

BRIGHTON & HOVE CITY COUNCIL

ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

4.00PM 6 NOVEMBER 2008

BANQUETING ROOM, HOVE TOWN HALL

MINUTES

Present: Councillors Meadows (Chairman); Fryer, Hawkes, Janio, Pidgeon, Wells and Wrighton (Deputy Chairman)

PART ONE

27. PROCEDURAL BUSINESS

27A. Declarations of Substitutes

27.1 Councillor Rachel Fryer declared that she was attending the meeting as Substitute Member for Councillor Bill Randall.

Councillor Dawn Barnett sent her apologies.

27B. Declarations of Interest

27.2 There were none.

27C. Declarations of Party Whip

27.3 There were none.

27D. Exclusion of Press and Public

27.4 In accordance with section 100A(4) of the Local Government Act 1972, it was considered whether the press and public should be excluded from the meeting during the consideration of any items contained in the agenda, having regard to the nature of the business to be transacted and the nature of the proceedings and the likelihood as to whether, if members of the press and public were present, there would be disclosure to them of confidential or exempt information as defined in section 100I (1) of the said Act.

27.5 **RESOLVED** – That the press and public be not excluded from the meeting.

28. MINUTES OF THE PREVIOUS MEETING

28.1 **RESOLVED** - That the minutes of the meeting held on 4 September 2008 be approved and signed by the Chairman.

29. CHAIRMAN'S COMMUNICATIONS

- 29.1 The Chairman said that the Cabinet Members for Housing and for Adult Social Care would each be invited to attend an ASCHOSC meeting.

30. PUBLIC QUESTIONS

- 30.1 There were none.

31. LETTERS FROM COUNCILLORS

- 31.1 There were none.

32. NOTICES OF MOTION REFERRED FROM COUNCIL

- 32.2 There were none.

**33. MEMBER TRAINING SESSION 'SAFEGUARDING VULNERABLE ADULTS &
DEPRIVATION OF LIBERTY SAFEGUARDS/ MENTAL HEALTH ACT'**

- 33.1 The Interim Head of Adult Social Care (Operations) presented a session in which members were informed about procedures for safeguarding vulnerable adults. The Interim Head of ASC & Performance & Development informed members about deprivation of liberty safeguards (DOLS).

- 33.2 In response to a question regarding DOLS costs to the authority, members heard that it was unclear how many people might be affected but that a Government grant was available for costs.

- 33.3 In response to concerns about appealing DOLS decisions, members were assured that decisions could be challenged through an appeal to the Court of protection.

- 33.4 Members requested an update after the scheme goes live and for any available information about appeals arising.

- 33.5 In response to a question about Safeguarding Vulnerable Adults, and whether action could be taken against abusive relatives, members heard that the police would be called if they thought that a crime had occurred.

The Local Authority would not have the power to initiate criminal action itself but would take steps to protect the person under the safeguarding procedures. Members heard that the Local Authority would have to respect the wishes of the allegedly abused person. In addition, the Local Authority would not have authority to intervene if it was felt that carers were not of an adequate standard.

- 33.6 Members heard that there were plans to share best practice with neighbouring authorities in East and West Sussex. It was proposed to create an executive level board.

- 33.7 In response to a query regarding performance targets, members were told that a section within Brighton & Hove City Council's annual performance return focussed on training assurance. In addition, Brighton & Hove City Council was running its own audit of its safeguarding practice.
- 33.8 Members queried whether action could be taken against agencies if there was negligence. Members heard that there were contractual powers that might potentially be used and that in some cases, the police would be able to prosecute in a safeguarding investigation.
- 33.9 The annual report on safeguarding for 2007/8 is being presented to the cabinet member and will be available on the council website as a public document. It contains a full report on activity and includes reports from the member agencies of the safeguarding board.

Members asked for feedback to be presented on the safeguarding audit. The Head of Service confirmed that this would be completed in early 2009, and she would be happy to present the findings. There is a national consultation on reviewing safeguarding until January. In addition, it might be useful to report back on the safeguarding procedure when the national consultation had ended.

