

MINUTES OF THE MEETING OF THE ADULTS & HEALTH SCRUTINY PANEL HELD ON THURSDAY 16th NOVEMBER 2023, 6.30 - 9.15pm

PRESENT:

**Councillors: Pippa Connor (Chair), Cathy Brennan, Thayahlan Iyngkaran,
Mary Mason and Sean O'Donovan**

Co-Optees: Helena Kania

23. FILMING AT MEETINGS

The Chair referred Members present to agenda Item 1 as shown on the agenda in respect of filming at this meeting, and Members noted the information contained therein'.

24. APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr Felicia Opoku, Cllr Sheila Peacock and Ali Amasyali.

Apologies for absence were also received from Cllr Lucia das Neves, Cabinet Member for Health, Social Care & Wellbeing.

25. ITEMS OF URGENT BUSINESS

None.

26. DECLARATIONS OF INTEREST

Cllr Pippa Connor declared an interest by virtue of her membership of the Royal College of Nursing.

Cllr Pippa Connor declared an interest by virtue of her sister working as a GP in Tottenham.

Cllr Thayahlan Iyngkaran declared an interest by virtue of his membership of the Royal College of Radiologists.

27. DEPUTATIONS/PETITIONS/ PRESENTATIONS/ QUESTIONS

None.

28. MINUTES

Cllr Connor referred Members of the Panel to the responses received so far on action points from previous meetings, noting that some responses were still outstanding and would be followed up with officers.

The minutes of the previous Adults & Health Scrutiny Panel meeting were approved as an accurate record.

RESOLVED – That the minutes of the meeting held on 18th September 2023 be approved as an accurate record.

29. QUALITY ASSURANCE/CQC OVERVIEW

Jon Tomlinson, Senior Head of Service for Commissioning, Brokerage and Quality Assurance, introduced the report for this item which provided an annual update on the recent quality assurance work and the current challenges faced including upward pressure on costs, recruitment and retention, and increased acuity and demand. Regular meetings were held with both domiciliary care and residential care providers to discuss key issues and a new uplift process had been introduced to reflect the challenges faced by providers. He explained that the Council and the Care Quality Commission (CQC) worked closely with providers to develop action plans when issues had been identified through the quality assurance process. In Haringey, the majority of providers had been assessed as being in the 'good' or 'outstanding' categories and the general approach of the Council was not to commission providers that were assessed as requiring improvement, although there were cases where there were already residents using those services.

David Harris, Operations Manager for Islington, Camden & Haringey at the CQC, explained that his role covered a range of health and social care services and that, from January, there would be an allocated CQC inspector for adult social care in Haringey. With regard to the report, he concurred that there was a lot of pressure in the system at present and noted that there were particular concerns about the demand on ambulance services coming into the Whittington and North Middlesex hospitals.

Jon Tomlinson and David Harris then responded to questions from the Panel:

- Cllr Iyngkaran referred to Provider G in Table 1 in the report which was listed as having two open Safeguarding Adult Reviews and 30+ safeguarding concerns. He asked why the Council had lifted its suspension on further placements while the Integrated Care Board (ICB) had continued with a suspension. Jon Tomlinson responded that the Council had developed an action plan with the provider and that all of the required quality assurance actions had been

complied with. The Council had a block contract with the provider and it was deemed appropriate to lift the suspension. Vicky Murphy, Service Director for Adult Social Services, added that the provider had 106 beds, 61 of which were for residential and lower needs nursing. She explained that there were also some intermediate care beds and that the ICB would also spot purchase beds for Continuing Healthcare (CHC). The requirements on CHC had been around intensive nursing support and changes were ongoing in this area. Further information was expected to be available on this in the coming weeks which could be provided to the Panel. **(ACTION)**

