

**BRIGHTON & HOVE CITY COUNCIL**

**HEALTH & WELLBEING BOARD**

**4.00pm 12 NOVEMBER 2019**

**COUNCIL CHAMBER, HOVE TOWN HALL**

**MINUTES**

**Present:** Councillors Moonan (Chair), Appich (Deputy Chair), Shanks (Opposition Spokesperson) and Nield

**Brighton and Hove CCG:** Ashley Scarff and Malcolm Dennett

**Also in Attendance:** Geoff Raw, Chief Executive; Deb Austin Acting Statutory Executive Director, Children's Service; Rob Persey, Statutory Director for Adult Social Care; Graham Bartlett, Independent Chair, Safeguarding Adults Board; Chris Robson, Independent Chair, Safeguarding Children Board and David Liley, Brighton and Hove Healthwatch

**PART ONE**

**28 DECLARATIONS OF SUBSTITUTES AND INTERESTS AND EXCLUSIONS**

**28(a) Apologies**

28.1 Councillor Bagaeen sent his apologies. Apologies were also received from Andrew Hodson, Chair of the CCG and Co-Deputy Chair of the Board, Lola Banjoko (CCG), Dr Jim Graham (CCG) and Alistair Hill (Director of Public Health).

**28(b) Declarations of Substitutes, Interests and Exclusions**

28.2 Deb Austin stated that she was in attendance in her capacity as Acting Executive Director for Families, Children and Learning, in substitution for Pinaki Ghoshal, who currently had responsibility as the Interim Director for Housing Neighbourhoods and Communities.

**28(c) Exclusion of press and public**

28.3 In accordance with Section 100A of the Local Government Act 1972 ("the Act"), the Health and Wellbeing Board considered whether the public should be excluded from the

meeting during consideration of any item of business on the grounds that it is likely in view of the business to be transacted or the nature of the proceedings, that if members of the public were present during it, there would be disclosure to them of confidential information as defined in Section 100A (3) of the Act.

28.4 **RESOLVED** - That the public are not excluded from any item of business on the agenda.

28.5 The Chair explained that this meeting although being webcast would not be available to watch live, although once uploaded would be available for repeated future viewing.

## 29 MINUTES

29.1 The Chair noted that some typos had been picked up and that the necessary corrections had been made to the version published on line and for her signature as Chair. No matters were raised relating to their factual accuracy and the Chair was therefore authorised to sign the minutes as a correct record.

29.2 **RESOLVED** – That the Chair be authorised to sign the minutes of the meeting held on 10 September 2019 as a correct record.

### Matters Arising

29.3 The Chair stated that although reference was not usually made to matters arising from the minutes there were three issues on which she wished to update the Board:

### Closure of GP Practices

29.4 At the last meeting of the Board there had been a Member question in relation to the closure of a GP practice. This had led to a wider discussion about the process from GP notification of closure to changes in GPs for patients. A report had been due to come to that day's meeting of the Board but had been held over until January 2020.

### Better Care Fund

29.5 At the previous meeting of the Board Members had been updated in respect of the Better Care Fund and it had been agreed that a further report would be brought to today's meeting of the Board that had been delayed however in consequence of further conversations which had taken place about NHS finances this had been delayed due to the forthcoming election.

### Update on Intensive Care Beds

29.6 At the its last the Board had considered a report in relation to Knoll House. The Board had asked for further details on where Brighton and Hove residents were being placed and the numbers involved, again this report would be brought to the scheduled January 2020 meeting of the Board.

29.7 **RESOLVED** – That the position be noted.

**30 THE CHAIR'S COMMUNICATIONS**

- 30.1 The Chair, Councillor Moonan, stated that she had short updates which were linked to the "Four Wells".

**Living Well**

- 30.2 "Carers Rights Day" would take place on 21 November. There would be a series of events across in the city including information, activities, and tea and cakes at the Brighthelm Centre between 2-4pm that day. A large number of agencies would be present and the day was aimed at helping unpaid carers in the city.

