

## **BATH AND NORTH EAST SOMERSET**

### **CHILDREN, HEALTH AND WELLBEING POLICY DEVELOPMENT AND SCRUTINY PANEL**

Tuesday, 23rd July, 2019

**Present:-** Councillors Vic Pritchard (Chair), Michelle O'Doherty (Vice-Chair), Jess David, Ruth Malloy, Andy Wait, Paul May and Liz Hardman

**Co-opted Members:** Chris Batten and Kevin Burnett

**Also in attendance:** Mike Bowden (Corporate Director (People)), Lesley Hutchinson (Director of Safeguarding and Quality Assurance) and Clare O'Farrell (Deputy Chief Operating Officer, RUH)

**Cabinet Member for Adult Services:** Councillor Rob Appleyard

#### **1 WELCOME AND INTRODUCTIONS**

The Chairman welcomed everyone to the meeting. He proposed that the name of the Panel be amended to Children, Adults, Health and Wellbeing Policy Development & Scrutiny Panel.

He said that he acknowledged that two former Panels had been merged into one and that agenda management would be paramount.

Councillor Paul May proposed that officers be asked to assess whether the remit of the Panel could be divided into two as it had been in previous years as he felt that the potential number of agenda items could be too much for one Panel.

The Panel **RESOLVED** to agree with both of the proposals made.

#### **2 EMERGENCY EVACUATION PROCEDURE**

The Chair drew attention to the emergency evacuation procedure.

#### **3 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Councillor Mark Roper had sent his apologies to the Panel.

Co-opted Members Andrew Tarrant and David Williams had sent their apologies to the Panel.

Councillor Kevin Guy, Cabinet Member for Children's Services had sent his apologies to the Panel.

#### **4 DECLARATIONS OF INTEREST**

Councillor Paul May declared an other interest as he is a non-executive Sirona board member.

Councillor Jess David declared an other interest as her husband is a partner in the Heart of Bath group of GP practices which operates in Bath.

#### **5 TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIRMAN**

There was none.

#### **6 ITEMS FROM THE PUBLIC OR COUNCILLORS - TO RECEIVE DEPUTATIONS, STATEMENTS, PETITIONS OR QUESTIONS RELATING TO THE BUSINESS OF THIS MEETING**

There were none.

#### **7 GOVERNANCE ARRANGEMENTS FOR COMMUNITY SAFETY AND SAFEGUARDING IN B&NES**

The Director of Safeguarding and Quality Assurance introduced this report to the Panel. She explained that the new B&NES Community Safety and Safeguarding Partnership will come into being on the 29th September 2019 and the existing Local Safeguarding Children Board, Local Safeguarding Adult Board and Responsible Authorities Group will be disbanded.

She added that the new Partnership had been developed in response to the statutory requirement brought in by the Children and Social Work Act 2017 to abolish LSCBs by 28<sup>th</sup> September 2019.

She informed the Panel that a strong Working Group consisting of the statutory partners considered other options and shared these with the LSCB and LSAB which already had several joint working groups to deliver their business. She added that the Working Group considered other models being implemented by the Early Adopter sites and those being developed by neighbouring areas.

The Chair asked if the Panel would still have a role in monitoring and scrutinising the work of the Partnership in the same way as it did with the LSCB and LSAB.

The Director of Safeguarding and Quality Assurance replied that yes they would and said that they have an important part to play in reviewing the new arrangements. She added that the Partnership wishes to be open and transparent to scrutiny.

The Chair said that to review the new arrangements in 12 months would sound reasonable.

Councillor Paul May said that he fully supported the concept proposed as the transition between young person and adult was such an important part of life. He asked how the Community Safety element would fit into the new arrangements.

The Director of Safeguarding and Quality Assurance replied that the three former groups all worked on a number of areas of Community Safety, including trafficking, slavery, domestic abuse, rogue traders, prevent / radicalisation and youth offending.

Councillor Liz Hardman asked if further information could be given with regard to how the cost of any reviews will be shared equally by the CCG, Council and Police and if not what the likely consequences are.

The Director of Safeguarding and Quality Assurance replied that a well-established system exists from previous Child and Adult reviews whereby each party has agreed to pay a third of the costs incurred.

Councillor Liz Hardman commented that bearing in mind, the increased numbers of people dependent on Food Banks; last year 2,472 people (of whom 1,151 were children) in the Somer Valley and asked how does this need fit into the Safeguarding model.

