

# Public Document Pack

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To: Cllr Arnold Woolley Dip.IM, MCMI (Chair)

Councillors: Marion Bateman, Mel Buckley, Tina Claydon, Carol Ellis,  
Gladys Healey, Dennis Hutchinson, Dave Mackie, Hilary McGuill, Debbie Owen  
and Linda Thomas

23 February 2024

Dear Sir/Madam

**NOTICE OF HYBRID MEETING**  
**SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE**  
**THURSDAY, 29TH FEBRUARY, 2024 at 2.00 PM**

Yours faithfully

Steven Goodrum  
Democratic Services Manager

Please note: Attendance at this meeting is either in person in the Delyn Committee Room, Flintshire County Council, County Hall, Mold, Flintshire or on a virtual basis.

The meeting will be live streamed onto the Council's website. The live streaming will stop when any confidential items are considered. A recording of the meeting will also be available, shortly after the meeting at <https://flintshire.public-i.tv/core/portal/home>

If you have any queries regarding this, please contact a member of the Democratic Services Team on 01352 702345.

## A G E N D A

### 1 APOLOGIES

**Purpose:** To receive any apologies.

### 2 DECLARATIONS OF INTEREST (INCLUDING WHIPPING DECLARATIONS)

**Purpose:** To receive any Declarations and advise Members accordingly.

### 3 FORWARD WORK PROGRAMME AND ACTION TRACKING (Pages 3 - 10)

Report of Social and Health Care Overview & Scrutiny Facilitator -

**Purpose:** To consider the Forward Work Programme of the Social and Health Care Overview & Scrutiny Committee.

### 4 RISCA RESPONSIBLE INDIVIDUALS ANNUAL REPORT (Pages 11 - 18)

Report of Chief Officer (Social Services) - Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

**Purpose:** To provide an update of the performance of the in-house provider services in respect of the Regulation for Inspection of Social Care Act (RISCA).

### 5 POOLED BUDGET AGREEMENT FOR CARE HOME ACCOMMODATION FOR OLDER PEOPLE (Pages 19 - 24)

Report of Chief Officer (Social Services) - Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

**Purpose:** To provide an update on the work of the North Wales Pooled Budget Group to meet the legal and policy requirements of Welsh Governments for pooled budgets between local government and the National Health Service.

### 6 CONTEXTUAL SAFEGUARDING (Pages 25 - 32)

Report of Chief Officer (Social Services) - Deputy Leader of the Council and Cabinet Member for Social Services and Wellbeing

**Purpose:** To advise on Flintshire's approach to safeguarding children and young people through Contextual Safeguarding

***Please note that there may be a 10 minute adjournment of this meeting if it lasts longer than two hours***



## SOCIAL & HEALTH CARE OVERVIEW & SCRUTINY COMMITTEE

<b>Date of Meeting</b>	Thursday 29 February 2024
<b>Report Subject</b>	Forward Work Programme and Action Tracking
<b>Report Author</b>	Social & Health Care Overview & Scrutiny Facilitator
<b>Type of Report</b>	Operational

### **EXECUTIVE SUMMARY**

Overview & Scrutiny presents a unique opportunity for Members to determine the Forward Work programme of the Committee of which they are Members. By reviewing and prioritising the Forward Work Programme Members are able to ensure it is Member-led and includes the right issues. A copy of the Forward Work Programme is attached at Appendix 1 for Members' consideration which has been updated following the last meeting.

The Committee is asked to consider, and amend where necessary, the Forward Work Programme for the Social & Health Care Overview & Scrutiny Committee.

The report also shows actions arising from previous meetings of the Social & Health Care Overview & Scrutiny Committee and the progress made in completing them. Any outstanding actions will be continued to be reported to the Committee as shown in Appendix 2.

### **RECOMMENDATION**

1	That the Committee considers the draft Forward Work Programme and approve/amend as necessary.
2	That the Facilitator, in consultation with the Chair of the Committee be authorised to vary the Forward Work Programme between meetings, as the need arises.
3	That the Committee notes the progress made in completing the outstanding actions.

## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING THE FORWARD WORK PROGRAMME AND ACTION TRACKING</b>
1.01	Items feed into a Committee's Forward Work Programme from a number of sources. Members can suggest topics for review by Overview & Scrutiny Committees, members of the public can suggest topics, items can be referred by the Cabinet for consultation purposes, or by County Council or Chief Officers. Other possible items are identified from the Cabinet Work Programme and the Improvement Plan.
1.02	<p>In identifying topics for future consideration, it is useful for a 'test of significance' to be applied. This can be achieved by asking a range of questions as follows:</p> <ol style="list-style-type: none"><li>1. Will the review contribute to the Council's priorities and/or objectives?</li><li>2. Is it an area of major change or risk?</li><li>3. Are there issues of concern in performance?</li><li>4. Is there new Government guidance of legislation?</li><li>5. Is it prompted by the work carried out by Regulators/Internal Audit?</li><li>6. Is the issue of public or Member concern?</li></ol>
1.03	In previous meetings, requests for information, reports or actions have been made. These have been summarised as action points. Following a meeting of the Corporate Resources Overview & Scrutiny Committee in July 2018, it was recognised that there was a need to formalise such reporting back to Overview & Scrutiny Committees, as 'Matters Arising' was not an item which can feature on an agenda.
1.04	It was suggested that the 'Action tracking' approach be trialled for the Corporate Resources Overview & Scrutiny Committee. Following a successful trial, it was agreed to extend the approach to all Overview & Scrutiny Committees.
1.05	The Action Tracking details including an update on progress is attached at Appendix 2.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	None as a result of this report.

<b>3.00</b>	<b>CONSULTATIONS REQUIRED / CARRIED OUT</b>
3.01	In some cases, action owners have been contacted to provide an update on their actions.

<b>4.00</b>	<b>RISK MANAGEMENT</b>
4.01	None as a result of this report.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Appendix 1 – Draft Forward Work Programme Appendix 2 – Action Tracking for the Social & Health Care OSC.

