



County Hall
Cardiff
CF10 4UW
Tel: (029) 2087 2000

Neuadd y Sir
Caerdydd
CF10 4UW
Ffôn: (029) 2087 2000

CORRESPONDENCE FOLLOWING THE COMMITTEE MEETING

Committee COMMUNITY & ADULT SERVICES SCRUTINY COMMITTEE

**Date and Time
of Meeting** WEDNESDAY, 18 JANUARY 2017, 5.00 PM

Please find below correspondence send by the Committee Chair following the meeting,
together with any responses received.

For any further details, please contact scrutinyviewpoints@cardiff.gov.uk

9 **Correspondence Following Committee Meeting** *(Pages 1 - 8)*

This page is intentionally left blank

My Ref: Scrutiny/Correspondence/Cllr McGarry

24 January 2017

Councillor Susan Elsmore
Cabinet Member
c/o Room 520
County Hall
Cardiff
CF10 4UW



Dear Susan

Community & Adult Services Scrutiny Committee – 18 January 2017

On behalf of the Members of the Community & Adult Services Scrutiny Committee, I would like to thank you and all the representatives of the Safeguarding Adults Regional Board Cardiff and The Vale of Glamorgan for attending for scrutiny of Adult Safeguarding.

Members were pleased to hear about the progress already made in response to the new duties regarding Adult Safeguarding set out in the Social Services and Wellbeing (Wales) Act 2014, which, for ease, I shall refer to as the Act in the remainder of this letter. In particular, Members note: the establishment of the Regional Board; the creation of two authorising officers for the new Adult Protection and Safety Orders; and that Adult Services staff have been trained in the new adult safeguarding definitions and responsibilities as set out in the Act.

Members have comments, observations and recommendations to make to the Council as well as to the Board and so I have separated these out, using sub-headings.

Safeguarding Adults Regional Board Cardiff and The Vale of Glamorgan

It was evident to Members that there are good relationships between the representatives of the Board who were at the meeting. Members also felt that the representatives' intentions were good and were pleased that there was clear recognition that it was still early days for the Board and that it has a long way to go. Members note the intention is for the Board to be more purposeful than its' predecessor was.

Members were interested to hear that the colocation of staff at the Multi Agency Safeguarding Hub (MASH) is working well; Members note the joint working and training taking place, required to ensure meaningful working. Members are pleased to note that representatives at this meeting recognised the need to continue this. **Members recommend** that members of the Regional Board work together to put in place joint training to ensure that all staff who are involved in investigations are able to gather and record evidence to PACE standards, whether or not a criminal investigation results. This is to ensure that the Board acts on the findings of the Operation Jasmine review. This review found that poor evidence gathering and record keeping meant that crucial links were not made, meaning abuse and neglect were not stopped as soon as they could have been. The Committee believes that Gwent Police may have already commenced joint training on PACE standards in their area. Members were pleased to hear Supt Stephen Jones being supportive of this approach.

Members were also reassured to hear that, as part of establishment of the MASH, the WASPI policies and procedures have recently been reviewed to ensure that they are fit for purpose.

With regard to investigations, Members recognise that there will be a Designated Lead Manager; however, they must be able to draw on the resources across all areas to ensure the investigation has breadth and depth.

Members recognise that more awareness raising needs to take place to ensure individuals, families, neighbours and communities are aware of adult safeguarding and about how they can refer issues and concerns. This would help to address concerns about possible safeguarding issues for adults who are self-funding care and support. As part of boosting awareness, and in order to ensure the Council and partners meet their responsibilities under the Act, **Members would like to receive assurance** that all staff will be made aware of their duty under the Act to report adults at risk and that they will be informed of how to do this.

Members were interested to hear that partners on the Board are working together to improve referrals processes. Members are aware of the need to address barriers to referrals, particularly for groups that research has shown to be under-represented in safeguarding referrals, including older people from black and ethnic minorities, older people who are homeless, have mental health problems and/ or substance misuse. It was reassuring to hear that partners recognised this and that steps are being taken to address barriers, by building relationships with relevant agencies, including BAWSO and mosques.

