

## NORTH YORKSHIRE COUNTY COUNCIL

### CARE AND INDEPENDENCE OVERVIEW AND SCRUTINY COMMITTEE

Minutes of the meeting held on 11 February 2010 at County Hall, Northallerton.

#### **PRESENT:-**

County Councillor Tony Hall in the Chair.

County Councillors: Dave Peart, Peter Popple, Brian Marshall, John Savage (as substitute for Melva Steckles), Helen Swiers and Herbert Tindall.

Representatives of the Voluntary Sector: Alex Bird and Bridget Hardy.

Executive Member in attendance: County Councillor Chris Metcalfe.

In attendance: County Councillor Shelagh Marshall (Older People's Champion)

Officers: Seamus Breen (Assistant Director, Commissioning & Partnerships, Adult and Community Services), Anne Marie Lubanski (Head of Self Directed Care and Transformation, ACS), Norma Sutton (Adult & Community Services), Ray Busby (Scrutiny & Corporate Performance) and Mary Davies (Legal & Democratic Services).

Apologies for absence: County Councillors John Fox and Pat Marsburg.

Two members of the public attended the meeting.

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### **COPIES OF ALL DOCUMENTS CONSIDERED ARE IN THE MINUTE BOOK**

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The Chairman welcomed Matthew Hardington who was shadowing County Councillor Shelagh Marshall at the Committee meeting and Kathy Donnelly a Partnership Co-ordinator at North Bank Forum and part of the Local Involvement Network for North Yorkshire (LINK).

#### **20. MINUTES**

##### **RESOLVED –**

That the Minutes of the meeting held on 2 November 2009, having been printed and circulated, be taken as read and be confirmed and signed by the Chairman as a correct record.

#### **21. PUBLIC QUESTIONS OR STATEMENTS**

The Committee was advised that no notice had been received of any public questions or statements to be made at the meeting.

#### **22. ANNUAL REPORT OF THE OLDER PEOPLES CHAMPION INCLUDING THE ADULT AND COMMUNITY SERVICES UPDATE**

##### **CONSIDERED –**

The tenth annual report of the Older People's Champion to the Care and Independence Overview and Scrutiny Committee. County Councillor Shelagh Marshall advised that North

Yorkshire County Council were the only Authority in the region where the Older People's Champion gave an annual report to a Scrutiny Committee.

County Councillor Shelagh Marshall gave an update report to the Committee which included: the Department of Health's guidance on the role of the dignity champion which specified six main activities to promote the ten key principles listed at Appendix 1 to the report; explained at a regional level her work setting up a local authority network for older people's champions, including dignity, to learn and share good practice in their authorities; challenged local hospitals to take responsibility for challenging services that do not respect dignity, County Councillor Shelagh advised of the work she had done to encourage her local district hospital to develop a Dignity Policy and Action Plan which was launched in June 2009, and she highlighted a lecture she had attended at her local hospital detailing the changes in practice as a direct result of the Dignity Policy; encouraged Members to sign up to be a dignity volunteer; contribution to the development of a publication entitled "Walk a mile in my shoes", a guide for the scrutiny of dignity and respect for individuals in health and social care services, published in Autumn 2009; respect for dignity in all job descriptions, the work of the Adult and Community Services Directorate on recruitment was discussed and training to include dignity and respect as part of the core values with recruitment in the Directorate; work with the Elbourne Review dealing with concerns of older people and their views which were not getting through to government Ministers. In response to the Elbourne Review the Department for Works and Pensions (DWP) had published "Empowering engagement: a stronger voice for older people" which included seven recommendations which had been sent out for consultation and which North Yorkshire had participated. This had resulted in 11 regional forums being set up. Members were advised that the Older People's Champion had been invited to be a member of the UK Advisory Forum on Ageing and that she attended meetings with Ministers every three months and passed on comments from North Yorkshire to the Body; the Better Government for Older People in North Yorkshire (BGOP NY) had now been replaced with the North Yorkshire Forum for Older People; highlighted her work as Chair of the Craven Older People's Reference Group and the value of this work keeping in touch with older people and hearing their views on where they wanted to be in 10 years time and finding out if work was being achieved at grass routes level; supporting the work of North Yorkshire and York's Affordable Warmth Group; involvement in the National Dementia Strategy making sure that every local authority implemented the Strategy; working on Age and Rural Proofing to ensure involvement within government departments while they are developing policies; informed Members that the government were funding a project to bring digital and broadband to sheltered housing to teach older people on a one to one basis, this would be carried out in partnership with the National Institute of Adults in Continuing Education.