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Minutes of previous meetings of the Committee as identified in Appendix 2.  <b>Contact Officer:</b> Margaret Parry-Jones Overview & Scrutiny Facilitator <b>Telephone:</b> 01352 702427 <b>E-mail:</b> <a href="mailto:Margaret.parry-jones@flintshire.gov.uk">Margaret.parry-jones@flintshire.gov.uk</a>

<b>7.00</b>	<b>GLOSSARY OF TERMS</b>
7.01	<b>Improvement Plan:</b> the document which sets out the annual priorities of the Council. It is a requirement of the Local Government (Wales) Measure 2009 to set Improvement Objectives and publish an Improvement Plan.

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**Forward Work Programme**

<b>Date of meeting</b>	<b>Subject</b>	<b>Purpose of Report</b>	<b>Scrutiny Focus</b>	<b>Responsible / Contact Officer</b>	<b>Submission Deadline</b>
6 June 24 2pm	Dementia Strategy Joint with BCUHB	To receive an update on the Dementia Strategy led by BCUHB	Assurance	Janet Bellis	
	Deferred Payment Audit Report	To consider the findings of the report	Assurance	Chief Officer – Social Services	
	Age Friendly Communities	To receive an update	Assurance	Chief Officer – Social Services	
	Annual Safeguarding Report	To consider the Annual Safeguarding Report	Assurance	Chief Officer – Social Services	
	Annual Director’s Report	To consider the draft report	Pre-decision	Chief Officer – Social Services	
	Microcare	To receive an update	Assurance	Chief Officer – Social Services	
27 June 24 2pm	Out of County Placements	To receive an update.	Assurance	Chief Officer – Social Services	
	Safeguarding in Education including Internet Safety and Social Media	To provide an update on the discharge of statutory safeguarding duties in schools and the Education portfolio. To include information on Relationship and Sexual Education and how this was contributing to reducing harm.	Assurance	Chief Officer (Education & Youth) and Healthy Schools Practitioner	
	Additional Learning Needs and Education Tribunal (Wales) Act 2018	To outline the approach to the identification and commissioning of education for Flintshire young people.		Senior Manager – Inclusion & Progression	

	Children Looked After in Flintshire	To provide an update on the provision for Looked After Children. And to provide an update on the challenges, positive working and how young people were supported through the pilot to provide funding directly to looked after children leaving care.	Assurance Monitoring	Senior Manager – Inclusion & Progression	
	Social Media and Internet Safety	To provide Members with an update on the Portfolio’s Social Media and Internet Safety policy and provision.	Assurance Monitoring	Learning Adviser - Health, Well-being and Safeguarding	

**Regular Items**

Month	Item	Purpose of Report	Responsible/Contact Officer
	<b>Safeguarding</b>	To provide Members with statistical information in relation to Safeguarding - & Adults & Children	Chief Officer (Social Services)
<b>May</b>	<b>Educational Attainment of Looked After Children</b>	Education officers offered to share the annual educational attainment report with goes to Education & Youth OSC with this Committee.	Chief Officer (Social Services)
<b>May</b>	<b>Corporate Parenting</b>	Report to Social & Health Care and Education & Youth Overview & Scrutiny.	Chief Officer (Social Services)
<b>Sept</b>	<b>Comments, Compliments and Complaints</b>	To consider the Annual Report	Chief Officer (Social Services)
<b>January</b>	<b>Betsi Cadwaladr University Health Board Update</b>	BCUHB are invited to attend on an annual basis – partnership working.	Facilitator



**Action tracking from Social & Health Care OSC February 2024**

Item/Date	Discussion	Action	By whom	Status
20 July 2023 Child Care Sufficiency Assessment	The Committee welcomed the offer of a workshop to be held for Members of the Committee.	Site visit/ workshop to be arranged in the New Year .	Gail Bennett	10:00 am on 13 <sup>th</sup> March Venue to be confirmed.
18 January 2024	Answers to questions submitted in advance to BCUHB to be provided.	Steve Goodrum to liaise with BCUHB	Steve Goodrum	Completed

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## Social and Health Care Overview and Scrutiny Committee

<b>Date of Meeting</b>	29 February 2024
<b>Report Subject</b>	RISCA Responsible Individual Annual Report
<b>Cabinet Member</b>	Cabinet Member for Social Services and Wellbeing
<b>Report Author</b>	Chief Officer, Social Services
<b>Type of Report</b>	Operational

### **EXECUTIVE SUMMARY**

This report describes the role of the Responsible Individual, the requirements of this role and how in house regulated services have performed over the last 12 months.

The Responsible Individual is a statutory requirement for all organisations in Wales who deliver care services. In Flintshire Mark Holt is the Responsible Individual and as well as visiting all services a minimum of four times per year, must collate evidence to measure services against the Regulation and Inspection of Social Care (Wales) Act (2016).

The services covered under this report are:

- Older People’s residential care homes– Marleyfield House, Llys Gwenffrwd and Croes Atti.
- Extra Care Housing – Llys Eleanor, Llys Jasmine, Llys Raddington, Plar Yr Ywen.
- Older People’s Community Support – Holywell, Deeside and Mold localities.
- Short-term respite for people with a learning disability – Hafod and Woodlee.
- Supported Living – 17 houses across Flintshire.
- Childrens services - Tŷ Nyth, Park Avenue and the small Group Homes

The methodology for collecting evidence includes, file audits, health and safety visits, record keeping, safeguarding, team meetings and consultation with service users and families. It also uses inspections from Care Inspectorate Wales, we have received one inspection from Care Inspectorate Wales since April 2023 and this followed six inspections in 2022.

