

MINUTES of the meeting of the **SOCIAL CARE SERVICES BOARD** held at 10.00 am on 9 July 2015 at Ashcombe, County Hall, Kingston upon Thames, KT1 2DN.

These minutes are subject to confirmation by the Committee at its meeting on Monday, 7 September 2015.

Elected Members:

- * Mr Keith Witham (Chairman)
- * Mrs Margaret Hicks (Vice-Chairman)
- * Mr Ramon Gray
- * Mr Ken Gulati
- Miss Marisa Heath
- * Mr Saj Hussain
- * Mr Daniel Jenkins
- * Mrs Yvonna Lay
- * Mr Ernest Mallett MBE
- Mr Adrian Page
- * Mrs Dorothy Ross-Tomlin
- * Mrs Pauline Searle
- * Ms Barbara Thomson
- * Mr Chris Townsend
- * Mrs Fiona White

Ex officio Members:

Mrs Sally Ann B Marks, Chairman of the County Council
Mr Nick Skellett CBE, Vice-Chairman of the County Council

10/15 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS [Item 1]

Apologies were received from Marisa Heath and Adrian Page.

11/15 DECLARATIONS OF INTEREST [Item 2]

None

12/15 QUESTIONS AND PETITIONS [Item 3]

None

13/15 RESPONSES FROM THE CABINET TO ISSUES REFERRED BY THE SCRUTINY BOARD [Item 4]

None

14/15 ADULT SOCIAL CARE STRATEGIC DIRECTOR'S UPDATE [Item 5]

Declarations of Interest:

None

Witnesses:

Dave Sargeant, Strategic Director for Adult Social Care

Mel Few, Cabinet Member for Adult Social Care, Wellbeing and Independence

Key points raised during the discussion:

1. The Board was informed by the Strategic Director that Adult Social Care (ASC) was awaiting clarification from Central Government in relation to the cap on care costs set to be introduced in April 2016. Indications were given that the introduction of this cap may be deferred beyond the second phase of the Care Act. Members of the Board were told that a briefing would be distributed to them once this clarification had been provided by Central Government.
2. The Strategic Director advised Members that the signing of the Section 75 agreements for the Better Care Fund (BCF) between Surrey County Council (SCC) and Surrey's six Clinical Commissioning Groups (CCGs) had been delayed due to details on some of the legal elements of the contracts. Discussions were close to being finalised, however, meaning that the Section 75 agreements would be signed in the near future.
3. Attention was drawn to the Learning Disability Partnership which was doing some great work in supporting people with disabilities in Surrey.

Members were invited to visit the Learning Disability Partnership in Leatherhead to see for themselves some of the good work done here.

4. An update was provided on the introduction of new software for ASC following approval by the Cabinet. Members were apprised that the software, provided by LiquidLogic, was being piloted through a model office set up in County Hall. The aim of the pilot scheme was to uncover any issues or challenges before the system is rolled out. The Strategic Director highlighted that the hope was to have the programme embedded across ASC by the end of the financial year.
5. Information was provided on initiatives by ASC designed to encourage social capital across the county. In particular, the Board were informed of a workstream that was conducted by ASC which explored how companies can promote their corporate social responsibility through schemes such as time-banking.
6. The Board expressed concern that the concept of the Family, Friends and Community Support initiative (FFC) wasn't being advertised effectively to Surrey residents preventing more widespread involvement across the county. It was stipulated that more needed to be done to get this message out to communities. The Strategic Director agreed that the message getting out to residents did need some refinement as there appears to be some confusion around what type of support an individual involved with FFC might be expected to provide. The Strategic Director stressed that people would not be expected to provide intimate personal care.
7. The role that Members could play in helping to embed FFC by forging greater connections between SCC officers and Surrey's communities was highlighted by the Board as an under utilised resource. The Strategic Director agreed with this view and suggested that both heads of service and officers should meet with Members to find out more about assets in individual localities to support the FFC scheme.
8. The Cabinet Member for Adult Social Care, Wellbeing and Independence emphasised the importance of getting Area Directors involved in Surrey's communities to encourage the proliferation of the FFC initiative as well as helping to facilitate closer integration between ASC and healthcare providers and commissioners.
9. Further detail was requested on areas of overlap between the services provided by the ASC and those delivered by Children Schools and Families (CSF). The Board was advised that the 0-25 Transitions was the most significant area of overlap between the two services. The Board were informed that Ofsted would be conducting an inspection of the 0-25 pathway in 2017. The Strategic Director had been working closely with the Deputy Chief Executive in order to redesign this

pathway and ensure that there was a seamless transition between services provided by CSF to those received from ASC.