County Councillor Shelagh Marshall handed out copies of the Forum to Forum newsletter which linked older people's groups. She highlighted a report on the North Yorkshire Forum for Older People Conference in the newsletter. (A copy is included in the Minute Book).

The Chairman highlighted Dignity Action Day on the 25 February 2010 and said resources packs would be handed out to Members at County Council to help support dignity in the local community.

The Chairman thanked the Older People's Champion for her presentation to the Committee and for her work throughout the year.

Seamus Breen updated on Appendix 2 to the report detailing the social care arrangements on the Older People's agenda. He noted the work on the Dementia and Extra Care Strategies, and also on early intervention and prevention to continue to move the agenda forward. He suggested that the Older People's Partnership Board was now being more proactive in shaping the agenda and that the Board would, over the next few months, be looking back at winter planning for 2009/10 to see if there was anything that could have

been better prepared. He added that he would be looking for greater engagement from older people to shape the agenda further.

**RESOLVED –**

That the report of the Older People's Champion be noted.

**23. SAFEGUARDING**

The Chairman stressed the importance of safeguarding to the County Council and that the safeguarding agenda needed to be embedded into the work of the Care and Independence Overview and Scrutiny Committee.

**(a) REPORT OF THE CORPORATE DIRECTOR – ADULT AND COMMUNITY SERVICES**

**CONSIDERED –**

The report of the Corporate Director – Adult and Community Services updating the Committee on developments and potential changes within the safeguarding arena and to present the first Annual Statement of the North Yorkshire Safeguarding Adults Board.

Anne Marie Lubanski, Head of Self Directed Care and Transformation, Adult and Community Services, presented the report. She reminded Members that the County Council had a duty to safeguard adults and highlighted on page 16 of the report the role of Councillors and she explained the multi-partnership work which had been achieved over the past 12 months through the Safeguarding Adults Board. The Safeguarding Adults Board had adopted a performance framework to ensure that progress against the business development plan was being actively managed. She explained that one of the expectations of the Care Quality Commission was that Adult and Community Services would need to demonstrate how they worked with partners to promote and identify safeguarding and play an active part to move the agenda forward in the community. Anne Marie Lubanski asked the Committee to identify the role of scrutiny in safeguarding and to note North Yorkshire Safeguarding Adults Board Annual Statement on page 19 of the report. She explained that the annual report strengthened safeguarding procedures and gave advice and support to organisations. She added that referrals had increased over the past 12 months but that this had been expected because of greater promotion and confidence when making referrals. Anne Marie Lubanski explained that due to the size of North Yorkshire the Safeguarding Adults Board had set up four local area groups which were geographically based and she highlighted future plans to include Councillors as members of the local area groups in their area. The Chairman highlighted that Councillors may not be aware of the groups and how they could become involved. Anne Marie Lubanski advised that although the groups had been running for some time the Directorate was looking to strengthen membership and its terms of reference. She said a report would be brought to the next meeting which would explain the role of the Councillor and identify key responsibilities. Seamus Breen highlighted the table on page 25 of the report and noted the different types of abuse and the different groups who suffer abuse in the community. He acknowledged the largest group was older people aged over 65 years and suggested that local area groups may be able to find solutions in regard to prevention. Anne Marie Lubanski highlighted a multi agency safeguarding event for Partners on the 27 April 2010 and the keynote speech would be about how abuse happened within the family/friends environment particularly focussing when an individual has dementia. She added that this was a complex and sensitive area which could be difficult to identify. The agenda needed to be proactive when abuse had been identified, making people accountable within their

communities. Anne Marie Lubanski said that one of the biggest areas of abuse was financial abuse which could be difficult to prove if consent had been given and she highlighted the use of the new Lasting Powers of Attorney for financial and medical/welfare needs.