In summary the Responsible Individual reported a high level of confidence in all areas of the service. The standard of care is high throughout and staff are trained to a high standard. There are a number of areas that do need to be considered as we move forward in relation to risks for the provider service's as outlined:

- Reducing staff numbers in homecare
- Ageing workforce across all services
- Need to move to a digital based recording system

## RECOMMENDATIONS

1	That the report be noted
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## REPORT DETAILS

<b>1.00</b>	<b>Explaining the findings of the Responsible Individual</b>
1.01	The role of the Responsible Individual is a statutory requirement of any organisation in Wales who provide care services that are registered with Care Inspectorate Wales. This role carries a legal responsibility for the Council.
1.02	The role is required to ensure that the statutory guidance, as set out in the Regulation and Inspection of Social Care (Wales) Act 2016 (RISCA), is adhered to and that the services being delivered are to a sufficient standard and meet regulatory requirements.
1.03	<p>There are a total of 84 regulations that cover all aspects of care provision. The Responsible Individual has the responsibility to evidence good practice and report if a service falls short or there are potential risks identified.</p> <p>In addition Flintshire Councillors complete annual rota visits that consider the environment that people reside in as well as the experiences of people who use our services.</p>
1.04	<p>Within Flintshire Council there are registered services in a number of different areas these are Older People's provider services, Learning Disability services and the newly established in house children's provision. Each service area has to provide its own statement of purpose and we are inspected and monitored regularly by Care Inspectorate Wales.</p> <p>The current services are as follows:</p> <ul style="list-style-type: none"> <li>• Older People's residential care homes– Marleyfield House, Llys Gwenffrwd and Croes Atti.</li> </ul>

	<ul style="list-style-type: none"> <li>• Extra Care Housing – Llys Eleanor, Llys Jasmine, Llys Raddington, Plar Yr Ywen.</li> <li>• Older People’s Community Support – Holywell, Deeside and Mold localities.</li> <li>• Short-term respite for people with a learning disability – Hafod and Woodlee.</li> <li>• Supported Living – 17 houses across Flintshire.</li> <li>• Childrens Services - Tŷ Nyth, Y Dderwen and two small group homes.</li> </ul> <p>Currently the service’s employ in excess of 500 staff on a variety of full and part time contracts.</p>
1.05	<p>A number of methods are used to collect evidence to complete the overall findings of each of the services. Time is spent in each service looking at the operational running, the record keeping, the reporting and that paperwork is up to regulatory standards. Meeting are held with service users, staff, families and managers every six months so that they can give their views on what is working well and what we could improve.</p> <p>The Responsible Individual is also required to submit an annual report for each service to Care Inspectorate Wales in May of each year. It is important to point out that the work of the Responsible Individual is in addition to an annual inspection process as set out and completed by Care Inspectorate Wales.</p>
1.06	<p>The following is a summary of the findings within each of the service area from the Responsible Individual, Care Inspectorate Wales and the Councillor Rota visits;</p> <p><b>Residential care</b> – the Responsible Individual can report a high level of confidence in residential care homes in Flintshire. All three homes have now been awarded either Gold or Silver awards from Progress for Providers which is an accredited quality assurance programme that measures service standards in the care sector.</p> <p>The three care homes, as of the end of December, employed a total of 161 care staff with 9 vacancies. Since April 13 staff have left the service and 12 have been recruited. There has been an increase in the use of agency and a reduction in this is one of the key actions for 2024.</p> <p>People who live in residential care speak very highly of their own experience and the following are some of the quotes from the recent engagement carried out:</p> <p>“The staff are wonderful, they treat me like family.”  “Nothing is too much bother for anyone, I only have to ask.”  “I like the fact that the home is having more activities and entertainers, I did miss those in covid.”  “As a family we are so grateful that Mum is safe. When we visit she looks so well and is always smiling and telling us what’s going on.”</p>

	<p>The evidence shows that staff are well supported and this was backed by staff comments, all of whom stated that they felt that they could raise concerns with their manager or senior managers within the organisation. Paperwork was at a high standard and documentation was person centred and relevant to the individual.</p> <p>Care Inspectorate Wales have also acknowledged in their recent report of Llys Gwenffrwd that the quality of paperwork is high and that the home understands and reacts positively to each residents needs and wants.</p> <p>Marleyfield House has continued to go from strength to strength, now employing 80 local people and operating at close to capacity it is a hugely popular home. The 16 discharge to recover and assess beds have been challenging throughout the year due to the ongoing pressure on the acute hospitals, however we have still managed to support 147 people from hospital.</p> <p>The new Croes Atti Newydd development is well underway and plans are being developed to ensure successful recruitment. In addition existing residents, families and staff are being kept updated on progress as the new build takes shape.</p> <p>All care homes in North Wales received an inspection from the infection control team as part of a Welsh Government initiative to ensure ongoing hygiene standards remained high. Llys Gwenffrwd was identified as the top performing care home across the whole of North Wales and was described as a shining example to all care homes on how to safely protect staff and residents.</p> <p>There are two areas of development that need to be considered in the next 12 months:</p> <ul style="list-style-type: none"> <li>• Reduction in the use of agency which will be supported through recruiting to vacant posts and reduction in sickness levels</li> <li>• Explore the feasibility of moving to a digital recording system</li> </ul>
1.07	<p><b>Extra care housing –</b></p> <p>The Responsible Individual reported a high level of confidence in Extra Care schemes in Flintshire.</p> <p>Extra care housing had a difficult period in 2022 following the pandemic as the scheme’s struggled to recover. Applications were reduced and some tenants find it difficult to engage again with activities. However, 2023 has seen a positive upturn, activities have returned and participation has increased and applications are close to pre-pandemic levels with all four schemes now operating a waiting list.</p>

