

Annex A

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Appendices 1 – 28
as Referred to in the Report**

Terms of Reference for the Investigation

WIRRAL COUNCIL

Notice of executive decision by individual Cabinet Member

This notice is made in accordance with Rule 18.4 of the Council's Access to Information Procedure Rules which provides that:

As soon as reasonably practicable after an Executive decision has been taken by an individual member of the Cabinet or key decision has been taken by an officer, he/she will prepare, or instruct the proper officer to prepare, a record of the decision, a statement of the reasons for it and any alternative options considered and rejected. The provisions of Rules 7 and 8 (inspection of documents after meetings) will also apply to the making of decisions by individual members of the Cabinet. This does not require the disclosure of exempt or confidential information or advice from a political assistant.

Decision maker: [REDACTED] Leader, Wirral Council.

Decision title: Appointment of an independent person to review the Council's response to the concerns raised by [REDACTED]

Substance of decision taken: To instruct the Chief Executive to invite [REDACTED] to undertake a thorough independent review of the Council's response to the concerns raised by [REDACTED] to:

- determine whether, in [REDACTED] professional opinion, all of the issues raised by [REDACTED] have been properly and adequately addressed;
- determine if all lessons to be learned across the Council have been properly and thoroughly heeded; and
- reassure the Leader and the Portfolio Holder that no similar matters need to be addressed.

Authority under which decision is made: As Leader of the Council.

Is this a key decision? No.

Statement of the Reasons for the decision:

In 2007 [REDACTED] raised a number of concerns with the Audit Commission under the Public Interest Disclosure Act (PIDA). These concerns included matters relating to the application of a Special Charging Policy for adult social care service users at Supported Living Units in Wirral between 1997 and 2006. In August 2008 the Audit Commission delivered its PIDA Report to the Council. This was then the subject of internal investigation by officers which lead the Council to acknowledge that a group of vulnerable people with learning disabilities in the care of the Authority were subjected to excessive charging over many years, whilst other service users were neither assessed nor charged.

In view of the seriousness of the issues raised by [REDACTED], I believe that it is in the public interest for a thorough independent review of the Council's response to the concerns raised by [REDACTED]. This review will determine whether all the issues raised by [REDACTED] have been properly and adequately addressed: and if all lessons to be learned across the Council have been properly and thoroughly heeded. The review will also reassure the Leader and the Portfolio Holder that no similar matters need to be addressed.

I have therefore decided to instruct the Chief Executive to invite [REDACTED] to undertake an independent review of the Council's response to the concerns raised by [REDACTED] and to report back to the Cabinet by 30 September 2010, if possible. [REDACTED] is a highly respected public sector professional, with over twenty years

Anonymised Table of Meetings Held

1. All meeting notes have been agreed with those parties present, except as follows:
 - a. For the one meeting for which the notes could not be agreed, the party has submitted his/her own recollection of the meeting and had already supplied a considerable amount of documentation. All of this has been fully taken into consideration when producing this report.
 - b. Two individuals subsequently left the Council's employ before agreeing the notes. For this report these notes have been used for context purposes only.

	Employee/ External Interviewee	Date of Meeting	Date Signed Notes Received
1.	E	15/09/2010	30/09/2010
2.	E	15/09/2010	01/12/2010
3.	EI	16/09/2010	25/03/2011
4.	E	28/09/2010	20/10/2010
5.	EI	28/09/2010	Own notes submitted by interviewee
6.	E	29/09/2010	27/10/2010
7.	E	29/09/2010	Left the authority before agreeing notes
8.	E	29/09/2010	11/02/2011
9.	E	05/10/2010	09/12/2010
10.	E	06/10/2010	08/12/2010
11.	E	06/10/2010	08/12/2010
12.	E	12/10/2010	04/11/2010
13.	E	12/10/2010	15/11/2010
14.	E	13/10/2010	09/12/2010
15.	E	19/10/2010	13/01/2011
16.	E	20/10/2010	20/01/2011
17.	E	20/10/2010	18/01/2011
18.	E	28/10/2010	30/11/2010
19.	E	28/10/2010	06/12/2010
20.	E	01/11/2010	20/05/2011
21.	E	02/11/2010	09/12/2010
22.	EI	02/11/2010	21/02/2011
23.	E	02/11/2010	16/02/2011
24.	E	03/11/2010	09/12/2010
25.	EI	03/11/2010	28/01/2011
26.	E	18/11/2010	03/02/2011
27.	E	18/11/2010	01/02/2011
28.	E	24/11/2010	21/02/2011
29.	E	25/11/2010	04/02/2011
30.	EI	25/11/2010	25/03/2011
31.	E	25/11/2010	20/01/2011
32.	E	26/11/2010	02/03/2011
33.	E	26/11/2010	29/03/2011
34.	E	29/11/2010	24/02/2011
35.	E	29/11/2010	31/01/2011
36.	E	30/11/2010	22/12/2010
37.	E	30/11/2010	20/01/2011

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38.	E	18/11/2010	20/01/2011
39.	E	01/12/2010	20/05/2011
40.	E	01/12/2010	22/02/2011
41.	E	13/12/2010	24/02/2011
42.	E	13/12/2010	09/03/2011
43.	E	14/12/2010	13/01/2011
44.	EI	14/12/2010	03/03/2011
45.	E	14/12/2010	23/12/2010
46.	E	14/12/2010	07/04/2011
47.	E	10/01/2011	11/02/2011
48.	E	10/01/2011	02/03/2011
49.	E	11/01/2011	01/02/2011
50.	E	11/01/2011	14/02/2011
51.	E	11/01/2011	28/02/2011
52.	E	11/01/2011	02/03/2011
53.	E	11/01/2011	02/03/2011
54.	E	17/01/2011	03/03/2011
55.	E	17/01/2011	Left authority-signed notes not received
56.	E	18/01/2011	10/02/2011
57.	EI	18/01/2011	Signed notes not received
58.	EI	19/01/2011	22/02/2011
59.	EI	07/02/2011	04/04/2011
60.	E	07/02/2011	24/02/2011
61.	E	07/02/2011	06/05/2011
62.	E	14/02/2011	20/04/2011
63.	E	15/02/2011	04/04/2011
64.	E	15/02/2011	02/03/2011
65.	EI	28/02/2011	04/04/2011
66.	E	01/03/2011	03/05/2011
67.	E	14/03/2011	20/05/2011
68.	CLLR	14/03/2011	11/05/2011
69.	E	15/03/2011	23/05/2011
70.	EI	15/03/2011	21/04/2011
71.	EI	Letter Sent Out 05/04/2011	Response Received 13/04/2011
72.	EI	Letter Sent Out 05/04/2011	Response Received 23/05/2011
73.	E	04/05/2011	20/05/2011
74.	E	04/05/2011	18/05/2011
75.	E	11/11/2011	06/12/2011
76.	E	17/11/2011	06/12/2011
77.	EI	24/11/2011	
78.	EI	24/11/2011	
79.	EI	24/11/2011	
80.	EI	24/11/2011	
81.	E	25/11/2011	08/12/2011
82.	EI	25/11/2011	06/12/2011
83.	EI	12/12/2011	

Examples of Documentation Reviewed

Documents Submitted for Review By:	Examples of Documents:
DASS - Safeguarding Adults	<ul style="list-style-type: none"> ▪ [Redacted] File ▪ [Redacted] File ~ e-mails, Adult Protection Strategy Meeting Minutes, Investigation Reports, Adult Protection Referrals ▪ [Redacted] - Adult Protection Meeting minutes ▪ Safeguarding Adults – Performance Reports ▪ Safeguarding Adults – Partnership Board Agenda & Minutes, various meetings
DASS - Heads of Branch	<ul style="list-style-type: none"> ▪ Position Statement – Mental Health & Learning Disability Finance 05/06 ▪ Analysis of supported Living Placements in Mental Health & Learning Disabilities – October 05 ▪ Supplementary Papers for [Redacted] questions (specific items) ▪ Supplementary Papers for [Redacted] questions (general items) ▪ File – [Redacted] (previously used by [Redacted]), various documentation including letters, tenancy agreements and tenant correspondence. ▪ File – [Redacted] Various documents including strategy Meeting Minutes, Adult Protection Meeting Minutes, letters, and general tenant correspondence. ▪ Papers Re: [Redacted] 'grievances' ▪ Peer Review Safeguarding in Wirral (February 2010) ▪ Member Charging Group minutes
Mr M Morton	<ul style="list-style-type: none"> ▪ [Redacted] – various documentation including reports, Strategy Meeting Minutes, letters, tenant correspondence, various e-mails. ▪ [Redacted] various documentation including reports, Strategy Meeting Minutes, letters, tenant correspondence, various e-mails, report of events related to the withdrawal of services by ALS 1-9 February 2007 ▪ Supporting People Review of [Redacted] ▪ Supported Living Accreditation documentation ▪ Notes of [Redacted] meeting June 2006

	<ul style="list-style-type: none"> ▪ Accreditation Process various documentation. ▪ [REDACTED] – Various documentation
<p>Corporate Services, Housing & Regeneration - Supporting People Team</p>	<ul style="list-style-type: none"> ▪ Various documentation regarding [REDACTED] which includes e-mails, Strategy Meeting Minutes & Adult Protection Meeting Minutes. ▪ Tenancy Agreements ▪ Note on [REDACTED] Tenancy issues ▪ Housing Benefit and Council Tax Benefit Circular ▪ Meeting notes and e-mails relating to concerns raised with DASS ▪ Inspections – concerns raised against [REDACTED]
<p>Finance - Housing Benefit Manager</p>	<ul style="list-style-type: none"> ▪ File – Includes various documentation Re: Tollemache Rd, Balls Rd, Shrewsbury Rd, SIL & Jamie Robinson ▪ A sample of [REDACTED] Tenancy Agreements ▪ Corporate Retention & Destruction Policy (2011 Draft)
<p>Finance – Records Management & Archives</p>	<ul style="list-style-type: none"> ▪ Various documentation including communication books from West Wirral properties, staff log books, client files. ▪ Various documentation Re: Balls Road
<p>Finance Internal Audit</p>	<ul style="list-style-type: none"> ▪ Audit Report and Recommendation summary for audits between 2001 – 2011 ▪ Various Committee Reports ▪ Various e-mails/documents relating to the original PIDA ▪ Spreadsheets relating to charges and payments from service users ▪ Interview notes from Internal Audit review ▪ File regarding Accreditation process ▪ Internal Audit reports to Audit and Risk Management Committee ▪ Charging policy documentation ▪ Copy of original complaint from whistleblower ▪ Whistle-blowing documentation ▪ Documentation relating to Balls Road Unit

<p>Law, HR & Asset Management – Legal Section</p>	<ul style="list-style-type: none"> ▪ Various e-mails Re: [REDACTED] ▪ Documentation Re: [REDACTED] Appeal ▪ Memos/Letters regarding [REDACTED] Contract, appeals and complaints ▪ [REDACTED] Employees Employment Tribunal documents ▪ Various e-mails regarding [REDACTED] ▪ [REDACTED] meeting notes and strategy meeting minutes ▪ Report on events related to the withdrawal of services by [REDACTED] (February 2007)
<p>Documents obtained following interviews with various officers: DASS</p>	<ul style="list-style-type: none"> ▪ Copy of minutes from Appeals Panel ▪ Documentation regarding Compromise Agreement ▪ Accreditation tender submissions and associated documentation (Approximately 20 boxes) ▪ Change Team project plans ▪ Documentation regarding CQC report recommendations ▪ Overview and Scrutiny Committee reports ▪ Referrals to providers/quality assurance ▪ Documentation relating to advocacy ▪ Documentation regarding care charges and staff concerns ▪ Documentation regarding the conservatory at a West Wirral property (minutes from meetings) ▪ Minutes of ARM Committee relating to reimbursements ▪ Stage 3 complaint documentation (service user) ▪ Compromise Agreement documentation ▪ Documentation relating to the monitoring of the CQC report/action plan ▪ Various documents relating to involvement in advising/assisting service users with regard to advocacy/reimbursement payments ▪ E-mails/documents supporting the tender process ▪ Service user Questionnaire

Finance	<ul style="list-style-type: none">▪ E-mails regarding tax compliance involvement in compromise agreement payment▪ Various documentation regarding the payment▪ Procurement Manager ToRs▪ Notes on advice given to DASS on procurement issues▪ Best Value Review of Procurement for Wirral Council
Law, HR and Asset Management	<ul style="list-style-type: none">▪ Manual of Law and Practice – relevant pages of Knowles▪ List of all council run LD properties

Internal Audit Reviews

Supported Living Units - Audit Reports 1994 to 2006

A. Fellowship House.

Review Date	Recommendations Made
19/12/94	<ul style="list-style-type: none"> Financial assessments should be undertaken for clients at this establishment.
19/09/96	<ul style="list-style-type: none"> A review of charges is required <p>This was raised at the last audit dated 19/12/94 which also requested financial information concerning financial assessment for this type of client.</p>
12/11/97	<ul style="list-style-type: none"> The Charging Policy should be reviewed and presented to Committee for approval. (reported by IA in mast reports since 1989 the latest dated 4 October 1996 and 19 December 1994 – The Action Plan dated 8 December 1996 indicated that it was currently under review)) Residents should be financially assessed to complement the review of the Charging Policy and maintain equity across groups and income maximisation. (Please see my Memorandum dated 19 December 1994 and 24 January 1995 and your reply dated 13 January 1995) A register of Residents detailing their payments for rent, food and fuel should be reinstated and maintained. (This was reported following the audit on 24 November 1989 and reiterated at the audit in February 1992) <p>The charges made to clients, ie. The contribution of £25.00 made weekly by the residents for food and fuel have not been reviewed for some considerable time. This has been reported by Internal Audit in most reports since 1989 the latest being 4/10/96 and 19/12/94</p>
9/12/98	<ul style="list-style-type: none"> The Charging Policy in relation to the weekly contribution made by the residents for food and fuel should be reviewed and presented to Committee for agreement. The residents of the unit should be financially assessed in line with other residential units to ensure that contributions to the running costs of the unit are maximised.
25/09/01	<ul style="list-style-type: none"> Within the review of the contribution paid by clients a clear policy should be included for when clients should be charged.
30/07/02	<ul style="list-style-type: none"> The Charging Policy for Residential Accommodation at fellowship House and other similar establishments should be reviewed and agreed in accordance with the Authority's Constitution. A Financial Assessment of each resident at Fellowship House should be undertaken and assessed charge implemented to ensure the correct income due to the authority is received. <p>It should be noted that this matter was first reported in 1989 and in subsequent audit reports over the past thirteen years. (The potential loss of income to the Authority from residents at Fellowship House could exceed £7,500 per annum)</p>
10/08/04	<ul style="list-style-type: none"> The Charge Policy for residential accommodation at Fellowship House should be reviewed and agreed in accordance with the Authority's Constitution. Audit should be informed when the review has been

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	<p>completed.</p> <p>This has been reported in previous reports, but had not been actioned at the time of the audit. However, [REDACTED], Project Officer, Social Services has informed that the implementation of a policy is currently in progress. We intend to follow up this action later in 2004.</p>
16/02/05	<p>Follow-up Audit of report dated 10/08/04</p> <ul style="list-style-type: none"> It was noted that the Charging Policy was currently under review – The Manager should contact Head Quarters to ascertain the current situation of the review and inform audit when the review has been completed.
01/08/06	<ul style="list-style-type: none"> The £25 'food and fuel' charge should be reviewed and approved in accordance with the Authority's Constitution. Internal Audit should be informed when the review has been completed. It should be ensured that a re-assessment is undertaken through Adult Social Services H.Q. and that service users are charged in accordance with the approved charging policy. <p>This charge has not been approved and has not been reviewed for a number of year – it has been reported at each audit since 7/12/94</p>

B. Balls Road

Review Date	Recommendations Made
10/02/98	<ul style="list-style-type: none"> The Establishment should obtain and apply an up to date Charging Policy for the clients' contribution to their rent. Changes to the Charging Policy should be presented to Committee for approval. Register of Residents detailing their rent payments and balances should be drawn up and maintained. This would provide a management trail and ensure that all clients are paying their rent regularly.
11/08/99	<ul style="list-style-type: none"> The charging policy in relation to the weekly contributions should be formally approved by Committee.
06/08/02	<ul style="list-style-type: none"> The Charge Policy should be reviewed and approved in accordance with the Authority's Constitution. The charges at other similar establishments should be included in the review to ensure consistency. The weekly accommodation charge of £35 per week should be collected from tenants each week. Consideration should be given to calculating and collecting the outstanding amounts from each tenant. <p>There appears to be an inconsistency between the charges made at this unit and those charged at Fellowship House, which was also the subject of a recent routine internal audit visit.</p>

C. Curlew Way

There are no responses from the Director on file

Review Date	Recommendations Made
07/08/98	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report.
16/01/02	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report. <p>Memo on file from DASS to [REDACTED] Team Co-ordinator with states "We have spoken to [REDACTED] regarding your request for a copy of The Charging Policy for Supported Living. [REDACTED] informed us that the Department did not have one, but if you felt that the residents needed to be reassessed</p>

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at any time you should make the request to [redacted] direct).

D. Edge Hill Road

There are no responses from the Director on file

Review Date	Recommendations Made
07/08/98	None re: Charging Policy within the Audit Report.
18/01/02	<p>A Financial Assessment for [redacted] should be completed as soon as possible. Financial Assessments for all Residents should be completed annually. This should be incorporated onto the Managers Checklist.</p> <p>Memo on file from DASS to [redacted] Team Co-ordinator with states "We have spoken to [redacted] regarding your request for a copy of The Charging Policy for Supported Living. [redacted] informed us that the Department did not have one, but if you felt that the residents needed to be reassessed at any time you should make the request to [redacted] direct).</p>

E. Bermuda Road

There are no responses from the Director on file

Review Date	Recommendations Made
06/08/98	None re: Charging Policy within the Audit Report.
20/02/02	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report. <p>Memo on file from DASS to [redacted] Team Co-ordinator with states "We have spoken to [redacted] regarding your request for a copy of The Charging Policy for Supported Living. [redacted] informed us that the Department did not have one, but if you felt that the residents needed to be reassessed at any time you should make the request to [redacted] direct).</p>

F. Manor Road

There are no responses from the Director on file

Review Date	Recommendations Made
12/03/97	Unable to locate Audit Report – Not on the file.
19/05/98	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report.
25/10/01	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report.
13/08/03	<ul style="list-style-type: none"> A review of the charging operation at the unit should be undertaken. This may also apply to other units that operate the same "No board arrangements/Pay as you eat" scheme.
14/09/05	<ul style="list-style-type: none"> The weekly charge collected from service users should be increased to £63.25pw. The shortfall of £1.75pw with effect from April 2005 should be recovered. The weekly charge for rent/services should be reviewed. (This item was reported at the previous audit dated 13/08/03)

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G. North Road

There are no responses from the Director on file

Review Date	Recommendations Made
12/03/97	Unable to locate Audit Report – Not on the file.
09/02/98	Unable to locate Audit Report – Not on the file.
28/09/99	<ul style="list-style-type: none"> The Charging Policy in relation to the weekly contributions should be formally approved by Committee. The operation of the Housekeeping Fund should be formalised. This recommendation may also apply to similar units offering this type of facility.
24/04/03	<ul style="list-style-type: none"> The basis and authority for the weekly charge for rent should be reviewed and appropriate action taken. Departmental Management should issue clear instructions to the Establishment in order for the Manager to formalise the arrangements relating to the 'Housekeeping Fund'
08/08/05	<ul style="list-style-type: none"> The basis and authority for the weekly charge should be reviewed and appropriate action taken. <p>The Audit Report highlighted the following as an important weakness that should be addressed to ensure the control environment does not deteriorate.</p> <ul style="list-style-type: none"> A number of discrepancies were identified surrounding the Establishment's income arrangements, in particular the anomalies surrounding the charges being applied at the Establishment. It appears that the Charging policy has not been approved nor is it clear what the charges cover.

H. 27 Shrewsbury Road

There are no responses from the Director on file

Review Date	Recommendations Made
14/04/97	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report.
18/08/98	<ul style="list-style-type: none"> None re: Charging Policy within the Audit Report.
07/10/02	<ul style="list-style-type: none"> A review of the charges being made at all the Authority's 'semi-independent living units' should be undertaken. It should be ensured that all charges being made to clients are consistent and approved in accordance with the Authority's Constitution. <p>The Audit Report highlighted the following as an important weakness</p> <ul style="list-style-type: none"> There appears to be inconsistency between the charges made at this unit and those charged at Fellowship House and 27 Balls Road which were also the subject of recent routine internal audit visits (see reports dated 05/08/02 and 12/08/08)

I. 5-7 St Andrews Road/80 Shrewsbury Road

There are no responses from the Director on file

Review Date	Recommendations Made
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01/03/99			• None re: Charging Policy within the Audit Report.	
23/07/02			• None re: Charging Policy within the Audit Report.	
Fellowship House	569	12 Nov 1997	<p>The Charging Policy should be reviewed and presented to Committee for approval. (reported by IA in most reports since 1989 the latest dated 4 October 1996 and 19 December 1994 – The Action Plan dated 8 December 1996 indicated that it was currently under review)</p> <p>Residents should be financially assessed to complement the review of the Charging Policy and maintain equity across groups and income maximisation. (Please see my Memorandum dated 19 December 1994 and 24 January 1995 and your reply dated 13 January 1995)</p> <p>A register of Residents detailing their payments for rent, food and fuel should be reinstated and maintained. (This was reported following the audit on 24 November 1989 and reiterated at the audit in February 1992)</p> <p>The charges made to clients, ie. The contribution of £25.00 made weekly by the residents for food and fuel have not been reviewed for some considerable time. This has been reported by Internal Audit in most reports since 1989 the latest being 4/10/96 and 19/12/94</p>	No response on File
		9 Dec 1998	<p>The Charging Policy in relation to the weekly contribution made by the residents for food and fuel should be reviewed and presented to Committee for agreement.</p> <p>The residents of the unit</p>	No response on File

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		25 Sept 2001	<p>should be financially assessed in line with other residential units to ensure that contributions to the running costs of the unit are maximised.</p> <p>Within the review of the contribution paid by clients a clear policy should be included for when clients should be charged.</p>	No response on File
		30 Jul 2002	<p>The Charging Policy for Residential Accommodation at Fellowship House and other similar establishments should be reviewed and agreed in accordance with the Authority's Constitution.</p> <p>A Financial Assessment of each resident at Fellowship House should be undertaken and assessed charge implemented to ensure the correct income due to the authority is received.</p> <p>It should be noted that this matter was first reported in 1989 and in subsequent audit reports over the past thirteen years. (The potential loss of income to the Authority from residents at Fellowship House could exceed £7,500 per annum)</p>	No response on File
		10 Aug 2004	<p>The Charge Policy for residential accommodation at Fellowship House should be reviewed and agreed in accordance with the Authority's Constitution. Audit should be informed when the review has been completed.</p>	No response on File

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			<p>This has been reported in previous reports, but had not been actioned at the time of the audit. However, [REDACTED], Project Officer, Social Services has informed that the implementation of a policy is currently in progress. We intend to follow up this action later in 2004.</p>	
		<p>16 Feb 2005</p>	<p>Follow-up Audit of report dated 10/08/04</p> <p>It was noted that the Charging Policy was currently under review – The Manager should contact Head Quarters to ascertain the current situation of the review and inform audit when the review has been completed.</p>	<p>22 Feb [REDACTED] to DoF FAO LR – fellowship house – Internal Audit Post Review</p> <p>I write to acknowledge your memo of 16th February and I'm pleased to note that, in all bar one respect, the review findings have been implemented. The matter of the charging policy is one that is currently being considered as part of the budget setting process and I am reasonably confident that the matter will resolve very quickly.</p>
		<p>1 Aug 2006</p>	<p>The £25 'food and fuel' charge should be reviewed and approved in accordance with the Authority's Constitution. Internal Audit should be informed when the review has been completed.</p> <p>It should be ensured that a re-assessment is undertaken through Adult Social Services H.Q. and that service users are charged in accordance with the approved charging policy.</p> <p>This charge has not been approved and has not been reviewed for a number of year – it has been reported</p>	<p>No response on File</p>

			at each audit since 7/12/94	
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Esher House – Assessments Prior and After Move

Name	Left Esher	To			Assessment before move	Assessment after move	Comments
		Curlew Way	Edgehill Rd	Bermuda Rd			
[REDACTED]	09/12/97			09/12/97	Retirement Pension Savings £749	IS – DLA Care Mid – DLA Mob Low Savings £749	No evidence of hardship
[REDACTED]	26/10/97		27/10/97		IS No savings shown	IS – DLA Mob High – DLA Care Mid Savings £4746 to 2006	No evidence of hardship
[REDACTED]	08/12/97	08/12/97			IS No savings shown	IS – DLA Care Higher – DLA Mob Low No savings shown	No evidence of hardship
[REDACTED]	09/12/97			09/12/97	IS only Savings £1794	IS - DLA Care Higher – DLA Mob High Savings £4851 to 2006	No evidence of hardship
[REDACTED]	27/10/97		27/10/97		Retirement Pension Savings £561	IS – DLA Care Mid – DLA Mob Low Savings £1249 to 2006	No evidence of hardship
[REDACTED]	08/12/97	08/12/97			IS - DLA Mob High Savings £2463	IS – DLA Mob High – DLA Care Mid Savings £2643 to 2004.	No evidence of hardship

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						Increased to £3334 to 2005 (Died)	
[REDACTED]	08/12/97	08/12/97			IS No Savings shown	IS – DLA Care Higher – DLA Mob Low No savings shown	No evidence of hardship
[REDACTED]	27/10/07		27/10/97		IS No savings shown	IS – DLA Care Mid Savings £1143 to 2005	No evidence of hardship
[REDACTED]	27/10/97		27/10/97		Not on file	IS – DLA Care Mid – DLA Mob Low Savings £1830 to 2000 (moved to Acrefield Hse 2000)	???
[REDACTED]	08/12/97	08/12/97			IS Savings not shown	IS – DLA Care Mid – DLA Mob Low	No evidence of hardship
[REDACTED]	09/12/97			09/12/97	Retirement pension Savings £3179	IS – DLA Mob High – DLA Care Higher Savings £5187 to 2006	No evidence of hardship
[REDACTED]	27/10/97		27/10/97		Not on file	IS – DLA Care Mid – DLA Mob Low Savings £2537 to 2003 (Died)	??
[REDACTED]	09/12/97			10/12/97	Retirement Pension Savings £1012	IS – DLA Mob Low – DLA Care Higher Savings £1012 to 2002 (Died)	No evidence of hardship

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[REDACTED]	07/12/97	07/12/97			IS Savings £8060	IS – DLA Care Mid Savings drop to £4171 in	No evidence of hardship
[REDACTED]	09/12/97			09/12/97	IS Savings £2714	IS – DLA Care Mid – DLA Mob High Savings in 2006 show £9148	No evidence of hardship

Policy – Lost Income Calculation

1. On 9 June 2011 a number of questions were put to Department of Adult Social Services and Finance Department - Personal Finance Unit in respect of Supported Living. One question in respect of supported living was:
2. **1.3. If not financially assessed under the 1997 policy what would be the "loss of Income" up to the time they were financially assessed under Fairer Charging if they had been financially assessed under the 1997 policy?**

DETERMINING WHO WAS IN SUPPORTED LIVING

3. In order to complete this calculation we would need to know who was in supported living from 1997 to approximately 2006/2007. Personal Finance Unit do not hold this information as we only record people once they are financially assessed, and if the person was not financially assessed then they would not be in our charging systems.
4. PFU therefore asked [REDACTED] the Department of Adult Social Services Head of Access & Assessment Branch if DASS could provide a list of these people. The outcome was that full records going back this far were not recorded in any electronic system, client details were held on a manual file so without looking through every client file back to 1997 those in supported living could not be fully identified.
5. **Independent Providers**
DASS were able to provide a list compiled using information from PB11 documents (which form part of an individual's care plan) held by the Management Accounts team and supplemented with any additional information held on the SWIFT system. Some of the documents date back to the year 1999. The reason the documentation is held by the Management Accounts team is to verify the payments made to providers so there is no reason to doubt that this includes all independent sector supported living provision.
6. Whilst the PB information relates mainly to supported living provision it does also include some other types of services (for example, domiciliary care provided by specialist providers). Where supported living was not clearly identified on the PB it was identified by the Provider name. If there was any doubt about the service provision the team checked with [REDACTED] (Assistant Management Accountant).
7. As these forms were commissioning documents then you would expect these forms to primarily only have a start date on them. In these instances we do not know the actual end date without obtaining manual files. Therefore the lost income period has been calculated from the start date to the date they were first financially assessed or any other end date detailed in the Swift system, but this does not always mean that the supported living continued until that date. Therefore this list provides the best possible estimate of the end dates with the current data available.

8. Local Authority Providers

The list provided by DASS did not include any Local Authority supported living. Therefore PFU have used lists which have previously been put together when a similar calculation was completed in respect of uncharged Fairer Charging income for Local Authority run units. Calculations in respect of Bermuda Road, Curlew Way and Edgehill Road have not been included in this exercise as assessment/reimbursement calculations in respect of these people have already been completed.

9. Swift system

A report was also run from Swift which is the current system used to record care provision of all supported living provisions. This identified any records in Swift not covered in the list provided by DASS.

10. The data provided by DASS, PFU Local Authority lists and Swift records were combined to produce an overall list of clients which totalled 371 clients.

11. DUE TO THE ISSUES OUTLINED ABOVE IT CANNOT BE CONFIRMED THAT THIS LIST IS EVERYONE WHO WAS IN SUPPORTED LIVING FROM 1997 TO 2006/7 AND THE PERIOD OF SUPPORTED LIVING FOR THOSE PEOPLE INCLUDED MAY NOT BE ACCURATE. IT COULD ALSO BE POSSIBLE THAT THE PLACEMENT DETAILED ON A PB11 DID NOT GO HEAD.

CALCULATING LOST INCOME FOR THOSE IN THE LIST

12. ██████████ explained that we were to identify the period from when a client went into supported living to when they were financially assessed. For this period we were to apply the policy outlined in the 3 September 1997 Social Services Committee report to determine an amount of income not charged.

13. An earliest start date of 3 October 1997 was agreed with ██████████ as the basis of the calculation given that we could not have feasible charged anyone immediately from 3 September 1997.

14. ██████████ discussed with ██████████ (Internal Audit) what the cut off date should be for including new supported living provisions. It was agreed that any new supported living which started after 31 March 2006 should be excluded from the calculation. If supported living was in place prior to 31 March 2006 but the person was not financially assessed until after 31 March 2006 the calculation would go up to the actual date of the financial assessment.

15. The September 1997 policy detailed in the committee report basically outlines that DASS will take all DLA Care Component regardless of the rate, and any Severe Disability Premium.

16. Calculation Period

The basis of the calculation is to identify when the client was first assessed. The calculation period is then the supported living start date or 03/10/1997 (whichever is later) to the day before the first financial assessment.

17. DLA Care or Severe Disability Premium

From the information in the first financial assessment we have then looked to determine what rate of DLA care the client was in receipt of and whether they were in receipt of SDP. An assumption has then been made that the client was in receipt of the same benefit for the full period but that may not have been the case. Therefore lost income could be overstated for this reason. It may be possible to verify whether those benefits were in payment prior to the assessment by completing a benefit check at the Pension Service. However in order to do this we would need to retrieve the manual file to determine whether we have signed consent to do so. Without consent we cannot do this, where we do have consent staff would have to visit the Pension Service office in Wallasey to carry out these checks.

18. DLA Care

DLA High Rate was not detailed in the Trojan Package of Care system unless the client was in receipt of a night service. If clients were in receipt of high rate DLA care but did not receive a night service then only mid rate DLA care was recorded in the system because this is the rate we charged against. Therefore in this calculation there may be people who received high rate DLA care but we have calculated them at mid rate. In these instances the lost income will be understated but we cannot identify which clients this may be without retrieving every manual file.

19. Severe Disability Premium

In order to determine whether a charge equivalent to SDP should be included in the lost income period we had to identify whether they were in receipt of SDP at their first assessment. This is difficult because in Trojan only one figure for Income Support is shown. However the income support figure is the sum of a number of benefits including basic income support, enhanced disability premium and severe disability premium. The amount will be different depending on which combination of benefits and premiums the person was in receipt of.

