

Bristol City Council Minutes of the People Scrutiny Commission

27 March 2017 at 10.00 am



Members Present:-

Councillors: Brenda Massey (Chair), Jos Clark (Vice-Chair), Lesley Alexander, Mark Brain, Eleanor Combley, Anna Keen, Gill Kirk, Cleo Lake and Ruth Pickersgill

Officers in Attendance:- John Readman, Paul Jacobs, Rob Logan, Stephen Beet and Michele Farmer

1. Welcome, Introduction and Safety Information

Councillor Massey, Chair of the People Scrutiny Commission, welcomed attendees to the meeting.

2. Apologies for Absence and Substitutions

Apologies for absence were received from Councillors Radford, Phipps and Radford.

Councillor Paul Goggin attended as a substitute for Cllr Phipps and Councillor Steve Jones attended as a substitute for Councillor Radford.

3. Declarations of Interest

None

4. Minutes and Action Sheet of Previous Meeting

Resolved – that the following minutes be agreed subject to the amendments noted below:

- **Bristol City Council, North Somerset Council and South Gloucestershire Council meeting in common– 1st December 2016**
- **People Scrutiny Commission – 23rd January 2017**

The following was noted in relation to the minutes:



- Councillor Paul Goggin had been in attendance at the meeting on the 1st December as a substitute for Councillor Keen.

All actions were complete or in progress. The following was noted:

- The Bristol City Council People Scrutiny Commission recently visiting the Bristol Children's Hospital. As part of the visit Councillors received information about the South West and South Wales Congenital Heart Network which provides congenital cardiology and cardiac surgical service for patients in the South West of England as well as a cardiac surgical service to South Wales. The network was currently funded by University Hospital's Bristol NHS Foundation Trust (UHB). Councillors agreed to submit a response to the current consultation to suggest that national funding be allocated. This action would be added to the action tracker. **(Action – Karen Blong)**.

5. Chair's Business

The Chair thanked Councillor Champion-Smith for her work as Cabinet Member for People. The Chair welcomed Councillor Holland as the new Cabinet Member for Adult Social Care and Councillor Godwin as the new Cabinet Member for Children and Young People

6. Public Forum

Six questions and one public forum statement was received related to various items on the agenda. Mr Patel was not in attendance at the meeting but would be emailed the question responses. **(Action – Karen Blong)**.

Resolved – the Committee noted the public forum submission.

7. Performance Monitoring Quarter 3

Paul Jacobs, Service Director for Education and Skills introduced the report and appendices which provided a summary of the main areas of progress towards the delivery of the Corporate Plan 2014-17.

Councillors were invited to ask question and the following was noted as part of the discussion:

Performance Indicator (PI) - Increase the percentage of adults receiving direct payments

- Councillor Pickersgill referred to anecdotal information received that suggested disabled people were less likely to be offered the full package of support when assessed for direct payment. Officers agreed to provide a further breakdown of Direct Payment information which would show the distinction between one off payments and other direct payments. **(Action – Stephen Beet - Head of Service – South/ Hospitals, Adults Care & Support)**.



PI - Percentage of older people at home 91 days after discharge from hospital into reablement / rehabilitation

- Officers confirmed that the wording related to the PI was standardised across all Local Authorities and could be confusing for a lay person to understand. The indicator outlined the number of people who have been at home for 90 days without being re-admitted.

