

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 2 September 2024.

PRESENT

Mr. T. J. Richardson CC (in the Chair)

Mr. G. A. Boulter CC
Mr. B. Champion CC
Mr. N. Chapman CC

Mr. J. Miah CC
Mr. L. Hadji-Nikolaou CC
Mrs. H. J. Fryer CC

In attendance

Mrs C. Radford CC – Lead Member for Adults and Communities
Mr T. Parton CC – Cabinet Support Member

14. Minutes.

The minutes of the meeting held on 3 June 2024 were taken as read, confirmed and signed.

15. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

16. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

17. Urgent items.

There were no urgent items for consideration.

18. Declarations of interest.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

19. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

20. Presentation of Petitions under Standing Order 35.

The Chief Executive reported that no petitions had been received under Standing Order 35.

21. Leicestershire and Rutland Safeguarding Adults Board Annual Report 2023/24.

The Committee considered a report of the Independent Chair of the Leicestershire and Rutland Safeguarding Adults Board (LRSAB) for 2023/24. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

The Chairman welcomed Ms. Seona Douglas, Independent Chair of the LRSAB to the meeting for this item. During the presentation of the report a Safeguarding '[Hidden Harms](#)' video highlighting domestic abuse against older people was shown.

Arising from discussion and questions, the following points were made:

- i. Members welcomed the report and the Hidden Harms [video](#) which had been brought to their attention.
- ii. A Member commented on the impact on partnership working if representatives from some organisations, such as district councils and the Department for Work and Pensions, did not attend regularly. The Independent Chair confirmed that, as requested by the Committee the previous year attendance figures had been included and meetings arranged with the different representatives to try and encourage improved attendance. It was acknowledged that people were not being fairly represented and information would not be disseminated if not all partners were regularly present.
- iii. Members noted that success was measured in several ways. For example, through the work of sub-groups which operated under the Board, by assessing feedback from people who had received a safeguarding service and through delivery of action plans resulting from reviews which were measured in terms of quality data. The Board had developed a high-level dashboard of performance indicators that related to everyday practice and priorities, and these gave an indication as to whether the Board was doing well or not.
- iv. The threshold audit had recorded that two thirds of cases were considered to be successful. However, the Board would look at those not meeting that threshold to understand why, and to consider what could be done to address this. Categories of abuse and the measures of success around safeguarding were reported. For example, the number of people taken out of risk, which was considered to be a good measure of success. Members requested that consideration be given to including in future reports the number of cases resolved successfully (or not).
- v. Until recently the Department had recorded a number of contacts received as 'safeguarding alerts' which should have been recorded as a 'concern for welfare'. This had distorted the Council's safeguarding figures when compared to other authorities for some years and was now the reason for the significant drop in figures this year. The Department had introduced clearer guidelines on what

should qualify as a safeguarding alert compared to a concern for welfare which was more in line with the approach of other authorities.

- vi. Conversely, the number of safeguarding alerts which were then turned into enquiries (i.e. those recorded safeguarding alerts deemed to meet the threshold for needing a proper assessment under the safeguarding route) had risen from 10% to 46%. This compared to a national rate of 30%, and the average for the East Midlands at 45%. The methodology for recording alerts and enquiries had only been in place for two quarters and so the Council's overall position would be clearer at the end of the year.
- vii. Members were informed that, when comparing demographics, first and foremost comparisons with the East Midlands were made, which contained 10 authorities across the geographic area. There was also a peer group of 15 shire county councils, chosen with similar demographics to the County Council that could be compared against, and finally there was the national picture as an option for comparison.
- viii. Members asked if in the table of key deliverables at Appendix B to the report, response and outcomes to the impact measures and timescales could be included in the document. The Independent Chair reported that the action plan would be included as an appendix in the annual report which would capture this added information.
- ix. A Member queried what a person should search for when looking for contact information or assistance online, if they or a family member had concerns about abuse or harm. The Independent Chair reported that there were a number of videos on the Leicestershire and Rutland Safeguarding Adults Board [YouTube](#) pages and people could search for keywords, such as Safeguarding Adults Leicester. More videos would be added onto the website to cover global issues and provide additional contact information. Attention was drawn to one particular video called 'Was Not Brought'. This highlighted the issue of people not being taken to or arriving at various appointments with professionals but not then following these up. The intention was to find out why,

The Chairman thanked Ms. Douglas for the report.

