





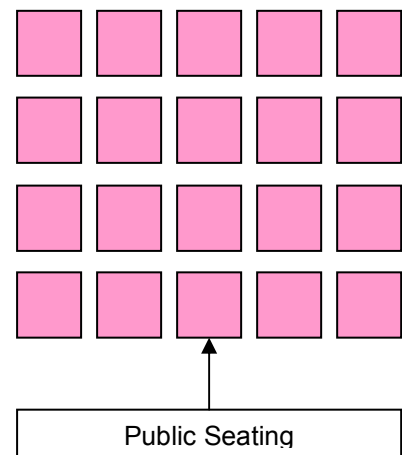
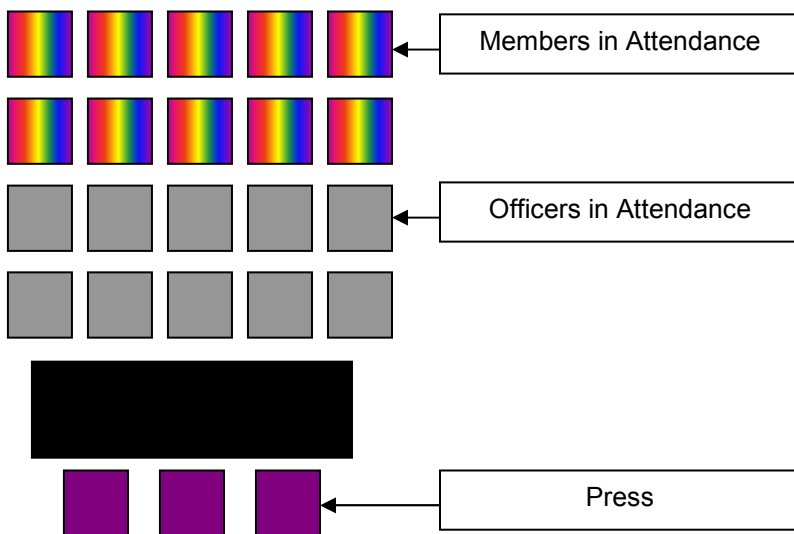
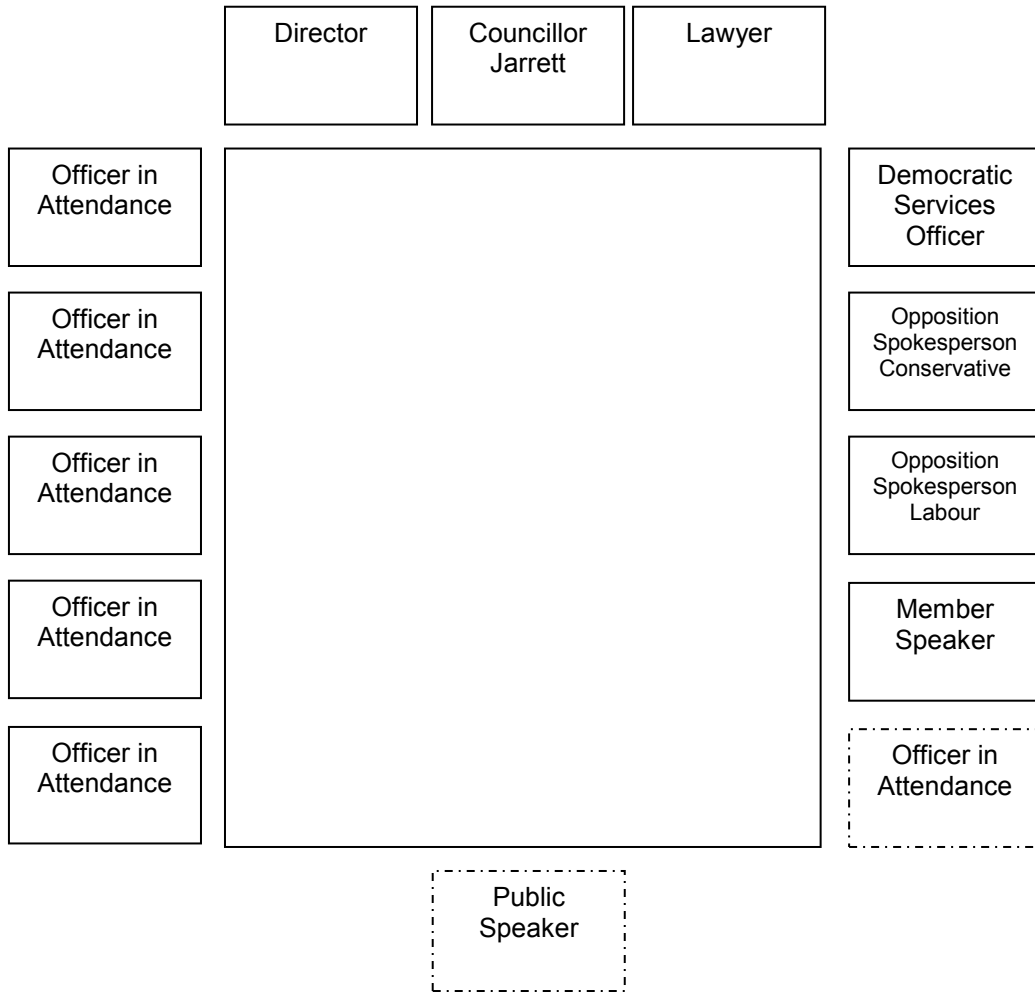
Brighton & Hove
City Council

