

MINUTE of MEETING of the SOCIAL POLICY, POLICY DEVELOPMENT AND SCRUTINY PANEL of WEST LoTHIAN COUNCIL held within COUNCIL CHAMBERS, WEST LoTHIAN CIVIC CENTRE on 5 NOVEMBER 2015.

Present – Councillors Danny Logue (Chair), Frank Toner, Tony Boyle, Diane Calder, Jim Dixon and John Muir

In attendance – Maureen Finlay, Senior People's Forum Representative

1. DECLARATIONS OF INTEREST

Agenda Item 12 – Alcohol Diversionary Activities

Councillor Dixon declared a non-financial interest arising from his position as a Board Member of West Lothian Youth Action Project.

Councillor Boyle declared a general non-financial interest arising from his position as a council appointee to the Community Justice Authority.

Councillor Logue declared a general non-financial interest arising from him being an employee of NHS Lothian and a Board Member of the Integrated Joint Board.

Councillor Toner declared a general non-financial interest arising from his position as a Non-Executive member of NHS Lothian and as the Chair of the Integrated Joint Board.

2. MINUTE

The Panel confirmed the minute of the meeting held on 3 September 2015 as being a correct record. The Chair thereafter signed the minute.

3. MEADOWVALE NURSING HOME

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the removal of the penalty and reinstatement of the full National Care Home Contract fee to Meadowvale Nursing Home who was awarded a Grade 4 by the Care Inspectorate in the category Quality of Care and Support. The Care Service inspection report for Meadowvale Care Home dated 1 May 2015 was attached as an appendix to the report.

The report recalled that in March 2014, Meadowvale Nursing Home was awarded a Grade 2 in the category Quality of Care and Support and the reduction was applied under the terms and conditions of the National Care Home Contract 2014/2015. The reduction of the quality payment was meant as a short term measure to facilitate improvement in the category Quality of Care and Support.

In May 2015 the Care Inspectorate awarded Meadowvale Nursing Home

Grade 4 indicating that improvements had been made to support reinstatement of the full fee under the terms and conditions of the National Care Home Contract. The full basic weekly fee was reinstated backdated to the inspection date of 1 May 2015.

Decision

Noted the contents of the report.

4. SOCIAL POLICY CONTRACT ACTIVITY UPDATE

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing an update on the contracting activity for the provision of care and support services in West Lothian for the period 1st April 2015 to 30th September 2015 as required under Council Standing Orders and Procurement Procedures.

Under the council's Health, Care and Support Services Procurement Procedures the Head of Social Policy was required to report bi-annually to the Social Policy PDSP. Appendix 1 to the report provided details of the Social Policy contracts which had either been awarded or amended under the guidance of the Social Policy Contracts Advisory Group.

Decision

Noted the contents of the report.

5. CHIEF SOCIAL WORK OFFICER'S ANNUAL REPORT 2014-2015

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the Chief Social Work Officer's Annual Report 2014/2015, details of which was attached as an appendix to the report.

The Head of Social Policy (Interim) advised that the 2014/2015 annual report provided an overview of the role and responsibilities of the Chief Social Work Officer and highlighted the governance arrangements that were in place in West Lothian. The report outlined the council's statutory duties, the decisions that were delegated to the Chief Social Work Officer and provided a summary of service performance.

The report advised that the delivery of social work services was challenging and in light of the current economic situation the importance of delivering vital services to the most vulnerable and marginalised in our community would test the council's capacity, creativity and commitment over the forthcoming year. It was essential to continue to develop and improve services while constantly seeking to become more efficient. Social Policy was well placed to address these challenges and would continue to contribute significantly to the delivery of positive outcomes for the people of West Lothian.

The Head of Social Policy (Interim) then responded to questions from

members of the Panel. She advised that the annual report for 2014/2015 would be submitted to the Scottish Government Chief Social Work Advisor and also submitted to the following meetings:

- a) Integration Joint Board on 8th December 2015; and
- b) Health and Care Policy Development and Scrutiny Panel on 10th December 2015.

Decision

Noted the contents of the report.