PI - Percentage of 17 to 21 year old care leavers in EET

- Councillor Brain highlighted that although improvement had been made the results were still poor. The data suggested that almost 20% of care leavers would not be education, employment or training due to pregnancy. A further breakdown of the information was requested. **(Action – Angela Clarke - Deputy Service Director, Child & Family Support, Care and Support - Children and Families).**
- Councillors referred to the good service provided at the Meriton - a specialist school based in Bristol which focused on providing education, support, mentoring and advice to teenage girls and young parents. The facility had places available but anecdotal evidence suggested the location of the facility had been challenging for women to access.
- John Readman, People Directorate Strategic Director highlighted that support for children in care and care leavers had been identified as a corporate priority and regular updates were provided at meetings of the Strategic Leadership Team (SLT) and the Learning City Board. Bristol City Council set targets above the national average but more work would still be required to provide care leavers with better opportunities.
- Officers from the Employment and Skills team and Children and Family services work collaboratively to provide support for young people in employment and education. Remodelling of the Care Leavers team would increase expertise and ensure a joined up approach. Young people have complex lives and it was sometimes challenging for them to remain in sustainable employment or education.
- The Mayor has prioritised work experience for young people and BCC should lead by example by providing apprenticeships within the council and supporting a wider apprenticeship expansion.
- Reference was made to the 14-19 officer roles which were currently being processed by the Human Resources team. The process had been slow which could risk experienced staff leaving the organisation. Cllr Massey would request an update at the forthcoming Hope School Governors meeting. **(Action – Cllr Brenda Massey).**
- Officers suggested the area could be further strengthened in youth services commissioning.
- Care Leavers seemed to be more successful in gaining apprenticeships and work in small businesses when more personalised support was provided. Councillors could assist by linking local businesses to the Council.
- Members agreed this area should be a priority and Councillors requested the opportunity for more detailed scrutiny of the issue. Reference was made to the Corporate Parenting Panel (CPP) which all Councillors were encouraged to attend.
- The current scrutiny review was acknowledged. The item would be highlighted for consideration in 2017/18. **(Action – Karen Blong to add Children in Care and Care Leavers to the work programme for further consideration).**



PI - Reduce the permanent admissions aged 65+ to residential and nursing care, per 100,000 population

- Councillors noted the error in data collection and re-iterated the importance of correct information.

Resolved – that the report be noted.

8. Risk Register

John Readman, People Directorate Strategic Director introduced the Directorate Risk register report. It was beneficial for the Commission to receive the report at the same meeting as the Performance Report (previous agenda item). As part of the introduction the following was noted:

- All Council staff managed risk on daily basis. When creating the registers Officers scored risks, considered mitigations then rescored. Some risks remained critical even if they were unlikely due to the possible impact, e.g. Safe guarding.
- The People Directorate had overspent, specifically in Adult Health and Social Care due to increasing service demand and changing legislative requirements in Local Authority Services. Since the 17/18 budget had been approved work will continue to manage the budget and although there were still challenges Officers were more confident that the budget could be managed. The additional national budget investment would assist.
- Consultations on budget saving continued but were still in the early stages. Briefings had been provided for Councillors to ensure their input was captured as part of the consultation process. The commission would be updated in June.

Councillors were invited to ask questions and the following was noted as part of the discussion:

Risk description - Failure to meet corporate responsibilities to protect children in need and inadequate support to Children in Care and Care Leavers

- Officers referred to the [Eileen Munro report](#) which stated that the Local Authority would not be able to eradicate risk completely as it cannot be predicted. Professionals working in Bristol were trained to identify children at risk and BCC had the correct provisions in place. Councillors suggested the risk should remain as critical and Officers agreed to reconsider the rating. **(Action – People Directorate Leadership team).**

Risk description - Failure to deliver the Medium Term Financial Plan and deliver savings included in the financial plan in the context of rising demand and reducing resources

- Central government had allocated £8.7million additional funding to Local Authorities, similar to Better Care Funding.
- Health colleagues would like the funded routed through health but the Department for Communities and Local Government (DCLG) has confirmed the funding be allocated directly to Health and Social Care. Officers were expecting guidance from central government in April. In



addition to assisting with the current financial pressures the money should also be used to plan for future change work. The funding would reduce in 2018/19 and 2019/20.

- Councillor Pickersgill requested that future risk register provide more detailed information on actions required. Officers could theme areas to assist understanding for Scrutiny members.

