

PARTNERSHIPS SCRUTINY COMMITTEE

Minutes of a meeting of the Partnerships Scrutiny Committee held in Conference Room 1a, County Hall, Ruthin on Thursday, 8 November 2012 at 9.30 am.

PRESENT

Councillors Brian Blakeley (Chair), Joan Butterfield, Ann Davies, Alice Jones (Vice-Chair), Pat Jones, Margaret McCarroll, Dewi Owens and Huw Williams.
Councillors Raymond Bartley and Wyn Mullen-James attended as Observers.

ALSO PRESENT

Corporate Director: Customers (HW), Head of Adult and Business Services (PG), Head of Children and Family Services (LR), Head of Strategic Human Resources (LA), POVA Coordinator (NT), Service Manager for Safeguarding and Quality Practice (ST), Strategic Manager-Children and Family Services (ER), EDT Regional Co-ordinator (MB), Democratic Services Manager (SP), Democratic Services Officer (RAH) and Administrative Officer (CW).

1 APOLOGIES

Apologies for absence were received from Councillor Meirick Lloyd Davies, Councillor Merfyn Parry and Councillor Bill Tasker

2 DECLARATIONS OF INTEREST

No Members declared any personal or prejudicial interests in any business identified to be considered at the meeting.

3 URGENT MATTERS AS AGREED BY THE CHAIR

No items were raised which in the opinion of the Chair, should be considered at the meeting as a matter of urgency pursuant to Section 100B(4) of the Local Government Act 1972.

4 MINUTES OF THE LAST MEETING

(i) The Minutes of a meeting of the Partnerships Scrutiny Committee held on Thursday, 27th September, 2012 were submitted.

Matters arising:-

5. Review of Higher Education in North East Wales – Following concerns expressed by Councillor H.O. Williams, that the Times University Guide had found a low level of student satisfaction at Glyndwr University, the Corporate Director: Customers had contacted Glyndwr University to ask for an explanation. The Democratic Services Officer explained that a response had been received and a copy was circulated at the meeting. He explained that the resolution of the Scrutiny Committee, held on the 27th September, 2012, had been forwarded to the Chair of

the Independent Review Panel. The Committee were informed that a further update report could be submitted to the Scrutiny Committee if requested by Members.

6. Community Safety Partnership – In reply to a question from Councillor J. Butterfield regarding the impact of the new Police Commissioners on Policing in the local communities, particular reference being made to the possible conflict between the roles of the Police Force and of the Police Commissioner, the Democratic Services Officer agreed to seek clarification in respect of the concerns raised. He referred to the Police issues update provided by the Community Safety Partnership Manager which had been included as Appendix 4 to Agenda Item number 9.

RESOLVED – *that, subject to the above, the Minutes be received and approved as a correct record.*

(ii) The Minutes of a meeting of the Partnerships Scrutiny Committee held on Thursday, 11th October, 2012 were submitted.

RESOLVED – *that the Minutes be received and approved as a correct record.*

5 ANNUAL REPORT ON ADULT PROTECTION IN DENBIGHSHIRE

A copy of a report by the Corporate Director: Modernising and Wellbeing relating to the annual performance around Adult Protection in compliance with Statutory Guidance, had been circulated with the papers for the meeting.

The report provided information to enable a review of the progress over the last twelve months, and ensured that the adult protection policy requirements were part of the organisation's overall approach to service provision and development.

The key policy document in Adult Protection for Denbighshire had been the Wales Interim Policy and Procedure for the Protection of Vulnerable Adults which had been based on the guidance issued by Welsh Government 'In Safe Hands'. The North Wales Forum monitored ongoing developments to ensure they had been incorporated into current practice. 'In Safe Hands' highlighted the Local Authorities responsibility in taking the lead role in the process.

The Head of Adult and Business Services summarised the contents of the report which included key issues and areas of activity pertaining to Adult Protection 2010/11, encompassing Training provided by Denbighshire in respect of adult protection, Performance Indicators and the POVA Action Plan. Recent developments included:-

- Consultation on the Social Services (Wales) Bill issued by Welsh Government in March 2012.
- Examining the possibility of a joint Adult Protection Committee with Conwy .
- A Serious Case Review carried out in relation to the case of an elderly woman murdered by her husband.
- A Task and Finish Group currently considering options to recommend a model for the future management of adult safeguarding within Denbighshire.