Members thank the Board for sharing their draft Business Plan with them. Members note the priority areas and the action plans for these. However, the Business Plan does not clearly show how the core functions of the Board are to be delivered. Members could infer that some of the sub-groups will implement some of the core functions. However, Members believe it would be better to set out how each of the core functions will be met. **Members recommend** that the Business Plan is amended to include a table that lists the functions and, for each of these, states how these functions will be delivered.

Members believe that the Regional Board has the opportunity to build a relationship with the National Board, with the overall goal of strengthening adult safeguarding across Wales. To this end, Members believe that there are two clear areas where the Regional Board should make recommendations to the National Board. Therefore, **Members recommend** that the Regional Board agree to recommend to the National Board that the National Board work to ensure that all Elected Members receive DBS checks. Elected Members have the opportunity to be in unsupervised contact with vulnerable children and adults as part of their everyday ward work. It is therefore essential that each elected member has a DBS check. This cannot be undertaken at present and requires a change from Welsh Government; the National Board is ideally placed to raise this with the Welsh Government and to work to see the changes introduced. Secondly, **Members recommend** that the Regional Board recommend to the National Board that the National Board take the lead in developing and agreeing national data definitions. These would certainly assist in the development of meaningful and useful performance indicators for adult safeguarding that reflect partnership work.

Members note the intention to establish a business unit to support the Board and sub-groups. **Members would like to know** if this unit is to lead on the development of the proposed suite of performance management indicators, discussed at the meeting. Members would be interested to see these indicators once they are developed.

Cardiff Council

Our final comments, observations and recommendations relate solely to the work of the Council rather than the work of the Board and all its partners.

Given the importance of adult safeguarding and the fact that Members come into contact with many people via their ward work, **Members recommend** that there is training on adult safeguarding for all Members elected in May 2017 and that it forms part of the mandatory induction training so that all Members have to attend.

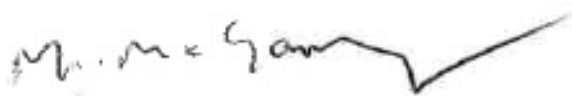
Following discussion at Committee, **Members wish to receive clarification** about whether safeguarding concerns can be raised about council service provision, (for example if a care worker either does not turn up to provide care or is abusive to the service user), and whether the Council will deal with it as a safeguarding issue rather than as a complaint. Members believe the examples given should be dealt with as a safeguarding issue but wish to receive a response on this.

Finally, Members note that officers believe that a review of POVA processes is required in order to make them fit for purpose given the legislative changes brought in by the Act. These changes came into force on 6 April 2016. **Members wish to be informed** what the timescales for the review of POVA processes are. **Members also seek assurance** about what is happening in the meantime, given that the old threshold focused on significant harm and the new requirements focus on risk to an individual.

This Committee will be recommending to a future committee that they look again at adult safeguarding and receive the annual report and business plan of the Regional Board.

This letter requires a response, please, as it contains several recommendations and requests for assurance and information.

Yours sincerely,



COUNTY COUNCILLOR MARY M^CGARRY

Chairperson - Community & Adult Services Scrutiny Committee

Cc:	Tony Young	Director of Social Services
	Amanda Phillips	Assistant Director of Social Services - Adults
	Alys Jones	Operational Manager – Safeguarding
	Sheila Harrison	Acting Deputy Director of Nursing – Cardiff & Vale UHB
	Linda Hugh-Jones	Head of Safeguarding – Cardiff & Vale UHB
	Supt Stephen Jones	South Wales Police
	Liz Patterson	Personal Assistant
	Matt Swindell	Cabinet Office

This page is intentionally left blank

My Ref: Scrutiny/Correspondence/Cllr McGarry

19 January 2017

Councillor Susan Elsmore
Cabinet Member
c/o Room 520
County Hall
Cardiff
CF10 4UW



Dear Susan

Community & Adult Services Scrutiny Committee – 18 January 2017

On behalf of the Members of the Community & Adult Services Scrutiny Committee, I would like to thank you and officers for attending for pre-decision scrutiny of the Cabinet Report entitled 'Direct Payments for Vulnerable People'.