(Action – People Directorate Leadership team)

Risk Description: The Directorate fails to ensure adequate safeguarding measures are in place resulting in harm or death to a vulnerable adult or child

- John Readman confirmed that the risk register presented to the People Commission related to safeguarding across the whole directorate. Risk assessments presented to the Audit Committee would focus on different areas and outcomes could therefore be different. Councillors referred specifically to the Disclosure and Barring Service check and Officers would provide further information to ensure clarity. **(Action – John Readman).**
- All Bristol City Council staff working in the social care services (both adult and children and young people) had the required DBS checks and training.
- The Children and Adult safeguarding board had the oversight responsibility for ensuring that professionals across Bristol had the required training and checks and that all part of the system was safe.
- BCC services across the Council were commissioned by the Commissioning Section which brought all the expertise together and used on commissioning framework. The service was in the remit of the People Directorate and Netta Meadows was the Service Director. Adult Social Care was the largest area of commissioned services. Councillor Cheney was the Cabinet Member for Finance, Governance and Performance and would have responsibility for commissioning overall. Each individual Cabinet Member would have oversight of commissioning within their portfolio.

Resolved – that the report be noted.

The Commission had a ten minutes comfort break.

9. Plans for Improving the Experience that People and Organisations have of Section 136 of the Mental Health Act

The Chair welcomed Keith Pople, Director – Alexander, Catherine Wevill - Programme Manager, Clinical Commissioning Group, Chief Superintendent Geoff Wessell, from Avon and Somerset Constabulary (force mental health lead) and Maria Hamood, Adult Principal Social Worker - Bristol City Council.

Following a Care Quality Commission inspection rating of ‘inadequate’ and ‘requires improvement’ the Avon and Wiltshire Mental Health Partnership NHS trust asked Keith Pople to lead an independent review across partners to consider the approach to Section 136 of the Mental Health Act. The work would also assist in preparing partners for the [Police and Crime Act](#) which would be enacted towards the end of May 2017. Future work would need to be cost neutral.



Background information

- If a police officer finds any person in a public place who they believe could be mentally ill and in need of immediate care, or control, the officer is allowed to remove them to something known as 'a place of safety'. This is known as being 'sectioned'.
- Once section 136 has been enacted the person would be detained for 72 hours. During this time, mental health professionals could conduct a Mental Health Act assessment.
- The law says that a place of safety should usually be an area within a hospital, set up for the purpose of allowing people detained by the police to be assessed. For young people, it could also be within a children's home or youth centre. On an exceptional basis, it may be necessary to use a police station.
- The Police and Crime Act would change the law and stop the detention in police cells of children and young people under 18 who are experiencing a mental health crisis (and restrict the circumstances when adults can be taken to police stations) by reforming police powers under sections 135 and 136 of the Mental Health Act 1983.

Presentation and questions

The Committee were provided with a power point presentation (appendix A to the minutes) which provided an overview of how information had been gathered, a summary of the finding and a proposed approach going forward.

Councillors were invited to ask questions and the following was noted as part of the discussion:

- The Section 136 act would be enacted if a person had been deemed a danger to themselves or someone else but there had been no criminal incident. A person would not be taken into a custody suit unless in exceptional circumstances. If a person had committed a crime a different process would be followed.
- The review had covered a large area including Bristol, North Somerset, South Gloucestershire and Bath and North East Somerset. Partners included the Local Authorities, the Police, NHS Trusts including the Ambulance service. At a recent joint governance meeting it was agreed that the proposed programme would be implemented over the whole geographical area.
- Police officers were not mental health professional and tended to be risk adverse. As part of a trial mental health nurses were available for police officers to contact in the control room. The nurse could ask questions and provide the police officer with advice on the correct course of action based on the persons case files and the information ascertained. Even if a person was not detained the police would still have a duty of care to ensure the person was safe.
- 80% of people taken to the section 136 suite would not go on to be detained under the Mental Health Act which suggests they should not have been detained initially.
- The number of people detained under S136 was representative of the community in terms of ethnicity.