- The development of an Action Plan by the Denbighshire Adult Protection Committee.

The Appendices included in the report provided some of the key data for protection of vulnerable adult work within Denbighshire during the year. Denbighshire received 244 referrals although many cases were ongoing and data collection was incomplete.

Appendix 1 – provided an indication of the groups affected by abuse.

Appendix 2 - indicated the types of abuse people being experienced.

Appendix 3 – detailed where the abuse had occurred.

Appendix 4 – identified the people allegedly responsible for abuse.

Appendix 5 - indicated the status of allegations.

Appendix 6 – showed the outcome for the alleged victim.

Appendix 7 – indicated the outcome for the abuser.

The Head of Adult and Business Services responded to concerns raised by Councillor J.A. Davies regarding the need for the provision of a confidential care line for adults. He explained that leaflets distributed on behalf of the North Wales Forum which contained an incorrect telephone number had, where possible, been recalled and an alternative telephone number circulated and listed on their website. Members agreed that the possibility of providing an adult care line, together with details of the respective costs involved, be investigated.

In response to a question from Councillor J. Butterfield, the of Head of Adult and Business Services provided details of the Community Living Schemes operating in Denbighshire and agreed to look in to the possibility of Members of the appropriate Scrutiny Committee to visit a selection of the schemes currently in operation.

Councillor J.R. Bartley referred to Appendix 3 to the report and expressed concern regarding the skills of police officers in dealing with victims who have learning disabilities. Details of the links between the Public Protection Unit and POVA were outlined, particular reference being made to the Police presence on the adult protection Committee. Confirmation was provided that the Police Force were sensitive to issues involving vulnerable adults and to instances involving persons with learning disabilities, and that the appropriate training had been provided for officers in respect of this matter.

The Head of Adult and Business Services confirmed that, by raising the general public's awareness to abuse, there could be a risk that high profile cases could result in referrals which could pose a challenge to the POVA team's capacity to deal with the work in the present structure. However, the importance of raising public awareness to abuse was emphasised and the work of the Task and Finish Group in managing referrals was highlighted. Councillor E.A. Jones stressed the significance of ensuring that the availability of capacity would not suppress or discourage people with needs from utilising the service.

The following responses were provided to issues and matters raised by Members:-

- Details and background information pertaining to the Case Studies outlined in the report were provided for the Committee.
- It was explained that staff training requirements and standards for carers employed by agencies would be stipulated in the respective contracts and by the CSSIW. The Head of Adult and Business Services outlined the position constitutionally regarding private care companies. He confirmed that a report could be presented to the Committee outlining the training services provided by Social Services, and that clarification be sought from the Legal Department in respect of extending invitations to private care companies to attend Scrutiny Committee meetings.
- Reference was made to the recent abuse allegations highlighted in the press, with particular reference to the Waterhouse Report. It was explained that the investigations were currently at an early stage, however, a report in respect of this issue could be presented to the Committee at the appropriate time in future if necessary.
- An update report on the capacity of Adult Protection services to deal with a potential increase in referrals to be presented to the Scrutiny Committee in 6 months time.

Following a brief discussion, it was:-

RESOLVED – *that the Partnerships Scrutiny Committee:-*

- (a) acknowledges the important nature of a corporate approach to the Protection of Vulnerable Adults, the responsibility of the Council to view this as a key priority area, and recognises this alongside the commitment and significance given by Denbighshire to Child Protection.*
 - (b) recommends the possibility of providing an adult care line be investigated.*
 - (c) agrees that clarification be sought from the Legal Department in respect of extending invitations to private care companies to attend Scrutiny Committee meetings.*
 - (d) requests that the Scrutiny Chairs and Vice-Chairs Group consider the viability of making arrangements for Members of the appropriate Scrutiny Committee to visit Community Living Schemes currently operating in the County.*
- agrees that an update report in respect of the capacity of Adult Protection services to deal with a potential increase in referrals be presented to the Scrutiny Committee in 6 months.*

6 JOINT OUT OF HOURS EMERGENCY DUTY SERVICE

A copy of a report by the Head of Adult and Business Services, which outlined the progress of the North East Wales Emergency Duty Team (NEWEDT), had been circulated with the papers for the meeting.

The Head of Adult and Business Services introduced the report which provided information on the developments in the NEWEDT service particularly in relation to:-

- Feedback from a workshop held to Review the Service Operational Model.
- Request by Conwy County Council to become a Member of the NEWEDT.
- Information and Systems.

