

Minutes of a meeting of the Adults and Communities Overview and Scrutiny Committee held at County Hall, Glenfield on Monday, 4 September 2023.

PRESENT

Mr. T. J. Richardson CC (in the Chair)

Mr. G. A. Boulter CC

Mrs. H. Fryer CC

Mr. B. Champion CC

Mr. J. Miah CC

Mr. N. Chapman CC

18. Minutes.

The minutes of the meeting held on 5 June 2023 were taken as read, confirmed and signed.

19. Question Time.

The Chief Executive reported that no questions had been received under Standing Order 34.

20. Questions asked by members under Standing Order 7(3) and 7(5).

The Chief Executive reported that no questions had been received under Standing Order 7(3) and 7(5).

21. To advise of any other items which the Chairman has decided to take as urgent elsewhere on the agenda.

There were no urgent items for consideration.

22. Declarations of interest in respect of items on the agenda.

The Chairman invited members who wished to do so to declare any interest in respect of items on the agenda for the meeting.

No declarations were made.

23. Declarations of the Party Whip in accordance with Overview and Scrutiny Procedure Rule 16.

There were no declarations of the party whip.

24. Presentation of Petitions under Standing Order 35.

The Chief Executive reported that no petitions had been received under Standing Order 35.

25. Performance Report for Quarter 1 2023/24 (April - June)

The Committee considered a joint report of the Chief Executive and Director of Adults and Communities, the purpose of which was to present an update on the Adults and Communities Department's performance during the first quarter of 2023/24, namely April to June 2023. A copy of the report marked 'Agenda Item 8' is filed with these minutes.

Arising from discussion the following points were made:

- i. A Member queried when looking at figures and statistics, with reports referencing pre-covid levels that were not currently being reached, if the current levels were the new norm and that targets should be amended. Officers commented that looking at data year on year during and since the pandemic had been challenging. Officers would continue to look at target levels but highlighted that it was still appropriate to reference pre-covid levels in some instances. For example, in adult education, there were just under a quarter of a million fewer people in adult education post pandemic which affected performance metrics and the achievement of criteria that funders required. It was therefore important to maintain such targets in order to gain that funding. However, there was the ability to think about targets set locally.
- ii. A Member drew attention to the number of people waiting for social care assessment, and whilst the number had reduced by over 500 over six months, there were still 1,059 waiting. Also, as the Market Sustainability and Improvement Fund was only available for one year, the Member questioned what the plans would be going forward to get to a more acceptable level of people waiting. The Director commented that the reduction of 30% in people waiting in six months was very encouraging, and that there was an expected continued reduction. He added that there would never be a point where no one was waiting as for a County the size of Leicestershire there would always be people being referred to the service.
- iii. Members noted that the Care Act did not give a target for when an assessment should be completed. The local target for an assessment was within 28 days, which was appropriate for the majority of standard assessments. However, this was not necessarily possible for those with complex needs or, for example, when reports from partners such as the police or health had to be obtained. The Director reassured the Committee that he considered the current position to be encouraging. He added that with regards to the Market Sustainability Fund, the first tranche was recurrent, the second tranche had not been publicised as being recurrent, but it was expected that the reduction in those awaiting assessment would reach an acceptable figure before this ceased. The Member commented that he was reassured that the Department was meeting targets but requested more detailed information in future reports to gain a better understanding on the types of cases which did and did not meet the target.
- iv. A Member asked if the library service was able to determine why there might be a reduction in junior lends in libraries and if there was concern that children were sourcing information online. It was noted that, internally, there were performance statistics regularly looked at against a libraries roadmap (a programme of activities which helped identify priority audiences, one of them being children). Officers reported that the 4,000 figure on its own did not identify if it was a significant drop in lending amongst children, and that further reports would be worked on to improve narrative behind the figures.

RESOLVED:

That the report on the Adults and Communities Department's performance during the first quarter of 2023/24, namely April to June 2023, be noted.

26. Leicestershire and Rutland Safeguarding Adults Board Annual Report.

The Committee considered a report of the Independent Chair of the Leicestershire and Rutland Safeguarding Adult Board (LRSAB) for 2022/23. A copy of the report marked 'Agenda Item 9' is filed with these minutes.

The Chairman welcomed Ms. Seona Douglas, Independent Chair of the LRSAB to the meeting for this item.