	<p>Staff levels across the four schemes are good, extra care employs 96 staff with only 2 vacancies. 15 staff have left the service and 16 have been recruited. Staff sickness is lower than in other parts of the service. Whilst the numbers are positive extra care does need to improve it's retention rate as the number of staff leaving the service is higher than we would like.</p> <p>Tenants and families continue to be positive about the schemes, stating the following:          "I love my apartment and the restaurant"          "It feels like a five star hotel, I am so lucky to be here."          "I have made so many friends since moving in, it's the best thing I ever did."</p> <p>Plas Yr Ywen was officially opened by the First Minister Mark Drakeford in September. Llys Raddington celebrated it's fifth birthday and Llys Jasmine and Llys Eleanor continue to be a popular place to live.</p> <p>Two areas of feedback that we have received from tenants that need to be considered in the following year are:</p> <p>Meals – the food at Llys Jasmine and Llys Raddington was raised 12 months ago and there has been some improvements, however tenants still raise concerns that the meal quality can be inconsistent. Work is ongoing with Wales and West to improve this.</p> <p>Service charges remain high and a number of tenants have spoken about rising costs generally.</p>
1.08	<p><b>Community support and supported living.</b></p> <p>The Responsible Individual reported a high level of confidence in the service being delivered through Community support (domiciliary or homecare) and supported living in Flintshire. However, there are concerns for the service in relation to staff recruitment.</p> <p>Supported living has recruited 7 new staff and 8 have left in the last 12 months and is currently running with 8 vacancies. Whilst this is fairly static we have had an increase in agency use due to higher levels of staff sickness.</p> <p>Community support or homecare is the area for greatest concern. Since March 2023 16 staff have left the service and only 2 people have been recruited. The service now has only 76 care staff and is running with 24 staff vacancies. Exit interviews have highlighted a number of areas for leaving:</p> <ul style="list-style-type: none"> <li>• Petrol costs and costs of maintaining their own vehicle.</li> <li>• Difficult role particularly in the Winter in certain more rural areas</li> <li>• The complexity of the role and the people we support</li> </ul>

	<ul style="list-style-type: none"> <li>• Pay and potential earnings being higher in other less challenging sectors.</li> </ul> <p>In addition to this the average age of our workforce in Community Support is above the Welsh average. Our workforce has an average of just over 50 compared to 45 as the Welsh average. The impact of losing staff is felt by remaining staff who are often asked to work longer hours and hospital discharges that can be delayed as there is no new capacity within the service.</p> <p>It is important to also identify that the service has still been able to support more than 300 hospital discharges since March and continues to deliver high quality outcomes for people in our community.</p>
1.09	<p><b>Short term care – Hafod and Woodlee</b></p> <p>Both Hafod and Woodlee short term care houses for adults with a learning disability have developed well. Both houses are fully staffed and the services understand the needs of the service users who visit on a regular basis. With a newly appointed manager in place the services have been able to deliver positive activities, whilst keeping people safe. There are also plans to develop the service further, offering day support to allow more people to access the service.</p> <p>An engagement event is planned for February in which families and people who use the service will be asked how we can expand the service beyond the current 60 people who use it to help support an additional 30 people who are on a waiting list.</p> <p>Both properties have had significant improvements to the building’s, both internally and externally and this has further enhanced the experience for the individuals when they visit.</p>
1.10	<p>Children’s services – We now have four children’s residential care homes that have been established and registered by Care Inspectorate Wales. Tŷ Nyth offers short term interventions to support Children to return home to their family environment and avoid the possibility of remaining in the care sector.</p> <p>Y Dderwen is a four bed residential care home for children who require a more permanent solution to their accommodation based needs.</p> <p>Two small group homes offer a single placement for a young person to develop and move towards independent living.</p> <p>All four homes have had an extremely busy 12 months, not only getting registered but also recruitment, training, developing systems and moving to becoming operationally live and supporting young people. Whilst there is work to be done on recruitment, all four homes have supported a range</p>



	<p>of young people in their homes and the service has already started to see positive outcomes.</p> <p>The service does need to become fully staffed, there are currently 8 vacancies and again the service is too reliant on agency staff. In addition the service needs to build the staff experience and this will come over time.</p>
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	<p><b>Revenue:</b> <i>there are no implications for the approved revenue budget for this service for either the current financial year or for future financial years.</i></p> <p><b>Capital:</b> <i>there are no implications for the approved capital programme for either the current financial year, however there are future challenges in all care settings due to the increased cost of living. Higher food, utilities, fuel etc.</i></p> <p><b>Human Resources:</b> <i>As described, recruitment and retention remains a challenge</i></p>

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	Not required

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	<p>As part of the RISCA regulations there is a statutory duty for the Responsible Individual to engage with the people who use our services.</p> <p>Regulation 76 states:</p> <p>The responsible individual must put suitable arrangements in place for obtaining the views of</p> <ul style="list-style-type: none"> <li>a) The individuals who are receiving care and support,</li> <li>b) Any representatives of those individuals,</li> <li>c) Service commissioners,</li> <li>d) Staff employed at the service.</li> </ul>

<b>5.00</b>	<b>APPENDICES</b>
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5.01	None
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<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
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6.01	None
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<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
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7.01	<p><b>Contact Officer:</b> Mark Holt – Responsible Individual  <b>Telephone:</b> 01352 701383  <b>E-mail:</b> <a href="mailto:Mark.holt@flintshire.gov.uk">Mark.holt@flintshire.gov.uk</a></p>
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<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
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	<p><b>Responsible Individual</b> – the specific role that ensures that provider services meet the statutory requirements as set out in the Regulation and Inspection of Social Care (Wales) Act (2016).</p> <p><b>RISCA</b> – this is the abbreviation for the Regulation and Inspection of Social Care (Wales) Act (2016). These are the statutory requirements for all provider services who operate in Wales.</p> <p><b>Care Inspectorate Wales</b> – is an independent National body who inspects and monitors care services throughout Wales.</p>
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## Social and Health Care Overview and Scrutiny Committee

<b>Date of Meeting</b>	29 <sup>th</sup> February 2024
<b>Report Subject</b>	Pooled Budget Agreement for Care Home Accommodation for Older People
<b>Cabinet Member</b>	Cabinet Member for Social Services
<b>Report Author</b>	Chief Officer Social Services
<b>Type of Report</b>	Operational

### **EXECUTIVE SUMMARY**

This report is brought to advise on the regional approach to fulfilling the council's legal requirements in relation to a pooled fund for care home accommodation in line with the duties imposed by the Social Services and Well-being (Wales) Act 2014 ("the 2014 Act") and The Partnership Arrangements (Wales) Regulations 2015 ("the 2015 regulations") and to request an extension to the arrangement's ad infinitum.

In the financial year 2019-2020, one regional non-risk sharing pooled budget was established for North Wales and initially received Cabinet approval from Flintshire on the 16<sup>th</sup> July 2019. The arrangement took effect from 1st April 2019 and it was agreed that Denbighshire County Council host the arrangements; thereby operating the pooled fund on behalf of all the partners.

