

**Lincolnshire Safeguarding Boards
Scrutiny Sub-Group**

**Wednesday, 11 April 2012, Committee Room 1
County Offices, Newland, Lincoln**

PRESENT: COUNCILLOR S F WILLIAMS (CHAIRMAN)

Councillors Mrs C M H Farquharson, J D Hough, Mrs P A Mathers, and R A Shore

Added Members: Richard Childs (NHS Lincolnshire) and Mr Fred Mann JP (Lincolnshire Police Authority)

In attendance: Councillor C R Oxby (Executive Support Councillor, Adult Social Care)

Officers in attendance: Chris Cook (Independent Chair, Children's Safeguarding Board), Mandy Cooke (Head of Safeguarding), Sheridan Dodsworth (Lincolnshire Safeguarding Children Board Business Manager), Lynne Young (Independent Chair, Adults Safeguarding Board), Tracy Johnson (Scrutiny Officer) and Rachel Wilson (Democratic Services Officer)

12. APOLOGIES FOR ABSENCE

Apologies were received from Councillor W J Aron and Mrs E Olivier-Townrow, Parent Governor Representative.

13. DECLARATION OF MEMBERS' INTERESTS

Councillor S F Williams declared a personal interest as his wife was a member of the Board of Boston Women's Aid.

Councillor J D Hough declared a personal interest in all items on the agenda as his partner was a Non-Executive Director of the Lincolnshire Partnership NHS Foundation Trust and he was a Member.

Councillor Mrs P A Mathers declared a personal interest as a Stakeholder Governor of LPFT (Lincolnshire Partnership NHS Foundation Trust).

14. MINUTES OF THE LAST MEETING OF THE LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP HELD ON 10 JANUARY 2012

RESOLVED

That the Minutes of the meeting of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group held on 10 January 2012 be confirmed as a correct record and signed by the Chairman.

LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD BUSINESS

15. MINUTES OF THE LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD

Minutes of the Lincolnshire Safeguarding Children Board (LSCB) were presented as follows:-

(a) Minutes of the Lincolnshire Safeguarding Children Board Strategic Management Group – 12 January 2012

During discussion of the minutes, the following points were raised:

- In relation to minute number 15, it was noted that specific bespoke pieces of work had been carried out with young people, and that a consultation had taken place with 1500 young people as part of the sexual exploitation work. The different options available for involving young people in the work of the Board were discussed, and it was noted that it had not been decided what the best option would be. The Scrutiny Sub-Group requested an update at the next meeting on how the LSCB would be involving young people in its work;
- SCIE – Social Care Institute of Excellence
- SLO – Senior Liaison Officer
- In relation to minute number 13, the Police Authority representative informed the Board that the theatre group had been very well received by the schools it had visited, and the LSCB should be commended for this initiative.

(b) Minutes of Operational Delivery Group held on 26 January 2012

During discussion of the minutes, the following points were noted:

- In relation to minute number 8, it was noted that Team Around the Child (TAC) was on the LSCB risk register due to the recent change in process, namely that any agency which wished to refer into the TAC process would then become responsible for the TAC. Partner agencies had expressed that this would be too onerous for some organisations and that there was a risk that TAC would not be used to support children and families.
- In relation to minute number 13, it was noted that a new organisation would be taking over the community ambulance service. It would be part of the contract to ensure that the new provider had the necessary safeguarding skills and training to take on the contract. Chris Cook agreed to follow this up and would raise it at the regional board on 26 April 2012. There were also discussions about where responsibility for the contract would fall, and this would be looked into further;
- In relation to minute number 12, all seven districts had now signed up to the budget.

RESOLVED

That the minutes be noted.

JOINT LINCOLNSHIRE SAFEGUARDING CHILDREN BOARD (LSCB) AND LINCOLNSHIRE STRATEGIC SAFEGUARDING ADULTS AND DIGNITY BOARD (LSAB)

16. SECTION 11 AND SAFEGUARDING STANDARDS

Consideration was given to a report presented by the Lincolnshire Safeguarding Children Board Business Manager, which provided the Scrutiny Sub-Group with information on how the LSCB held partner agencies to account and explained the Safeguarding Standards promoted by both Boards for those organisations which were not required to demonstrate Section 11 (S11) compliance.

It was reported that LSCB had adopted the Safe Network Safeguarding Standards, and was promoting the use of these to all organisations which were not required to demonstrate S11 compliance. These standards were modelled on S11 requirements and provided a simple and straightforward way for organisations, particularly those that were small voluntary groups, which did not have policy makers or Human Resources Advisors to consider their safeguarding arrangements.

The Scrutiny Sub-Group was provided with the opportunity to discuss the information presented within the report and some of the points raised included:

- All partner agencies had now been through Section 11 moderation, and once the County Council had also been moderated, an overarching report would be brought back to this Scrutiny Sub-Group;
- Eight moderators had been trained up and the early results were positive;
- All partner agencies had very clear training pathways;
- Not all agencies were required to be Section 11 compliant;
- The Safe Network Standards should be added to the LSCB website;
- Schools had exactly the same safeguarding responsibilities, but were under Section 175 of the Education Act 2002, instead of Section 11, and were regulated by Ofsted; For Independent Schools and Academies the responsibility falls under Section 157 of the Education Act 2002.
- The Safe Network Standards should be promoted as there were a lot of organisations which provided services to children;
- Any organisations which provided services to children were expected to follow these standards, and organisations which provided statutory services were expected to be Section 11 compliant.

