

## **SCRUTINY MANAGEMENT BOARD**

**Minutes of the meeting of the Scrutiny Management Board held on Friday, 14<sup>th</sup> November 2014 at 10.30 pm in Meeting Room 7, Darby House, Telford**

**PRESENT:** Cllrs. D. White (Chair), A. McClements, C. Turley, K. Guy, S. Reynolds

**ALSO ATTENDING:** Cllrs. J. Seymour, E. Carter, J. Greenaway.

**IN ATTENDANCE:** Cllr. C Smith, K. Callis; Assistant Director: Development, Business & Employment, T. Keever; Home Improvement Team Leader; J. Bax; Bromford Housing Association; L. Heath; Sanctuary Housing, J. Griffiths; Bournville Village Trust, D. Wells; Wrekin Housing Trust A. Johnson; Wrekin Housing Trust, S. Hosking; Locality Manager Wrekin Hub, P. Taylor; Director of Health, Wellbeing and Care; J. McGillivray; Adult Social Care Service Delivery Manager; D. Moseley; Democratic Services Officer; F. Bottrill; Scrutiny Group Specialist.

### **SMB-8 MINUTES OF THE LAST MEETING**

**RESOLVED** – that the minutes of the meetings of the Scrutiny Management Board held on the 19<sup>th</sup> September 2014 be confirmed and signed by the Chairman.

### **SMB-9 APOLOGIES FOR ABSENCE**

None

### **SMB-10 DECLARATIONS OF INTEREST**

None

### **SMB-11 UPDATE ON THE IMPLEMENTATION OF TELFORD HOUSING OPTIONS AND ACCESS TO AFFORDABLE HOUSING**

The Chair welcomed everyone to the meeting and thanked the representatives of the Housing Associations for attending. He set out that the Committee had invited them to take part in the discussion at the meeting, but he noted that the Committee did not have the power to scrutinise the work of Registered Social Landlords. He provided some back ground to the Council's approach to housing when he had been Chair of the Housing Committee and that the Council had been ahead of its time. For a number of years scrutiny had been interested in housing issues and following the closure of Choose Your Home

there are now a number of different ways that people can register for housing. The Committee wanted to know how these systems are working.

T. Keever updated Members on the implementation of Telford Housing Options following the closure of the Choose Your Home system in the 1<sup>st</sup> July 2014. The Telford Housing Options system is an interactive 24/7 system where people can log on to get advice e.g. about landlord problems and to find accommodation. Telford Home Finder which started at the same time and enables people to find accommodation with approved landlords. A briefing had been held for Elected Members on the new systems.

Members were also informed that prior to the transition to Telford Housing Options all the people who had registered with the Choose Your Home System as were in most need of accommodation were informed of the changes – this was supported by an in-house call team. People were also informed that if they registered with homes direct before 19<sup>th</sup> July that the date they had registered their housing need with Choose Your Home would be taken forward.

T. Keever also updated Members on the Land Lord Accreditation Scheme. There were 41 accredited land lords and letting agencies. There were about 5 new properties a week being registered on this scheme and the scheme also involved the work of a Tenancy Relations Officer.

There had been 16,000 people on the Choose Your Home waiting list. Not all of these were homeless and there was evidence that not all the people registered were in housing need but rather people wanted to move house. People who currently use the Telford Housing Options tool will still be put through to the Homeless Service if this is appropriate. An important part of the transition to Telford Housing Options had had been managing expectations.

D. Wells and A. Johnson supported the transition from the previous Choose Your Home Scheme. There had been 16,000 people on the list but there had been around 1000 lettings per year so many people had been waiting on the list indefinitely. Many of the people registered were 'wanting' not 'needing'. The Wrekin Housing Trust spoke to everyone who was in the 'urgent' housing band before the system changed to let them know how to register on the new systems. The Committee were informed that the Wrekin Housing Trust currently had a small waiting list, 372 people on the date of the meeting had had checks done. Under the previous system there had been a significant failure rate for new tenancies. The current checks are cover tenancy responsibility and financial capacity which means that people are getting housing and staying there longer.

