

<b>Report to:</b>	<b>RESILIENT COMMUNITIES SCRUTINY COMMITTEE</b>
<b>Relevant Officer:</b>	Karen Smith, Director of Adult Services
<b>Date of Meeting:</b>	17 <sup>th</sup> September 2015

## ADULT SERVICES OVERVIEW REPORT

### 1.0 Purpose of the report:

1.1 To inform Scrutiny Committee of the work undertaken by Adult Services on a day to day basis to allow effective scrutiny to take place.

### 2.0 Recommendation:

2.1 For Members of the Scrutiny Committee to consider the contents of this report and identify any further information and actions required, where relevant.

### 3.0 Reasons for recommendation:

3.1 For Members of Scrutiny Committee to be fully informed as to the day to day work of the Adult Services Directorate to allow effective scrutiny of services.

3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

3.2b Is the recommendation in accordance with the Council's approved budget? Yes

3.3 Other alternative options to be considered:

Not applicable.

### 4.0 Council Priority:

4.1 The relevant Council Priority is "Safeguard and Protect the most Vulnerable"

## **5.0 Background Information**

### **5.1 Adult Social Care**

- 5.1.1 Since the last report to the Committee the Government has announced a delay in the implementation of the element of the Care Act dealing with Care Accounts. This is now scheduled to happen in April 2020, as opposed to April 2016.
- 5.1.2 Work is planned for September to analyse the changes in demand for assessments from both carers and service users. Early indications from the first two months of this year showed a significant increase, but the timeframe for analysis needs to be extended to better understand any emerging trends.
- 5.1.3 The Social Inclusion Day Services have now been operational since 1 February 2015, initially consisting of 5 support workers who were subject to TUPE conditions as they moved from Richmond Fellowship employment to council contracts. The initial work undertaken involved supporting service users who had been using the Cornerstones service and assisting them to find alternative activities within the community and encouraging social activity groups to continue but be user led. During the first two months of this service, work was undertaken to ensure individuals who were not in mainstream mental health services did not feel abandoned by Cornerstones staff but were empowered to continue their recovery journey. All the groups which were running have now become service user led. They continue to be well attended and of benefit to the attendees. Following consultation the service user led groups have now renamed themselves as Blackpool Inspirations
- 5.1.4 In April 2015 following the completion of this work a new Social Inclusion Service was developed, this new model was discussed with the former Richmond Fellowship staff and, following consultation involving Blackpool Council HR and union representation, all Richmond Fellowship staff agreed to changes in terms and conditions and moved on to Blackpool Council contracts.
- 5.1.5 A qualified Social Work post has since been advertised and recruited to and the two existing support work staff, already employed by Blackpool Council, have now joined the Social Inclusion Team. The team now consists of one qualified Social worker, and seven support workers, (six whole time equivalent).
- 5.1.6 The team have been open to new referrals for the past three months and currently have 60 individuals who they are working with, who have care coordination within secondary mental health services from both health and social care staff. The work undertaken consists of improving social interaction, accessing community resources, enhancing education and employment opportunities, activities of daily living including budgeting, shopping, encouraging physical health checks, improving social skills, accessing appropriate accommodation and setting of daily living routines.

5.1.7 There remains capacity within the service for more referrals to be accepted and early feedback from both staff and service users is the positive effect this service is having on people's lives.

5.1.8 To date Blackpool Council have not received any complaints following the service changes.

## 5.2 **Safeguarding**

### Overview of the position with Deprivation of Liberty applications and Safeguarding cases

#### 5.2.1 Deprivation of Liberty applications

The rate of 'applications' for Deprivation of Liberty authorisations continues to rise. The average rate of applications in 2014/2015 was 36.4 applications per month. Since April 2015 the average rate has risen to 63 per month. This rise in numbers is due in part to previous newly authorised applications now being scheduled for review. In addition to the work involved in new applications each of these reviews will also require a full re-assessment.