The Director of Safeguarding and Quality Assurance replied that where appropriate food vouchers can be allocated to those that need them.

Councillor Liz Hardman stated the need for an overall Food Poverty Action Plan as was agreed to be developed recently by the Council.

Councillor Michelle O'Doherty asked if the thresholds from intervention in social care were higher.

The Corporate Director for People replied that they were not.

Councillor Paul May asked if the Police were happy to be working within a narrower footprint than that of the Constabulary.

The Corporate Director for People replied that they were and it had been acknowledged that the CCG is due to operate under a different footprint and that five Local Authorities sit within the area of the Constabulary. He added that there is value to some of the wider reaching work that will be carried out.

The Panel **RESOLVED** to;

- i) Approve the new Partnership as set out in Appendix 1 and 1a and the associated appendices 2 – 5
- ii) Request the Partnership be reviewed by the Panel 12 months after implementation or earlier if issues arise.

## **8 CLINICAL COMMISSIONING GROUP UPDATE**

The Chair announced that apologies had been received from both Dr Ian Orpen and Corinne Edwards. He said that he was disappointed that they were unable to attend.

Councillor Paul May asked that the briefing paper not be debated by the Panel as he felt the item on the 'Future direction for Bath and North East Somerset, Swindon and

Wiltshire (BSW) CCGs' required appropriate discussion in the presence of CCG representatives.

Councillor Jess David said that she would like Tracey Cox, Chief Executive Officer for BaNES, Swindon and Wiltshire CCGs to attend a future meeting and answer questions on the merger.

## **9 RELOCATING SERVICES FROM THE RNHRD TO THE RUH**

Clare O'Farrell, Deputy Chief Operating Officer, RUH introduced this report to the Panel. She thanked the previous body of the Health & Wellbeing Select Committee for their work since the service relocation work was embarked upon.

She informed the Panel that the relocation will take place over five phases between 31<sup>st</sup> August – 17<sup>th</sup> November 2019. She added that there was one change to the plan printed in the report and that Clinical Measurement would relocate on September 11<sup>th</sup> rather than September 13<sup>th</sup>.

She stated that Trust is in the final stages of completing the RNHRD and Brownsword Therapies Centre, ready for services to move in this autumn. She said that the new building will provide enhanced facilities, including group rooms, waiting rooms, gym and a hydrotherapy pool.

She added that the centre will provide therapeutic surroundings to support patient recovery, treatment, wellbeing and the management of long-term conditions and it will continue to promote the RNHRD's trusted brand combining clinical excellence and therapeutic space, in an environment designed in conjunction with patients and clinicians, with the aim of reducing stress and creating a beneficial healing environment for patients and their families.

She explained that the RUH has good public transport links and is accessible via the Odd Down Park and Ride. She added that for some patients the proposed new location will be easier to access due to the availability of onsite parking as the RUH provides over 600 visitor and patient spaces across the site, and around 70 blue badge spaces.

She said that a further expansion of the car park was planned to follow the demolition of RUH North and that this would be subject to the regular planning process. She added that whilst recognising demand for parking on site the RUH does promote alternative travel use / access to the site and encourages staff to car share where possible.

Councillor Michelle O'Doherty commented that as one of the members for Newbridge parking continues to be a local issue and offered her support in the promotion of travel options.

Councillor Rob Appleyard, Cabinet Member for Adult Services said that he attended a meeting at the RUH the previous day alongside Councillor Neil Butters, Cabinet Member for Transport Services and acknowledged there was work for the Council to do on this issue.

Councillor Andy Wait asked if the costs raised through the car park could be shared with the Panel.

Clare O'Farrell replied that she didn't have that information to hand but would circulate a response to the Panel.

Councillor Ruth Malloy said that she was concerned that more spaces on site would naturally attract more cars. She suggested that Park & Ride links could be improved and stay open later. As one of the members for Weston she also offered to help with options to travel to and from the site.

Clare O'Farrell replied that a balance of solutions is being sought and it was possible that certain elements of outpatients may work in a different way in the future. She said that she welcomed the support offered by local Councillors and that the RUH takes every step to act as a responsible neighbour.

Councillor Andy Wait asked what the long term future of the Mineral Hospital site would be and who the owners were.

Clare O'Farrell replied that the site had been sold, but that she did not know to whom or what the plans were for the site. She added that the site has to be vacated by the end of 2019.

The Chair said that the commitment shown by the staff to work together with their patients was very welcome. He added that he felt that the process followed by the RUH to integrate and transfer services was exemplary.