20. To attempt to identify this we have obtained these benefit rates for the years concerned and modelled the various possible income support amounts. We then compare the income support figure in Trojan to the rates for the relevant year to determine whether the amount included SDP. Unfortunately many of the cases which were sampled did not exactly match any of the rates. Therefore we have used our judgement as to whether the amount in Trojan is close to an SDP rate and where it is we have assumed that they were in receipt of SDP.

SAMPLE OF CASES CALCULATED

21. The combined list of supported living cases totalled 371. We have completed the calculation against 50 clients (13.5%) and calculated an average from that sample (total lost income / number of clients).

22. If this lost income per client were applied to the total 371 clients then the total lost income is £3.3 million.

23. As can be seen below from the list of cases sampled the lost income can vary significantly. Some are £0.00 where either the client should not be charged because they are subject to a Section 117 under the Mental Health Act, or they were

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assessed from the beginning of supported living because they were in receipt of other support at home services (e.g. day care), or they were not in receipt of DLA care or SDP.

24. For those where income was lost the amounts differ significantly due to the difference when a client does or does not receive the SDP or high rate DLA, or it could be that the calculation period for some were significant and some very short. However these are the limitations of using a basic average.

25. THIS IS A VERY BASIC AVERAGE AND WITHOUT FURTHER WORK A MORE ACCURATE AVERAGE CANNOT BE DETERMINED.

26. Summary of Lost income from Cases Sampled

	Lost Income (£)		Lost Income (£)		Lost Income (£)		Lost Income (£)		Lost Income (£)
1	0.00	11	8,162.20	21	0.00	31	8,026.51	41	14,574.17
2	8,370.40	12	4,231.21	22	1,029.60	32	19,783.76	42	32,891.74
3	20,463.36	13	0.00	23	9,400.70	33	593.59	43	7,330.24
4	10,267.70	14	22,290.76	24	21,603.98	34	6,821.64	44	0.00
5	4,044.35	15	25,658.25	25	8,514.00	35	0.00	45	1,111.20
6	93.01	16	37,677.46	26	0.00	36	0.00	46	0.00
7	18,897.33	17	38,738.26	27	0.00	37	2,664.60	47	0.00
8	0.00	18	4,939.26	28	3,648.91	38	2,853.33	48	0.00
9	0.00	19	19,568.60	29	25,663.91	39	13,831.69	49	7,433.50
10	0.00	20	5,897.25	30	19,783.76	40	4,386.07	50	0.00

Number of clients sampled	50
Lost Income for clients sampled	£441,246.30
Average lost income per client	£8,824.93
Total clients	371
Average Total Lost Income	£3,274,047.55

ADDITIONAL COMMENTS ON THIS CALCULATION

27. This calculation has been provided as per the request via [REDACTED] (i.e. applying the 1997 charging policy to the full period where the client was not assessed). However £3.3 million would not be the actual lost income to Wirral. This is because the 1997 policy should not have been applied for the full period. (see para 32)

28. The outcome of the investigation into the charges applied to the people at the in house supported living units in Moreton (Bermuda Road, Curlew Way and Edgehill Road) was that the 1997 policy should not have been applied from 4 December 2000. Reimbursements have been calculated and paid on this basis as it was the decision from Cabinet that we would cease the 1997 policy from 4 December 2000.

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29. Indeed some people were not assessed until 2008 for example. Therefore the fairer charging policy should be applied as the lost income from 2003 or 2006 at a minimum, but in this calculation the 1997 policy is applied up to 2008 which would be incorrect.
30. If the question is specifically interested in the income which has been lost from the 1997 policy then a cut off date of 3 December 2000 should be used, because even if the 1997 policy were applied past 3 December 2000 a reimbursement would have been made at a later date. I have applied this cut off date to the calculation and the impact is that 83 cases remain in the calculation and 9 of them were part of the sample calculated (11%). The lost income is then £321k:

Number of clients sampled	9
Lost Income for clients sampled	£34,834.94
Average lost income per client	£3,870.55
Total clients	83
Average Total Lost Income	£321,255.58

31. If we were instructed to apply a different cut off date to the 1997 policy such as 1 April 2003 or a date in 2006 then this would be simple and quick to do. I mention these dates as they were pinpointed during the investigation into the Moreton charges as the key points in time when Fairer Charging should have been applied to Supported Living.
32. If the question was looking for the actual lost income as a result of not assessing people in supported living then the calculation should be applied for the full period that they were not assessed. But rather than applying the 1997 policy for the full period we should apply the relevant policy for the appropriate points in time. I believe that this would be the 3 September 1997 policy from 03/10/1997 to 03/12/2000 and the wider non-residential / fairer charging policy from 04/12/2000 to the date they were eventually assessed.
33. I did query with [REDACTED] as to whether this was the question but I was told that it was not. If it is decided for any reason that this is now required then we would have to consider the resources which we would need to calculate this. The 1997 policy is an easy policy to apply in the calculation but the other policies are more complex and would take more time to model for each individual and for each year.

Prepared by [REDACTED], Acting Service Manager – Personal Finance
25 July 2011

Submitted to:
[REDACTED]
[REDACTED]

Adult Social Care Internal Audit Reviews 2004 - 2010

<u>Team</u>	<u>File Number</u>	<u>Title of Audit</u>	<u>Summary</u>	<u>Date Report Issued</u>	<u>Date Action Plan Returned</u>	<u>Response From Director</u>	<u>Number of Reminders</u>
MG	33.02	Payment of Creditors	2 high level recommendations: <ul style="list-style-type: none"> Separation of duties in invoice prep, checking, authorization and certification Use of i-procurement and clarification of roles 3 medium level recommendations. Recommendations implemented.	18/08/08	12 th September 2008		0
MG	33.02	Payment of Creditors follow up	Recommendations implemented.	20/02/09	N/A		0
AD	70	Risk Management Framework – Adult Social Services	3 medium level recommendations.	6 th February 2008	24 th November 2008		0
AD	70	Risk Management Framework – Adult Social Services follow up	1 recommendation implemented, 1 partially implemented, and 1 not implemented.	24 th September 2008	24 th November 2008		1
AD	142	Debtors On-Line Site – Miscellaneous	2 high level recommendations: <ul style="list-style-type: none"> Documented invoice raising procedures NHS recharge accounts approval 	19 th July 2010	11 th Aug 2010		0

	Debtors	and checks				
LAW	LAA Audit Report Agenda Item 5	5 Points to action by all Lead Officers involved in LAA Improvement Targets were issued via the LAA Programme Board (LAAPB). No report issued to DASS.	24.06.2008	Noted at LAAPB meeting 24.06.2008		0
LAW	Annual Governance Statement 2008/2009		N/A	N/A		0
LAW	Annual Governance Statement 2009/2010	No report issued to DASS.	N/A	N/A		0
LAW	Westmins ter House Building Security Report	10 recommendations were made: 3 High priority regarding: • Risk assessments • Security policy • External doors connected to burglar alarm; Plus 6 Medium priority and 1 Low priority.	30.08.2006	Never returned		Unknown
LAW	Westmins ter House Building Security Follow Up	Of the 10 recommendations in the main review: 1 High and 1 Medium recommendation had been implemented. 1 High and 1 Medium recommendation had been partially implemented. 1 High, 4 Medium and 1 Low had not been implemented. Those that had not been fully implemented were reported again.	31.01.2008	09.04.2008		Unknown

LAW	170	Departmental Risk Management (DASS)	1 recommendation was made of High priority, regarding the Partnership Framework and Toolkit.	31.03.2010	16.08.10	1
LAW	170	Departmental Risk Management (DASS) – Follow-up	1 recommendation was made of high priority, again regarding the Partnership Framework and Toolkit.	21.10.2010	22.10.10	0
LAW	180	Corporate Complaints Procedure DASS	1 recommendation was made of Medium priority, regarding publicising complaints procedures.	01.10.2009	October 2009	0
LAW	180	Corporate Complaints Procedure DASS Follow Up	1 recommendation was made of Medium priority, again regarding publicising complaints procedures.	August 2010	22.10.10	1
LAW	307	Gifts and Hospitality (Occupational Therapy)	6 recommendations were made: 5 High priority regarding: • Gifts & Hospitality register • Circulation of Gifts & Hospitality procedures • Awareness of Conflicts of Interest procedures • Personal reviews of Conflicts of Interest • Management review of declarations; Plus 1 Medium priority.	07.03.2008	18.04.2008	0
LAW	307	Gifts and Hospitality (Contract)	3 recommendations were made: 2 High priority regarding: • Staff completing conflict of interest forms	07.03.2008	12.03.2008	0

LAW	307	Gifts and Hospitality Follow Up (Contractors Team)	<ul style="list-style-type: none"> Measures to prompt officers to review their own situations; Plus 1 Medium priority. <p>The 3 recommendations from the main review had been implemented.</p>	20.08.2008	N/A	0
LAW	307	Gifts and Hospitality Follow Up (Occupational Therapy)	<p>Of the 6 recommendations from the main review 1 High priority and 1 Medium priority had been implemented, and 4 High priority were still to be implemented (and hence were reported again).</p>	26.09.2008	Never returned	0
LAW	331	Review of Departmental Payroll DASS	<p>3 recommendations were made all of High priority, regarding:</p> <ul style="list-style-type: none"> Statement of Particulars CRB check evidence on each file Keep personal files up to date. 	22.01.2010	05.02.10	0
LAW	331	Departmental Payroll Follow up	<p>Following discussions with [REDACTED] this was postponed due to changes in the Payroll System to be implemented</p>	N/A	N/A	0
LAW	510	Verification of Performance Indicators 2009/10.	<p>1 generic High priority recommendation was issued to all departments via the Performance Management Group (PMG). DASS: NI's 130/135/145.</p>	06.10.2010	Not yet returned (by PMG)	1
LAW	530	Follow up Audit: LAA Reward Targets & LAA National	<p>An issue was raised surrounding the suitability and availability of DWP data to be used within calculations (within Target 12).</p>	06.02.2009	Issue ultimately resolved by Corporate Policy Team.	0

LAW	530	Indicators	3 PI's (8232/8233/8854) within Stretch Target 11 were assessed. No Issues were found.	04.09.2009	N/A	0
SE		Electronic Social Care Record	1 recommendation (no priority level in report) re compliance with ISO 27001.	22/12/2006	Nothing on paper file Paper file includes a draft report issued 08/12/06 and final on 18/12/06; and Electronic file shows final report issued on 22/12/06, so can only assume a prompt turn-around....	0
SE		Access Controls in Mobile Working	1 high level recommendation relating to DASS regarding password controls and training. Follow up was in October 2008 – this recommendation implemented.	20/07/2007	Nothing on paper file. Electronic record date-stamped as	0

SE		Integrated Transport Service Assurance Report June 2010.	Change programme review.	16/06/2010	created 31/07/2007 No return necessary	0
SE	ICT-0910-013	Swift and ICS – Access Controls (CYPD & DASS)	5 high level recommendations: <ul style="list-style-type: none"> • Lockout parameters • Access rights and permissions review • Documented user hierarchy • Navigation rights and purge of data • Unauthorised access reports 2 medium level recommendations, 2 low level recommendations. Ongoing advice about investigating matches/providing fair processing notices/ uploading data etc.	15/02/2010	25/02/2010	0
BE		Authority wide NFI liaison (includes blue badges/private care homes)	Ongoing advice about investigating matches/providing fair processing notices/ uploading data etc.	No report ongoing advice/monitoring work	No report ongoing advice/monitoring work	0
BE		Review Social Services use of taxis	The recommendations were not prioritised and included: <ul style="list-style-type: none"> • Justification • 3 Quotes • No procedures • Agreed rates per mile • Invoice details SS was included in the review. "Good practice" was identified in DASS which was shared with the corporate training team	15.03.2004	Memo style response received 24.03.2004	0
BE		Corporate Training Review-	SS was included in the review. "Good practice" was identified in DASS which was shared with the corporate training team	24.10.2005		0

BE			all departments Creditors duplicate payments Authority wide including DASS	Identified £11,947 of duplicate payments made from Social Services budgets.	21.02.2007	No specific response required to the Audit Report form DASS as all findings investigated centrally by Finance.	0
BE	AFC/1.1		Follow up plus additional testing Authority wide IDEA creditors duplicate payment detection exercise.	DASS duplicates identified	20.02.2008	No specific response required to the Audit Report form DASS as all findings investigated centrally by Finance.	0
BE	AFC/1.1		Authority wide IDEA creditors duplicate payment detection exercise.	Duplicates identified by department	14.08.2008	No specific response required to the Audit Report form DASS as all findings investigated centrally by Finance.	0
BE	AFC/1.1		Authority wide IDEA	Duplicates identified by department	02.09.2009	No specific response required to	0

BE	PS/2.4	creditors duplicate payment detection exercise. Review Health and Safety DASS	4 Medium priority recommendations and 3 High Priority recommendations: <ul style="list-style-type: none"> • Departmental H and S committee reps • Hand S document retention periods • Follow ups 	10.07.2009	the Audit Report form DASS as all findings investigated centrally by Finance. 02.10.09	0
BE		Audit Commission Protecting the Public purse survey(Authority wide)	The question which concerned DASS (direct payments) was discussed with DASS officer ().	No report to DASS	No Report to DASS	0
BE	AFC/1.7	Review Authority wide review of anti money laundering procedure across the council (included visit to	1 high priority recommendation referred to all departments: <ul style="list-style-type: none"> • Staff training for cash handlers 	01.03.2010	No response required from DASS but all chief officers included in circulation list for the report.	0

BE		Sylvandale care home)	IDEA testing of payroll system-authority wide (substantive testing of all payroll data)	None of the recommendations related to DASS	20.09.10	No response required from DASS as all queries referred to central payroll	0
BE	AFC/AW-1.13	Review BT Data analysis DASS	2 High Priority recommendations: <ul style="list-style-type: none"> • Management information/staff awareness • Obsolete telephone lines 		27.09.2010	No response yet received	0
BE	AFC-1.4	Review of Travel and Subsidence claims DASS	6 medium priority recs and 2 high: <ul style="list-style-type: none"> • Receipts • VAT recovery 		13.09.2007	01:10:07	0
BE	AFC-1.4	Follow Up Travel and subsidence DASS	All medium and one high Priority recommendation had been implemented but one High remained outstanding: <ul style="list-style-type: none"> • VAT recovery 		23.01.2009	13.02.2009	0
BE	AFC1.10	Review-Blue badge scheme-Conway One Stop	5 high priority recommendations concerned with: <ul style="list-style-type: none"> • Data input • Issuing/voiding of badges • Retention of documents • Encouraging renewals 		27.03.2009	Not Applicable The recommendations were	0

BE	AFC1.1 0	Shop	<ul style="list-style-type: none"> Enforcement procedures 	30.03.2010	all concerned with procedures in the One Stop Shops	0
BE	AFC1.1 0	Follow up- Blue badge scheme- Conway one stop shop OSS	<p>All recommendations of March 09 review implemented except two recommendations:</p> <ul style="list-style-type: none"> requirement to have an independent check on all badges issued. During the follow up this recommendation was revised to make its implementation easier. (high priority) evidence of accountability for issuing/voiding 	30.03.2010	The recommendations were all concerned with procedures in the One Stop Shops	0
BE	AFC1.1 0	Review Blue badge scheme Bebington, Eastham and Heswall OSS	<p>5 high priority recommendations concerned with:</p> <ul style="list-style-type: none"> Data input Issuing/voiding of badges Retention of documents Encouraging renewals Enforcement procedures 	27.03.2009	The recommendations were all concerned with procedures in the One Stop Shops	0
BE	AFC1.1 0	Blue badge scheme Moreton and West Kirby OSS	<p>5 high priority recommendations concerned with:</p> <ul style="list-style-type: none"> Data input Issuing/voiding of badges Retention of documents Encouraging renewals Enforcement procedures 	30.03.2009	The recommendations were all concerned with procedures in the One Stop Shops	0
BE	AFC1.1 0	Review Blue	<p>5 high priority recommendations concerned with:</p>	30.03.2009	The recommendations were all concerned with procedures in the One Stop Shops	0

BE	AFC1.1 1	badge scheme Seacombe, Rock Ferry Wallasey and New Brighton OSS	<ul style="list-style-type: none"> Data input Issuing/voiding of badges Retention of documents Encouraging renewals Enforcement procedures 	<ul style="list-style-type: none"> 1 High Priority Recommendation made : <ul style="list-style-type: none"> Evidence of Requisite driver and vehicle documentation 	15.09.2009	actions were all concerned with procedures in the One Stop Shops	0
BE	AFC 1.1	Follow Up-DASS car Mileage allowances	Recommendation of September 2009 .only partially implemented its implementation is still a wip		22.09.2010	25.10.2010	0
BE	AFC 1.9	Authority wide review of pre-employment screening	No specific findings refer to DASS but the benefits of improved control in the area of recruitment will benefit DASS		13.01.2009		0
BE	37.04	Authority wide review of Manual Cheque procedures	No recommendations related to DASS		10.05.10	No response required from DASS as no recs. Related to DASS	0
BE	S01	Review Mobile Phones-DASS	6 medium and one low recommendation : <ul style="list-style-type: none"> Authority for premium/overseas calls 		03.07.2008	25.07.2008	0

BE	901	Follow up-Mobile Phones DASS	<ul style="list-style-type: none"> Acceptance of policy rules including H and S by phone users Max call limits Justification for individual mobile phones Contribution forms Payment of contributions <p>2 recommendations had not been implemented:</p> <ul style="list-style-type: none"> Acceptance of policy rules Justification for mobile phones/identification of pvt calls 	23.02.2010	None received.	0
BE	901	Follow up- Blue Badges Bebington Eastham and Heswall OSS	<p>All recommendations of March 09 review implemented except</p> <ul style="list-style-type: none"> requirement to have an independent check on all badges issued. During the follow up this recommendation was revised to make its implementation easier.(high priority) 	10.03.2010	The recommendations were all concerned with procedures in the One Stop Shops	0
BE	901	Follow Up- Blue badge scheme Moreton and West Kirby OSS	<p>All recommendations of March 09 review implemented except</p> <ul style="list-style-type: none"> requirement to have an independent check on all badges issued. During the follow up this recommendation was revised to make its implementation easier.(high priority) 	10.03.2010	The recommendations were all concerned with procedures in the One Stop Shops	0
BE	901	Follow up- Blue Badges Seacomb	<p>All recommendations of March 09 review implemented except</p> <ul style="list-style-type: none"> requirement to have an independent check on all 	10.03.2010	The recommendations were all	0

LTR		e, Rock Ferry Wallasey and New Brighton OSS	badges issued. During the follow up this recommendation was revised to make its implementation easier. (high priority)	5.7.2007	concerned with procedures in the One Stop Shops	0
LTR	J.01 (60)	DASS Income System 04/05 and 05/96 Action Plan Update	None	12.5.2005	20.2.2006	2
LTR	15.03 / 25.20	Petty Cash, Conway Building Adaptations	3 recommendations 3 High – Cash discrepancy, guidance notes, bank mandate authorization 4 high level recommendations: • Documented procedures • Process procedures and template • Responsibility for approval of application procedures • Supporting documentation for applications	27.10.2006	Not Returned	4
LTR	25	Care Package to care actually Provided	8 Recommendations 1 Medium 7 High	17.6.2005	Not Returned	2
LTR	25	Foster Payments	4 Recommendations 2 Medium 2 High	17.1.2005	Not Returned	1
LTR	25	Financial Assessments	4 recommendations 1 low 3 High – procedural guidance, assessment form check, assessment	7.3.2005	17.3.2005	0

LTR	25	Block Contracts	form signed. None	21.6.2005	N/A		0
LTR	25	Domiciliary Care	1 high level recommendation: reconciliations.	7.12.2006	4.7.2007		2
LTR	25	Domiciliary Care	1 high level recommendation: Authorised signatories.	31.3.2009	15.4.2009		0
LTR	25	Domiciliary Care follow up	*Recommendation implemented.	11.1.2010	N/A		0
LTR	25.01a	Residential Nursing Care Payments	No recommendations.	31.3.2008	N/A		0
LTR	25.01	Residential Nursing Care Contracts	4 high level recommendations: <ul style="list-style-type: none"> • Care procurement procedures • Contract Rates verification • Quality Premium Assessment • Ratings review and approval • Applied contract rates checks and evidence 	24.3.2009	1.4.2009		0
LTR	25.01	Residential Nursing Care Contracts follow up	All recommendations implemented.	11.3.2010	N/A		0
LTR	25.08	Respite Care	11 recommendations 4 Medium 7 High – general procedures, respite Care charges, underpaid clients, Client procedures, income due, raising invoices, admission & discharge	17.8.2005	10.10.2005		0
LTR	25.08	Monitoring of Respite Placements	3 high level recommendations: <ul style="list-style-type: none"> • Care home requisition reconciliations • Invoice reconciliation reports • Invoice issuing 	13.3.2008	24.7.2008		1

LTR	25.08	Respite Care follow up	3 medium level recommendations. All recommendations implemented.	14.1.2009	N/A		0
LTR	25.11	Community Care – Direct Payments	4 high level recommendations: <ul style="list-style-type: none"> • Procedure manual update and approval • Documented client's quarterly financial review • CRB check procedures • Procedure review and audit trail 4 medium level recommendation.	18.4.2005	26.9.2007	<p>to DoF FAO [redacted] Audit - Compliance Testing: Community Care- direct payments</p> <p>I write to acknowledge your memo of 18th April, containing the results of your Audit, into the controls operating the Direct Payments system. A number of your observations cause me some concern, particularly around either the relevance of or application of agreed procedures. I will want to arrange a very thorough and fundamental consideration of your action plan and will look to take a personal interest in its completion and return by the due</p>	4

LTR	25.11	Direct Payments	2 high level recommendations: <ul style="list-style-type: none"> Direct Payments policy review and approval Direct Payments procedures review and approval 2 medium level recommendations. 3 recommendations implemented, 1 high level recommendation partially implemented as Procedures awaiting approval.	21.12.2007	20.2.2008	date.	0
LTR	25.11	Direct Payments follow up	2 medium level recommendations. 3 recommendations implemented, 1 high level recommendation partially implemented as Procedures awaiting approval.	31.3.2008	Not Returned		0
LTR	25.14	Personal Allowance	1 recommendation 1 High – Procedures manual	21.3.2006	17.4.2006		0
LTR	25.17	Care Needs Assessments – Service Users	2 medium level recommendations	25.4.2007	4.6.2007		0
LTR	25.17	Care Needs Assessment follow up	All recommendations implemented.1	13.1.2009	N/A		0
LTR	25.18	Accredited List	7 high level recommendations: <ul style="list-style-type: none"> Authorised written procedures Interview panels Validations of Desktop Evaluations Interview scoring, signing and dating General Service Agreement Contract monitoring and standard of care Audit trails 3 high level recommendations not yet fully implemented.	13.3.2008	23.7.2008		1
LTR	25.18	Accredited List follow up	3 high level recommendations not yet fully implemented.	29.10.2008	28.11.2008		0

LTR	25.18	Accredited List 2 nd follow up	All recommendations now implemented.	1.12.2008	N/A		0
LTR	25.19	Funding Contracts with the Voluntary Sector	1 high level recommendation: Procedure notes. 1 medium level recommendation.	15.4.2008	16.9.2008		2
LTR	25.20	Aids and Adaptations	2 high level recommendations: • Monthly update reports • Completion notification	24.10.2008	13.3.2009		3
LTR	25.21	Personal Budgets	3 high level recommendations: • Framework and guidance, and approval. • Personal/individual budget procedures • Operation testing and agencies	20.11.2009	23.11.2009		0
LTR	25.21	Personal Budgets follow up	2 high level recommendations implemented, 1 high level recommendation partially implemented and in progress. Final recommendation now implemented.	22.3.2010	23.3.2010		0
LTR	25.21	Personal Budgets 2 nd follow up	Final recommendation now implemented.	24.08.2010	N/A		0
LTR	80.02	DASS CRB Checks	2 high level recommendations: • Written agreement re: CRB clearance staff only • Only CRB cleared staff to start employment 2 medium level recommendations. 1 low level recommendation.	27.9.2006	16.4.2007		1
LTR	84	Goods & Services	2 recommendations 2 Medium	14.10.2005	1.10.2007		3
LTR	84.01	DASS Procurement (Day to Day)	5 high level recommendations: • Non-catalogue items • Quotations prior to annual contract issue	27.8.2010	8.10.2010		0

LTR	88	Sources of Income	<ul style="list-style-type: none"> Accepting quotations that aren't the lowest Checking invoices to the original contract Budgetary provision / raising of orders 	29.7.2008	29.8.2008		0
LTR	88	Sources of Income follow up	<ul style="list-style-type: none"> 3 high level recommendations: <ul style="list-style-type: none"> Department policy/procedures Income reconciliations and documentation Reporting of corrective action on income sources 5 medium level recommendations. 3 recommendations implemented, 5 still outstanding. 	31.3.2009	27.4.2009		0
LTR	88	Sources of Income follow up	All recommendations now implemented.	31.3.2010	5.5.2010		0
LTR	88	Social Services Department Budget Shortfall 2004/05 & 2005/06	<ul style="list-style-type: none"> 8 high level recommendations: <ul style="list-style-type: none"> Outstanding debt investigation Income collection Write-off procedures Financial Assessments – evidence and accuracy checks Budget monitoring Reporting of budget monitoring Income collection methods Debt recovery procedures 	2.5.2006	18.5.2006		0
LTR	88.01	Deferred Payment Scheme	<ul style="list-style-type: none"> 4 high level recommendations: <ul style="list-style-type: none"> Legal charges against properties Legal Agreements Return of legal agreements, and release fees Following of procedures 1 medium level recommendation. 4 recommendations implemented, 1 	10.9.2009	11.9.2009		0
LTR	88.01	Deferred		25.3.20010	N/A		0

LTR	88.02	Payment Scheme follow up	high level recommendation partially implemented and in progress.	31.3.2010	5.5.2010		0
LTR	89.01	Debt Management	4 high level recommendations: <ul style="list-style-type: none"> • Outstanding debts • Income collection • Writing-off irrecoverable debt • Following up of debts No recommendations.	31.3.2010	N/A		0
LTR	95	Budget Planning and Monitoring	5 Recommendations 5 High	31.10.2007	27.12.2007		2
LTR	100	DASS Voluntary Funds	3 high level recommendations: <ul style="list-style-type: none"> • Digital Dashboard facility • Management information • Outstanding assessment checks 1 medium level recommendation. All recommendations implemented.	13.3.2008	9.4.2008		0
LTR	100	Swift follow up		6.1.2009	N/A		1
LTR	104	Dignity in Care Grant - Older People's Services / Property Management & Supplies	1 medium level recommendation.	3.9.2008	10.10.2008		0
LTR	104	Dignity in Care Grant follow up	1 Recommendation implemented.	16.1.2009	N/A		0
LTR	410	Ferleigh	9 recommendations	30.8.2004	4.11.2004		0

LTR	410	Ferleigh Resource Centre OP	6 Medium 1 Low 2 High 6 recommendations 6 Medium	9.2.2006	17.3.2006	1
LTR	413	Seacombe House Day Centre	1 low level recommendation.	5.9.2006	6.10.2006	0
LTR	418	Meadowcroft Resource Centre	6 recommendations 5 Medium 1 High – independent review of Meadowcraft funds	8.4.2005	29.4.2005	0

[REDACTED] to
 DoF F.A.O [REDACTED]
[REDACTED] -
 Routine Audit of
 Meadowcroft

 Thank you for your
 memo of 8 April
 enclosing the above
 report. I am always
 concerned when
 recommendations
 from previous audits
 have not been
 followed through
 and I will look to
 ensure this is
 addressed as a
 priority. The relevant
 service manager will
 certainly arrange
 completion of the
 action plan and I
 note this is due to be

LTR	418	Meadowcroft Resource Centre	2 Recommendations 2 Medium	31.5.2006	10.7.2006	returned by the 29 th April.	0
LTR	419	Pensall House	None	21.4.2005	N/A	<p>to DoF – Routine Audit of Pensall House</p> <p>I was pleased to receive your memo of 21st April confirming that the control environment of Pensall House is currently good. I will look to ensure that the action plan and survey are completed and returned by the due date. I'll pass on your thanks and a well done to [redacted] and [redacted] staff.</p>	0
LTR	419	Pensall House	<p>3 high level recommendations:</p> <ul style="list-style-type: none"> • Written financial procedures • Safe keys • Charge policy <p>2 medium level recommendations.</p>	1.9.2006	13.10.2006		0
LTR	423	Mendell Lodge	<p>7 recommendations</p> <p>4 Medium</p> <p>3 High – financial procedures, meal charges, separation of duties</p>	12.4.2005	6.9.2005		1

LTR	423	Mendell Lodge	13 Recommendations 6 Medium 7 High	1.9.2006	13.10.2006		0
LTR	424	Rosewarne	2 recommendations 2 High – timesheets, signing in records	13.8.2004	1.10.2004		1
LTR	429	Feltree House	6 Recommendations 5 Medium 1 Low	30.8.2004	14.10.2004		0
LTR	429	Feltree House Resource Centre	7 recommendations 6 Medium 1 High – inventory	9.2.2006	17.3.2006		0
LTR	436	Poultion House	1 Recommendation 1 Medium	8.9.2004	24.9.2004		0
LTR	436	Poultion House	NO Recommendations	1.2.2006	N/A		0
LTR	441	Bromborough Family Centre	8 recommendations 4 Medium 4 High – financial procedures, inventory, security policy, payphone income	25.2.2005	24.3.2005		0
LTR	457	Pensby Wood Day Centre	6 Recommendations 3 Medium 3 High	10.3.2005	9.4.2005		0
LTR	457	Pensby Wood Day Cent	4 Recommendations 1 Medium 3 High	19.5.2006	16.6.2006		0
LTR	466	Manor Road	3 recommendations 1 Medium 2 High – increase of weekly charges, review of weekly charges	30.9.2005	14.12.2005		0
LTR	467	Dale Farm LD	8 recommendations 6 Medium 2 High – incorrect meal charges, management report forwarded to [REDACTED]	1.2.2006	17.3.2006		1
LTR	469	Riverside	9 Recommendations	3.12.2004	6.5.2005		1

LTR	469	Training Centre Riverside Training Centre	3 Medium 6 High 4 high level recommendations: • Income records review • Income banking • Documented charges • Annual Audit Certificate 5 medium level recommendations.	10.6.2006	25.7.2006		0
LTR	470	Heswall Training Centre	4 recommendations 2 Medium 2 High – payphone income, review of charges	30.11.2005	27.1.2206		2
LTR	471	Moreton Training Centre	4 recommendations 1 Medium 3 High – charge policy, payphone income, amenity fund	15.3.2005	30.3.2005		0
LTR	471	Moreton Training Centre	4 high level recommendations: • Charge Policy • Charges • Payphone income records • Income reconciliation 8 medium level recommendations.	31.5.2006	24.5.2007		3
LTR	477	Cambridge Road Day Care Centre	3 recommendations 2 Medium 1 High – inventory	24.11.2004	25.2.2005	to – Routine Audit of Cambridge road day Centre – 17 th November 2004 I write to acknowledge receipt of your audit report, with some continued concerns about the state of the inventory. I will look to ensure that these together with other	1

LTR	477	Cambridge Road Day Centre	<p>7 high level recommendations:</p> <ul style="list-style-type: none"> • Delegated authority limits • Written financial procedures • IT back ups • Inventory of assets • Tea and coffee sales • Income banking • Voluntary amenity fund <p>6 medium level recommendations.</p>	8.9.2006	16.1.2007	<p>recommendations are properly considered and the action plan completed.</p>	0
LTR	478	Star Design Workshop	<p>6 recommendations</p> <p>2 Medium</p> <p>4 High – VAT, SMT approval, separation of duties, authorised signatory list</p>	14.4.2005	20.6.2005	<p>to – Routine Audit of Star Design</p> <p>Thank you for your memo of 13th April and your report and action plan. It would appear that the areas of weakness can be corrected fairly quickly, though I am concerned that three of the items referred to had been included in a previous report. I will certainly ensure the action plan is returned and that there is some</p>	0

LTR	481	Rosclare House	3 recommendations 3 High - financial procedures, allowance for pocket and birthday money, voluntary funds	24.6.2005	19.9.2005	comment on the repeat recommendation.	1
LTR	486	Brookfield Residential Resource Centre	3 recommendations 3 High - allowance for pocket and birthday money, income checks, income reconciliation	17.5.2005	10.10.2005		1
LTR	487	Willow Tree	11 Recommendations 3 Medium 8 High	8.9.2006	Not Returned		4
LTR	488	Eastham Day Centre	4 high level recommendations: <ul style="list-style-type: none"> • Inventory review • Building alarm system • Income collection/banking procedures • Voluntary fund audit certificate 3 medium level recommendations.	21.2.2006	Not Returned		1
LTR	489	Girtrell Court Residential Unit	7 recommendations 4 Medium 3 High – cash holding arrangements, safe keys, pool table	9.11.2004	22.11.2004	[redacted] to DoF FAO [redacted] [redacted] Audit - Routine Audit of Girtrell Court Residential Unit – 27/10/04 I write to acknowledge your memo of 9 th November and I'm concerned to note that cash held in the	0

LTR	493	Sylvandale	1 high level recommendation: Transport and amenity fund. 4 medium level recommendations.	13.9.2005	31.3.2006	safe exceeded the limits imposed by our insurers. In other respects I will ensure that the report is carefully considered and the action plan produced. I note the return date of the 24 th December.	2
LTR	493	Sylvandale	7 high level recommendations: • Delegated Authority limits • Written financial procedures • Budget report monitoring • ICT back up files • Safe limits • Safe contents book • Independent audit of voluntary funds 2 medium level recommendations.	11.8.2006	5.10.2006		0
LTR	564	North Road	2 high level recommendations: • Charges • Voluntary fund audits 6 medium level recommendations.	29.9.2005	22.11.2005		0
LTR	565	Union Street Day Care	7 recommendations 6 Medium 1 High – Inet01	25.11.2004	1.3.2005	to DoF FAO – Routine Audit of Union Street Day Care Centre I write to acknowledge your memo of 25 th	1

LTR	569	Fellowship House	4 Recommendations 1 Medium 1 Low 2 High	3.9.2004	2.12.2004	<p>November enclosing the results of the routine audit on Union street day centre. I will pass on your thanks and look to ensure that the action plan is completed and returned by the due date.</p> <p>to DoF FAO – fellowship house – Internal Audit Post Review</p> <p>I write to acknowledge your memo of 16th February and I'm please to note that, in all bar one respect, the review findings have been implemented. The matter of the charging policy is one that is currently being considered as part of the budget setting process and I am reasonably confident that the</p>	0
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LTR	569	Fellowship House	1 high level recommendation: Approved charges. 7 medium level recommendations.	31.8.2006	17.10.2006	matter will resolve very quickly.	0
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Internal Audit – Meetings with Chief Executive

The Chief Internal Auditor and his Deputy meet with the Chief Exec. (CEO) at least six times a year, usually every other month. The meetings have been taking place since circa January 2003.