L. Heath explained that Sanctuary Housing Association does not hold a waiting list, this is managed through Homes Direct. The experience of the Trust under the current system was that there is a lack of demand for properties. She gave examples of accommodation that had become available but there were few or no bids from people from the Telford and Wrekin area. Half of the homes were going to private tenants as the bids were not coming through Homes Direct.

The Chair expressed serious concern at this as he was aware that there are

large number of people who need housing.

It was reported that on the Homes Direct System there 363 houses had been let to people who were registered as Band A, the number of properties let to B and C tenants were 200 and 391 and the number of properties let to band D was 356.

J. Griffiths confirmed that the Bournville Village Trust also struggled to let properties. They had been informed that one and two bedroom properties had been in short supply.

L. Heath added that the Sanctuary Housing Trust currently had 3 properties vacant but were not able to let them.

S. Hosking said that his team look weekly at Homes Direct and encourage people to make bids and will support them to do this. He also informed Members that some prospective tenants can find it difficult to register, but that once they are on the system then it works. Not everyone has access to a computer. Under the Choose Your Home system the homelessness team could make proxy bids for houses but that this was no longer possible. The Team is continuing to support people to register their housing need. He also informed the Committee that up to September 2014 there had been 1247 calls to Telford Housing Options of which 847 had been handled. This highlighted the capacity of the team to respond to the number of calls and in the last few weeks 2 agency staff have been appointed and the process has started to recruit 2 new posts. It was reported that there were 141 people in temporary accommodation. While the capacity of the team had been low it was difficult for the staff to support people to get permanent accommodation as they were taking calls.

The Chair said that there is huge demand for housing which was demonstrated by the number of people in temporary accommodation. He said that if the system makes it difficult to register this may explain why the people in need are not bidding for the houses that become available.

Cllr. McClements commented that it appeared that some people had not registered by the 19th July and she was concerned that the staffing levels were low and that people were not able to get the professional advice they needed.

J. Bax explained that the Homes Direct system was a 16 page application but that the Trust was not getting inundated with calls about how to complete it.

Cllr. McClements said that there was obviously an issue and it is important to take a step back and understand why this situation was occurring.

The Chair said that a lot of people who tried to use an online system would give up if they did not understand how the system worked and what they needed to do.

Cllr. Seymour said that the figure of 16,000 people registered on the Choose Your Home system was not an accurate reflection of the number of people needing housing in Telford and Wrekin. If people are in real housing need they will come to the Council. The links between the organisations are failing as it

does not make sense that the RSLs have to go outside of the Borough to find residents.

The Chair said that in Sutton Hill there are houses of multiple occupation of a low quality and people need to be able to register for the housing in the new high quality development.

Cllr. Reynolds asked if it would be possible for the RSLs to contact the Council if there is a property that they are having difficulty to let before it goes to tenants outside the Borough. She commented that a 16 page online form can be daunting and that through her work with students she was aware that there are people who do not have access to a computer at home.

L. Health explained that when the Sanctuary Housing found it difficult to let a property all the customers were contacted and it was still available on the Homes direct Website.

Cllr. Reynolds said that if people use the computers at a library the staff there may not have the time or the knowledge of the online systems to support people to complete the online forms. She concluded that the Council and the housing associations need to talk to each other.

J. Griffiths said that through the Homes Direct Scheme none of the properties had been allocated to a homeless applicant supported by the Council. If properties have been available staff at the Council have been emailed.

The Chair said that the Council have details of the people who need homes, but it is also important to involve voluntary organisations. There is a paperless online system – but it is essential that people have access to this.