Cabinet Member Meeting

| | |
|----------|--|
| Title: | Adult Social Care & Health Cabinet Member Meeting |
| Date: | 13 June 2011 |
| Time: | 4.00pm |
| Venue | Committee Room 3, Hove Town Hall |
| Members: | Councillor: Jarrett (Cabinet Member) |
| Contact: | Caroline De Marco Democratic Services Officer 01273 291063 caroline.demarco@brighton-hove.gov.uk |

| | |
|---|--|
|  | The Town Hall has facilities for wheelchair users, including lifts and toilets |
|  | An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter and infra red hearing aids are available for use during the meeting. If you require any further information or assistance, please contact the receptionist on arrival. |
| | FIRE / EMERGENCY EVACUATION PROCEDURE If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by council staff. It is vital that you follow their instructions: <ul style="list-style-type: none">• You should proceed calmly; do not run and do not use the lifts;• Do not stop to collect personal belongings;• Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions; and• Do not re-enter the building until told that it is safe to do so. |

Democratic Services: Meeting Layout



AGENDA

1. PROCEDURAL BUSINESS

- (a) Declarations of Interest by all Members present of any personal interests in matters on the agenda, the nature of any interest and whether the Members regard the interest as prejudicial under the terms of the Code of Conduct.
- (b) Exclusion of Press and Public - To consider whether, in view of the nature of the business to be transacted, or the nature of the proceedings, the press and public should be excluded from the meeting when any of the following items are under consideration.

NOTE: Any item appearing in Part 2 of the Agenda states in its heading either that it is confidential or the category under which the information disclosed in the report is exempt from disclosure and therefore not available to the public.

A list and description of the categories of exempt information is available for public inspection at Brighton and Hove Town Halls.

2. MINUTES OF THE PREVIOUS MEETING

1 - 6

Minutes of the Meeting held on 14 March 2011(copy attached).

3. CABINET MEMBER'S COMMUNICATIONS

4. ITEMS RESERVED FOR DISCUSSION

- (a) Items reserved by the Cabinet Member
- (b) Items reserved by the Opposition Spokespersons
- (c) Items reserved by Members, with the agreement of the Cabinet Member.

NOTE: Public Questions, Written Questions from Councillors, Petitions, Deputations, Letters from Councillors and Notices of Motion will be reserved automatically.

5. PETITIONS

7 - 8

Report of the Strategic Director, Resources (copy attached).

Contact Officer: Caroline De Marco Tel: 01273 291063
Ward Affected: All Wards

6. PUBLIC QUESTIONS

(The closing date for receipt of public questions is 12 noon on 6 June

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

2011)

No public questions have been received by the date of publication.

7. DEPUTATIONS

(The closing date for receipt of deputations is 12 noon on 6 June 2011)

No deputations have been received by the date of publication.

8. LETTERS FROM COUNCILLORS

No letters have been received.

9. WRITTEN QUESTIONS FROM COUNCILLORS

No written questions have been received.

10. NOTICES OF MOTIONS

No Notices of Motion have been received by the date of publication.

11. HIGH COST CARE

9 - 16

Report of Director of Adult Social Services/Lead Commissioner People (copy attached).

Contact Officer: Jane MacDonald, Angie Emerson Tel: 29-5038, Tel: 29-5666

Ward Affected: All Wards

12. SAFEGUARDING REPORT

17 - 28

Report of Director of Adult Social Services/Lead Commissioner People (copy attached).

Contact Officer: Denise D'Souza Tel: 29-5032

Ward Affected: All Wards

PART TWO

13. PART TWO MINUTES FROM THE PREVIOUS MEETING

29 - 30

Part Two minutes of the meeting held on 14 March 2011 (copy circulated to Members only).

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

The City Council actively welcomes members of the public and the press to attend its meetings and holds as many of its meetings as possible in public. Provision is also made on the agendas for public questions to committees and details of how questions can be raised can be found on the website and/or on agendas for the meetings.

The closing date for receipt of public questions and deputations for the next meeting is 12 noon on the fifth working day before the meeting.

Agendas and minutes are published on the council's website www.brighton-hove.gov.uk. Agendas are available to view five working days prior to the meeting date.

Meeting papers can be provided, on request, in large print, in Braille, on audio tape or on disc, or translated into any other language as requested.

For further details and general enquiries about this meeting contact Caroline De Marco, (01273 291063, email caroline.demarco@brighton-hove.gov.uk) or email democratic.services@brighton-hove.gov.uk

Date of Publication - Friday, 3 June 2011

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 2

Brighton & Hove City Council

BRIGHTON & HOVE CITY COUNCIL

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

4.00pm 14 MARCH 2011

COMMITTEE ROOM 3, HOVE TOWN HALL

MINUTES

Present: Councillor K Norman (Cabinet Member)

Apologies: Councillor Lepper sent her apologies due to her attendance at another meeting.

PART ONE

44. PROCEDURAL BUSINESS

44(a) Declarations of Interests

44.1 There were none.

44(b) Exclusion of Press and Public

44.2 In accordance with section 100A of the Local Government Act 1972 ("the Act"), the Cabinet Member considered whether the press and public should be excluded from the meeting during an item of business on the grounds that it was likely, in view of the business to be transacted or the nature of the proceedings, that if members of the press and public were present during that item, there would be disclosure to them of confidential information (as defined in section 100A(3) of the Act) or exempt information (as defined in section 100I(1) of the Act).

44.3 **RESOLVED** - That the press and public be excluded from the meeting during consideration of Item 57.

45. MINUTES OF THE PREVIOUS MEETING

45.1 **RESOLVED** – That the minutes of the Adult Social Care & Health Cabinet Member Meeting held on 10 January 2011 be agreed and signed by the Cabinet Member.

46. CABINET MEMBER'S COMMUNICATIONS

Brian Doughty

- 46.1 The Cabinet Member reported that Brian Doughty was the Commissioner for Adult Assessment. He would be working at the council for the next five months.

Safeguarding Conferences

- 46.2 The Cabinet Member reported that he had attended the Safeguarding Conference at the Inmarsat Conference Centre, London, on 24th January 2011. He had also attended the Brighton and Hove Safeguarding Conference at Hove Town Hall on 4th March 2011. This was a well attended and useful day and attracted over 100 people.

