

**Minutes of the Safe and Strong Communities Select Committee Meeting held on 8 November 2018**

Present: John Francis (Chairman)

**Attendance**

Ann Beech  
Mike Davies  
Syed Hussain  
Trevor Johnson

Jason Jones  
Paul Snape  
Conor Wileman (Vice-Chairman)

**Also in attendance:** Gill Burnett and Mark Sutton

**Apologies:** Natasha Pullen and Mike Worthington

**PART ONE**

**27. Declarations of Interest**

There were none at this meeting.

**28. Minutes of the Safe & Strong Communities Select Committee meeting held on 3 September 2018**

**RESOLVED** – That the minutes of the Safe and Strong Communities Select Committee held on 3 September 2018 be confirmed and signed by the Chairman.

**29. Children and Young People who go Missing from Home and Care in Staffordshire**

*(Liz Mellor, Children's Commissioning Development Manager and Nigel Sargeant, Catch 22, in attendance for this item.)*

Prior to September 2017, Children who go Missing from Home Services had been delivered by Staffordshire County Council, Families First and Brighter Futures. Whilst there had been a high quality of practice, in some areas this had created an inconsistency in the model of service, quality, reporting methods and challenges for other partners across the sector, such as Police, Schools, Health and other providers. In 2017 Catch 22 were commissioned by Staffordshire County Council, Stoke City Council and the Office of the Police and Crime Commissioner, to deliver Child Sexual Exploitation (CSE) and Missing Services across Staffordshire and Stoke-on-Trent. The first year of operation had focussed on transitioning to the new delivery models, gathering baseline data and working with partners to ensure consistency, protecting and safeguarding children at risk.

The Select Committee received data provided by both the County Council and Catch 22 which reflected the current transition period. Members received details of Catch 22's

working arrangements. Catch 22 had completed between 70-80% of missing person interviews whilst the national average was 38%. Interviews for missing episodes were given to all children suffering an episode who were resident in Staffordshire, including those who were placed by other local authorities (LAs) in Staffordshire care homes. The Catch 22 team had a good record of building a rapport and relationship with those at risk of episodes to help reduce this risk.

Where a child went missing from home permission had to be given by the parent and social worker to allow the Catch 22 team to undertake an interview. This sometimes presented problems for the team when parents refused to give permission. Where this happened the team would work to try and establish the reasons for this referral and work to ameliorate them.

Examples of successful work was shared with the Select Committee. Members heard that whilst every effort was made to interview a child within 72 hours of an episode, this was not always possible. They had been commissioned to ensure interviews were completed within a 14 day deadline and this was achieved. In some instances the interview would relate to more than one episode. Catch 22 always represented the voice of the child.

Members were informed that the way in which the Police categorised missing episodes had changed, with the category "absent" no longer being used and therefore many more incidents being classed as "missing". This had resulted in a rise in the number of missing episodes reported. Members also noted the high number of missing episodes in Stoke-on-Trent and were informed that the majority of episodes in this area were children and young people missing from home rather than from care, and in general these tended to be higher volume but lower risk episodes. Members were informed that the high number of missing episodes in Tamworth related to children going missing from a care home.

Catch 22's success measures were outlined in their contract with the Council. The measures were around reducing risk and worked with a matrix similar to that used for CSE, identifying cases as high, medium or low risk. There was an estimated combined cost of between £2000.00 and £3000.00 per episode, which included the cost to the Police, Social Services, Catch 22 and other partners. The most prevalent age group for missing episodes was between 14-15 years.

Members were pleased to note that Catch 22 had performed well in its first year of delivery and had demonstrated commitment and enthusiasm to improving the lives of vulnerable children and young people across Staffordshire and Stoke-on-Trent. In particular they noted that Catch 22 had quickly adapted to working with the complex local arrangements within Staffordshire, although there remained further work to be done. The work with Staffordshire looked after children placed out of the area was less consistent. Members heard that ideally all LAs would offer the missing episode interview service offered by Staffordshire to those resident in their authority. However many other LAs did not offer this service. There was also inconsistency with reporting back to the Authority placing the young person and work was currently underway to establish the variation in practice before this could be addressed.

The Select Committee asked whether the ICT systems used by Catch 22 were synchronised with those used by the County Council. The first four months of the new contract had worked towards building a bespoke system for Staffordshire. Although it was unable to “speak” to the Council’s IT system, the data would enable appropriate analysis. There would also be some areas of non-correlation where work was undertaken with young people from outside of the County but placed in Staffordshire care homes.

Members congratulated the Officers and Cabinet Member on the successes of the new contract so far. They requested a further report in six months to identify progress made.

**RESOLVED** – That a progress report on the Catch 22 contract to provide Missing Services be brought to the Select Committee in six months time.

### **30. Trading Standards, Rogue Traders & Doorstep Crime**

*(Trish Caldwell, County Commissioner Regulatory Services & Community Safety and Brandon Cook, Public Protection Team Lead, in attendance for this item.)*

The Select Committee received a presentation which outlined the work of Trading Standards from a safeguarding perspective. The work was intelligence led with a budget of £1.9m and included:

- protecting vulnerable adults from scams and rogue traders;
- prosecuting fraudsters and doorstep criminals;
- protecting children from age restricted products;
- safety from dangerous goods, e.g. electrical, cosmetics and toys;
- animal health and welfare, supporting farmers to sustain safe and traceable food. This included work on bovine tuberculosis and foot and mouth disease;
- ensuring food is described correctly and with safe ingredients, in particular the issues around allergens;
- removing dangerous counterfeit products from sale; and
- supporting business and policing a fair and competitive trade environment.