D. Wells said that he did not agree that people are not able to access the service as Choose Your Home was an online system, the mail shots uses were less than 2%. The issue is that people do not know how to access the new systems. Of the 4,000 visitors to the Wrekin Housing Trust website 2,000 were not eligible or the Trust do not have housing that they want. It seems that these people are not finding their way to Homes Direct. The Wrekin Housing Trust have details that can be shared. He also highlighted that there is a demand issue as a result of the Welfare Reforms and so the Trust is struggling to let 2 bedroom properties in some areas. Another consequence is that to fully occupy a four bed room house it may be necessary to have 8 people to occupy it. The Wrekin Housing Trust has previously had low demand for 3 bedroom properties. He gave the example of a three bedroom property in Brookside that had received 6-10 bids and the Trust was still struggling to find a suitable tenant.

Cllr. Carter said that when older people down size, they do not want to move to a flat but want a bungalow. People can blame the Government and the housing providers for the shortage of bungalows but the underlying reason that more bungalows are not built is that they are more expensive.

A. Johnson said that the Wrekin Housing Trust is building bungalows where it

can – the Trust is responding but not in the numbers that are needed.

T. Keever said that there is a lot of preventative work to help people maintain tenancies and also that some people are going to the private rented sector and so are not coming through the system. If the Registered Social Landlords are finding it difficult to let properties they can be advertised on Telford Home Finders. It can be difficult to place some tenants, as there are some areas people do not want to go to and so they will decline a suitable property in the area. It is valid to decline a property for a medical reason. There can be a perception that if someone is homeless they will automatically get a 'council house'

Cllr. Greenaway asked if the Council could notify people who are registered homeless if the RSLs have a property that cannot let.

J. Bax added that it is not in the interest of the Housing Associations to have a property that is vacant.

S. Hosking said that he had only recently been aware that the people that the Council supports were not getting through the system.

Cllr. Greenaway said that the Council had taken the option not to be a full partner in the Homes Direct system. If there Council were a full partner this would enable council staff to make proxy bids.

The Chair said that it was clear that something was not working as there is always more demand than supply. He said his view was that people in real housing need would not turn down a property because of the area it is in.

Cllr. Guy commented that he understood that the Council would have been charged £2,000 to have access to Homes Direct.

Cllr. Greenaway added that there was an initial charge of £2,000 and then £250 to advertise a property to let,

The Committee recognised that the Council was not a housing provider and therefore would not need to let properties through Homes Direct but it would be beneficial to be able to make proxy bids for people who are registered as homeless.

The Chair said that £2,000 is a small price to pay to ensure that people have access to the housing they need.

T. Keever confirmed that the Council would not be uploading properties but would be uploading demand. However this could be problematic if the council bids for a suitable property that the prospective tenant does not want to take.

Cllr. A McClements asked if the Local Authority Officers and staff from the RSLs have previously met to discuss these issues?

T. Keever responded that she works closely with S. Hosking and his team and

the Council is currently working on the Housing Allocations Policy. The reason a meeting has not been held with colleagues from the RSLs is lack of time.

Cllr. McClements said that it seemed that communication was an issue. It was explained that there had been a forum through the Wrekin Housing Partnership, this was not a formal meeting but an opportunity to discuss demand and supply.

Cllr. Carter said that when he had been a Member of the Council's Cabinet there had been a Housing Regeneration Forum where developers and providers met.

Cllr. McClements said that she would recommend that a forum to resolve the issues identified at the meeting should be set up as a matter of urgency.

A.Johnson said that there is a Homeless Partnership but that this has a specific focus on homelessness.

The Chair summarised the issues identified at the meeting. He said that everyone who worked in this area is caring and wants to provide decent housing for the people of Telford and Wrekin. There are a lot of people in unsuitable accommodation, many of them in Houses of Multiple Occupation. It is important to ensure that people in need of housing are able to access the systems to get access to decent affordable housing. The providers have to accept people on to their list even though it may be difficult to house them. The recommendation from this Committee must be that the Council and RSLs must find a solution that means that they can work together to better meet the need of people who need housing.