- Review of 2011 -12 Service Outcomes and Performance Indicators.
- Key Service Objectives 2012-13.

NEWEDT provided an emergency social work service, based and managed in Wrexham, for the Counties of Wrexham, Flintshire and Denbighshire during the hours when mainstream services were closed. It was explained that Conwy County Borough Council had requested to become Partners in the NEWEDT. The focus of the review of the Service Operational Delivery Model had incorporated service strategy; governance arrangements; organisational structure and management accountability, including consideration given to potential efficiency savings. Action points identified by the review had been included in the report and were being progressed.

Following agreement at the Partnership Operational Management Board a Consultant had been interviewed and commissioned to complete a business case on behalf of the Partner Authorities with the main focus being the feasibility of a proposed enlargement of the current Partnership and thorough analysis of risk.

The report also provided details relating to the Information and Systems, Review of 2011 -12 Service Outcomes and Performance indicators, Performance Data, Key Services Objectives 2012 -13 and an outline of the Consultation process.

In reply to a question regarding response times and distance travelled to attend emergencies, the EDT Regional Co-ordinator confirmed that 45 minutes would be the maximum response time within the County. However, work was undertaken with a number of other Agencies who provided assistance if required. The Head of Adult and Family Services confirmed that response times in respect of Doctors acting under Section 12 of the Mental Health Act 1983 had now improved.

Councillor E.A. Jones highlighted the equalities aspect of the process and the importance of ensuring the protection of the rights of vulnerable people. The Head of Adult and Family Services confirmed that Welsh speaking staff were available to provide the service. He also provided an outline of the process adopted, which could if required, be conducted in various other languages.

The Committee were informed of the emergency service arrangements for the Christmas period, details of which had been included on the internet, and it was agreed the emergency number could be circulated to Members of the Committee.

In response to a question from Councillor J.A. Davies, the Head of Adult and Family Services provided details of the provision of training for members of staff, particular reference was made to the provision of training to ensure staff recognise mental illness relate problems.

The Democratic Services Officer responded to a question from Councillor J. Butterfield and provided details of the process adopted for addressing issues, concerns and recommendations made by the Committee.

Following a brief discussion, it was:-

RESOLVED – that the Partnerships Scrutiny Committee:-

- (a) receives and notes the contents of the report, and
- (b) the emergency telephone number be circulated to Members of the Committee.

7 POST PEMBROKESHIRE SAFEGUARDING ACTION PLAN

A copy of a joint report by the Corporate Director: Modernisation and Wellbeing and Corporate Director: Customers, which outlined the Post Pembrokeshire Action Plan, had been circulated with the papers for the meeting.

The Corporate Director: Customers referred to the issue of safeguarding children and the significant publicity relating to the Jimmy Savile and Bryn Estyn cases. He introduced the report which outlined the findings of the joint investigation by the CSSIW and Estyn in respect of the handling and management of allegations of professional abuse and the arrangements for safeguarding and protecting children in education services in Pembrokeshire. The report identified significant failings by the Authority in safeguarding children and put in place a series of requirements. A Joint Review had been undertaken to consider progress and make further recommendations. These reports identified shortcomings and made recommendations in the following areas:-

- Recruitment
- Record keeping
- Processes, policies and procedures
- Training
- Reporting and scrutiny

Further specific issues had been highlighted subsequently which related to the use of “time-out” rooms in Pembrokeshire schools, and it was explained that Denbighshire had a common policy across all secondary schools on ‘use of Reasonable Force and Restrictive Physical Intervention’. In response to concerns raised by Councillor E.A. Jones, the Corporate Director: Customers explained that the policy had been circulated to all secondary schools with the objective that the policy, or an acceptable version, be adopted by all secondary school governing bodies by Easter 2013. He confirmed that it would be the responsibility of the respective schools to ensure they had an acceptable agreed version of the policy in place. The Corporate Director provided an outline of the purpose and use of “time out” rooms in Denbighshire schools and provided an assurance that pupils were supervised when utilising the “time out” rooms facility.

Practice in Denbighshire and other Authorities in Wales had been audited and reviewed against the findings and recommendations in both reports, and actions for improvement had been added to the Safeguarding Action Plan, Appendix 1, to enable progress to be monitored on a corporate basis.