RESOLVED:

- (a) That the annual report of the Leicestershire and Rutland Safeguarding Adults Board (LRSAB) for 2023/24 be noted and welcomed.
- (b) That the Director be requested to consider how to keep Members informed of useful material to be found on the Safeguarding website.

22. Performance Report for Quarter 1 2024/25 (April - June).

The Committee considered a joint report of the Chief Executive and Director of Adults and Communities, the purpose of which was to present an update on the Adults and Communities Department's performance during the first quarter of 2024/25, namely April to June 2024. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

Arising from discussion, the following points arose:

- i. A Member queried if figures for community managed library visits were available. The Director reported that whilst there was no information on the number of visits, there was included in Appendix A to the report details of the number of library books and children's books issued which were slightly down on the figures for 2023/24.
- ii. Members requested that acronyms in future reports and appendices be written in full for the benefit of Members and the public reading the reports.

RESOLVED:

That the report on the Adults and Communities Department's performance during the first quarter of 2024/25, namely April to June 2024, be noted.

23. Annual Adult Social Care Complaints and Compliments Report 2023-24.

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to present the annual Adult and Social Care Complaints and Compliments Report for 2023-23. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion, the following points arose:

- i. A Member queried why Care Planning complaints had risen from 40 to 141 over the past two years. The Director reported that the figures related to a large increase in complaints about delays and decision-making mostly relating to care planning and assessment and were also linked to the considerable rise in demand coming into the Department over the past two years. It was noted that 18 months prior there had been 1,500 people waiting which had been reduced to 600, and that people were now being assessed more quickly.
- ii. Members were assured that, unlike some authorities that allocated cases quickly, but had huge delays in the completion of assessments, the County Council had a more transparent assessment position and took a risk-based approach, with the view that it did not want social work and occupational therapy caseloads to become too big and unwieldy. Therefore there were delays, once people had been assessed they would receive care within a couple of days. Members were asked to note that the Care Act did not give any indication of how long it should take to undertake an assessment, just that it should take a reasonable amount of time. NHS England were studying data and there would in future be a national measure against which all authorities would be compared. The Director commented that, based on current data, Leicestershire would probably be in the top half in terms of waiting times.

RESOLVED:

That the Annual Social Care Complaints and Compliments Report, covering the period 1 April 2023 to 31 March 2024 be noted.

24. Peer Review of Pathway for Adulthood.

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide the findings and recommendations from the Peer Review undertaken on the effectiveness of the current pathway to adulthood, with a focus on the Young Adult Disabilities (YAD) Team managed and operated by the Adults and Communities Department. A copy of the report marked 'Agenda Item 11' is filed with these minutes.

Arising from discussion, the following points were made:

- i. Sector-led improvement work had been undertaken across the East Midlands. Each authority in the region (of which there were 10) had committed to having one peer review every two years, with each Director of Adult Services agreeing to lead a peer review every two years. For the purposes of the peer review of YAD, the Director of People Services at Derby City Council had been allocated to lead this. Once the key line of enquiry had been agreed, colleagues from across the East Midlands, with knowledge and experience in that particular field, would be asked to take part.
- ii. Members queried what the timescales were for implementation of the recommendations and if these would be addressed before the next peer review. The Director confirmed that the short-term actions were currently being implemented and he was optimistic that the majority would be completed by the end of the year. Some longer-term actions involving partners and stakeholders would, however, take more time. Part of the action plan required a change in culture, and two workshops had already taken place with families and carers to begin addressing this. The Director undertook to provide an update on progress being made against the action plan in March 2025.
- iii. A Member queried with regards to a child having an education, health and care plan (EHCP), how the rights of the parent were balanced with the rights of the child. For example, if decisions were made with the child without the knowledge or agreement of the parent, and if officers believed the rights of both parties were adequately reflected in the appraisal of the County Council's system. The Director reported that from an operational practice point of view there came a time when the child needed to be seen and treated by the law and the Council as an adult. The Mental Capacity Act needed to be implemented from the age of 16 onwards for those children that had capacity and insight, whilst balancing the needs of the parent to keep them informed and updated should the young person wish them to be, as they were also part of the young person's support mechanism.