Cllr. Seymour asked about the role of the Wrekin Landlords Association,

T. Keever responded that there were discussions taking place about bloc association. The Association does not vet landlords and some may have operated for many years but not updated the way that they work.

The Chair said that the Health and Adult Care Scrutiny Committee was carrying out a review of Drug and Alcohol services. Accommodation had come up as one of the issues during this work – particularly the need to enforce the accreditation criteria.

T. Keever explained that the Landlord Accreditation Scheme is a voluntary scheme which promotes good landlords. The staffing for this service was increased under the last restructure.

The Chair said he was also concerned about the ability to handle the number of calls to Telford Housing Options. He asked if agency staff would have the training to be able to provide the necessary advice?

T. Keever said that it has only been possible under the new system to quantify the number of housing calls but that the demand would have been there previously. Now that the service has been established there will be a focus on providing a better customer service.

The Chair thanked everyone for attending the meeting. The Committee agreed to defer the discussion to agree the recommendations until the end of the meeting to enable to officers attending for the next item to make their presentation. The Chair said that everyone who attended the meeting would be send a copy of the recommendations.

Cllrs. Smith and Carter and K. Callis, T. Keever, S. Hosking, J. Bax, L. Heath, J. Griffiths, D. Wells and A Johnson left the meeting.

## **SMB-12      SAFEGUARDING ADULTS IN TELFORD AND WREKIN**

The Chair welcomed the officers and asked them to introduce themselves.

P. Talyor, Director of Health, Wellbeing and Care introduced J. McGillivray who had been appointed as the Adult Social Care Service Delivery Manager who had taken over the role previously held by D. Robson who had retired.

P. Taylor said that Members had received a copy of the Adult Safeguarding Annual Report and that this was at a time of great change in Adult Social Care. The report also updated Members on the implications of the Care Act. Previously it was good practice to have an Adult Safeguarding Board but this was not statutory as it is for Children's Services. However, under the Care Act from the 1<sup>st</sup> April 2015 the Adult Safeguarding Board would be on a statutory footing. The requirements on the Board is to work with partners, including health and the police to understand the context for adult safeguarding, to develop a strategy, to develop an action plan and produce an Annual Report that details outcomes. He explained that the current Adult Safeguarding Board is pan-Shropshire and that the chair of the Board has rotated between officers in the two authorities. From the 1<sup>st</sup> April 2015 Telford and Wrekin will have its own Safeguarding Adults Board and this has been agreed with Shropshire. There is a strength in this approach and the Board will have an independent Chair.

J. McGillivray highlighted that the chair's role will be similar to the independent Chair of the Local Safeguarding Children's Board.

P. Taylor said that it was recognised that there will be a synergy between the Boards for example with regard to domestic abuse.

J. McGillivray presented the 2013/14 Annual Report. She explained that the report is retrospective and as such some of the data is out of date and it a collection of reports from separate organisations rather than a document that sets out clear priorities. She said that the key areas worth noticing are that there is close working with the Regional Group so that 12 of the 14 authorities have the same policies and procedures in place. This provides economies of scale . There is an additional chapter on large scale investigations. This may relate to an organisation or an individual and sets out how the different organisation

would work together to respond to this. JM highlighted page 6 which set out the activity and performance. This showed a high number of referrals as people are now more aware of abuse – both public and professionals. This is a national trend.

It was explained to the Committee that an audit of the safeguarding service found that the service was struggling with the number of issues. In managing this it is important to respond in a proportionate way and to manage risk. The service is currently being re-structured and it has been recognised that there is a need for a specialist team for Adult Safeguarding. It was recognised that there is a judgement to be made about how to best use resources to respond to alerts e.g. can some be dealt with by other organisations? The national approach to adult safeguarding has been to move away from processes / meetings and to work more with the individual to identify what they want to help keep safe.

P. Taylor clarified an important difference between the responsibilities of the adult and children's safeguarding boards. Adults with capacity can do what they want.