The report detailed the actions taken by Denbighshire in response to the Inspectorates’ findings in Pembrokeshire and provided information on the implementation of actions in the Corporate Safeguarding Action Plan to monitor progress. It appraised the scrutiny arrangements of the Conwy and Denbighshire

Local Safeguarding Children Board (LSCB) and addressed more general practice issues as well as policy and procedural points. It was explained that some issues raised in the Safeguarding Action Plan would be best addressed by the LSCB, and the structures for scrutinising safeguarding arrangements had been outlined.

Denbighshire's Safeguarding Action Plan had been developed as further issues had surfaced or been raised nationally with progress being driven through the Social Services and Education Management Team. The arrangements had not superseded those of the LSCB, but had been designed to ensure an appropriate focus on Denbighshire as a complex multi-functional corporate organisation.

A number of key points and areas had been highlighted in the report which related to:-

- CRB Checks/References and HR Policies plus Safeguarding and Third Sector organisations.
- Safeguarding Policies and Procedures.
- Employment actions.
- School Governors.
- Reporting to the LSCB.
- School Safeguarding Audit Checklist.
- School Governor with responsibility for safeguarding.
- Restrictive Interventions / Time Outs Rooms in Schools/ Establishments.

With regard to CRB Checks, References and HR Policies plus Safeguarding and Third Sector organisations. It was confirmed that CRB checks on staff were consistently undertaken by Denbighshire, including volunteers working directly with children, and detailed progress against this work had been included in the Action Plan. Reference was made to the impact of the Protection of Freedoms Act 2012, which specified changes to the CRB checking process with the CRB's unwillingness to undertake checks on certain individuals. The Corporate Director confirmed that the introduction of the Act would make the future process of undertaking CRB checks very challenging. The Head of Strategic Human Resources provided details of CRB checks undertaken in respect of the recruitment of staff within the Authority, and confirmed that all information had been included on the TRENT System, with references being audited annually.

In reply to concerns raised by Councillor J.A. Davies regarding the need to recognise and address problems encountered by young carers, the Corporate Director: Customers confirmed that efforts were being made, through the Young Carers Strategy, to heighten awareness in schools of problems which could arise for young carers. He confirmed that training was provided for staff to assist them in recognising and addressing problems encountered by young carers.

In response to a question from Councillor J. Butterfield, the Head of Children and Family Services provided details of the Membership of the LSCB, which was a multi agency statutory partnership. The officers agreed that copies of the report relating to the 'Use of Reasonable Force and Restrictive Physical Intervention' could be circulated to Members of the Committee for information purposes.

Following a brief discussion, it was:-

RESOLVED – that the Partnerships Scrutiny Committee:-

(a) receives and notes the contents of the report and progress in implementing the Safeguarding Action Plan.

(b) notes the role and scrutiny function of the LSCB in monitoring safeguarding activity across Conwy and Denbighshire, and

(c) requests that copies of the 'Use of Reasonable Force and Restrictive Physical Intervention' policy be circulated to Members of the Committee.

Councillor J. Butterfield requested that her concerns be noted that some elected Members had been afforded more time than others to express their views during consideration of business items. The Chair explained that he had made every effort to be fair and impartial when allocating time for Members to speak.

8 THREE YEAR STRATEGIC YOUTH JUSTICE PLAN

A copy of a report by the Corporate Director: Modernisation and Wellbeing, which detailed the background, purpose and intentions of the Strategic Youth Service Plan, and provided the final draft intended for submission to the Youth Justice Board and its subsequent publication and distribution, had been circulated with the papers for the meeting.

The Youth Justice Board (YJB) oversees the youth justice system in England and Wales and works to prevent offending and re-offending by children and young people under the age of 18. It monitors and reports on the performance of the youth justice system to the Home Secretary through the Strategic Youth Justice Plans submitted annually by each Youth Justice Service (YJS) and through the collection of performance data. Regional Teams of the YJB receive submission of the Youth Justice Plan.

The Youth Justice Service Strategic Manager (YJSSM) provided an outline of the report which highlighted the following key areas:-

- The operational and functional aspects of the local youth justice services.

- Local Priorities:-

- primary customers
- service delivery for Denbighshire and Conwy.

- Strategic priorities for the next 3 years:-

- how the priorities help to deliver the Council's Strategic Ambitions, and the Council's core roles.
- the outcome and aims of the successful delivery of priorities.