A decision is now required to continue with the existing arrangements for a non-risk sharing pooled fund (to be hosted by Denbighshire County Council on behalf of the six North Wales Councils and Betsi Cadwaladr University Health Board) insofar as regional spend on care home accommodation functions for older people is concerned.

Given the value of the pooled fund, Cabinet authority is required for the council to enter into the updated agreement prepared to regulate our ongoing relationships with our partners in relation to the operation of the pooled fund.

### **RECOMMENDATIONS**

1	To support the progress made regionally in meeting the Part 9 requirements of the 2014 Act which includes a legal requirement to establish a regional pooled fund for care home accommodation for older people.
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2	To support the council entering into a legal agreement between Betsi Cadwaladr University Health Board and the six local authorities across North Wales, regulating the operation and governance arrangements in respect of the pooled fund until such time as we need to terminate the agreement.
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## **REPORT DETAILS**

<b>1.00</b>	<b>EXPLAINING OLDER PEOPLE POOLED BUDGET</b>
1.01	The North Wales Regional Partnership Board was established as part of the Social Services and Wellbeing Wales Act (SSWB) to improve the wellbeing of the population and improve how health and care services are delivered. It brings together health, social services, housing, the third sector and other partners to co-ordinate the continued transformation and integration of health, social care, and well-being services across the region.
1.02	<p>Part 9 of the Social Services and Well-being (Wales) Act 2014 requires local authorities to promote cooperation with their relevant partners and others, in relation to adults with needs of care and support, carers and children. The 2015 the regulations require partnership bodies for each financial year (beginning with the financial year commencing 1 April 2019) to make a contribution to a regional pooled fund in relation to the exercise of their care home accommodation functions for older people. The contributions must be commensurate with each Partner’s anticipated annual expenditure on care home places for older people.</p> <p>The purpose of the pooled funds arrangements is to encourage Local Authorities and Local Health Boards to work together to maximise their influence to shape the future development of services and to ensure that services are sustainable in the long-term and capable of responding flexibly to local demand.</p> <p>Whilst Regional Partnership Boards have strategic and oversight responsibilities in relation to promoting the use of pooled fund arrangements, it is the responsibility of the partners themselves to establish, develop and operate any pooled budget arrangements.</p>
1.03	An Integration Agreement has previously been endorsed by Flintshire and the other North Wales Councils and Betsi Cadwaladr University Health Board. The aim of the Integration Agreement is to set out partners’ approach to integrated working and to provide a framework outlining how integration may be achieved in the region (including any pooling of funds). The pooling of funds for care home accommodation commissioning (both nursing and residential) is one of the identified areas for integration and pooling of funds included within the Integration Agreement.
1.04	In the financial year 2019-2020, one regional non-risk sharing pooled budget was established for North Wales and initially received Cabinet approval from Flintshire on the 16 <sup>th</sup> July 2019. The arrangement took effect from 1st April 2019 and it was agreed that Denbighshire County Council

	<p>host the arrangements; thereby operating the pooled fund on behalf of all the partners.</p> <p>A written, legal agreement to underpin the pooled fund arrangements was written and signed. All six North Wales local authorities and Betsi Cadwaladr University Health Board are parties to the Agreement with Denbighshire County Council acting as the Host Partner administering the pooled fund. The original agreement has now come to an end, and we need to consider refreshing the agreement with a recommendation that there are no changes other than making it ad infinitum.</p> <p>Reporting arrangements for the operation of the pooled budget will consist of a quarterly report to the Regional Partnership Board.</p>
1.05	<p>There is no delegation of functions involved as part of the pooled fund arrangement. This means that all partners will retain full individual responsibility for fulfilling their statutory duties for commissioning and provision of care home accommodation services. Each partner continues to be solely responsible for their own budgets and expenditure in this respect. The pooled fund does however reflect the actual spend of all partners on care home accommodation functions through quarterly transactions whereby quarterly spend by each partner will be charged to the pooled budget and off-set against contributions made by each partner to the pool on a quarterly basis.</p> <p>For 2022/23 the value of the pooled budget transfer was £10.556m.</p>
1.06	<p>No formal Section 33 agreement has been signed by any of the partners. Once partners enter into a formal Section 33 agreement, they would be bound by law to honour all the financial and other commitments included in the agreement. Consequently, there would be legal recourse for any obligations not met and sufficient resource and infrastructure would be required by the host authority to meet the needs of the agreement.</p> <p>It is important to note that the 'non-risk sharing pool complies with the Act, requiring partners to make a financial contribution to the pool. There is currently no appetite from any of the seven partners to develop a full risk sharing pool in the region.</p>
1.07	<p>In September 2020, Audit Wales undertook a review of the North Wales regional pooled fund in relation to care home places for older people. They concluded that all seven partners should review the arrangements and ensure that the transfer of funds between public bodies has a tangible benefit. The arrangements were reviewed and as noted in 1.06 above, there was and remains no appetite from any of the seven partners to develop a full risk sharing pool, referred to by Audit Wales. In 2020, the North Wales region obtained confirmation from Welsh Government that the arrangements in place are compliant with the Act.</p>
1.08	<p>The draft updated agreement has been completed by Denbighshire County Council on behalf of the region. There is only one proposed amendment to the original agreement and that is rather than make it short term (3 years) like the previous agreement we make it ad infinitum with the option for any</p>

	partner to terminate the agreement when needed. This allows us to indefinitely continue to deliver on our statutory duties.
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<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	There are no direct costs associated with signing up to the agreement. The agreement provides the regulatory and governance framework for the establishment of a single, regional pooled fund for North Wales for a period of three years. The arrangement will comprise of each partner organisation providing contributions to the pooled fund equivalent to the costs they incur. There will therefore be no risk sharing in the first year of this arrangement or any cross-subsidisation between the partners.
2.02	Denbighshire County Council will act as Host Authority for the regional pooled fund for the period of the agreement. The hosting arrangements will, in line with the terms of the legal agreement, be reviewed by the partners as part of the development of the pooled fund arrangements for future financial years.
2.03	A contribution from regionally administered transformation funding of £20k is paid to Denbighshire to recognise the cost of hosting the pool on behalf of all partners.
2.04	The establishment of a formal Section 33 agreement would have significant resource implications for the host agency.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	The requirement to maintain a regional pooled fund in North Wales for care home accommodation functions is a legal requirement enshrined in law. The agreement provides a framework which offers consistency, clarity, and protection for all Partners in respect of the establishment, operation and governance of the non-risk sharing pooled fund. The Agreement has been running for a period of three years from its commencement and the arrangements have been robustly reviewed with a recommendation to continue them ad infinitum. Accordingly, partners will have the benefit of a clear framework within which to operate for the foreseeable future minimising risks to not meeting legal requirements.

