MINUTES OF A MEETING OF THE HEALTH AND CARE SCRUTINY COMMITTEE HELD AT BY ZOOM ON FRIDAY, 22 SEPTEMBER 2023

PRESENT

County Councillor A Jenner (Chair)

County Councillors:

J Ewing, L Rijnenberg, C Robinson, E Roderick, L Brighouse

Cabinet Members in attendance:

County Councillors S Cox (Cabinet Member for a Caring Powys) and S Davies (Cabinet Member for Future Generations)

Officers in attendance:

Nina Davies (Director of Social Services and Housing), Rachel Evans (Head of Commissioning and Partnerships), Sharon Frewin (Head of Adult Services), Michael Gedrim (Education Manager and Dedicated Safeguarding Lead for Education), Pamela Iyer (Senior Strategic Commissioning Manager), Sarah Quibell (Service Manager for Education Support Services) and Wayne Welsby (Professional Lead – Procurement and Commercial Services)

1. APOLOGIES

Apologies for absence were received from County Councillors Chris Walsh, Elwyn Vaughan, Heulwen Hulme, Gareth E Jones, Benjamin Breeze, Richard Church (Cabinet Member for a Safer Powys), Jack Straw (Interim Chief Executive Officer) and Sharon Powell (Head of Childrens Services).

2. DECLARATIONS OF INTEREST

Following advice from Officers, the Chair explained to Members that they should declare an interest in Item 6 on the agenda if any of their family members used Council-provided day services.

There were no Declarations of Interest from Members relating to items to be considered on the agenda.

3. DISCLOSURE OF PARTY WHIPS

The Committee did not receive any disclosures of prohibited party whips which a Member had been given in relation to the meeting in accordance with Section 78(3) of the Local Government Measure 2011.

4. MINUTES AND ACTION LOG

Members received the draft minutes of the previous meetings held on 2nd June 2023 and 7th July 2023. The motion to approve the draft minutes was proposed by County Councillor J Ewing and seconded by County Councillor C Robinson.

RESOLVED that the Chair be authorised to sign the minutes of the previous meetings as a correct record.

5. CORPORATE SAFEGUARDING BOARD ACTIVITY REPORT

Documents Considered:

- Corporate Safeguarding Board Activity Report 08/06/2023
 - A presentation was received from the Professional Lead Procurement and Commercial Services regarding safeguarding considerations in contract management, followed by;
 - Verbal responses from the Education Manager and Designated Safeguard Lead and the Service Manager for Education Support Services regarding safeguarding and elective home education arrangements.

Background:

- Corporate Safeguarding Board (The Board) met on 8th June 2023, although the Director of Social Services and Housing noted that the report presented to the Committee had been delayed somewhat due to annual leave commitments over the summer period.
- The Board noted that the following actions had been, or were close to completion:
 - Lead Officer and Lead Member for Safeguarding's roles and responsibilities had been published.
 - The Volunteer (Safer Recruitment) Policy was completed pending minor amendments and would be circulated to the Board in due course.
 - The gathering of contractual monitoring information from services regarding safeguarding issues, and the clarification of the Council's expectations of contracts regarding safeguarding training had taken longer than expected.
 - The Corporate Regulatory Tracker link was now included in the Corporate Safeguarding Board Activity Report as requested by the Committee.
- Feedback from the Health and Care Scrutiny Committee was received by the Board which were outlined in the report. Of the four requests, three were agreed, however the fourth request required processes to be explored.
- The Director of Social Services and Housing reported that the Schools Service was currently undertaking work around the Committee's request to include school staff and volunteers in the mandatory safeguarding training compliance statistics. This information was expected to be received by the Board at a future meeting.
- The Committee had previously asked what the timeframe was for staff to complete mandatory training – the Board were advised there is a twoweek deadline.
- The Committee had also asked how staff without access to computers could access the mandatory training. The Board were advised that staff had been provided with hard copies of the training material, and training

was also being delivered at different times of day to suit the varied work patterns.

 The report noted a significant increase in corporate safeguarding and VAWDASV training compliance in both the Catering and Cleaning and HTR Service Areas as of 1st June, compared to 1st January.