**Ageing Well**

- 30.3 Part of the Aging Well Strategy was to seek to ensure that choices were available about how and where people wished to live as they aged. Within Brighton & Hove there was a varied and vibrant Care Home sector. Care Home providers were supported in many ways one of which was through the Care Home Forum. The Care Home Forum met three times year, bringing together Care Home Owners and Managers with representatives from Health and Adult Social Care to share best practice. The latest forum held on 15<sup>th</sup> October had been the most successful to date, with almost 80 people in attendance. Andy Witham (Head of Commissioning) had kicked off proceedings with an update on the Council's Brexit planning, alongside a summary of recent consultation work with Care Home and Home Care providers about 'Planning for Winter'. Attendees had then received presentations from both health and social care colleagues covering a wide range of issues, including; NHS & Council collaboration with Care Homes, Medicines Management in Care Homes, the Care Home & Equipment Working Group, the 'Stop, Look, Care' booklet, Working With Resident with Complex Needs, representatives from East Sussex Fire and Rescue Service and others. There had been group discussions on Improving Discharge Pathways from Hospital, resulting in important actions about how to improve the experience of individuals leaving hospital. Councillor Appich had played an active role at the forum, and Adult Social Care colleagues would be arranging visits for Councillor Appich and the Chair herself to a number of residential and nursing homes across the city in the coming months. If other members of the Board wished to visit some of our providers they needed to contact, The Health and Wellbeing Board Business Manager, Barbara Deacon in order for her to liaise with the relevant staff.

**Dying Well**

- 30.4 The Brighton & Hove Health & Wellbeing Board Strategy included a new priority area; "Dying Well". The first step in delivering this priority would be a workshop bringing together key stakeholders across the city who could provide support in developing a city wide approach to improve health and wellbeing at the end of life and to help communities develop their own approaches to death, dying loss and caring. The first "Dying Well" workshop would take place in November and would cover:
- Ideas about what a citywide approach to dying well could look like and discussions about how a coalition of support could be built across Brighton and Hove;

- Raising awareness of public health approaches to dying well including the “Compassionate Cities Charter”;
- Sharing information on what is already happening in our city and considering examples of good practice;
- To agree the next steps.

30.5 **RESOLVED** – That the content of the Chair’s Communications be received and noted.

### 31 CALLOVER

31.1 All items set out on the agenda were reserved for discussion.

### 32 FORMAL PUBLIC INVOLVEMENT

#### 32(a) Written Questions

32.1 There were none.

#### 32(b) Petition(s) – To Halt the Rollout of 5G Technology

32.2 The Chair referred to the fact that a petition (set out at pages 21-24 on the agenda and below), had been referred from the meeting of Full Council held on 24 October 2019:

“We the undersigned petition Brighton & Hove Council to halt the rollout of 5G technology in Brighton & Hove and invoke the Precautionary Principal adopted by the EU in 2005 which states: “When human activities may lead to morally unacceptable harm that is scientifically plausible but uncertain, actions shall be taken to avoid or diminish that harm.” We, the residents of Brighton & Hove, insist that our City Council invoke the Precautionary Principal regarding 5G technology and all associated infrastructure before deploying it in our city. We (the residents) now call for independent research and for the City Council to prove to its constituents that 5G is SAFE and poses NO risk to human health, animals, wildlife, insects, birds and the ecosystem as a whole. Once 5G is deployed fully, it will expose people 24/7 to mandatory radiation without their informed consent, which constitutes a blatant breach of their Human Rights. WE DO NOT CONSENT UNTIL PROVEN SAFE.” (2,240 signatures)

32.3 The Chair, Councillor Moonan, explained that the Board could respond to the petition either by noting it or by calling for an officer report on the matter. In this instance this matter had been referred from Full Council with the request that the contents of the petition be noted and that a report be prepared for consideration at the next scheduled meeting of the Board, in this instance that would be in January 2020. The Chair indicated that in responding to the petition at Full Council she had accepted a Green Group amendment and indicated her willingness for a report to be brought forward to the meeting of the Board to take place in January 2020. It was suggested that a corporate report be prepared which would include details of the limits of the Council’s powers and would also detail the most up to date guidance issued by Public Health England. The Board were in agreement with the approach suggested by the Chair.

