

Minutes of the Safe and Strong Communities Select Committee Meeting held on 13 January 2020

Present: John Francis (Chairman)

Attendance

Ann Beech	Jason Jones
Ron Clarke (Shadow Vice-Chairman)	Paul Snape
Ann Edgeller	Bob Spencer (Vice-Chairman)
Trevor Johnson	

Also in attendance: Gill Burnett

Apologies: Gill Heath, Alan White, Victoria Wilson and Mike Worthington

PART ONE

25. Declarations of Interest

Mark Winnington declared a non-pecuniary interest in minute no. 27, as a livestock owner in connection with TB testing.

26. Minutes of the previous meeting held on 7 November 2019

RESOLVED – That the minutes of the Safe and Strong Communities Select Committee meeting held on 7 November 2019 be confirmed and signed by the Chairman.

27. Staffordshire Trading Standards Service

The Cabinet Member for Economic Growth introduced the presentation on the Staffordshire Trading Standards Service on behalf of the Cabinet Member for Communities. The County Commissioner, Regulatory Services and Community Safety then updated Members on the Service, which worked to protect the citizens, business, and environment of Staffordshire from harm and to ensure statutory obligations were fulfilled. Whilst the Service was responsible for the enforcement of over 260 pieces of legislation, 25 of these were key pieces that supported Council priorities. The work was intelligence led which enabled focused and best use of resources.

The Service worked with a number of partners including Health, Safeguarding teams, Police, HMRC, Regional and National Trading Standards (NTS), District and Borough Councils. Areas of work included:

- protecting vulnerable adults from scams and rogue traders;
- prosecuting frauds and doorstep criminals;
- protecting children from age restricted products;
- keeping citizens safe from dangerous goods and services;

- animal health and welfare;
- ensuring food is described correctly with safe ingredients; and
- supporting business and policing a fair and competitive trade environment.

The Service had a budget of £1.7m and last year generated an income of 11% of the budget. External funding opportunities through, for example, NTS and Defra were explored, with an example shared where Defra jointly funded a TB related case to support prosecution. The Service also took the opportunity to seize PoCA monies (Proceeds of Crime Act 2002) which, where successful, enabled the Service to receive a proportion of the seized funds. Members noted that this funding was against a backdrop of a £648,000 MTFS reduction to the service since 2016.

On measuring the Service's impact during 2018/19, £3,658,000 detriment for victims had been prevented. There had been: 40 successful prosecutions; 1,248,464 illegal products prevented from entering the market; 54 food related breaches, including allergens; 800 businesses had requested and received advice, resulting in a 98% rate of compliance; and intel led test purchasing resulting in 45% tobacco failure and 21% alcohol.

When measuring outcomes 53% of victims felt safer in their home following interventions from the Service. £43,000 had been saved for 36 scam victims over the year. 20 call blocker devices had been fitted and been successful in eliminating unwanted calls. The Service had been responsible for 11% of all the positive County Council media coverage during 2018/19. They had 100% successful high-profile prosecutions and had saved over twice the amount of the cost of the Service, and Members heard details of some of these. During 2018/19 £77,000 had been received as a result of PoCA.

The Select Committee queried what follow-up was undertaken with businesses found to sell tobacco, alcohol and knives illegally to those underage. Businesses were allowed one mistake before being prosecuted. Members heard that the Service worked closely with Police and HMRC, with the Police leading on most investigations.

Online checks for knife purchase in Staffordshire had resulted in one knife being bought from a chain store, which was being address by the key Trading Standards Authority for that chain store. The Select Committee were informed that Croydon Trading Standards had targeted work in this area, with a number of successful prosecutions. Interestingly outside of Croydon level of sentencing were not mirrored and the sentence guideline team had been contacted to help achieve more consistent approach.

Members queried the impact of closing the in-house testing laboratory last year and heard that Staffordshire had spent £15,000 on sampling, which was slightly less than they had in the previous year. The Kent and Hampshire laboratory had been used for some food sampling, particularly around allergens, and Worcester had been used for toy safety testing.

The Select Committee noted that prior to prosecution the Staffordshire County Council legal team would consider proposed cases and determine whether there was enough evidence to take the case forward. In cases where they found this not to be the case the Service would look at what other possible charges could be brought.

The use of intelligence to target the work of the Service effectively was welcomed by Members. Staffordshire Trading Standards Service was part of the regional and central trading standards authorities and used the work of the regional analyst in helping to target their work. Information sharing arrangements were in place with partner organisations and Staffordshire Trading Standards Officers were also part of the Trading Standards Regional Intelligence Group.