6. SCOTTISH GOVERNMENT CONSULTATION ON 'PRESUMPTION AGAINST SHORT PERIODS OF IMPRISONMENT'

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the Scottish Government Consultation about the future shape and operation of the legal presumption against short periods of imprisonment. West Lothian Council's response to the consultation was attached as an appendix to the report, which was compiled by the Criminal & Youth Justice Service Development Officer with input from three of the service's Team Managers with extensive experience of both community and prison-based services.

The basis of the consultation was that change appeared to be necessary since the current guidance made no meaningful difference to rates of use of short-term custodial sentences. While clearer legislation would help it was suggested that attention needed to be given to a range of related issues relating to:

- A baseline for shared understanding of the level of seriousness of an individual's offending;
- Greater clarity from sentencers about the reasons why there was no alternative to the use of custody;
- Better assessment of risk in relation to potential refusal of bail; and
- The financial re-allocations that might be required to ensure that any changes would work effectively.

The Panel was asked to note and consider the proposed response to the consultation by the Scottish Government in relation to the Presumption Against Short Periods of Imprisonment and agree that the response be submitted to Council Executive for approval and submission.

Decision

1. Noted the contents of the report; and
2. Agreed that the report be submitted to the Council Executive for

approval.

7. SCOTTISH GOVERNMENT CONSULTATION ON DRAFT ORDER TO REVISE THE PROCEDURES FOR COMPLAINTS ABOUT SOCIAL WORK

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the proposed response by West Lothian Council to the Scottish Government's Consultation on the Draft Order to revise the procedures for complaints about Social Work. The consultation document – Draft Order to revise the procedures for complaints about social work was attached at appendix 2 to the report.

The report explained that the consultation sought views on the Draft Order to revise the procedures for complaints about social work to allow the Scottish Public Services Ombudsman ("the SPSO") to consider complaints in relation to social work under their model Complaints Handling Procedures.

The Senior Manager Communities & Information advised the Panel that the Complaints Review Committee structure and process was dated and needed to be reviewed and modernised. While West Lothian Council agreed that the move towards a more responsive and streamline process would be appropriate it did not believe that the process should be discarded in its entirety. The council's views were outlined within the draft consultation response, details of which were attached at appendix 1 to the report. The Panel was also advised that the role of the Chief Social Work officer was not clear within the proposals.

If the Draft Order was approved it was expected to come into force on 1st October 2015 which would allow time for the preparations for the change to be undertaken.

The Panel was asked to note and consider the proposed response to the consultation by the Scottish Government in relation to the Draft Order to revise the procedures for complaints about Social Work which was intended to be submitted to the Council Executive for approval.

Decision

- Noted the contents of the report; and
- Agreed that the report be submitted to the Council Executive for approval.

8. REPORT ON REDUCING RE-OFFENDING COMMITTEE ANNUAL REPORT 2014-2015 AND ACTION PLAN 2015-2016 FOR WEST LOTHIAN

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the Reducing Re-offending Annual Report 2014-2015 and Action Plan 2015-2016, details of which

were attached as an appendix to the report.

The second Reducing Re-offending Committee Annual Report submitted was for the period 2014-2015 which included the Action Plan 2015-2016 and highlighted the work carried out by the Reducing Re-offending Committee and its associated sub-committees in driving forward key initiatives and developments in order to address the key priorities of the Scottish Government, West Lothian Council and its partners.

The Senior Manager, Young People and Public Protection, advised that during the course of 2014-2015 specific focus was on:

- The development of a new Reducing Re-offending Committee Performance Management Framework;
- Community Planning Partnership (CPP) Audit undertaken by the Accounts Commission;
- The development of the West Lothian Offender Profile 2013-2014; and
- Consultation on the Community Justice Redesign.

In addition the Reducing Re-offending Committee Annual Report outlined the main activities and initiatives which were taken forward in 2015-2016 in order to progress the Reducing Re-offending agenda.

Building resilient and safe communities and protecting people who were most at risk was a priority for West Lothian Council and its partners. Working together to deliver responsive, appropriate and early interventions would be key in delivering better outcomes for the citizens of West Lothian.