32.3 **RESOLVED** – That the content of the petition be noted and that a report on this subject be provided to the next scheduled meeting of the Board in January 2020.

**33 FORMAL MEMBER INVOLVEMENT****33(a) Petitions**

33.1 There were none.

**33(b) Written Questions**

33.2 There were none.

**33(c) Letters**

33.3 There were none.

**34 BRIGHTON & HOVE LOCAL SAFEGUARDING CHILDREN BOARD (LSCB)  
ANNUAL REPORT 2018/19**

- 34.1 The Board considered the Annual Report of the Local Safeguarding Children Board (LSCB) for 2018/19 outlining the progress the LSCB had made over the last year in respect to safeguarding and promoting the welfare of children and young people; the report covered the period 1 April 2018 to 31 March 2019.
- 34.2 It was noted that this would be the last annual report of the LCSB as it was now in the process of transitioning to new safeguarding partnership arrangements brought about by the enactment of the "Children and Social Work Act (2017)". Going forward the "Safeguarding Partners" – the Local Authority, Brighton and Hove Clinical Commissioning Group and Sussex Police who would have joint responsibility for all safeguarding arrangements. The multi-agency approach in place would continue to be applied going forward to meet the challenges to be addressed, exploitation was an area in particular in which a lot of work had been undertaken already.
- 34.3 The Independent Chair of the Board, Chris Robson, introduced the report and highlighted the achievements that had been realised during 2018/19 and the continued challenges to be addressed under the transitional and new safeguarding arrangements. There had been a significant increase in the numbers of people attending multi-agency training at all levels and development of their neglect strategy had gathered pace. It had been recognised that a robust multi-agency approach was required to all forms of exploitation and excellent joint working had been achieved with the Safeguarding Adult Board and the Community Safety Partnership. A Violence, Vulnerability and Exploitation week of action was planned for later in the year and the theme of that week would be "Spotting the Signs of Exploitation."
- 34.4 Councillor Nield asked where figures cited for the city across various groups asking sat within the picture nationwide. Chris Robson, the Independent Chair of the Board explained that the challenges to the Board's work across the city reflected the continuing challenges they faced, also, their commitment to address issues, especially during the transition period to the new arrangements. Although he did not have the national figures available Mr Robson agreed to provide them if required. Nationally, the instances of child safeguarding had risen over recent years. Councillor Nield also requested the

number of children in the city who were being home educated and details of the interface the local education authority and others had with them. The Acting Executive Director, Deb Austin, explained that she would ensure that information was circulated to Board Members separately.

- 34.5 Councillor Nield also enquired regarding the wait time for children awaiting CAHMS referrals. It was explained that currently this stood at around 8 weeks for tier 3 and far longer for lower tier cases. It was recognised that this waiting time was too long, although support was available in schools via the community mental health team. Transition arrangements were in place to facilitate progression from childhood to adult services. The Director of Commissioning and Deputy Chief Officer, Ashley Scarff, explained that a comprehensive review of child mental health services was currently under way and it was anticipated that details of that could be provided to the Board at its meeting in January 2020.
- 34.6 Councillor Shanks referred to the serious case reviews which had taken place requesting whether/what information could be provided to Members as this background information was useful for them. Mr Robson explained that there was very little information which was not published. In respect of the “voice of the child”, Councillor Shanks stated that it was unclear to her how each of the partner services worked together to ensure that children did have a voice, often the issues involved could be complex. Mr Robson explained that in addition to the measures which were in place, it was also necessary to target specific groups; one of the challenges was how you reached a particular cohort.
- 34.7 Councillor Appich referred to children who were “missing” from education and asked how their needs were picked up, also of those children who were the subject of private fostering arrangements. Councillor Appich also referred to the three education providers that had not co-operated directly with the LCSB, enquiring regarding measures to be put into place to encourage their future interaction. The Acting Executive Director of Families, Children and Learning stated that these issues were being addressed in liaison with the LSCB, she would ensure that the most up to date figures held by the department were forwarded to Members.
- 34.8 The Chair, Councillor Moonan, asked whether those children for whom the council had corporate parental responsibility had specific vulnerabilities. It was explained that there was no evidence to suggest this was the case, the Acting Executive Director of Families, Children and Learning stated that the local authority did have specific safeguarding measures in respect of its looked after children.
- 34.9 **RESOLVED** – (1) That the Board notes the contents of the report and commends the partner agencies for their contribution to keep children safe from abuse and neglect; and (2) also notes the Local Safeguarding Children Board’s achievements and the challenges as set out on Page 7 of the circulated Annual Report.