The Deputy Chief Internal Auditor compiles an Agenda for each meeting and, although no minutes are compiled as the previous CEO (██████████) specifically instructed the Deputy Chief Internal Auditor not to consume time making detailed records but to identify key issues. Notes are made and held on file with regards to any actions that are required following each meeting.

Notes are held on file for all meetings between January 2003 and April 2011.

It is noted that the agenda includes Internal Audit updates since the last meeting, and feedback on audits requested by the Chief Exec.

It was also noted within the notes that High recommendations not agreed have also been discussed but there is no reference within the notes of which audit/recommendations they refer to.

The meeting of December 2006 notes that the Chief Exec has requested that all draft reports for the Audit & Risk Management Committee are copied to him at the earliest opportunity. (The Chief Exec advised that this decision lies with DOF and not IA)

It should be noted there have been changes to the internal audit reporting and follow-up procedures so any High recommendations made now which have been agreed by the departmental Chief Officer but not implemented would be picked up at the follow-up process and reported to ARMC as outstanding.

DATE OF MEETING	NOTES ON FILE
07/04/2011	HAND WRITTEN ACTIONS ON FILE & AGENDA
09/09/2010	HAND WRITTEN ACTIONS ON FILE & AGENDA
16/12/2009	HAND WRITTEN ACTIONS ON FILE & AGENDA WHICH INCLUDES <ul style="list-style-type: none"> ▪ IA REPORT - ANTI FRAUD SELF ASSESSMENT AUTHORITY WIDE OCT 2009 & TRIANGLES GROUP REPAIR SCHEME BIRKENHEAD PHASE 4
28/10/2009	HAND WRITTEN ACTIONS ON FILE & AGENDA
19/06/2009	HAND WRITTEN ACTIONS ON FILE & AGENDA
20/03/2009	HAND WRITTEN ACTIONS ON FILE & AGENDA
17/12/2008	HAND WRITTEN ACTIONS ON FILE & AGENDA
12/03/2008	HAND WRITTEN ACTIONS ON FILE & AGENDA
06/11/2007	HAND WRITTEN ACTIONS ON FILE & AGENDA INCLUDES <ul style="list-style-type: none"> ▪ NOTE ON ACTIONS AGREED
20/06/2007	AGENDA ON FILE WITH ONE ACTION NOTED <ul style="list-style-type: none"> ▪ INC STATEMENT OF INTERNAL CONTROL 2006/07
14/03/2007	HAND WRITTEN ACTIONS ON FILE & AGENDA
20/12/2006	HAND WRITTEN ACTIONS ON FILE & AGENDA <ul style="list-style-type: none"> ▪ INC A NOTES ON ISSUES ARISING FROM THE MEETING

STRICTLY CONFIDENTIAL – NOT FOR PUBLICATION

20/09/2006	HAND WRITTEN ACTIONS ON FILE & AGENDA <ul style="list-style-type: none"> ▪ INC ARMC REPORT SEPT 2006 – GIFTS & HOSPITALITY/CONFLICTS OF INTEREST
20/06/2006	HAND WRITTEN ACTIONS ON FILE & AGENDA INC: <ul style="list-style-type: none"> ▪ ARMC REPORT 29 JUNE 2006 INTERNAL AUDIT WORK MARCH TO MAY 2006/INTERNAL AUDIT ANNUAL REPORT 05/06 ▪ AUDIT COMMISSION REPORTS/QUERY FROM ██████████ RE: RELATED PARTY TRANSACTIONS DISCLOSURES 13 MARCH 2006 ▪ AUDIT REPORT CORPORATE GOVERNANCE MONITORING GROUP 16 MAY 2006 ▪ CORPORATE GOVERNANCE REPORT IMPLEMENTATION OF RECS 26 MAY 2005
03/04/2006	HAND WRITTEN ACTIONS ON FILE & AGENDA
21/12/2005	AGENDA ON FILE & HANDWRITTEN NOTE RE: STATUS OF 3 RECOMMENDATIONS
21/09/2005	HAND WRITTEN ACTIONS ON FILE & AGENDA
15/06/2005	HAND WRITTEN ACTIONS ON FILE & AGENDA
16/03/2005	AGENDA & ISSUES TO BE RAISED ON FILE
15/09/2004	AGENDA & ISSUES TO BE RAISED ON FILE INCLUDES <ul style="list-style-type: none"> ▪ HANDWRITTEN ACTIONS ▪ INTERNAL AUDIT WORK TO BE COMPLETED
22/06/2004	AGENDA & ISSUES TO BE RAISED ON FILE ALSO INCLUDES HAND WRITTEN ACTIONS
18/03/2004	AGENDA & ISSUES TO BE RAISED ON FILE ALSO INCLUDES HAND WRITTEN ACTIONS
17/12/2003	AGENDA & ISSUES TO BE RAISED ON FILE ALSO INCLUDES HAND WRITTEN ACTIONS
23/09/2003	AGENDA & ISSUES TO BE RAISED ON FILE ALSO INCLUDES HAND WRITTEN ACTIONS
18/06/2003	AGENDA & ISSUES TO BE RAISED ON FILE ALSO INCLUDES HAND WRITTEN ACTIONS <ul style="list-style-type: none"> ▪ ANNUAL REPORT TO DMT INTERNAL AUDIT SECTION ALSO INCLUDED DATED APRIL 2003
09/01/2003	ISSUES TO BE RAISED ON FILE

Notes of the Charging Policy Working Group

Charging Policy Consultation
Notes of a meeting held on 22nd August 2005
Westminster House, Birkenhead

Present

██████████ (older people's representative)
██████████ (service user/carer representative)
██████████ (service user/carer representative)
A representative of Wirral MIND gave apologies
██████████ – Advocacy Services
Councillor ██████████ (Lib Dem)
Councillor ██████████ (Lab)
Councillor ██████████ (Con)
██████████ (Assistant Director Finance & Support Services)
██████████ (Business & performance Manager)
██████████ (Client Financial Services Manager)

Purpose

The purpose of the meeting was to consult with party spokespersons and a number of representatives of users and carers on Wirral's charging policy for social care services delivered to people in their own homes. It is intended the outcome of this and other consultations will be presented to the Health and Social Care Select Committee prior to recommending to Cabinet any revisions to the Charging Policy as directed by Cabinet in March 2005.

Process

██████████ (██████████) gave a presentation (attached) which outlined the type of services the Council charges for and how they are calculated. The presentation

went on to explain why the Council believed changes to the policy were necessary and what options might be considered.

The Group asked questions during the presentation and these are recorded in the attached table. The Group did not intend to make any specific recommendations to Council but agreed to review these notes and make subsequent representations as were considered appropriate.

It was recognised that not all client groups were adequately represented and [REDACTED] gave assurance there would be other processes to ensure as many people as possible were consulted prior to Cabinet making a decision on future charges.

Notes of User/Carer Consultation

Presentation	Discussion and Comment
<p>1. What Services are charged for ?</p>	
<p>explained the three types of charges. These are (a) for people who live in residential or nursing homes, (b) for people who are helped to live at home, and (c) for meals-on-wheels.</p>	<p>Noted</p>
<p>The remit of this consultation is (b) and (c). Charges for residential and nursing care are set by Government and cannot be influenced locally.</p>	<p>Noted</p>
<p>explained charges for people who are helped to live at home are based on Government guidance 'Fairer Charging' which assesses people's ability to pay (based on their income, benefits and savings)</p>	<p>It was noted that Councils do not have to charge, but if they do they must adhere to the principles within this Guidance.</p>

<p>People who receive meals delivered to their homes were charged £1.60 per meal. No account is taken of their ability to pay.</p>	<p>In response to a question raised by Councillors, [REDACTED] confirmed this price had not been changed since December 2000, and if inflation had been applied each year the charge would now be £1.81</p>
<p>2. How are charges worked out ?</p> <p>[REDACTED] went through the steps to calculate charges for people supported with a community care package and identified the three bases of charges. These were:-</p>	<p>Noted</p>
<p>(a) Charges against disposable income.</p> <p>This is currently 27%. Disposable Income is the amount above the minimum the Government believes is necessary to live on (ie Income Support levels).</p>	<p>[REDACTED] confirmed that (i) people whose only source of income was Income Support were not charged, (ii) carers income was not taken into account, and (iii) Mobility Allowance was not included as income.</p>
<p>(b) Charges against benefits.</p> <p>Currently £5.27 per week for people who receive Disability Allowance (DLA), or £7.27 for higher DLA</p>	<p>The group asked for information on the current levels of this Allowance. [REDACTED] responded £40.55 per week for Medium DLA, and £60.60 per week for higher DLA. Over 80% of claimants receive the Medium level.</p>

<p>(c) <u>charges against savings.</u> Currently £1 per week for every £250 above £12,500. People with more than £20,500 are assessed to pay the full cost of their care</p>	<p>clarified the £1 was the assumed income from savings to be added to Disposable income in 2(a) above. The Group asked who set these levels and responded they are in the guidance but Council's were free to set higher figures (not lower).</p>
<p>3. Why does the Council think the policy should be reviewed ?</p>	
<p>summarised the 'Fairer Charging policy, the main principles are:-</p> <p>(a) Charges should take account of people's ability to pay</p> <p>(b) Charges should be equally applied across all client groups</p>	<p>It was acknowledged the current policy does this in accordance with the Fairer Charging Guidance.</p> <p>reported there were some groups, and service types, not being charged in the same way. These were (1) Adults with Learning Disability who attend Day Centres, and (2) Adult living in Supported Living services – previously classed as residential care.</p> <p>The Group felt this was unfair, and that everyone should be assessed in the same way, although it was noted the</p>

	group most affected were not represented at this event.
<p>reported the existing policy had not been changed for 5 years</p>	Noted
<p>The Council agreed budget savings in 2005-06 of £150,000 from Fairer Charges and £50,000 from Meals</p>	Noted
<p>4. Options</p>	
<p>summarised the options that could be considered by the Council. These are:-</p> <p>(a) Charge more for people with over £20,500 savings (ie raising the full price)</p> <p>(b) Charge more against disposable income</p>	<p>There was concern that people just over the limit would have their savings reduced rapidly. confirmed the Council 'could' raise the threshold for being assessed to pay the full price.</p> <p>The Council could either change the %-Take figure or increase the minimum level before charges start to apply (eg Income Support + £10)</p>

<p>(c) Charge more against Disability related Benefits</p> <p>(d) Increase the price of Meals on Wheels</p> <p>(e) Include people who only receive Day Care or Supported Living Services in the charging policy</p>	<p>The Council could change the charge against Disability benefits. Few Councils take all the Benefit in charges, many take between £10 and £15 per week.</p> <p>The Council can charge up to the full price for meals (currently £2.42)</p> <p>Most Councils operate the same Fairer Charging policy for these type of services</p>
<p>5. Exploring each option in turn -></p> <p>(a) Charge people with over £20,500 more.</p> <p>The current policy is to charge £6.14 per hour. The actual cost to the Council is between £9 and £11. If the Council raised its charge to £7.14 an additional £75,000 would be raised.</p>	<p>The Group asked how many people this would affect, reported approximately 500 people (there are actually 540 people paying on average £27 per week, which raises £750,000 pa)</p> <p>The Group felt it would be fair to charge people more who were more able to pay because they had more assets, but were concerned people who were just over the threshold would quickly drop below it. There was also concern</p>

	<p>people would divest themselves of their savings purposefully to avoid paying charges.</p> <p>explained there were few people who were 'just over'. Most people paying the full price had elected not to reveal the level of their savings and had 'chosen' to pay full cost.</p> <p>The group would like to ask the Council to consider raising the £20,500 threshold to protect those who were 'just over' the limit. On this basis, people with more substantial savings would be more likely to accept higher charges; bearing in mind the subsidy that would still remain.</p>
<p>(b) Charge more against disposable income</p> <p>The current policy is to charge 27% of disposable income. explained that for every 'percentage point' above this the Council would raise an additional £10,000 (eg if the charge was 30%, £30,000 would be generated.</p>	<p>confirmed there would be 1,200 service users affected by varying the %-Take figure.</p> <p>Many other Authorities charge between 30% and 35%.</p>
<p>(c) Charge more against Disability related Benefits</p> <p>People who get DLA/AA are charged £5.27 per week at the lower level or £7.27 at the higher.</p>	<p>The Group felt it fair that people should use these benefits to pay for their care as this was the purpose of the benefit.</p>

<p>Raising the charges by £1 per week would generate an additional £94,000 per year.</p>	
<p>(d) Increase the price of Meals on Wheels</p> <p>The current price per meal is £1.60. The average in the North West is £1.85. The price had not changed in 5 years. Raising it to £1.85 would raise an additional £30,000.</p>	<p>The Group asked what the actual price of each meal was. [redacted] responded £2.42 taking into account the cost of the meal, regeneration, and transport.</p> <p>The Group still felt at £1.85 it was good value for a two course meal</p>
<p>(e) Charge people in Supported Living</p> <p>Many people are not charged for Supported Living Services. Applying the Fairer Charging Policy would raise £40,000 per year</p>	<p>The Group felt people receiving these services should be assessed to pay charges in the same way as other service users. [redacted] reported up to 80 people would be affected.</p> <p>The other group not currently charged is Adults with Learning Disability who only receive day care. Up to 100 users may be affected and [redacted] reported potential collection difficulties.</p>
<p>[redacted] asked the Group to comment on the current method of payment.</p>	<p>The group felt the statements were a good idea but felt regular monthly invoices would be an improvement</p>

<p>Users currently receive a statement against which they can make regular payments using a swipe card</p>	<p>The group also felt more use of standing orders and direct debits would aid collection (this needs to be offered as a choice)</p> <p>The Group asked [redacted] to consider 'rewards' for opting for Direct Debits similar to those offered by utility Companies</p>
<p>Summary of messages from the Group to Committee</p> <p>[redacted] asked the Group what comments they would wish to make to the next Committee</p>	<ul style="list-style-type: none"> • 'Fairness' was considered to be the key consideration. • Benefits that were paid for people with disability should be used to pay charges. • Avoid putting people into poverty by charging against low incomes. • People with higher income and savings should be assessed to pay more. • £1.85 is good value for a hot two course meal delivered

	<p>to your own home</p> <ul style="list-style-type: none">• The savings threshold should be increased to avoid people fluctuating between full cost and assessed charge when they have around £20,500.• All client groups and service types should be charged in the same way.
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Summary

The meeting ended with the following bullet points to be included in a report to Committees in November 2005

- 'Fairness' was considered to be the key consideration.
- Benefits that were paid for people with disability should be used to pay charges.
- Avoid putting people into poverty by charging against low incomes.
- People with higher income and savings should be assessed to pay more.
- £1.85 is good value for a hot two course meal delivered to your own home

- The savings threshold should be increased to avoid people fluctuating between full cost and assessed charge when they have around £20,500.
- All client groups and service types should be charged in the same way.

Next Stage

reported an intent to report the outcome of consultation to the Health and Social Care Select Committee in October and Cabinet in November. However the fact that representatives of Learning Disability services could not attend it was decided to delay the report for one month. This would also give an opportunity to invite further comments from older people themselves by a postal questionnaire.

Recommendations

Members of the Group are asked to confirm this record as a true reflection of the discussion that took place on the 22nd August and make any further representations they feel appropriate.

CALCULATION OF THE REIMBURSEMENT TO SERVICE USERS AT 131-133 BERMUDA ROAD, 35 CURLEW WAY AND 150 EDGE HILL ROAD, MORETON

Period: 4 December 2000 To Actual Date Of Fairer Charging Assessment

Introduction

This paper presents the findings of the review by Internal Audit of the reimbursement calculations prepared by DASS. It gives details of the references to the decision for reimbursement, the date decided upon for the start of the overpayment, review for difference identified and current situation with regard to reimbursements not made at the time of the review.

Section 5 addresses issues arising from a letter sent by the Director of Social Services to Service Users.

The methodology used was appropriate and the use of the Cabinet resolution as the basis of the calculation was approved by the Director of Law, HR and Asset management.


Chief Internal Auditor

1. Background

1.1. Audit and Risk Management Committee, 23 September 2009, resolved, minute 23 (1)(i):

That the Director of Adult Social Services be instructed to seek any necessary Cabinet and/or Council Approval to:

(i) Implement the principles of reimbursement of service users at Bermuda Road, Curlew Way and Edgehill Road Moreton, between April 2003 and February 2006 in so far as the sums actually paid by an individual service user exceeded what they might reasonably have been required to pay had the Council implemented Fairer Charging in April 2003 by making any appropriate reimbursements and/or

(ii) Take any other appropriate restorative action.

1.2. Audit and Risk Management Committee, 25 November 2009, resolved, minute 47 (3):

(3) That the Director of Adult Social Services be instructed to seek the approval of the Cabinet for the reimbursement of residents and former residents of Bermuda Road, Curlew Way and Edge Hill Road, Moreton for the period dating back from march 2003 to December 2000, based on the "Special Charging

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Policy" and the wider review of Social Services charging approved by Members in July 2000: and/or to take any other appropriate restorative action.

1.3. Cabinet, 14 January 2010, resolved, minute 256 (1), (2), (3), and (5):

(1) The recommendations of the Audit and Risk Management Committee be approved and;

(2) the principle of reimbursement of service users at Bermuda Road, Curlew Way and Edgehill Road, Moreton between April 2003 and February 2006, insofar as the sums actually paid by an individual service user exceeded what they might reasonably have been required to pay had the Council implemented Fairer Charging in April 2003, by making, upon receipt of a legitimate claim, any appropriate reimbursement and/or to take any other appropriate restorative action, be approved;

(3) the reimbursement of residents and former residents of Bermuda Road, Curlew Road and Edgehill Road, Moreton for the period dating back from March 2003 to December 2000, based on the difference between the "Special Charging Policy" and the wider review of Social Services charging approved by Members in July 2000, where the Council is in receipt of a legitimate claim; and/or to take any other appropriate restorative action, be approved;

(5) officers be authorised to agree approval of any such claims that fall within the limit of the calculated reimbursement figure and/or any other lawful restorative action;

2. Methodology

- 2.1. Placement details of all service users who have resided at the 3 units from October 1997 to the date of actual Fairer Charging assessment in 2006/2007 were obtained from DASS records.
- 2.2. In accordance with Cabinet, 14 January 2010, minute 256, calculated the liability and income for each service user for the period 4 December 2000 or their date of placement if after 4 December 2000, to the date of actual Fairer Charging assessment in 2006/2007.

The implementation date in the Report to the Special Social Services Committee 26 July 2000 "Charge Policy Review" was 4 December 2000. The Internal Audit Report to ARM dated 25 November 2009 details the background why it was felt that this date should be used when back dating from March 2003. Resolution 3 gives authority to proceed.

Cabinet 14 January 2010, minutes (1) and (3) states:

"(1) The recommendations of the Audit and Risk Management Committee be approved and;

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(3) the reimbursement of residents and former residents of Bermuda Road, Curlew Road and Edgehill Road, Moreton for the period dating back from March 2003 to December 2000,...."

As part of the work to confirm the reimbursements detailed in the note Internal Audit had a meeting with the Director of Law, HR and Asset Management re: Cabinet minute 256 (3) 14 January 2010. There is an email from the Director of Law confirming that the 4 December 2000 is the date to back date to.

- 2.3. Liability information was obtained for each service user from the financial assessment records held by DASS. The liability was calculated as follows:

Period	Charge Policy
4 December 2000 to 6 April 2003	Wider Charging Policy Dec 2000
7 April 2003 to date of Fairer Charging Assessment	Fairer Charging Policy Apr 2003

Note: the "Wider Charging Policy" refers to the Charge Policy approved by Members re: the report the Social Services Committee dated 26 July 2000 – Charge Policy Review.

See Cabinet 14 January 2010, minute (3):

"..... based on the difference between the "Special Charging Policy" and the wider review of Social Services charging approved by Members in July 2000"

The phrase "wider charging policy" was being used to distinguish the 2000 Charge Policy from the 1997 Charge Policy and the 2003 Fairer Charging Policy.

This phrase was used in Report(s) to committee and excluded service users who resided in supported living accommodation.

- 2.4. Income information was obtained from details held in DASS and the Finance Department.

3. Reimbursement Calculation

- 3.1. Internal Audit calculation and DASS calculation:

The reimbursements had been made by DASS prior to Internal Audit highlighting the differences.

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Unit/service user	Internal Audit Reimbursement Calculation £	DASS Reimbursement Calculation £	DASS Higher Reimbursement £
Bermuda Road - service user A	14,838.75	14,838.75	0.00
Bermuda Road - service user B	21,453.74	23,144.94	1,691.20
Bermuda Road - service user C	13,684.24	13,684.24	0.00
Bermuda Road - service user D	13,120.67	13,120.67	0.00
Bermuda Road - service user E	16,720.85	16,720.85	0.00
Bermuda Road - service user F	6,921.23	6,921.23	0.00
Bermuda Road Total	86,739.48	88,430.68	1,691.20
Curlew Way - service user A	18,632.65	18,632.65	0.00
Curlew Way - service user B	3,039.17	3,039.17	0.00
Curlew Way - service user C	20,505.81	20,960.34	454.53
Curlew Way - service user D	22,688.77	22,688.77	0.00
Curlew Way - service user E	8,927.23	8,927.23	0.00
Curlew Way - service user F	20,318.82	24,189.73	3,870.91
Curlew Way Total	94,112.45	98,437.89	4,325.44
Edge Hill Road - service user A	16,160.69	16,160.69	0.00
Edge Hill Road - service user B	12,216.34	12,216.34	0.00
Edge Hill Road - service user C	18,010.07	18,010.07	0.00
Edge Hill Road - service user D	10,204.39	10,204.39	0.00
Edge Hill Road Total	56,591.49	56,591.49	0.00
Grand Total	237,443.42	243,460.06	6,016.64

3.2. When comparing the Internal Audit calculation to that produced by DASS, Internal Audit has identified 3 service users whom DASS have calculated a higher reimbursement amount:

Bermuda Road - service user B - £1,691.20

Reason:

(i) 4 benefit payments @ £422.80 dated after the date of Fairer Charging assessment.

Curlew Way - service user C - £454.53

Reasons:

(i) Standing Order payment dated 4 June 2003 for £20.55 was in respect of an invoice from 1999.
(ii) Standing Order payment for £433.98 dated after the date of Fairer Charging assessment.

Curlew Way - service user F - £3,870.91

Reasons:

(i) 42 Standing Order payments @ £13.60 were paying off an invoice.
(ii) 5 SDLI payments total of £3,299.71 were in respect of an invoice.

4. Payment to Service Users

- 4.1. The Council has reimbursed service users the amount shown in the column - DASS Reimbursement Calculation - except for the following 2 service users who have not yet been reimbursed as DASS are waiting the Deputy Court Order:

Bermuda Road - service user C - £13,684.24.

Edge Hill Road - service user B - £12,216.34.

The status of these outstanding reimbursements as at 7 September 2011 is as follows:

1. The Deputyship order has been received, a bank account has been set up and the paperwork for reimbursement sign off has been produced. DASS will arrange for the payment to be made by BACS immediately.
2. A family member had applied to become Deputy, they recently received the order from the Court of Protection and have been in the process of setting up a bank account. The Deputy contacted DASS to confirm that they will be completing the reimbursement claim form and submitting it shortly. Once this is received paperwork will be produced and passed to DASS for sign off.

5. Department of Social Services [REDACTED] Letter Dated 19 October 2006

Letter Subject: Fairer Charging Policy - Supported Living Units

1. It was not possible to ascertain when the letter was actually sent out to service users as there is no monitoring record nor is there a copy of the letter on service users file.
2. The indication is that the date on the letter could be the date it was opened on screen and printed as the date is auto updated to the current date.
3. A DASS officer recalls that when the review was being undertaken it was a priority task split between 7 staff. They were each provided with an allocation of service users and had a week to send the letters out.

Fairer Charging Phased In

1. The mail shot of this letter was initially for private supported living clients, most of in-house supported living clients were already subject to the Fairer Charging for the day care and transport services they used. It was believed that people in the in-house supported living were already being charged under the Fairer Charging Policy as they were in receipt of other services, such as day services. Charges for people in the in-house provision were implemented in June 2006 (apart from a few exceptions that were prior to this). It was for this reason that the letter dated 19th October 2006 was only sent to people in private sector supported living.

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2. DASS followed up the mail shot with a reminder letter and also visited service users who required assistance to complete the forms.
3. Service users who never returned the forms should have been charged as none disclosure, therefore full cost. However, due to the client group, staff requested further instruction on this.
4. Where people chose not to disclose their finances they were charged the full cost of the services. Because the people in receipt of Supported Living services were primarily those with Learning Difficulties and may therefore have had difficulties in understanding or providing the information a charge was not implemented until a review of all private supported living cases was completed in 2009.

Calculation of Interest on the Reimbursement to Service Users at 131-133 Bermuda Road, 35 Curlew Way and 150 Edge Hill Road, Moreton

1. Background

1.1 In accordance with Cabinet, 14 January 2010, the principal of re-imburement of service users at Bermuda Road, Curlew Way, and Edgehill Road, Moreton for amounts overpaid between 4 December 2000 and the date the Fairer Charging Assessment was calculated.

1.2 This report deals with the subsequent request to calculate the interest that may be due on these reimbursement amounts.

2. Methodology

2.1 The original Reimbursement Calculation amounts are shown below:

Unit/Service User	DASS Reimbursement calculation (£)
Bermuda Road – Service User A	14838.75
Bermuda Road – Service User B	23144.94
Bermuda Road – Service User C	13684.24
Bermuda Road – Service User D	13120.67
Bermuda Road – Service User E	16720.85
Bermuda Road – Service User F	6921.23
Bermuda Road Total	88430.68
Curlew Way – Service User A	18632.65
Curlew Way – Service User B	3039.17
Curlew Way – Service User C	20960.34
Curlew Way – Service User D	22688.77
Curlew Way – Service User E	8927.23
Curlew Way – Service User F	24189.73
Curlew Way Total	98437.89
Edge Hill Road – service user A	16160.69
Edge Hill Road – service user B	12216.34
Edge Hill Road – service user C	18010.07
Edge Hill Road – Service User D	10204.39
Edge Hill Road Total	56591.49
Grand Total	243460.06

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2.2 These totals have been broken down as accurately as possible into financial years for the purpose of calculating the interest:

Case reference	Financial Year							TOTAL
	2000/01	2001/02	2002/03	2003/04	2004/05	2005/06	2006/07	
Bermuda A	-1,315.67	175.43	-8,160.21	-4,301.01	-3,009.99	1,085.50	687.20	-14,838.75
Bermuda B	-1,315.67	-4,104.09	-3,991.15	-3,971.44	-5,483.96	40.57	-4,319.20	-23,144.94
Bermuda C	-811.88	-3,461.77	-2,965.99	-3,935.86	-3,855.44	1,085.50	261.20	-13,684.24
Bermuda D	-2,367.53	-3,216.24	-3,273.60	-3,337.11	-2,272.89	1,085.50	261.20	-13,120.67
Bermuda E	-1,050.17	-3,515.72	-3,312.22	-3,272.86	-2,566.47	-2,044.76	-958.65	-16,720.85
Bermuda F	-1,333.88	-4,332.27	-1,255.08	0.00	0.00	0.00	0.00	-6,921.23
Curlew A	-1,479.51	-3,527.28	-2,875.29	-4,539.11	-4,089.47	-2,121.99	0.00	-18,632.65
Curlew B	-1,351.39	-1,687.78	0.00	0.00	0.00	0.00	0.00	-3,039.17
Curlew C	-1,050.17	-3,268.38	-3,506.64	-4,043.88	-5,185.45	-3,905.82	0.00	-20,960.34
Curlew D	-1,415.67	-4,192.86	-2,124.36	-4,868.52	-4,441.74	-5,090.61	-555.01	-22,688.77
Curlew E	0.00	-1,862.90	-3,635.62	-3,325.51	-1,568.73	1,085.50	380.03	-8,927.23
Curlew F	-1,050.17	-4,758.71	-5,754.11	-5,027.94	-3,478.73	-4,364.38	244.31	-24,189.73
Edgehill A	-1,010.56	-3,246.40	-3,682.39	-3,272.86	-3,258.88	-2,376.80	687.20	-16,160.69
Edgehill B	-1,050.17	-3,401.07	-3,325.68	-3,766.58	-1,352.07	379.08	300.15	-12,216.34
Edgehill C	-1,050.17	-3,401.07	-3,325.68	-3,543.89	-3,546.36	-3,158.95	16.05	-18,010.07
Edgehill D	-1,015.45	-3,473.68	-3,585.86	-2,129.40	0.00	0.00	0.00	-10,204.39

243,460.06

2.3 The interest was then calculated on these figures using the average bank of England base rate over each financial year to arrive at an estimation of interest due:

Financial Year	Average Bank of England Base Rate (%)
2000/01	5.89
2001/02	4.66
2002/03	3.96
2003/04	3.71
2004/05	4.60
2005/06	4.59
2006/07	4.82
2007/08	5.55
2008/09	3.63
2009/10	0.50
2010/11*	0.50

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2.4 Interest was calculated using Simple Interest.

2.5 The principle amount outstanding for each year was assumed to be outstanding at the first day of that financial year.

2.6 Where reimbursements have already been made, interest was calculated up to the date of reimbursement and up to 31 July 2011 where reimbursement has not yet occurred:

Case Ref	GL DATE
Bermuda A	11-Feb-11
Bermuda B	11-Feb-11
Bermuda C	OUTSTANDING
Bermuda D	10-May-11
Bermuda E	10-May-11
Bermuda F	11-Aug-10
Curlew A	14-Sep-10
Curlew B	27-Apr-11
Curlew C	11-Feb-11
Curlew D	28-Mar-11
Curlew E	28-Jun-10
Curlew F	29-Dec-10
Edgehill A	27-Apr-11
Edgehill B	OUTSTANDING
Edgehill C	23-Jul-10
Edgehill D	08-Sep-10


3. Interest Calculation

3.1 Estimated interest due:

Case ref	Estimate of Interest Due (£)
Bermuda Road – Service User A	4,677.26
Bermuda Road – Service User B	6,387.24
Bermuda Road – Service User C	4,321.81
Bermuda Road – Service User D	4,377.13
Bermuda Road – Service User E	4,847.63
Bermuda Road – Service User F	2,505.54
Curlew Way – Service User A	5,473.68
Curlew Way – Service User B	1,140.47
Curlew Way – Service User C	5,895.41
Curlew Way – Service User D	6,301.34
Curlew Way – Service User E	2,890.46
Curlew Way – Service User F	7,075.73
Edge Hill Road – service user A	4,836.76
Edge Hill Road – service user B	3,983.22
Edge Hill Road – service user C	5,196.81
Edge Hill Road – Service User D	3,411.54
Total	73,322.04

3.2 This calculation was produced by the Accountancy Section and has been verified along with the methodology by the Internal Audit Section.