- Referring to Table 5 on page 8 of the supplementary agenda pack, Cllr lyngkaran asked why nine of the Out of Borough placements were at uninspected premises. David Harris explained that not every adult social care service was inspected by the CQC (e.g. supported living) and that some services may have registered but not been inspected yet. When registering, they would have to go through a rigorous process including many of the same details as an inspection so they would be a perfectly usable and safe service. Similarly, a change of ownership could also lead to situation where a service had not yet been inspected. Jon Tomlinson added that the Council would also liaise closely with the host authority and would not place anyone with a provider that the host authority had highlighted issues about.
- Referring to page 7 of the supplementary agenda pack, Cllr Connor noted that there were 13 locations in the Borough that Haringey Council did not currently commission and asked whether there was any oversight of self-funding Haringey residents who might be using these services. Jon Tomlinson explained that their quality assurance approach was based on risk due to their current capacity, although they were expecting to be able to expand the quality assurance team early next year. This meant that the quality assurance activities would typically be prompted if issues were raised with the Council or if information was received from other sources such as the CQC, other local authorities or residents/families. Vicky Murphy added that any service providing direct care would also be CQC-regulated, as opposed to services such as supported living services which were not CQC-regulated. The non-commissioned services would be a mix of these two categories. Cllr Connor suggested that clarification on this would be useful in future reports on this topic. **(ACTION)**
- Asked by Helena Kania how many of the 180 Out of Borough placements were outside of the North Central London (NCL) area and how these were monitored in terms of safeguarding, Jon Tomlinson said that typically around one-third of the placements would be outside of NCL. He explained that there would be an annual review for each individual carried out by a social worker and reiterated the close partnership working with the host authorities as previously mentioned. Vicky Murphy added that the host authority would have a statutory responsibility for safeguarding issues. Dr Adi Cooper, Independent Chair of the Haringey Safeguarding Adults Board (HSAB), commented that, when serious safeguarding issues arose, the HSAB would seek assurances from partners that immediate action was being taken to review similar cases. She added that

- a complicating factor was that placements were sometimes made through agencies so there needed to be careful monitoring. There was an added layer of assurance through the HSAB, in the ongoing monitoring reports and in the regular commissioning reports it received from adult social care and the ICB. David Harris commented that closed cultures could often be a factor in serious safeguarding events and that planned routine visits may not be sufficient to understand what was going on and so more unscheduled visits were required.
- Asked by Cllr Mason about the nine providers where risk had been identified and whether others were on the risk borderline, Jon Tomlinson said that, in addition to the nine providers highlighted in the report, there were a similar number where there was a watching brief.
 - Asked by Cllr Mason about reports from family members as a part of assessing risk, Jon Tomlinson explained that the risk register was the main tool used for ensuring an overview of this in conjunction with other identified risk factors. He added that the quality assurance team would always investigate and take action/involve partners where necessary when family members raised concerns about care. Cllr Mason requested that an anonymised version of the risk register be provided to the Panel if possible or alternatively information about how many safeguarding complaints had been raised. Jon Tomlinson agreed to look at what information could be provided on this. **(ACTION)**
 - Asked by Cllr Brennan about the background checks on placements with previously unused providers, Jon Tomlinson said that the team would always do background work with information gathered about CQC registration and other kinds of data in order to have a good understanding of a service before making a placement. He acknowledged that the market was particularly challenging at present and so the brokerage team was working to identify packages to meet the assessed needs of residents.
 - Referring to paragraph 6.12 on page 8 of the report, Cllr Connor asked what difference the Quality Assurance and Contract Monitoring Framework was expected to make to residents. Jon Tomlinson explained that the Framework had only just been launched but that it would help to record and track quality assurance information from the beginning of the process. It would also enable the monitoring of contracts in a more organised and coordinated way. Haringey currently used quite a large number of providers due to the equivalent of spot purchasing but, by moving to more block contracts it would be possible to bring the number of providers down which would be more manageable in terms of quality assurance. The expected increase in the size of the team would also enable more proactive engagement with providers. Cllr Connor proposed that a further update be provided on the Quality Assurance and Contract Monitoring Framework at the quality assurance report to the Panel next year. **(ACTION)**
 - Referring to an individual case that she was aware of, Cllr Connor asked whether investigations into safeguarding complaints were closed after a service user had died. Vicky Murphy confirmed that there was no policy that would require this and that, depending on the nature of the case, further action could be taken, for example as part of a Safeguarding Adults Review or by contributing to a wider system approach. She also indicated that she would be

happy to provide a response regarding the individual case outside of the meeting if required. **(ACTION)**

- Referring to cases in the report of providers that had not yet shown sufficient improvement, Cllr Connor asked what reassurances could be provided for families of residents who remained placed with these providers. David Harris explained that there were different levels of CQC enforcement which included a formal notice of improvements required within a certain timescale which could be followed by requirements for documentary proof of changes or a further inspection. Jon Tomlinson added that an action plan would typically be agreed and that the Council would work with the provider until those improvements were attained. Quality assurance officers would make regular visits during this time in order to help manage the risk level. The social work team may also be involved if necessary to provide additional support to the service user and their family. However, if the provider did not appear to be making progress within the agreed time period, then decommissioning could be necessary. Vicky Murphy added that there was a lot of quality assurance during the social care assessments and that there would be close communication between the quality assurance team and the social work team.