Members have comments, observations and recommendations on both of the areas covered by the recommendations put to Cabinet, namely the proposed model and the proposed procurement process. I have structured this letter accordingly. Our aim with these comments, observations and recommendations is to ensure that Cabinet has the information and assurances required to make robust decisions on the recommendations before you. I hope that this is helpful to you and your colleagues. I request that this letter be circulated at Cabinet today so that Cabinet Members can use our comments, observations and recommendations when considering this item.

Proposed Model

Members note that the Council will provide the clear, single point of contact for information and advice on Direct Payments.

Members note that the Pick List contains a list of activities that the Direct Payments Support Provider(s) offers rather than a list of activities that Direct Payments can pay for. Members' feedback is that there appears to be some confusion flowing from how some staff are explaining the Pick List to some current service users. Members have heard from current service users who wish to use their Direct Payments to meet the cost of outings who have been advised by staff that they are not able to do so as this is not on the Pick List. **Members recommend** that clarity on this matter is provided to staff as a matter of urgency.

Members support the aim of increasing Direct Payments and are pleased to note that efforts are being made to increase the pool of trained Personal Assistants. Members are aware of the capacity issues currently in the domiciliary care market in Cardiff and are concerned to ensure that any increase in Personal Assistants does not negatively affect the rest of the domiciliary care market. **Members recommend** that there is close monitoring of the impact of the Direct Payments scheme on the capacity of the domiciliary care market. **Members further recommend** that Cabinet task officers to prepare plans to deal with any negative affect that this monitoring reveals.

Proposed Procurement Approach

Point 28 of the Cabinet Report indicates that an Open procedure is being considered for procurement and the route for procurement will be subject to a separate report (Director Level) if Recommendation 2 of the Cabinet Report is approved. At Committee yesterday, Members heard that the advice from the Direct Payments Project Group was to follow an Open procedure, due to the timescales. **Members recommend** that Cabinet Members seek confirmation on this from officers at the Cabinet Meeting as, if it is already clear that an Open procedure is the best way forward, Cabinet could agree this at the meeting, thus removing the need for a separate Officer Decision.

The Cabinet Report states that the contract will be awarded to one or two organisations. At Committee yesterday, Members clarified that it would be no more than two organisations and heard that, if the contract were awarded to two organisations, the contract would be split 50/50 between the organisations. The Cabinet Report does not state this and therefore **Members recommend** that Cabinet Members seek clarification of the structure of the contract if it is awarded to more than one organisation.

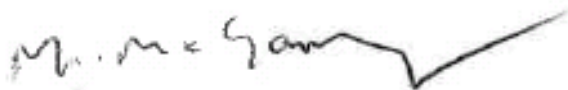
Members note that the contract will be awarded for three years, with the option to extend for a further block of three years subject to an evaluation of best value, quality of service and cost.

Members sought assurance that officers had developed contingency and transition plans with regard to the cessation of one contract and award of a new contract; these contingency and transition plans are referred to but are not detailed in the Cabinet Report. **Members recommend** that Cabinet satisfy itself with the contingency and transition plans in place to deal with the possibility of there being a gap between this contract and a new contract.

The Financial Implications section of the Cabinet Report states that a dedicated direct payments team is to be established and must be funded from existing resources. Members heard that the new team would be resourced via efficiency savings and via a pressure bid, which has been submitted to cover the costs of a manager for this team. The Cabinet Report does not state this. In light of this, **Members recommend** that Cabinet seek clarification from officers at Cabinet about how the dedicated direct payments team will be resourced. Members are concerned that, if the pressure bid is not successful, there will be a gap in the funding for this team.

Thank you again for ensuring that Committee was able to undertake pre-decision scrutiny of this item. We will be recommending to a future Committee that they undertake further scrutiny of this area, given its importance in providing choice and control for vulnerable people in Cardiff.