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Finance Officers have been working regionally monitoring the non-risk sharing pooled budget model in place. These discussions have involved all partners' s151 Officers (or equivalent) who agree with the proposed way forward.
4.02	The North Wales Regional Leadership Board have received regular updates on the development of the pooled fund arrangement.

4.03	The proposed agreement has been circulated to each partners' legal representatives for consideration.
4.04	The North Wales Regional Partnership Board, which has strategic oversight responsibilities for partnership arrangements emanating from the 2014 Act must also promote the establishment of pooled funds where appropriate.
4.05	Report to be considered at Social and Health Care Overview and Scrutiny Committee on 29 <sup>th</sup> February 2024.

<b>5.00</b>	<b>APPENDICES</b>
5.01	None

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	Cabinet Report 16 <sup>th</sup> July 2019 <a href="https://committeemeetings.flintshire.gov.uk/documents/s55529/Pooled%20Budgets%20v4.pdf?LLL=0">https://committeemeetings.flintshire.gov.uk/documents/s55529/Pooled%20Budgets%20v4.pdf?LLL=0</a>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<b>Contact Officers:</b> Jane Davies - Senior Manager Safeguarding and Commissioning <b>Telephone:</b> 01352 702503 <b>E-mail:</b> jane.m.davies@flintshire.gov.uk

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
8.01	<b>Pooled Budget</b> - Pooled budgets combine funds from different organisations to enable them to fund truly integrated services.
8.02	<b>Audit Wales</b> - is the trademark of two legal entities, the Auditor General for Wales and the Wales Audit Office. Its role is to assure the people of Wales that public money is being managed well as well as explaining how public money is being used and how it meets people's needs.

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## Social and Health Care Overview and Scrutiny Committee

<b>Date of Meeting</b>	29 <sup>th</sup> February 2024
<b>Report Subject</b>	Contextual Safeguarding
<b>Cabinet Member</b>	Cabinet Member for Social Services and Wellbeing
<b>Report Author</b>	Chief Officer Social Services
<b>Type of Report</b>	Operational

### EXECUTIVE SUMMARY

Contextual safeguarding recognises that as young people grow and develop they are influenced by a whole range of environments and people outside of their family. For example in school or college, in the local community, in their peer groups or online. Children and young people may encounter risk in any of these environments. Contextual safeguarding looks at how we can best understand these risks, engage with children and young people and help to keep them safe.

An operational forum has been developed that brings together professional organisations to discuss concerns relating to extra familial harm (harm outside of the family home) and to plan responses that reduce risk. This Contextual Safeguarding Hub does not replace safeguarding of individual young people but recognises the important role that communities and partner agencies have in creating safe places and spaces for the children and young people. There are, however, opportunities to streamline and align approaches to individual and contextual safeguarding and this will form the second phase of our work to develop our approach to effective safeguarding.

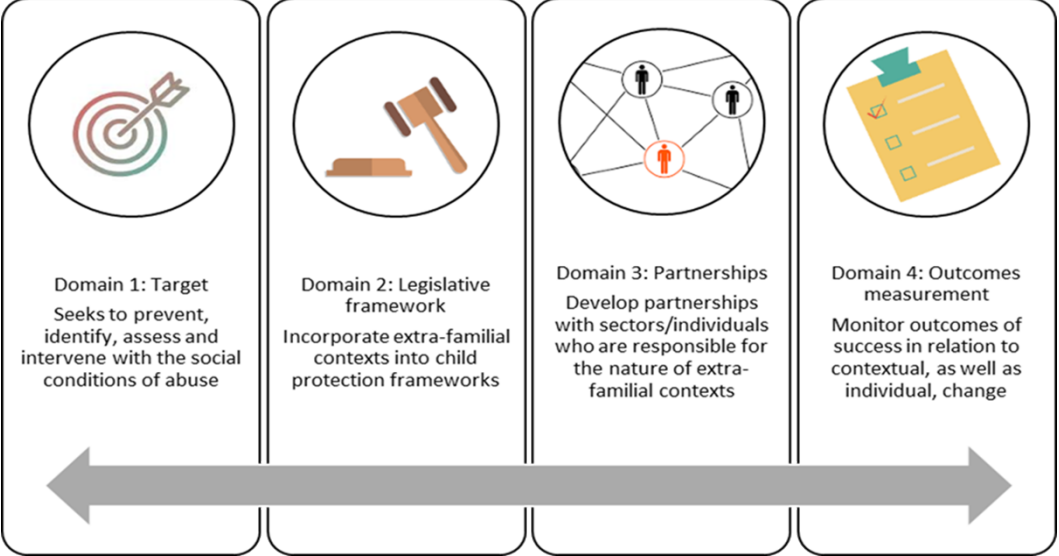
### RECOMMENDATIONS

1	To support the ongoing development and co-ordinated approach to contextual safeguarding that maximises resources to enable a streamlined and effective approach to individual and contextual safeguarding.
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## **REPORT DETAILS**