SWAP DBS Audit

The Board were provided with the Audit Report, and the SWAP Officer confirmed the DBS Team provided high assurance, however there were areas with limited assurance (Taxis, Foster Carers and Procurement) which required improvement. The Heads of Service confirmed remedial actions had been identified and were in the process of being implemented.

Safeguarding Audits/Self Assessments

The Board were informed further work was needed to analyse the collated information following the Safeguarding Audit. It was noted that different templates were used and not all questions were relevant for every service area. Heads of Service had allocated a series of actions for themselves, resulting in further communications and reminders to staff. There were further points to review at a future Board meeting.

Preparations for National Safeguarding Week

 Preparations were undertaken to deliver the event which was planned for November 2023. Noted that Powys were hosting the National Safeguarding Conference on 16th November 2023 with the theme being 'Safeguarding in Rural Communities'.

Safeguarding Theme of the Month

- Themes were discussed and it was proposed to align with national awareness raising weeks. Suggestions were to be drafted into a table, the Board agreed that subjects should be bitesize to promote accessibility and understanding for potential audiences.
- The Director of Social Services and Housing noted that the first theme, "What is Safeguarding?" was due to be published in the following week.

Annual Private Fostering Report

- The Board were informed that Private Fostering Arrangements fell within childcare legislation, which applies to any child under the age of 16, who moves into another household outside of their immediate family for longer than 28 days. The Board were informed that the Local Authority has statutory duties to assess, undertake DBS checks and visit to ensure the child is safe and that their needs were being met.
- It was reported that only two private fostering arrangement notifications were received in the proceeding twelve months at the Board meeting in June 2023.
- The Board noted that whilst awareness raising was key, this should be to promote support and good outcomes, rather than statutory intrusion. It was reported that guidance and support was available for social workers as the area of work was less common.
- Noted that the Private Fostering Report was circulated to all Councillors to increase awareness and understanding.

Young People's Housing

- Discussion of options for young people experiencing homelessness and the associated challenges, including 'Bed and Breakfast' accommodation.
- Cases were discussed and it was reported that 'Bed and Breakfast' accommodation may be the least-worst option for young people, due to promoting their safety which resulted in better outcomes compared to other options which may increase their vulnerability.
- The Board were informed that Housing Development Business Cases were being progressed including interim modular accommodation.

Elective Home Education

- The Board were informed that Welsh Government guidance had been issued, although the Education Service required some time to reflect and make appropriate service developments.
- Mandatory Safeguarding Training, including VAWDASV.
 - The Board were informed that all service areas have increased their compliance with both the mandatory Safeguarding and VAWDASV training.
 - o It was noted that Children's Servies had a lower compliance rate (82%) compared to other service areas. Following reflection, the service decided that although staff receive other safeguarding training, the mandatory training would be kept and managed through supervision sessions.
 - It was reported that VAWDASV 'Ask and Act' Training was at 91% compliance rate which compared extremely favourably with other Authorities.
- Adult Social Care Safeguarding Performance, including Deprivation of Liberty Safeguards
 - The Board were informed that the Appointeeship and Deputyship Unit had received a positive outcome report following the inspection by the Office of the Public Guardian.
- Children's Social Services Safeguarding Performance
 - The Board were informed that whilst some dips had been identified, in some areas of performance, the trajectory was showing overall improvement. Numbers of children on the Child Protection Register were low (around 100) in contrast to the twelve months previous.
- Future agenda items were noted by the Board and were contained within the report.
- Home Office Anti-Terrorism Notifications
 - The Board were informed that the Property, Planning and Public Protection Service had received correspondence from the Home Office regarding anti-terrorism information sharing processes, in particular, notifications about individuals living in Powys who may or do pose a threat. The signing and return of a Memorandum of Communication identifying the Prevent Lead would allow the Home Office to provide Powys with such notifications.
 - The Board resolved that the Prevent Lead (Senior Manager within the PPPP Team) should receive the notifications.
- Safeguarding Fora

- The Board were informed that these multi-agency learning and development sessions had resumed following the Covid pandemic.
 It was noted that the first forum focused on sexually harmful behaviour attended by an expert guest speaker.
- The aim was to run two sessions per year, although this may increase as partner agencies were being encouraged to use the 'Safeguarding For a' banner to run their own safeguarding learning events.
- The Director of Social Services and Housing reported that the next Corporate Safeguarding Board Meeting was scheduled for 14th December 2023.

