

ADULT SOCIAL CARE AND HEALTH SELECT COMMITTEE

A meeting of Adult Social Care and Health Select Committee was held on Tuesday 20 February 2024.

Present: Cllr Marc Besford (Chair), Cllr Nathan Gale (Vice-Chair), Cllr Stefan Barnes, Cllr Carol Clark, Cllr John Coulson, Cllr Ray Godwin, Cllr Lynn Hall, Cllr Susan Scott and Cllr Vanessa Sewell.

Officers: Sarah Bowman-Abouna, Angela Connor (A,H&W) and Gary Woods (CS).

Also in attendance: Darren Best (Teeswide Safeguarding Adults Board)

Apologies: None.

ASCH/49/23 Evacuation Procedure

The evacuation procedure was noted.

ASCH/50/23 Declarations of Interest

There were no interests declared.

ASCH/51/23 Minutes

Consideration was given to the minutes from the Committee meeting held on 23 January 2024.

AGREED that the minutes of the meeting on 23 January 2024 be approved as a correct record and signed by the Chair.

ASCH/52/23 Teeswide Safeguarding Adults Board (TSAB) - Annual Report 2022-2023

The Committee was presented with the latest TSAB Annual Report for 2022-2023 (full report and Strategic Business Plan for 2022-2025 was provided in advance) by the current TSAB Independent Chair. Supported by the Stockton-on-Tees Borough Council (SBC) Assistant Director – Adult Social Care / PSW, the following key elements were highlighted:

- Context: TSAB was a partnership of four Local Authorities, not an organisation. It remained vital that Local Authorities understood their role with regards safeguarding (a statutory responsibility that sits with Councils) – namely that they have an adult safeguarding Board, and that this produces an Annual Report and conducts safeguarding reviews in relation to serious incidents.

TSAB was a unique set-up as no other area had four Local Authorities coming together to form a Board (with SBC hosting the TSAB Business Unit). This was seen as a positive arrangement as it allowed for economies of scale in terms of resource costs (bolstered by contributions from health and police), and also fostered in-built independence with involved Local Authorities scrutinising each other as well as the

input of key partners. The Independent Chair would be leaving in April 2024 after four years in the role.

- **Partnerships:** The work of the six statutory Board partners (four Local Authorities plus Cleveland Police and the NHS North East and North Cumbria Integrated Care Board) was supported by 23 non-statutory organisations across Teesside and beyond. The involvement of prison / probation services and housing providers were particularly important elements, something which other parts of the country did not benefit from.

The Board's sub-groups led on key pieces of work in order to achieve the aims and objectives set out in the Board's Strategic Business Plan, with all Local Authorities playing their part in chairing and supporting one. A number of Task and Finish Groups had also convened during 2022-2023 to look at specific workstreams.

- **Safeguarding Data:** There had been a 10% increase in safeguarding concerns received, and a 6% increase in Section 42 enquiries carried out, during 2022-2023 compared to the previous year (2021-2022). Regarding the enquiries undertaken, the most common location of risk across Teesside remained a person's own home (46%), followed by care homes (36%). The top four areas of abuse were neglect and acts of omission (28%), physical (20%), self-neglect (12%), and financial and material abuse (12%), all of which had increased in comparison to 2021-2022 along with cases of sexual abuse and modern slavery.

As reflected within the appendix to the TSAB Annual Report, the anomalies highlighted during consideration of the previous report (2021-2022) in relation to the recording of Stockton-on-Tees safeguarding data had now been resolved (which accounted for the large jump in the number of safeguarding concerns reported for the Borough).

- **Performance Indicators:** All four of the Board's 2022-2023 performance indicators (PIs) were achieved. It was noted that there used to be a further PI around the conversion rate for the number of safeguarding concerns that led to a Section 42 enquiry – however, whilst it was previously deemed that a higher rate was positive, local partners felt that this figure could be interpreted in conflicting ways and may lead to the unnecessary initiation of Section 42 enquiries merely to increase the overall rate. That said, the conversion rate across Teesside was higher than the national average, a situation which presented resource challenges for the Board's statutory and non-statutory organisations.
- **Joint Working:** One of the Board's priorities was the development of a whole system approach to safeguarding adults which was responsive to individual needs, views and wishes. An element of how this was being addressed was engagement and collaboration with the Local Safeguarding Children Partnerships, an area of required focus which the Committee had previously felt was lacking. It was reported that progress in relation to adults and children's joint working continued to be slow, though a new protocol had now been developed reaffirming the commitment between these two areas to ensure individuals did not fall between any gaps.
- **Safeguarding Adult Reviews (SARs):** Eight SAR notifications were considered during 2022-2023, six of which met the criteria for a SAR (the highest number since TSAB began). One of the published reports ('Molly') found the individual was significantly let-down by the criminal justice system, a situation which the Chair

highlighted to the national safeguarding forum (though there had been little progress since). Whilst emphasising the importance of learning lessons, the cost and resources / time required to undertake SARs was stressed.