30. HARINGEY SAFEGUARDING ADULTS BOARD - ANNUAL REPORT 2022/23

Dr Adi Cooper, Independent Chair of the Haringey Safeguarding Adults Board (HSAB), presented the Board's annual report for 2022/23 noting that it had continued to be a challenging environment for all partners in maintaining the good work being done in Haringey. The report set out the work that the board had done in terms of meeting statutory duties and priorities and there had been a major project in developing a revised strategic plan after the previous plan had come to an end, with support provided on the formal consultation and co-production from the Joint Partnership Board. The co-production work had aimed to work with representatives of different voices of people with lived experience in the borough to influence the direction of the plan from the beginning.

Dr Adi Cooper described the changing infrastructure below the Board which now included an engagement and partnership group, a practice improvement group and a reconfigured quality assurance group. Over the longer term there would be a greater priority on engagement to inform prevention work. There had also been deep dives on data including on safeguarding referrals from people in supported housing and on neglect and financial abuse. This had been initiated because of variations in the data but the deep dives had not suggested issues with the practice going on.

Other issues described in the report included the joint work with partners such as the regular meetings with the Children's partnership, including on transitional safeguarding. Each year the Board undertook a self-assessment to ensure that it was still effective and that partners were all delivering on their responsibilities.

Dr Adi Cooper then responded to questions from the Panel:

- Cllr Brennan described concerns about inadequate communication channels and support in relation to an individual case involving a resident in sheltered housing. Dr Adi Cooper said that, while she could not comment on individual cases, she would be happy to discuss this outside of the meeting to understand the concerns and the agencies involved. Asked by Cllr Connor whether there were any particular improvements that could be made around communications, Dr Adi Cooper said that most Adult Safeguarding Reviews typically identified communications as an issue at some point and also that communication between boroughs were sometimes not as good as could be expected in relation to cross-boundary cases. She noted that there had been an issue in Haringey in the past where communications back to people who had referred concerns to the local authority had been poor, but she felt that this had now improved. Another issue to be considered was the churn in staffing in the public sector which did not make for easy maintenance of relationships and communication. Cllr Mason commented that communications between boroughs could be a particular problem in domestic abuse cases when people moved boroughs.
- Cllr Mason raised concerns about homelessness and the safeguarding concerns associated with this, noting a recent increase in street homelessness cases coming in via the food bank in her area and that local homelessness agencies were struggling to deal with the demand with limited support from statutory agencies. Dr Adi Cooper acknowledged that this was an area of huge concern and increasing need, not just in Haringey but in other London Boroughs. She commented that long-term contributory factors included national policy changes such as the withdrawal of the Supporting People grant that supported vulnerable adults to sustain tenancies, recent actions to fast track some asylum seekers' decision making before they could claim Universal Credit. She added that there was much to be proud of in relation to the work done in recent years in Haringey to raise the profile of safeguarding and the relationship with homeless people, including those in temporary accommodation as well as street homelessness. However, the housing supply in London was nowhere near good enough and the severity of the housing crisis in London was causing safeguarding issues. She said that, as HSAB Chair, she had limited leverage in terms of escalation because her remit was to ensure that partners in Haringey performed their safeguarding duties as well as possible with the resources that they had. She could see that there were colleagues struggling in the current circumstances and that individuals and families were suffering but that there was no easy solution to this. Cllr Mason proposed that, due to the seriousness of the issue and the and the impact of government policy on residents that had been highlighted, a summary of these points should be referred to Full Council/Cabinet. **(ACTION)**