Meeting at King's Fund

- 46.3 The Cabinet Member reported that on 11 March 2011, he attended the SECASC (South East Councils Adult Social Care Lead Members)/ADASS(Association of Directors of Adult Social Services)/SESL(South East Strategic Leaders) meeting at King's Fund, London.

Health Bill Seminar

- 46.4 The Cabinet Member had attended a Health Bill Seminar presented by Amanda Fadero, Chief Executive, Sussex Clusters PCTs, on 13th February 2011.

Learning Disabilities Partnership Board

- 46.5 The Cabinet Member had attended the Learning Disabilities Partnership Board at Hove Town Hall on 17th February 2011.

Denise Stokoe

- 46.6 The Cabinet Member had twice met with Denise Stokoe, Chair of Brighton and Hove NHS (PCT).

Lifelines Event

- 46.7 A Lifelines Event took place at Hove Town Hall on 3rd February 2011. The Cabinet Member was very supportive of their work.

End of Life Programme

- 46.8 The Cabinet Member and the Director of Adult Social Services had met with the Chief Executive of the Martlets Hospice and Caroline Lower, Fanny Bradbury (HR) and Imelda Glackin on 7th February 2011 to discuss the end of life care links between the council and the Martlets.

Joint Commissioning Board

- 46.9 The Cabinet Member had attended the Joint Commissioning Board on 14 February 2011.

“Modern Life”

46.10 The Cabinet Member and the Deputy Mayor had attended the launch of the new Carousel film “Modern Life” on 5th March 2011. The film was made by people with learning disabilities.

47. ITEMS RESERVED FOR DISCUSSION

47.1 **RESOLVED** – That all items be reserved for discussion.

48. PETITIONS**48(i) Petition – Safeguard Carers’ Funding**

48.1 The following petition had been submitted to Cabinet on 17 February 2011 by Mr Nick Fry and signed by 318 people.

“I believe that funding for carers allocated to Brighton & Hove City Council from central government should be ringfenced and used for the purpose it was intended for”.

48.2 Mr Fry was not able to attend the meeting and would be sent the Cabinet Member’s response.

48.3 The Cabinet Member responded as follows:.

“Brighton & Hove City Council has a strong commitment to services for carers and intends to continue supporting carers as set out in the Carers Strategy within the current financial circumstances.

We are totally committed to ensuring that, together with its partners, NHS Brighton & Hove, funding is allocated to carers’ services to maintain and develop quality, flexible services that meet the needs of the wide range of carers in our city.

Central Government has been allocating funding to local authorities for breaks and services to carers since 1999. This is currently allocated through the Area Based Grant and councils then decide how much to directly allocate to carers via Adult Social Care (80%) and Children’s Services (20%). Central Government allocations from 2008/09 – 2010/11 were as follows:

| | 2009-10 | 2010-11 |
|--|----------------|----------------|
| | £m | £m |
| Area Based Grant allocation for carers | 1.167 | 1.232 |
| Actual city council allocation to carers from ABG | 1.017 | 0.979 |
| Allocation to ASC 80% | 0.814 | 0.7832 |
| Other ASC exp | 0.216 | 0.1976 |
| (Community Care budget contracts, SPFT & LDDF exp) | | |
| Total exp in ASC 2009/10 and 2010/11 | 1.03 | 0.9808 |

We are committed to supporting carers in the city with our colleagues in the NHS. We have agreed a joint post to develop the service for carers.”

48.4 **RESOLVED** – That the petition be noted and that Mr Fry be sent the response of the Cabinet Member.

49. PUBLIC QUESTIONS

49.1 There were none.

50. DEPUTATIONS

50.1 There were none.

51. LETTERS FROM COUNCILLORS

51.1 There were none.

52. WRITTEN QUESTIONS FROM COUNCILLORS

52.1 There were none.

53. NOTICES OF MOTIONS

53.1 There were none.

54. FEE LEVEL FOR ADULT SOCIAL CARE SERVICES 2011/12

54.1 The Cabinet Member considered a report of the Director of Adult Social Services/Lead Commissioner People concerning fees paid to independent and voluntary sector providers that supply care services on behalf of Brighton & Hove City Council. The report covered fees paid to providers of older people, people with physical disabilities, adults with mental health needs (including HIV and substance misuse) and learning disability services.

54.2 The Service Improvement Manager Commissioning reported that the proposals to hold fee levels at the 2010/11 rates was in line with the budget report agreed at Budget Council on 3 March 2011. All services had been asked to identify how reductions in their net budget could be achieved to address the budget gap. Locally fee levels for 2010/11 were in the main held at 2009/10 levels as set out in Appendix 1 of the report.

54.3 Brighton & Hove provided a range of training that was free to access and which was much appreciated by providers. Providers had been asked if they would prefer an additional fee increase or the training provided by the Council and the overwhelming majority of providers opted for the training. Neighbouring authorities were not planning an increase in fees. A representation had been received from providers who had asked the council to consider the extra expenses they incurred. Providers were aware of the budget position and the Director of Adult Social Services had attended a number of provider forums.

54.4 The Cabinet Member reported that he had held discussions with Graham Dean, Vice Chair of the East Sussex, Brighton & Hove Registered Care Homes Association. He

stressed the necessity of working together to make savings. He was hopeful that the situation could change in future years.

54.5 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the fee levels for 2011/12, be held at the 2010/11 rates for all independent and voluntary sector providers.
- (2) That the direct payment rates for 2011/12, be held at the 2010/11 level.
- (3) That the applicable host authority set rates be matched for new care home placements out of the city

55. CONTRACT UNIT PERFORMANCE AND MONITORING OF OLDER PEOPLE'S SERVICES, 1 APRIL TO 31 DECEMBER 2010

55.1 The Cabinet Member considered a report of the Director of Adult Social Services/Lead Commissioner People concerning the performance and monitoring of Older People and Older People Mental Health care homes and home care, for the period 1 April to 31 December 2010. The report would be submitted to the Joint Commissioning Board on 4 April 2011 for a decision on the jointly commissioned services.