Recommendations:

The Board;

1. Encourages Members to offer divisional visits to Adult Social Care Area Directors and contribute their knowledge to Surrey Information Point.
2. Recommends that the 0-25 pathway being co-designed by Adult Social Care and Children, Schools and Families is scrutinised by this Board.

Actions/ further information to be provided:

None

Board next steps:

None

15/15 DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) [Item 6]

Declarations of Interest:

None

Witnesses:

Jim Poyser, Practice Development Manager, MCA and DOLS

Dave Sargeant, Strategic Director for Adult Social Care

Key points raised during the discussions:

1. The Practice Development Manager apprised the Board of the changes which came into force regarding Deprivation of Liberty Safeguards (DOLS) due to a Supreme Court judgement which had effectively lowered the threshold for what constitutes deprivation of liberty. The Board was informed that the Directorate was supportive of the changes but that the ruling has made, in that the safeguards are now expanded to safeguard more vulnerable adults but that this has created a national problem in keeping up with the subsequent increase in DOLS work required. The Law Commission has just published their proposals for amending the DOLS regime for consultation with a view to making the scheme more flexible and proportionate whilst still safeguarding people's human rights. They have been charged with

reporting back to government after their consultation, with a new draft bill.

2. Further information was requested on the number of assessments being completed by the DOLS Team and how this workload was being managed. The Practice Development Manager advised the Board that the Supreme Court judgement had led to a significant increase in the number of assessment request, the number rising from just over 100 in 2013-2014, to 3,045 in 2014-2015. It was highlighted that a Best Interest Assessor (BIA) is a highly qualified role, with social workers being required to have at least two years post-qualified experience before they can undergo training to become a BIA which had presented resourcing challenges. Members were informed, however, that the number of BIAs had been increased through a variety of measures including recruiting BIAs, training eligible locality staff and beginning a dialogue with Surrey and Borders Partnership NHS Foundation Trust (SABP) about training more of their staff as BIAs.
3. A Member asked whether consideration had been given to restructuring the way in which work is allocated to ensure that social workers which are qualified as BIAs are freed up to focus on assessments. The Practice Development Manager indicated that changes had been made to ensure that BIAs can prioritise the completion of assessments but that this had to be balanced alongside an already heavy workload. The Strategic Director advised Members that this work chimes with changes introduced across ASC aimed at prioritising workloads so that experienced social workers are freed up to take on the most complicated cases.
4. Attention was drawn to the £400,000 received from Central Government and asked whether this was enough to cover the additional costs which had arisen from the dramatic increase in the number DOLS assessments that SCC was being asked to conduct. The Practice Development Manager advised Members that, in terms of per capita allocation, Surrey had received a fair amount of money from the £25 million made available by the Government in the wake of the Supreme Court judgement. It was, however, stressed, that £400,000 would not come close to covering the costs that SCC would incur from the DOLS threshold reduction with estimates indicating that 10,000 assessments a year (an approximate estimate of the potential cases requiring assessments) would cost SCC in the region of £4.2 million per annum. In order to mitigate rising demand, the DOLS Team would prioritise requests to ensure that assessments were provided in the most complex cases first.
5. The Board agreed that the current DOLS framework is unsustainable and asked whether the additional demand has left SCC vulnerable. The Practice Development Manager advised that SCC are expected to

complete 100% of the DOLS requests that it receives in the prescribed timescales set out in the DOLS legislation but that the supreme court ruling had created unprecedented challenges in meeting this obligation and it is simply not realistic to expect that we can do this. Other Local authorities are experiencing the same difficulties Members were informed, however, that ASC would continue to prioritise DOLS assessments on a case by case basis to ensure that those people who require an urgent response to their situation are allocated as a priority to ensure those that most need the safeguards in place are afforded this protection as quickly as possible.

Recommendations:

1. The Board expresses its serious concerns at the vastly increased number of assessments regarding deprivation of liberty and the problem of recruiting enough qualified staff to carry them out.
2. The Board therefore recommends that the Cabinet raise these concerns regarding the new responsibilities placed on the council with central government, and the insufficient funding made available to meet their duties.
3. It is recommended that the Board is kept up to date on progress made on recruiting and training Best Interest Assessors (BIA) and the funding issues.