**35 BRIGHTON & HOVE SAFEGUARDING ADULTS BOARD, ANNUAL REPORT 2018/19**

- 35.1 The Board considered the annual report of the Brighton and Hove Safeguarding Adults Board (B&H SAB) for 2018/19. The Board were asked to note the achievements for and challenges of the Board set out on pages 9 and 10 of report. The report covered the period 1 April 2018 to 31 March 2019.
- 35.2 It was noted that the SAB comprised senior representatives from statutory and non-statutory agencies and organisations in Brighton and Hove with responsibility for safeguarding adults with care and support needs. The role of the Board was to co-ordinate local safeguarding activity and to seek to ensure the effectiveness of local work; it was a statutory requirement that it publish an annual report evaluating the effectiveness of safeguarding arrangements for adults with care and support needs in the local area.
- 35.3 The Independent Chair to the Board, Graham Bartlett introduced the report and highlighted its achievements and the challenges to its work going forward. The continuing aim of the SAB was to provide strategic leadership to ensure that adults who were at risk of abuse or neglect were effectively safeguarded and to co-ordinate and assure the safeguarding system. His role was to support and challenge SAB partners and agencies in the city to work collaboratively for the care of adults with care and support needs and to bring about continuous improvement.
- 35.4 Reflecting on the SAB's achievements over the past year progress had been made against a number of priorities set out in the Strategic Plan and he wished to acknowledge the hard work and commitment shown by all partner assurance agencies in seeking to achieve those aims. A notable achievement had been the positive impact which had resulted from the creation of the Quality Assurance and Learning Development Officer role which was shared with East Sussex. In consequence the data collected had improved and auditing arrangements had been strengthened thus ensuring that learning from reviews carried out had been taken forward and embedded into practice.
- 35.5 The small budget which the SAB had to carry out its work remained an issue. The SAB had struggled with some of its priorities as, compared with similar Boards, it operated with a particularly small budget which had a real impact on its capacity. He was committed to working with the Local Authority, Police, NHS and statutory partners in order to improve that situation as it presented a continued risk to the Board's work.
- 35.6 The CEO of Healthwatch, Brighton and Hove, David Liley, commended the report explaining that Healthwatch, Brighton and Hove had worked closely with the Brighton and Hove SAB over the last year. Healthwatch's focus was to improve how people experienced health and social care services, particularly in the case of vulnerable people and those who did not have a strong voice. The Brighton and Hove Safeguarding Board provided excellent leadership and co-ordination and a focus for partnership to promote high standards of safety and quality in health and social care for vulnerable adults in the city.

- 35.7 Councillor Shanks referred to the “Deprivation of Liberty” legislation which had been put into place asking whether/what impact this had had on the SAB’s work and whether there had been linked to public health initiatives, age related suicide prevention and measures in relation to vulnerable groups. It was explained that the position remained that those with lack of mental capacity could not have their liberty removed unless there was good reason to do so. In the longer term it was hoped that the number of individuals to whom this applied would reduce although the guiding principles remained the same. Those covered by the SAB were not considered to have specific vulnerabilities towards potential suicide but to abuse and or neglect.
- 36.8 The Chief Executive, Geoff Raw, stated that there was recognition that there were a lot of vulnerable people in the city both children and adults and thought was being given to the means by which their continuing needs could be best served going forward including the arrangements for those who were vulnerable children who could then become vulnerable adults.
- 36.9 Mr Bartlett confirmed that going forward discussions were taking place in order to ensure that the Board continued to receive perspectives from those who could bring valuable expertise and experience. Besides a number of voluntary sector partners a broad spectrum of disciplines were recognised as needing to give input in order to act robustly on behalf of and to give those who were vulnerable a voice.
- 36.10 Councillor Appich commended the report and was pleased to note that it appeared that efforts to increase the funds available for the SAB’s work appeared as if they would come to fruition. Linkage and collaboration with children’s safeguarding was critical.
- 37.11 The Executive Director of Adult Health and Social Care also commended the report and the work undertaken by the SAB. They acted robustly in scrutinising the work of the local authority and other partners and of holding them to account which was a very important role.
- 37.12 **RESOLVED** - (1) That the Board notes the content of the report and commends the partner agencies for their contribution to safeguarding adults with care and support;
- (2) also notes the Safeguarding Adults Board’s achievements and challenges as set out on Pages 9 and 10 of the circulated Annual Report.