Email Exchange Between DASS and Office of the Public Guardian
(8 and 9 July 2010)


I agree with your notes of our conversation.

In answer to your questions:

Do we need to wait until the COP application is complete and the deputy account set up before we make the payment?

- It would be best to wait for the Court of Protection applications to be completed before payment is made

If the DWP is happy to continue with the appointee arrangement because the individual has the capacity to determine what they wish to spend their money on, but is not able to manage their day to day finances, I don't see the issue with the appointee administering those transactions. Do you think this is still a problem? If a person has capacity they can ask for help in making purchases, couldn't they also nominate someone else for us to make to payment to? Similarly if they are happy with the person who is appointee administering their account in general, this is okay as they have the capacity to determine this? I know you talked about it often being the decision of the bank, perhaps we should insist that they get permission from the bank, would this suffice?

- I still think that it is outside an appointee's authority to receive funds which do not arise in connection with their role as appointee which is to receive and spend income from state benefits. But the DWP are in a better position to comment on this. I agree that if the person has capacity to decide how they want their money to be spent, but need practical assistance with the mechanics of this, they could nominate someone to receive the payment and deal with it on their behalf. The best way to do this is by making a power of attorney - a Lasting Power of Attorney. They could appoint the person who acts as their appointee as attorney. Other ways include a third party mandate on a bank account or having an account in joint names, but neither of these options are particularly appropriate if there are any doubts about the person's capacity.

I appreciate what you say about the cost of applying to the Court of Protection and the disadvantages, but there is a fairly generous fee remission scheme based on income. The advantage of obtaining a Court of Protection order is that the person appointed under the order has full legal authority to receive the overpayments and apply the funds for the person's benefit and needs. From what we have been told about the background to the overpayments for these particular supported living residents, I would think it advisable to ensure that a formal route is taken to ensuring that the refunds are dealt with appropriately, certainly for those residents who lack the capacity to deal with this themselves.

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[REDACTED]
Senior Investigator
Compliance & Regulation Unit
Office of the Public Guardian (OPG)
020 7664 7206

From: [REDACTED] [mailto:[REDACTED]@wirral.gov.uk]
Sent: 08 July 2010 10:29
To: [REDACTED] (PGO)
Subject: Court of Protection Applications

[REDACTED]

Thank you for your time yesterday, I would appreciate it if you could review my notes to confirm this is what we discussed. I also have a couple of follow on queries in red.

Capacity

We discussed capacity issues and whether we should do a capacity assessment for all. You agreed that yes we would be best advised to do so in order for the capacity status to be clear.

If after assessment the person does not have capacity is a COP application required in all cases? Yes

If they do have capacity are we okay to proceed with payment to them? Yes

Court of Protection Application

Does the value of the payment have any bearing on whether a Court of Protection application is needed? No, there is no threshold but obviously if it was only £100 there would not be a requirement.

I told you that the lowest payment was £3k and you confirmed that this would still need a COP application if there was no capacity.

Do we need to wait until the COP application is complete and the deputy account set up before we make the payment?

Appointees

If they do have capacity but they have an appointee who should we pay?

You could not provide an answer to this question. You work on the assumption that if they had an appointee then the outcome of the capacity assessment would most likely be that they have not got the capacity to deal with the payment.

We discussed that the DWP do not require a full capacity assessment and we were not sure exactly what they request when making someone an appointee. However because the appointee is in place you advised that we should not make the payment to the appointee as they have no legal authority to accept that payment.

I raised the question about appointeeships where the benefits are paid into the individuals bank account (not the appointee), but the appointee has access to administer their finances. You were not aware of this arrangement, but because the person is deemed to have capacity we could pay the money into the individuals account. The issue still remained for you that the appointee should not be administering payments from these monies once they are paid in.

We agreed that we would have to raise these issues with the DWP for each case where there is capacity but also an appointee in order to determine if the appointee is still required.

If the DWP is happy to continue with the appointee arrangement because the individual has the capacity to determine what they wish to spend their money on, but is not able to manage their day to day finances, I don't see the issue with the appointee administering those transactions. Do you think this is still a problem? If a person has capacity they can ask for help in making purchases, couldn't they also nominate someone else for

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us to make to payment to? Similarly if they are happy with the person who is appointee administering their account in general, this is okay as they have the capacity to determine this? I know you talked about it often being the decision of the bank, perhaps we should insist that they get permission from the bank, would this suffice?

The advocate representing many of the clients is not happy with the suggestion that COP application may be needed. As they see it they are completing all of the steps that would be taken under COP, i.e. they are completing best interest meetings in line with Mental Capacity Act. They see the COP as being negative due to the fees involved, but they can't see any benefits. You advised that they can't opt to not apply as they need the full legal authority where the person does not have capacity.

We discussed a specific case I have:

The client has a family member who was approved by DWP as appointee in Oct 2009. The client kept [redacted] own bank account which the appointee administers, the balance of this account had built up to £14k from accrued benefits. A capacity assessment completed in December 2009 determined that the client does not have capacity. The appointee did not set themselves up as signatory until February 2010 as [redacted] was waiting for the previous appointee to relinquish their responsibilities. In April 2010 a caravan was purchased for £20.5k administered by the appointee (£15k paid from the clients bank account, [redacted] therefore owes the family £5.5k when [redacted] receives her reimbursement payment). The appointee has detailed that the decision was taken in the clients best interests and for [redacted] benefit. The decision was taken after consultation with many people, including [redacted] psychiatrist and [redacted] advocate. The reimbursement payment is for £14.8k and the appointee is currently under the impression that we will pay this to the clients account and [redacted] will continue to administer that account, including the amounts from the reimbursement. You advised that [redacted] has to apply to COP before [redacted] can deal with those monies.

I would be grateful if you could correct me if I have misunderstood any of our conversation and answer my additional questions.

Many thanks for your help

[redacted]

[redacted]

Acting Service Manager - Personal Finance
Wirral Council
Department of Adult Social Services
Tel: 0151-666-3623
Fax: 0151-666-3658
[redacted]@wirral.gov.uk

Letters of Appointment and Specification of Duties Required of Wirral Mind



Department of Adult Social Services

Director [REDACTED]

Westminster House,
Hamilton Street,
Birkenhead,
Wirral,
Merseyside
CH41 5FN

to [REDACTED]
Wirral Mind
90-92 Chester Street
Birkenhead
Wirral
CH41 5DL

date 18.3.10

your ref
my ref RO'B/RP/[REDACTED]/Mind
service Access and Assessment
tel 015 666 4919
fax 0151 666 4917
email [REDACTED]@wirral.gov.uk

Please ask for [REDACTED]

Dear [REDACTED],

Please find attached guidance notes and letter of instruction in respect of the role of advocacy with claimants due for re-imburements.

I would be grateful if you could sign both copies and return one in the enclosed envelope.

May I take this opportunity to thank you and your staff for the work you are doing with the claimants and their representatives.

If you need any further information, please do not hesitate to contact me or [REDACTED]

Yours Sincerely

[REDACTED]
Head of Service
Access and Assessment Branch



Advocacy for potential claimants in respect of re-imburements

Role of advocates:

1. To be assigned a particular individual and to be furnished with basic details from DASS or from families/key workers.
2. To make appointments to visit the service users and to have information available from various sources to assist this task.
3. To be provided with information about the re-imburements due to each individual/ receive a copy of the re-imburement letters.
4. To get to know the individual by talking to them primarily, and seeking their agreement to assist them/act for them in the matter of re-imburements. Where the individual has capacity (or their representative can act on their behalf) the advocate to obtain a signed agreement for them to do so, e.g.

I agree for the purposes of this re-imburement process that....., act as my Advocate and on my behalf, liaise with the Local Authority and its representatives to complete this process.

Signed
Signed

Date [applicant or their representative]
Date [Advocate]

5. With claimants' permission, to seek the views of their carers, their families, and their employers (Day Centre Managers) and to have access to any relevant financial documents.
6. To reach a judgement about an individuals capacity to understand the task at hand. If there are significant issues with a person's capacity to understand, then the advocates are to make a 'best interest' judgment about who to talk to in order to have a greater understanding of the individual.
 - Person's representative
 - To have access to person's previous records including financial information in order to assist in this process.
 - To make DASS aware of individuals where a more formal assessment of capacity is needed
7. To conduct interviews with the relevant people involved in the care of the individuals.
 - Families
 - Employers (Day centres who usual have person centred plans)
 - Key workers
 - Any other significant person
8. To have access to relevant current financial information on each person (e.g. current bank balance)

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9. DASS agrees to ensure the relevant people and information is made available from relevant DASS departments:
 - Finance
 - welfare benefits
 - Financial protection officers) to assist the advocates in their quest for relevant information on each individual.
 - Any other relevant other.

10. The role of the advocate would then be to
 - i. Make sense of the re-imburement figure and calculation in order to reach a decision about the accuracy of this figure.
 - ii. Make a judgement as to whether the time period for re-imburements is accurate
 - iii. Identify ways that will enhance the quality of the person's life

11. DASS agrees to convene Meetings on a fortnightly basis with advocates and key people they feel should attend. These to be chaired by [REDACTED] (or equivalent)

12. For the final figure to be agreed upon and paid into the relevant bank account.

13. For those lacking capacity consideration be given the need for Court of Protection and the involvement of the financial protection officers. This is particularly pertinent to those who have appointees, as this does not cover access to Bank Accounts.

14. For key personnel to be made available.
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - [REDACTED]
 - Any other person considered relevant.

15. For advocates to report back to the council any of their observations or findings including any issues that need addressing, e.g. it may well be that some families will wish to become appointees for their family member. Advocates to report back on such issues and assist the council in evaluating such requests.

16. **"To carry out any further steps that are thought appropriate to ensure that the individuals are properly supported"**

Signed
(DASS)

Date.....

Signed.....
(Advocacy Service)

Date.....

COUNCIL ENGAGEMENT WITH WIRRAL MIND

1. BACKGROUND

- 1.1. Wirral Mind is a third sector organisation providing support to people with learning difficulties.
- 1.2. The Council has commissioned, over a long period, various services from this organisation including Mental Health Advocacy, Voluntary Support Services and the provision of the Fountains drop in centre in Birkenhead.
- 1.3. Corporate Services (Regeneration) is, up until the end of June 2011, grant funding the ABC Together project, which amounted to grants to the value of £339,000.00 in the last financial year.

2. DEPARTMENTAL EXPENDITURE – DASS

- 2.1. DASS purchase services from Wirral Mind in three distinct areas, namely Mental Health Advocacy, Volunteer Support Services and provision of the Fountains drop in centre in Birkenhead.
- 2.2. Expenditure by the Department from 2002 is approximately £125,000.00 per year.
- 2.3. There is no evidence of a formal contract or that these services have been competitively tendered. The engagement of this organisation and these arrangements go back many years.

3. DEPARTMENTAL EXPENDITURE – (REGENERATION) CORPORATE SERVICES

- 3.1. Supporting People division has a negotiated contract with Wirral Mind with an approximate annual value of £60,000.00. The contract has been benchmarked through the North West forum and is regularly monitored.
- 3.2. This contract forms part of the Divisional Procurement Strategy approved by Cabinet on the 10 December 2008.

4.0 CONCLUSIONS

- 4.1 Both Corporate Services areas of expenditure are satisfactorily monitored, controlled and demonstrates value.
- 4.2 DASS expenditure needs to be fully reviewed.
- 4.3 DASS expenditure of this magnitude should be formally tendered; it is the only non-contestable method of demonstrating transparency and value.

Compromise Agreement – E-mail Exchange Between Officers

This note summarises the e-mail exchange between officers with reference to [REDACTED]'s Compromise Agreement.

From: [REDACTED]
Sent: 15 April 2008 10:02
To: [REDACTED]
Subject: [REDACTED] 0130090

Hi [REDACTED],

Following on from our conversation yesterday I can confirm that the net amount due to [REDACTED] based on a payment of £15000.00 and taking into account deductions of Tax and NI would come to £9369.95. Please find a breakdown of the calculation below:

Gross Payment £15000.00
Tax deduction £ 5243.33 (tax code 538L)
NI deduction £ 386.72 (D rate NI)
Net Payment £ 9369.95

I hope the above proves to be helpful. Please don't hesitate to contact me if you require any further information.

Kind regards
[REDACTED]

From: [REDACTED]
Sent: 15 April 2008 10:11
To: [REDACTED]
Subject: RE: [REDACTED] 0130090

[REDACTED]
Thanks very much, would [REDACTED] need payroll codes for the tax and Ni? I will get a cheque raised

[REDACTED]
From: [REDACTED]
Sent: 15 April 2008 10:20
To: [REDACTED]
Subject: RE: [REDACTED] 0130090

[REDACTED]
So I need a cheque for £39369.95 made payable to [REDACTED]. Let me know what I have to sign etc

Thanks

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[REDACTED]
From: [REDACTED]
Sent: 15 April 2008 15:50
To: [REDACTED]
Subject : FW: [REDACTED] 0130090

Can you speak to me regarding this in the morning please ?

Thanks

[REDACTED]
Principal Manager - Finance

From: [REDACTED]
Sent: 17 April 2008 09:27
To: [REDACTED]
Subject: FW: [REDACTED] 0130090

Looks like [REDACTED]

[REDACTED]
From: [REDACTED]
Sent: 17 April 2008 09:32
To: [REDACTED]
Subject: FW: [REDACTED] 0130090

Thanks – but he was no help, doesn't know anything about codes – will have to ask [REDACTED] or do you suggest someone else??

[REDACTED]
Management Accountant

From: [REDACTED]
Sent: 17 April 2008 09:37
To: [REDACTED]
Subject: RE: [REDACTED] 0130090

No try [REDACTED]

[REDACTED]
From: [REDACTED]
Sent: 17 April 2008 10:29
To: [REDACTED]
Cc: [REDACTED]
Subject: Compromise Agreement – [REDACTED]

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Importance: High

Hi [REDACTED]

[REDACTED] has requested a payment through the AP system in respect of the above. I need to ensure that NI and Tax are deducted and coded correctly from part of this payment, as per the agreement. At the moment I am trying to confirm what the coding should be but [REDACTED] has made his own inquiries with payroll and is suggesting that this payment should be made through the payroll system.

I am simply following instructions as I know this is a legal agreement. Could you advise please as [REDACTED] is out of the office today and the payment needs to be processed?

Thanks

[REDACTED]

From: [REDACTED]
Sent: 17 April 2008 10:48
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Compromise Agreement – [REDACTED]

Aaargh! This is getting silly. I have to ring [REDACTED] at home for the answer.

The Borough Solicitor and someone called [REDACTED] in Finance told us "*to ensure the integrity of the compromise agreement do NOT use Payroll, but use the AP System*"

... accounting separately for the tax deduction to allow for a 2nd payment to HMRC (again through AP system);. It is an ex-gratia award and agreement was reached it would be by CHEQUE.

If payment is not made quickly ... who will join me in Court or at the Tribunal?

If there is any confusion about which code to use, put it all to revenue and do a journal later. This can't be a late payment, we have a signed legal agreement to pay within a specified date and I'm worried this is now.

I now need confirmation it has gone. (To [REDACTED] please)

Thanks (*I'm not having a go — but why are we making it harder than it needs to be?*)

[REDACTED]

From: [REDACTED]
Sent: 17 April 2008 10:57
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Compromise Agreement – [REDACTED]

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Sorry [REDACTED], I will ensure the cheque is raised today and [REDACTED] will confirm this with [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 17 April 2008 10:57
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Compromise Agreement - [REDACTED]

Dear [REDACTED]

We have made a few further enquiries. [REDACTED] (ext 3524) in the Pensions team says that [REDACTED] usually liaises with [REDACTED] when this type of payment is made and that generally [REDACTED] organises payment.

I hope this helps

[REDACTED]

[REDACTED]

Senior Accountant.

From: [REDACTED]
Sent: 23 April 2008 11:38
To: [REDACTED]
Cc: [REDACTED]
Subject: Codes

[REDACTED]

Can you confirm what 'cost codes' you would use when tax and NI are deducted from pay

Thanks

[REDACTED]

[REDACTED]

Principal manager, Human Resources

From: [REDACTED]
Sent 23 April 2008 11:54
To: [REDACTED]
Subject: RE: Codes

[REDACTED]

I don't get your question? All hours are coded to the place where the person works. NI and Tax are just deducted as per the Gross Pay and it is the Gross that is coded to each Establishment.

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I hope this helps.

[REDACTED]
Team Leader
Employee Admin Team E

From: [REDACTED]
Sent: 23 April 2008 12:03
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Codes

[REDACTED]
Thanks, I don't know if it helps!
[REDACTED]

● Tenancy Issues

Regarding ● tenancy agreement, after THB concluded we did not receive any tenancy agreements, and we are aware that officers requested sight of these agreements as part of their on-site review of documentation, but we do not seem to have retained copies. As this organisation has been the subject of Housing Benefits Tribunal's, Judicial Review & High Court hearings we believe that they would have retained the tenancy agreements as part of this process.

The areas of concern raised regarding the charges applied to ● tenants, we believe were outside of any tenancy agreement, and are set out below;

During the THBS period (2000-2003) tenancy agreements were received with ● as the landlord but signed by ● of ● (the superior landlord). Later new agreements were received but signed by ● (Managing Director, ●) – supplied to H/B as part of the THB process.

Rent levels on the tenancy agreements spiralled on the later agreements but they were consistent across all clients, I.E. each client in the service had a tenancy agreement identifying the same charge for accommodation and support.

The tenancy agreement and schedules identified core rent, service charges and support charges but did not identify any charges for Housing Benefit ineligible costs such as gas, electricity, etc.

●, allegedly through agreement with Care Management, explained that they would leave clients with £72.00 per week to live on (I think this later increased to £75.00) with the excess income being used for charges.

When questioned about this policy ● stated that the excess money was a contribution towards the running costs of the organisation and the scheme; it covered utility bills; payments for social activities and outings; for the use of ● fleet vehicles; on-call service and extra service provided but not charged through Housing Benefit, Supporting People. ● advised that they left the tenant with the same level of income to live on as Income Support rates.

When asked why the clients did not have their own metres (they were in self contained accommodation), we received the response that: this was not possible; it would be too expensive to install metres; clients would not understand that they had to pay bills and would probably just waste the money anyway. At the time it was pointed out that ● was being funded to provide housing related support and that this included assistance with bills and budgeting.

This charging was not part of the tenancy agreement but was allegedly explained to clients and care managers as being part of the terms and conditions for living in ● accommodation.

SP officers had concerns about the clients' level of understanding and their capacity to agree to such an arrangement.

Concerns over the lack of clarity about what the clients were paying for and also about the discrepancies in the amounts being paid by individuals in the service. I.E. one client (●) was paying significantly more each week than others in the scheme because ● received high levels of benefits.

● stated that ● paid more because ● needs were obviously greater (because ● received more benefits) and that ● was therefore using more of the service.

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When questions were raised regarding the lack of clarity and the inherent unfairness of this charging policy it was re-iterated that this was agreed by Care Managers.

Article Published on www.communitycare.co.uk

Where does the Cornwall Abuse Inquiry leave the No Secrets guidance?

Thursday 27 July 2006

No Secrets is far from perfect but is it as weak as the Cornwall scandal seems to suggest, asks [REDACTED]

For some time, organisations working in adult protection, including the national learning difficulties charities Voice UK, Respond and the Ann Craft Trust, all three of which are founder members of the Adult Protection Alliance, have had concerns over the effectiveness of the government guidance No Secrets. Sadly, those concerns have been once again highlighted by the Cornwall scandal.

No Secrets, published in 2000, gives guidance to local agencies which have a responsibility to investigate and take action when a vulnerable adult is believed to be suffering abuse. It offers a structure and content for the development of local interagency policies, procedures and joint protocols. It states that the "lead agency should be the local social services authority" and that the chief officer for the lead agency "will have a particularly important part to play".

In her interview with Community Care [REDACTED] says Cornwall Council social services shouldn't be blamed over adult abuse case), Cornwall's adult care director, [REDACTED] suggests that, despite representing the lead authority, [REDACTED] did not have the power to go into another organisation - the Cornwall Partnership NHS Trust - and say, "I want to look at what you're doing". This may well be a failing of No Secrets to give the lead authority a specific legal power to do so. But what about political, moral or managerial power? The health care trust should have been challenged.

Perhaps an indicator of the systemic failures might lie behind this line in the joint investigation report: "The council and health care organisations have failed to agree commissioning strategies to provide care in the community for people with learning disabilities." It is puzzling that such a situation could occur; that organisations charged with the provision of care, adult protection and other services for vulnerable people appeared not to get on.

If senior managers were experiencing such difficulties, it is unsurprising that social workers were too. In Cornwall, social workers felt unable, we're told, to challenge medical practices in the health trust, such as the routine use of enemas for one service user, despite the potential abusiveness, because they felt they lacked the expertise. A social work principle is to challenge oppressive behaviour but clearly they need managerial and organisational support to do so. Whistle-blowing procedures exist within most agencies; it's clear, from the Cornwall experience, that we need to find ways to raise concerns between agencies.

Medical knowledge

Cornwall's response now is to make sure social workers record when they lack the medical knowledge to back up concerns. However, surely it would be better to have social workers fully supported to challenge perceived questionable practice and then record that's what they did and why, and what response they got. Quote people. It's a powerful way to record. Unquestionably, No Secrets is long overdue a review. For example, we need to be much clearer about police involvement. Currently, there are some social workers who confuse "being the lead agency" with leading the investigation. The outcome of this has disastrous results for criminal investigations. That said, No Secrets promotes collective responsibility for abuse of vulnerable people and for acting on concerns. Its status (under section 7 of the

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Local Authority Social Services Act 1970) means that it must be implemented unless there are "exceptional circumstances".

Councils must challenge

As the lead agency, local authorities must take their roles seriously. If a partner organisation does not, you challenge it. You alert councillors, their senior management and boards. You complain to them. You join with partners who do take it seriously and collectively bring pressure to bear. You complain to the Healthcare Commission and Commission for Social Care Inspection. You report them to the Department of Health and the secretary of state. You take responsibility.

Any revisiting of No Secrets owes it to the services users of Cornwall and others who are or could be abused to provide a mechanism for raising concerns about an agency's commitment to adult protection.

According to [REDACTED], "adult protection procedures are only as strong as the ownership given to them by agencies". But isn't ownership partly achieved through dynamic leadership?

There was clearly a difficult relationship between the trust and the council - but nobody, it seems, wanted to face up to it, make a phone call and say we've got to get this sorted.

Sadly, for those service users and families who suffered as a result of this frosty relationship, it will now be sorted four years too late. CC

[REDACTED] is chief executive of Voice UK, a national charity that works with people with learning difficulties who have been abused or the victims of crime, and their carers

Contract Termination Letter to [redacted] 23 February 2007



Regeneration Department

Director

Town Hall,
Brighton Street,
Wallasey,
Wirral,
Merseyside
CH44 8ED

date 23 February 2007.

to [redacted]
Chief Executive
[redacted]
193 Bedford Road
Rock Ferry
Wirral
CH42 2AW

your ref [redacted]
my ref [redacted]
service Department of Regeneration
tel 691 8395 Please ask for [redacted]
fax 691 8191
email [redacted]@wirral.gov.uk

Dear [redacted]

RE: Supporting People Contract – [redacted] Appeal

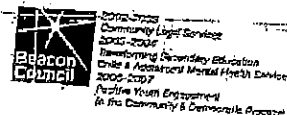
Please find enclosed my decision regarding your appeal against the Supporting People Team's refusal to grant Accreditation as an approved Provider of Supporting People Services to your Organisation.

In the light of my decision on your appeal, I cannot agree to an extension of your Interim Contract, which will therefore expire on the 25th September 2007, as previously agreed.

Yours Sincerely

[redacted signature]
Director of Regeneration and
Chair of the Supporting People Commissioning Body

www.wirral.gov.uk



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* ADAPTATION

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COMPANY ACCREDITATION AS AN APPROVED PROVIDER OF SUPPORTING PEOPLE SERVICES

1. Background Information

- (a) Wirral Borough Council has entered into an interim block subsidy contract for supporting people services with [REDACTED]
- (b) Clause 11 of that contract provides that the Council must carry out a support services review in accordance with any guidelines and directions issued by the Office of the Deputy Prime Minister (ODPM).
- (c) The interim contract further provides that it expires 12 months after the date of the support services review has been carried out (clause 2.1 of the contract).
- (d) The purpose of the support services review is to determine whether on the expiry of the interim contract [REDACTED] (the Company) would be a suitable organisation to which the Council could award a further supporting people contract on a long term basis.
- (e) The ODPM guidelines require the Council to carry out the review in accordance with two processes, namely accreditation and quality assessment framework. The process of accreditation determines whether or not a service provider is suitable to hold a contract. The quality assessment framework measures a contractor's ability to meet standards which are expected in the delivery of supporting people services.
- (f) There are five accreditation criteria, each of which must be fulfilled by the service provider.
- (g) The Supporting People team in the Council's Regeneration Department completed a review on 1 August 2006 which found that the Company had failed to meet the accreditation standards and two core competencies (Needs and Risk Assessments) and (Health and Safety) of the Quality Assessment Framework. The Company were informed that the Council were not intending to enter into a new agreement with them once the interim contract expired.
- (h) By letter dated 8 September 2006 the Company appealed against that decision to me in my capacity as Chair of the Supporting People Commissioning Body. The grounds of the appeal were that:
- (1) the Supporting People team failed to consider all the relevant facts at the time of the review;
 - (2) the Supporting People team did not follow the processes outlined in the ODPM guidelines;
 - (3) there was additional significant material evidence which was now available.
- (i) the Supporting People team wrote to the Company on 8 November 2006 setting out in more detail why they considered that the Company had failed to meet the standards of the accreditation framework and the quality assessment framework.
- (j) By letter dated 14 December, 2006 the Company set out in detail its grounds of appeal
- (k) By letter dated 26 January 2007 to the Company the Supporting People team set out their comments upon the appeal documentation submitted by the Company.
- (l) By letter dated 12 February 2007 I invited the Company to respond within 10 days to any new material contained in the comments of the Supporting People team.

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2. Issues for me to decide

- (a) Having regard to the grounds of appeal, I have to decide whether on the material now available to me, the Company satisfy the accreditation and quality assessment framework criteria.
- (b) If they do not meet the accreditation criteria, they are not a suitable organisation, and therefore their alleged failure to comply with the Quality Assessment framework criteria does not have to be further considered.
- (c) If they fail to meet the accreditation criteria, I do however have to decide whether their failure is capable of being remedied, and if so, whether it would be reasonable to allow the Company more time to satisfy the criteria.
- (d) I propose to deal with each accreditation criterion in turn, the full text of which is set out in the appeal documentation and which I will not repeat here.

3. Criterion 1.1 - Met

I find that there was an inadequate Swot analysis in the business plan prepared in July 2005. That inadequacy has however been remedied in the new business plan submitted in December 2006, albeit that the business plan has been submitted very late.

4. Criterion 1.2 - Met

Initially, the Company did not offer evidence of adequate financial safeguards in the event of a funding crisis. In their grounds of appeal however the Company submitted an overdraft facility of £100,000 arranged through Barclays Bank, which I find to be adequate.

5. Criterion 1.3 - Not met

The SP team were not satisfied that the financial performance of the Company was being monitored regularly against an annual budget. They requested evidence in the form of Board minutes to show that management accounts were being considered regularly, but the Company refused to supply that evidence. The Company have supplied documents headed "Monthly Financial Information from April to October 2006". I am not however satisfied on the evidence that the documents were considered during that period (they have a print date of 14 December 2006) nor am I satisfied that they comply with the guidelines for effective management accounts which are set out in the SP teams comments

6. Criterion 1.4 - Not met

- (a) In order for this criterion to be met, I have to be satisfied that the latest annual accounts show the Company is solvent.
- (b) The accounts for the period ended 31 March 2005 do not demonstrate solvency, since they contain no profit and loss accounts, nor do they provide any explanation for the accounting treatment of goodwill at £150,000. The debtors balance of £173,652 suggests in the absence of any explanation a lack of effective credit control.
- (c) The company has submitted later accounts in draft form for the period ending 31 March 2006. They are not however satisfactory, as they are subject to change and contain many omissions.
- (d) This criterion has not therefore been met.

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7. Criterion 2.1 - Met

The Company have supplied copies of their Memorandum and Articles of Association. I therefore find that this criterion has now been met.

8. Criterion 2.2 - Not met

(a) This criterion requires suitable arrangements by the Company for recording and reporting financial transactions, which identify where income has come from and how money has been spent.

(b) No documents have been submitted by the Company which adequately explain in sufficient detail the different sources of income received. The annual accounts contain no profit and loss account. The latest draft accounts only show income as "turnover", which is not broken down in any way. No record has been submitted of the income received by the Company in respect of each tenant, nor has any evidence been given of the money spent on each tenant. This criterion has therefore not been met. I do not therefore have to decide whether or not the Company receives the service charges of £65 per month referred to in the tenancy agreements.

(c) A cash handling document was not originally submitted to the SP team. The one submitted by the Company in December 2006 is inadequate, since it only deals with tenant's finances.

9. Criterion 2.3 - Not met

(a) This criterion requires either the annual accounts or a separate audited statement to demonstrate that Supporting People grant is spent on the purposes intended. No evidence has been submitted by the Company to show that this criterion has been met.

10. Criterion 4.1 - Met

The Company's Memorandum and Articles of Association have now been supplied and therefore this criterion is met.

11. Criterion 4.2 - Not met

(a) This criterion requires the contractor to be governed by an experienced and competent governing body.

(b) Whilst the operational management of the Company have demonstrated experience in providing support services of a similar kind to those funded by Supporting People Grant, and of running a business of a similar scale, I am not satisfied that the Company has demonstrated that its strategic management is experienced and competent.

(c) [REDACTED] is a Director and Chief Executive. On the evidence I have seen, [REDACTED] has not demonstrated managerial competence. [REDACTED] was a Director of [REDACTED] which mismanaged the issue of tenancy agreements and allowed rent arrears to accumulate. There is evidence in the SP team's documentation that tenancy agreements were issued to tenants which wrongly showed [REDACTED] as the landlord and [REDACTED] as its agent. Mutually inconsistent tenancy agreements were issued to tenants and the Housing Benefit Section of the Finance Department.

(d) [REDACTED] (Business Development Manager) was also a Director of [REDACTED], and must share responsibility for its mismanagement.

(e) [REDACTED] has been convicted of a failure to deliver accounts to Companies House for [REDACTED]. No explanation has been given for this conviction.

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(f) [redacted] do not have adequate experience of providing support services similar to those funded by Supporting People Grant.

(g) There has been evident recent conflict between Directors. In June 2006 [redacted] informed the SP team that she had suspended [redacted] (Clinical Director) for gross negligence regarding clients' needs and risk assessments, support plans and staff training.

12. Criterion 4.3 - Met

In their appeal the Company submitted accurate job descriptions and therefore this criterion has now been met.

13. Criteria 5.4 and 5.5 - Not met

(a) Criterion 5.5 required the Company to show that there are no reasons why it is unsuitable to work with vulnerable persons.

(b) The Company submitted an action plan on receiving the assignment of the interim contract from Semi-Independent Living Services in January 2005. In June 2005 a visit by SP team demonstrated a failure by the Company to comply with that action plan which in turn led to the issue of a serious default notice. A year later, a further visit by the SP team, on 9 June 2006, showed that important elements of the Quality-Assessment Framework were not yet in place, namely the lack of adequate needs and risk assessments, and the lack of adequate health and safety procedures. One Director [redacted] accused another Director [redacted] of gross negligence.