- Information from people who had been detained under S136 suggested that sometimes the detention had been more traumatic than the mental health issue itself.
- A specific work stream would be developed for people under the age of 18. No evidence suggested that a specific place of safety for people under 18 were beneficial. Young people tended to be detained out of hours: evenings and weekend. Responses needed to be considered carefully.
- More national data was required on the challenges. Some evidence suggested that delays were because of a lack of doctors which was not related to the AWP provision.
- A two year pilot was 50% funded by the Police and Crime Commissioner and 50% funded by Bristol CCG included the provision of a triage nurse at the control room between 7 am and 10pm. Funding across the partners would be required to increase the service to 24/7. For investment to be transferred from crisis to prevention leadership within the partner organisations would be required. Anecdotal evidence from nurses working in the control room suggested that the role was very rewarding.
- Street triage was also available in Bristol –qualified mental health staff attended call outs both independently and with the police. In 9 months 75% of the people seen were diverted to another service away from the 136 suite.
- In the last six months the control room triage received 4000 incidents were reports, 10% of these were people in crisis. Professionals intervened in 178 cases where officers were about to use S136.
- All the current places of safety are managed by AWP on behalf of commissioners.

Councillors were invited to attend scenario testing in April and May. Further information would be provided. **(Action – Keith Pople)**. Additional information would also be provided on the current process (appendix B).

The Chair thanked the guests for the informative presentation.

10. Mental Health Working Group Action Plan Update

John Readman, People Directorate Strategic Director presented the report which provided the Commission with an update on the actions following the Mental Health working group.

Maria Hamood - Principal Social Worker and Victoria Bleazard Public Health consultant were also in attendance for the item.

The Neighbourhoods scrutiny commission were invited to attend for this item as the worked crossed over into the remit of public health.

Councillors were invited to ask questions and the following was noted in relation to the actions:



- Recommendation 6 - Bristol City Council to use its influence to press for changes regarding national policy in respect of mental health by lobbying the government to introduce statutory Personal Social and Health (PHSE) teaching in schools.
 - PHSE has now become statutory which is positive. 90 schools have signed up to the training programme that the Mayor has been promoting. Cascade training (for schools) was taken up by almost all schools (96%), including independent schools. The training had now closed, so the remaining 4% had not been provided with the training. Councillor Claire Hiscott, Cabinet Members of Education and Skills would be contacting schools about further training.
 - Councillors referred to the increase in young people with mental health issues. Work would be required around young asylum seekers, especially unaccompanied minors. Bullying, especially cyber bullying was also highlighted as an ongoing concern. The People and Neighbourhoods Scrutiny Commissions would be meeting together in June to consider the Mental Health and Wellbeing strategy. Cllr Negus requested that young people be invited to input into the meeting. **(Action – Karen Blong to pass this request to the Public Health team).**
 - Michele Farmer, Service Director for Early Intervention and Targeted Support would provide further information on work in schools following the meeting (appendix C).
- Recommendation 9 - The Mayor and elected Members to be asked to sign up to;
 - The Local Authority Mental Health Challenge (<http://www.mentalhealthchallenge.org.uk>) thus becoming a champion for mental health across the area; and
 - Time to Change (<http://www.time-to-change.org.uk>) which is the campaign to challenge mental health stigma and discrimination.

Councillors requested that the information be re-circulated. **(Action – Karen Blong).**

- R12 – Develop a social prescribing pathway to enable residents to access services from voluntary and community groups, and promote the benefits amongst both potential service users and providers, including the Neighbourhood Partnership Wellbeing Grants Panels.

Partners have been working collaboratively to develop the Memorandum of Understanding.

11. Information Only Items;

Home Care Update

- Payments to Home Care providers would increase above inflation and took into account other pressures, e.g. the living wage. Payments would continue to be reviewed to ensure resilience. There were currently no patients delayed at Southmead Hospital because of Home Care provision



and only a small number of delays in other hospitals. Councillors requested an update should the situation significantly change. **(Action – Officers to update the People Scrutiny Commission on any significant change in Home Care provision – Netta Meadows).**

People Directorate Budget Savings - Update on Engagement and Consultation

- Councillor Kirk suggested contact be made with the Bristol Dementia Alliance. **(Action – Mike Hennessey).**
- An update would be provided on the consultation at the commission meeting in June.

Scrutiny Work Programme

- The work programme was noted.

Additional Chairs business

- Refreshments would not be provided at future commission meetings.
- Due to the changes in the Cabinet and the appointment of two Labour Cabinet Members it was unclear if Cllr Massey could continue as Chair of the People Scrutiny Commission as she was also a Labour group member. Further clarity would be sought.

The meeting finished at 12.35pm.

CHAIR _____

