

## **CABINET MEMBER FOR ADULT SOCIAL CARE**

**Venue: Town Hall,  
Moorgate Street,  
Rotherham. S60 2TH**

**Date: Monday, 24th September, 2012**

**Time: 10.00 a.m.**

### **A G E N D A**

1. To determine if the matters are to be considered under the categories suggested in accordance with Part 1 (as amended March 2006) of Schedule 12A to the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Apologies for absence.
4. Minutes of the previous meeting (Pages 1 - 3)
5. Safeguarding Adults Service (Pages 4 - 5)
6. Date and time of the next meeting: -  
Monday, 8<sup>th</sup> October, 2012, to start at 10.00 am in the Rotherham Town Hall.

**CABINET MEMBER FOR ADULT SOCIAL CARE**  
**Monday, 10th September, 2012**

Present:- Councillor Doyle (in the Chair); Councillors Gosling, P. A. Russell (Policy Advisors) and Steele (Health Select Commission)..

**H21. MINUTES OF THE PREVIOUS MEETING**

Consideration was given to the minutes of the previous meeting held on 23rd July, 2012.

Resolved:- That the minutes of the previous meeting held on 23rd July, be approved as a correct record.

**H22. ADULT SERVICES REVENUE BUDGET MONITORING 2012-13**

Consideration was given to a report, presented by the Finance Manager (Adult Services), which provided a financial forecast for the Adult Services Department within the Neighbourhoods and Adult Services Directorate to the end of March, 2013 based on actual income and expenditure to the end of July, 2012.

It was reported that the forecast for the financial year 2012/13 was a balanced budget against an approved net revenue budget of £74.147M.

The latest year end forecast showed a number of underlying budget pressures which were being offset by a number of forecast underspends:-

- A forecast underspend on Adults General Management and Training mainly due to savings on charges for postages, telephones and printing
- Forecast overspends within Older People's services on In-House Residential Care, further increase in demand for Direct Payments and on In-House Transport offset by underspend on Enabling Care, Independent Sector Home Care, Community Mental Health, Carers Services and slippage on recruitment to vacant posts within Assessment and Care Management
- Within Learning Disabilities an overspend on Residential Care budgets, recurrent budget pressure on Day Care Transport, additional high cost placements receiving Independent Sector Day Care Provision, increased demand for Direct Payments, increase in community Support placements offset by underspend within Independent Sector Supported Living Schemes, savings on premises costs and slippage on vacant posts
- A forecast overspend on Direct Payments within Mental Health Services due to increased demand was offset by savings on community support services as clients take up a direct payment plus a slight underspend on Residential Care budget
- Continued pressure on Independent Sector Domiciliary Care, loss of CHC funding for 1 client, increase in demand for Direct Payments, forecast overspend on Residential and Nursing Care were offset by underspend on Crossroads as clients were redirected to Direct Payment, vacant posts and savings on contracts with Voluntary Sector providers were the main variations within Physical and Sensory Disability services
- Slight underspend on employee budgets within Adults Safeguarding

- Efficiency savings in Supporting People subsidy contracts where being offset against Commissioning savings targets not including in this report.

Total expenditure on Agency staff for Adult Services so far was £66,739 compared with an actual cost of £152,117 for the same period last year. The main costs were in respect of Assessment and Care Management staff to cover vacancies and sickness. There had been no expenditure on consultancy to date.

There had been £94,223 spend up to the end of July, 2012, on non-contractual overtime for Adult Services compared with expenditure of £105,590 for the same period last year.

Discussion ensued on the report with the following issues raised/clarified:-

- The sickness cover at Davies Court was being managed effectively by the Manager and Service Manager working to support the remaining staff. Bank staff were used to cover absences wherever possible
- The overall overspend on Learning Disabilities had reduced £50,000 from the previous report
- The outcome of the appeal against Community Health Care funding would be known shortly
- Work taking place on increased numbers and costs of transitional placements from Children's Services into Learning Disability Services

Resolved:- That the latest financial projection against budget for 2012/13 be noted.

### **H23. EXCLUSION OF THE PRESS AND THE PUBLIC.**

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any person (including the Council)).

### **H24. EU WORKING TIME DIRECTIVE**

The Director of Health and Wellbeing presented a report with regard to an issue raised at a recent meeting of the Joint Consultative Committee regarding the above.

UNISON had raised concerns that Council officers were working in accordance with the Working Time Directive but it appeared that some of the independent sector care organisations' employees were not.

The Commissioning and Contracting Team responsible for managing Domiciliary Care Contracts had investigated the concerns. All the care providers, with the exception of 1, confirmed that none of their staff worked in excess of the EU Directive of 48 hours a week. The circumstances surrounding the 1 provider had been due to an increased incidence of sickness and in the interests of business continuity. The organisation had stressed that

it was not their usual practice and only permitted to ensure safety of Service users and in order to ensure full service delivery.