(c) The discrepancies in the contents of the tenancy agreements either show incompetent administration by the Directors of ALS or an intention to present a false picture to the tenants and possibly to the Housing Benefit Section and the Commission for Social Care Inspection of the true landlord and tenant relationships subsisting in the properties occupied by tenants covered by the interim contract. I cannot be satisfied that a service provider is suitable to work with vulnerable people if either it or its directors are responsible for the issue of substantially inaccurate and misleading tenancy agreements to such vulnerable persons. Such documents must properly describe tenants' legal rights and responsibilities and accurately designate the landlord to which those rights and responsibilities relate. As a further example, a tenancy agreement should not include a service charge if that service charge is not being collected.

(d) The observations which I made in relation to criterion 4.2 are also relevant to criteria 5.4 and 5.5.

(e) It follows from the reasons for my findings on criteria 4.2, 5.4 and 5.5, that I am not satisfied that the Company have the proper understanding, and attitude, required by criteria 5.1 to 5.3 in relation to service users and the aims of Supporting People Services.

14. Decision

(a) I am satisfied that on the material now presented to me, the Company have not satisfied all the accreditation criteria required by the ODPM guidelines, and therefore are not a suitable organisation to be awarded a long term Supporting People contract.

(b) I do not therefore have to consider whether the Company have satisfied the standards in the Quality Assessment Framework.

(c) The Company have however drawn my attention to the delay in dealing with their application for accreditation. Their application was originally submitted in May 2005 but was

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not considered by the SP team until over a year later. Whilst that delay can be explained by the need to allocate staff in the SP team to other work, nonetheless it was an excessive delay.

(d) The Company has also drawn my attention to the email dated 16 June 2006 from the SP team which indicated that the Company would be given a further opportunity in December 2006 to show compliance with the accreditation and quality assessment framework criteria. That email was sent before the relevant members of staff studied the documents submitted by the Company over a year previously in support of their application for accreditation.

(e) I therefore have to consider whether the Company, in light of the above, should be given a further opportunity to demonstrate at a future date compliance with the accreditation criteria. After some deliberation I have decided that the Company's failures to comply with criteria 4.2 and 5.5 above cannot be remedied to the Council's satisfaction, since they show fundamental failings at the top of the organisation. The other non-compliances with the criteria are symptomatic of those fundamental failings by senior persons within the organisation.

(f) I therefore uphold the decision of the SP team to refuse accreditation to [redacted] and not to consider that company for the award of a long term contract when its interim contract expires in September 2007.

Dated the 23rd day of February 2007.

[redacted]
Director of Regeneration and
Chair of the Supporting People Commissioning Body

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WIRRAL DISTRICT COUNCIL

WIRRAL DISTRICT COUNCIL

WIRRAL DISTRICT COUNCIL

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I acknowledge receipt of the Director of Regeneration's Appeal decision

Print Name: [REDACTED]

Sign Name [REDACTED]

Date: 23/04/07

Email Exchange July/August 2001

From: [redacted]
Sent: 24 August 2001 16:57
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

14

Thanks, [redacted]
[redacted] can yourself and [redacted] work out now how to get this investigated.

---Original Message---
From: [redacted]
Sent: 24 August 2001 15:55
To: [redacted]
Subject: RE: [redacted]

[redacted], no, I think [redacted] as they would have more information around individual client issues such as [redacted] access to bank accounts. [redacted] is just looking at the question of the authenticity of signatures for payment of HB purposes [redacted]

---Original Message---
From: [redacted]
Sent: 24 August 2001 13:29
To: [redacted]
Subject: FW: [redacted]

[redacted]; when we met last week, and discussed this matter, am I right in thinking that the issue of possible fraud was to be handed on by yourself or nice [redacted] to the DSS Fraud unit?

---Original Message---
From: [redacted]
Sent: 19 July 2001 16:57
To: [redacted]
Subject: RE: [redacted]

My view is that the issues are becoming confused. The consideration about the legitimacy of housing benefit claims is separate from consideration about from considerations about 'abuse' of users rights and the appropriateness of current assessments and provision. The primary issue is about protection of users and that is getting lost when we've known since May. Why wasn't I briefed if there were such concerns?

---Original Message---
From: [redacted]
Sent: 18 July 2001 17:49
To: [redacted]
Cc: [redacted]
Subject: [redacted]

Thanks for the recent correspondence and copies of memo from [redacted] and letter from [redacted] regarding the above.

In response to the above I feel I should communicate my views together with information recently to hand from Housing Benefits. I know [redacted] hates long e-mails so I apologise before you start reading!

Firstly I am concerned that should [redacted] copy [redacted] letter to DHSS as [redacted] states questions may be asked as to what we are doing about the matter. You will recall that this issue came to our attention sometime in May. Representatives from Housing, Housing Benefit and ourselves met with [redacted] and his advisor from Northumbria Consultancy on 14th June and [redacted] prepared two briefing notes during June, one prior to the meeting and one on 22nd June. At the meeting with [redacted] was asked for information about the set-up of his organisation, staffing levels, management structure etc. This information is to hand and needs detailed examination

With regard to finance, the current position is that [redacted] have lodged Transitional Housing Benefit claims for their 'tenants' living in Egerton Park, 13 in total. SSD are paying residential rates for each of these tenants e.g. approx. £250 perweek. Housing Benefit were trying to hold off paying the THB claim until we had determined whether the clients needed residential care or could be

supported in supported accommodation. We have not formally responded to this yet although it is believed that with appropriate levels of support, delivered by a creditable provider, these tenants could live in a supported environment. I feel we must make our position clear firstly to ensure that the support provided to these tenants is appropriate, has a sound value base and operates within all financial regulations and secondly to enable Housing Benefit to investigate the matter and hopefully pay reasonable levels of THB and for us to stop paying residential allowance.

I am advised that Housing Benefit have had to issue an interim payment of £107K in order to avoid the accusation of causing delay in processing claims.

Housing Benefit have also put in writing concerns expressed by one tenant who has been refused a tenancy agreement and that the one provided to Housing benefit had not been seen or signed by himself. This tenant also states that one of the two H.B. claims submitted in his name was not completed or signed by him but that an employee of [REDACTED] I have copies of this. I also have copies of bank statements in the name of [REDACTED] RE: CLIENT/TENANTS NAME. These statements show benefit monies being paid into the account and immediately being withdrawn in payments to [REDACTED]

In normal circumstances H.B. would make a referral to the Fraud and Enquiry Team but this step has not yet been taken although [REDACTED] has brought the matter to the attention of her Assistant Director.

Given the above summary I believe, as [REDACTED] suggested, we should arrange an inter-agency risk management conference, sooner rather than later. The S.P. Team have diaried the 2nd August for a meeting with Borough Solicitors to discuss [REDACTED] in relation to Supporting People however given the information from Housing Benefit and [REDACTED] and failing an earlier meeting being arranged, I would suggest that this date and time (10am) would be appropriate for a risk management conference.

Again, picking up [REDACTED]'s suggestion I think it is time for the Police to become involved.

Please let me know your views!

[REDACTED]

Briefing Note from [REDACTED] to [REDACTED] Director

~~IG~~ IG briefing note. 15

[REDACTED]

The above is a private sector organisation which provides both accommodation and support services to people with learning disabilities. It is an organisation about which concerns have been raised since about April/May of 2001.

For a period of time between early 2001 and early 2002 this organisation was represented, in its bid to increase its rent and support services income, by Northumbria Consulting but this company has now ended its association with [REDACTED]

The residents of [REDACTED]'s main scheme, are all vulnerable adults and mainly Social Services clients placed there by Social Services. A minority of residents in [REDACTED]'s other schemes may also be current SSD clients.

The concerns are as follows (in outline):-

- i) it would appear that all [REDACTED] clients have been placed following an approach from [REDACTED] (proprietor) about providing accommodation and support services for this client group.
- ii) there is no evidence that [REDACTED] were 'vetted' in any way, that any checks were made about the ability or the appropriateness of this organisation to provide support for this client group, nor any checks made on staff and their suitability.
- iii) although all the clients were classed as mild or moderate learning disability, the rate agreed with [REDACTED] was the residential home rate of £262.00 p.w. Residential care was not considered necessary as residents were not considered to be "challenging". So why the £262? As an ^{if} award to deal with challenging behaviour"!?
- iv) no written assessments appear to have been made prior to placement, no re-assessments made, no outcomes measured. Original placements appear to have been on the basis of a

'move on' to less supported accommodation at a future date. Has this taken place for many residents?

- v) despite paying a private sector landlord/support provider £262.00 per person per week for up to 16 residents, there appears to be no committee report, no tendering procedure carried out and no compliance with standing orders. Quite possibly up to £0.5m has been paid to this individual since [redacted] scheme opened.
- vi) following the approach by [redacted] on behalf of [redacted] in early 2001, concerns were raised by THB staff and SP staff about the level of charges being requested by [redacted]. At the same time THB/SP asked a member of Social Services to review the assessment (if any were ever made) of [redacted] residents; this was done, with visits being made and the recommendation was that an average 8 - 10 hours of support per week per resident appeared to be appropriate (about £80 - £120 p.w. support charges) although there may be some who needed higher levels of support than this. At the same time, a member of Social Services raised concerns about possible financial exploitation of residents (these are detailed elsewhere) and a resident made a formal statement about his treatment by [redacted] staff. At a later date, a member of [redacted] staff made similar concerns known.
- vii) information was requested by THB/SP from both [redacted] and SSD and, whilst some information has been provided, neither organisation has provided all that has been requested. A letter is now being sent, from THB, to [redacted] 'offering' a level of rent which will be met and a level of support charge which will be met (this latter being the £80 - £120 identified above).
- viii) this 'offer' however is possibly being compromised by a further SSD assessment of [redacted] clients which suggests that support charges HIGHER THAN the residential rate of £262 p.w. currently being paid should be paid to SIL for each client

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[These higher amounts will not, as things stand now, be met from THB, on the basis that they are unreasonable and unjustifiable and appear to be based on taking advantage of an offer from ██████████ to repay the residential rate charges to SSD BUT ONLY if ██████ can get more through THB. THB is not there for this purpose. As mentioned at vii) above, the THB offer to ██████████ will be in the region of £80 - £120 p.w. average based on the earlier assessments in 2001]

- ix) the issues around the exploitation of vulnerable adults still exist, have not been fully addressed and would appear to leave the authority vulnerable to claim from the individuals concerned. Just dealing with ██████ in these circumstances is potentially risky but, whilst effort appears to be going into saving money by trying to switch costs into THB when this is not justified, no effort appears to be going into establishing the ability and suitability of ██████ to be providing accommodation and services for vulnerable people. In these circumstances THB has no option but to treat with ██████ as if it were a 'fit and proper' provider (several clients of SSD/█████ STILL don't have CCA's and, therefore, support payments cannot legally be made). The police were involved at one stage but I am not sure that this is a continuing exercise on their part.

Complaints – Investigating Officer's Report

36



Metropolitan
Borough of Wirral

Social Services Department

INVESTIGATING OFFICER'S REPORT SUMMARY

Complaints Unit (Corporate) Procedure

Reference Number: X/SS/QCU/SD/260603/CG/02

- 1. Name of Investigating Officer [REDACTED]
- 2. Type of Service Provision Adult LD/SW Team
- 3. Service Provider Conway Buildings
- 4. Service Manager [REDACTED]
- 5. Date Complaint received 17 September 2003
- 6. Complainant [REDACTED]
[REDACTED]
Salisbury Court, 31-33 Egerton Court,
Rock Ferry
Wirral

7. Persons consulted;

[REDACTED] (Complainant, [REDACTED])
 [REDACTED] (SIL)
 [REDACTED] (SSD), [REDACTED] (SSD), [REDACTED] (SSD),
 [REDACTED] (SSD), [REDACTED] (SSD), [REDACTED] (Borough
 Solicitors Dept)

8. Records/Documents Inspected

Correspondence and minutes of discussions between Wirral Bough Council
 and [REDACTED]
 Social work case file regarding [REDACTED]

9. Brief Case Summary

[REDACTED] is a Wirral based company which provides residential and community services to people with learning difficulties or who have mental health problems. It provides support across a range of locations in Wirral. This includes new build self-contained flats and self-contained flats in converted houses. Salisbury Court is the main assessment centre. The Manager, [REDACTED] has complained about the way he and his organisation have been dealt with by Social Services and in particular in relation to the refusal of the social work team at Ashton House to refer potential tenants.

10. Presented Complaints

1. I believe that the issues inhibiting placements are not clear excuses have been given like 'increase in violence at Salisbury Court,' I do not believe this allegation has been dealt with and have not received any explanation with regard to this statement which I believe to be untrue.
2. The cost of [REDACTED] placement was described as being 'substantially increased', our charging system had to be adjusted to be more individualised and client specific reflecting the needs of a client who had been recently detained under the Mental Health Act and was displaying challenging behaviour, I believe the increased charge to be fair.
3. At a meeting at Salisbury Court on the 31st of March this year [REDACTED] did not discuss placement costs whatsoever. He told us [REDACTED] would not be eligible for SPG or THB.
4. [REDACTED] advised that no THB legacy funding meant [REDACTED] would not receive SPG- but, there was no explanation given as to why there had been no contact since we had asked for [REDACTED] to be assessed six months prior, before [REDACTED] had visited Salisbury Court to say the deadline had passed. [REDACTED] stated that there would be no future funding for any new placements or move outs. [REDACTED] did not advise us in any other way than to turn up on the deadline day and make this statement which I believe to be outrageous and incorrect.
5. It was not true that [REDACTED] had requested that [REDACTED] belongings be moved.
6. The statement made by [REDACTED] advising that [REDACTED] was not ready to move from Kent directly contradicts the discussion in the meeting of 10/04/03.
7. The medical professionals involved with [REDACTED] clearly said that for several months [REDACTED] was ready to move on, but, the people involved with making the financial decisions stated [REDACTED] was not, the problem appears to have been the inability and unwillingness of the Department to process the referral.
8. The assessments we requested at the meeting on 10/04/03 were the updated Community Care assessments that clearly had changed since placement judging by the recent funding decisions. We have now asked for these assessments three times in writing and are still waiting we believe this to be a delaying tactic.
9. Our clients have made a choice that [REDACTED] pay their bills on their behalf. As far as we are concerned we follow the expressed wishes of our tenants and not the preconceptions of supported living referred to in a letter from Social Services.
10. In August 2002 [REDACTED] was re-referred to Wirral Social Services for a reassessment. Although a visit was made there has been no advice or feedback.
11. In May 2003 staff raised concerns about a tenant's stress levels. A Vulnerable Adult Review was called but then cancelled. The Review subsequently took place but [REDACTED] was neither consulted nor invited.

12. [REDACTED] was referred by Wirral Social Services approximately twelve months ago. The family expressed a preference for [REDACTED] but were told that "There is a problem.." but the Borough Solicitor has said that the placement would proceed. In the mean while there has been no contact with the family.

11. Summary of Investigation Conclusions and recommendations

Complaint 1.

I believe that the issues inhibiting placements are not clear, excuses have been given like 'increase in violence at Salisbury Court,' I do not believe this allegation has been dealt with and have not received any explanation with regard to this statement which I believe to be untrue.

Summary of Investigation.

11.1.1 [REDACTED] say that they do not understand why placements are not being made. However, my conversations with [REDACTED] and [REDACTED] informed me that they have been clear that the major issue was one of financial transparency and that this has been explained in writing and at a meeting attended by [REDACTED]

11.1.2. A meeting was held on 10 April 2003 at the request of [REDACTED] (the then Service Manager for Adults with Learning Disabilities) with a view to, "clarify some of the outstanding issues concerning this department and how future referrals to your organisation may be supported appropriately." This involved: [REDACTED] (Partners Consultant). The minutes indicate a desire to re-establish a working relationship.

11.1.3. [REDACTED] emphasised that, "the issue of financial transparency should be considered as a priority", in particular in relation to how [REDACTED] tenants finances were managed. The minutes continued, "[REDACTED] replied that [REDACTED] shared that discomfort. [REDACTED] felt that tenants, HB and SSD were not able to ascertain from information provided by [REDACTED] what contributions from tenants Income Support, DLA (care and mobility) were for what services. [REDACTED] distributed a list which listed utilities and services which accounted for charges made in respect of tenants benefits. However [REDACTED] considered that this list did not assist the process of financial transparency as it was not itemised. [REDACTED] queried whether financial arrangements should be included in Schedule 1 of Tenancy Agreement. [REDACTED] stated that they could consider this as a means of assisting the process of financial transparency. [REDACTED] was anxious that tenants should know what they are getting for their money. A particular example [REDACTED] wished to draw attention to was the matter of DLA mobility and the opportunity for tenants to opt out of transport arrangements and manage own finances. [REDACTED] indicated at this point that DLA mobility was used to fund 8-9 company vehicles. [REDACTED] distributed a document which he stated was signed by tenants, next of kin and SSD Care Managers agreeing to allow [REDACTED] to manage tenants finances. [REDACTED] stated that there was an element of convenience to this document until [REDACTED] secured a proper level of funding, until such time tenants were subsidised by the organisation. [REDACTED] replied that the need for transparency should work both ways and that tenants should not need to be subsidised in such a manner. [REDACTED] produced a document from his accountant detailing projected losses indicating that the company was not viable. [REDACTED] sought further clarification on how tenants finances were managed, [REDACTED] stated that all tenants were self appointed, kept own benefit books and rent books. Existing

financial practices were to be addressed on the appointment of a Welfare Rights Officer.

11.1.4. [redacted] wrote to [redacted] on 12/06/03 and said,

"My understanding of the issues inhibiting placement is very clear. It is the lack of financial transparency in relation to placement costs and tenants' finances. This has been detailed in previous correspondence and was raised at our meeting on 10/04/03. This situation was highlighted recently in relation to [redacted] where the cost of his potential placement was substantially increased. The supporting information to justify these costs could not be reconciled with assessed need and previous costings which [redacted] had formulated."

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11.1.5. The issue of whether or not placements are going to be made remains confused. SIL refer to a letter from the Borough Solicitor, on 27/06/03, stating, "I am instructed that the Social Services Department will now take steps to place S at Salisbury Court, with appropriate care management protection." When I discussed this with the Assistant Borough Solicitor [redacted] said that [redacted] had written the letter based on what [redacted] understood to be instructions from the Assistant Director of Social Services.

Furthermore, it is my understanding, that referrals continue to be made by social workers from the Community Mental Health Team at Victoria Central Hospital.

11.1.6. With regard to the particular statement about an "increase in violence at Salisbury Court", [redacted] told me that this had arisen in relation to [redacted] and that [redacted] had contacted [redacted] and [redacted] ([redacted] aunt and uncle). [redacted] accepted that this description regarding problems for placement was not accurate and this was confirmed in a meeting referred to below involving Social Services and [redacted] staff. [redacted] did not write or speak to [redacted] directly because [redacted] felt that they were not involved in the discussion.

11.1.7. [redacted] speculated that the social worker who was involved with the family might have talked in general terms about difficulties with regard to placements and not have been clear about what to have told them. [redacted] said that [redacted] had been advised to avoid details regarding the problems between Social Services and [redacted] but at the same time make it clear that problems existed which were inhibiting referrals. Despite a number of attempts I was unable to speak to the social worker.

Status PARTIALLY UPHELD

Recommendation.

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It should be confirmed that records of discussions and correspondence have indicated that "lack of financial transparency" is the reason for inhibiting placements. However since minutes from meetings have been disputed I feel that it would be helpful to specify by letter exactly what are the concerns felt by Social Services and what is required to resolve them. Using the general term "lack of financial transparency" has not been sufficient for any progress to have been made.

The issue regarding the statement of alleged violence preventing placements was minuted as having been referred to at the meeting of 10/04/03 when [redacted] confirmed that the statement was an inaccurate assessment of why clients were not being referred. [redacted] dispute this and say that the allegation was made more

than once. I recommend that this issue is dealt with by a letter which clarifies what happened and why.

Complaint 2

The cost of [redacted] placement was described as being 'substantially increased', our charging system had to be adjusted to be more individualised and client specific reflecting the needs of a client who had been recently detained under the Mental Health Act and was displaying challenging behaviour, I believe the increased charge to be fair.

Summary of Investigation.

11.2.1. [redacted] believes that [redacted] condition had not changed. She felt that costs had been increased with regard to other factors in the organisation and that this is not appropriate. [redacted] made clear that one of the reasons for increased charges was because of the inability to claim Transitional Housing Benefit.

11.2.2. In a letter from [redacted] to [redacted] (Social Services Contracts Manager) on 04/08/00, [redacted] wrote "we would find it very difficult to predetermine the level of staffing for each client on an individual basis over a long period of time. When a client first moves into Salisbury court the staffing levels are one to one and all individual training is within the client's own flat. This intense output can last for many weeks in our experience. It is our intention to reduce the staffing ratios as the clients develop living skills and independence towards the goal of moving into a satellite scheme. To this end we believe that an across the board contribution towards care costs set at the Wirral rate for every client referred to Salisbury Court, would be a much more workable solution to the funding issue."

11.2.3. I have seen correspondence outlining funding arrangements including a commitment from [redacted] in a letter to [redacted] on 03/12/01, [redacted] will provide a clear schedule of any services and costs that are charged directly to tenants and will ensure that there is no overlap between these charges and the funds received from Transitional Housing Benefit."

11.2.4. Social Services say that requests for breakdowns of the £662 costings have never been provided. This is a request that all providers have to deal with. On 09/06/03 in a letter from the Director of Finance to [redacted] it was stated that "You have failed to provide an accurate and transparent calculation for your hourly of support of £15.96 rising to £20.55. Please forward details and evidence." I have seen background notes, provide to me by [redacted], which give an explanation for this but could not see any correspondence referring to it.

11.2.5. In an undated document regarding funding arrangements drawn up with the involvement of [redacted] and [redacted] it was stated, "A charge depending on the assessed needs of the learning difficulty clients ranging from a minimum presently £276 per week, to be invoiced to the contracting department calendar monthly."

11.2.6. In a letter from [redacted] to [redacted] on 12/06/03 she wrote, "I note that you are currently in the process of compiling a benefits list for all tenants including all elements of [redacted] charges. This should certainly assist the process of financial transparency and accountability and promote financial independence of individual tenants. I would strongly advocate that in supported accommodation

tenants should have as much control over their finances as possible. To this end I would like to make it clear that it is not appropriate for individual Care Managers to agree and sign up arrangements related to individual tenants finances, especially as the way they are currently managed is not compatible with the concept of supported living."

Status PARTIALLY UPHELD

Recommendation.

The disagreement about the costs relating to [REDACTED] need to be seen in the context of fundamental disagreement between SIL and Social Services.

[REDACTED] should make clear why it was necessary to increase the costs in relation to [REDACTED]'s needs and Social Services need to make explicit whether or not this is acceptable

The principles of the way in which charges are calculated need to be clear. If they are not based on individual's needs so much as general organisational costs this needs to be stated. The outcome to these issues will determine what relationship, if any, there will be in the future between [REDACTED] and the Social Services Department.

Since [REDACTED] is now living elsewhere there is no current issue regarding his placement at Salisbury Court

Complaint 3.

At a meeting at Salisbury Court on the 31st of March this year [REDACTED] did not discuss placement costs whatsoever. He told us [REDACTED] would not be eligible for SPG or THB.

Summary of Investigation.

11.3.1. It was an attempt by [REDACTED] to address the matter of placement costs with regard to [REDACTED] which led him to arrange a meeting at Salisbury Court on 31/03/03. [REDACTED] was not aware at this time whether [REDACTED] would be eligible for Supporting People Grant. [REDACTED] had previously been advised by [REDACTED] that it would not be appropriate for [REDACTED] to move to Salisbury Court at such short notice. It was only when [REDACTED] was told that [REDACTED] would not be taking up a vacancy, until a later date, that had been relinquished by a tenant who was subject to Transitional Housing Benefit legacy funding, that [REDACTED] was able to advise that any potential placement would not attract Supporting People Grant Funding.

11.3.2. [REDACTED] told me that [REDACTED] visit was coincidental to the end of the financial year and the changing arrangements regarding Transitional Housing Benefit. [REDACTED] had been asked to go by [REDACTED] and had tried to arrange an appointment on an earlier date. The purpose of [REDACTED] visit was to enquire about the increased costs that were being requested for [REDACTED]. [REDACTED] had not visited with the intention of informing them that Transitional Housing Benefit would not be available for [REDACTED]. [REDACTED] assumed that their own consultants would have known that the regulations require a person to be actually resident to be eligible.

Status NOT UPHELD

Recommendation.

The complaint is worded in a way which describes the meeting and which implies criticism of [REDACTED] for what [REDACTED] said but I feel that this was based on misunderstanding of why [REDACTED] had visited.

Private and Confidential

Complaint 4.

██████████ advised that no THB legacy funding meant ██████████ would not receive SPG- but, there was no explanation given as to why there had been no contact since we had asked for ██████████ to be assessed six months prior, before ██████████ had visited Salisbury Court to say the deadline had passed. ██████████ stated that there would be no future funding for any new placements or move outs. ██████████ did not advise us in any other way than to turn up on the deadline day and make this statement which I believe to be outrageous and incorrect.

Summary of Investigation.

11.4.1. ██████████ states that ██████████'s application had been submitted some months earlier and as such was being processed. Case notes indicate the case being allocated to a social worker on 08/01/03 because of his approaching discharge from Kent House. The worker contacted ██████████ on 13/02/03. I could not see any record of contact prior to this.

11.4.2. ██████████ denies saying that there would be no future funding and this is confirmed by a colleague. There is no reference to this in the minutes of the meeting but in notes supplied by SIL, "In a meeting on 31 March 03 ██████████ stated that no person entering Salisbury Court or moving from Salisbury Court into satellite accommodation would obtain funding. I ██████████ asked ██████████ to repeat this in front of four witnesses, which ██████████ did. ██████████ confirmed ██████████ statement; therefore ██████████ had already made a blanket financial decision, and confirms that ██████████ had not gone to offer any advice because ██████████ knew that ██████████ employed a firm of consultants.

Status NOT DETERMINABLE.

Recommendation.

From the information available it is not possible to determine this matter.

Complaint 5.

It was not true that ██████████ had requested that ██████████ belongings be moved.

Summary of Investigation.

11.5.1. ██████████ advised ██████████ that it would not be sufficient for Housing Benefit to move ██████████'s belongings into Salisbury Court.

11.5.2. ██████████ and ██████████ both confirm that ██████████ made this statement. ██████████ and ██████████ are equally adamant that ██████████ did not.

Status NOT DETERMINABLE.

Recommendation.

From the information available it is not possible to determine this matter.

Complaint 6

The statement made by [REDACTED] advising that [REDACTED] was not ready to move from Kent directly contradicts the discussion in the meeting of 10/04/03.

Complaint 7

The medical professionals involved with [REDACTED] clearly said that for several months he was ready to move on, but the people involved with making the financial decisions stated [REDACTED] was not; the problem appears to have been the inability and unwillingness of the Department to process the referral.

Summary of Investigation

I have dealt with these two complaints together since they both refer to the discharge from Kent House of [REDACTED]. They have also been referred to earlier in this report.

11.6.1. The minutes of the meeting on 10/04/03, make the following references to

- [REDACTED] queried the situation involving potential service user [REDACTED] which involved various Care Managers raising his expectations that a move to Salisbury Court was imminent. [REDACTED] stated that such a practice was potentially a disciplinary matter and requested further details including the names of the Care Managers involved.
- [REDACTED] concurred that the costs detailed for [REDACTED] were insufficiently detailed to justify funding.
- "Agreed Action 3, SSD to have further discussion with regard [REDACTED] placement"
- "Agreed Action 4, [REDACTED] requested that [REDACTED] provide the names of staff at Ashton House/Kent House who had been involved in [REDACTED]'s case so [REDACTED] could pursue practice issues further."

11.6.2. However, I was given notes by [REDACTED] which are a response to the meeting and which challenge the accuracy of the minutes. These include, "...they need to be challenged on their not ready statement. The consultant psychologist and ward manager beg to differ."

[REDACTED] wrote to [REDACTED] "Because of this unknown problem (in relation to making placements), when [REDACTED] was first referred to [REDACTED] I discussed with [REDACTED] whether or not it was worthwhile beginning the process of placement at Salisbury Court, until it had been resolved. At this point [REDACTED] informed me that you were aware of the referral. ...As a consequence of this, I contacted Kent House and carried out an assessment of [REDACTED] with a view to moving on to Salisbury Court. A written initial assessment and package costing were then prepared, and I was asked to submit the information as soon as possible to go to panel for consideration.In carrying out my assessment of [REDACTED], it is clear that [REDACTED]'s statement in the above meeting that [REDACTED] is not ready to move on from Kent House contradicts the opinions of the professionals working directly with [REDACTED]. When the referral was made to assess [REDACTED] for move on and the Ward Manager at Kent House, in conjunction with the relevant Consultant Psychiatrist, stated that [REDACTED] was ready to move on, it was a little surprising that in the circumstances [REDACTED] should disagree. After I had finished my initial assessment, I had no reason to doubt the opinion of [REDACTED] (Ward Manager) and [REDACTED]."

11.6.3. [REDACTED] replied 12/06/03, "the cost of this potential placement was substantially increased. The supporting information to justify there (sic) costs could not be reconciled with assessed need and previous costings which [REDACTED] had formulated.[REDACTED] had previously been advised by myself and confirmed in this meeting by yourself that it would not be appropriate for [REDACTED] to move to Salisbury Court at such short notice."

11.6.4. [REDACTED] goes on to say that, "It was not clear from your correspondence who you discussed the matter of moving [REDACTED] to Salisbury Court with. However I

will comment that some of our colleagues at Kent House do not always have a full understanding of the referral/commissioning process. Moreover I am aware that Care Managers would require a decision from Learning Disabilities Panel before confirming move on arrangements with providers."

11.6.5. [redacted] also made the point that even if he had been ready to move there is no reason why [redacted] should have assumed that the placement would be with them. There could have been a number of providers who would be asked to assess.

11.6.6. I discussed [redacted]'s readiness for discharge with [redacted]. [redacted] confirmed that when [redacted] first contacted [redacted] in February, it may have been premature and [redacted] recorded that [redacted] was not ready to move on. However, by April [redacted] recorded that [redacted] was more settled and that around this time [redacted] had met with [redacted] and was working on costings. [redacted] was very eager for the move to happen. [redacted] also thought that it was likely that [redacted] was unaware of [redacted] contacting [redacted].

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11.6.7. The social work case notes show that on 13/02/03 [redacted] contacted [redacted] and asked him to assess [redacted]. The note then reads, on 25/02/03, [redacted] continues to be up and down in mood - had a major outburst on Kent - directed at [redacted]. [redacted] is not ready to move on just yet." On 04/04/03, [redacted] seems more settled now. [redacted] putting costings together - now that [redacted] has met up with [redacted]. Costings submitted by [redacted]. Negotiations between Management, S Services + [redacted] over a prolonged period. A meeting was eventually held to try + resolve funding issues but outcome was that cost too high: £1,300 + for [redacted], plus other issues outstanding. In the end, after much disappointment for [redacted] I had to inform [redacted] that I would need to seek an alternative... I felt very bad at letting [redacted] down re Salisbury Court..."

11.6.8. However, [redacted] said that [redacted] had been approached as a matter of urgency by [redacted]. [redacted] says that [redacted] ward staff and the psychiatrist felt that [redacted] was ready for discharge but [redacted] took a different view.

11.6.9. It seems to me that when [redacted] was contacted, [redacted]'s physical/mental condition was such that [redacted] was not ready for discharge. However by April the indications are that [redacted] was ready. I have discussed this with [redacted] who agreed that this was the case. It can only therefore be that issues other than [redacted]'s condition had become what was stopping any progress.

300 to S.P.
18 March '03

Status UPHELD

Recommendation

The available information from social worker and the case notes is that [redacted] was ready for discharge by April and all of those involved in his care felt that a move to Salisbury Court was desirable. The reason for the move not going ahead appears to have been based on the financial situation and although costs are referred to during the meeting the emphasis for the placement not proceeding is placed on [redacted]'s condition. This should be clarified in writing.

Complaint 8

The assessments we requested at the meeting on 10/04/03 were the updated Community Care assessments that clearly had changed since placement

judging by the recent funding decisions. We have now asked for these assessments three times in writing and are still waiting we believe this to be a delaying tactic.

Summary of investigation

11.8.1. [redacted] noted that the request for assessments, which occurred during the meeting of 10/04/03, had not been recorded in the Agreed Actions. [redacted]'s comments about "matters raised in this meeting would hopefully be addressed within the next two weeks" did not refer to making available the assessments. Neither is it clear from the brief reference in the notes which assessments were being referred to.