During 2017/18 Staffordshire Trading Standards received details of 61 scam victims in Staffordshire identified by partners, and undertook 46 interventions. It was anticipated that the Service had saved scam victims £47,167. Members also received detail of referrals from National Trading Standards, the national association that brought together trading standards representatives from England and Wales to prioritise, fund and coordinate national and regional enforcement cases. Details of recent prosecution cases were also shared with Members along with details of work to claim back proceeds of crime and the process this involved.

Members noted that Trading Standards ran a 24 hour, seven days a week rapid response team to tackle issues appropriately. The length of any investigation and/or prosecution was dependent on the nature of the issue under investigation. On the whole Trading Standards had one year to complete any investigation, however Court proceedings could lengthen the process significantly.

The County Council’s legal services supported Trading Standards in their work as required, although they are a traded service and therefore this support was paid for from

the Trading Standard's budget. Examples of cases were shared where further legal/barrister representation had been required and in these instances a request for further funding was usually made. The most recent case of this type had been the successful prosecution of Ecoseal, where the Court had awarded the Council their costs, although the process in recouping these would be lengthy.

**RESOLVED** – That a report be brought in twelve months' time to inform the Select Committee of service provision and outcomes.

### **31. Deprivation of Liberty Safeguards**

*( Peter Hampton, Adult Safeguarding Manager, in attendance for this item.)*

The Deprivation of Liberty Safeguards (DoLS) provide protection for the most vulnerable people living in residential homes, nursing homes or hospital environments. The safeguards enshrine in law the requirement that care will always be provided in a way that is consistent with the human rights of people lacking capacity, who are not otherwise protected or safeguarded through the use of the Mental Health Act or Court of Protection powers. Referrals for DoLS had steadily risen up until March 2014, and had significantly risen since the Supreme Court judgement on P verses Cheshire West and Chester Council. DoLS application data indicated that assessments had risen from 69 in 2009-2010 to 2927 in 2017-2018.

As a response to the nationwide surge in DoLS referrals the Department of Health provided a grant in 2015/16, which in Staffordshire amounted to £377,000. This enabled the Council to commission assessments through a social work agency and the backlog of outstanding assessments was kept to a minimum. However this grant had not continued into 2016/17.

The NHS had funded the Mental Health Assessors (MHA) since 2009. MHAs complete part of the DoLS assessment process, however CCGs had indicated that they did not intend to continue this funding. Having sought legal advice it has been confirmed that the Council is responsible for funding this assessment. A commissioning process is currently being identified to support this for 2019/2020. The cost of these assessments is not clear but is anticipated to be in the region of £130,000 per annum. This has been built into the Medium Term Financial Strategy (MTFS) as a cost pressure.

Members were informed that there had been 227,400 applications for DoLS received during 2017/18, with almost three quarters of these relating to people aged 75 years and over. This represented a 4.7% increase on the 2016/17 figures. There were more DoLS applications received than were completed during 2017/18.

Analysis of the 2017/18 data showed a wide variation across the country in the volume of DoLS applications, their outcomes and how they were administered. The Association of Directors of Adult Social Services (ADASS) issued a guidance note in November 2014 which looked at a prioritisation process to identify the risk and complexity of DoLS applications. Staffordshire used a prioritisation tool to classify applications into three bands; high, medium and low priority. Cabinet considered this issue in 2016 and agreed a focus on high priority cases for assessment, with an appreciation that this may result in all other applications not being assessed. Members were informed that the Local

Government and Social Care Ombudsman had raised a concern about DoLS that was currently being investigated. This might have implications for Staffordshire's prioritisation approach.

In March 2017 the Law Commission published a report and draft bill which put forward proposals to change the legal framework for Deprivation of Liberty. Proposed legislation was introduced in July 2018 (currently in committee stage in the House of Lords) with an expected implementation date of April 2020. The new legislation proposed a change to responsibility for Dols. Currently the County Council was the supervisory body for all Staffordshire (excluding Stoke) DoLS. The new legislation proposed that in future responsible bodies for DoLS would be the Local Authority, CCGs and Trust Boards of hospitals.

Members heard that the number of assessments undertaken was good in relation to the resource available. Other authorities differed in the amount of resource provided and in the number of referrals received. Members had concerns that there was a potential for significant cost implications from legal challenges, particularly in light of the current Ombudsman case, and suggested that the Cabinet should consider again whether the resource allocation for DoLS was appropriate.

**RESOLVED** – That the Cabinet Support Member, Adult Safeguarding, take back to Cabinet the Select Committee's request that they consider again the DoLS resource allocation and prioritisation approach, particularly in light of the Ombudsman case.

### **32. Work Programme**

The Select Committee received details of their current work programme.

**RESOLVED** – That the work programme be noted.

### **33. Exclusion of the Public**

**RESOLVED** - That the public be excluded from the meeting for the following items of business which involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972 indicated below

## **PART TWO**

The Committee then proceeded to consider reports on the following issues:

### **34. Exempt Minutes**

**RESOLVED** – That the exempt minutes of the Safe and Strong Communities Select Committee held on 3 September 2018 be confirmed and signed by the Chairman.

**Chairman**