Members commented that generally, reports should come to the relevant Overview and Scrutiny Committee before going for decision to Cabinet Members.

34. CARERS' STRATEGY

- 34.1 The Committee considered a report on the Carers' Strategy. The Joint Commissioner for Carers' Services, Tamsin Peart, answered members' questions on this issue.
- 34.2 Members began by congratulating Ms Peart on the excellent report that had been presented and on the standard of the service provided.
- 34.3 Members queried the 2018 target and were advised that it was a long term target towards which to work.
- 34.4 Members queried the source of the funding - was the local authority was receiving additional or 're-packaged' money? Members heard that it was not entirely clear at present whether it was additional or not.
- 34.5 Members heard that in the Brighton & Hove 2001 census, approximately 23,000 residents had indicated that they were carers, of which 57% were female.

Some carers are eligible for carer's allowance but not all of the city's 23,000 carers are in receipt of this benefit. Carer's allowance was currently removed upon retirement but carers' groups were lobbying against this. A national review of all benefits including carer's allowance, had been scheduled for 2011.

- 34.6 **RESOLVED** – That the report be noted.

35. VALUE FOR MONEY REVIEW OF HOUSING

- 35.1 The Committee considered a report on the ongoing Value for Money (VfM) review of housing. The Assistant Director, Housing Management, Nick Hibberd, answered members' questions on this issue.
- 35.2 In response to a query about the next steps in the VfM process, members heard that there was an action plan for delivery, and that the department was working to deliver the plan.
- 35.3 In response to a query about homelessness prevention, members heard that this was very good within the city and that the council utilised a wide range of options including private sector housing as well as choice based lettings.
- 35.4 Members heard that there was an ongoing problem with the numbers of people living in bed and breakfast, but that the council was making good improvements.
- 35.5 Members heard that energy costs were being considered, as well as the use of tenants as energy advisors.
- 35.6 **RESOLVED** – That the report be noted.

36. HOUSING GREEN PAPER & PRIVATE SECTOR HOUSING

- 36.1 The Committee considered a report on the Housing Green Paper & Private Sector Housing. Martin Reid, Head of Housing Strategy and Development and Private Sector Housing, answered members' questions.
- 36.2 Members queried how a leaseholder could be barred from claiming the freehold of a leased property. They heard that the housing company's constitution would not permit such an action; it would require the unanimous consent of the board and also Government consent.
- 36.3 **RESOLVED** – that the report be noted.

37. HOUSING ADAPTATIONS

- 37.1 The Committee considered a report on Housing Adaptations. Joy Hollister, Director of Adult Social Care and Housing, answered members' questions.
- 37.2 Members queried whether there was an end point to the number of properties needing adaptation. Members heard that the national strategy was to allow people to stay in homes for life, but that this was often impossible.

It was unrealistic for every home to be adaptable and it was unlikely that there would be market demand for every home to be adaptable.

All city properties within Choice Based Lettings have been audited and a mobility level assigned to all adapted homes. When these homes became available, every effort would be made to let them to tenants with appropriate mobility needs. However, hard-to-

let properties might sometimes be allocated to applicants who did not match the mobility criteria.

In general, once an adaptation had been made, it would not be removed, even if the current tenant did not require it. However, adaptations with a limited life-span, such as chair lifts, might be removed in certain circumstances.

37.3 Members requested that an update be provided on the outcome of the work of the modernisation group; this was likely to be in April 2009.

37.4 **RESOLVED** – That the report be noted.

38. UPDATE ON AD HOC PANEL

38.1 The Chairman of the ad-hoc Panel, Anne Meadows, verbally updated Members on the progress of the ad hoc Panel.

38.2 **RESOLVED**- That the update be noted.

39. ASCHOSC WORK PLAN

39.1 Members considered a summary of the progress of the Committee's work against the Work Plan.

39.2 **RESOLVED** – That the update be noted.

40. ITEMS TO GO FORWARD TO CABINET OR RELEVANT CABINET MEETING

40.1 There were none.

41. ITEMS TO GO FORWARD TO COUNCIL

41.1 There were none.

The meeting concluded at 5.15pm

Signed

Chair

Dated this

day of