Arising from discussion and questions, the following points arose:

- i. A Member queried the Safeguarding Partnership's reserve funds of £168,895 and questioned who would decide what this would be used for. The Independent Chair explained that during the Covid-19 pandemic, there were no learning and development opportunities and the money had therefore been accrued as a result. There was an agreed methodology for sharing the funds if not required, and the decision would be made by the Board on how to use the money or whether to disseminate some or all of this back to partners. However, Members acknowledged that it was good for the Partnership to have a healthy reserve balance which would enable the Board to undertake a lot of work and engagement with residents.
- ii. A Member made reference to the number of safeguarding enquiries and alerts which for Leicestershire in 2022/23 looked similar to the figures presented for 2021/22. However, in comparison to Rutland, the number of physical abuse cases had gone down from 19% to 4% whilst at the same time the number of financial and material abuse cases had risen from zero to 13%. The Member queried if there was an explanation for this jump in figures. The Independent Chair explained that Rutland, as a small unitary authority, had significantly smaller numbers when compared with the County Council, therefore changes in numbers in terms of percentages would look more extreme. The two could not be meaningfully compared.
- iii. A Member drew attention to the Safeguarding Adults Review (SAR), whereby over the last few years the SAB had identified an 'under-representation' of people from non-white backgrounds. It was suggested it would be more appropriate to say that there was under-reporting from this group of residents which the Independent Chair accepted and confirmed would be amended for future reports.
- iv. Members noted that there was greater under-reporting within Leicestershire from black minority communities. The Board would therefore be exploring whether it was targeting those communities correctly. It was noted that when the Partnership ran campaigns and awareness raising was undertaken, referrals increased.
- v. A Member sought an explanation of why the number of section 42 safeguarding enquiries concluded in 2022/23 had been higher than the number of individuals involved in such enquiries during the same period. The Independent Chair explained that some cases would have been brought over from a previous year. The Director further explained that there were two key issues. Firstly, was the length of time it had taken to complete some enquiries which meant they were carried forward into the following years figures. This had been the subject of a recommendation by Dr. Tozer

in the report on Assurance of Adult Social Care to be considered elsewhere on the agenda for this meeting. The recommendation had been to address the number of safeguarding enquiries that took over six months to complete. Secondly the Director explained that the Council's approach in when it applied the threshold to assess whether a matter would be the subject of a section 42 enquiry was different to most other authorities which meant Leicestershire's conversion rates appeared to be substantially lower. The Director confirmed that its processes would be reviewed and undertook to provide a further update on this issue to Committee Members.

- vi. It was noted that attendance on the Board had been good, particularly at a senior level ensuring the Board was able to operate effectively and take decisions. The Committee welcomed this news but requested that a table of attendance still be included in future reports as had been done in previous years.

The Chairman thanked Ms. Douglas for the report.

RESOLVED:

- a) That the draft annual report of the Leicestershire and Rutland Safeguarding Adult Board (LRSAB) for 2022/23 be noted.
- b) That Chair of the Board be requested to include details on the attendance of partners at LRSAB meetings throughout the year in future reports.
- c) That the Director of Adults and Communities be requested to provide a further update outlining the process for dealing with Section 42 Safeguarding enquiries, how these are managed and the timings for conclusion, in particular those that take longer than 6 months.

27. Collections Development Policy and Access Policy for the Record Office for Leicestershire, Leicester and Rutland.

The Committee considered a report of the Director of Adults and Communities on the revised Collections and Development Policy and Access Policy for the Record Office for Leicestershire, Leicester and Rutland (ROLLR), which were a requirement for archive accreditation and would support the Record Office's accreditation submission to The National Archives on 8 November 2023. A copy of the report marked 'Agenda Item 10' is filed with these minutes.

Arising from discussion and questions, the following points were noted:

- i. In response to questions raised, Members were informed that the Records Office would not accept material that did not fall within the geographical boundaries of Leicester, Leicestershire and Rutland.
- ii. Regarding digital access to records Members heard that some, such as family history records, had been digitised to a high standard through working with partners, and could be accessed through home computers, in libraries or within the Record Office itself. Other records received which were not in a digital format, posed a challenge as resources were limited to invest in facilities that could ensure these were digitised and made accessible to a high quality for decades to come.

- iii. Members raised concerns about limited storage availability at the current Records Office in Wigston, particularly for documents that needed to be stored in specific conditions. The Director assured Members that the professional staff at the Records Office were in a position to make assessments of the different types of material held and identify those that needed to be in controlled conditions, and those that could tolerate conditions that did not need, for example, climate control. Methods such as using archival boxes and tissue paper added for the protection of items when not in use were sometimes suitable alternatives.
- iv. Members questioned what progress had been made in the development of the Eastern Annex and raised concerns that the time it would take to get this facility operational given the desperate need for appropriate storage capacity. The Committee raised particular concerns about the risk to the Authority in losing its accreditation. The Director said the timescale for the development was actively being worked on and there was an expectation that a report on future proposals for the Collections Hub and Records Office would be brought to Committee at its November meeting. However, Members noted with concern that it would likely be five years before the new facility became available, and there would therefore be a period when these Policies were in place but the Council might not be able to be 100% compliant.
- v. In response to a Member question, it was reported that overflow storage had been used in the Eastern Annex which was also reaching capacity, but fortunately levels of incoming material had been of a modest amount. It would, however, be a challenge to accommodate a large archive of multiple boxes until the new facility was in place. The Director provided some reassurance that the Council could fulfil its responsibilities around accepting statutory records in the short term. It was noted that there were some strategies around sampling, but this would only be undertaken in exceptional circumstances.
- vi. In response to a Member query, it was explained that the Records Office was a partnership provision managed by the County Council, with an annual contribution for provision from all three partners. The strong rooms held material from all three partners. Different models had been looked at in the past with partners, but a partnership approach provided the most efficient model.
- vii. The Committee was unanimous in highlighting its view that the preservation of records in an acceptable storage space with access for members of the public was essential, and that it supported the Cabinet Lead Member, Mrs. Radford, in seeking the development of the Eastern Annex as a priority.
- viii. The Committee agreed that the biggest risk to the Council if the Eastern Annex development was not delivered within a reasonable timescale would be running out of space and therefore the risk of having to refuse a collection, and the loss of the Council's accreditation which would have financial implications for the Authority.