- Summary: Increasing volume and complexity of cases continued to be key elements within adult safeguarding, with partners trying to resolve significant issues within a system that was not always supporting this adequately. As explained in previous years, an increasing number of recorded cases could be seen both ways – concerning that there appeared to be more safeguarding issues, or encouraging that more people recognised, and then reported, these concerns. In an effort to seek coherent narrative around the statistics / data, Teesside would start using Power BI (a data visualisation tool that pulls together information to produce high quality performance reports) next year.

Expressing thanks for this latest Annual Report, the Committee wished the TSAB Independent Chair well for the future upon leaving his role in the coming weeks. Noting that the safeguarding concerns / Section 42 enquiries conversion rate was still being referenced within the report despite being dropped as a performance indicator, Members asked how this compared to similar national data. In response, it was stated that the national conversion rate was around 38% (lower than Teesside's 46%), and that whilst TSAB did want this as a target, it was still considered important to monitor – questions would be asked if there was suddenly a big drop in the rate. The Committee was reminded that decisions to undertake Section 42 enquiries had resource implications for already stretched Councils.

The significant presence and contributions of Stockton-on-Tees organisations throughout TSAB-related activity was commended by the Committee, and the developments in strengthening co-operation between adults and children's services was welcomed given the assurances that Members received last year. The TSAB Independent Chair commented that challenges remained in achieving progress on a joint basis.

Reference was made to the Stockton News article regarding self-neglect (key achievements over the past year: April – June 2022), with Members querying if this stimulated an increase in the reporting of such cases. The Committee heard that, whilst it was difficult to ascertain if such communication was the reason for people reporting concerns, an increase in self-neglect cases during 2022-2023 may indicate a greater awareness of the signs to look out for. Continuing the theme of communication, the Committee was pleased to see the number of TSAB annual survey responses (priority 3), particularly the large increase in 'Easy Read' returns. The need to ensure methods for gaining feedback on safeguarding matters were not long-winded (and therefore off-putting) was emphasised.

Returning to the safeguarding concerns / Section 42 enquiries conversion rate, the Committee asked if a higher rate was a positive development. Members were reminded that increases in safeguarding data could be interpreted in different ways, but noted that 90% of people were getting the outcome they wanted (though this did not always mean that the individual was wholly protected). Importantly, TSAB and its various partners was improving its understanding of the legal framework in which to deal with cases and provide support.

Mindful of the comments about ongoing pressures on Local Authorities (as well as other partners), Members questioned if there were the required resources available to

address the level of safeguarding issues prevalent across Teesside (which was not necessarily the same as what affected individuals wanted to happen). It was stated that SBC had increased its capacity within the Safeguarding Team this year (though would always like more), and that having a dedicated team such as this was not always replicated within other Local Authorities. Whilst the present resourcing situation was felt comfortable, it was also stressed that dealing with safeguarding matters was not the sole preserve of Councils and could / should be assisted by its partners.

Staying with staffing considerations, Members asked how TSAB and its various organisations supported personnel who were involved in often difficult cases. The Committee was assured that this was taken very seriously and that, as far as SBC was concerned, there was a positive open culture which included the option for staff to rotate roles if they needed relief following a challenging period of time dealing with safeguarding-related issues (the award won by SBC for efforts to support social workers was also noted). The TSAB Independent Chair commended the Committee's focus on protecting staff and agreed that it was critical to look after and support the safeguarding workforce.

Bringing this item to a close, the Committee observed TSABs offer of a training course on abuse related to beliefs in witchcraft, and queried if this was an area of concern. The TSAB Independent Chair was not aware that this was a significant issue across Teesside but was part of a robust training offer for safeguarding practitioners.

AGREED that the Teeswide Safeguarding Adults Board (TSAB) – Annual Report 2022-2023 be noted.

ASCH/53/23 SBC Safeguarding Concerns - Analysis (including DoLS activity)

A briefing report was presented by the Stockton-on-Tees Borough Council (SBC) Assistant Director – Adult Social Care / PSW giving some background to changes in the Council's safeguarding performance reporting and aiming to contextualise the increase in the number of safeguarding concerns this year.

Reference was made to concerns raised by the Committee about the lower number of safeguarding concerns being reported by Stockton-on-Tees compared to other Tees Valley Local Authorities during the January 2023 presentation of the Teeswide Safeguarding Adults Board (TSAB) Annual Report 2021-2022. It was explained that, in Stockton-on-Tees, all safeguarding concerns were triaged by the SBC First Contact Team, and concerns not requiring any further action were dealt with. The SBC Safeguarding Team took responsibility for cases where more investigation was needed or where the Section 42 enquiry threshold was met. The SBC Safeguarding Team captured data for the Council's safeguarding returns; any work undertaken by SBC First Contact was not being measured and there was therefore under-reporting of the total number of safeguarding concerns.