Safeguarding considerations in contract management

- The Committee received a presentation from the Professional Lead Procurement and Commercial Services regarding the Council's safeguarding considerations in contract management.
 - Contract Management
 - Contract Management had been identified as a key weakness for the Council, as per the CIPFA 5-Star Council assessment in 2019.
 - Contract Management was a vital tool used to ensure benefits realisation, effective management of contractual risk and the maximisation of opportunities throughout the contract lifecycle.
 - These mechanisms were important to allow contracts to be adjusted flexibly to meet the future needs of the Council.
 - It was noted that when contract management was poorly undertaken, value of the contract can be lost due to poor contract management.
 - Corporate approach to contract management
 - The Council-wide Contract Management Framework categorises contracts into four Tiers based on risk and value, which provided a consistent approach across the organisation.
 - Following the audit, contract registers were updated to ensure all contracts were identified. A Financial risk management approach had been introduced to suppliers in addition to implementing mitigation action plans to minimise risk of suppliers going out of business.
 - Contract managers responsible for suppliers with annual expenditure of £1 million and above were required to undertake the GCS Contract management Training. Awareness training was being developed for lower tier contracts.
 - Tiering Approach
 - Platinum High Value/High Complexity and Risk (1st tier)
 - Gold High Value/High Complexity and Risk (2nd tier)
 - Prioritised resources with robust monitoring and improvement plans. Contract Managers were

identified for these tiers and had completed the GCF Contract Management Training.

- Silver Low Value/High Complexity and Risk (3rd tier)
- Bronze Low Value/Low Complexity and Risk (4th Tier)
 - Lower level (silver) or minimal contract management activity (bronze). Contract Awareness Training Module was recommended but not mandatory for bronze tier contracts.

Safeguarding considerations in elective home education

- Verbal updates from the Education Manager and Designated Safeguarding Lead for Education and the Service Manager for Education Support Services were received by the Committee.
 - The Education Manager confirmed that guidance from Welsh Government had recently changed. Welsh Government had previously provided additional funding, which allowed the Education Service to improve their systems in how the Council interacts with elective home-educated families; therefore, the changes were already in place before the guidance had been released.
 - The Education Manager confirmed that although there were no changes in legislation relating to elective home education, the Welsh Government guidance was statutory and therefore there was an expectation for these changes to be communicated with elective home-educated families.
 - Although the Service were already communicating with families, meetings were set up to ensure families were aware of the enhanced onus on the family as set out in the guidance.

Issues Raised by the Committee and Responses Received:

Issues Raised by the Committee:	Responses Received:
How had these steps which had been implemented by the Commercial and Procurement Team, mitigated the risk in a safeguarding perspective? For example, were the Council's contractors aware of safeguarding procedures, or if they had concerns?	The Professional Lead – Procurement and Commercial Services reported that certain procedures such as the tiering approach had only very recently been agreed and implemented. Platinum (highest value and risk) contracts for example would be required to contain a safeguarding mechanism, which would specify the minimum number of contract review meetings required.
If a new school was being built by the Council which could be considered a platinum tier contract, would there be consideration for safeguarding when managing this type of contract?	The individual contract manager would have the responsibility to manage the specific requirements of the contract, including safeguarding.
If the Council were to procure services to provide accommodation for 16- and	The Service would ensure that the requirements of the contract were set

17-year-olds, as part of the periodic contract review meetings, would the Council monitor whether subcontractors were undertaking DBS checks for their employees?

out and checked, provided that there was a DBS and monitoring requirement included in the contract.

The Head of Commissioning and Partnerships reported that the Service had collaborated with the Commercial and Procurement Team to produce an annual self-assessment form. The focus was originally for social care and safeguarding included provisions. however it was realised that the tool could be adapted to be used across the Council at a much wider level. The form allowed suppliers and contractors to self-assess against a range of specified requirements. and enabled the Council to undertake audit activities.

How do we obtain a definitive list of families who choose elective home education?

The Education Manager noted that the information the Council holds on families who choose elected home-education was not definitive. There was no requirement for families to notify the Local Authority, although some families do, and this was usually when the child was at the pre-school stage.

It was noted that if the child was enrolled at a school, the family must inform the school that they were withdrawing their child for elective hoe education who would then inform the Education Service. There was a process for this. Where a family move to Powys and the child was previously enrolled in a school or were electively home educated in the former area, the former Local Authority would inform the Council when they move.