55.2 The Contacts Manager Adult Social Care presented important features of the report.

55.3 The Cabinet Member remarked that the report highlighted that a good service was being provided.

55.4 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:

- (1) That the report be noted.
- (2) That the Cabinet member receives reports on a regular basis. The next report will cover the period 1st January 2011 to 30th September 2011.
- (3) That the report is submitted to the Joint Commissioning Board for agreement on the jointly commissioned services.

56. CONTRACT UNIT PERFORMANCE AND MONITORING OF WORKING AGE ADULT (UNDER 65'S) SERVICES, APRIL 2010 TO DECEMBER 2010

56.1 The Cabinet Member considered a report of the Director of Adult Social Services/Lead Commissioner People which provided governance information on the performance and monitoring of Under 65's (working age adult) services to people with learning disabilities, mental health issues, physical disabilities and sensory loss, across the city of Brighton and Hove for the period 1 April 2010 to 31 December 2010 in order to drive up quality and performance through robust and transparent monitoring procedures.

- 56.2 The Cabinet Member referred to the section on Shared Lives in paragraph 3.3. He stated that this was an area that could be improved. Shared Lives was a good way of helping people with learning disabilities and something that the council should encourage. The Head of Commissioning and Partnerships reported that the Service Improvement Manager Commissioning was carrying out work on Shared Lives.
- 56.3 Graham Dean, Vice Chair of the East Sussex, Brighton & Hove Registered Care Homes Association was in attendance at the meeting and asked if the risk rates detailed in desk top reviews were communicated to providers. The Contracts Manager, Adult Social Care replied that when letters were sent to providers, the council highlighted positive areas and areas where more work needed to be carried out.
- 56.4 **RESOLVED** – Having considered the information and the reasons set out in the report, the Cabinet Member accepted the following recommendations:
- (1) That the report be noted.
 - (2) That the Cabinet member receives reports on a regular basis. The next report will cover the period 1st January 2011 to 30th September 2011.
 - (3) That the report is submitted to the Joint Commissioning Board for agreement on the jointly commissioned services.

Part 2 Summary

57. MONTAGUE HOUSE - CHANGE OF USE - EXEMPT CATEGORY 3

- 57.1 The Cabinet Member considered a report of the Director of Adult Social Services/Lead Commissioner People which made recommendations about the future use of Montague House.
- 57.2 **RESOLVED** - As per the part 2 confidential report.

The meeting concluded at 4.56pm

Signed

Cabinet Member

Dated this

day of

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 5

Brighton & Hove City Council

Subject: Petitions
Date of Meeting: 13 June 2011
Report of: Strategic Director, Resources
Contact Officer: Name: Caroline De Marco Tel: 29-1063
E-mail: caroline.demarco@brighton-hove.gov.uk
Key Decision: No
Wards Affected: All

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

1.1 To receive any petitions presented at Council, any petitions submitted directly to Democratic Services or any e-Petitions submitted via the council's website.

2. RECOMMENDATIONS:

2.2 That the Cabinet Member responds to the petition either by noting it or writing to the petition organiser setting out the Council's views, or where it is considered more appropriate, calls for an officer report on the matter which may give consideration to a range of options, including the following:

- taking the action requested in the petition
- considering the petition at a council meeting
- holding an inquiry into the matter
- undertaking research into the matter
- holding a public meeting
- holding a consultation
- holding a meeting with petitioners
- referring the petition for consideration by the council's Overview and Scrutiny Committee
- calling a referendum

3. PETITIONS

(i) Complementary Treatments

To receive the following e-Petition submitted via the council's website by John Kapp and signed by 9 people:

We the undersigned call upon the Council to open up the public sector market to 'Any Willing Provider' to allow complementary therapy centres to bid to provide National Institute for Clinical Excellence (Nice)-recommended complementary treatments.

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 11

Brighton & Hove City Council

| | | | |
|-------------------------|---|--|---------------------|
| Subject: | High Cost Care | | |
| Date of Meeting: | 13th June 2011 | | |
| Report of: | Director of Adult Social Services/Lead Commissioner People | | |
| Contact Officer: | Name: | <i>Jane Macdonald</i> | Tel: 29-5038 |
| | | <i>Angie Emerson</i> | Tel: 29-5666 |
| | E-mail: | Jane.macdonald@brighton-hove.gov.uk | |
| | | Angie.emerson@brighton-hove.gov.uk | |
| Key Decision: | Yes: | ASC 21745 | |
| Wards Affected: | All | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 In Brighton and Hove the net spend for Adult Social Care is £73 million per annum. People assessed as in need of care can have their needs met either by having a service package in their own home or through a care home placement. The council is moving towards a position where people who meet the eligibility criteria are assessed for an indicative budget using the Resource Allocation System (RAS) to meet their care outcomes. Currently a person can choose the service they prefer but there can be significant variations in costs to the council.
- 1.2 'Putting People First' advocates choice and control for users and local take up of personal budgets is a key performance indicator. At the same time under financial policy, the council has a fiduciary duty to secure value for money. Adult Social Care assessment teams, when assessing the needs of service users must take the above into account.

2. RECOMMENDATIONS:

- (1) To note that this formalises and reinforces good social work practice for all care groups. That the costs of care are set at a level that secures a package of care or care home placement that meets the needs of the individual and also represents value for money.

- (2) To note that a Framework Agreement for people with a Learning Disability with complex needs has been agreed and is being actioned.
- (3) That where there is a decision that an individual is seeking to be supported by public funds and that a home care package would not represent value for money, practitioners should discuss whether this individual could access third party support.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

3.1 Assessed needs

Social Care legislation requires that a person's needs must be assessed (this includes a financial assessment) and where eligible for provision, the council must provide services or direct payments to meet those needs. People who meet the eligibility criteria are assessed for a personal budget using the Resource Allocation System. Care needs can be met by a home care service package, community services e.g. day care, direct payments or a placement in a care home.