11.8.2. The notes of the meeting that I was provided with by [redacted] drew attention to this. These, I understand, were used as a basis to [redacted]'s letter of 02/05/03. In it [redacted] said, "We have also not yet received the minutes from the above meeting in which we discussed these matters, nor a copy of the community care assessments we were told had been completed on all [redacted] tenants, or any proposals for new assessments."

11.8.3. The wording of this suggests to me that the assessments were the original ones since it actually refers to "proposals for new assessments." But on the other hand if the discussion was around current costings then clearly the most up to date ones would be the ones required.

11.8.4. However, efforts to get them following the meeting on 10/04/03 were made by letters on 02/05/03, 27/05/03, 10/06/03. [redacted] replied on 12/06/03 asking for clarification about which assessments were required.

11.8.5. The Director of Social Services wrote to [redacted] on 02/06/04, "With regard to requests by Service-Users or their legal representatives for copies of Community Care Assessments. I can advise that we have received a number of requests and that these have been dealt through the appropriate channels... Your organisation made a request in relation to 5 tenants on 2nd December 2003. A reply was sent on 2nd March 2004. In this reply, you were advised that we were unable to offer a definite timescale for assessments as we would be referring all the tenants to the Advocacy Service for preliminary discussions. We further advised that once the discussions were completed, we would envisage care management input within two weeks. This is still our plan. There have been some difficulties in terms of engaging the services of an independent advocate but I believe these have now been overcome.

Status UPHELD

Recommendation

That up to date assessments are provided by Social Services as a matter of urgency so that these can be related to detailed costings provided by [redacted]

Complaint 9

Our clients have made a choice that [redacted] pay their bills on their behalf. As far as we are concerned we follow the expressed wishes of our tenants and not the preconceptions of supported living referred to in a letter from Social Services.

Summary of investigation

11.9.1. There is a history of collaboration between [redacted] and Social Services in producing a 3 party agreement, involving themselves and the service user, regarding financial arrangements. This was when [redacted] and [redacted] were taking the lead. However, it appears that this view has changed and the letter from [redacted] to [redacted] on 12 June 2003, referred to earlier, made the Social Services Department's current view clear. "...I would like to make it clear that it is not appropriate for individual Care Managers to agree and sign up arrangements related to individual tenants finances, especially as the way they are currently managed is not compatible with the concept of supported living."

11.9.2. [redacted] are clear in stating financial independence for their residents is a goal but they feel that it will be appropriate for different people at different times.

11.9.3. Social Services still have concerns regarding resident's financial arrangements. It is alleged that a bank account was opened without a resident knowing about it. I cannot see that this allegation has been put explicitly to [redacted] and in my conversations with them they say that the resident is particularly unreliable and has been involved in financial malpractice with other residents. It is understood that a Vulnerable Adult Review took place but [redacted] were not involved. They feel that if they had been involved with this they would have been able to clarify the situation and allay any suspicions of financial malpractice.

11.9.4. I discussed the use of Advocates to mediate on the matter of how financial independence can be achieved for residents while at the same time protecting them and others from financial abuse. [redacted] expressed concerns about a particular advocate who they had been involved with in the past and who they had concerns about but they agreed that if this were regarded as a way forward then they would co-operate.

Status **UPHELD**

Recommendation

That there is an explicit agreement made with regard to residents' finances and if Social Services still have any concerns then Advocates should become involved. Ultimately, if the divergence of views over what constitutes supported living is so great then a decision needs to be made by Social Services about whether or not they will make referrals to [redacted].

Complaint 10

In August 2002 [redacted] was re-referred to Wirral Social Services for a reassessment. Although a visit was made there has been no advice or feedback.

Summary of investigation

11.10.1. In August 2002 [redacted] was one of a number of tenants referred to Social Services for a reassessment due to a change of need or circumstances. [redacted]'s situation was regarded as urgent because of an incident at Salisbury Court.

11.10.2. On 11/09/02 the then Team Manager of the Adult Learning Disability Social Work Team, [REDACTED] and a member of the Psychology Department visited Salisbury Court and promised to report back to them.

11.10.3. I could not find any information that was provided to [REDACTED] regarding this visit/assessment. A further serious incident occurred five months later and when [REDACTED] spoke to [REDACTED] told them that neither the Social Work nor Psychology Teams had any staff to allocate the case to.

11.10.4. [REDACTED] showed me a referral to Social Services Central Advice and Duty Team dated 22/09/03 regarding [REDACTED], "Referred as "URGENT" approximately 12 months ago due to potential serious risk to others. Visited once by Social Work/Psychology, both people then left department. No feedback ever given. Told no staff available?"

Status UPHELD

Recommendation

An apology should be made for the lack of any feedback to the visit made to [REDACTED] and for the Department's inability to act on the subsequent referral.

Complaint 11

In May 2003 staff raised concerns about a tenant's stress levels. A Vulnerable Adult Review was called but then cancelled. The Review subsequently took place but [REDACTED] was neither consulted nor invited.

Summary of investigation

11.11.1. [REDACTED] had concerns over the issue of a tenant exploiting other residents. A Vulnerable Adult Review was called but it did not involve [REDACTED]. The Review was chaired by [REDACTED] who told me that it was a conscious decision to not invite them to because it was felt that [REDACTED] were part of the abuse. However [REDACTED] say that they had valuable information about this resident that would question the wisdom of just taking [REDACTED] word for what was happening.

Status UPHELD

Recommendation

An apology should be made for not involving [REDACTED] in the Vulnerable Adult Review. Their views should have been formally ascertained. If there were concerns over [REDACTED]'s conduct then this does not appear to have prompted any protective measures being taken with regard to the other residents.

Complaint 12

[REDACTED] was referred by Wirral Social Services approximately twelve months ago. The family expressed a preference for [REDACTED] but were told that "There is a problem..." but the Borough Solicitor has said that the placement would proceed. In the mean while there has been no contact with the family.

Summary of investigation

My conversation with the Borough Solicitor confirmed that [REDACTED] was acting on the instructions of the Social Services Department and [REDACTED] understood that placements would proceed.

Status UPHELD

Recommendation

An apology should be made for the inaccurate information that was provided.

[REDACTED]
15/07/04

7 June 2004 Letter from [redacted] in Response to [redacted] Complaints



Metropolitan
Borough of Wirral

Social Services Department

[redacted]
Director of Social Services

Office dealing with:-
Social Services Headquarters
Westminster House
Hamilton Street
Birkenhead
Wirral, CH41 5FN
Telephone: 0151-666 3650
Fax: 0151-666 4747

gmc 212
45

to [redacted]
FAC [redacted]
Salisbury Court
31-33 Egerton Park
Rock Ferry
Wirral
CH42 4RA

date 7 June, 2004

your ref [redacted]
my ref GPC

Dear [redacted]

I write to acknowledge your copy letter of the 24th May addressed to [redacted]. This makes some strong assertions about failures to respond and a lack of progress on individual cases.

I am aware of considerable correspondence, but I will nonetheless discuss matters as a matter of urgency with the staff concerned. I obviously want to ensure there is absolute clarity about this Department's and the Authority's position in relation to future funding responsibilities.

Yours sincerely

[redacted signature]

[redacted]
Director of Social Services



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Footnote to [REDACTED]'s Letter dated 7 June 2004

Whilst the letter has been scanned, unfortunately the footnote has been highlighted on the original and is difficult to read. This footnote has been typed for easy reading:

Cc. [REDACTED]

It does feel as though we are allowing [REDACTED] to take the moral high ground and we can't allow them to continue to assert unchallenged that correspondence goes unanswered. As I understand it, but we need to be absolutely clear, all correspondence has been responded to and we have laid out a clear position for the Department and for the Authority. I would want you to satisfy yourself and me that this is the case and to provide the evidence to ensure we are not leaving ourselves open to a more formal challenge. The bottom line at the moment is that someone is jeopardising the continuity of care and we need to be absolutely clear where that responsibility lies. What can you say to reassure me and demonstrate that [REDACTED] has had responses to the various letters referred to?

24 December 2004 Letter from [REDACTED]



Metropolitan
Borough of Wirral

Social Services Department

[REDACTED]
Director of Social Services

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Office dealing with:-
Social Services Headquarters
Westminster House
Hamilton Street
Birkenhead.
Wirral: CH41 5FN
Telephone: 0151-666 3650
Fax: 0151-666 4747

to [REDACTED]
5 Mortimer Street
Hamilton Square
Birkenhead
CH41 5EU

date 24 December, 2004

your ref
my ref KMAR

Dear [REDACTED]

I write to acknowledge your letter of 15th December, which appears to confirm that you are evicting [REDACTED] from your premises immediately prior to Christmas. I'm sure the various recipients of your letter will be taking action and responding. I have taken particular note of your assertion that you have received no communication from this Department, during the period of notice. That was not my understanding but I will seek clarification.

Yours sincerely,

[REDACTED Signature]

Director of Social Services

cc. [REDACTED], Head of Service, Mental Health & Learning Disabilities
[REDACTED], Service Manager, Conway Building

There is clearly some brinkmanship going on with this case, which I find more than unsatisfactory over the head of a vulnerable user. I'm obviously concerned at the suggested lack of communication which I can't believe and need to see something about the overall strategy for tackling this organisation and it's funding.

29 April 2005 Letter from [redacted]



Metropolitan
Borough of Wirral

Social Services Department

[redacted]
Director of Social Services

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Office dealing with:
Social Services Headquarters
Westminster House
Hamilton Street
Birkenhead
Wirral, CH41 5FN
Telephone: 0151-666 3650
Fax: 0151-666 4747

to [redacted]

date 29 April, 2005

The Italian Lodge
88 Park Road South
Birkenhead
CH43 4UY

your ref
my ref. KMAR

Dear [redacted]

Thank you for your letter of 22nd April, concerning the continued difficulty in sustaining the accommodation arrangements for a number of users. At the heart of the correspondence, seems to be a failure of communication and with that understanding. From my perspective, numerous attempts to provide clarity, both in writing and face to face meetings, seems not to move matters on. I am happy to consider and arrange some further discussion, but there does seem to be a fundamental misunderstanding about the different funding streams and assessment requirements. I will speak again to the staff involved and see if we cannot find a way forward, that will remove the uncertainty and potential disruption to some very vulnerable people.

Yours sincerely

[redacted signature]

Director of Social Services

cc. [redacted] Head of Service, Mental Health & Learning Disabilities
Joint Commissioning Manager

This seems to go round and round in circles and never resolve. In all the correspondence, I can see a number of statements of challenge from [redacted] but I can't see a quicker and unequivocal statements coming from the Council about the current situation, unless of course that's in separate correspondence, not shared here. Given the potential disruptions, clearly an urgency in resolving this and it would seem that a meeting with [redacted] again, may be the only way forward and I'm inclined to get personally involved. I'd welcome your comments and advice please. URGENTLY.

[REDACTED]'s Draft Response to [REDACTED]'s Memo Dated 31 October 2005

From: [REDACTED]
Sent: 02 November 2005 08:25
To: [REDACTED]
Cc: [REDACTED]

[REDACTED]
attached is a draft of my reply to [REDACTED] and the basis of the discussion with [REDACTED] tomorrow. Some of the information/dates may be inaccurate - would you correct please. Also you may wish to add in about the meetings/lack of with [REDACTED] etc to discuss impact. .

Thanks,
[REDACTED]

Concerns have been raised about this provider since they first became known to the SP team in 2000 . At that time they were providing services to a number of clients placed by Wirral Social Services . The history is well known , so I will not repeat it here.

The Supporting People review of this service began in May 2004 and a detailed action plan produced in July of that year. The organisation was given considerable help to meet the requirements of that action plan ("help" , in the sense of advice etc) by the SP team. When a further review was carried out in September of this year (late because of [REDACTED] involvement of a law firm) several issues remained outstanding and there was little confidence in the SP team that the shortcomings would be rectified. Throughout this process, regular reports have been provided both to CB and to CSDG.

Whilst the SP review process has been progressing there have also been some investigations by police, CSCI and (now) department of work and pensions in to the workings and practices of this organisation.

The report to CB in September notified members that the review would be completed during September and a recommendation made to the next meeting of the CB (30th November) . The reason for the attempt to short cut this process is because of the need to issue some form of update to [REDACTED] about the outcome of the review. The longer we leave this, the weaker our case may become; In addition, the notice clearly gives [REDACTED] the opportunity to work with SP to improve services, it gives 12 months breathing space in which alternative providers etc may be sought, and it gives [REDACTED] a right of appeal.

We have known that any decision of this type would potentially disrupt lives of [REDACTED] service users for some time [REDACTED] has met with social workers and with the joint commissioning manager to carry out impact assessments, and this work will continue until either the issues are satisfactorily resolved with [REDACTED] or alternative provision is made. The matter may, anyway, be taken out of our hands if [REDACTED] continues its policy of "importing" service users from outside Wirral.

I cannot really comment on any potential rise in community care demand except to say that, throughout this process, social services has consistently maintained the view that NONE of [REDACTED]'s clients has an entitlement to anything other than the low level support needs being met through SP grant funding. If this is not the case (and if, in fact, some [REDACTED] clients have care entitlements) , then the issue arises as to why this was not identified earlier, when [REDACTED] was making this very claim.

If necessary this matter can go to the CB for full discussion and the issue of the notice delayed until after that meeting; if this is to be the case then the very least that is required is a commitment to ensuring that social worker/joint commissioning manager attendance at the impact assessment etc meetings is forthcoming.

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SP has consistently raised its concerns about possible exploitation (at the very least) of clients within the service and the seeming inability of the organisation to get to grips with this. The exploitation appears to be mainly financial, rather than physical or sexual abuse, but it is still, surely, completely unacceptable?

Definition of Personal Care and Extracts from DASS Web Pages

2010 No 781

NATIONAL HEALTH SERVICE, ENGLAND
SOCIAL CARE, ENGLAND
PUBLIC HEALTH, ENGLAND

Health and Social Care Act 2008 (Regulated Activities) Regulations 2010

Made 15th March 2010

Coming into force 1st April 2010

“personal care” means—

- (a) physical assistance given to a person in connection with—
 - (i) eating or drinking (including the administration of parenteral nutrition),
 - (ii) toileting (including in relation to the process of menstruation),
 - (iii) washing or bathing,
 - (iv) dressing,
 - (v) oral care, or
 - (vi) the care of skin, hair and nails (with the exception of nail care provided by a chiropodist or podiatrist); or

- (b) the prompting, together with supervision, of a person, in relation to the performance of any of the activities listed in paragraph (a), where that person is unable to make a decision for themselves in relation to performing such an activity without such prompting and supervision

Supported and sheltered housing - information and advice

The primary purpose of supported housing is to develop and sustain a person's capacity to live independently.

Supported housing support services can include helping people to access their correct benefit entitlement, ensuring they have the correct skills to maintain a tenancy, advising on home improvements, and accessing a community service alarm.

Other services include home visits or full time support workers.

A range of services and activities can be tailored to an individual's specific needs.

Supported housing is accommodation provided for individuals who also need a low level of support so that they can continue to live independently.

The most common form of supported housing is sheltered housing where flats or bungalows are allocated to older people and a warden is provided on site to give assistance and reassurance to service users.

Supported housing is also provided for many other vulnerable client groups - those with physical disabilities, mental health issues, learning difficulties etc.

In addition, support services may be "floating", i.e. they are not provided to residents of a housing scheme, but anyone who needs that service, regardless of where they live.

Support services are either short term or long term, depending on their aims and objectives.

Short term schemes last up to two years with the intention of moving a person on to independent living or increasing the ability to live independently.

Long term services are continuous or open ended.

All short-term supported housing services are free. Charges are only applicable to people in long term services who can afford to pay, following an assessment of their financial circumstances.

Those who can not afford to pay are eligible to claim a subsidy from the Council.

Information on how to access Supported Housing can be obtained from Wirral's Supporting People Team using the contact details on the right

Residential care

A residential care home provides accommodation, meals and personal care for older people, people with disabilities, or people who are unable to manage at home, for whatever reason.

For important information on changes to the way residential and respite care is provided in Wirral please visit the Personalisation section of this website.

The level of care varies from home to home. Your needs will be attended to by experienced and trained / qualified care staff. This includes help with:

- Eating
- Washing
- Bathing
- Dressing and toilet needs
- Caring for you if you become ill.

However, residential care does not include nursing care.

The decision to recommend a residential or nursing home will only be made after a full assessment. If nursing home care is recommended, then the local health authority also has to agree to this.

You can also consider homes in other local authority areas if your needs will be better met there.

When choosing a home, it is important to make sure that you choose one that will be right for you both now and in the future.

You can get advice and information to help you make this important decision from:

- Your social worker or care manager
- A district nurse
- A health visitor
- Your family doctor
- Inspection reports - all care homes are inspected by the Care Quality Commission (CQC).
- Information brochures

As well as an inspection report care homes must provide an information brochure. On the right hand side of this page are the information brochures for residential services for older people owned and managed by Wirral Adult Social Services.

For information and advice contact the Central Advice and Duty Team using the details on the right.

File Note Recording a "Heated" Discussion on 07 November 2005

- [REDACTED], [REDACTED] is alleging that [REDACTED] raised issues with other authorities about not placing with [REDACTED], using a letter to [REDACTED] as evidence of this
- [REDACTED], I spoke only with [REDACTED], and they 'phoned me
- [REDACTED] but the letter from [REDACTED] clearly uses the term "authorities" in the plural, and states not only Merseyside, but "regionally"
- [REDACTED], then [REDACTED] has got it wrong!!
- [REDACTED] but taking that line would only undermine [REDACTED] ...
- [REDACTED], this is a matter of survival, and if it is a choice between me and [REDACTED] taking the blame for this, then it is not going to be me!!

At the meeting with [REDACTED] and [REDACTED] Monday 7th November '05, called to discuss the latest letters from [REDACTED] the following exchange took place;

This was a heated discussion.

[REDACTED]'s comments ignore the fact that it is [REDACTED] reference on the letter.

Minutes of a Meeting between [REDACTED], Wirral SP and Wirral Legal Services
16 November 2005

Confidential note to Borough Solicitor's Office.

Meeting with [REDACTED] Wednesday 16th November '05.

Present: [REDACTED], [REDACTED], [REDACTED] & [REDACTED]
(Regeneration), [REDACTED] (Borough Solicitor)

- The meeting had been arranged at the request of [REDACTED] and had, also at the request of [REDACTED], been brought forward to 1.00 p.m. (original time 2.00 p.m.)
- A letter plus accompanying papers was hand delivered to the South Annexe by [REDACTED] at 1.00 p.m.
- Meeting commenced at 1.10 with [REDACTED] asking whether or not we had received the letter and would we be willing to go through it? Yes to both.
- [REDACTED] handed over for sighting/our records several documents (memorandum & articles of association, business sale agreement, pre-incorporation agreement, accounts/financial reports, board meeting minutes) A regular cycle of board meetings had now been established for [REDACTED] (quarterly)
- [REDACTED] read out the letter. There was a brief discussion around "interim contract" and "interim contract period" -with the explanation offered that the interim contract period ends March '06 but individual interim contracts may run beyond this date due to the extended notice period contained within the standard interim contract. The decision on the future of any contract is at the conclusion of the review NOT at 31 st March, and [REDACTED] made the point that an authority cannot make a decision to contract further with an organisation which does not meet the basic standards.
- [REDACTED] stated that it was the intention of the authority /SP, and had been their intention throughout the dealings with [REDACTED], that we (whilst addressing any issues of concern we may have) have always tried to assist this provider to meet the minimum standards, and we had taken this approach with all providers. It was STILL " despite their current failings, our intention to assist if we can. We have acknowledged the good points in the service, and we acknowledge the appointment of [REDACTED] as a positive step. In particular, the acknowledgement in their [REDACTED]'s letter to us that they were failing was the first time that

they had recognised the need to improve and we viewed this as a very positive development.

- [redacted] speaking off the record (and the remainder of the meeting was off the record"), stated that [redacted] agreed with our view, believed that we had been very fair in our dealings with [redacted] and understood our frustrations with them. [redacted] concurred. [redacted] was equally determined to see [redacted] improve to the minimum standard ; and expected that they would then seek to instil a culture of continuous improvement.
- Discussion, largely between [redacted] and [redacted], about the need to improve in two areas; administration/documentation and in terms of culture/implementation of improvements, with the latter area being the most pressing. [redacted] mentioned research which [redacted] firm had carried out with service users etc and was impressed with their satisfaction with the service, which is why [redacted] felt it could improve. [redacted] felt that it was unnecessary in terms of SP to go down the "legal route" as this would not reflect well on any party, particularly when there appeared to be agreement about, how to resolve the matter.
- [redacted] summarised; we cannot alter the review finding as they are stated at the date of completion ; we can take account of their response to accuracy etc (set out in a document left with us) and we will ; we can take account, in reaching our decision , of the issues they had raised with us today; we will ([redacted] will) make a decision based on that and we will discuss this at the CB meeting of 30th November. More than one decision is possible, including a "decision not to decide" ; in these circumstances we would acknowledge the determination and the undertaking of [redacted] to reach the minimum standard by an agreed date. We would contact [redacted] and [redacted] with a decision, and would then agree whether or not a further meeting was necessary.
- [redacted] left the meeting.
- [redacted] raised other issues; an explanation of what/who was the CB ([redacted] provided a general explanation and some information on CB priorities etc) ; if and when [redacted] is awarded a steady state contract would the question of I/underfunding" be addressed (without acknowledging any underfunding, [redacted] gave a brief explanation of SP budget position, value for money , investment priorities for CB etc , including the requirement for the CB/AA to develop the provider market in Wirral)
- [redacted] raised the issue of confidentiality (without directing this at

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SP), stating the concern about what may have been said to third parties, but also expressed [REDACTED] desire to draw a line under what may have happened if we ensure that it does not happen again. [REDACTED], stating the view that any disclosure that may have occurred would have been "accidental" but recognised the need to clearly state to all concerned the importance of the confidentiality issue.

The meeting concluded.

Annex B

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Equality & Human Rights Commission
Letter Dated 29 December 2010**

Equality and
Human Rights
Commission

equalityhumanrights.com

29 December 2010

[REDACTED]
House of Commons
London
SW1A 0AA

Dear [REDACTED]

Mr [REDACTED], [REDACTED]

In response to your letter of 9 November 2010, in which you outline [REDACTED]'s concerns that the overcharging of disabled residents amounted to discrimination.

I do not agree with the conclusions drawn by the Council's Director of Law namely that discrimination did not occur because the residents were not overcharged for reasons relating to disability.

Current discrimination law and supporting case law clearly establish that motive and intent are irrelevant to this issue. The facts are that disabled people were subject to unlawful levels of charging (whether or not the cause was maladministration).

It is therefore the opinion of the Commission that [REDACTED]'s concerns should be included in the Inquiry, in order to identify whether there are other issues or systemic problems that need to be addressed.

Equality and
Human Rights
Commission

3 More London Riverside
Tooley Street
London SE1 2RG

Tel: 020 3117 0235
Fax: 020 7407 7557
info@equalityhumanrights.com

The Equality and Human Rights Commission was established by the Equality Act 2006 as the Commission for Equality and Human Rights.

Furthermore inclusion of [REDACTED]'s concerns in the Inquiry will assist the Local Authority in communicating their commitment to fully investigating this matter.

Yours sincerely

[REDACTED]

[REDACTED]
Chair of the Disability Committee

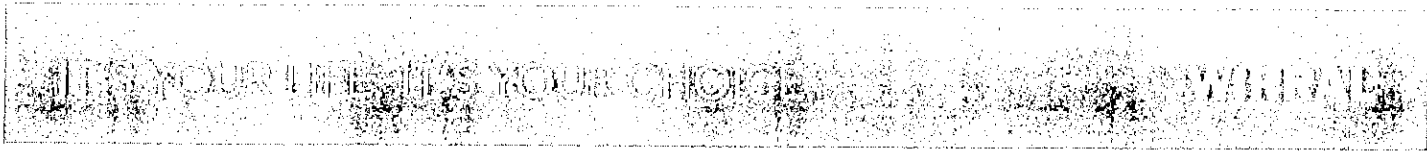
Annex C

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

First Improvement Plan



FIRST IMPROVEMENT PLAN

For

SAFEGUARDING ADULTS;

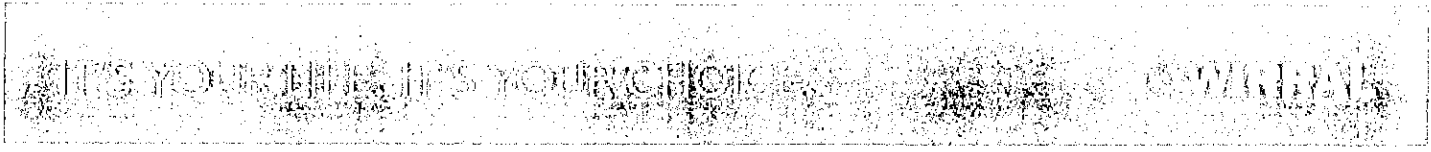
**MAKING A POSITIVE CONTRIBUTION FOR ADULTS WITH
A LEARNING DISABILITY;**

**INCREASED CHOICE AND CONTROL FOR ADULTS WITH
A LEARNING DISABILITY;**

PROVIDING LEADERSHIP;

AND

COMMISSIONING AND USE OF RESOURCES.



FOREWORD

This is the **first Improvement Plan** for Safeguarding Services to Adults with a Learning Disability

The Plan recognises the improvements to be made and the Council is determined to improve services in all 21 improvement areas.

As the Care Quality Commission report is "Embargoed" until it is presented to Cabinet on 2nd September, the action plan has been developed in that context.

It has been agreed that a **second revised Improvement Plan** – along with a report outlining progress to date will be submitted to CQC by Tuesday, 19th October. This will enable further scrutiny of improvement areas and full involvement of partners, including the Partnership Boards for Safeguarding and Learning Disability.

The Improvement Plan will be managed by the Director of Adult Social services, with the close and direct involvement of the Cabinet Member for Social Care and Inclusion.

Governance arrangements are set out within this first Improvement Plan.



Director of Adult Social Services



COUNCILLOR
Cabinet Member for Social Care & Inclusion

First Improvement Plan for Safeguarding Services to Adults with a Learning Disability

Governance

Progress against this Improvement Plan will be monitored on a number of levels. Those involved in the monitoring will include those who use our services, their carers and families, elected Members, Council Officers and Adult Social Services staff.

Cabinet will receive progress reports every two months.

The Safeguarding Review Group will also provide a monitoring role and enable a closer level of scrutiny regarding the specific issues relating to safeguarding.

Progress will also be reported to, and monitored by both the Safeguarding and Learning Disability Partnership Boards.

The Improvement Plan itself will be driven forward by a group led by the Director of Adult Social Services and including the Cabinet Member for Social Care and Inclusion.

These arrangements will supplement the usual management arrangements and will ensure that progress is tightly monitored and that improvement is made in all areas identified.

IMPROVEMENT PLANNING

SUMMARY OF ACTIONS

Safeguarding Adults

Improvement Area 1 – Ensure that arrangements and policies for preventing abuse are comprehensive and co-ordinated.

1. A multi-agency mission statement for Safeguarding will be completed.
2. Multi-agency Safeguarding policies and procedures will be finalised.
3. The Safeguarding Adults Partnership Board will be chaired by an Independent Person
4. Lessons learned' from national serious case reviews and best practice will be regularly considered by the Safeguarding Adults Partnership Board.
5. The 'Dignity in Care' initiatives will be more widely promoted.
6. Hate crime incidents for people with disability and people from Black and Minority Ethnic (BME) communities will be more clearly reviewed.
7. Public information about safeguarding which particularly targets, carers, self funders, people from Black Minority Ethnic (BME) communities and people who misuse alcohol or drugs will be made more accessible.
8. Relevant partners will be given access to the Department of Adult Social Services electronic case management system under information –sharing protocols.
9. Strengthened arrangements for consent to treatment will be implemented to ensure effective support for people with complex needs on admission to, and discharge from hospital..
10. The initial Equality Impact Assessment of the Safeguarding Adults Improvement Project undertaken in 09/10 will be reviewed.
11. Joint working arrangements on the prevention agenda across the Local Strategic Partnership (LSP) will be further developed.

Improvement Area 2 – Embed a shared approach to recognising and responding to allegations of abuse.

1. Public information about safeguarding issues will be provided in a range of community venues
2. Joint working arrangements across Children's and Adults Boards will be established.
3. The Central Advice and Duty Team service level agreement with Department of Adult Social Services will be reviewed.
4. A comprehensive analysis of areas of risks and incidents of abuse will be undertaken.
5. A multi-agency Safeguarding Training Plan will be developed and implemented.

Improvement Area 3 – Ensure that staff involved in safeguarding adults and supporting people with high or complex needs have the appropriate knowledge and competences.

1. Develop multi-agency training plan
2. A staff competency framework will be developed.
3. The DASS supervision procedure will be revised to reflect a stronger focus on safeguarding, risk management and practice standards.
4. Appropriate training to safeguard people with high or complex needs will be implemented.
5. Poor workforce practices will be addressed and appropriate action taken.
6. The revised safeguarding procedures will be appropriately implemented in DASS

Improvement Area 4 – Ensure that safeguarding activity at all levels is focused on the experience of people who require safeguarding and on the outcomes achieved.

1. The experiences of people who have reported safeguarding issues in local communities will be routinely reported into the Community Safety Partnership and Safeguarding Adults Partnership Board.
2. Individuals subject to safeguarding will be engaged in all stages of the safeguarding process
3. The Mental Capacity Action Plan will be implemented.

Improvement Area 5 – Ensure that safeguarding is supported by robust quality assurance arrangements across the partnership.

1. A Safeguarding quality assurance framework will be developed.
2. A regular process for sampling safeguarding cases will be developed.
3. Performance reports which track trends will be made available to the Safeguarding Adults Partnership Board on a regular basis.

Improvement Area 6 – Improve scrutiny of provider activity and risks across the sector.

1. The contract monitoring of health and social care providers will be improved.
2. New contracts for personal support provided by the independent sector outlining safeguarding expectations will be developed.
3. A quality assurance partnership with representative groups will be developed to quality assure providers.

Making a positive contribution for adults with a learning disability.

Improvement Area 7 – Improve its focus on people who have limited opportunities to engage in and contribute to their local communities.

1. The Council's Comprehensive Engagement Strategy will be reviewed to ensure that the needs of people with limited opportunities for engagement are reflected in it.
2. Issues raised in the Equality Impact Assessment of the Learning Disability Commissioning Framework will be addressed.
3. The Volunteer Strategy will be implemented.
4. Payments made to people who attend Day Services will be reviewed to ensure an equitable approach.
5. The key priorities of the revised Commissioning Strategy will reflect access to local housing, employment, leisure opportunities and social networks in local communities

Improvement Area 8 – Ensure wider representation, involvement and support for people using services and their carers in planning and managing change.

1. The Learning Disability Partnership Board and its sub groups will continue to implement actions from the Learning Disability Commissioning Framework.
2. People with learning disabilities and their carers will be supported to fully engage in shaping Council services

Increased choice and control for adults with a learning disability.

Improvement Area 9 – Ensure that people with learning disabilities and their carers have access to appropriate advice, information and support.

1. A Wirral wide Information, Advice and Advocacy Strategy which explicitly includes learning disability services will be produced.
2. A sample of people who have been signposted to other services by the Central Advice and Duty Team will be audited.

Improvement Area 10 – Ensure people's needs are holistically assessed and supported by effective partnership working

1. A model for equitable access and delivery of health, housing, education and social care support will be developed and implemented.

2. The revised joint Commissioning Strategy will reflect the totality of needs and how they will be met across the partnership.
3. The training plan for personalisation will be further developed.
4. Revised policy, procedure and practice guidance underpinning the Personalisation reforms will be implemented.

Improvement Area 11 – Transform support planning to provide a clear focus on the future, on risks to individuals, on the promotion of their independence and outcomes.

1. Implement policy, procedure and practice guidance and ensure staff attend mandatory training
2. The Phase 2 pilot of the Personal Budgets Project will be completed and Phase 3 will be initiated to roll the process out across the Department.
3. Providers will be engaged in new contract arrangements and involved in the development and delivery of Support Planning.
4. See also Improvement area 3, Actions 1, 3 & 6.

Improvement Area 12 – Address gaps in awareness of the needs of and support to carers.

1. Carer's legislation and a revised local carer's strategy will continue to be implemented.
2. Policy and procedures for carers will be implemented
3. See also improvement area 3, Actions 1 & 3

Improvement Area 13 – Ensure that reviews are appropriately timed and focused.