- Helena Kania thanked the HSAB on behalf of the Joint Partnership Board as this had enabled the voices of a lot of a vulnerable people to be heard.
- Helena Kania asked about the new Section 136 arrangements for mental health cases now that police intervention was largely excluded and asked about the new NHS and Police roles and how this was being monitored in terms of safeguarding. Dr Adi Cooper clarified that the specific questions about roles would need to be directed to the agencies in question but added that the Police still had the same duties in relation to any criminal incidents. She explained that, with the Metropolitan Police's implementation of the 'Right Care, Right Person' approach, the Police had been required to report in to HSAB meetings on developments and the HSAB would continue to monitor this implementation and the impact of changes in policy on safeguarding risks. Beverley Tarka, Director of Adults, Health and Communities, added that a new joint mental health and policing group had been established to address the partnership approach to these changes and included various sub-groups, with work including the development of regular communications updates. Cllr O'Donovan expressed concern about the capacity of mental health trusts and local authorities to deal with this extra work. Helena Kania suggested that it would be useful for the Panel to understand how this process was playing out in the months to come and Cllr Connor requested that further information/feedback on this could be provided as part of the HSAB annual report item next year. **(ACTION)**
- Asked by Cllr Brennan whether the Police was still responding to mental health related calls where there was a risk of suicide, Beverley Tarka said that the joint mental health and policing group would be considering a range of scenarios.
- Cllr O'Donovan raised concerns about the overrepresentation of black people in safeguarding Section 42s Dr Adi Cooper said that there were often deep dives into data on various factors including on different demographics and communities. However, this particular statistic hadn't been covered in the annual report so she would need to look into this further. **(ACTION)**
- Cllr Lyngkaran noted the 24% decrease in Section 42 enquiries and asked whether this was positive or a possible sign of underreporting. Dr Adi Cooper said that interpreting the data could be challenging and that this should not be considered as performance data. The reduction in this situation was likely to be a result of quality assurance mechanisms providing alternative pathways for concerns to be dealt with rather than using a Section 42 enquiry pathway. The HSAB had received more detailed information on this, including case file audits, and was confident that practice was on an improving trajectory. Vicky Murphy added that, since January, there had been an in-person duty team which was able to respond to concerns quicker.
- Asked by Cllr O'Donovan about modern day slavery and sexual exploitation, Dr Adi Cooper explained that the numbers on this were quite low and so any fluctuations in the data were not hugely significant. However, she added that

the reporting of it was helpful as there was more work to be done in this area and it was also important to be aware that there had been concerns arising nationally, though not in Haringey, about modern slavery in the adult social care provider sector. Cllr Connor suggested that modern slavery could be added as an item to the Panel's work programme as the HSAB annual report had highlighted a fall in referrals in Haringey and it may be useful to explore this issue further. Cllr Mason suggested that it would be useful to understand what training the Police had in dealing with this issue as part of any future agenda item. **(ACTION)**

- Asked by Cllr O'Donovan about whistleblowing, Dr Adi Cooper said that the Board would be looking at policies with all partners on dealing with abuse by people in positions of trust as part of its programme in the coming year, which would include mechanisms for people to raise concerns.
- Cllr Connor proposed that a day could be reserved in future as part of the Work Programme for the Scrutiny Panel to scrutinise safeguarding issues in more depth. Beverley Tarka suggested that a deep dive on a specific area could work better than safeguarding as a whole. Dr Adi Cooper added that it would be necessary to coordinate this with issues likely to appear in next year's annual report as the work on this would begin some months earlier. It was agreed that a further conversation outside of the meeting would be arranged. **(ACTION)**

31. CO-PRODUCTION UPDATE

Alexandra Domingue, Project Manager for Adult Social Care Commissioning, introduced the report noting that the Adult Social Care Commissioning Co-Production Board was being launched in November 2023 as a response to both the recent peer review and the Scrutiny Review on this issue. The Board was envisaged as a vehicle for Adult Social Care Commissioning to involve people in the development of projects that would affect them.

Alexandra Domingue added that the Joint Partnership Board had helped to shape the development of the new Board including the terms of reference. The vision was for the Board to take upcoming commissioning work and gain input and guidance on the development as part of a multidisciplinary group including residents who access adult social care services and carers. It would also involve providers and adult social care staff. Other issues such as quality assurance work or contracts may also be brought to the attention of the Board.