<b>1.00</b>	<b>Explaining Contextual Safeguarding</b>
1.01	Contextual safeguarding is a safeguarding approach that focuses on understanding the situations outside of an immediate family environment that may put an individual at risk of harm. It was first developed by Dr Carlene Firmin at the University of Bedfordshire as a framework for understanding the influences that young people specifically are exposed to in adolescence and how these might lead to safeguarding concerns.
1.02	Whilst contextual safeguarding was initially created to focus on those between the ages of 10 and 25, it can be applied to children or vulnerable individuals of any age as a way of identifying areas of risk and creating plans to minimise harm.
1.03	Contextual safeguarding operates on the principle that, as young people grow older and spend less time with their family in a home environment, they are exposed to other influences that may pose a safeguarding risk. It also acknowledges that extra-familial relationships can be just as harmful as those a young person has with their family and that these relationships need to be considered when assessing whether someone could be harmed.
1.04	Whilst immediate action is often taken when a safeguarding risk is identified inside a child's home, it is much harder to take preventative or protective measures when a risk comes from a factor in their wider environment. The contextual safeguarding framework not only makes it easier to understand where these external risks might come from, but it also helps safeguarding professionals set up schemes that reduce the likelihood of harmful scenarios happening in the first place.
1.05	Traditionally, social work practice concentrates on parental capacity to protect their children from harm, whereas a Contextual Safeguarding approach views parents as partners and acknowledges that they have little control over the harm that their children experience outside of the family home and that current responses can alienate parents and lead to limited impact in reducing the risk of the harm.
1.06	<b>Purpose of Contextual Safeguarding</b>
1.07	The purpose of the contextual safeguarding is to: <ul style="list-style-type: none"><li>• To acknowledge, assess, plan, intervene and reduce the risk of extra-familial harm for young people.</li><li>• To work together to create safer places, spaces, and communities.</li><li>• To view and address concerns within our communities through a child welfare rather than a youth justice or crime reduction lens.</li></ul>
1.08	<b>Why is Contextual Safeguarding Important?</b>

1.09	Contextual safeguarding is important as it doesn't just focus on helping one individual but looks to make spaces and areas safer for all young people. By creating partnerships, increasing awareness, and updating legislation, the chances of harm occurring in schools, neighbourhoods and online are reduced and everyone is protected.
1.10	Young people are most affected by contextual safeguarding concerns as they tend to spend more time away from their families and homes than children. At this age they are also still very impressionable and likely to be affected in the long-term by the things that happen whilst they grow up, which means the impact of things like bullying, crime and exploitation is much more severe. By creating safe environments where young people can spend their time, problems and future harm in adulthood are reduced and more young people have a happy and healthy adolescence.
1.11	<b>What is Involved in Contextual Safeguarding?</b>
1.12	The contextual safeguarding framework identifies four key dynamics that should be considered when understanding where threats or risks may come from. The first of these is the child's home and family, which is the typical area of focus when it comes to safeguarding issues.
1.13	The next dynamic is a young person's peer group, which can have a very significant impact on how an individual behaves and the choices they make. The issues caused by a peer group can range from bad behaviour in school where a young person is encouraged to act out by their friends, all the way to serious involvement in gangs, organised crime, drug trafficking or sexual exploitation. This may also include romantic and sexual relationships, which can present a serious safeguarding issue if there is a large age difference or any abusive behaviour.
1.14	A key sign to look out for in contextual safeguarding is a change in a child's behaviour around certain peers or an obvious move to a new friendship group, as well as involvement with others involved in risky behaviour.
1.15	After a child's peer group, the next dynamic considered in contextual safeguarding is their school. As a local authority we work effectively with schools to ensure proactive awareness, prevention and action to provide supportive and safe school environments with initiatives to counter bullying, recruitment into gangs, drug dealing and organised crime all of which can happen at school or on school grounds and can put young people in very dangerous situations and lead to participation in harmful or illegal activity later in life.
1.16	Contextual safeguarding is completely aligned to our proactive work with schools in considering the potential risks that their students are exposed to within the educational environment.
1.17	The next dynamic that comes after a young person's school environment is their neighbourhood. Whether young people become victims of criminal activity or get directly involved with it, both of these scenarios can lead to safeguarding concerns.

1.18	<p>Another contextual dynamic that has been identified as a real safeguarding risk is the online environment. Young people spend a large proportion of their lives online in environments or on platforms that are not moderated or controlled by adults which can lead to a wide range of different safeguarding issues. When considering contextual risks, things like cyberbullying, online grooming and radicalisation or extremism through online groups and content should all be factored into the things young people may be exposed to.</p>
1.19	<p><b>Contextual Safeguarding Framework</b></p>
1.20	<p>There are four key features of an appropriate response to prevent contextual safeguarding concerns. They set out a process to resolve and reduce extra-familial harm, which is outlined below:</p>
1.21	 <p>The diagram illustrates the Contextual Safeguarding Framework with four domains, each represented by an icon in a circle and a text box below it. A large double-headed arrow spans the bottom of the four boxes, indicating a bidirectional relationship between them.</p> <ul style="list-style-type: none"> <li><b>Domain 1: Target</b> (Icon: Target with arrow) <ul style="list-style-type: none"> <li>Seeks to prevent, identify, assess and intervene with the social conditions of abuse</li> </ul> </li> <li><b>Domain 2: Legislative framework</b> (Icon: Gavel) <ul style="list-style-type: none"> <li>Incorporate extra-familial contexts into child protection frameworks</li> </ul> </li> <li><b>Domain 3: Partnerships</b> (Icon: Network of people) <ul style="list-style-type: none"> <li>Develop partnerships with sectors/individuals who are responsible for the nature of extra-familial contexts</li> </ul> </li> <li><b>Domain 4: Outcomes measurement</b> (Icon: Clipboard with checklist) <ul style="list-style-type: none"> <li>Monitor outcomes of success in relation to contextual, as well as individual, change</li> </ul> </li> </ul>
1.22	<p><b>Target</b></p> <p>The systems and settings that are commonly associated with safeguarding concerns are identified in the area and measures are put in place to try and reduce or remove the social conditions that tend to lead to harm.</p>
1.23	<p><b>Legislation</b></p> <p>Whilst there is already a lot of legislative framework involved in child protection that applies to family relationships and the home environment, there aren't the same procedures and resources concerning contextual safeguarding issues. The process suggests that extra-familial contexts should be included in this existing safeguarding legislation.</p>
1.24	<p><b>Partnerships</b></p> <p>Partnerships or connections should be established between those in safeguarding positions and the organisations or people who are directly associated with the extra-familial contexts or locations where harm is likely to occur. For example, community projects could be established in at-risk neighbourhoods to provide young people with things to do outside of school time to keep them safe.</p>