## **36 COMMISSIONING OF A SUPPORTED LIVING SERVICE FOR PEOPLE WITH COGNITIVE IMPAIRMENTS**

- 36.1 The Board considered a report of the Executive Director of Health and Social Care setting out the need for further supported living services for adults with cognitive impairments in Brighton and Hove. This service directly supported the Health and Wellbeing Strategy of the council’s “Living Well” agenda by helping people to live independently within their community. The Board were being asked to give approval to procure and award a contract to a suitably qualified and experienced provider to provide a supported living service to four adults in self-contained flats in the Poet’s Corner area of Hove.



- 36.2 The report went on to explain that on 1 July, Southdown Housing Association had given notice to the Council terminating their contract to provide the Supported Living Service at the properties in the Poet's Corner area of Hove, in their view the properties were not of a design conducive to meeting the complex needs of three of the service users who had been placed there. One individual for whom alternative accommodation could not be found was continuing to live there and would continue to be supported by Southdown Housing Association until an alternative support provider could be found. The Families, Children and Learning Assessment Service had confirmed that they no longer had a use for the other three flats but would continue to fund the support costs for the current resident.
- 36.3 The Chair, Councillor Moonan, stated that she welcomed the report which set out a clear explanation for the decisions that had been taken to date and the rationale for the recommendations placed before the Board that day. The Chair was anxious that this matter be expedited and that the Board were fully engaged in that process. In consequence she proposed that the matter be determined by calling either, an Urgency Sub-Committee meeting or a Special meeting of the Board dependent on which route was deemed the most appropriate once the review of the procurement options appraisal had taken place.
- 36.4 Councillor Shanks stated that the additional information requested and provided detailing the process which had taken place to date and the need for the proposed changes in provision had addressed her initial concerns in respect of this matter. Whilst satisfied regarding the need for the action taken she remained of the view that it was important for Board members to be actively involved in the decision making process and was pleased that this had been taken on board going forward. Councillor Nield concurred in that view.
- 36.5 Councillor Appich also welcomed the report and the details provided which set out clearly the reasons for the urgent action taken. The action proposed gave the opportunity to provide support which was more appropriate and person centred and she was encouraged by the plans which were in place to engage with the local community.
- 36.6 **RESOLVED** - (1) That the Board approves the two optioned approach for procuring Support Services as outlined at paragraphs 2.9 – 2.13 of the report;
- (2) That the Board confirm the agreed procurement route following a review of the procurement options appraisal by convening a Special/Urgency meeting as appropriate if this does not fit with current Board timelines;
- (3) Following agreement of the procurement route it is recommended that the Board grant delegated authority to the Executive Director of Health and Adult Social Care (HASC) to:
- (i) Undertake the procurement of a suitably qualified provider to deliver a Supported Living Service to the value of £250,000 per annum, and to award a contract for three years to the successful provider; and
- (ii) Extend the contract at the end of the three year term for a further period of up to two years if it is deemed appropriate and subject to available budget.

**37 ITEMS TO BE SUBMITTED TO COUNCIL FOR INFORMATION**

37.1 There were none.

The meeting concluded at 5.30pm

Signed

Chair

Dated this

day of