

AT A MEETING of the SAFE AND HEALTHY PEOPLE SELECT COMMITTEE of the COUNTY COUNCIL held at The Castle, Winchester on Friday, 26 November 2010.

PRESENT

Chairman:
p Councillor Pat West

Vice-Chairman
p Councillor Roger Kimber

Councillors:

p Ann Buckley	p Andrew Joy
p Brian Collin	p Mark Kemp-Gee
p Alan Dowden	a Pam Mutton
p Liz Fairhurst	p Eric Neal
p Jane Frankum	p Jackie Porter
a Michael Geddes	

Also in attendance: Councillor Felicity Hindson, MBE, Executive Member for Adult Social Care.

40. **APOLOGIES FOR ABSENCE**

Apologies were received from Councillor Pam Mutton.

41. **DECLARATIONS OF INTEREST**

Members were mindful that, where they believed they had a personal or personal prejudicial interest in any matter to be considered at the meeting, they should normally at the time of the debate declare their interest, and having regard to the circumstances described in paragraphs 9, 10, 11 and 12 of the County Council's Code of Conduct, consider whether to leave the meeting whilst the matter was discussed save for exercising any right to speak in accordance with Paragraph 12 of the Code.

42. **MINUTES**

The Minutes of the Committee held on 25 June 2010 were confirmed as a correct record and signed by the Chairman.

There were two matters arising from the minutes:

The recommendations from the Age Proofing/Engaging with Older People scrutiny reviews had been submitted

to the Executive Member for Policy and Resources, and discussions had taken place regarding how these might look in practice.

A visit would be organised to see a new build extra care facility in the New Year, once a facility has neared to completion.

43. **CHAIRMAN'S COMMUNICATIONS**

a. Agenda

An extra item had been added to Committee's agenda on the Health White Paper and Comprehensive Spending Review, so members could be briefed on the expected outcomes of central government decisions, and the likely effects they will have on the Adult Services' department.

b. Annual Crime & Disorder Scrutiny Meeting

The Annual Crime & Disorder Scrutiny meeting, which the Committee must hold once a year in accordance with the Police & Justice Act 2006, would take place Tuesday, 30 November, at 2pm in Ashburton Hall.

44. **WHITE PAPER AND COMPREHENSIVE SPENDING REVIEW**

The Committee received a presentation from the Director of Adult Services on the White Paper and Comprehensive Spending Review, and their likely effects on the Adult Services department.

(Take in Presentation)

Members heard:

- That Hampshire County Council are still awaiting the settlement for 2011/12 from central government, in an announcement which is expected after 2 December. Therefore Adult Services were not yet fully aware of the full implications of any reductions in finance.
- That the £2 billion extra funding due to be awarded to adult social care nationally is recycled money. Of this, £650 million will be passported to local authorities from NHS primary care trust budgets.
- That the NHS operating framework is due to be published after 15 December, which should contain details of the funding to be allocated to local authorities from the health sector.
- That a variety of other central government measures will impact on the adult services department, such as the proposed reform of welfare, introduction of a universal benefit credit, and council housing rent changes.
- That it is likely that Hampshire will see four to five GP

That a further update on central government policy relating to Adult Services is given in April 2011.

commissioning consortia operating in and across the County boundary. It is not a requirement that consortia are coterminous with local authority boundaries.

In response to questions, Members heard:

- That it is currently unknown whether older people's housing benefit funding will be affected by budget reductions, or whether the changes to council housing rent rates will affect only new builds.
- That GP commissioning consortia will be able to buy services from any willing provider. This is likely to be from those already operating within the NHS (such as acute hospitals, providers of GP-led health centres and independent treatment centres) and those operating in a community setting (e.g. voluntary sector and charities).
- That Hampshire County Council is interested in entering into joint commissioning arrangements with GP consortia around community services, such as those relating to substance misuse and older people's care.
- That if the proposed GP commissioning consortia in Hampshire are not coterminous with the County Council's boundaries, it will provide an opportunity for further partnership working with neighbouring local authorities. Adult Services will look to begin such partnership talks after April 2011, when the shadow GP consortia are in operation.

RESOLVED:

That a further update on central government policy relating to Adult Services is given in April 2011.

45. **TRANSFORMATION OF ADULT SERVICES**

The Committee received presentations on the workstreams of 'Free Crisis Care' and 'Service User Involvement' from the Director of Adult Services.

(Take in Presentations)

Free Crisis Care

Members heard:

- That 60% of those previously identified as needed residential care have been able to lead an independent life at home after using the 'time to think' beds.
- That referral pathways are being designed and implemented to enable GPs to use free crisis care teams.
- That occupational therapists are being integrated into the reablement work.
- That the teams are subject to partnership working between the NHS and Adult Services, with health providing some additional funding to the Hampshire

Integrated Community Equipment Store teams.

In response to questions, Members heard:

- That decisions made after the six week 'time to think' period are not irreversible – should an individual require further assessment and referral this is available to them.
- That one of the National Indicators (125) puts a requirement on Adult Services to follow the progress of individuals who have been reabled for 91 days.
- That the 'time to think' beds have a occupancy target of 85%.
- That free crisis care is there to support those with critical care needs. For those who fall outside of this eligibility criterion, the community innovations team can step in to provide assistance.
- That crisis care and 'time to think' beds do not end after 6 weeks, but do then become chargeable.
- That approximately 2,500 bed days were lost in 2009/10 due to delays in transfers of care. Four years ago this figure was closer to 9,000 bed days. This figure continues decrease.