3.2 Choice

National and local policy and strategy is to provide services that enable people to maintain independence in their own homes. 'Putting People First' guidance advocates choice and control for users and personal budgets are a key performance indicator.

3.3 Current process and arrangements

In 2010 Adult Social Care put in place a 'Scrutiny Panel' process. This was introduced to ensure equity and fairness and to monitor consistency of practice in securing care services. Panel Chairs have access to current information on:

- Costs,
- vacancies in residential care homes or day services and
- availability of wider services.

Panel Chairs take responsibility for authorising packages of care and care placements under delegated authority arrangements.

If the agreed package of care exceeds the cost of a residential placement the Head of Assessment Services, and in some cases the Director of Adult Social Services/Lead Commissioner provide additional scrutiny. The underlying principle being that whilst people should have:

- a package of care that meets their needs,
- have choice in how this care is delivered

this needs to be balanced against the need to ensure value for money and to deliver a balanced budget.

3.4 Other Authorities

Some Local Authorities have set out not only how they will manage the decision making process, but have also have agreed that where the costs of publicly funded home care is above residential care, residential care would be the considered first. For example, Somerset County Council have agreed that when the cost of home care reaches the equivalent of 23hrs a week, additional support will be sought outside the council e.g. funding from families or the community. Alternatively the council will provide an appropriate care home placement to meet a person's assessed needs. East Sussex County Council has agreed that home care costs for older people and older people with mental health problems should not be in excess of their nursing home rate, currently £532.68 per week.

3.5 Government proposals for Future Funding of Adult Social Care

Any change to local arrangements will have to be mindful of the Commission on the Funding of Care and Support. It is expected that they will begin to report in summer 2011 on the early considerations of how social care costs should be shared between individuals and the state. One of the specific issues to be explored will be the protection of assets of people needing support, such as the threshold at which someone might need to sell their home to fund their care.

4.0 PRACTICE ISSUES

4.1 Care that represents value for money

This paper reinforces and provides guidance to social care practitioners and budget holders on how to proceed when reassuring themselves that cost effective arrangements are being secured. Achieving the provision of care services that represent value for money for the council will be reliant on three key actions:

1. Accurate and timely assessment of need
2. Robust support planning
3. Effective negotiations with providers of care

In line with 'Putting People First' the assessment process will continue to promote choice and control. Costs will be agreed to a level which secures care services that meet the needs of the individual and represents value for money for the council.

It will:

- Provide long term services to meet need in a way that represents value – both in quality and cost
- Encourage Third Party support
- Exclude short term services from this position to allow people to improve their independence.

4.2 Specific service issues

Older people's services:

Practitioners will adhere to the rates secured for care homes and domiciliary care service packages as set out in Appendix One. This will apply to new cases and to other cases at review stage.

Due to the diverse nature of the needs of younger adults, people with a learning disability, people with mental health problems each package of care or placement will be subject to scrutiny and wherever possible comparative data will be sourced to ensure value for money options are identified and secured. This will apply to new cases and to other cases at review stage.

Where appropriate, Framework Agreements for people with complex needs will be used across all service areas.

4.3 Further Options

On occasion the council may identify a value for money option to support an individual (either through a care package or in a care home); that does not reflect the service users' aspirations. In these circumstances it will remain an option for services users, carers and third parties to consider making their own provision to secure this alternative.

5. **FINANCIAL & OTHER IMPLICATIONS:**

5.1 Financial Implications:

The proposed position will provide further challenge on value for money in the provision of care services whilst meeting assessed need and is expected to drive savings in 2011/12 and beyond. A monitoring system will be put in place to capture the impact of the new position and savings achieved will be included within budget monitoring reports.

Finance Officer consulted: Anne Silley

Date: 04 May 2011

5.2 Legal Implications:

As set out in the body of the report the Local Authority must adhere to its statutory duties to assess and provide care services, follow national guidance and ensure it meets its duty to the public purse. The proposals in this report seek to address all requirements and implement a fair, transparent and equitable process. In terms of the Human Rights Act 1998 ECHR Article 6 [Right to a Fair Hearing] considerations must be taken into account in terms of any arrangements for Appeals and Representations. Article 8 [Right to Family Life....] considerations must be taken into account in all decisions relating to the provision of individual care packages.

Lawyer consulted: Sandra O'Brien

Date: 10 May 2011

5.3 Equalities Implications:

The new position should make the reasons why specific services are provided more transparent and fairer across all client groups. A service user's cultural and

religious needs will be fully considered as part of the care planning process; where appropriate exceptions to the position will be considered. A separate Equalities Impact Assessment has been completed.

5.4 Sustainability Implications:

There are no specific sustainability implications set out in this report.

5.5 Crime & Disorder Implications:

There are no specific crime and disorder implications set out in this report.

5.6 Risk and Opportunity Management Implications:

There is a risk a more stringent compliance to value for money principles will be perceived as negative. The increased attachment to equality principles should help ameliorate this.

5.7 Corporate / Citywide Implications:

The recommendations of this report are in line with the council's Corporate Priority, 'Better Use of Public Money' and the need to keep the costs of delivering services under careful review.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S)

Other Options were considered, including the development of a policy that would formalise that where home care costs are over and above the costs of residential care this would be the recommended option. This was discounted as this would not enable the council to consider each assessment.

