
Minutes of the virtual meeting of the People and Families Policy and Scrutiny Committee, held at 10.30am by video conference on Thursday, 18 June 2020

Present:

County Councillors:

J Chandler (Chairman)

J Baker (Vice Chairman)

J Deakin

M Durham

B Egan

C Guglielmi

J Lumley

P May

R Pratt

P Reid

C Souter

M Steptoe

L Wagland

Joanna Boaler, Head of Democratic Services and Graham Hughes, Senior Democratic Services Officer, were also present throughout.

1 Membership, Apologies, Substitutions and Declarations of Interest

The report on updated Membership, Apologies, Substitutions and Declarations was received and noted. Apologies for absence had been received from Councillor Hardware.

No declarations of interest were made.

2. Minutes

The draft minutes of the meeting held on 14 May 2020 were approved as a true record and signed by the Chairman.

3. Questions from the public

There were no questions from the public.

4. Respite care - update

The Committee considered report PAF/11/20 comprising an update on respite care in Essex.

The following joined the meeting to introduce the item:

County Councillor Louise McKinlay, Cabinet Member – Children and Families;

Russell Breyer, Director Local Delivery (Children and Families);

Clare Burrell, Head of Strategic Commissioning and Policy.

During the introduction the following was highlighted:

- (i) Many families had ‘bunkered down’ during the lockdown but a significant issue now was how long that was sustainable;
- (ii) Additional resources had been targeted at particular families during the lock-down when it had been deemed necessary;
- (iii) The continuing impacts of the pandemic on vulnerable families would be unpredictable. Multi-agency future planning would be crucial as the lockdown was eased;
- (iv) There was an intention to continue to maximise flexibility in delivering the services, particularly around the introduction and administration of Direct Payments, where it would be beneficial to service users to do so;
- (v) The need to communicate effectively about all the additional and related services and training that was available. The Essex Welfare Service was an important care navigator;
- (vi) There was a cohort of families who needed a lower level of support and who would ordinarily be relying on various clubs and activities, for example, which were not now being held due to the pandemic. These families still needed some level of support to avoid accelerating into needing higher levels of support;

Thereafter the following was acknowledged, considered and/or noted during subsequent discussion with members:

- (vii) The Cabinet Member felt that communication with families had improved with positive feedback received on the workshop held earlier in the year. The next round of workshops with families were planned for July;
- (viii) The Managers at Lavender and Maples were now at the core of decision-making which had helped to better inform the assessment process;
- (ix) Ensuring the wellbeing of shielded children and families was complex and challenging. Additional support had been put in place across different agencies to try and help families;

- (x) Providers had responded quickly to the lock-down moving services on-line where possible. However, this could not completely replace the benefits of face-to-face contact;
- (xi) The positives that could be drawn from the lockdown was that the service had seen good work by families themselves in digging deeper and improving their own resilience. Families had also benefitted from signposting to other services and increased awareness of other support available.
- (xii) The Cabinet Member confirmed that ongoing work which had been looking at support for JAMs (those Just About Managing) would now need to also encompass and respond to the challenges exacerbated by the pandemic (parents and carers balancing home schooling, parenting, and own work commitments);
- (xiii) There were educational needs and social care needs that do not fit within the family. Different types of advocacy were on offer to help with that depending on the client group and individual needs. It was hoped that some of the thousands of EWS volunteers would be encouraged to train-up as advocates.

Conclusion:

The following actions were agreed:

- (i) A further update on the ongoing review of the service and future support would be presented to the Committee in approximately six months;
- (ii) Further information on advocacy services would be circulated to Committee members.

The witnesses were thanked for their attendance by the Chairman and then left the meeting.

The meeting adjourned at 11.38am and reconvened at 11.46am

6. Deprivation of Liberty Safeguards

The Committee considered report PAF/12/2020 which had been requested by the Chairman in response to an Audit, Governance and Standards Committee recommendation.

The following joined the meeting to introduce the item and respond to questions:

County Councillor John Spence, Cabinet Member – Adult Social Care and Health

Nick Presmeg, Executive Director Adult Social Care.

Fiona Davis, Director, Safeguarding and Quality Assurance.

Giles Goodeve, Service Manager, Children and Families

During the introduction the following was highlighted:

- (i) The deprivation of liberty safeguards legislation had been put in place to put a framework around limitations in place in residential care settings. The legislation had created a significant workload including triaging, identifying urgent authorisations and administering a formal assessment and appeals process. Local authorities had been struggling to catch up with a backlog of assessments.
- (ii) There was a practical challenge in helping people who may have fading cognitive ability to fully understand the assessment process.
- (iii) The service continued to observe current government guidelines in conducting assessments (legal responsibilities had remained unchanged during the lockdown period). However, the lock-down had put pressure on assessors to try and maintain some momentum through holding virtual assessments if possible. This would need to be balanced with the needs and concerns of care homes and ensuring that a robust assessment process was still undertaken if it was done virtually.
- (iv) It was stressed that the legislation had been intended to prevent the unreasonable restraining of personal liberty. Those people who were waiting longer for a formal assessment had been triaged and their risk assessed as manageable (for example, a deprivation of liberty assessment was less time critical when the person was already bed bound in a care home). There was a higher risk when someone was trying to leave the building and these would be prioritised. Anyone who had been waiting more than eighteen months for an assessment also would be re-prioritised.
- (v) There was no geographical concentration of the backlog of assessments. The majority of outstanding assessments were for people in care homes. The County Council currently were also responsible for assessments in hospital settings (this responsibility would switch to the NHS when Liberty Protection Safeguards were implemented although statutory guidance on this was still awaited) and the numbers in this cohort waiting assessment had seen no noticeable increase during the lockdown.

- (vi) Some members challenged whether there was a policy in place to deal with the backlog effectively. The Cabinet Member acknowledged that the Committee seeking confirmation as to whether there was sufficient capacity and working practices in place was a valid challenge. The Cabinet Member acknowledged that there needed to be further thought given to ensuring the transparency of the plan to reduce the backlog, the ongoing safety of the process and mitigation of risk. The Cabinet Member was confident that the County Council had the resource and funding in place to address the backlog once lockdown restrictions were sufficiently eased.
- (vii) The backlog of assessments had reduced over time and the County Council had been working with an external provider to carry out an increased number of assessments (up to 1000 per month) to further reduce the backlog but this had been on hold due to the pandemic. Discussions had restarted with the provider as to when it would be reasonably practical to step-up the number of assessments again.

Conclusion:

It was agreed that a further update would be given to the Committee in approximately six months.

The witnesses were thanked for their attendance by the Chairman and then left the meeting.

7. Work Programme

The Committee considered and noted report PAF/10/20 comprising the current work programme for the Committee. Some changes would be made to the scheduled timing for items in September and October.

8. Date of Next Meeting

The next meeting would be on Thursday 23 July 2020.

There being no further business the meeting closed at 12.30pm.

Chairman