Officers from other Service Areas within the Council may inform the Education Service if they believe that a child was being electively home educated.

The Service Manager for Education noted that where a child was identified

to be missing education, the Education Service had a robust process to address this. In the majority of cases, the focus was to reengage the learner with the school.

The Education Manager noted that there were more families who were now informing the Council of their decision to home educate their children, therefore the increase in numbers does not necessarily mean the number of children being electively home-educated was increasing.

How was elective home education learning monitored?

The Education Manager noted that the legislation required the family to assume all responsibility for meeting the education needs of their child when they choose elective home education. The Council would act if it was apparent that the child was not receiving a suitable education.

The new statutory guidance from Welsh Government now expects families to proactively prove the child was receiving a suitable education. Previously, the onus was on the Council to react when it became aware that the child's education needs were not being met.

Where elective home education registration was considered to not be in the best interests of the child, the Service would work with the family to bring the child back into school-based education.

In terms of contact with families, the Service Manager for Education noted that it was led by families and a family-specific approach was utilised to build the relationship with Officers. This may start with the family and child attending at a library before a statutory school was considered. The Education Manager noted that there were multiple methods of communication such as by phone and face-to-face.

Contact with the family may be by email, phone or face-to-face, and it was noted that contact was regularly undertaken.

Signposting included details of how parents can access and refer their children to additional support services such as school nursing, speech and language therapy or support for additional learning needs.

Does the signposting information provided by the Council allow families to access services such as speech and language therapy?

The signposting information included contact details for school nursing and for additional learning needs support. The ALN Code required that the Council make a referral for the child with the parent's consent if they are identified as potentially being in need of ALN support.

Do you hold a percentage, or the number of children registered for elective home education?

The most recent figure as of the 30th August was 312.

How does this compare to pre-covid figures?

The Education Manager noted that the number of children who were registered with the Council as electively home educated was around double, compared to pre-covid figures, which was similar to other Welsh Local Authorities.

It was reported that the increase was likely due to the increase in support provided by the Council, where families had now come forward to register with the Council as providing elective home education.

The Service Manager for Education noted that the number of children registered electively home as educated was reported to Welsh Government monthly. This also included details such as eligibility for free school meals and additional learning needs. It was reported that during the last academic year there were 177 children and young people newly registered as receiving elective home education. However, 49 children and young people deregistered and

returned to school. 47 ceased elective home education at the end of Year 11 (30th June 2023) as they were no longer of statutory school age.

The use of software such as WCCIS and Teacher Centre were useful in tracking learners who move between school settings and elective home education. Due to some learners moving between school and home education settings, the Education Welfare Team provided continuity between statutory school and elective home education settings.

How does the Council ensure that children who are in receipt of free school meals were having their nutritional needs met at home?

There was no remit for the Council to provide meal vouchers once learners become electively home educated.

It was reported that the onus was on the family to demonstrate that the education they provide was effective. How does this work, do the Service periodically ask for information? The Education Manager confirmed that the Education Service had always asked for an annual report from families to show what has been taught at home. Meeting with the child was an expectation of the new statutory guidance, however this was not a requirement, so work was ongoing with families to establish the need to frequently meet with children to assure that their educational needs were being met.

It was noted that elective home education does not need to follow the Curriculum for Wales and can take many different forms, therefore there was no checklist approach and elective home education was reviewed on a case-by-case basis.

Regarding ALN, was there any evidence to suggest that families were needing to electively home-educate their children due to a lack of sufficient support?

It was reported that it would be the family's decision to decide to electively home educate their child, if they feel that they do not have sufficient support in a statutory school setting. It was confirmed that there was support available for ALN in statutory school settings, and the Education Service would work with families to establish the support required.

The Service Manager for Education

	noted that the Council were required to provide monthly figures to Welsh Government, which included whether children were eligible for free school meals and had additional learning needs when they were studying in a school setting. It was reported that there was not a disproportional number of learners who were electively home educated and had additional learning needs, and was likely lower when compared to the school-based learners.
Was remote learning considered to be elective home education?	Yes. It was clarified that remote learning settings were considered as elective home education and were not the same as independent schools.