1.25	<p><b>Outcome Measurement</b></p> <p>To ensure that these measures are making a difference, the outcomes of these steps should be measured on both an individual and contextual level.</p>
1.26	<p><b>Two-Tier Contextual Safeguarding</b></p>
1.27	<p>The approaches in contextual safeguarding are implemented in two different ways, known as a two-tier approach.</p>
1.28	<p>The first tier builds on the work that safeguarding professionals are already doing with children, young people and their families and brings in considerations for the wider context which may also have an impact on the individual who is at risk. This may include factoring in extra-familial risks to a care plan and identifying any external factors that have the potential to cause harm.</p>
1.29	<p>The second tier then looks to establish new approaches to removing or reducing the harm caused by extra-familial factors. This may involve connecting existing child protection services with locations identified as high-risk, assessing settings that have caused harm and working to remove this or providing more education to those in high-risk areas. This approach is delivered in Flintshire through our contextual Safeguarding Hub which was established in January 2023.</p>
1.30	<p>The current partners within our Contextual Safeguarding Hub are:</p> <ul style="list-style-type: none"> <li>• NWP (Exploitation and Neighbourhood Policing teams primarily)</li> <li>• Housing</li> <li>• Clwyd and Alyn</li> <li>• Streetscene</li> <li>• Gypsy Traveller Liaison service/resettlement coordinator</li> <li>• Barnardo's</li> <li>• MST</li> <li>• Trading Standards</li> <li>• Licensing</li> <li>• Community Safety Officer</li> <li>• Education</li> <li>• Health</li> <li>• Youth Justice Service</li> <li>• SORTED</li> <li>• Youth Service</li> <li>• Aura</li> <li>• Theatr Clwyd</li> <li>• Action For Children – Sidestep Project</li> <li>•</li> </ul> <p>Some of the above are standing members (some we are still working together with to build up to this) and others support on an ad hoc basis depending on need.</p>
1.31	<p>The focus of the Contextual Safeguarding Hub is on making the environments young people frequent safer by working within the community and with partners who have a reach in to these areas to create</p>

	safer spaces. This is where the Contextual Safeguarding Hub differs from our current Missing, Exploited and Trafficked Panel (MET) which concentrates on safety plans for individuals and Anti-Social Behaviour Meetings (ASB) which take a criminal justice viewpoint with the purpose of reducing demand on the police.
1.32	The current interface between the CS Hub and other relevant meetings such as MET, ASB, Prevent and Deter (PAD) and the Eastern Serious Organised Crime Group Meeting is currently via the CS Hub Chair's standing membership on the above panels. The CS Hub chair also works closely with colleagues within the Local Authority and relevant Partner Agencies to ensure effective and efficient information sharing with regards to issues of Extra-Familial Harm within Flintshire.
1.33	<b>Future of Contextual Safeguarding in Flintshire</b>
1.34	Since our first Contextual Safeguarding Hub meeting in January 2023 we have received 27 referrals. These cases provide a strong baseline which will enable us to measure and review the effectiveness of how we have dealt with these referrals, our impact, and our learning to help inform how we continuously develop and improve our approach and continue to raise awareness of the support we can offer as a multi-agency partnership, continuing to build partnerships with relevant agencies.
1.35	This work will support us to continue to refine our approach to suit Flintshire, to support large numbers of young people on a preventative basis and reduce the risk of them experiencing extra-familial harm within the places and spaces that they spend time, in turn reducing the need for them and their families to access statutory services.
1.36	In Flintshire we are currently reviewing our MET Panel and Missing From Home processes to ensure they are aligned to best practice, ensuring they are a productive and an efficient use of time and resources and that they are effectively focussed on reducing the risk of our young people experiencing exploitation. This includes reviewing our IT system to ensure it provides effective business support for our processes and reporting requirements.
1.37	Our aim is to have a single meeting that incorporates the contextual Safeguarding Hub, MET and missing from home strategy meetings, where consistent partners can attend and contribute. Our intention is to also work with partners to establish whether key meetings that they lead could be brought into a single meeting framework to ensure a consistent welfare approach offered to protect and support young people at risk of exploitation.

<b>2.00</b>	<b>RESOURCE IMPLICATIONS</b>
2.01	Our focus in 2024 will be review multi-agency safeguarding meetings to strengthen a co-ordinated approach to contextual safeguarding. The aim is to maximise resources to enable a streamlined and effective approach to individual and contextual safeguarding and reduce demand on Officer and partner attendance and time spent in meetings.

<b>3.00</b>	<b>IMPACT ASSESSMENT AND RISK MANAGEMENT</b>
3.01	Contextual safeguarding is a nationally recognised, researched, and developed approach to effectively managing and reduce risks associated with extra familial harm (harm outside of the family home).

<b>4.00</b>	<b>CONSULTATIONS REQUIRED/CARRIED OUT</b>
4.01	Our work to review MET, missing from home and the operational of the Contextual Safeguarding Hub has commenced with clear indicators of potential efficiencies and options for streamlining meetings and processes. Initial consultation has commenced and will require further focus and work to ensure that benefits can be fully realised.
4.02	Report to be considered at Social and Health Care Overview and Scrutiny Committee on 29 <sup>th</sup> February 2024.

<b>5.00</b>	<b>APPENDICES</b>
5.01	Contextual Safeguarding Process - Flintshire

<b>6.00</b>	<b>LIST OF ACCESSIBLE BACKGROUND DOCUMENTS</b>
6.01	<a href="https://www.contextualsafeguarding.org.uk">https://www.contextualsafeguarding.org.uk</a>

<b>7.00</b>	<b>CONTACT OFFICER DETAILS</b>
7.01	<b>Contact Officer:</b> Frankie Norcross <b>Telephone:</b> 07500993165   01352 701143 <b>E-mail:</b> <a href="mailto:francesca.norcross@flintshire.gov.uk">francesca.norcross@flintshire.gov.uk</a>

<b>8.00</b>	<b>GLOSSARY OF TERMS</b>
	None.

# Contextual Safeguarding Process - Flintshire