Service User Involvement

Members heard:

- That Hampshire has a long history of service user involvement prior to the transformation of Adult Services programme.
- That the Personalisation Expert Panel (PEP) enables service users to express their views on the services provided by the department. There is a wide diversity of individuals in the PEP, and the group is felt to be well supported by Adult Services.
- That the PEP are currently involved in the 'cut costs, not corners' project, which is focusing on budget cuts and grant allocations within Adult Services nationally.
- That there is a high degree of synergy between service user involvement and equality and diversity, and it is therefore proposed that these workstreams are brought closer together in future.

In response to questions, Members heard:

- That there are proposals to take meetings out of Winchester, in order to engage with those who cannot travel to the city. Also proposed are sub-group 'spoke' meetings taking place throughout Hampshire, with a nominated representative attending central 'hub' meetings in Southampton.
- That work is ongoing to further engage 'hard to reach' groups.

46. **DEPRIVATION OF LIBERTY SAFEGUARDS**

The Committee received a report from the Director of Adult

That the concerns of the Safe & Healthy People

Services, following a recommendation made by the Committee in November 2009 ‘that an update on the Deprivation of Liberty Safeguards service be given when the national comparator data is available, in order to scrutinise assessment and referral details’.

(Take in Report)

In response to questions, Members heard:

- That the number of urgent referrals were not expected to be as high as what has been recorded. This could be due to NHS acute trusts not wishing to deprive the liberty of those admitted with critical care needs.
- That training is ongoing in care homes and NHS acute hospitals on Deprivation of Liberty Safeguards (DoLS). However, there is not a statutory duty for individuals to receive such training.
- That the majority of referrals for DoLS are received from care homes and acute hospitals. An effort is being made to heighten awareness of DoLS with Hampshire County Council in-house staff and members of the public.
- That when a care home registers with the Care Quality Commission (CQC) a section on DoLS must be completed.
- That the legislation relating to DoLS puts the onus on registered care home owners/managers to be informed of and make referrals around DoLS.
- That DoLS do not apply to domiciliary care or care in a service user’s home.

RESOLVED:

That:

- (a) the concerns of the Safe & Healthy People Select Committee regarding the non-extension of Deprivation of Liberty Safeguards to domiciliary care and care in the home are expressed to the Secretary of State via the Director for Adult Services.
- (b) a watching brief is kept on Deprivation of Liberty Safeguard figures, and, should a significant increase in referral figures occur, the topic be revisited by the Safe & Healthy People Select Committee.

47. **ADULT SAFEGUARDING**

The Committee received it’s biannual report from the Director of Adult Services on Adult Safeguarding.

(Take in Report and Presentation)

Members heard:

- That the previous government had been prescriptive on legislation around adult safeguarding, whereas the new coalition government is less likely to be this way. The

Select Committee regarding the non-extension of Deprivation of Liberty Safeguards to domiciliary care and care in the home are expressed to the Secretary of State via the Director for Adult Services.

That a watching brief is kept on Deprivation of Liberty Safeguard figures, and, should a significant increase in referral figures occur, the topic be revisited by the Safe & Healthy People Select Committee.

That the next biannual update on Adult Safeguarding is heard by the Safe & Healthy People Select Committee in April 2011.

government are due to publish a second version of the 'No Secrets' guidance in 2011, which will provide an update to the statutory guidance.

- That Adult Services have recently begun interviewing those who have been through the adult safeguarding process in order to learn how current practices can be improved. Services users with physical disabilities, learning disabilities and mental health illnesses have been heavily involved in this workstream, but more needed to be done to include older people.
- That funding for adult safeguarding will remain at the current levels going forward in order to ensure that the Department continues to respond effectively to safeguarding for the most vulnerable clients.
- That meetings have taken place between Adult Services and the Crown Prosecution Service (CPS) regarding the low number of individuals who are referred for prosecution around abuses relating to adult safeguarding.

In response to questions, Members heard:

- That there has been closer working between the Adult Safeguarding and Trading Standards teams in Hampshire County Council.
- That there is a difficult issue for the service user being abused to make a choice between the continuation of the abuse or the loss of what are seen as 'friends' or 'family', who are in fact responsible for the abuse. It is the role of the Adult Safeguarding team to ensure the individual is aware of the options available to them.
- That Hampshire Constabulary are currently concluding a review of adult abuse. It is planned that Adult Services will work closer with the Police and CPS to make greater use of the intermediary service, which provides support to individuals making their way through the criminal prosecution service.
- That the CQC gave the Department a 'well performing' rating in the area of safeguarding for 2009. The reason that they did not award an 'excellent' rating relates to the proportion of training provided to independent sector set against that provided in-house. Adult services has a much higher level of in-house care homes than most other Councils and therefore this issue is difficult to address. CQC will no longer be undertaking annual inspections in the same way as at present, however there will be more emphasis on adult safeguarding in future arrangements.
- That adult safeguarding processes were audited externally in the summer of 2010, where the main recommendation was for further promotion of the whistleblowing policy for all staff working in care.

RESOLVED:

That the next biannual update on Adult Safeguarding is heard by the Safe & Healthy People Select Committee in April 2011.

48. **WORK PROGRAMME**

The Chief Executive presented the work programme of the Safe & Healthy People Select Committee (Item 9 in the Minute Book).

RESOLVED:

That the Committee's Work Programme be approved subject to the issues raised at the meeting.