RESOLVED:

- a) That the report on the revised Collections Development Policy and Access Policy, for the Record Officer for Leicestershire, Leicester and Rutland (ROLLR) be noted;
- b) That the comments now made by the Committee be forwarded to the Cabinet for consideration at its meeting on 15 September 2023;

- c) That the Cabinet be advised that the Committee unanimously supports the need for the Authority to preserve local records from across Leicester, Leicestershire and Rutland and to retain its accreditation and therefore requests that proposals for a new records storage facility be prioritised.

28. Annual Adult Social Care Complaints and Compliments Report 2022-23.

The Committee considered a report of the Director of Adults and Communities which provided Members with a summary of the complaints and compliments for adult social care services commissioned or provided by the Adults and Communities Department in 2022-23. A copy of the report marked 'Agenda Item 11' is also filed with these minutes.

Arising from discussion and questions, the following points arose:

- i. A Member suggested and the Complaints Manager undertook to include in future reports the number of service users alongside the percentages to give added context.
- ii. A Member commented that complaints from self-funders of social care services were not covered by the local authority. It was reported that the County Council would not be at fault under those circumstances as they had not commissioned the service. However, it might make further enquiries if the Authority had dealt with the provider in a broader sense, and issues would be shared with the quality and compliance team. Self-funding individuals could still complain to LGSCO rather than making complaint to the Council.
- iii. A Member questioned if there were any themes and therefore cause for concern in respect of the higher number of complaints in the Oadby & Wigston and Hinckley areas. The Complaints Manager commented that this did not appear to be the case but would revisit the data and provide confirmation to Members after the meeting.

RESOLVED:

- (a) That the Annual Adult Social Care Complaints and Compliments Report, covering the period 1 April 2022 to 31 March 2023 be noted.
- (b) That the Complaints Manager be requested to clarify if any themes appeared to be developing given the higher number of complaints received and upheld in the Oadby & Wigston and Hinckley districts.

29. Assurance of Adult Social Care.

The Committee considered a report of the Director of Adults and Communities which provided feedback from the Annual Conversation visit 2023 which was undertaken to provide an impartial view of the Adults and Communities Department prior to a forthcoming Care Quality Commission (CQC) Assurance visit. The report also provided information on the Intervention Framework published by the Department of Health and Social Care. A copy of the report marked 'Agenda Item 12' is filed with these minutes.

Arising from discussion and questions, the following points arose:

- i. Members welcomed Dr. Tozer's independent review of the Council and commented that her analysis had been valuable.

- ii. It had been expected that formal CQC assessments of local authorities would commence early Autumn, but this would now be more likely to commence in January or February 2024, as the CQC completed its pilot assessments.
- iii. A Member noted the CQC would give the authority a rating of inadequate, requires improvement, good, or outstanding, and asked, based on the independent review, if there was a guide as to how the Authority would fare. The Director commented that in his view, the Authority was on the cusp of requires improvement / good. Whilst really good practice and strong performance had been evidenced feedback from resident, service user and carer surveys were lower than the national average, and this would likely be picked up by the CQC and affect the Council's rating.
- iv. It was expected that a number of authorities would also fall in the middle ground. However, the individual assessment feedback had assured the Department it was moving in the right direction and highlighted areas that would now be worked on.
- v. A Member noted a recommendation that information on the website needed to be more up-to-date and accurate. Members were reassured that the issue had been recognised and had identified the need to centralise control to ensure website content was correct. The Department was in the process of recruiting a part-time post to lead on this work. It was noted that oversight of the website within the Council was dealt with both corporately and within departments and therefore establishing a more joined up approach would be sought.

RESOLVED:

- a) That the report on feedback from the Annual Conversation visit 2023 'Assurance of Adult Social Care' be noted.
 - b) That the Director of Adults and Communities, with the support of the Lead Member, be requested to seek that action be taken to improve the Adult Social Care section of the Council's website to address the issues raised through the Annual Conversation, and for this be treated as a corporate priority given the impending inspection by the CQC, and that a further update be provided to this Committee on the progress being made to make these improvements at such time as the Director considers appropriate.
30. Date of next meeting.

It was noted that the next meeting of the Committee would be held on 6 November 2023 at 2.00pm.

2.00 – 3.36pm
04 September 2023

CHAIRMAN