Actions:

- Request for the Director of Social Services and Housing to amend the link to the tracker included in the report, as Members reported the link did not function.
- The Chair asked for clarification whether the annual private fostering report was sent to schools, in addition to County Councillors. The Director of Social Services and Housing noted that she would need to check with Officers before confirming.

Observations and Recommendations:

- Regarding the Safeguarding Themes of the Month, the Chair asked whether the resources would be shared with third sector organisations and in settings such as GP surgeries.
 - The Director of Social Services and Housing reported that the engagement was planned with schools and external partners and networks such as town and community councils.
- The Chair asked for clarification regarding the National Safeguarding Conference due to be held in Builth Wells, including whether Cabinet Members and County Councillors were expected to attend.
 - The Director of Social Services and Housing noted that she would need to seek clarification as there were limits to the number of attendees, if there was availability the Chair would be invited. It was noted that other Councillors were also due to attend.

6. WORK, LEISURE AND LEARNING PROGRAMME UPDATE

Documents Considered:

 Work, Leisure and Learning: Innovative models of day opportunities for adults presentation

Background:

The Head of Commissioning and Partnerships provided a presentation to Members.

Introduction

- Pre-Pandemic:
 - Traditional Day Services/Centres
 - Many services were closed through a controlled process due to Covid.
 - Diversified alternatives examples included some supported living providers which tailored their offer within existing services.
 - o Day Centre and Day Services staff to provide in-reach support.

Recover and Return:

- o Opportunities for reflection, what did and did not work.
- o Information gaps conversations with clients were undertaken.
- Gained a greater understanding of the relationships, friendships and shared experiences that were important to clients, such as younger adults living with a learning disability.
- Employment opportunities how does the Council enable peoples' skills to ensure they are ready for employment? Regional Integration Funding was utilised to support the project.

Future Focus:

- Whole population understanding peoples' future aspirations, were their outcomes met?
- Creating collective resources and ideas, including the relevant staff, to provide the peer support and shared learning.
- Developing expertise in co-production of services between Commissioning and Social Services staff, as required by the Social Services and Well-being (Wales) Act 2014.
- Explore different models to ensure the person is at the centre of the offer.
- What does 'good' look like, does the Service understand what clients expect?
- Community offer and building capacity.

Remit and Scope:

- 'To engage adults with learning disabilities and older people, carers, communities and other stakeholders, in co-producing the services they want, now and for the future'.
- The Work, Leisure and Learning Project was engaging people about daytime opportunities, employment and leisure across Powys.

- To deliver services for older people and adults with learning disabilities that reflect their needs and wants, now and into the future.
- The project aimed to extend across to older people with care and support needs and younger adults with learning, physical disabilities and mental health issues.
- Project team were undertaking a large-scale co-production and engagement exercise with those in receipt of a day service or attending day centres, and other stakeholders to explore short- and longer-term aspirations and models of support.
- The project was key to informing a Stronger, Fairer, Greener Powys and was a priority transformation project for Commissioning and Adult Social Care.

Traditional model:

- Day opportunities provided individuals with the chance to enhance their wellbeing, develop relationships and gain new skills.
- o Day opportunities within the existing model included:
 - Day centres for older people and day services for adults with learning disabilities – place-based services provided by the Council, or organisations on behalf of the Council, to help people achieve their identified outcomes and lead a fulfilled life.
 - Day time activities targeted at individuals needing care and support, such as a disability support group, dementia café or writing for wellbeing group.
 - Day time activities were open to everybody, and individuals attend with support if need, this may be by a family member, friend or paid carer.

• Underpinning principles:

- Co-production
 - The Service were to underpin their work where providers and service users work together to reach a collective outcome.
 - Approach was value driven and built on the principle that those affected by a service were best placed to help design it.
 - Third sector organisations supporting people to sit on the task and finish group.
 - Engagement was to utilise mixed methods, including surveys, public events, focus groups and interviews).

Strengths-based

- Noted that strengths based commissioning was an approach that involves considering the assets and strengths that already exist within local communities.
- To consider Asset Based Community Development (ABCD) and concurrent work.
- Sharing good practice
 - To learn from the lived experiences of the citizens of Powys.
 - Understanding what positive outcomes had been achieved from other workstreams and projects across the local

authority and third sector (such as external day centre reviews, Transition project and climate change work).