A small number of newly trained Best Interests Assessors are being trained to complement the in- house Social Workers and external independent assessors who are carrying out this work.

#### 5.2.2 Safeguarding cases – activity

Quarter 1 figures show that 145 new safeguarding alerts were received during April, May and June. New and existing cases provide a rolling total which shows that in Q1 a total of 147 cases were closed and 90 were recorded as ongoing. Of those new alerts:

- 19 were deemed to be not appropriate for referral into the safeguarding process but dealt with by other more appropriate work.
- 64 were deemed to be Incident only
- 61 proceeded into further enquiry
- 1 case was recorded as ongoing

A high number of 'Incident only' cases were raised by Lancashire Care Foundation Trust (LCFT) related to the new Harbour facility. There is an agreement that where appropriate these cases will be currently logged in this way pending work in partnership with LCFT to resolve the number of alerts raised.

Of the total 147 alerts that were closed during the period:

- 23 were deemed to be not appropriate for referral into the safeguarding process but dealt with by other more appropriate work.
- 68 were deemed to be Incident only
- 56 proceeded into further enquiry

Of the 56 that were progressed into further enquiry:

- 4 were ceased on the service user's request
- 1 was ceased due to change of circumstances and further investigation not required
- 21 were Not Substantiated
- 9 were Inconclusive
- 13 were Partly Substantiated
- 8 were Substantiated

Similarly to the recent audit on cases deemed to be inconclusive or not substantiated, further in-house audit will be carried out by the Head of Safeguarding to explore 'Incident only' decisions (see below).

### 5.2.3 Audits

The Resilient Communities' Scrutiny Committee has requested analysis of safeguarding cases that were identified in the year-end Report as 'Ceased at the service user's request', 'Inconclusive' or 'Not Substantiated'.

A 20% sample of those cases have now been randomly selected in terms of age gender and location and considered in greater depth by the Head of Adult Social Care, the Initial Contact team manager, the Designated Safeguarding Manager for Adults and the Head of Safeguarding.

### 5.2.4 Cases ceased at the service user's request (12 cases)

The Association of Directors of Adult Social Services (ADASS) 'Making Safeguarding Personal' approach provides the guidance that the individual who has capacity to make choices - and who is involved in a safeguarding case - is given the choice to direct the process and to approve the resolution to a safeguarding incident.

The Care Act 2014 further requires that the opinion of those individuals must be respected. The Mental Capacity Act 2015 also states that choices made by people

with capacity should not be overridden even where professionals and others think that a choice is unwise.

The majority of these cases relate to adults being supported by mental health services and in analysing the cases where the outcome 'ceased at individual's request' had been recorded, it was clear from the detail that practitioners had properly upheld the choices of those individuals.

However, where the individual had decided to continue to live with some elements of risk there was evidence across the sample of other action having been taken - such as Police intervention with the person who may have caused the harm or enhanced levels of support to empower the individual.

#### 5.2.5 'Inconclusive' (26 cases) and 'Not Substantiated' (36 cases)

Where cases had been recorded in this way it became evident that the cases sampled had been ceased at different stages in the safeguarding process.

Allegations of the harm to the individual gathered at the alert stage were deemed to be of sufficient significance to be referred further into the safeguarding process. The stages at which the outcome decisions were made then varied on a case-by-case basis depending on further information gathered or other alternative actions taken to support the individual. The safeguarding process allows for this variation.

Where cases from the sample that were deemed 'Not Substantiated' were ceased at the strategy meeting stage, it is recorded that in the majority of cases that there was agreement amongst those involved that there were no further lines of enquiry to pursue. This is similar where decisions were made that cases were 'Inconclusive'.

Decisions of this nature may be taken based on the evidence available to the meeting or the fact that there is no further evidence and the safeguarding lead has chosen to reach that conclusion.