RESOLVED:

- (a) That the report on the Peer Review of Pathway for Adulthood be noted.
- (b) That an update report on the action plan be brought to the Committee in March 2025

25. Leicestershire County Council Adult Social Care Regulated Services.

The Committee considered a report of the Director of Adults and Communities, the purpose of which was to provide the Committee with an overview of the Adult's and Communities Department's in-house provision of services which are required to be regulated and inspected by the Care Quality Commission (CQC). A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussion, the following points arose:

- i. Members praised the team who had made astounding savings and had done incredibly well, despite resource pressures, to deliver the service to a high degree.
- ii. Members noted that no referrals to use the short break service had been turned down. The service had only reached 40% capacity. However, if capacity in a particular provision had been an issue one of the other units would be offered as there was a degree of flexibility across the service.
- iii. Work was being undertaken to look at short breaks and supported living services. With specific reference to short breaks, officers were looking to see if it would be advantageous for the Council to purchase short breaks from the external market, rather than provide them directly, which would address occupancy issues that came with high fixed costs, such as buildings and staffing. Occupancy was also subject to availability, being affected by the timing of people wanting the breaks, usually during the summer months and at weekends. Occupancy could also be limited by the needs of the individuals being supported, for example, people with complex levels of disability would need specialised equipment which meant only one person could use the equipment at a time.
- iv. Another option being considered was the possibility of selling spare bed capacity to other authorities and Health who did not operate their own internal services. A further option would be to offer occupancy to children's services to consider using the spare capacity as respite for disabled children's families where premises could be adequately segregated from adults. In addition, when children transitioned into adulthood, they might still require short breaks and could receive them at the same environment. It was expected this work would be completed by the end of the year, and an update would be brought to the Committee.
- v. The issue of people being misinformed by partner organisations that the service was free for a six-week period needed to be addressed. Six weeks was generally a maximum period but was non chargeable until an eligible need had been assessed and demonstrated, or people needed to exit the service.
- vi. A Member raised concern that two venues in Hinckley and Wigston offering the Short Breaks Service had not been reinspected since 2017 and 2019 respectively, although noting both had been rated 'Good' at the time. The Director reported that, although the CQC could be asked to inspect they were under no obligation to respond. Members were informed that an interim report published by Dr. Penelope Dash in July 2024 who had conducted a review into the operational effectiveness of the CQC included a number of comments and concerns particularly with regard to the delay in assessing both health and social care establishments, such as hospitals, primary care, dental care and local authority services. The report included a figure of 3.7years as an average wait for assessment, and 25% of

providers had never had an assessment, some of whom were new providers. It was noted that some providers had not been assessed since 2015, and some hospitals and health care providers since 2011. A final report would be published towards the end of September 2024.

- vii. The rate of CQC assessments had fallen from 16,000 per year pre-pandemic, to around 7,000 post pandemic with 10s of thousands of providers that required an assessment. Members agreed this was a concern but were reassured that the Authority had regular correspondence from the CQC asking whether anything had changed with a provider (a type of desktop review). Whilst not a full assessment, the CQC did take a risk-based approach and would inspect if required.
- viii. It was noted that for the first time the Authority had a provision classed as 'Requiring Improvement'. Although actions would have been taken to address concerns, that the service would have that label for several years until the next assessment. Members had visited the premises when it had received its rating and had been reassured the concerns raised by the CQC had been addressed and had also received anecdotal evidence from service users and families.
- ix. Members were further reassured that internal services had regular updates in respect of quality and performance, and also worked with independent sector providers if particular issues were raised, complaints made, or unsafe practices highlighted. There was also a mechanism to highlight concerns to the CQC or to ask them to reassess a service. Members asked if something could be done to inform Members internally regarding the CQC rating of a particular provider so they could provide assurance to residents if called upon to do so. The Director reported that the process by which local members were briefed when there was a home or service closure, or when a service was rated as 'Inadequate' by the CQC could be looked at to potentially extend to cover other concerns provided this did not make the process too onerous.
- x. Work was being undertaken to make vacancies more attractive, updating job specifications, and advertising position in different ways and on different platforms. Efforts were also being made to encourage more younger people into the service, including going into schools and making the career pathway as attractive as possible. Another barrier to recruitment had been rural locations of some services which could be difficult for some people to commute to.

RESOLVED:

- (a) That the report on the Leicestershire County Council Adult Social Care Regulated Services be noted;
- (b) That the Director be requested to provide an update to the Committee in March 2025, regarding progress against delivery of the action plan.

26. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 4 November 2024, at 2.00pm.