7. REASONS FOR REPORT RECOMMENDATIONS

7.1 The report recommendation is set out in main report.

SUPPORTING DOCUMENTATION

Appendix 1

| Residential Care Homes for Older People | 2011/12 Weekly Rate for NON PREFERRED PROVIDERS | 2011/12 Weekly Rate for PREFERRED PROVIDERS |
|--|--|--|
| Low Need - single room | £322 | £325 |
| Low Need – shared room | £288 | £291 |
| Medium Need - single room | £391 | £394 |
| Medium Need – shared room | £355 | £358 |
| High Need - single room | £434 | £438 |
| High Need – shared room | £399 | £403 |

| Residential Care Homes for OPMH | 2011/12 Weekly Rate for NON PREFERRED PROVIDERS | 2011/12 Weekly Rate for PREFERRED PROVIDERS |
|--|--|--|
| OPMH - single room | £476 | £480 |
| OPMH – shared room | £441 | £445 |

| Care Homes with Nursing for Older People | 2011/12 Weekly Rate (inc Social Care Rate and Funded Nursing Care [FNC]) for NON PREFERRED PROVIDERS | 2011/12 Weekly Rate (inc Social Care Rate and FNC) for PREFERRED PROVIDERS |
|---|---|---|
| Single Nursing Band Shared Room | £504.40 | £509.40 |
| Single Nursing Band Single Room | £539.40 | £544.40 |

| Care Homes with Nursing for Older People with Mental | 2011/12 Weekly Rate (inc Social Care Rate and FNC) for NON PREFERRED | 2011/12 Weekly Rate (inc Social Care Rate and FNC) for PREFERRED |
|---|---|---|
|---|---|---|

| Health needs | PROVIDERS | PROVIDERS |
|--|----------------|----------------|
| Single Nursing Band Shared Room | £546.40 | £552.40 |
| Single Nursing Band Single Room | £581.40 | £587.40 |

*The High Nursing Band rates relate to those service users who are already receiving the high level of FNC prior to 1st October 2007.

There are no set rates hourly rates or residential care rates for learning disability services.

Documents In Members' Rooms

None

Background Documents

None

ADULT SOCIAL CARE & HEALTH CABINET MEMBER MEETING

Agenda Item 12

Brighton & Hove City Council

| | | | |
|-------------------------|--|-------------------------------------|----------------------------|
| Subject: | Safeguarding Adults at Risk | | |
| Date of Meeting: | 24.06.11 | | |
| Report of: | <i>Director of Adult Social Services/Lead Commissioner People</i> | | |
| Contact Officer: | Name: | <i>Denise D'Souza</i> | Tel: 29-5048 |
| | E-mail: | denise.d'souza@brighton-hove.gov.uk | |
| Key Decision: | No | | |
| Wards Affected: | All | | |

FOR GENERAL RELEASE

1. SUMMARY AND POLICY CONTEXT:

- 1.1 Every person has a right to live a life free from abuse, neglect and fear. 'Safeguarding' includes a range of activity aimed at upholding an adult's right to be safe at the same time as respecting people's rights to make choices. In its broadest sense safeguarding is everyone's business: the public, volunteers and professionals.
- 1.2 Brighton & Hove City Council Adult Social Care are the statutory lead authority for the co-ordination of work for safeguarding adults at risk (formerly termed as vulnerable adults) from abuse. If there is a concern, or an allegation made that an adult at risk may have been harmed, the lead role for investigating this rests with Adult Social Care.
- 1.3 The principles for this follow the statutory guidance provided by the Department of Health and Home Office in 2000 in 'No Secrets', and the best practice guide 'Safeguarding Adults – A National Framework of Standards for Good Practice and Outcomes for Adult Protection' 2005.
- 1.4 The 'Sussex Multi-Agency Policy and Procedures for Safeguarding Adults at Risk' provide the local framework for co-ordinating prevention and investigation, when a concern or allegation has been raised regarding an adult at risk being harmed. These policy and procedures are overseen by the local Safeguarding Adults Board.
- 1.5 This report shows the Safeguarding Adults Board Action Plan, for the years 2011 – 2013, to show the planned work to safeguarding the most vulnerable people in the City. This plan will be updated quarterly, and reported to the Safeguarding Adults Board.

2. RECOMMENDATIONS:

- (1) That the Cabinet Member notes the updated Action Plan for safeguarding adults at risk.
- (2) That the Cabinet Member requests that this information will be included in the Safeguarding Adults Annual Report for April 2010/11, published July.

3. RELEVANT BACKGROUND INFORMATION/CHRONOLOGY OF KEY EVENTS:

- 3.1 'No Secrets' was published in March 2000 by the Department of Health and the Home Office for use by all health and social care organisations and the police, giving guidance on developing and implementing multi-agency policies and procedures to protect vulnerable people from abuse. It noted that some groups of adults experience a higher prevalence of abuse and neglect than the general population and that they are also not so easily able to access services to enable them to lead safer lives.
- 3.2 'No Secrets' stated that the development of local multi-agency codes of practice for safeguarding vulnerable adults should be co-ordinated locally by each local authority social services department, requiring partnership working to create a framework of inter-agency arrangements. The lead agency within the overall framework should be the local authority, but all agencies should designate a lead officer at senior level. This would create a multi-agency management committee for safeguarding vulnerable adults.
- 3.3 The Safeguarding Adults Board in Brighton and Hove fulfils this role, and is a multi-agency partnership leading the work to safeguard vulnerable adults in Brighton and Hove. Its members include Sussex Police, Sussex Partnership Foundation Trust, Sussex Community Trust, Brighton and Sussex University Hospital Trust, South East Coast Ambulance Service, Brighton and Hove NHS, Practitioners Alliance Against the Abuse of Vulnerable Adults (PAVA), the Domestic Violence Forum, The LINK, Community Safety, and leads for City Council assessment, provider, contracts, and housing teams.
- 3.4 The Brighton and Hove Safeguarding Adults Board Action Plan (Appendix 1 for 20011/13 plan) is the work plan agreed by the Safeguarding Adults Board setting out objectives and priorities for preventing adult abuse, and ensuring all safeguarding work is of the highest quality.
- 3.5 The priorities for work identified in this action plan have come from the 11 Standards in the 'Safeguarding Adults National Framework', as well as recommendations made by the Care Quality Commission following their inspection of adult safeguarding work in 2010. Other documents referred to are the Joint Improvement Partnership 'Self Assessment Quality Performance Framework for Adult Safeguarding', ADASS 'Safeguarding Adults Advice Note' April 2011, and Local Government Improvement and Development 'Adult Safeguarding – Early messages from peer reviews'.
- 3.6 The focus for this year's work will be prevention and raising awareness, and in listening to the experiences of those who have been abused, to help develop support and policy.