Yours sincerely,



COUNTY COUNCILLOR MARY M^cGARRY

Chairperson - Community & Adult Services Scrutiny Committee

Cc:	Sarah McGill	Director of Communities, Housing and Customer Services		
	Tony Young	Director of Social Services		
	Amanda Phillips	Assistant Director of Social Services - Adults		
	Denise Moriarty	Strategic Lead Planning Officer – Learning Disabilities		
	Liz Patterson	Personal Assistant	Matt Swindell	Cabinet Office

**SWYDDFA CYMORTH Y CABINET
CABINET SUPPORT OFFICE**

Fy Nghyf / My Ref: CM36762
Eich Cyf / Your Ref: Scrutiny/
Correspondence/Cllr McGarry



Dyddiad / Date: 21 February 2017

Councillor Mary McGarry
Chair, Community & Adult Scrutiny Committee
Scrutiny Services
Room 263
County Hall
Cardiff
CF10 4UW

Annwyl / Dear Councillor McGarry

Community & Adult Services Scrutiny Committee - 18 January 2017 - Direct Payments to Vulnerable People

Thank you for your letter of 19th January 2017 in relation to Direct Payments for Vulnerable People.

As part of pre-decision scrutiny of Direct Payments, members have requested the following information and I will address each point individually:

Proposed Model

The 'picklist' refers to the support service the person will receive in order to set up a direct payment. The proposed model will include a variety of support packages in the form of a 'picklist' that will be provided to a person who chooses to receive a direct payment. The 'picklist' does not refer to the service that the person purchases directly via their direct payment, and neither does it cover the uses of direct payments.

Individuals remain able to exercise choice and control about how they use direct payments, for example to secure individual care & support via a Personal Assistant (PA), Domiciliary Agency, Respite, Equipment and/or Residential Care. Officers will ensure there is clarity amongst staff regarding the structure of the proposed model.

Officers cannot recall Members raising at Scrutiny concerns about a service user being unable to use a direct payment to meet the cost of an outing. In future, if members have individual concerns, please can they raise them directly with officers, so they can be followed up promptly.

ATEBWCH I /
PLEASE REPLY TO: Swyddfa Cymorth Y Cabinet / Cabinet Support Office,
Ystafell / Room 514, Neuadd y Sir / County Hall,
Glanfa'r Iwerydd / Atlantic Wharf, Caerdydd / Cardiff,
CF10 4UW Ffon / Tel (029) 2087 2479

The Directorate will closely monitor any potential impact of the implementation of the future direct payment service. We are already working very closely with the domiciliary care market through a number of engagement events to increase capacity, and this will continue given the fragility of the market. Recently the Directorate has launched a successful *be a care worker campaign* to attract more people into the sector.

Proposed Procurement Approach:

Recommendation 2 of the Cabinet Report to delegate authority to the Director of Social Services not only covers the Open Procurement Route, but also the authority to determine all aspects of the procurement process up to and including the award of contracts, and all ancillary matters pertaining to the procurement.

The contract will be awarded to one or two providers. For the purposes of the services, Cardiff will be split into two geographical localities aligned to the east and west of the City. Each locality will represent a separate lot with the intention to award contracts to a minimum of one and a maximum of two providers to deliver these services. Bidders are free to bid for one or more of those lots; however, the award will be restricted to a maximum of two lots.

The Direct Payment Project is following the Project Quality Assurance process to ensure planning, risk assessments and mitigation actions are in place to support the new direct payment service and to ensure high quality provision.

The Directorate has developed transition and contingency arrangements and these will be administered for a period leading up to the new contract. All officers involved in the project have been briefed and are ready to respond as and when necessary. The Directorate will continue to work in partnership with the incumbent provider to secure consistent delivery of the service through this transition period.

The Directorate will be establishing a small direct payment team through efficiency savings and a pressure bid; it is anticipated that these are realistic options to securing the team.

We appreciate your comments and I hope that the above response addresses the information required but please don't hesitate to contact me if I can be of any further assistance.

Yn gwyir,
Yours sincerely,



Y Cyngorydd / Councillor Susan Elsmore
Aelod Cabinet Dros Iechyd, Tai a Lles
Cabinet Member for Health, Housing & Wellbeing

Cc: Members of the Community and Adult Scrutiny Committee
Sarah McGill Director of Communities, Housing and Customer Services
Tony Young Director of Social Services
Amanda Phillips Assistant Director of Social Services - Adults
Denise Moriarty Strategic Lead Planning Officer – Learning Disabilities
Claire Deguara, Cabinet Office