There was no evidence to support the view that contracted care organisations from the independent sector were regularly permitting staff to work hours in excess of the EU Working Time Directive of 48 hours. However, the Contracts Team would be advising the company concerned that working outside the parameters of the Directive was not acceptable and reminding them of their obligation to adhere to the Terms and conditions of the contractual agreement. The monitoring of staff time worked would also become a standard item to examine during contract review meetings and spot checks of organisations.

Resolved:- (1) That the report be noted.

(2) That the report be submitted to the Neighbourhood and Adult Services Strategic Union meeting.

ROTHERHAM METROPOLITAN BOROUGH COUNCIL  
Neighbourhoods & Adult Services  
Health & Wellbeing

**Briefing Note to Cabinet Member for Adult Social Care**

**Safeguarding Adults Service**

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The Safeguarding Adults Service now consists of following service areas:

- The newly joined **Contract and Quality Assurance Officers Team** undertake the monitoring of quality standards including planned and unplanned investigations and checks to ensure that services provided by all external and some in house providers are in accordance with contracts and Service Level agreements.
- **Safeguarding Adults Office** – this team co-ordinate, monitors, audits and provides Best Practice guidance/advice in relation to reported/alleged incidents of abuse of vulnerable adults. This service provides advice and information about the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards (DoLs) and undertakes the administration of the DoLs process.
- **Safeguarding Investigation Team** – this team investigates allegations of abuse in line with South Yorkshire Safeguarding Adults Procedures. The vacant Team Manager post in the investigation team has been appointed to and Jill Wetherall commences in post on 1<sup>st</sup> October 2012.
- **Court of Protection Appointeeship Team** - this team manage the financial affairs of a person who lacks the mental capacity to do so for themselves.
- **Domestic Abuse** – this team offers advice, support, information and advocacy to people who have been victims of Domestic Abuse.
- **Residential and Nursing Care Team** – this team undertakes planned reviews, assessments and unplanned reviews of all older people and adults with a physical and sensory impairment who are permanent residents in residential or nursing care.

This year we have introduced a new **Local Authority Designated Adult (LADO)** procedure. This guidance deals with allegations against staff and volunteers employed by RMBC. The purpose of this guidance is to ensure that all allegations of abuse made against staff or volunteers employed by RMBC working with vulnerable adults are dealt with in a fair, consistent and timely manner and to ensure vulnerable adults are safe

**Raising Standards with Providers**

We now hold monthly meetings with CQC where all significant issues with providers are discussed and intelligence shared. This compliments the risk matrix where all providers are rated and scored according to the level of concerns with the provider this includes safeguarding alerts and investigations, contract concerns and compliance and warning notices served by CQC. We also undertake monthly visits to providers.

### **Significant Safeguarding Concerns**

Currently we are investigating several allegations of abuse in the following homes: The Abbays, Clifton Meadows, Ladyfields and Woodlands. There are suspensions of placements at all homes and default notices have been served, there are special measures action plans in place for all these care providers to improve the standards of care.

### **Annual Report**

The annual report for 2011-12 is ready to be published shortly. During 2011-2012 significant improvements have been put in place in Rotherham to promptly and effectively respond to protect individuals when allegations of abuse are made. Key achievements include:

- We have, through our awareness campaigns, continued to increase the number of safeguarding alerts by 14%
- We have decreased repeat referrals by 55%
- We have decreased, by 7%, abuse taking place in Residential/Nursing care.
- We have reviewed the Bronze to Platinum Training Programme which has trained 1890 people in 2011/12 across all partners in dealing with adult abuse.
- We have reviewed and refreshed the Boards Terms of Reference.
- All people who reported that they “don’t feel safe” in the Adult Social Care Survey were contacted personally, none of the concerns report were in relation to adult safeguarding.

This years Rotherham **Safeguarding Adults Board annual awareness week** took place from 9<sup>th</sup> to 16<sup>th</sup> July 2012. The theme for this year was neglect “prevention is better than cure”. We targeted all aspect of neglect including prevention of self neglect linking the event with “5 Ways of Wellbeing”, and the national Mental Health Campaign “Lets Get Talking”.

We have recently undertaken a **review of the Safeguarding Investigation Team**, its purpose and the roles and responsibilities within the team. The team was established in 2008 as a direct result of learning from a serious case review and a commitment to safeguarding adults to be our number one priority. The team has grown and developed over the past four years and the review has highlighted several areas where improvements to the current process would result in better outcomes for our customers. An action plan has been developed and managers and workers will be reviewing the recommendations in order to drive through the changes and improvements.

**Sam Newton**  
**Service Manager**  
**Safeguarding Adults**