Decision

Noted the contents of the report and the work carried out by the Reducing Re-offending Committee and its associated sub-committees in driving forward key initiatives and developments.

9. REPORT ON WEST LOTHIAN OFFENDER PROFILE 2013-2014

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the West Lothian Offender Profile 2013-2014.

The report advised that the West Lothian Offender Profile provided useful data which continues to inform the Reducing Re-offending Strategy 2013-2018 and helps to identify priorities within West Lothian. Development would continue to ensure that systems were in place in order to provide information on continuing trends and patterns on the offending population within West Lothian. This would enable services to be targeted appropriately in the coming years.

The Senior Manager, Young People and Public Protection, then provided

the Panel with a breakdown of the key priorities for West Lothian which reflected the national picture and also provided an update on the crimes recorded by the police in Scotland for the period 2013-2014 compared to 2012-2013. A number of initiatives have continued to be developed within West Lothian to address the crime trends and the use of community based disposals increased over the course of the 2013-2014 period, primarily Community Payback Orders.

Decision

Noted the contents of the report and the developments in West Lothian to address crime trends.

10. ALCOHOL DIVERSIONARY ACTIVITIES

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the applications submitted for Alcohol Diversionary Funding. The two applications for consideration were attached as appendices to the report and were received from:

- Intensive Support Programme – Males – West Lothian Youth Action Project; and
- The 3 C's Project – Female – West Lothian Youth Action Project.

The Senior Manager, Community Care Support and Services, advised the Panel that the two applications had proceeded through their Local Area Committees and met the West Lothian Alcohol & Drug Partnership (WLADP) Joint Commissioning Plan outcomes as assessed by the WLADP Sub-group Panels on 6 October and 23rd October 2015.

The Senior Manager then responded to questions from members of the Panel. In response to a question regarding evaluating the performance of projects that had previously received funding from the Alcohol Diversionary Fund he undertook to submit a report to a future meeting of the Panel.

The Panel was asked to consider the applications submitted for Alcohol Diversionary Funding and agree to their submission to the Council Executive for approval.

Decision

1. Noted the contents of the report and considered the applications;
2. Agreed that the two applications for funding be submitted to the Council Executive for approval; and
3. Noted that a report would be submitted to a future meeting of the Panel on the evaluation of projects performance.

11 VOLUNTARY SECTOR DAY CARE CENTRES CONTRACTUAL ARRANGEMENTS

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the redesign of older people's day care services, in particular the development of an outcomes based service specification and a funding model which was consistent and equitable for all providers.

The Senior Manager Communities & Information advised the Panel that consistent with the guidance from the Scottish Government on Reshaping Care for Older People (RCOP) the council's focus was to move towards a strategic commissioning model, with a view to ensuring that resources were deployed on a needs-led basis to meet strategic outcomes within a contractual framework which ensured best value. A co-productive approach between West Lothian Council and Optima was carried out to redesign older people's day care services. An outcome based service specification and a funding model was developed which was consistent and equitable for all providers. A substantial increased investment by West Lothian Council of £200,000 was made to support the new model, which included a sustainable transport solution. The redesign of the third sector older people's day care services was intended to deliver a model of service that fitted with the main objective of supporting people to live as long as possible at home or in a homely setting.

Four of the five Optima member organisations, Answer House, Acredale House, Braid House and St Michael's wrote to the council confirming that they supported the proposal and wished to progress to a formal agreement without further delay. The fifth Optima member, the Rosebery Centre, had not yet formally confirmed their position in respect of the proposal. It was recommended that a new contract based on the proposed service specification and financial model be offered to all five centres.

The Panel was asked to note the contents of the report and agree that the report be forwarded to a suitable meeting of Council Executive for approval.

Decision

- Noted the contents of the report; and
- Agreed that the report be forwarded to the Council Executive for approval.