This may be, for example, as a result of the allegation having been malicious, where further information about the case had informed the decision or where the individuals who were involved in the alleged incident lacked mental capacity which is sometimes the case between residents in residential or nursing care settings and where alleged harm is unwitnessed it cannot be taken further.

Although in the large majority of cases within the sample, the decisions made were taken collectively between the agencies and individuals involved, some evidence did emerge that in a small number of cases decisions had been taken without full consultation and /or the full involvement of the person at risk. The Care Act 2014 (enacted in April 2015) requires a more holistic approach and it is anticipated that analysis in 2015/2016 will reveal changes in practice towards greater inclusivity.

Where cases were 'Inconclusive' or 'Not Substantiated' at the end stage following a completed investigation (known as the Reporting Meeting stage) the findings were made based on an evaluation of all the available evidence and on the balance of probabilities. Where those findings are agreed in a multi-agency or multi-disciplinary approach they can be considered to be reliable and it is inevitably the case that not all allegations can be upheld on the balance or probabilities.

There is evidence from the sample however that in some cases more appropriate courses of action could have been taken at the alert stage rather than a referral into the safeguarding process. For example wider quality of care issues or the need for a reassessment of an individual's care rather than specific acts of harm do not need a formal safeguarding approach. These are more likely to be the cases that are later deemed to be 'Inconclusive' or 'Not substantiated'.

In response to this - and since April 2015 - a safeguarding threshold framework has been incorporated into the Safeguarding Adult Board Multi Agency Policy to support professional thinking. In addition a post-alert checklist has been developed for Social Workers to structure the thinking about the appropriate pathway for the concern. Further audits will be conducted throughout 2015/2016 to monitor progress.

### 5.3 **Impact of National Minimum Wage Announcement**

Increases to the National Minimum Wage from October 2015, place additional cost pressures on the providers of social care services and test the new duties under the Care Act that are designed to ensure that Councils take account of the viability of the rates they pay for care in relation to the services they commission. Work is underway with providers to understand the impact of these measures and the potential offsets top costs provided by changes to National Insurance and Corporation Tax measures.

### 5.4 **Regulated Services**

5.4.1 Quality and performance monitoring meetings continue to be routine business for the Contracts and Commissioning Team.

The following 3 homes continue to be suspended:

<b>Contract Name Type</b>	<b>Suspension Start</b>	<b>Update</b>
Belgravia	26/6/15	CQC have received representations against the Notice of Proposal to cancel registration.

Hope House	09/01/15	CQC report requires improvement around recruitment and notifications. Contracts are continuing to meet with the provider for updates on the agreed action plan.
Orchard Lodge	17/02/15	CQC have received representations against the Notice of Proposal to cancel registration. The care home has recently been taken over by new owners who have renamed the home Hollins Bank.

#### 5.4.2 CQC inspections during the period

6 inspection have taken place since the last meeting of the Committee and the outcomes are as follows:

- 1 good
- 1 requires improvement - (this is one of the homes currently on suspension)
- 1 inadequate - (this is one of the homes currently on suspension)
- 3 awaiting outcome

#### 5.4.3 Care home sales

There are currently two care homes up for sale. The Contracts Team is currently working with Adult Social Care to ensure all residents are reviewed and the movement of residents once properties are sold runs as smoothly as possible.

Does the information submitted include any exempt information? No

#### List of Appendices:

None

#### 6.0 Legal considerations:

6.1 Some of the areas of current and future work will require consideration of legal issues, options and potential impacts.

#### 7.0 Human Resources considerations:

7.1 None

**8.0 Equalities considerations:**

8.1 None

**9.0 Financial considerations:**

9.1 Some of the areas of current and future work will require consideration of financial issues, options and potential impacts.

**10.0 Risk management considerations:**

10.1 There are some risks in the current system. These are being addressed by current or planned work.

**11.0 Ethical considerations:**

11.1 None

**12.0 Internal/ External Consultation undertaken:**

12.1 None

**13.0 Background papers:**

13.1 None attached.