Members made the following comments:

- In reply to a question on whether there was a whistle blowing policy in Care Homes, Anne Marie Lubanski acknowledged that every Care Home had a whistle blowing policy in place for staff and residents as part of their regulations under the Care Quality Commission.
- The local Member for Scarborough advised of proactive work undertaken by Scarborough District Council to deliver gas fires to residents in Old Peoples Homes during the recent inclement weather. He asked if a generator could be set up in Care Homes to use in an emergency. Seamus Breen noted this was safeguarding in its wider context on service delivery and on contingencies in place during an emergency. He suggested this could be an area where communities were empowered to look after each other. Anne Marie Lubanski advised that she would speak to managers of Care Homes on social care winter planning.
- The need for further training events to be held and open to the third sector to participate; it was suggested that more training was needed on advocacy support. Anne Marie Lubanski agreed to hold training events in future if they were needed and that the third sector would be invited to attend.

Ray Busby suggested training for Councillors on scrutiny engagement, to look at whether adequate safeguarding procedures were in place and the commitment of partners. He said that Councillors already had a high level of understanding which could be used to scrutinise the work of the North Yorkshire Safeguarding Adults Board. Anne Marie Lubanski advised that it was likely, as a result of the No Secrets consultation that the Safeguarding Adults Board would be a statutory requirement upon the Local Authority and that this could be an area of work for the Committee.

#### **RESOLVED –**

- (i) That the Annual Statement of the Safeguarding Adults Board be noted;
- (ii) That the decisions made by the directorate and the intended direction of Travel be noted;
- (iii) That the Committee receive further ongoing reports of progress;
- (iv) That the Committee remain aware of national developments and best practice.
- (v) That a report be brought to a future meeting explaining the role of the Councillor on the local area groups of the Safeguarding Adults Board.

#### **(b) NOTES OF CONFERENCE ATTENDED – COUNTY COUNCILLOR DAVID JEFFELS**

#### **CONSIDERED –**

The report of the Chairman of the Safe and Sustainable Overview and Scrutiny Committee on the LGA Safeguarding Adults Conference.

**RESOLVED –**

That the report be noted.

**24. UPDATE ON THE DEMENTIA NETWORK AND NEXT STEPS AND THE YORKSHIRE AND HUMBERSIDE IMPROVEMENT PROGRAMME REVIEW**

**CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance updating the Committee on local activity in relation to the National Dementia Strategy and the conclusions of the Committee's review, particularly the progress on the Dementia Network; and, to introduce the results of the Yorkshire and Humber Improvement Programme Peer Review.

Ray Busby advised that The North Yorkshire Dementia Network had made a strong start and he highlighted Appendix 1 to the report, the Network launch on the 17 November 2009. Ray Busby explained that the workstreams had been agreed and were attached to the report at Appendix 3.

Seamus Breen said that the Dementia Network had been pleased with the level of commitment across North Yorkshire with partners including the City of York Council. Work in future would include financial mapping; North Yorkshire County Council would be investing large sums of money as the high level of need in the community increased. He suggested that the PCT may find investment challenging and that any investment may have a range of conditions. Seamus Breen suggested that the best way of investing would be to listen to people with Dementia who would shape any future agenda. He acknowledged that his own thoughts on the way forward had changed since he had a better understanding of the condition and he encouraged Councillors to study literature on Dementia. Seamus Breen advised that the County Council would be investing £7M over the next 3 years including staff training and he informed Members of a regional meeting on Dementia taking place on the 1 March 2010 to advise on the national awareness campaign, entitled "Having a Life".

Members made the following comments:

- With 8,600 people with Dementia in the United Kingdom and the figures in North Yorkshire rising how long would it be before people with Dementia and their carers would see improvements. Seamus Breen replied that improvements were happening now, pathways were clearer with help from GP's and third sector agencies who were redesigning approaches to extra care.
- Many people were suffering depression alongside Dementia, was there a need to flag up other associated illnesses. Seamus Breen suggested the importance of early prevention and keeping people active to delay the onset of the condition in some cases.

**RESOLVED –**

That the report be noted.

**25. EXTRA CARE – THE VISION**

**CONSIDERED –**

The presentation and oral report of the Corporate Director – Adult and Community Services.

Seamus Breen advised of the progress being made on the Extra Care agenda and that he would bring a report to a future meeting.

**RESOLVED –**

- (a) That the report be noted.
- (b) That a further report on Extra Care be brought to a future meeting.