1. A schedule of reviews will be developed and implemented to ensure they are delivered in a timely manner to all people with learning disabilities who receive support from the Council.
2. Also, see Improvement area 3, Actions 3, 4 & 5.

Improvement Area 14 – Strengthen arrangements for management and learning from complaints and compliments.

1. A system for learning from complaints and compliments including root cause analysis will be developed and implemented.
2. A system for following up outcomes for people including informing them of improvements made as a result of the complaint will be further developed and implemented.
3. Learning from complaints will be embedded in working practices.
4. The use of advocates and mediation will be further established in the complaints and quality assurance process.

Providing leadership.

Improvement Area 15 – Ensure the Safeguarding Adults Board and Learning Disability Partnership Board drive improved outcomes for local people.

1. The Learning Disabilities Partnership Board and its subgroups will continue to implement actions from the Learning Disability Commissioning Framework.
2. Clear performance-monitoring report processes for both Safeguarding Adults Partnership and Learning Disability Partnership Boards will be developed and implemented.
3. See also Improvement Area 8, Actions 1 & 2.

Improvement Area 16 – Promote stronger communication with and involvement of local people and service providers in shaping the vision and development of local services.

1. People with learning disabilities will be supported to engage in the Council's 'Wirral's Future. Be a Part of it' consultation.
2. People with disabilities will be involved with the Localisation Commission
3. The Department of Adult Social Services communication strategy group will refresh and re-align communication plans for transforming adult social care, safeguarding adults and the transformation of adult with learning disability services.

Improvement Area 17 – Develop robust joint planning to address local needs secured by effective deployment of resources and management of risk.

1. The Managing the Market Project (commenced August 2009) will be completed.
2. Voluntary agency contracts will be reviewed.
3. An analysis will be undertaken to determine levels of activity between teams and partners agencies (including the number of staff for safeguarding adults and learning disability services).
4. The Terms of Reference of the Joint Commissioning Group for people with learning disabilities will be revised.
5. Elected members will be involved in the safeguarding adults and learning disability agendas
6. The role of the Safeguarding Adults Sub Groups will be further developed.
7. An agreed Resource Allocation System will be implemented.

Improvement Area 18 – Expand its approach to prevention to deliver improved outcomes for people with learning disabilities and their carers.

1. The Early Intervention Strategy will be implemented.
2. Specific support for people with learning disabilities and carers will be identified through the early Intervention workstreams.
3. The offer of Assistive Technology to people with a learning disability and/or their carers will be made clearer.

Improvement Area 19 – Ensure the workforce across the sector has relevant knowledge, skills and experience to do their job well.

1. The Competency Framework will be developed with learning plans
2. Performance management and supervision policy will be integrated
3. HR Policies and their application will be reviewed (review will include trends and issues).
4. Managers will be trained in performance management for HR policy application

Commissioning and Use of Resources

Improvement Area 20 – Robustly challenge and enable the local market to address gaps, raise standards and meet new personalisation requirements.

1. Advocacy and brokerage support processes involving the voluntary and community sector will be developed.
2. The Emergency Duty Team arrangements will be reviewed.
3. See also improvement area 17, Actions 1 + 2

Improvement Area 21 – Ensure joined-up and efficient use of resources across the council, health and housing services.

1. The 'Total Commissioning' model will be agreed and implemented across the public sector in Wirral.
2. The Department of Adult Social Services Business Plan 2011-14 will be refreshed.
3. The Corporate Plan 2011-14 will be refreshed.
4. The Council will direct the use of in-house provider services. Cost efficiency will be driven within the Department and through the current 'Wirral's Future. Be a Part of it' consultation.
5. The medium-term financial plan will be strengthened as a result of the current administration budget and resource allocation, and following feedback from the 'Wirral's Future. Be a Part of it' consultation.
6. Robust contingency plans to manage decommissioning across the sector will be developed.

LIST OF LEAD RESPONSIBLE OFFICERS

[REDACTED]	Director Adult Social Services – Wirral Council
[REDACTED]	Service Manager, Direct Locality Support – Adult Social Services
[REDACTED]	Safeguarding Mental Capacity Act Lead - Wirral University Teaching
[REDACTED]	Head Of Safeguarding - Nhs Wirral
[REDACTED]	Head Of Policy And Performance - Wirral Council
[REDACTED]	Head Of Hr & Organisational Development – Wirral Council
[REDACTED]	Principle Manager, Reform Unit – Adult Social Services
[REDACTED]	Service Manager, Human Resources – Adult Social Services.
[REDACTED]	Director Of Children’s Services – Wirral Council
[REDACTED]	Head Of Housing – Wirral Council
[REDACTED]	Head Of Direct Locality Support Services – Adult Social Services
[REDACTED]	Director Of Corporate Services/Deputy Chief Executive – Wirral Council
[REDACTED]	Head Of Benefits Revenues & Customer Services – Wirral Council
[REDACTED]	Head Of Integrated Communities & Wellbeing Branch - Adult Social Services
[REDACTED]	Head Of Finance & Performance Branch – Adult Social Services
[REDACTED]	Head Of Branch (Participation And Inclusion) – Children And Young People’s Department – Wirral Council
[REDACTED]	Principal Manager (Performance) – Adult Social Services
[REDACTED]	Head Of Access And Assessment Branch – Adult Social Services.
[REDACTED]	Integrated Commissioning Manager – NHS Wirral and Adult Social Services
[REDACTED]	Head Of Support Services – Wirral Council
[REDACTED]	Director Of Strategic Partnerships – NHS Wirral

IT'S YOUR LIFE. IT'S YOUR CHOICE.



FIRST IMPROVEMENT PLAN

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1. Safeguarding Adults

Improvement Area 1 – Ensure that arrangements and policies for preventing abuse are comprehensive and co-ordinated.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
1	1	A multi-agency mission statement for Safeguarding will be completed.	1	Safeguarding vision and strategy signed off by Local Strategic Partnership.	Mar-11	All partnership agencies will share the same aspiration for developing Safeguarding services.	[Redacted]
1	2	Multi-agency Safeguarding policies and procedures will be finalised.	2	Multi agency safeguarding procedures approved by Safeguarding Adults Partnership Board	Oct-10	Safeguarding services will be operated consistently across all partner agencies.	[Redacted]
1	2		3	Cross-agency audit evidences that procedures are in use across all agencies.	Jan-11		[Redacted]
1	2		4	Copies of policies and procedures are accessible in a range of formats and venues.	Jan-11		[Redacted]
1	2		5	Serious Case Reviews procedure reviewed and updated and aligned with 'whole system' arrangements.	Nov-10		[Redacted]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
1	3	The Safeguarding Adults Partnership Board will be chaired by an Independent Person	6	Independent Chair appointed.	Nov-10	Improved safeguarding arrangements resulting from routine external scrutiny and challenge.	
1	4	Lessons learned' from national serious case reviews and best practice will be regularly considered by the Safeguarding Adults Partnership Board.	7	Safeguarding Adults Partnership Board has 'Lessons Learned' as a standing Agenda item.	Mar-11	Local practices will be influenced by the wider national experience.	
1	4		8	Review Panel to consider the findings of serious case reviews and make recommendations accordingly	Mar-11		
1	5	The 'Dignity in Care' initiatives will be more widely promoted.	9	Shared Action Plan reviewed (including inputs from front-line staff).	Dec-10	People will feel more valued by services and those that care for them. LINKS annual report published. Dignity in care working group representatives from the Third Sector working with locality teams.	
1	5		10	Charter Mark in place, which recognises the achievement of groups and organisations who work hard to safeguard adults at risk.	Dec-10	Organisations and groups who have achieved the Charter Mark show increase quality of service outcomes.	

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
1	6	Hate crime incidents for people with disability and people from Black and Minority Ethnic (BME) communities will be more clearly reviewed.	11	Reporting of hate crime incidents to the Safeguarding Adults Partnership Board formalised.	Oct-10	There will be an increased awareness of hate crime and an increasingly earlier identification of related safeguarding issues.	[REDACTED]
1	7	Public information about safeguarding which particularly targets, carers, self funders, people from Black Minority Ethnic (BME) communities and people who misuse alcohol or drugs will be made more accessible.	12	People using services and partner agencies engaged in awareness raising and production of accessible information	Dec-10	Those who require support in relation to the misuse of alcohol or drugs will more readily know where to obtain it.	[REDACTED]
1	7		13	Safeguarding information produced in culturally appropriate formats.	Dec-10		[REDACTED]
1	7		14	Safeguarding information made available to relevant groups.	Dec-10		[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
1	8	Relevant partners will be given access to Department of Adult Social Services electronic case management system under information – sharing protocols	15	Information Sharing Protocols agreed with all partner agencies via SAPB.	Dec-10	The improved access to information will ensure co-ordinated activity and information sharing.	[REDACTED]
1	8		16	Technical Specification presented to Information Strategy Group.	Dec-10		[REDACTED]
1	8		17	Access solution implemented.	Feb-11		[REDACTED]
1	9	Strengthened arrangements for consent to treatment will be implemented to ensure effective support for people with complex needs on admission to, and discharge from hospital.	18	Consent to Treatment processes reviewed and revised to ensure appropriate support is provided on admission or discharge to hospital for people with complex needs	Mar-11.	Services will be clearer and more consistently delivered.	[REDACTED]
1	10	The initial Equality Impact Assessment of the Safeguarding Adults Improvement Project undertaken in 09/10 will be reviewed.	19	Review Completed.	Oct-10	The Safeguarding Adults Improvement Project will deliver services more equitably.	[REDACTED]
1	11	Joint working arrangements on the prevention agenda across the Local Strategic Partnership (LSP) will be further developed.	20	The membership of the Safeguarding Adults Partnership Board and action plan both reviewed to reflect the safeguarding prevention agenda	Nov-10	Partnership agencies will have a clear and shared understanding of roles and responsibilities in relation to the prevention of abuse.	[REDACTED]

Improvement Area 2 – Embed a shared approach to recognising and responding to allegations of abuse.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
2	1	Public information about safeguarding issues will be provided in a range of community venues	21	Leaflets and posters produced in consultation with those who use services are accessible and available in a range of venues.	Dec-10	There will be an increased awareness about abuse and a greater understanding of how to respond to concerns about it.	[REDACTED]
2	2	Joint working arrangements across Children's and Adults Boards will be established.	22	Joint working arrangements agreed by Children and Young People and Adult Social Services Departments	Sep-10	Learning in the respective Departments and partner agencies such as Merseyside Police will be shared and procedures revised accordingly.	[REDACTED]
2	2		23	Joint protocol and training programme in place for recognising and working with parents with mental health difficulties.	Dec 10	Safeguarding Adults and Children's Safeguarding procedures provide a stronger focus on 'whole family' approach.	[REDACTED]
2	3	The Central Advice and Duty Team service level agreement with Department of Adult Social Services will be reviewed.	24	Service Level Agreement revised in respect of Central Advice and Duty Team's role and responsibilities in regard to safeguarding.	Oct-10	The Central Advice and Duty Team's role in responding to allegations of abuse will be clearer and improved.	[REDACTED]

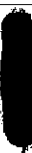
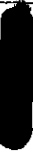


Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
2	4	A comprehensive analysis of areas of risks and incidents of abuse will be undertaken.	25	Establish sub-group of Safeguarding Adults Partnership Board to review activity information.	Oct-10	Identification of high incident areas or low referral rates (for example) will inform safeguarding strategy.	[REDACTED]
2	4		26	Sub group reports into Safeguarding Adults Partnership Board.	Nov-10		[REDACTED]
2	5	A multi-agency Safeguarding Training Plan will be developed and implemented.	27	Draft multi-agency Training Plan available.	Oct-10	There will be an increased awareness and understanding of respective roles and responsibilities across partnership agencies in relation to Safeguarding.	[REDACTED]
2	5		28	Draft multi-agency Training Plan presented to Partner Agencies.	Nov-10		[REDACTED]
2	5		29	Draft multi-agency Training Plan presented to SAPB.	Dec-10		[REDACTED]
2	5		30	Multi agency Training Plan implemented.	Jan-11		[REDACTED]

Improvement Area 3 – Ensure that staff involved in safeguarding adults and supporting people with high or complex needs have the appropriate knowledge and competences.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
3	1	Develop multi-agency training plan	31	Joint learning groups established to promote consistent practice and good use of advocates	Jan-11	Staff and managers who have successfully demonstrated competencies within the framework will deliver services at a satisfactory standard.	[Redacted]
3	1		32	Draft multi-agency Training Plan presented to Partner Agencies.	Nov-10	Training available in case recording for DASS staff developed	[Redacted]
3	1		33	Effective multi-agency training sub-group in place, underpinned by a robust business plan.	Dec-10		[Redacted]
3	1		34	Draft multi-agency Training Plan presented to SAPB.	Dec-10	Training will be reviewed to ensure a joint approach is taken between partnership agencies to safeguarding and the delivery of outcomes	[Redacted]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
3	1		35	Multi agency Training Plan implemented.	Jan-11		
3	2	A staff competency framework will be developed.	36	Framework developed	Nov-10	Staff and managers who have successfully demonstrated competencies within the framework to deliver services to a satisfactory standard.	
3	3	The DASS supervision procedure will be revised to reflect a stronger focus on safeguarding, risk management and practice standards.	37	Revised supervision procedure implemented.	Jan-11	Practice reflects a stronger focus on safeguarding, risk management and practice standards evidenced via audit of case and supervision files.	
3	3		38	Staff receiving regular appropriate supervision based on audit of supervision files.	Feb-11	Clarity provided to staff about accountabilities and expectations with regard to quality of staff practice and evidenced in supervision files.	
3	3		39	Training and support needs for all staff identified.	Nov-10	All staff will have access to appropriate supervision, mentoring and coaching and Key Issues Exchange process is undertaken by all staff as part of a rolling programme.	

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
3	4	Appropriate training to staff involved in work to safeguard people with high or complex needs will be implemented.	40	All relevant staff will have attended training in Safeguarding Adults Policy and procedures.	Nov-10	Appropriate and consistent practice in safeguarding adults.	[REDACTED]
3	5	Poor workforce practices will be addressed and appropriate action taken.	41	All fieldwork managers and staff will have a formal appraisal of their professional competence and practice standards	Nov-10	Staff involved in safeguarding and supporting people with high or complex needs will be able to demonstrate the appropriate level of competence and knowledge.	[REDACTED]
3	5		42	Staff competency framework implemented resulting in raised professional standards and clear accountabilities between agencies	Mar-11	Case files will be routinely audited.	[REDACTED]
3	5		43	Implementation of appropriate Human Resources procedures.	Dec-10	Raised professional standards and clear accountabilities between agencies	[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
3	6	The revised safeguarding procedures will be appropriately implemented in DASS	44	Case recording procedure developed and implemented.	Dec-10	Rolling Case file audit in place providing evidence of appropriate protection planning, management of risk, advocacy support, co-ordinated responses to abuse and engagement of individuals subject to abuse	
3	6		45	Systems are in place to quality assure practice through routine auditing of case files and supervision notes.	Dec-10		
3	6		46	Case file audit conducted providing evidence that appropriate standards of recording has taken place	Dec-10		
3	6		47	Case recording is discussed in supervision sessions and evidenced on supervision files or minutes from team meetings	Dec-10		

Improvement Area 4 – Ensure that safeguarding activity at all levels is focused on the experience of people who require safeguarding and on the outcomes achieved.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
4	1	The experiences of people who have reported safeguarding issues in local communities will be routinely reported into the Community Safety Partnership and Safeguarding Adults Partnership Board.	48	The experiences of people who have reported safeguarding issues are recorded in the minutes of Community Safety Partnership and Safeguarding Adults Partnership Board.	Dec-10	Procedures and individual support will be influenced by the wider local experience.	[Redacted]
4	1		49	Community Safety Partnership plans develop an approach to the inclusion of older people and people with a disability.	Feb-11		[Redacted]
4	2	Individuals involved in safeguarding will be engaged in all stages of the safeguarding process	50	Action plans from safeguarding investigations reflect the views of people who have needed a safeguarding intervention.	Apr-11	Individual experiences of the safeguarding process are appropriately used to shape future interventions.	[Redacted]
4	2		51	People with experience of safeguarding issues attend Safeguarding Adults Partnership Board	Nov-10		[Redacted]
4	3	The Mental Capacity Action Plan will be implemented.	52	Action Plan and procedures form part of the multi agency procedures	Dec-10	All relevant staff will deliver a consistent and high quality service.	[Redacted] (Safeguarding Adults Partnership Board)

Improvement Area 5 – Ensure that safeguarding is supported by robust quality assurance arrangements across the partnership.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
5	1	A Safeguarding quality assurance framework will be developed.	53	Quality Assurance framework agreed by Strategic Leadership Team and Safeguarding Adults Partnership Board	Dec-10	The Quality Assurance Framework will provide checks on key elements of the safeguarding process.	[REDACTED]
5	1		54	A system is in place which alerts across the economy when multiple concerns about a provider are received	Oct-10		[REDACTED]
5	1		55	Evidence via performance reporting that incidents of abuse have been dealt with in a timely manner	Mar-11		[REDACTED]
5	2	A regular process for checking safeguarding cases where 'no further action' is recorded will be developed.	56	Complete a review of sample referrals which are recorded as no further action	Jan-11	Confirmation of appropriateness of decision to take no further action	[REDACTED]
5	3	Performance reports which track trends will be made available to the Safeguarding Adults Partnership Board on a regular basis.	57	Operational managers follow up outstanding cases and provide regular reports to Strategic Leadership Team for reporting into SAPPB.	Oct-10	The safeguarding process will be more efficient due to the closer monitoring of performance.	[REDACTED]




Improvement Area 6 – Improve scrutiny of provider activity and risks across the sector.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
6	1	The contract monitoring of health and social care providers will be improved.	58	Proactive monitoring of contracts in place	Oct-10	The increased level of monitoring of providers and the resultant information gathered will enhance the management of risk in this area.	[Redacted]
6	1		59	Risk monitoring of service providers is strengthened	Oct-10		[Redacted]
6	1		60	Robust joint arrangement in place to monitor across agencies	Oct-10		[Redacted]
6	1		61	Share learning from positive work with supported living providers across the sector and put schedules in place across system to meet needs of new contract	Mar-11		[Redacted]
6	2	New contracts for personal support provided by the independent sector outlining safeguarding expectations will be developed.	62	Provider Workshops undertaken and completed.	Aug-10	New Contracts will be awarded that reflect personalisation, promote Dignity in Care and strengthen risk management associated with safeguarding concerns	[Redacted]





Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
6	2		63	Report to Cabinet	Sep-10		[REDACTED]
6	2		64	Invitation to tender	Oct-10		[REDACTED]
6	2		65	Award of Contracts	Jan-11		[REDACTED]
6	2		66	New Contracts commence	Apr-11		[REDACTED]
6	3	A quality assurance partnership with representative groups will be developed to quality assure providers.	67	Quality Assurance process agreed	Dec-10	The quality assurance process will be strengthened by the engagement of key stakeholders.	[REDACTED]
6	3		68	Process implemented and feedback regularly delivered to Safeguarding Adults Partnership Board, DASS Strategic Leadership Team and appropriate groups	Mar-11		[REDACTED]

2. Making a positive contribution for adults with a learning disability

Improvement Area 7 – Improve its focus on people who have limited opportunities to engage in and contribute to their local communities.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
7	1	The Council's Comprehensive Engagement Strategy will be reviewed to ensure that the needs of people with limited opportunities for engagement are reflected in it.	69	Local communities will be engaged in understanding and working with people with Learning Disabilities	Mar-11	People with limited opportunities will more readily access universal services in their local communities.	
7	2	Issues raised in the Equality Impact Assessment of the Learning Disability Commissioning Framework will be addressed.	70	Equality Impact Assessment is presented to Learning Disability Partnership Board	Sep-10	Minutes of the Learning Disabilities Partnership Board reflect presentation and discussion of issues in the Equality Impact Assessment.	
7	2		71	Actions identified along with future formal reporting arrangements which ensure future developments are inclusive of people with diverse needs	Sep-10	Opportunities for people with a learning disability will be embedded within a wider equalities framework including better use of local community, sports and leisure facilities	

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
7	2		72	Inclusion of people from a diverse range of backgrounds in the design and delivery, monitoring and reviewing of services.	Oct-10	Evidence of involvement of a more diverse range of needs and backgrounds in the people who work with services to deliver future changes	[Redacted]
7	3	The Volunteer Strategy will be implemented.	73	Recruit volunteers to engage with the wider community.	Dec-11	100 new volunteers recruited to engage in the wider community, in addition to the 600 currently reported	[Redacted]
7	4	Payments made to people who attend Day Services will be reviewed to ensure an equitable approach.	74	The Council's policy on 'incentive' payments is revised in the light of the Council's strategy to promote employment opportunities.	Dec-10	Those who attend Day Services and receive payments will have a clearer understanding about their wage in relation to the national minimum standard.	[Redacted]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
7	5	The key priorities of the revised Commissioning Strategy will reflect access to local housing, employment, leisure opportunities and social networks in local communities	75	Implementation of relevant strategies, policies and procedures	Mar-11	Increased access to local housing, employment, leisure opportunities and social networks in local communities	
7	5		76	Reviews of all people who have a Learning Disability and receive a service from Department of Adult Social Services will be completed as part of a rolling programme and support plans developed to support access to housing and employment.	Mar-11	Increase in the percentage of people known to the Department of Adults Social Services who are in settled accommodation and paid employment.	
7	5		77	Reviews of all people who have a Learning Disability and receive a service from Department of Adult Social Services will be completed through a self directed assessment process and support plans will be developed based on these assessments.	Mar-11	An increase to 30% of the total population supported by the Department of Adult Social Services receiving self directed support	
7	5		78		Mar-11	Options and support in place for individuals to pursue their interest in local community settings evidenced via case audits	

Improvement Area 8 – Ensure wider representation, involvement and support for people using services and their carers in planning and managing change.





Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
			80	The strategic direction will be agreed across the partnership with local community and voluntary sector organisations	Dec-10	Shared vision to be in place which promotes the involvement of adults with a Learning Disabilities in making a positive contribution to delivering Valuing People Now outcomes	
8	1	The Learning Disability Partnership Board and its sub groups will continue to implement actions from the Learning Disability Commissioning Framework.	79	The Partnership Board will have reviewed its arrangements for communicating with wider group of people using services, their carers, service providers and partners so that they are kept informed about priorities and progress	Oct-10	People with Learning Disabilities and their families and carers will have their lives improved in accordance with the aims of Valuing People Now.	
			81	The 'Enabling Fulfilling Lives' sub group will widen its focus of service user and carer representation	Dec-10	Enabling Fulfilling Lives group will have a diverse range of members including people who don't use Day Services.	
8	1						

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
8	2	People with learning disabilities and their carers will be supported to fully engage in shaping Council services	82	Develop involvement arrangements to ensure the inclusion of people with high or complex needs and people from a minority ethnic background.	Dec-10	Higher numbers of people with complex needs will be involved in shaping council services.	[REDACTED]
8	2		83	Widen choice of advocacy and self advocacy services for customers	Mar-11	Increased choice and take up of advocacy services for people with a Learning Disability	[REDACTED]
8	2		84	People with learning disabilities as experts through their own experience will set standards, design, develop, deliver and evaluate services in Wirral	Mar-11	More services designed, delivered and evaluated by people with a Learning Disability	[REDACTED]
8	2		85	Capacity added to enable carers to maximise the ability to drive change	Dec-10	Greater involvement of carers in groups	[REDACTED]
8	2		86	People with learning disabilities and carers are included in the Council's consultation – 'Wirral's Future. Be a Part of it'	Dec-10	Evidence of people with a Learning Disability having a say in 'Wirral's Future. Be a Part of it'.	[REDACTED]

3. Increased choice and control for adults with a learning disability

Improvement Area 9 – Ensure that people with learning disabilities and their carers have access to appropriate advice, information and support.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date.	Evidence Of Improvement	Lead Responsible Officer
			87	Strategy is written and signed off by the Learning Disability Partnership Board and appropriate organisations	Dec-10	People with Learning Disabilities will be supported to have a greater 'voice' and access support through advocacy, information and advice.	[Redacted]
9	1	A Wirral wide Information, Advice and Advocacy Strategy which explicitly includes learning disability services will be produced.					
			88	A shared approach to reviewing the production of information with local partners and people using services and families. Information to include; savings thresholds, implication of having a job, complaints and self directed support	Mar-11		[Redacted]
			89	Arrangements established for monitoring and reporting usage of the website by and usefulness to people with learning disabilities	Mar-11	Learning Disability Partnership Board website is operational	[Redacted]
9	1						

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
9	1		90	A 'readers panel' of people who use services and carers is set up to assess departmental information to award local 'kite marks'	Mar-11		
9	1		91	Expand the use of different formats, including Easy-Read in all relevant communications including access to advocacy leaflets and information in large print	Oct-10	People receive information such as self directed support information packs in formats which are diverse and easy to understand	
9	2	A sample of people who have been signposted to other services by the Central Advice and Duty Team will be audited.	92	Revised service level agreement in place reflecting the need to report information on people who have been signposted	Oct-10	People with Learning Disabilities who are not eligible for Department of Adult Social Services support receive appropriate support to their needs.	
9	2		93	Auditing process agreed and implemented	Dec-10	Learning from outcomes of signposting and accepting of referrals implemented in developing new services.	

Improvement Area 10 – Ensure people’s needs are holistically assessed and supported by effective partnership working.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
10	1	A model for equitable access and delivery of health, housing, education and social care support will be developed and implemented.	94	Develop through the self directed support planning process an equitable set of choices for people with Learning Disabilities to access health, housing, education and social care support.	Nov-10	Local priorities for supported housing are agreed, a transparent allocation system in place and access to supported housing is better coordinated	[Redacted]
10	1		95	Agree on the basis of demand, a model for integrated delivery of services with people with Learning Disabilities	Nov-10	Improved commissioning processes alongside more robust support planning.	[Redacted]
10	1		96	The Learning Disability Partnership Board to consider a revised model for specialist LD service.	Nov-10	Agreed model for future model of integrated services for people with Learning Disabilities.	[Redacted]
10	2	The revised joint Commissioning Strategy will reflect the totality of needs and how they will be met across the partnership.	97	Through the Joint Strategic Needs Analysis identify the future housing health and social care needs of people who are ageing (specifically carers of people with a learning disability and people with a learning disability)	Dec-10	People with differing complexity of Learning Disabilities will receive integrated support appropriate to their level of need.	[Redacted]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
10	2		98	Adaptations to housing support people moving into supported housing.	Mar-11	Adaptations are provided in a timely way	(Learning Disability Partnership Board)
10	2		99	Access to education is improved and courses easy to understand	Mar-11	Greater numbers of people with a Learning Disabilities accessing local higher education.	(Learning Disability Partnership Board)
10	3	The training plan for personalisation will be further developed.	100	Training Plan addresses personalisation agenda including training on support planning, outcomes, personalisation awareness, process training etc	Nov-10	Greater awareness of personalisation by professionals and carers who work and care for people with Learning Disabilities	
10	3		101	Training available in case recording for DASS staff developed	Nov-10		
10	3		102	Support planning training will be reviewed to ensure it reflects a joint approach is taken between housing, health and social care and a shared approach to safeguarding and the delivery of outcomes	Dec-10		

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
10	3		103	Establishment of joint learning groups to promote consistent practice and good use of advocates	Jan-11		[Redacted]
10	4	Revised policy, procedure and practice guidance underpinning the Personalisation reforms will be implemented	104	Evidence from case files that needs are holistically assessed taking account of issues across agencies such as housing, health and social care	Mar-11	People with Learning Disabilities will receive a seamless service from agencies working in partnership with one another.	[Redacted]
10	4		105	Evidence in case files of effective relationships between staff and individuals	Mar-11	Effective, auditable case file and supervision processes in operation.	[Redacted]
10	4		106	Evidence from performance information which shows that needs are assessed in a timely way focussing on outcomes for individuals, with clear contingency plans around carer breakdown	Mar 11	Case files will be routinely audited.	[Redacted]

Improvement Area 11 – Transform support planning to provide a clear focus on the future, on risks to individuals, on the promotion of their independence and outcomes.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
11	1	Implement policy, procedure and practice guidance and ensure staff attend mandatory training	107	All new support plans identify employment & housing aspirations	Dec-10	Outcomes for people will be of better quality and more efficient and will be evidenced in case files, identified through case file audits	[REDACTED]
11	1		108	Risk to individuals including 'stranger danger', risk of exploitation or harm and self-protection strategies are clearly identified through a sample audit and plans in place to mitigate risk or identify areas of positive risk taking	Mar-11	A sample audit of case files will reveal consistent and accurate collation of material useful for the support planning tasks.	[REDACTED]
11	1		109	All staff will have attended appropriate training which will ensure that staff are competent in delivering the personalisation agenda evidence in supervision notes	Mar-11	Evidence via case file audit that support planning is undertaken which focuses on the whole person's needs and those of their carers, future aspirations, risk to individual, promotion of independence, outcomes, sexuality, personal relationships etc	[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
11	2	The Phase 2 pilot of the Personal Budgets Project will be completed and Phase 3 will be initiated to roll the process out across the Department.	110	Policy Procedures and Practice document in place providing clear guidance on support planning that reflects the whole of the person's needs and those of their carers, people's futures, risks to individuals, promotion of independence, outcomes and people's wishes and aspirations.	Oct-10	Understanding from staff of their role in developing support planning that reflects the whole person's needs or those of their carers, people's futures, risks to individuals, promotion of independence, outcomes and people's wishes and aspirations	[Redacted]
11	3	Providers will be engaged in new contract arrangements and involved in the development and delivery of Support Planning.	111	Expectations for support planning to be made explicit to providers	Dec-10	Support Planning will be improved with Provider input.	[Redacted]
11	3		112	Complete provider workshops	Aug-10	Providers will have been involved in support planning training	[Redacted]
11	3		113	Cabinet Report	Sep-10		[Redacted]
11	3		114	Invitation to tender	Oct-10		[Redacted]
11	3		115	Award of contracts	Feb-11		[Redacted]
11	3		116	New contracts in place	Apr-11		[Redacted]
11	4	See also Improvement area 3, Actions 1, 3 & 6.	N/A		N/A		Multiple Officers

Improvement Area 12 – Address gaps in awareness of the needs of and support to carers.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
12	1	Carer's legislation and a revised local carer's strategy will continue to be implemented.	117	Carers Action Plan fully implemented and signed off by the Carers Development Committee	Dec-10	Increase in number of older and single carers who have carers assessments and support to carers with multiple caring responsibilities	[Redacted]
12	1		118	Carers emergency scheme in place	Dec-10	Carers supported appropriately in an emergency.	[Redacted]
12	1		119	Total Commissioning Plan for learning Disability considers a range of options for short-breaks.	Dec-10	Options for short breaks and use of adult placement schemes considered and agreed by Carers Development Committee	[Redacted]
12	2	Policy and procedures for carers will be implemented	120	Carers needs are identified through the assessment and review process	Feb-11	Evidence of carers needs being clearly recorded on files as evidenced through performance information and case file audits	[Redacted]
12	2		121	Ensure contingency plans are in place for carer breakdown as part of carers' assessments evidenced in support plans	Feb-11	Case files will be routinely audited.	[Redacted]
12	3	See also improvement area 3, Actions 1 & 3.	N/A		N/A		Multiple Officers

Improvement Area 13 – Ensure that reviews are appropriately timed and focused.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
13	1	A schedule of reviews will be developed and implemented to ensure they are delivered in a timely manner to all people with learning disabilities who receive support from the Council.	122	An action plan with clear targets for self directed reviews with people with Learning Disabilities is written and implemented.	Sep-11	People whose service requires reviewing will receive an efficient, personalised service.	[REDACTED]
13	1		123	Action plans and clear targets to ensure that support plans identify employment & housing aspirations and outcomes for people evidenced in case files	Mar-11	Case file audits reflect case work that identifies employment & housing aspirations and outcomes for people in case files	[REDACTED]
13	1		124	Risk to individuals including 'stranger danger', risk of exploitation or harm and self-protection strategies are clearly identified through a sample audit and plans in place to mitigate risk or identify areas of positive risk taking	Mar-11	The assessment of those risks undertaken by individuals will be based on more accurate information.	[REDACTED]
13	2	Also, see Improvement area 3, Actions 3, 4 & 5.	N/A		N/A		Multiple Officers

Improvement Area 14 – Strengthen arrangements for management and learning from complaints and compliments.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
14	1	A system for learning from complaints and compliments including root cause analysis will be developed and implemented.	125	System agreed by Strategic Leadership Team and implemented	Oct-10	The Learning Disabilities service will be continuously improved based on feedback and learning from its customers and stakeholders.	[Redacted]
14	2	A system for following up outcomes for people including informing them of improvements made as a result of the complaint will be further developed and implemented.	126	System agreed by Strategic Leadership Team and implemented	Oct-10	People who raise concerns know what actions have been taken as a result of their feedback.	[Redacted]
14	3	Learning from complaints will be embedded in working practices.	127	Improved working practices evidenced via minutes of Access and Assessment Branch Leadership Team and team meeting and subsequently checked through case file audits	Nov-10	Actions and service improvements identified through complaints will be acted upon and practice will improve and be developed based on feedback from customers.	[Redacted]
14	4	The use of advocates and mediation will be further established in the complaints and quality assurance process.	128	Wirral Advocacy Partnership fully involved in the quality assurance process	Dec-10	People will be supported to have a voice and gain an effective resolution through the complaints process.	[Redacted]

4. Providing Leadership

Improvement Area 15 – Ensure the Safeguarding Adults Board and Learning Disability Partnership Board drive improved outcomes for local people.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
15	1	The Learning Disabilities Partnership Board and its subgroups will continue to implement actions from the Learning Disability Commissioning Framework.	129	Strategic Commissioning Framework Implementation 'Making It Happen' reports presented to every Learning Disabilities Partnership Board	Jul-10	Governance arrangements will be clearer across the economy.	[Redacted]
15	1		130	Presentations and reports to Learning Disabilities Partnership Board to ensure that strategic priorities are being met	Sep-10		[Redacted]
15	1		131	Annual Report on Progress on the Strategic Commissioning Framework presented to Learning Disabilities Partnership Board	Jan-11		[Redacted]
15	1	See also Improvement Area 8, Actions 1 & 2.	N/A		N/A		Multiple Officers
15	2	Clear performance-monitoring report processes for both Safeguarding Adults Partnership and Learning Disability Partnership Boards will be developed and implemented.	132	Review and test data collection procedures will be in place.	Sep-10	Performance against Local Indicators 8866 and 8867 will show improvement.	[Redacted]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
15	2		133	Produce Weekly performance statistics and exception reports and distribute to Locality Managers	Aug-10		
15	2		134	Performance reports presented to SAPB and LDPPB	Oct-10		
15	3	See improvement area 1, improvement areas 1 and 2	N/A		Oct-10		

Improvement Area 16 – Promote stronger communication with and involvement of local people and service providers in shaping the vision and development of local services.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
16	1	People with learning disabilities will be supported to engage in the Council's 'Wirral's Future. Be a Part of it' consultation.	135	Communication about the consultation is provided in suitable format	Oct-10	People with learning disabilities will be more fundamentally engaged in the shaping of Council services.	
16	2	People with disabilities will be involved with the Localisation Commission	136	Funding distributed by the commission is specifically targeted	Nov-10	People with learning disabilities will have greater control over service developments.	