4. CONSULTATION

4.1 None

5. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

5.1 There are no direct implications arising from the recommendations of this report. Any costs associated with the delivery of the business plan forms part of the budget strategy of the different partner agencies involved.

Finance Officer Consulted: Name: Anne Silley Date: 31/05/11

Legal Implications:

5.2 It is incumbent on the Local Authority as safeguarding lead to implement the recommendations made by the statutory inspection body, CQC, to ensure ongoing robust and effective safeguarding practice in the city. By definition proper safeguarding planning and practice ensures individuals' Human Rights [as enshrined in the Human Rights Act 1998] are taken into account.

Lawyer Consulted: Name: Hilary Priestley Date: 01/06/11

Equalities Implications:

5.3 Older people, people with disabilities and mental illness can be vulnerable to abuse.

Sustainability Implications:

5.4 There are no sustainability implications.

Crime & Disorder Implications:

5.5 Vulnerable people can be subject to financial abuse and physical abuse and sexual violence which are forms of adult abuse that are reported to Adult Social Care.

Risk and Opportunity Management Implications:

5.6 Safeguarding Adults is a key role for Adult Social Care in ensuring that the most vulnerable people are able to live safely. Failure to manage this responsibility well puts individuals at risk as well as exposing the local authority to risk and challenge.

Corporate / Citywide Implications:

5.7 Safeguarding work is carried out across the City.

6. EVALUATION OF ANY ALTERNATIVE OPTION(S):

- 6.1 Safeguarding is a core statutory responsibility and it is important that there is good monitoring and oversight of performance.

7. REASONS FOR REPORT RECOMMENDATIONS

- 7.1 To ensure the Cabinet Member has an overview of safeguarding performance.

SUPPORTING DOCUMENTATION

Appendices:

1. Brighton and Hove Safeguarding Adults Action Plan 20011/13

Documents In Members' Rooms

1. None

Background Documents

1. 'No Secrets: the development of multi-agency responses to the abuse of vulnerable adults' Department of Health 2000
2. 'Safeguarding Adults: a national framework of standards for good practice and outcomes in adult protection work' ADASS 2005
3. Sussex Multi-Agency Policy and Procedures for Safeguarding Adults at Risk 2007 (revised 2011)
4. Care Quality Commission 'Inspection report Brighton and Hove City Council' 2010

Brighton and Hove Safeguarding Adults Board Action Plan April 2011 – April 2013

| Action | Date completed | Key Milestones | | Sub group and Lead Officer(s) | Green Achieved Amber Ongoing Red Pending |
|---|----------------|---|--|--|---|
| | | | Progress | | |
| Objective 1 – All citizens to be able to access information about how to gain safety from abuse and violence, including information about the local multi-agency safeguarding procedures. Standard 3,6 and 10 National Framework | | | | | |
| 1.1 Prevention Strategy and action plan to be in place and regularly updated for safeguarding adults at risk in the City. To link with Risk Policy and Self Neglect Guidance, as well as incorporating the ongoing Dignity Campaign work, and Community Safety Strategy and Personalisation agenda (Think local, Act personal). | | 1. Prevention Strategy and Action Plan to be in place and agreed by SAB 2. Increase of public awareness of the safeguarding process, demonstrated by an increase in safeguarding referrals from non professionals 3. Self Directed Support Service to have clear safeguarding processes in place. Data to be monitored on SDS and safeguarding alerts and investigations. | 1. Prevention Strategy in draft April 2011 1.7.11 Prevention Strategy and action plan to be shared with all organisations represented at the SAB. 2. April 11 draft poster completed. For consultation. Posters to be launched following consultation. 3. Audit and data available is used to monitor quality of SDS service. Safeguarding input to tender process for SDS service Further consideration of data relating to SDS and safeguarding investigations to ensure relevant data can be collected and analysed. | Abuse Prevention and Dignity Sub Group | Ongoing |
| 1.2 Information and advice is available to assist people to keep themselves safe, to understand the investigation process if required, and to access post abuse support. | | 1. Produce information to aid the understanding of adults at risk regarding the safeguarding investigation process | 1. Draft written – to go to sub group May 11 – draft leaflet with Design Team, for circulation for comment June 11 Improve website. | Prevention and Dignity Sub Group | Ongoing |