**27. VALUING EMPLOYMENT NOW UPDATE ON TASK GROUP AND PLANNED ACTIVITY**

**CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance reporting the work undertaken by the Task Group examining the implications of the National Strategy – Valuing Employment Now; and, to seek the Committee's support for the work undertaken and guidance about remaining future work.

County Councillor Dave Peart updated the Committee on the work of the Task Group. Members had attended a workshop in Wakefield, organised by Inclusion North, raising awareness of people with learning disabilities into paid employment. County Councillor Dave Peart advised of talks with Inclusion North to run a similar workshop at County Hall.

A Task Group interim report was handed to Members during the meeting. (A copy is included in the Minute Book). The report identified three areas of work:

- How people with learning disabilities are supported.
- What the County Council can do as an exemplar authority.
- What can be done in future for services and changes in the community.

County Councillor Dave Peart suggested that training for Members and senior management staff needed to be held to update them on what was being done to close the gap in the employment rates of people with learning disabilities.

Seamus Breen advised of transitions funding proposed in the budget for 2010/11 and 2011/12 as part of the transformation of social care agenda. This is for posts to work at the interface between Children and Adult Services and he suggested this may be an area for consideration by the Task Group. Seamus Breen noted the support of the County Council and the change of attitude towards people with learning and physical disabilities and what they can contribute.

County Councillor Dave Peart suggested bringing people with learning difficulties to future meetings of the Committee to discuss how being employed had made a difference to their lives and that of their families.

Ray Busby advised Members of a workshop being held at County Hall on 15 February 2010 'Diversity through Theatre and Comedy'. He said the workshop was open to any Member to attend.

The Chairman noted the work of the Task Group and confirmed the ongoing support of the Committee.

**RESOLVED –**

That the work undertaken by the Task Group be noted.

**28. OLDER PEOPLES STRATEGY ASSESSMENT**

**CONSIDERED –**

The joint report of the Chairman of the Task Group and Care and Independence Overview and Scrutiny Committee reporting on the assessment of how for the years 2008/09 North Yorkshire County Council engaged with older people as envisaged by the strategy affecting people 50 and over and adopted in October 2006 – Our Future Lives 2006-11; and, that the Committee agrees that this will form the basis of a report to the Executive on 2 March 2010.

Ray Busby presented the report to Committee and advised that, with the agreement of the Committee, the report would form the basis of a report to the Executive on the 2 March 2010.

Ray Busby highlighted key points within the report which included: the Task Group had broken into sub groups working with Directorates to look at their engagement. A summary of the degree of engagement was highlighted at Appendix 3 to the report; Good Practice within the County Council; things the County Council could do better, there was still a need to promote, to directorates, the wider benefits of engagement with older people; looking ahead there needed to be greater involvement before service plans were finalised in 2010.

Norma Sutton advised of the importance of involvement by the Task Group at an early stage in service performance plans which could avoid mistakes being made and save money, and this was the proposal to be made to Executive for 2010-11. It would also be expected that in promoting timely engagement of older people by Directorates in their planning, service development and changes, that rural and other minority groups would be sought out as appropriate.

Members gave their support to the report.

**RESOLVED –**

- (a) That the report be approved.
- (b) That the report be submitted to the North Yorkshire County Council Executive.

**29. WORK PROGRAMME**

**CONSIDERED –**

The report of the Head of Scrutiny and Corporate Performance to agree the work programme at Appendix 1 to the report and update the work programme items and review the shape of the work ahead.

Ray Busby highlighted paragraph 4 of the report on Personalisation and Self Directed Support and said that a report would be brought to the next Committee meeting.

Ray Busby advised that the national report on Partnerships for Older Peoples' Projects (POPPs) would be brought to the next Mid Cycle briefing.

In regard to paragraph 6 of the report, Ray Busby advised of a conference in Harrogate to discuss the level of support by the third sector. A voluntary sector Member noted her concerns on the cessation of some funding which Seamus Breen agreed to look into.

A Member asked that a report on the Joint Equipment Store (SILLS) be included in the work programme.

**RESOLVED –**

- (a) That the content of the report be noted.
- (b) That the suggestions made by Members for inclusion in the work programme be noted.

MD/ALJ