Alexandra Domingue then responded to questions from the Panel:

- Asked by Cllr Connor about the membership of the new Board, Alexandra Domingue said that invitations had been sent to reference groups, carers groups and residents. It was also expected that there would be sub-groups with people joining based on their areas of experience and expertise. Cllr Lucia das Neves would be attending the Board as the Cabinet Member for Health, Social

Care & Wellbeing. It may also be appropriate to involve other Council Members on certain areas of work, particularly when related to certain localities. Cllr Connor suggested that information about this should be communicated to all Council Members so that they could have the opportunity to express their interest. **(ACTION)**

- Cllr Mason expressed support for wider engagement with local voluntary sector organisations and Alexandra Domingue said that any further suggestions of organisations that they could reach out to would be welcomed.
- Asked by Cllr Mason how success would be measured, Alexandra Domingue said that there would be various ways of doing this including the contract monitoring process and proactively obtaining feedback from service users. This could potentially happen through a resident audit team rather than directly through officers.
- Asked by Cllr Connor about support for residents in their co-production roles, Alexandra Domingue said that specification of the position of a Co-production Board member had been provided in the agenda papers and there was also some ongoing work with colleagues on the development of some formal training and ring-fenced support/debriefing. There had also been progress in bringing forward financial remuneration measures and references for future job applications and there were ongoing conversations about the most appropriate format for this.
- Helena Kania requested further details about the link between the Co-Production Board and the Joint Partnership Board. Alexandra Domingue responded that the role of Public Voice had been instrumental in sharing details about the Co-Production Board with its members and that she would welcome close working and updates between the two Boards. This could potentially include a representative of the Joint Partnership Board joining the Co-Production Board.
- Cllr Brennan commented that she was impressed by the work that had been done as outlined in the report and presentation. Cllr O'Donovan also welcomed the work, noting in particular the egalitarian approach to the Board and the specification for Board members to have had direct experience of using or caring for someone who used adult social care services.
- Cllr Iyngkaran queried whether the specification for Board members risked self-selecting a particular group of people and excluding others, for example by attracting people who were more likely to have a higher educational background, speak English as a first language and have confidence participating in a group setting. Alexandra Domingue observed that it was important to ensure that there were other mechanisms for people to participate rather than being a Board Member, that there could be separate sub-groups to focus on particular areas and there had been different types of engagement including through social media and by producing an 'easy-read' version of the terms of reference. She added that the team was particularly conscious of the

need to have a variety and depth of engagement and that this would be a focus of the development of the work in the coming year. Jon Tomlinson added that it was important to recognise that this was the start of a journey in many ways with the first meeting on 29th November and that the aim of this Board was to put service users, carers and ‘experts by experience’ in the driving seat.

Cllr Connor thanked the officers for their report and indicated that the Panel would like to receive a further update on the work of the Co-production Board after it had developed further. Vicky Murphy suggested that the appropriate timescale for this would be approximately 6 to 9 months time. **(ACTION)**

32. WORK PROGRAMME UPDATE

Scrutiny Officer, Dominic O’Brien, informed the Panel that, in addition to the latest version of the Panel’s Work Programme, the draft scope and terms of reference for a new Scrutiny Review on Digitalisation and Communications with Residents was included in the agenda pack. Since publication, it was suggested that the terms of reference be amended to clarify that communications for residents presenting with complex needs involving a multidisciplinary team was one element to be included in the Review rather than the main/only element of the Review as a whole. Cllr Connor commented that one strand of the Review would include how residents, carers/families, other organisations were kept informed of developments in a case and another strand would look at how the digitalisation of the process would work. With these amendments added, the terms of reference for the Review were approved by the Panel.

Helena Kania suggested that work in the NHS on personalisation and the involvement of residents/carers in the plan and its progression could be considered as part of the evidence gathering and would provide some further details outside of the meeting. **(ACTION)** Panel Members were reminded to provide any further feedback on the Review, including possible witnesses, by email.

RESOLVED – That the terms of reference for the amended Scrutiny Review on Digitalisation and Communications with Residents be approved.

33. DATES OF FUTURE MEETINGS

- 12th Dec 2023 (6:30pm)
- 22nd Feb 2024 (6:30pm)

CHAIR: Councillor Pippa Connor

Signed by Chair

Date