12. REPORT ON PREVENTING OFFENDING GETTING IT RIGHT FOR CHILDREN AND YOUNG PEOPLE

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy advising of the recent publication of the Scottish

Government's youth justice strategy for Scotland: Preventing Offending Getting it Right for Every Child, details of which was attached as an appendix to the report.

The Senior Manager Young People and Public Protection advised the Panel that the Preventing Offending Getting it Right for Children and Young People was built on the success of the Preventing Offending by Young People – Framework for Action in 2008. This represented a significant shift towards prevention and early intervention. Nationally, there has been substantial reductions in offence referrals to the Children's Reporter, the level of crime committed by young people and a reduction in 16 and 17 year olds in prison. Details of the priority themes for 2015-2020 were outlined in the report which related to:

- Advancing the Whole System Approach;
- Improving Life Chances; and
- Developing Capacity and Improvement.

In order to implement the strategy a Youth Justice Improvement Board would be established comprising of 10-15 members. Working groups would also be set up by the Improvement Board and would be aligned to the priority themes. Partnership working has been a crucial element of success in preventing offending and would remain integral to the delivery of the strategy. The West Lothian Whole System Approach Implementation Strategy drafted in 2012 was under review and being updated. The revised strategy and action plan would incorporate the priorities set out within Preventing Offending Getting it Right for Children and Young People. The progress on this would be reported to a future meeting of the Social Policy PDSP.

Finally, the preventative approach, which was further embedded in this new strategy for youth offending, was the most effective way of reducing crime, improving life chances and making the best use of resources. Timely, appropriate and effective interventions were required to address offending behaviour and its causes in order to keep children, young people and communities free from crime.

Decision

- Noted the contents of the report; and
- Noted that the progress of the revised strategy would be reported to a future meeting of the Panel.

13. INFORMATION IN RELATION TO THE DISCLOSURE SCHEME FOR DOMESTIC ABUSE (SCOTLAND)

The Panel considered a report (copies of which had been circulated) by the Head of Social Policy providing details of the implementation of the Disclosure Scheme for Domestic Abuse (Scotland) which came into effect

on 1 October 2015. The Right to Ask Poster, Right to Ask Leaflet and Information Bulletin for External Organisations were attached as appendices to the report.

The Senior Manager – Young People and Public Protection advised that the Disclosure Scheme for Domestic Abuse (Scotland) came into force on 1 October 2015 and was based on 'Claire's Law' which was named after Clare Wood, who was murdered by her ex-boyfriend in Salford in Greater Manchester in 2009. Clare's Law came into force in England and Wales on 8 March 2014 and covered heterosexual and homosexual relationships. Members were also provided with details of the research and evaluation carried out of the scheme in England and Wales and details of the Scottish pilot carried out in Aberdeen and Ayrshire, which received positive responses.

The report explained that the Disclosure Scheme was the sharing of information (including criminal convictions and other information known to the Police and other public bodies such as Social Work) about perpetrators of Domestic Abuse with persons at risk of harm by them. The scheme would provide two pathways to disclosure:

- Right to Ask; and
- Power to Tell

The Disclosure Scheme for Domestic Abuse (Scotland) aimed to prevent domestic abuse by empowering both men and women with the right to ask about the background of their partner or potential partner where there was a concern that the individual may be abusive and allow them to make an informed choice on whether to continue the relationship.

The Senior Manager then responded to questions from members. In response to a recommendation from the Panel that the implementation of the scheme should be advertised as widely as possible in West Lothian to raise awareness the Senior Manager confirmed that briefing sessions would be provided for key social work staff and promotional information would be distributed to all Social Work Centres.

The Panel was asked to note the contents of the report and the steps planned to raise awareness of the implementation of the Scheme in Scotland. It was also recommend that the report be submitted to the Council Executive for information.

Decision

Noted the contents of the report.

14. WORKPLAN

The Panel considered the contents of the workplan (copies of which had been circulated) subject to including the following reports:

1. Alcohol Diversionary Fund – Projects Performance Report; and

2. Youth Justice Strategy – Preventing Offending Getting it Right for Children and Young People strategy within West Lothian – update.

Decision

Noted the contents of the workplan and the reports to be included on the agenda.