Since this time, performance recording had now been changed and all safeguarding concerns reported to SBC were now being measured (in alignment with the other Local Authorities involved with TSAB). This led to an anticipated increase in the number of concerns for the 2022-2023 year, though it was noted that the triaging of concerns had not changed. An assurance audit of safeguarding concerns triaged at SBC First Contact as 'No Further Action' was completed, showing effective and

consistent decision-making. All referrals and decisions were recorded on the LAS system for Adult Social Care. The number of safeguarding concerns being reported should remain high from now, as data previously held only at SBC First Contact was being captured.

Specific analysis was included on Deprivation of Liberty Safeguarding (DoLS) activity, with national, regional and local data incorporated into the report for comparison. In 2022-2023, per 100,000 population, the number of individuals with a DoLS application, the number of applications, and the number of completed applications, were all higher than the national average – this was viewed as positive because it meant that the relevant people were afforded protection, and deprivations of liberty were lawful.

From a Stockton-on-Tees perspective, there were 10% more DoLS applications in 2022-2023 compared to the previous year – this appeared to be largely due to the Discharge to Assess process. Completed DoLS applications (per 100,000 population) during this period was the highest regionally and among Local Authority peers in England (and much higher than the national average). 70 DoLS applications were not yet signed off at the end of the reporting period (nationally, this was 126,000, indicating backlogs in the system), though were in the process of completion. There was no waiting list for DoLS in Stockton-on-Tees, and the average time between receipt of application and completion was 11 days across urgent and standard authorisations (significantly lower than the national average of 156 days) – this evidenced SBCs continued compliance with the DoLS framework. Any objections / challenges were also addressed in a timely fashion.

The Committee welcomed this briefing, particularly given the concerns raised in the past regarding the Council's DoLS data when compared to neighbouring Local Authorities. Members went on to ask whether difficulties were being encountered when trying to recruit Relevant Persons Representatives (RPRs) (an appointed friend or relative of a person who is subject to a DoLS authorisation), and whether those that fulfil the role were receiving appropriate support / training. In response, the Committee was informed that a family member would always be prioritised in the first instance for this position, and that three-monthly sessions for RPRs were available to assist people in the role (though it was acknowledged that only very small numbers attend).

Furthermore, SBC had recently changed the commissioning process around advocacy, and there was currently no waiting list for those requiring representation since the new contract had been put in place. It was noted that Local Authorities can face challenges trying to fill RPR (as well as Independent Mental Capacity Advocates (IMCA) and Independent Mental Health Advocacy (IMHA)) roles, and that whilst families remained the first port-of-call, this can be quite a daunting proposition for relatives.

AGREED that the contents of the SBC Safeguarding Concerns - Analysis (including DoLS activity) report be noted.

ASCH/54/23 Scrutiny Review of Access to GPs and Primary Medical Care

The fifth (and final) evidence-gathering session for the Committee's review of Access to GPs and Primary Medical Care (focusing on patient / public views) was due to take place at this meeting. However, it was explained that information was still awaited from identified contributors, whilst other elements were still being collected / collated.

As such, and following consultation with the Chair prior to this meeting, the patient / public views session would therefore be deferred until the next Committee meeting in March 2024.

In preparation for this concluding part of the evidence-gathering phase, information recently received from Healthwatch Stockton-on-Tees regarding feedback on the Borough's general practices was circulated – Members were asked to bring this along to the March 2024 meeting for consideration alongside other anticipated material which would be presented.

AGREED that the final evidence-gathering session (patient / public views) for the ongoing Access to GPs and Primary Medical Care review be deferred until the next Committee meeting in March 2024.

ASCH/55/23 CQC / PAMMS Inspection Results - Quarterly Summary (Q3 2023-2024)

Consideration was given to the latest quarterly summary regarding Care Quality Commission (CQC) inspections for services operating within the Borough (Appendix 1). Five inspection reports were published during this period (October to December 2023 (inclusive)), with attention drawn to the following Stockton-on-Tees Borough Council (SBC) contracted providers:

Providers rated 'Good' overall (2)

- Parkside Court Extra Care Scheme had been upgraded from a previous overall rating of 'Requires Improvement'.
- Alexandra House had maintained its grading following a previous overall rating of 'Good'.