| Action | Date completed | Key Milestones | | Sub group and Lead Officer(s) | Green Achieved Amber Ongoing Red Pending |
|--------|----------------|--|----------|-------------------------------|---|
| | | | Progress | | |
| | | <p>2. Ensure sexual assault centres, rape crisis advice and guidance, and domestic abuse services are accessible for adults at risk.</p> <p>3. Identify peer support, which organisations are able to provide peer support services. Encourage survivor's stories to be told and heard.</p> <p>4. Council website Safeguarding page to be redesigned to ensure clear and easy to access information.</p> | | | |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | |
|--|------------------|--|---|--|---------|
| | | | Progress | | |
| Objective 2 – Engagement of service users and carers as key partners in all aspects of safeguarding work Standard 11 National Framework | | | | | |
| 2.1 Safeguarding process to be empowering for people involved | | <p>1. People to feel stronger and more confident as a result of actions and interventions, having had as much control and choice as possible.</p> <p>2. Develop involvement of adults at risk and their carers in the work of SAB through the active participation of the LINK and Older People's Council and others in audit and monitoring processes, and in development of guidance and procedures.</p> | 1. Revision of multi agency procedures to ensure message of empowerment and control to adults at risk informs practice –June 11 | Prevention and Dignity Sub Group | Ongoing |
| 2.1 Adults at risk have full participation in outcomes of investigations, and can feedback their views | | 1. Audit tool for use following investigation process. Feedback to be reported to SAB and reflected in training and procedures | June 11 – draft process to GM meeting | Head of Assessment Safeguarding Adults Manager | Ongoing |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | |
|---|------------------|---|---|-------------------------------|---------|
| | | | Progress | | |
| Objective 3 – All work, by all partner organisations, undertaken in relation to adults safeguarding is of the highest quality and is based on best practice, in line with the multi-agency procedures. Standard 1,5,7 and 9 National Framework | | | | | |
| 3.1 Sussex multi agency procedures in place and able to be updated following audit, Serious Case Reviews and national requirements. Effectiveness to be monitored by SAB. | | 1. Web based procedures in final version, update arrangements in place. 2. 'Lessons learnt' reported to SAB and reflected in procedures and practice. 3. Links in procedures to Pan Sussex agreed guidance. 4. Quality assurance through audit process, reported to SAB. 5. Assurance of effectiveness of SAB, and annual report. 6. Information pack and induction process for all new SAB members. | 1. Consultation period ended 31.3.11. Aim planned launch June 11. 2. Update process to include how 'lessons learnt' will be included in changes to procedures and practice. 4. Method for undertaking multi agency audit to be considered, and yearly independent audit process, including audit of effectiveness of SAB. | Safeguarding Adults Manager | Ongoing |
| 3.2 Practice and recording standards are understood by all involved in safeguarding investigations work. To link to the Competency Framework. | | 1. Training Strategy 2011 to be in place. Training programme to reflect national and local changes. | 1. April 11, training has been updated and linked to Competency Framework. New training programme for 2011 agreed. May 11 – review 2010 training strategy, including training figures. Include in annual report June 11 | Training Sub Group | Ongoing |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | |
|---|------------------|---|---|---|---------|
| | | | Progress | | |
| | | <p>2. Yearly Conference to be held</p> <p>3. Training programme for ASC senior managers.</p> <p>4. Review of documentation used to ensure fits with changes in procedures and practice.</p> <p>5. Health Investigation Officer role to be agreed.</p> <p>6. Continue to increase numbers of accredited trainers and offer updates for their development</p> | <p>2. Booked 21.3.12.</p> <p>3. Planned summer 2011, programme agreed and trainer identified.</p> <p>4. Word docs completed and tested, for SPFT. To be launched May 2011</p> | | |
| 3.4 Work completed under the Mental Capacity Act meets required practice standard across all settings | | Quality audits in place for assessments undertaken. Data collection and analysis in place. | May 11 audit being undertaken in ASC. Recommendations to be reported to SAB. | Mental Capacity and Deprivation of Liberty Safeguards Monitoring and Development Group | Ongoing |
| 3.5 Work completed under the Deprivation of Liberty Safeguards meets statutory requirements in both care home and hospital settings | | <p>1. Increase awareness of DOLS in hospital settings</p> <p>2. Increase numbers of DOLS assessments across care provision.</p> | 1. All hospitals and care homes in Brighton & Hove to receive further information about DOLS within 11/12. | Mental Capacity and Deprivation of Liberty Safeguards Monitoring and Development Group, PCT Quality Board+ Safeguarding Board | Ongoing |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | | |
|--------|------------------|----------------|----------|-------------------------------|--|--|
| | | | Progress | | | |
| | | | | | | |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | |
|---|------------------|---|---|--|---------|
| | | | Progress | | |
| Objective 4 – Key agencies responsible for safeguarding adults to work in partnership, to have a consistent and co-ordinated approach to safeguarding adults in the City Standard 2,4 and 8 National Framework | | | | | |
| 4.1 All partner organisations to have a set of internal guidelines, consistent with the multi-agency procedures, which set out the responsibilities of all workers to operate within it | | The Safeguarding Adults Board to ensure that all agencies internal safeguarding procedures are compliant with the Sussex multi-agency policy and procedures, and that there is supporting evidence of staff being accountable for receiving and understanding the procedures. Safe recruiting processes are in place | June 2011 – for review All statutory agencies to complete an annual safeguarding evaluation for the annual report June 11. | SAB Chair | Ongoing |
| 4.2 Identification of areas for improvement in safeguarding practice and prevention through analysis of data and trends, and complaints and incidents | | Areas for improvement identified and inform training and practice. | May 2011 - Data collected for annual report. Analysis of data for prevention work, training and practice development. | Abuse prevention and Dignity Sub Group Training Sub Group | Ongoing |
| 4.3 Safeguarding work and plans to link with other relevant work being completed within CYPT, Community Safety Team, Health Trusts, Police and National changes. | | 1. Safeguarding Adults Manager to keep updated of National arrangements and update locally as required 2. Links to Children's Services | 1. To attend SE Leads meeting 2. Children's and Adult's Leads to present annual reports to SAB and | Safeguarding Adults Manager | Ongoing |

| Action | Date to complete | Key Milestones | | Sub Group and Lead Officer(s) | |
|--------|------------------|--|--|-------------------------------|--|
| | | | Progress | | |
| | | <p>3. Links to Community Safety</p> <p>4. Health Trusts and Police</p> | <p>LSCB</p> <p>3. Safeguarding Adults Manager to attend Disability Hate Crime/Incident Steering Group. Safeguarding Adults Manager to represent ASC at MARAC, and ensure file tagging completed. Community Safety Strategy to be presented at SAB Linked Domestic Violence training to be in place.</p> <p>4. Safeguarding Adults Manager to attend steering/operational groups for Sussex Police and Health Trusts.</p> | | |

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