Members noted the funding gained from PoCA and, though this was impressive, they asked whether all opportunities for being awarded this funding were taken. Whilst more could always be done there was a need to be reasonably confident that funding would be awarded before the process was followed. Financial investigation work was undertaken to establish if there was a case, with this work either undertaken on an hourly rate or as a percentage of the final settlement, depending and the nature of the work and the type of settlement likely to be awarded.

The success of call-blocker devices was excellent, and Members wanted to explore ways to extend their use. Trading Standards had a number of devices they loaned for a period of time to individuals who were suffering from persistent scam phone calls. A range of similar devices were available to buy at a cost of around £100 and it was suggested that the use of these devices should be promoted. The Cabinet Member agreed to raise this with the Cabinet Member for Communities.

RESOLVED – That:

- a) the content of the presentation be noted and Staffordshire Trading Standards Service be congratulated on their impressive work; and
- b) the Cabinet Member for Economic Growth be asked to raise the promotion and awareness raising of call blocker devices with the Cabinet Member for Communities.

28. Adult Safeguarding Referrals

The Select Committee had previously questioned the differences in reporting around adult safeguarding as part of consideration of quarterly performance data. They now received details on adult safeguarding referrals and the work of the Adult Safeguarding Service.

The Care Act 2014 set out the legal framework for how Local Authorities and other public bodies should protect adults at risk of abuse or neglect, with duties placed on the Council under Section 42. The Staffordshire Adult Safeguarding Service discharged these duties on the Council's behalf. The Service was comprised of two teams, the Staffordshire Adult Safeguarding Team (SAST) and the Adult Safeguarding Enquiry Team (ASET).

The number of safeguarding referrals was rising, with between 1000-1200 per month this year. The rise in demand had been reviewed but had not identified any particular pattern or reasons. As it was unlikely that the demand would reduce, system and process changes were planned to reduce the amount of time taken to process referrals and accommodate additional numbers within the staffing available.

Every referral was reviewed by a qualified practitioner on the day it was received, with any immediate risks identified and an appropriate response initiated. Referrals were categorised and prioritised according to risk, with referrals usually completed within four weeks, although those requiring a Section 42 enquiry should be completed within two weeks or three days for high risk cases. Members noted that currently 15% of safeguarding referrals resulted in a Safeguarding Plan and queried whether the referrals were being dealt with appropriately if only 15% required a Plan. There was some general lack of understanding around when a plan was required, however when used correctly it was a helpful tool in monitoring and reviewing ongoing risk. The volume of referrals was an issue and there was a need to direct queries more appropriately earlier on in the process, identifying whether they were a quality or safeguarding issue. Changes to the IT system were being developed to help with this, as well as education with, for example, residential care home staff, to identify whether a concern was around quality or safeguarding issues.

Members noted the increase in referrals and that the reasons behind this could not be identified. On average there were 100 additional referrals per month, with occasional spikes due to specific issues, such as press coverage around Walton Hall. Staffordshire University students had been asked to research this increase to help identify causes. In general, there was a much better understanding of what adult safeguarding was, with the Care Act having given the legal footing. There was a greater awareness of potential risk, for example young people leaving the care system at 18 were at higher risk of exploitation and therefore there was a need to work better with partners on preventative measure to reduce risks. This included work around preparation for adulthood which looked at young people from 14 years of age and how to help them become more resilient, with a protocol on preparation for adulthood now being implemented.

The Select Committee noted differences in the way Staffordshire and Stoke-on-Trent local authorities recorded decisions not to proceed to a full Section 42 enquiry. This difference in recording was replicated throughout the country with a wide variation in conversion rates for Section 42 enquiries between 12% and 69%. Both Staffordshire and Stoke-on-Trent had been involved in work with the Local Government Association around reducing this variance. Following a series of workshops around the country a new set of guidelines had been developed, although these were still not definitive.

An example was shared with Members around tariffs against property as a result of a free Will. Whilst this was not illegal, it was sharp practice and an area of concern from a safeguarding point of view. Members felt there was a need to lobby Central Government on this issue.

RESOLVED - That:

- a) the report be received;
- b) the Select Committee be kept informed of developments in the referral and recording systems for adult safeguarding, and the work around consistency of Section 42 recording across authorities;
- c) a report be brought to the Select Committee in 12 months evaluating the preparation for adulthood work and implementation of the Protocol;
- d) Officers be congratulated on the dedicated and professional work they do and their evident passion and commitment to adult safeguarding.

29. Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board Annual Report 2018/19

[John Wood, SSASPB Independent Chairman, and Helen Jones, Adult Safeguarding Partnership Board Manager, in attendance for this item.]

Members heard that there had been 3711 concerns reported where adults with care and support needs might have been at risk or were experiencing abuse or neglect. This was a decrease of 1197 (24%) compared to 2017/18 and coincided with a change in the way data was captured. This change in recording practice meant that only reports meeting the threshold for a Section 42 enquiry were recorded as a safeguarding concern. Following an initial assessment, it had been determined that the duty of enquiry requirement had been met in 90% of concerns.

Members queried whether officers were confident that the 24% reduction in reported concerns was appropriate data management and that no vulnerable individual was being missed as a result of the reduction. Individuals were not being missed, rather the new approach allowed the system to be streamlined, with more accurate recording of those that needed Section 42 enquiry. Changes to the way in which the IT system was used helped to capture information more appropriately.

Of those subject to a Section 42 enquiry, individuals aged between 75-84 and 85-94 represented the largest cohort (both 26%), followed by 64-74 (14%) and then 50-64 (12%). This reflected figures from last year. Neglect and acts of omission, physical harm or financial abuse continued to be the most frequent types of harm or abuse identified for Section 42 enquiries, accounting for 75% of all harm and/or abuse recorded. The proportion of people subject of a Section 42 enquiry whose outcome was fully met decreased from 85% to 80% this year. When outcomes were combined for those fully or partially met the figure increased to 97%.

Members heard that the Safeguarding Board relied on protected time for safeguarding staff to enable their work to be done. They reflected on the resource implications within the MTFs and noted that as far as possible safeguarding was protected. Members also heard that the report had been enriched by the feedback given by the Select Committee.

Reducing financial and material abuse was one of the Board's strategic priorities and Members heard specific examples of where call blockers had been used successfully. Advice on the availability of call blockers would be included on the Board's website, supporting rather than endorsing products.

The Select Committee noted the "lessons learnt" identified within the report and asked how the Board made sure this learning was implemented and reviewed. Members were reassured to hear that until the Board were content that all identified areas for improvement and lessons learnt had been implemented, the case remained under review by the Board. Discussions were taking place to establish best practice for reporting this information to capture the results of this safeguarding work and evaluate the outcomes. Workshop sessions had been held across the county last year looking at the results of reviews, taking time to reflect on issues identified and how to move forward.

Members were reassured to hear that until the Board were content that all identified areas for improvement and lessons learnt had been implemented the case would not be closed and would remain under review by the Board.

Difficulties with engaging communities was discussed, with Members sharing their experiences. Persistence and the importance of finding common ground was highlighted in helping with engaging hard to reach groups and communities.

Members noted the Board's role was to assure itself that safeguarding partners acted to protect adults who:

- had needs for care and support;
- were experiencing or at risk of abuse or neglect; and
- as a result of those care and support needs were unable to protect themselves from either the risk of, or the experience of abuse or neglect.

These three points defined who and how safeguarding work was undertaken.

Members noted the continued difficulties with Care Director and understood that work was underway, influenced by practitioners, to develop this package in a way that helped address some of the concerns.

The Select Committee thanked all Officers and the Independent Chair for the report, for the excellent work they did and their commitment to safeguarding.

RESOLVED – That the Staffordshire and Stoke-on-Trent Adult Safeguarding Partnership Board Annual Report from April 2018 to March 2019 be noted.

30. Work Programme

The Scrutiny and Support Manager outlined the following additions/amendments to the Select Committee's Work Programme:

- the inclusion of the Staffordshire and Stoke-on-Trent Children's Safeguarding Board Annual report to the 2 March meeting;
- the LGSCO Annual Report had already been scrutinised by the Corporate Review Committee and therefore, to avoid duplication, this would be taken off the work programme;
- the SENCO and Safeguarding item to be removed from the work programme as this was being considered by the joint SEND Working Group at their meeting of 23 January;
- an update on progress with taxi licensing concerns to be added to the work programme for 23 April;
- to avoid duplication, instead of the proposed working group on the Children and Families Transformation System, the Chairman (and/or Vice Chairman and Shadow Vice Chairman) attend the monthly Children's Improvement Board meetings and report back to the Select Committee on this work; and,
- the proposed working group on Preparation for Adulthood be postponed for 12 months to allow the strategy to embed, after which time a report be brought outlining progress with this work.

RESOLVED – That the amendments to the work programme be agreed.

Chairman