The remaining three reports were in relation to non-contracted providers. A focused inspection of the home care agency, Nightingales Community Care Limited saw it maintain its overall rating of 'Good', whilst Grace Dental Care (dentist) required no actions (note: ratings not given for dentists). Finally, Tees, Esk and Wear Valleys NHS Foundation Trust (TEWV) received unannounced inspections of four of its inpatient mental health services, and short-notice (24 hours) announced inspections of two of its community services – the 'well-led' key question for the Trust was also inspected. TEWV's overall rating remained at 'Requires Improvement', though a number of concerns were found in relation to systems and processes at a senior level, a lack of suitably trained staff to deliver safe care in all services, estate issues presenting risks to quality and safety, a failure to reduce overall rates of restraint use, long waits to access services, supervision / appraisal shortfalls, an inability to consistently collate, analyse and present information about quality and performance to identify risk / challenge or support effective decision-making, and a backlog of 100 serious incidents requiring investigation.

Given the Committee's history in raising significant concerns about TEWV (culminating in a letter being sent to the Secretary of State for Health and Social Care in April 2022 calling for a public inquiry into the Trust), Members expressed alarm at the outcomes from this latest CQC inspection. Noting that TEWV were well into their much-quoted 'improvement journey', it was therefore deeply disappointing to read of continuing issues on a scale that had been similarly evident in other CQC publications over recent years.

Discussion ensued regarding the previous attempts to hold TEWV to account over these seemingly repeating problems, and reference was made to the early-2022 consideration of the Trust's response to a previous concerning CQC report by the Tees Valley Joint Health Scrutiny Committee. Despite reaching out to other represented Local Authorities for support, the Committee ended up submitting its call for a public inquiry in isolation.

Members drew attention to the repeated assurances previously given by TEWV that improvements were being made. However, whilst the CQC did indeed note some positive developments, it was clear that services were not working as they should be (indeed, it was observed that some of the findings appeared to demonstrate basic / fundamental skills shortages). The role of the Governors in terms of oversight was raised, and it was subsequently agreed that the Trust's Lead Governor should be invited to a future Committee meeting to respond to these latest concerns.

Focus turned to the section on Provider Assessment and Market Management Solutions (PAMMS) inspections (Appendix 2), of which there were 11 reports published during this period (October to December 2023 (inclusive)). Eight of these were for services given an overall rating of 'Good', with Millbeck, The Poplars Care Home, Stockton Lodge Care Home, and Care Matters (Homecare) Limited Stockton all being upgraded from their previous 'Requires Improvement' outcomes. Less encouragingly, Chestnut House was downgraded to 'Requires Improvement' from a previous overall rating of 'Good', and Oxbridge House and Beeches Care Home were still deemed 'Requires Improvement' following a similar overall rating from their previous inspection.

Concluding this item, the SBC Assistant Director – Adult Social Care / PSW notified the Committee of the imminent closure of Teesdale Lodge Nursing Home following issues in relation to its premises and lease agreement. Assurance was given that the Council was working with the families and staff affected during this difficult time, and that plans were in place for all residents to be appropriately re-located prior to the closure. Staff were also being transferred to other services, though would remain until all residents had moved to another provider.

AGREED that:

- 1) the Care Quality Commission (CQC) Inspection Results – Quarterly Summary (Q3 2023-2024) report be noted.
- 2) the TEWV Lead Governor be invited to a forthcoming Committee meeting to respond to the latest CQC report on the Trust from a Governor perspective.

ASCH/56/23 Minutes of the Health and Wellbeing Board

Consideration was given to the minutes of Health and Wellbeing Board meetings which took place in September 2023, October 2023 and November 2023.

AGREED that the minutes of Health and Wellbeing Board meetings which took place in September 2023, October 2023 and November 2023 be noted.

ASCH/57/23 Chair's Update and Select Committee Work Programme 2023-2024

Chair's Update

The Chair had no further updates.

Work Programme 2023-2024

Consideration was given to the Committee's current work programme. The next meeting was due to take place on 19 March 2024 where the annual presentation on the latest North Tees and Hartlepool NHS Foundation Trust (NTHFT) Quality Account would be provided. The deferred final evidence-gathering session for the ongoing Access to GPs and Primary Medical Care review would also be held, and the first progress update in relation to the Committee's previously completed review of Care at Home would be presented.

Looking ahead to next year's work programme, Members were informed of two items which were likely to feature during 2024-2025 – the first was a briefing on the new Care and Health Innovation Zone (spring / summer), and the second would be a Community Spaces update (autumn) following a request made at the last SBC Executive Scrutiny Committee meeting in January 2024.

Two additional health-related developments were also noted – the recently published Care Quality Commission (CQC) national maternity survey results 2023 (including NTHFT-specific data) which had been circulated to the Committee for information, and the Centre for Governance and Scrutiny (CfGS) health scrutiny training session held earlier in February 2024 which some Members attended (the recording of which had since been shared with the Committee).

AGREED that the Chair's Update and Adult Social Care and Health Select Committee Work Programme 2023-2024 be noted.