Methodology:

- o Designed as a co-operative inquiry, a form of action research
- Robust and evidence-based
 - Learning from Pembrokeshire and other Welsh authorities; Birmingham model.
 - Work with adults with learning disabilities required an 'alongside' co-production approach (Speech, Language and Communication Needs) and extended one-to-one time with each service user.
 - Older People's day opportunities were to utilise a more structured approach.
 - Public meetings and open days scheduled for November 2023.
 - Visits to facilities, 'what matters' conversations with people, their carers and families and other research methods.
- Discursive questions.

Mapping of Services:

- Service to map relevant day opportunities in Powys including Powys funded day services, Llais, advocacy organisations, relevant third sector services and existing community provision.
- Use information from the population needs assessment and other relevant data sources.
- Project was engaged with the Leisure Review, including linking to survey responses and building/asset review.

Key dates:

- September to December 2023 public meetings were booked provisionally between 13th and 25th November.
- Engagement across county, place-based public meetings and discussion.
- Survey Once translated, the survey was due to open on 16th
 October and close on 4th December 2023.

Issues Raised by the Committee and Responses Received:

Issues Raised by the Committee:	Responses Received:
Does the Service hold a list of service	Yes, a list was available, and those
users who the Commissioning Team	people will be the first to be engaged
plan to engage with?	with. 90 people including families and
	carers have had discussions.
How does the programme fit in with	Regarding commissioned day centres,
the Commissioning cycle for older	the Senior Strategic Commissioning
people and learning disabilities.	Manager reported that there was one
	day centre under discussion with Shaw
	Healthcare, as to whether they take
	over operating the day centre or not.

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Would this work feed into the review of contracted disability services?	The Head of Commissioning noted that the planned work was an important part of the commissioning cycle under the discovery phase. In terms of recommissioning contracts, there were key elements of a contract that were required to meet the Service's contract specification. The voice of the individual was always paramount in this process.
When would the consultation likely be completed by, to report back to scrutiny?	Regarding sustainability, a wider conversation about the future with the people who currently or in the past used day centre services was required, however this could allow the scope to change.
	The consultation (high-level milestones) was planned to be complete by December 2023, with work beginning in January 2024 which should take around two months. Outcomes should be available for scrutiny by March 2023.
Have you already spoken with the County Councillors who have day centres within their wards?	The Service do hold a list and the Head of Commissioning believed the conversations had started, although it was noted that further engagement must continue.
	A communications strategy was to be utilised as part of the planning process, to gain a greater understanding of the people who need to be engaged within specific localities, which will have different needs based on the population.
	ACTION – Teams folder to be used to share presentations and additional information on the project with scrutiny Members.
	The Cabinet Member for a Caring Powys noted that she made a commitment to the Committee to keep local Members informed, and would contact the Members directly where they have day centres in their wards.

The Chair asked for the Committee to be involved in the scrutiny of the engagement process, and following discussions with Officers it was suggested that a questionnaire could be randomly sent to identified service users.

The questionnaire would ask questions such as "were you aware of the WLL Programme and the review of day centre services?" and "have you attended a community engagement session?" for example.

Actions:

- To review WLL Programme work in early Spring 2024.
- Health and Care Scrutiny Committee to seek an update on the WLL Programme in early Spring 2024.
- To add WLL Programme resources to the Committee's Teams channel for review when they become available.

Observations and Recommendations:

- Recommendation to inform County Councillors who have day centres within their ward areas to be made aware of the engagement work.
- Recommendation to clearly identify to the public that the WLL Programme included a review of day centre services.

7. WORK PROGRAMME

Documents Considered:

 Health and Care Scrutiny Committee Forward Work Programme – 2023/24

Actions:

 To schedule meetings with the Finance Manager, Chair and Vice-Chair to discuss budget efficiency savings for both Childrens and Adult Services in January 2024, before budget scrutiny begins.

8. EXEMPT ITEM

RESOLVED to exclude the public for the following item of business on the grounds that there would be disclosure to them of exempt information under category 3 of The Local Authorities (Access to Information) (Variation) (Wales) Order 2007).

9. DIRECT PAYMENTS

The Committee received a presentation from the Head of Commissioning and Partnerships regarding Direct Payments.

County Councillor A Jenner (Chair)