J. McGillivray explained that under the Mental Capacity Act 2005 if a person has capacity, understands the decision and consequences they have the right to make unwise decisions.

P. Taylor said that sometimes people feel that the Council should do something – but if the person has capacity the local authority has no power.

J. McGillivray referred to the Annual Report and said that the information on adult safeguarding training was in some areas incomplete. The individual organisations provided the information that has been included in the report and in some cases not all the information was provided or it was provided in a different format.

P. Taylor added that this is partly because the current report is a pan-shropshire document but in future the Boards report will be for Telford and Wrekin.

P. Taylor said that the Council's internal audit were currently carrying out some work to assess safeguarding practice against policy. This work was in final draft but the Scrutiny Committee might want to follow up any recommendations.

Cllr. McClements asked what the implications were for adult safeguarding as people live longer and the number of people with dementia and Alzheimer's increases. She also asked about the role of the Care Quality Commission (CQC).

J. McGillivray responded that the CQC are the regulators for care and all health care providers, day care. Personal assistants are not regulated. If the CQC had a concern about safeguarding there is a formal alert form that they send to the local authority. This would then be screened and it would be determined if it is a quality monitoring issue, in which case it would be referred to contract monitoring or if there is a risk of harm. If an inspection of the service is carried out and the concerns are so serious that all residents are at risk of harm the

large scale strategy would be implemented. The CQC have legal powers to take action. The CQC has not previously taken very little action but under the new inspection process this will hopefully change.

P. Taylor said that the Government has put more resources into the CQC.

J. McGillivray explained that when there are concerns about the quality of care provided by an organisation if new management are brought it is important to ensure that the practice changes as changes do not always filter down. The CQC has the powers to close a provider. The Council can stop purchasing care from that organisation. It was explained that the intervention process does make a difference to the quality of care. She gave the example of concerns relating to a provider; the CQC met with the Registered Provider and Care Home Manager who decided to self suspend and not take any new people until the service was safe. There are many different organisations and professionals who have a responsibility to ensure that services are safe e.g. local pharmacists, tissue viability nurse,

The Chair explained his concern about personalisation and the risks this presents. He gave the example of an older person who could not do shopping so gave a bank card and PIN number to a carer who then stole money from the account. When this was reported to the police they could not take action because the PIN number had been given. He also gave an example of a care home that was reducing costs by removing meal options for residents.

P. Taylor said that it will be the responsibility of the Adult Safeguarding Board to hold all organisations to account. In terms of the provision of meals it is condition or registration that residents are given a choice.

J. McGillivray said that in response to the example given of financial abuse the police response was correct. However, when a person is planning their care if they do employ a carer through a personal budget, the planning process should include 'how are you going to keep yourself safe?' and consider questions like 'What do you do if ....?' Choice and independence are important but we must also ensure that people are safe.

The Chair asked how someone who is bedbound at home would be expected to access money?

J. McGillivray responded that the large scale investigations have been around values, ethics and quality of care not finances.

P. Taylor said that as well as responding to abuse adult safeguarding must also be preventative.

J. McGillivray said that Healthwatch are very interested in adult safeguarding and have said that it will help them to target their work. Returning to the Annual Report she highlighted page 31 which set out the implications of the Deprivation of Liberty Safeguards for individuals in hospitals and residential settings.

P. Taylor said he had brought this to the attention of the senior management

team and that there is one off money to respond. The DOLS legislation was in response to a case in which a person with learning difficulties was in hospital and was not detained under the mental health act but the professionals used their power to say why the family could not take the person home. The High Court said that the professionals had no legal power to detain the person, this power only through the Mental Health Act.

J. McGillivray added that the court case made clear that it does not matter how nice an environment is – if someone was to get up and walk out – if they are stopped this would be a deprivation of liberty. “ A gilded cage is still a cage”. There are currently 3 people who are able to carry out DOLS assessments and this is in addition to their own job.