Clare O'Farrell replied that the Select Committee had been a welcome part of the process. She added that a celebration event for the Mineral Hospital site was planned for September 21<sup>st</sup> 2019.

The Panel **RESOLVED** to note the confirmed dates for relocating RNHRD services from the Mineral Water Hospital site, Bath, to the RUH Combe Park site in Autumn 2019, following completion of a phased programme of Public and Patient Engagement.

## **10 CABINET MEMBER UPDATE**

Councillor Rob Appleyard addressed the Panel, a copy of the update can be found on their Minute Book and as an online appendix to these minutes, a summary of the update is set out below.

### **Children of Alcoholics (NACOA response)**

The previous Children's PDS Panel received a comprehensive report from officers regarding local support available for children of alcoholics, following a Full Council resolution referring the matter to the Panel. The outstanding action to be completed was reporting back on comments from the National Association for the Children of Alcoholics (NACOA), who had been sent the report. Those comments have subsequently been received from Hilary Henriques, CEO, who says that 'in my

opinion it addresses the needs of children of alcoholics and services they are likely to access.'

Councillor Liz Hardman commented that she was pleased the work had received such a good response and that a series of policies were in place.

### **Post 16 unregulated placements**

Our aspiration in B&NES is that no young person/child will be placed in 16+ unregulated placements. Until 5 or 6 years ago, it was unheard of, but it is now an option we have to consider due to changes in the market, linked to changes in Ofsted regulations, as well as the need to think creatively to identify suitable care packages for young people with complex needs, in line with their own expressed preferences. This is both a local and national shift. We hold a list of 'preferred providers' who have been pre-assessed as suitable. Where such a placement is made, it will always be subject to a risk assessment relating to the placement and an agreed package of support; with providers subject to contract review meetings and annual safeguarding audit; as well as regular social worker visits and Looked After Children reviews in line with statutory guidance. There are currently 8 young people from B&NES in such placements and they are all being offered a visit from the Cabinet Member as part of their next planned review.

Councillor Liz Hardman asked for further explanation on what is an unregulated placement.

The Corporate Director (People) replied that it is not a registered Children's Home as inspected or regulated by Ofsted. He added that a provider can provide accommodation for young people over the age of 16 who require a lower level of support without registration.

Councillor Andy Wait said that he supported this option as young people should be given the chance of more independence where relevant. He asked if it were hard to find such places.

The Corporate Director (People) replied that the Council has access to around 100 preferred providers and that the challenge remains to find the right placement for the young person in question.

The Chair asked if it was appropriate for the Cabinet Member to take part in the reviews.

The Corporate Director (People) replied that the Cabinet Member has a role as a Corporate Parent as do all Councillors to seek assurance on behalf of the Council. He added that it is part of a planned review for those young people and that they can decline the offer.

### **Government funding for education and schools**

The Cabinet Member for Children's Services has written to the secretary of state regarding the funding pressure in the education system, both relating to funding for schools and the High Needs block which supports children with SEND and where we

have experienced significant pressure in the last few years. He has offered to provide further evidence of these pressures and to meet with ministers to discuss this crucial issue.

Councillor Paul May said that he supported this work on such a major national and local issue.

### **SEND inspection**

On 13<sup>th</sup> May, Ofsted and CQC published their report letter on the inspection of Bath and North East Somerset, carried out in March, to judge the effectiveness of the area in implementing the disability and special educational needs (SEN) reforms as set out in the Children and Families Act 2014. The report has been described as one of the most positive published so far, nationally, and the main findings are attached to this report for information.

Councillor Liz Hardman commented that it was noted that some parents do find accessing the information difficult.

The Corporate Director (People) replied that there are a number of things to work on and that work with parent groups will continue. He added that the Rainbow Resources have been available for a long time.

### **Exploitation and Contextual Safeguarding**

Following the development of a Local Safeguarding Children Board 'Youth @ Risk' strategy, there is a stakeholder launch event on the 30th September, which Panel members might be interested to attend.

### **Forthcoming briefings and consultations in Adult Services**

The Mental Capacity (Amendment) Act 2019 gained royal assent at the end of April and as a result we expect national consultation in the autumn on a new Code of Practice which details how Deprivation of Liberty Safeguards (DoLS) will be replaced by Liberty Protection Safeguards (LPS) from 2020. Further briefings can be brought to Panel in due course.

