

EXTRACT

THE CABINET

MEETING, 15TH OCTOBER, 2012

Councillor Morris	Executive Cabinet Member
Councillor Mrs Thomas	Executive Cabinet Member
Councillor Peel	Executive Cabinet Member

Cabinet Members

Councillor Adia	Human Resources, Organisational Development and Diversity
Councillor M. Connell	Adults
Councillor D. Burrows	Community Safety and Police
Councillor Peacock	Sport, Libraries, Youth and Culture
Councillor Murray	Looked After Children ,Safeguarding and Early Years
Councillor Chadwick	Highways and Transport
Councillor Sherrington	Waste and Recycling
Councillor Bashir-Ismail	
Councillor J. Byrne	
Councillor McKeon	
Councillor Zaman	

Other Members in Attendance

Councillor Jones	
Councillor Greenhalgh	
Councillor Morgan	
Councillor Allen	As deputy for Councillor Ashcroft
Councillor Mrs Fairclough	
Councillor Hayes	

Officers

Mr. S. Harriss	Chief Executive
Mr. S. Arnfield	Deputy Chief Executive
Mr. K. Davies	Director of Development and Regeneration
Ms. M. Asquith	Interim Director of Children's and Adults Services
Mrs. H. Gorman	Borough Solicitor
Mr. A. Jennings	Democratic Services Manager

Councillor Morris in the Chair.

Apologies for absence were submitted by Councillors Ashcroft and Francis.

37. EXCLUSION OF PRESS AND PUBLIC

Resolved - That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as specified in paragraphs 1,2 and 4 (Information relating to individuals and their identity and consultations/negotiations in connection with any labour relations matter arising between the Authority and employees/office holders under the Authority) of Part 1 of Schedule 12A to the Act; and that it be deemed that, in all the circumstances of the case, the public interest in their exemption outweighs the public interest in their disclosure.

38. ADULT SOCIAL CARE INDEPENDENT REVIEW

The Chief Executive submitted a report that outlined the following issues in relation to the independent review into 'House H' in Adult Social Care:-

- the outcome of the independent review into the circumstances of 'House H' one of the Council's 'Learning Disability' network houses which culminated in two Council employees being given custodial sentences for neglect of service users;

- the detailed findings of the review and the subsequent actions taken by the organisation to address these issues;
- the formal endorsement of the Action Plan that had been developed to address the issues and lessons learned (Appendix 2); and
- to agree the reporting and monitoring mechanisms to receive updates on the progress, achievements and outcomes of the agreed Action Plan.

The Cabinet was informed that the Council had appointed Mr Steve Jones, a highly experienced and knowledgeable former Chief Executive of Wigan and Blackburn Councils to undertake the review. Mr. Jones had a strong and extensive track record in Adult Social Care and Health and was currently the Chair of an NHS Mental Health Trust.

The purpose of the review was to examine three key questions:

1. How did this matter occur at 'House H'?
2. What progress had been made in implementing the actions identified in the 2010 Paradigm Report?
3. Were there wider lessons to be learned and improvements made as a result of this case across the wider network?

The full report was attached at Appendix 1.

The Chief Executive recommended that the report and its recommendations should be accepted in full by the Council. The Appendix attached to the report was the start of the detailed action planning designed to address the issues and challenges raised.

In response to the findings of the review and consideration of the best way forward, the Chief Executive drew attention to a number of key actions that provided important context to the report and action plan:

- A meeting took place with the parents of each of the service users and a full explanation of the outcome of the review was

given. This meeting included a full apology for the Council's inadequacies ;

- A meeting took place with the 'whistle-blowers' and this included placing on record the organisation's appreciation and thanks for their efforts in seeking to raise their concerns, their efforts in Court and an apology for the insufficient organisational support provided to them throughout their experience;
- New strategic leadership for the Department and Service with the appointment of Margaret Asquith (the Director of Children's Services) as Interim Director of Children's and Adult Services;
- An Interim Assistant Director of Provider Services being put in place for a minimum of six months to lead the operational 'turn around' of the service; and
- Detailed performance improvement plans being put in place to ensure the service and managers within achieved the appropriate level of achievement and delivery.

Given the independent review and its many recommendations about improving the structures, systems and processes going forward, it was felt important that the two issues were brought together into a fundamentally redesigned service. It was therefore proposed to delay the development of specific budget proposals until this is undertaken.

Consequently, it was recommended to go forward on the following phased basis:

- **Phase 1 – present day to January/February** – ensuring systems, processes, structures, culture and management changes were made to the current service to ensure it is fit for purpose.
- **Phase 2 – December to March/April** – development of a detailed vision for the service going forward both to ensure it was designed to meet a 21st Century environment and to make a contribution to the Council's savings targets for Adult Social Care.

The report also recommended that a monthly report be submitted to the Executive Cabinet Member (Deputy Leader) on a monthly basis for at least a six month period to monitor the delivery of the agreed Action Plan.

There had been on-going dialogue with the Trade Unions about the service and the Independent Review and detailed discussions about the report's findings had taken place. The Chief Executive reported that the Trade Unions had welcomed the underlying principles of the report and would work with management in terms of their implementation. The Trade Unions did not however agree with some of the views expressed in the Independent Review about specific issues and felt that the primary responsibility for historic industrial relations difficulties in the area of Adult Social Care lay with departmental management.

The Chief Executive informed the meeting that the full report would be made public following this meeting and that the report would be considered by a joint meeting of the Adults and Children's Services and Corporate Issues Scrutiny Committees at a special meeting on Thursday, 18th October, 2012.

Resolved – (i) That the independent report into 'House H' attached at Appendix 1 be formally accepted.

- (ii) That the Cabinet fully endorses and agrees to the apologies and actions taken in respect of the families of the service users and the whistle-blowers.**
- (iii) That the proposals for the overall strategic leadership of the service as set out in Sections 3 and 4 of the report be approved.**
- (iv) That the Action Plan attached at Appendix 2 to the report be approved.**
- (v) That the monitoring and review arrangements outlined in Section 5 of the report be approved and that a report also be submitted to the Cabinet every three months to monitor progress.**

- (vi) That the Cabinet places on record the Council's thanks to all those involved in the review, especially the families of the service users and the whistle-blowers.**