P. Taylor explained that a DOLS assessor has to be trained and that this training requires extra resources.

J. McGillivray said that this is national issue and the Department of Health is realising that this is a very significant issue. Locally there are 400 people waiting for a DOLS assessment. Under both Safeguarding Boards there will be a DOLS sub group. The requests for DOLS assessments have to be prioritised and she gave the example of a patient who was in intensive care in hospital following a car accident. The hospital trust may request a DOL but this would be a low priority. Discussions are taking place with Keele University about a Best Interest Assessor training course which would be completed over 1 week. All social workers would be trained.

Cllr. Seymour asked about people who stay at home but are still very vulnerable. How does the council know what is going on and protect the interest of these people?

J. McGillivray said that there is no easy answer but the Board has a number of objectives that cover care at home e.g. domestic violence and financial abuse. It is important to discuss these issues with the person who needs care e.g. how will your money be managed?” and explaining that being at home may be important because it provides independence but there are risks and these should be managed.

The Chair thanked the officers for their report and said the Committee looked forward to receiving the report from the statutory Adult Safeguarding Board the following year.

## **SMB – 13      CHAIRS' UPDATES**

Cllr. Guy reported that it was agreed at the Children and Young People's Scrutiny Committee at the meeting the previous week that the Committee would undertake a review on multi-agency working against Child Sexual Exploitation. This had been discussed with the Cabinet Member and the Chair of the Children's Safeguarding Board. It was explained that this was a very large piece of work to undertake and that the remaining work programme has been put aside. As this was a change to the agreed work programme Cllr. Guy

asked for the Board's approval.

The Chair supported this review and said that it is a timely piece of work.

Cllr. McClements said that she was pleased that the Cabinet Member had asked Scrutiny to look at this issue.

Cllr Reynolds said that she was happy for the Committee to look at this work.

Cllr. Guy said that as it was a huge area of work the review would need to be focussed. It would not look at ongoing cases but look at what had been learned from earlier work including Operation Chalice. The Committee has agreed to interview senior people from different organisations but also to talk to front line staff. The Jay report into CSE in Rotherham had criticised scrutiny for not testing out the information they had been given by senior officers. This follow up work would be carried out by a sub group which may co-opt people with knowledge of this issue.

Cllr. Turley said he had attended a briefing where it had been confirmed that CSE is still an issue in Telford and Wrekin.

The Scrutiny Group Specialist explained that it had been discussed that once there was a draft terms of reference this may be published for comment to ensure that people have confidence in the scope of the review and how it will be carried out.

**AGREED:** The Committee supported the Scrutiny Review of CSE to be undertaken by the Children and Young People's Scrutiny Committee.

Cllr. Guy left the meeting.

#### **SMB – 14     RECOMENDATIONS ON ACCESS TO AFFORDABLE ACCOMMODATION**

It was agreed that recommendations would be made that as a matter of urgency a forum should be established to improve communication between the Council and Registered Housing Landlords to ensure that people in housing need in the Borough have access to the accommodation that is available.

The recommendations should also cover the following points:

- Capacity to respond to the number of calls to Telford Housing Options
- Providing information about facilities where people can access computers to register online
- The Council and housing providers look into the option of making their registration systems accessible from mobile devices.
- The need to ensure that the registration system enables people to register housing need even if they do not have all the information required to complete the full form
- The Council negotiates access to make proxy bids

The Chair said that he would follow up the discussion with local voluntary organisations that work with people who are homeless to see how the system work for their clients and service users.

**AGREED:** The Scrutiny Group Specialist will draft recommendations based and circulate these to the Members present at the meeting for comment. The final recommendations would be agreed with the Chair of Scrutiny Management Board.

**SMB- 15      SCRUTINY WORK PROGRAMME FOR 2014/15**

The Scrutiny Group Specialist presented the work programme update. Following the previous discussion the review of Multi-Agency Work against CSE would be added to the work programme.

The meeting ended at 12.47pm

**Chairman:** .....

**Date:** .....