

Minutes



Democratic Services Committee

Date: 25 July 2019

Time: 5:00pm

Venue: Committee Room 1

Present: Councillors D. Fouweather (Chair), C. Evans, M. Evans, L. Lacey, R. Hayat, H. Thomas, K. Thomas, T. Watkins

In attendance: Gareth Price (Head of Law & Regulation), Chris Humphrey (Head of Adult and Community Services)

Apologies: Councillor Y. Forsey

1. Apologies:

Councillor Yvonne Forsey

2. Declaration of Interest

None

3. Minutes from the Last Meeting

Agreed: For the minutes from the meeting of the 14 February 2019 to be recirculated as the meeting for April was cancelled.

4. Proposal for Revising Member Oversight of Residential Homes Rota Visit Arrangements

The Committee was requested to view the report proposing revisions to the process and the way in which residential homes for children and adults were monitored by Members. The report was presented by the Head of Adult and Community Services.

It was explained that it was an arrangement for Members to undertake visits and consider the care provision provided. Previous rota visits undertaken by Members under the Childrens Act were now redundant and were no longer a statutory requirement.

Every organisation that provides care homes has a Responsible Individual (RI) and this responsible individual has the appropriate seniority and was approved by the Care Inspectorate Wales (CIW) across children and adults. In Newport, Ms Lucy Jackson, Service Manager in Adult and Community Services is the RI for all of internally managed and regulated social care services.

It was mentioned how Operation Jasmine, a care home scandal of several years ago highlighted the lack of quality of care.

It was proposed that:

- The annual Quality of Care review report goes to scrutiny committee and this would maintain a link between Members and care provision.
- Three Members to be nominated by the normal Council appointment process to be invited to visit individual homes on an annual basis as an informal opportunity to visit establishments.

Discussion then ensued and a Member stipulated that it was people's homes that members were visiting so assurance was wanted.

The Chair questioned as to whether Members were doing visits frequently and a report produced. It was confirmed that the frequency had reduced and the reports seen were quite short and were not reported formally.

A Member commented that on previous visits when engaging with the residents the children were normally out so there were no residents there when visiting. The Member referred to page 4 of the report; item 5 and stated that they were concerned about the 6 monthly reports and the length of time to go to scrutiny as it would be possibly difficult to put issues right.

It was confirmed that reports were written 6 monthly which would then go to the Director and the Head of Children and Young People's Services. It was the Responsible Individual's role to undertake inspections as visits were more technical in nature, lots of things needed to be looked at and the quality of care was very important.

It was commented that it was a huge responsibility on one person to do this role and there were concerns regarding the training of the person. It was reiterated that this was what the regulations and legislation required.

Another Member stated that there had been changes which were probably correct and that residents expected them to take a conscientious look at how they were living. The Member stated that more older and frail people were being admitted to care homes, with the children's crisis also becoming more extreme. There were pressures on the system with more vulnerable people being in care and care staff needed to be correct and were not always suitable.

Another member stated that it needed to be put in place and be more robust than previously in place. There had been a sufficient oversight of quality of

care and Members that had undertaken previous visits had tried to reflect members concerns and engaged with homes on a planned basis and never turned up unannounced.

A Member stated that they thought the change was welcomed, and that the plan to then feed through to scrutiny was a welcome change.

A Member asked whether the change was due to Councillors having failed previously?

It was explained that the process had now moved on and was now robust as the Responsible Individual Ms Jackson was also registered with the Care Inspectorate Wales. The corporate responsibility also lies with the Director of Social Services so it was much more stringent now.

The Head of Law and Regulation stated that Members have not failed but now the process was more robust and technical nothing could be taken away from the process as it was prescribed by statutory framework.

It was discussed how the process had been driven by Operation Jasmine, Caerphilly Council had a small number of homes where the quality of care was appalling and existing regulations were not efficiently robust so no criminal charges were brought, the responsibility fell on the managers of the care homes.

The Responsible Individual was accountable and would have access to budget control.

In relation to Operation Jasmine the strongest legislation at the time was health and safety with private homes also covered by this and they would had to have had their own Responsible Individual.

A Member questioned what the recommendation was as to who should visit and whether it should be a member from each political party, and it was confirmed that who the members nominated was completely up to them but that non-executive members were best.

It was also confirmed that a recommendation could be made to Council as Council needed to appoint the Members would be visiting.

Another Member asked whether there should be new members as the Rota was now redundant. The Member stated that they had been attending homes on previous visits and noted that care homes had been good as they had visited Forest Lodge and Oaklands and acted as a voice for residents for their benefit.

The Head of Law and Regulation confirmed that the role of the members was not an inspection and was an assistance to residents.

A Member stated that they were concerned about calling the visits an engagement and felt that it was an opportunity for some establishments to hide things and the Member visiting would have to rely on their instinct as the

nature of people using homes had changed. It was explained that there was a regulatory process and the Responsible Individual would be relying on criteria that they had to follow and that they would visit the homes every 12 weeks and the homes would also have announced and unannounced visits from the Care Inspectorate Wales (CIW).

Recommendations:

A Member was concerned that the Responsible Individual was the only person responsible and some members were concerned that only 3 members were to be appointed

It was confirmed that in addition to inspections the Responsible Individual would also undertake quarterly visits and that Members could also attend on other times.

The Chair stated that they accepted what the Head of Law and Regulation had stated previously and that the Members were assisting. The Chair commented that maybe it could be 4 Members that visited as there were 4 political parties. It was not a statutory role so it was stated that the Committee could decide to send as many Members as they wanted. As it was an informal setting 3 were allocated.

Some Members wanted 4 people allocated and the Head of Adult and Community Services stated that it was not always possible to get Members to attend.

The Committee agreed on the following proposals:

- 3 Councillors to carry out 6 monthly visits.
- The Quality of Care review report compiled by the Responsible Individual would then go to Scrutiny for Members to scrutinise findings.
- Councillors were not visiting in a statutory role so if concerns arose, they needed to be reported to the Responsible Individual and they needed to be able to do this at any time.

The Forward Work Programme to be reviewed at the next meeting to include a review of the constitution and ward meetings

5. Date of Next Meeting

24 Oct 2019 at 5pm