Actions/ further information to be provided:

None

Board next steps:

None

16/15 LEARNING DISABILITY PUBLIC VALUE REVIEW [Item 7]

Declarations of Interest:

None

Witnesses:

Jo Poynter, Area Director (East)

Debbie Taylor, Co-Chair, Learning Disability Partnership Board

Mary Hendrick, Partnership Manager for Disabilities

Jen Fookes, Parent Carer

Gaynor Gibbins, Parent Carer

Key points raised during the discussions:

1. The Area Director provided the Board with an introduction to the work of the Learning Disability Public Value Review (PVR) and how it had improved services for people with learning disabilities and their families. It was developed on the principle of personalisation which informed the FFC work. The PVR has also driven improvement in the delivery of out of county support provision as well as in transition services.
2. Both parent carers gave Members their perspective on the PVR and how it had improved the services available to them and their children. The Positive Behaviour Support Network was singled out as being particularly important in helping those with learning disabilities and additional needs to foster new skills through the partnerships with providers.
3. The Co-Chair of the Learning Disability Partnership Board (PB) apprised Members of some of PB's recent projects including the work that it had been doing to raise awareness of and tackle hate crime against people with learning disabilities. The Partnership Manager stressed the importance for people with learning disabilities to feel safe in their community and highlighted the work PB had done with Surrey Police in order to highlight this issue.
4. The Board expressed their support for the PVR and the important work that it had facilitated in helping people with learning disabilities to live more independent lives and to integrate into their communities. The Area Director was asked to provide details of how the Council would continue to improve service provision now that the PVR had reached its conclusion. It was highlighted that ASC would work with health partners to develop a follow up strategy. The implementation of this strategy would be underpinned by targets that would then be monitored by the PB to ensure that ASC and its partner agencies continued to meet targets and embed the person-centred approach to the delivery of services for people.
5. Members inquired about the extent to which Neighbourhood Support Officers had been involved in the work that the PVR had done with Surrey Police as these officers often know their communities extremely well. The Partnership Manager confirmed that Neighbourhood Support Officers had been involved as a result of the PVR. It was highlighted that involvement from chief officers had also actively been encouraged as a means of embedding this community centred approach amongst officers ensuring that they would get to know residents with learning disabilities and developing an understanding of their needs.

Recommendations:

1. The Board thanks the witnesses for their contributions today and notes the achievements of the PVR.
2. Recommends that it receives a report in 12 months to provide an update on the work started by the LD PVR with particular focus on the integration of commissioning with East Surrey CCG including the Joint Health and Social Care Commissioning Strategy, responsibility for individuals who reside outside of Surrey and the other areas of ongoing LD PVR work.

Actions/ further information to be provided:

None

Board next steps:

None

17/15 ADULT SOCIAL CARE DEBT [Item 8]**Declarations of Interest:**

Dorothy Ross-Tomlin declared that she is the Trustee of a residential care home in Surrey.

Witnesses:

Wil House, Finance Manager
Toni Carney, Head of Resources
Jacky Edwards, Principal Lawyer

Key points raised during the discussions:

- The Head of Resources informed the Board that ASC's social care debt position had remained relatively static since it was last considered by the Adult Social Care Select Committee, with ASC being owed around £14 million for the delivery of care services to residents.
- Concern was expressed that the issue of money outstanding for the delivery of social care services had been ongoing for several years and that there appears to have been little headway made in really addressing this problem especially given that the reason for many of the debts was that many people simply aren't aware that they owe money to SCC. The Cabinet Member for Adult Social Care, Wellbeing and Independence highlighted that the amount of money outstanding

was actually around £4.5 million - unsecured debt over a month old. It was stressed that ASC had significantly reduced its level of social care debt over the years and a great deal of work would be done to reduce this further.

