults & Safeguarding Committee notes a final Fit & Active Barnet Framework 2016-2021 will be reported back to Committee.
3. The Adults & Safeguarding Committee notes a review of the Fit & Active Barnet Strategy 2016 -2021 will be reported to Committee in 2018.
4. The Adults & Safeguarding Committee notes that a Fit & Active Barnet Partnership will be set up to deliver the outcomes within the framework.

11. MEMBER'S ITEM REFERRAL FROM POLICY AND RESOURCES COMMITTEE: CLLR ROSS HOUSTON - RETIREMENT AND SHELTERED HOUSING

The Chairman introduced the report, which provided the Committee with a briefing note in relation to the authorities' roles and responsibilities in relation to safeguarding in retirement homes and sheltered housing.

The Committee noted that as the Council does not purchase retirement or sheltered accommodation, it does not have any right of entry or powers to oversee, inspect or intervene unless safeguarding concerns have been raised in respect to an individual resident.

A Member questioned when "Enter and View" reports, which are undertaken by Healthwatch Barnet can be carried out. The Chairman invited Mike Rich, the Head of Healthwatch Barnet who was in attendance, to the table. Mr. Rich informed the Committee that "Enter and View" powers only enable Healthwatch representatives to go into residential care home and health settings if at least one person is funded via the public purse. The Committee noted that Healthwatch Barnet has done some engagement in such settings as blocks of residential flats where there are shared lounges, but that the access granted had been done so on a voluntarily basis and was focussed on other care services provided there. The Committee noted that Healthwatch would never expect to look into people's homes.

During the consideration of this item, Councillor Claire Farrier declared a non-pecuniary interest by virtue of living in retirement housing.

RESOLVED that the Committee note the report.

12. COMMITTEE FORWARD WORK PROGRAMME

The Committee considered the Forward Work Programme as set out in the report. The Committee noted that they would now receive a further report on the Alternative Delivery Vehicle at their meeting in March 2017.

RESOLVED that the Committee note the Forward Work Programme.

The meeting finished at 8.49 pm