- The agreed operational objectives for 2012-15 being further specific themed priorities in section 3 of the operational plan.

A detailed summary of the three sections within the Conwy and Denbighshire Youth Justice Business Plan 2012-2015 was provided by the YJSSM. She made particular reference to the six Key Performance Indicators which detailed:-

- First Time Entrants (FTE).
- Access to suitable accommodation.
- Custodial Convictions.
- Re-offending Rates.
- Engagement in Education, Training and Employment (ETE).
- Substance Misuse (Assessment & Treatment Services).

The following responses to questions and issues raised by Members were provided:-

- The changes within the Probation Service had not had a detrimental effect on the service delivery of the Children and Families Service. However, any future impact would be reported to Members.
- The Youth Justice Service was monitored through the six Key Performance Indicators, with each Member of staff having an input into the data recording system following the undertaking of comprehensive assessments. An outline of the rigorous scrutiny process undertaken was provided for the Committee.
- Details pertaining to the Engagement in Education, Training and Employment were provided and the YJSSM outlined the work undertaken by the two Education Officers employed within the service. Confirmation was provided that the appropriate risk assessments were undertaken in cases where behavior problems had been experienced.
- All members of staff within the service had undergone CRB checks with volunteers having enhanced CRB checks. It was explained that the implications of the Freedom of Information Act 2000 would affect all organisations and this would be reflected in next years report.
- It was explained that funding issues posed the greatest threat to the service and details of the funding source, and related problems, were outlined for the Committee.
- The YJSSM explained that a Risk Register was maintained and a future Action Plan was being developed. It was confirmed that changes to the service were unpredictable and difficult to plan for with changes to the remand system having possible financial implications on Local Authorities, particular reference being made to the intermittent use of services resulting in higher operational costs for the service provider.
- Details of accommodation provision and related budgetary implications were outlined by the Head of Children and Family Services. In reply to a question from the Chair, the officers outlined the procedures in place to ensure the safety of children in custody and to prevent instances of self harm.

Following a brief discussion, it was:-

RESOLVED – that the Partnerships Scrutiny Committee receive and note the Conwy and Denbighshire Strategic Youth Justice Plan review for 2012 / 2013.

A copy of a report by the Democratic Services Officer seeking the Committee to review its Forward Work Programme (FWP) and providing an update on relevant issues had been circulated with the papers for the meeting. The Cabinet's FWP had been included as Appendix 2 to the report

Community Safety Partnership:-

(i) - CCTV provision – As agreed at the previous meeting of the Committee clarification had been sought at the Corporate Executive Team meeting regarding a number of questions raised in respect of Denbighshire's provision for CCTV. An update on the issues discussed at the meeting had been received and the main points summarised in Appendix 3 to the report. Members agreed that the Scrutiny Committee consider this item at its meeting in March, 2013, if the BCUHB meeting was rescheduled.

(ii) Police Issues referred to Police Implementation Group - A number of issues relating to law and order had been raised and the Community Safety Partnership Manager advised that these would be referred to the Police Implementation Group. A response received from the Community Safety Partnership Manager had been included in Appendix 4.

A copy of a proposal form for agenda items for Scrutiny Committees, which requested the inclusion of an item relating to North Wales Carers Information and Consultation Strategy, was circulated at the meeting. Members agreed that this item be included in the Forward Work Programme for consideration at the meeting of the Committee on the 13th January, 2013.

The Committee considered the draft Forward Work Programme for future meetings as detailed in Appendix 1. Members agreed that the following amendments be included in the FWP for the Committee:-

29th November, 2012 - With regard to the Scrutiny Committee meeting with the BCUHB, on the 29th November, 2012, Members were requested to submit any general NHS queries to the Democratic Services Officer, prior to the 13th November, 2012, to enable them to be forwarded to the BCUHB. The Committee agreed that as future agenda items pertaining to Potential for Collaborative Domiciliary Care provision with respect to rural areas of the County and Challenging Behavior and its impact on Council services related to BCUHB, the possibility of including them on the agenda for the meeting with the BCUHB on the 29th November, 2012 be examined.

25th April, 2013 – Protection of Vulnerable Adults Capacity Report.

RESOLVED – *that, subject to the above, the Partnership Scrutiny Committee approves the Future Work Programme as set out in Appendix 1 to the report.*

Meeting ended at 1.15 p.m.