- The Board agreed that measures introduced by ASC had been successful in reducing the level of social care debt but stated that more would need to be done to decrease this further. It was suggested that ASC introduce a policy of initiating early conversations about finances with the individual receiving the care package and their families to encourage awareness of how much the services they receive from SCC would cost.
- Members drew attention to the format in which the social care debt figures were presented to the Board and requested that reports clearly stipulate the amount of money owed to SCC in relation to secured and unsecured debt as well as details of the amount payable to ASC over a defined period of time.
- The Principal Lawyer informed Members that ASC worked closely with the Behavioural Insights Team to revise the language of the letters issued to fee-paying service users in order to encourage payment by Direct Debit. Furthermore, ASC had also instituted a policy of phoning individuals with outstanding debts to ask for the reasons for non-payment to get an idea of why people weren't paying and how this can be addressed.
- The Board inquired about how SCC's level of social care debt compared to other local authorities and whether information about best practice for encouraging people to pay for the services they receive was shared between authorities. The Head of Resources advised that SCC compared quite favourably as it had a lower level of debt write off than at many other authorities. Members were told that Councils didn't generally share much information about levels of social care debt but that a meeting had been scheduled with East Sussex County Council to discuss this and comparing best practice and strategies for social care debt reduction.

Recommendations:

The Board recommends that:

1. Work continues to increase the level of take-up of direct debit payments from 65%
2. Officers explore the possibility of benchmarking the council's level of debt with other local authorities.

3. The data held on the level of adult social care debt as outlined in Appendix A of the report is extended to show how long unsecured debt has been outstanding e.g. 3 months, 6 months, 12 months.
4. Supports the shift from a transactional to a more personal approach to the collection of debt.

Actions/ further information to be provided:

None

Board next steps:

None

18/15 SURREY SAFEGUARDING CHILDREN BOARD: CHILD SEXUAL EXPLOITATION UPDATE [Item 9]

Declarations of Interest:

None

Witnesses:

Caroline Budden, Deputy Director of Children, Schools and Families

Linda Kemeny, Cabinet Member for Schools, Skills and Educational Achievement

Mary Angell, Cabinet Associate for Children and Families Wellbeing

Key points raised during the discussions:

1. Members drew attention to the large number of boards dedicated to tackling Child Sexual Exploitation (CSE) in the County. It was suggested that collaboration between SCC and its partner agencies could be improved in this arena by amalgamating the various boards and committees allowing a more centralised response to CSE. The Deputy Director of Children, Schools and Families advised that there were four multi-agency groups covering the four different areas of the county. It was felt that one group would not allow the individual areas to be overseen in sufficient detail. The information from these meetings was then fed into a strategic overview board which looked at the countywide response to CSE. The Deputy Director acknowledged that the partnership working model was developing, but expressed the view that great strides had been to forge good working relationships with partner agencies across the county.

2. The Deputy Director was asked to elaborate on the steps being taken to identify the number of children and young people at risk of CSE in Surrey. The Board was advised that increased awareness of CSE had created certain challenges around making an accurate prediction of the number of children that could be subject to CSE in the county. A list of the children which are considered to be at risk of CSE in Surrey had been compiled and was being reviewed and updated monthly to assess those children which were considered to be at the greatest risk. All partners, including the police, had the same list to facilitate collaborative working and to ensure that the appropriate safeguarding structures were in place for children at risk.
3. Information was requested on the measures being taken to disrupt activity and challenge those who were engaging in CSE in Surrey. The Deputy Director indicated that details of police operations and activities to disrupt CSE were confidential, but confirmed that action was being taken to identify and stop individuals who engaged in CSE. The Board was informed that processes had been implemented to look at actions taken by the police and other agencies to make sure that they are effective at safeguarding children. There was a discussion about the need to have a single-point of contact for matters to CSE related to each agency.
4. The Board asked whether the discovery of an incident of CSE in Surrey would result in the establishment of a Serious Case Review. The Deputy Director indicated that Serious Case Reviews were conducted in instances when certain agencies or organisations were considered not to have discharged their duty by failing to take appropriate action to protect a child. Where partners were not deemed to be specifically at fault then it is generally considered that a best practice review would be more suitable.
5. The Cabinet Associate for Children and Families Wellbeing advised the Board that Ofsted had highlighted that children who go missing while in care were not routinely interviewed by an independent person once they returned. It was highlighted that it could be challenging to elicit honest answers from a child who did not want to be interviewed and that there was a need to create an environment where children trust social workers and independent interviewers and feel happy to confide in them.
6. The Board sought assurance that steps were being taken to follow up with children who have gone missing from care to ensure that they were not at risk or victims of CSE. It was advised that work was done to build trust and ensure that children in care could feel confident about talking to social workers.