RESOLVED

That the Scrutiny Sub-Group note the LSCB Section 11 Audit Toolkit and the Safe Network Safeguarding Standards promoted by the Boards for those organisations that were not required to demonstrate Section 11 compliance.

17. LINCOLNSHIRE SAFEGUARDING BOARDS SCRUTINY SUB-GROUP WORK PROGRAMME 2012/13

Tracy Johnson presented the Sub-Group's work programme for 2012/13, which set out the agenda for future meetings of the Lincolnshire Safeguarding Boards Scrutiny Sub-Group.

Attendance by members of the Sub-Group at the meetings of the Lincolnshire Strategic Safeguarding Adults and Dignity Board, LSCB Strategic Management Group and LSCB Operational Delivery Group, were agreed as follows:

6 June 2012 – 2.00pm – Councillor Mrs C M H Farquharson
28 June 2012 – 9.15am – Fred Mann JP
5 July 2012 - 9.15am – Fred Mann JP
26 July 2012 – 9.15am – Councillor S F Williams

RESOLVED

1. That the work programme for 2012/13 be agreed, subject to the inclusion of the additional items agreed in minutes 15(a) and 16 above;
2. That the members identified above would attend future meetings of the LSAB, and the LSCB Operational Delivery Group and Strategic Management Group in June and July 2012.

LINCOLNSHIRE STRATEGIC SAFEGUARDING ADULTS AND DIGNITY BOARD BUSINESS

18. MINUTES OF THE LINCOLNSHIRE STRATEGIC SAFEGUARDING ADULTS AND DIGNITY BOARD

Minutes of the Lincolnshire Strategic Safeguarding Adults and Dignity Board (LSAB) were presented as follows:-

(a) Minutes of the Lincolnshire Strategic Safeguarding Adults and Dignity Board meeting held on 7 March 2012

During discussion of the minutes, the following points were raised:

- There were concerns that there was not yet any legislation in place, in relation to adults safeguarding, although powers of entry were being looked into;
- Following the announcement by Paul Burstow, the Care Services Minister, regarding the need for Adults Safeguarding Boards to become mandatory, the Executive Councillor for Adult Social Care requested, at the last meeting of the Strategic Board, that the Head of Safeguarding compare and contrast the funding for the Adults Board with the funding for the Children's Board. It was requested that this be carried out at the earliest convenience of the Head of Safeguarding;
- It was understood that Allan Kitt would be the Chief Operating Officer for the South West Clinical Commissioning Group, which would be the lead clinical commissioning group for safeguarding;
- There were concerns about what could be done to minimise cases of financial abuse in terms of personal budgets;
- The Sub-Group was provided with an update on the use of the "BaseCamp" system.

RESOLVED

That the minutes be noted.

19. CQC report on Pilgrim Hospital, Boston (March 2012)

The Scrutiny Sub-Group considered a report which was an extract of the Care Quality Commission (CQC) report on Pilgrim Hospital, Boston, which had been published in March 2012. It was acknowledged that the Pilgrim Hospital had complied really well with Outcome 07, and was now compliant in most areas.

The Sub-Group was provided with the opportunity to discuss the information contained within the report and some of the points raised included the following:

- The LSAB had rigorously monitored the CQC report and had requested regular updates;
- Ofsted did their job very well, but the only problem was that they tended to not step back and see the whole picture;
- Management and leadership were critical, but they were different things;
- There was no centre of excellence within Lincolnshire.

RESOLVED

That the report be noted.

20. Presentation on Mental Capacity Act and Deprivation of Liberty Safeguards

Consideration was given to a presentation which provided the Scrutiny Sub-Group with information in relation to the Mental Capacity Act (MCA) and Deprivation of Liberty Safeguards. Some of the key points highlighted to the Sub-Group during the presentation included the following:

- Mental Capacity Act came into force on the 1 October 2007;
- It provided a statutory framework to enable people to make their own decisions and protect those unable to do so;
- It clarified who could take decisions for people who lack capacity, in which situations and how they should go about this;
- The term “Mental Capacity” in the Act refers to a person’s ability to make a decision about some aspect of their lives;
- The MCA was underpinned by 5 key principles which were referred to throughout the codes of practice and were the measure by which standards of good practice and compliance should be judged;
 - A presumption of Capacity – unless otherwise stated
 - Maximum decision making capacity – all steps taken to help them
 - Unwise decisions – individual not to be treated as unable to make a decision because they make what others consider to be eccentric or unwise
 - Best Interests – Any act done or decision made under MCA for or on behalf of a person who lacks capacity must be done or made in his/her best interest
 - Least restrictive option – which does not interfere with basic rights and freedoms

- It was necessary to carry out an assessment of capacity wherever there were concerns about a person's capacity and a decision affecting that person needed to be made;
- The Deprivation of Liberty safeguards code of practice referred to deprivation being defined by "degree and intensity" rather than the nature of any single restriction.

Some of the points raised during discussion of the information presented including the following:

- The local authority would have the full co-operation of the PCT on this matter;
- The responsibility for the deprivation of liberty safeguards would be transferring from the PCT to the Local Authority;
- This was a high risk area of business;
- The LSAB would be monitoring the transfer of the deprivation of liberty safeguards to the Local Authority;
- The Sub-Group queried whether this should be considered at the Adults Scrutiny Committee.

RESOLVED

That the information presented be noted.

It was reported that this was Sheridan Dodsworth's last meeting as the Lincolnshire Safeguarding Children Board Business Manager, and she was thanked for her input to the Scrutiny Sub-Group over the years.

The meeting closed at 3.55pm.