The Director for Safeguarding & Quality Assurance added that implementation was expected in October 2020 and that a report to the Panel regarding the legislation could be submitted to a future meeting.

Councillor Appleyard said that we will also be consulting locally on updates to the Care and Support Financial Framework, which has not been reviewed since the introduction of the Care Act in 2015 and which are intended to provide transparency, equity and consistency in how residents are charged in respect of contributions to their care and support.

He stated that he would like to submit the CCG update paper on their behalf.

The Panel accepted that sections 2 – 5 of the update paper could be submitted, this can be found on their Minute Book and as an online appendix to these minutes.

Councillor Appleyard informed the Panel that the Autism Partnership Board is to be re-enacted.

Councillor Paul May asked that the Terms of Reference and membership of the Board be shared with the Panel.

Councillor Liz Hardman asked if any information could be provided regarding a proposal for an Autistic School locally.

The Corporate Director (People) replied that conversations about potential new Special Schools were ongoing.

Councillor Paul May asked if the Autism Partnership Board would cover both children and adults.

Councillor Appleyard replied that it would.

The Chair thanked the Cabinet Member for his update on behalf of the Panel.

## **11 PANEL WORKPLAN**

The Chair introduced this item and asked Panel members for their comments on items listed on the workplan and if they had any additional proposals.

Councillor Paul May requested that the Virgin Care – Performance Update be scheduled to come before the Panel at their September meeting.

The Chair replied that following correspondence with Pam Richards, Protect Our NHS BANES he had agreed that this item would be discussed by the Panel in September.

Councillor Liz Hardman asked if there will be a designated officer to work on the Food Poverty Action Plan.

Councillor Rob Appleyard replied that he has spoken with the Director for Public Health to look at the resources available. He added that he hoped an updated policy could be adopted by February 2020.

The Chair asked that he use the Cabinet Member Update process to inform the Panel on progress with this matter.

Councillor Ruth Malloy said that she would like to see the Council work with local churches and other organisations to progress this issue.

The Corporate Director (People) commented that the Director for Public Health has been notified of the resolution from Council and is considering what resources / staff members can be allocated to work on the Plan.

Councillor Paul May asked if the Panel were able to scrutinise decisions made by the Health & Care Board.

The Corporate Director (People) replied that decisions of Members and Officers with delegated authority for the purpose of the Health & Care Board are subject to formal scrutiny and call in.

Councillor Jess David asked given the size of the Panel remit if members could receive a briefing to show how the various Boards and organisations fit together.

The Chair agreed with the proposal and asked for a separate briefing meeting to be arranged for the Panel.

Councillor Jess David requested that at future meetings the Panel be updated on the Youth Justice Plan following the referral from Council, they receive further information relating to post 16 unregulated placements and as part of the work on the Food Poverty Action Plan the Panel takes part in an evidence gathering review.

Councillor Paul May asked that the Adult Social Care – Green Paper be added to the list of future items.

Kevin Burnett asked if matters from the previous Children & Young People Panel would be discussed by this new Panel.

The Democratic Services Officer replied that a list of previous items has been retained and they will be considered as part of the agenda planning process that involves the Chair and Vice-Chair. He added that it may become more appropriate for certain items to be updated via a briefing paper rather than as an agenda item at a meeting.

He added that the Director for Safeguarding & Quality Assurance had advised him of the following reports that should be considered by the Panel.

- LSCB Annual Report 2018/19
- LSAB Annual Report 2018/19
- IRO Annual Report 2018/19
- Children Services Representations, Compliments and Complaints Report 2018/19
- Care and Support Financial Framework

The Corporate Director (People) informed the Panel that Jane Shayler, Director for Integrated Commissioning would be retiring at the end of July.

The Chair asked that a letter on behalf of the Panel be sent to Jane to thank her for her outstanding work and years of service to the Council.

Councillor Paul May asked if a direct replacement to her post would be sought.

Councillor Rob Appleyard replied that he would discuss the matter with senior officers and said that the focus would be on carrying out the work of her role.

Councillor Andy Wait asked if the Panel would consider holding any meetings outside of Bath.

The Chair replied that he was not inclined to change the venue as many of the officers that are required to attend are based at either St. Martin's Hospital or The Guildhall.

The Panel **RESOLVED** to note the proposals to the workplan made during the discussion of this item.

The meeting ended at 12.15 pm

Chair(person) .....

Date Confirmed and Signed .....

**Prepared by Democratic Services**