7. The Cabinet Member for Schools, Skills and Educational Achievements stressed the important role played by primary schools in providing early education for children in how to identify the early signs of CSE and protect themselves online. The Board was informed that maintained and independent schools would receive support for identifying and tackling CSE and allow a greater sense of clarity and ownership in how they tackle the problem.
8. Further information was requested on how the reporting and accountability structures within Children's Services had improved since the Ofsted inspection. The Deputy Director indicated that steps had been taken to make individuals and organisations much better at sharing knowledge and information with each other. Accountability structures had also been clarified and defined so that individuals and agencies know who is responsible for particular areas of work.

Recommendations:

The Board notes the report and thanks the Surrey Safeguarding Children Board (SSCB) for its report. It recommends that:

1. That officers work proactively with other safeguarding partners to ensure a single-point of contact for CSE is implemented across each organisation;
2. That the Scrutiny Board and the Police and Crime Panel organise a joint session to further explore issues related to Child Sexual Exploitation;

It welcomes the opportunity to meet with the Independent Chair of the SSCB when it receives the SSCB's annual report in October 2015.

Actions/ further information to be provided:

That officers provide a further report demonstrating an analysis of trends and patterns related to CSE in 12 months' time.

Board next steps:

None

**19/15 CHILDREN'S SAFEGUARDING QUALITY ASSURANCE (QA) PROCESS
[Item 10]**

Declarations of Interest:

None

Witnesses:

Caroline Budden, Deputy Director of Children, Schools and Families

David John, Audit Performance Manager, Internal Audit
Linda Kemeny, Cabinet Member for Schools, Skills and Educational
Achievement
Mary Angell, Cabinet Associate for Children and Families Wellbeing

Key points raised during the discussions:

1. The Audit Performance Manager introduced the report, advising the Board that the most aspects of Children's Services Quality Assurance (QA) process operated effectively but there were some challenges related to the allocation and ownership of actions. It was felt by the auditor that this could have quite significant implications arising from actions either being neglected or duplicated.
2. The Board was further informed that the internal audit had uncovered issues with file retention and the preservation of evidence which had led to recommendations in respect of these as well. It was advised that a follow up piece of work would be conducted by the Internal Audit Team to ensure that the appropriate steps have been taken to address the problems identified in the report.
3. The Deputy Director provided the Board with some context around the findings of the Internal Audit Report. It was highlighted that some of the issues identified were related to wider challenges facing Children's Services, such as the recruitment and retention of staff which the Service was working to address. The QA process would be considered as part of the improvement plan which was being presented to the Department of Education (DfE).
4. The Board expressed concern that the QA process should be robust in order to identify areas for improvement and act accordingly. The Deputy Director drew attention to the action plan published with the report which outlined the steps being taken by Children's Services to improve its QA processes and which had been informed by the Ofsted inspection and the Internal Audit report.
5. The Cabinet Member for Schools, Skills and Educational Achievement expressed concern that there was a general confusion amongst Members about who should receive Internal Audit reports and requested that they be sent directly to relevant Cabinet Members. Officers advised that Internal Audit reports were emailed to the relevant Cabinet Member and that of a list audit reports issued was circulated to all Members including a link to the repository of audit reports on the internal Council website. The reporting mechanisms to Scrutiny Boards was highlighted as an area of good practice.
6. The Board expressed concern about the findings of the internal audit report, and discussed whether there were wider risks about how the

Council sought to identify and address issues through audit and quality assurance processes.

Ken Gulati entered the meeting at 12.25 pm.

Recommendations:

1. The Board endorses the Management Action Plan and welcomes the work officers are undertaking to make the improvements required.
2. It strongly supports the QA reporting arrangements to the Scrutiny Board as set out in the Internal Audit Management Action Plan.
3. The Board recommends that the Chief Executive reviews with the Strategic Directors the audit and quality assurance reporting mechanisms across the Council, to ensure that issues are highlighted and addressed at the appropriate level.

Actions/ further information to be provided:

None

Board next steps:

None

**20/15 FORWARD WORK PROGRAMME AND RECOMMENDATIONS TRACKER
[Item 11]**

**FORWARD WORK PROGRAMME AND RECOMMENDATIONS TRACKER
[Item 11]**

Declarations of Interest:

None

Witnesses:

None

Key points raised during the discussions:

- Set up task group for transition.

Recommendations:

None

Actions/ further information to be provided:

None

Board next steps:

None

21/15 DATE OF NEXT MEETING [Item 12]

The Board noted that its next meeting will be at 10.00 am on Monday 7 September 2015.

Meeting ended at: 1.25 pm

Chairman