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
16	3	The Department of Adult Social Services communication strategy group will refresh and re-align communication plans for transforming adult social care, safeguarding adults and the transformation of adults with learning disability services.	137	Communication plan refreshed	Nov-10	Departmental Communications will be more focussed upon communicating with people with learning disabilities and delivering information in more appropriate formats.	[REDACTED]
16	3		138	Process in place which ensures more people and service providers are involved	Dec-10	Recorded evidence that the vision has been shaped by people who use services, carers and service providers and looks at involvement in decision making over the last year, making recommendations for improvements	[REDACTED]
16	3		139	The Enabling Fulfilling Lives group to present an independent annual report to the Learning Disabilities Partnership Board on involvement	Jan-11		[REDACTED]
16	3		140	Plans for transforming adult social care are translated into format which are easy to understand	Dec-10		[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
16	3		141	Different methods of communicating messages are used	Sep-10		[REDACTED]

Improvement Area 17 – Develop robust joint planning to address local needs secured by effective deployment of resources and management of risk.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
17	1	The Managing the Market Project (commenced August 2009) will be completed.	142	Tender for Outcome Based Framework Agreement	Oct-10	People with learning disabilities will have a greater number of support options which will be of higher quality.	[REDACTED]
17	1		143	Outcome based framework agreement In place	Dec-10		[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date.	Evidence Of Improvement	Lead Responsible Officer
17	1		144	New personal support services are available to people wherever they may live, including supported living to minimise the need for people to enter residential care or out of area placements.	Apr-11	The quality assurance framework contained within the personal support contracts evidences improvements in standards	
17	2	Voluntary agency contracts will be reviewed.	145	Outcome-based framework agreement in place	Dec-10	The voluntary sector will be more stimulated to provide support.	
17	3	An analysis will be undertaken to determine levels of activity between teams and partners agencies (including the number of staff for safeguarding adults and learning disability services).	146	Benchmarking and performance reports to Safeguarding Adults Partnership Board and Learning Disability Partnership Board to inform decision making	Mar-11	Services will be more effectively managed and will deliver personalised care in an increasingly efficient manner.	
17	3		147	Review and test data collection procedures.	Aug-10	Variable levels of activity will be minimised	
17	3		148	Produce Weekly performance statistics and exception reports and distribute to Locality Managers	Aug-10		
17	3		149	Performance reports presented to SAPB and LDPB	Oct-10		

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
17	4	The Terms of Reference of the Joint Commissioning Group for people with learning disabilities will be revised.	150	Terms of Reference revised.	Sep-10	There will be a clearer focus on key priorities for joint planning person-centred, affordable and responsive services.	[REDACTED]
17	4	Elected members will be involved in the safeguarding adults and learning disability agendas	152	Joint Commissioning Group for people with learning disabilities review potential for single risk matrix Elected member Review Panel in place	Feb-11 Sep-10	Key decisions are made from a wider availability of information. The scope and understanding of safeguarding activities and supporting people with learning disabilities will be more consistent across the Council economy.	[REDACTED]
17	5		153	Elected member safeguarding adults champions identified	Sep-10		[REDACTED]
17	5		154	Elected members attend safeguarding adults training which started in April 2010	Sep-10		[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
17	5		155	Elected members continue to be represented on Safeguarding Adults Partnership Board	Oct-10		[Redacted]
17	6	The role of the Safeguarding Adults Sub Groups will be further developed.	156	Actions from sub group plans delivered on time in a co-ordinated way	Mar-11	People with learning disabilities and their representatives will be more engaged in the direction of support service development	[Redacted]
17	7	An agreed Resource Allocation System will be implemented.	157	Resource Allocation System implemented.	Oct-10	The deployment of resources will be more transparent and more efficient at providing support.	[Redacted]

Improvement Area 18 – Expand its approach to prevention to deliver improved outcomes for people with learning disabilities and their carers.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
18	1	The Early Intervention Strategy will be implemented.	158	Strategy is approved by Council and implementation commences	Sep-10	Services will be more focussed on delivering support 'upstream' - in advance of substantial and critical interventions.	[REDACTED]
18	2	Specific support for people with learning disabilities and carers will be identified through the Early Intervention workstreams.	159	Workstream action plans in place and include measurable milestones and monitoring arrangements.	Dec-10	The Personalisation Agenda will be increasingly more apparent in early intervention services.	[REDACTED]
18	3	The offer of Assistive Technology to people with a learning disability and/or their carers will be made clearer.	160	Procedure in place for people with a learning disability and their carers offered Assistive Technology.	Dec-10	The greater uptake of cost-effective technological support will enable more people to achieve independence and retain it for longer.	[REDACTED]
18	4		161		Mar-11	An increase in the number of Assistive Technology installations for people with a learning disability and/or their carers	[REDACTED]

Improvement Area 19 – Ensure the workforce across the sector has relevant knowledge, skills and experience to do their job well.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
19	1	The Competency Framework will be developed with learning plans.	162	Learning plans in place For key professional areas, using multi agency training, shadowing and coaching	Dec-10r	Improved confidence and performance of staff	[Redacted]
19	2	Performance management and supervision policy will be integrated	163	The supervision policy and practices are linked to the Key Issues exchange for consistent performance management	Feb-11	Improved performance management with clarity provided to staff about accountabilities and expectations with regard to performance	[Redacted]
19	3	HR Policies and their application will be reviewed (review will include trends and issues).	164	HR Policy update Issues identified and improvement plan	Nov-10	HR policy framework and practices enable managers to better manage performance	[Redacted]
19	4	Managers will be trained in performance management for HR policy application	165	Training delivered.	Feb-10	Managers able to implement effective management practices	[Redacted]
19	5	See Area 17 point 3	N/A		N/A		[Redacted]
19	6	See Area 3 points 1 - 6 and Area 10 points 3+4	N/A		N/A		Multiple Officers.

5. Commissioning and Use of Resources

Improvement Area 20 – Robustly challenge and enable the local market to address gaps, raise standards and meet new personalisation requirements.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
20	1	See also improvement area 17, Actions 1 + 2	N/A		N/A		Multiple Officers
20	1	Advocacy and brokerage support processes involving the voluntary and community sector will be developed.	166	A Brokerage Scheme is in place	Oct-10	Communities will become more able and confident in supporting those who most need their support and advice.	[REDACTED]
			167	Communication with voluntary and community sector advocacy support services on new personalisation requirements and role in supporting self directed assessment and self directed support	Oct-10		[REDACTED]
20	1		168	Develop and implement approved provider list for existing brokerage support	Dec-10		[REDACTED]
20	1		169	Review and implementation of voluntary sector contracts	Mar-11		[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
20	2	The Emergency Duty Team arrangements will be reviewed	170	Review Completed	Oct-10	The revised business model will enable the Emergency Duty Team to provide a more efficient service, and one more tailored to the needs of those who require its support.	[REDACTED]
20	2		171	Revised arrangements implemented.	Mar-11	The revised business model for the Emergency Duty Team will enable planning for a future service model.	[REDACTED]

Improvement Area 21 – Ensure joined-up and efficient use of resources across the council, health and housing services.

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
21	1	The 'Total Commissioning' model will be agreed and implemented across the public sector in Wirral.	172	The concept of "Total Commissioning," as agreed by COMT in May 2010, will be developed within services for people with learning disabilities	Sep-10	Health and Social Care services will be more closely integrated and efficiently delivered.	[REDACTED]
21	1		173	Gaps in person centred planning identified through reviews to inform commissioning	Dec-10		[REDACTED]
21	2	The Department of Adult Social Services Business Plan 2011-14 will be refreshed.	174	Department of Adult Social Services Business Plan agreed by Council	May-11	The Department will be better placed to deliver effective support services which are responsive to local needs and legislative intentions.	[REDACTED]
21	3	The Corporate Plan 2011-14 will be refreshed.	175	Corporate Plan agreed by Council	May-11	The Council will be better placed to deliver effective support services which are responsive to local needs and legislative intentions.	[REDACTED]

Imp Area No.	Action No.	How is this to be achieved / action	Milestone Number	Milestone	Milestone End Date	Evidence Of Improvement	Lead Responsible Officer
21	4	The Council will direct the use of in-house provider services. Cost efficiency will be driven within the Department and through the current 'Wirral's Future. Be a Part of it' consultation.	176	Value for money services provided following the council's consultation with the public via the Council's consultation programme - 'Wirral's Future. Be a Part of it'.	Dec-10	Services will more clearly influenced by considerations of community requirements and efficiency.	[REDACTED]
21	5	The medium-term financial plan will be strengthened as a result of the current administration budget and resource allocation, and following feedback from the 'Wirral's Future. Be a Part of it' consultation.	177	Better value for money provided following the council's consultation with the public via Wirral's Future. Be a Part of it' consultation	Dec-10	A clearer understanding of the support the Council will deliver, and the resources it has to do it will enable more effective management.	[REDACTED]
21	6	Robust contingency plans to manage decommissioning across the sector will be developed.	178	Following Wirral-wide consultation, if appropriate, services will be decommissioned in a safe way	Apr-11	The transformation agenda will not cause any individual or group of individuals to become further disadvantaged.	[REDACTED]

END OF DOCUMENT.

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Annex D

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Care Quality Commission
Inspection Report**

STRICTLY CONFIDENTIAL - NOT FOR PUBLICATION



Inspection report

Service inspection of adult social care: **Wirral Metropolitan Borough Council**

Focus of inspection:

Safeguarding adults

Making a positive contribution for adults with a learning disability

Increased choice and control for adults with a learning disability

Date of inspection: May 2010

Date of publication: 2 September 2010

About the Care Quality Commission

The Care Quality Commission is the independent regulator of health and adult social care services in England. We also protect the interests of people whose rights are restricted under the Mental Health Act.

Whether services are provided by the NHS, local authorities, private companies or voluntary organisations, we make sure that people get better care. We do this by:

- Driving improvement across health and adult social care.
- Putting people first and championing their rights.
- Acting swiftly to remedy bad practice.
- Gathering and using knowledge and expertise, and working with others.

Inspection of adult social care

Wirral Metropolitan Borough Council

May 2010

Service Inspection Team

Lead Inspector: [REDACTED]

Team Inspector: [REDACTED]

Expert by Experience: [REDACTED]

Supported by: The Quality Company

Project Assistant: [REDACTED]

This report is available to download from our website on www.cqc.org.uk

Please contact us if you would like a summary of this report in other formats or languages. Phone our helpline on 03000 616161 or Email: enquiries@cqc.org.uk

Acknowledgement

The inspectors would like to thank all the staff, service users, carers and everyone else who participated in the inspection.

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Introduction

An inspection team from the Care Quality Commission visited Wirral Council in May 2010 to find out how well the council was delivering social care.

To do this, the inspection team looked at how well Wirral Council was:

- Safeguarding adults whose circumstances made them vulnerable.
- Making a positive contribution for adults with a learning disability and,
- Increasing choice and control for adults with a learning disability.

Before visiting Wirral Council, the inspection team reviewed a range of key documents supplied by the council and assessed other information about how the council was delivering and managing outcomes for people. This included, crucially, the council's own assessment of their overall performance. The team then refined the focus of the inspection to cover those areas where further evidence was required to ensure that there was a clear and accurate picture of how the council was performing. During their visit, the team met with people who used services and their carers, staff and managers from the council and representatives of other organisations.

This report is intended to be of interest to the general public, and in particular for people who use services in Wirral Council. It will support the council and partner organisations in working together to improve people's lives and meet their needs.

Reading the report

The next few pages summarise our findings from the inspection. They set out what we found the council was doing well and areas for development where we make recommendations for improvements.

- We then provide a page of general information about the council area under 'Context'.
- The rest of the report describes our more detailed key findings looking at each area in turn. Each section starts with a shaded box in which we set out the national performance outcome which the council should aim to achieve. Below that and on succeeding pages are several 'performance characteristics'. These are set out in bold type and are the more detailed achievements the council should aim to meet. Under each of these we report our findings on how well the council was meeting them.

We set out detailed recommendations, again separately in Appendix A linking these for ease of reference to the numbered pages of the report which have prompted each recommendation. We finish by summarising our inspection activities in Appendix B.

Summary of how well Wirral Council was performing

Supporting outcomes

The Care Quality Commission judges the performance of councils using the following four grades: 'performing poorly', 'performing adequately', 'performing well' and 'performing excellently'.

Safeguarding adults:

We concluded that Wirral Council was performing poorly in safeguarding adults.

Making a positive contribution for adults with a learning disability:

We concluded that Wirral Council was performing adequately in supporting adults with a learning disability to make a positive contribution.

Increased choice and control for adults with a learning disability:

We concluded that Wirral Council was performing poorly in supporting adults with a learning disability to have increased choice and control.

Capacity to improve

The Care Quality Commission rates a council's capacity to improve its performance using the following four grades: 'poor', 'uncertain', 'promising' and 'excellent'.

We concluded that the capacity to improve in Wirral Council was uncertain.

What Wirral Council was doing well to support outcomes

Safeguarding adults

The council:

- Was working closely with Age Concern and Merseyside Fire and Rescue Service to promote the safety and wellbeing of local people.
- Gave a high priority to ensuring people living in the area were treated fairly.
- Positively included representatives of people who used services in shaping the work of the Safeguarding Adults Partnership Board.
- Worked closely with local health partners to improve the quality of care.
- Was expanding the use of assistive technology to improve levels of personal safety and support.

Making a positive contribution for adults with a learning disability

The council:

- Enabled people to make a positive contribution that also benefited the wider community.
- Had included people with a learning disability and their carers in its work to re-design services and improve outcomes.
- Encouraged and supported people in volunteering roles.
- Promoted the development of user-led services.

Increased choice and control for adults with a learning disability

The council:

- Enabled people to benefit from advocacy support.
- Improved transition arrangements to ensure earlier identification and better support to young people moving into adult services.
- Assisted people to be more confident and independent including in their use of public transport.
- Offered flexible support through access to Direct Payments.
- Was working to improve access to employment.

Recommendations for improving outcomes in Wirral Council

Safeguarding adults

The council should:

- Ensure that arrangements and policies for preventing abuse are comprehensive and co-ordinated.
- Embed a shared approach to recognising and responding to allegations of abuse.
- Ensure that staff involved in safeguarding adults and supporting people with high or complex needs have the appropriate knowledge and competencies.
- Ensure that safeguarding activity at all levels is focused on the experience of people who require safeguarding and on the outcomes achieved.
- Ensure that safeguarding is supported by robust quality assurance arrangements across the partnership.
- Improve scrutiny of provider activity and risks across the sector.

Making a positive contribution for adults with a learning disability

The council should:

- Improve its focus on people who have limited opportunities to engage in and contribute to their local communities.
- Ensure wider representation, involvement and support for people using services and their carers in planning and managing change.

Increased choice and control for adults with a learning disability

The council should:

- Ensure that people with learning disabilities and their carers have access to appropriate advice, information and support.
- Ensure people's needs are holistically assessed and supported by effective partnership working.
- Transform support planning to provide a clear focus on the future, on risks to individuals, on the promotion of their independence and outcomes.
- Address gaps in awareness of the needs of and support to carers.
- Ensure that reviews are appropriately timed and focused.
- Strengthen arrangements for management and learning from complaints and compliments.

What Wirral Council was doing well to ensure their capacity to improve

Providing leadership

The council:

- Had clear aims and priorities for improving the quality of life of people living in the area.
- Was working to strengthen the governance, leadership and impact of the Safeguarding Adults and Learning Disability Partnership Boards.
- Had improved its awareness of the health inequalities experienced by local people.
- Had improved access to training and personal development.
- Was working to get a clearer picture of its performance.

Commissioning and use of resources

The council:

- Had taken action to secure improved value for money and was working to reduce costs.
- Had strengthened its approaches to joint commissioning with health.
- Had recognised the need to strengthen procurement and contract management to improve safeguarding arrangements.

Recommendations for improving capacity in Wirral Council

Providing leadership

The council should:

- Ensure the Safeguarding Adults Board and Learning Disability Partnership Board drive improved outcomes for local people.
- Promote stronger communication with and involvement of local people and service providers in shaping the vision and development of local services.
- Develop robust joint planning to address local needs secured by effective deployment of resources and management of risk.
- Expand its approach to prevention to deliver improved outcomes for people with learning disabilities and their carers.
- Ensure the workforce across the sector has relevant knowledge, skills and experience to do their job well.

Commissioning and use of resources

The council should:

- Robustly challenge and enable the local market to address gaps, raise standards and meet new personalisation requirements.
- Ensure joined-up and efficient use of resources across the council, health and housing services.

Context

Wirral Metropolitan Borough Council is located in the north west region of England. It has a population of over 310,200 residents. Almost 6 per cent of the council's residents are from a black or minority ethnic community. The council has relatively high numbers of older people and people with long term conditions living in the area compared to other councils in England. There are approximately 37,000 carers who provide regular unpaid support. There are 4,470 people with a learning disability living in the area. There is a marked mortality gap with people living on average 10 years longer in its affluent areas compared to its most deprived areas.

The council's base budget (2010-11) for adult social care services is approximately £86 million. The joint health and social care budget for adults with a learning disability is £38.9 million. The council meets the needs of people who fall within the substantial and critical bandings of the Fair Access to Care Services criteria. Services for people with learning disabilities are provided in conjunction with Cheshire and Wirral Partnership NHS Trust. The council provided support to approximately 800 people with a learning disability at the time of the inspection. A total of 54 people with a learning disability were living out of the borough.

The Department of Adult Social Services was structured into five areas. These included Access and Assessment, Integrated Communities and Wellbeing, Finance and Performance, Direct Locality Services and Integrated Commissioning. The department had established a Reform Unit to support transformation across the business areas.

The council received 1,203 safeguarding referrals in the period 1st April 2008 to 31st March 2009. The majority of these referrals were due to physical abuse or neglect. A total of 1274 referrals were received in the period 1st April 2009 to 31st March 2010. Frontline teams undertaking investigation work were able to access specialist advice from specific safeguarding staff including a co-ordinator, contracts officer and administrator located within the Reform Unit.

The Audit Commission rated the council as performing adequately overall in 2009. It awarded a 'red flag' for its performance in safeguarding adults. Concerns were raised about poor performance in the completion of investigations, levels of staff and member training and data quality.

The Care Quality Commission judged the council to be performing well in its delivery of outcomes for adults with social care needs. NHS Wirral (the Primary Care Trust) was rated as good in the quality of its commissioning and financial management. The Cheshire and Wirral Partnership Foundation (NHS) Trust was rated as excellent in the way it managed its resources and good for the delivery of its services.

Key findings

Safeguarding

People who use services and their carers are free from discrimination or harassment in their living environments and neighbourhoods. People who use services and their carers are safeguarded from all forms of abuse. Personal care maintains their human rights, preserving dignity and respect, helps them to be comfortable in their environment, and supports family and social life.

People who use services and their carers are free from discrimination or harassment when they use services. Social care contributes to the improvement of community safety.

Wirral's arrangements for keeping local people safe were developing. The council's marketing strategy included safeguarding as a priority. We found some work that identified people at risk of harm. This had not yet been secured by a comprehensive and co-ordinated approach to preventing abuse. Age Concern's '*Preventing Elder Abuse and Changing Experiences*' (PEACE) campaign promoted improved awareness of concerns about the care of older people. Work jointly undertaken by Merseyside Fire Service and Rescue Service and the POPIN older person's team had a strong focus on the safety and well-being of local people. Local Trading Standards initiatives would benefit from improved links with adult social care.

The council and its partners had limited awareness of the extent to which people with a learning disability experienced hate crime. There was some protection work with adults with a learning disability including travel training and dealing with bullying. This required expansion to ensure incidences of poor treatment were routinely reported, with improved levels of support provided to people. There was a need to improve understanding of the level of discrimination and harassment experienced by older people. The council had strengthened links between safeguarding adults, domestic abuse and HATE crime. There was work in progress to widen multi-agency working to include all aspects of hate crime. Targets to reduce level of domestic abuse were being met. There was a clear focus on increasing reporting levels. Local area forums needed to improve their focus on identifying and reporting safeguarding issues.

The council had been assessed as 'achieving' against the new local government equality standard. This work was led by the Director of Adult Social Services. Staff received training in recognising equality and diversity issues in their work. The council's equality and cohesion team regularly received telephone calls from people with a disability, mental health issue or who had been a victim of homophobic or race hate crime. The council needed to ensure such incidents proactively informed its work to protect people in their local communities.

The council recently produced an information leaflet that informed people about abuse. Most people who used services and their carers had a limited awareness of abuse and how to report it. There was a need to involve people using services and partner agencies in awareness-raising and the production of accessible information.

People are safeguarded from abuse, neglect and self-harm.

The council had been working to strengthen its safeguarding arrangements. It had reviewed its performance and developed a project plan to deliver improvements. At the time of the inspection it was undertaking a further review in conjunction with Cheshire and Wirral Partnership (NHS) Trust. Efforts were being made to respond to safeguarding allegations in a timely manner. The council had improved its performance in tracking the progress of investigations and ensuring they were brought to a conclusion. However, there continued to be delays in meeting timescales for investigation in some cases. The council was working to expand access to training, but this was an area that still required substantial development. Attention had been paid to improving management reporting of safeguarding activity.

Local organisations were at very different stages in their planning and delivery of safeguarding arrangements. Lead safeguarding roles were well-established in Wirral University Hospital and the PCT. There was good access to training within these organisations. There was work to do to align the management of serious and untoward incidents with safeguarding arrangements. The Merseyside police force was working to ensure a single point of access for enquiries. Its role in safeguarding adults had been narrowly interpreted and required review. This needed to be addressed to ensure they made a fuller and more appropriate contribution to safeguarding arrangements. There was work to do across the partnership to strengthen links with child and family services and wider community safety work.

The council was working to strengthen the leadership and co-ordination of safeguarding activity across the partnership. The Safeguarding Adults Partnership Board however, was still at a relatively early stage of development. It had only very recently established sub-groups to support the implementation of its strategy. Representatives of people who used services made a good contribution to shaping the priorities of the Safeguarding Adults Partnership Board. This was positive and supported a more inclusive and challenging approach to service developments. The Board intended to appoint an independent chair to support its work.

The inspection took place at a time of significant change in adapting to new procedures and allocation arrangements. Access teams in localities had recently taken on a lead role for investigations. This was providing a clearer pathway and management oversight for safeguarding work. We identified inconsistencies and variable standards of safeguarding practice within and between local teams and organisations. Most of the training provided by the council was basic. It did not adequately equip frontline staff and managers for their work in leading investigations. Some staff did not have sufficient scrutiny of their competencies and performance in undertaking investigation work. We found that accountabilities between key agencies were unclear in a number of cases.

There was limited work jointly undertaken to support learning from national or local incidents including serious case and management reviews. The council had begun to identify staff training needs, but this was not yet secured by a multi-agency training plan. There was a need to develop learning groups to promote consistent practice and stronger partnership working. The new personalised practitioner training course aimed to support a stronger focus on safeguarding and the delivery of person-

centred practice. The council had recently organised awareness-raising sessions for local councillors.

We found that much of the safeguarding work undertaken over the past year had too narrow a focus or was poorly co-ordinated across the partnership. There were examples where the council or CQC had not been notified of incidents and where responses to the management of risk were slow or inadequate. A number of assessments of people with learning disabilities highlighted concerns about their safety but there was little evidence of protection planning or of individual reviews paying attention to this. Some partners were not adequately informed about the progress of the investigation and of the outcomes. Advocacy support had not been secured where this could have improved the focus of the work and engagement of people. People chairing conferences needed appropriate training.

The council should strengthen working together to ensure sound and shared arrangements underpinned the management of safeguarding incidents, protection planning, monitoring and review. This included ensuring clear decision-making and shared actions in recognising risk, assessing mental capacity and promoting the involvement of people using services and their carers. The new multi-agency procedures recognised weaknesses in previous practice and aimed to improve risk management and ensure complex work included relevant partners. These had not yet been approved by the Partnership Board. The referral pathway had been recently reviewed and partner organisations generally reported improvements in the process.

The new central advice and duty team located in the council's call centre was the single point of contact for logging safeguarding referrals. Customer services staff took basic details and forwarded the referral to the appropriate locality or specialist team. The service level agreement between the call centre and adult social services would benefit from a more explicit specification and evaluation of its role in assisting the department to meet its statutory responsibilities. A high proportion (79 per cent) of all safeguarding referrals had been assessed as requiring no further action. There was a need to get a better understanding of the reasons for this and of the effectiveness of the initial response.

The council and its partners had work to do to develop practice in safeguarding people funding their own care, those with learning disabilities or mental health needs that fell outside health and social care criteria and younger people in transition, who without support placed themselves or others at risk. There was limited awareness of the incidence of abuse involving carers, people from black or minority ethnic communities, and people who misused alcohol or drugs. The council also needed to improve its understanding of perpetrators of abuse.

Quality assurance of safeguarding practice was at an early stage of development. Case auditing guidance and tools had been recently developed, but they were not yet in use or adopted across the partnership. Checks had not been systematically made of the safety of other users of services where there were multiple concerns about a provider. Greater care was required in case recording and case closure to ensure risks and outcomes were promptly and accurately reported. Front line staff and their managers would benefit from training in record-keeping. The department's case recording policy was under review at the time of the inspection. The council's

supervision policy did not have a strong enough focus on safeguarding, risk management or practice standards.

Joint working with children's services required significant development. There was a need to share lessons from serious case reviews and for the relevant Boards to actively engage in action planning and review of safeguarding as a 'whole family approach'. The children and adults safeguarding procedures would benefit from a stronger focus on 'whole family' safeguarding practices. The Safeguarding Adults Board was working to strengthen links with the Children's Safeguarding Board.

People who use services and carers find that personal care respects their dignity, privacy and personal preferences.

We found variable practice in the extent to which the personal preferences of people using services and their carers were explored and used to shape individual support plans. This included the identification and promotion of personal faith, culture and relationships. There was work in progress to ensure more responsive support to people at the end of their lives. Support planning undertaken by housing, health and social care agencies was not effectively joined up. It required development to ensure a shared approach to safeguarding and the delivery of outcomes. We found some examples of poor practice in identifying and managing risk as people moved between different settings including their own homes, hospital and care homes.

The council had enhanced its electronic case management system to include a clearer focus on tracking and reporting of safeguarding concerns. Some health partners were able to access this and valued being able to broaden their understanding of individual needs and risks. There was work required to roll this out to other relevant partners and ensure use of personal and confidential information was secured by clear information-sharing protocols.

Some people reported a lack of flexibility in their access to domiciliary, day care and short break arrangements. There was a limited range of local services for people with mental health needs or physical disabilities who required a high level of support. This meant that a number of people were placed out of area. The council was working to promote the involvement by people using services and their carers in designing their individual support arrangements. The new supported and self-directed arrangements being piloted aimed to offer greater choice and personal control in meeting individual needs. A risk management process had been developed to support implementation.

There were some examples of work to promote the national *Dignity in Care* policy but these were not yet secured by a shared action plan. An awareness-raising event had recently been held. The Local Involvement Network (LINKs) had set up a task group involving key partners to progress the agenda. Front line staff were not actively involved in *Dignity in Care* developments. Work was taking place with one provider to address concerns about the quality of provision. The Older Person's Parliament, members of the *Enabling Fulfilling Lives*¹ and local advocacy groups

¹ Consultative group that included people with a learning disability and carers.

were encouraged to provide feedback on the quality of services and outcomes for individuals. The Older Person's Parliament had been involved in work to improve hospital discharge arrangements.

The majority of safeguarding referrals concerned physical abuse and neglect. The council received a high number of referrals about people with a learning disability harming themselves or others in care settings. There were also concerns raised about the care and support provided to some people with dementia. The council and its partners needed to undertake a comprehensive analysis of areas of risk and ensure such incidences were effectively addressed and reduced. A new post of safeguarding (contracts) had been established. This was helping to improve understanding of trends and of the quality and performance of specific providers.

Health and social care contracts had a clear focus on promoting dignity and respect. The council had taken action to suspend placements where there were concerns about the quality of care provided. However, there was a need to strengthen risk management of some service providers and ensure robust joint planning and communication underpinned service closures. The council identified some areas where service providers had inappropriately managed the personal finances of individuals. The council was monitoring risks relating to this.

Local health organisations offered training to care providers to improve their knowledge and expertise in supporting people with high or complex needs. This positively included work to improve the care of people who were physically frail and to secure improvements in the management of medication. There was work taking place to improve the quality of personal care provided by domiciliary care staff.

We found positive practice by health staff in supporting people who lacked mental capacity. Matters relating to deprivation of liberty safeguards, control and restraint were well-managed within the University Hospital. The council however, needed to substantially develop and strengthen its practice in this area. Work was required to support a stronger focus on the accountabilities of adult social care staff and the quality of their practice. There was potential for independent mental capacity advocates to be more actively involved in some areas. Work was required to strengthen arrangements for consent to treatment and ensure effective support for people with complex needs on admission to and discharge from hospital.

People who use services and their carers are respected by social workers in their individual preferences in maintaining their own living space to acceptable standards.

The council and its health partners had recently made a significant investment in assistive technology. This should enhance levels of security and back up support to people to enable them to continue living safely in their own homes and communities.

Some supported living provider's demonstrated good practice. There was potential for learning to be more widely shared across the sector. Some users of supported living services were positive about the help they received to manage their own homes. They told us their support workers were helpful and reliable.

Making a positive contribution

People who use services and carers are supported to take part in community life. They contribute their views on services and this helps to shape improvements. Voluntary organisations are thriving and accessible. Organisations for people who use services and carers are well supported.

People who use services and their carers are supported to take part in community life.

Some people with a learning disability were supported to take an active part in the life of their local communities. This was an area the council was seeking to expand to widen their networks of support and experiences. However there continued to be an over-reliance on traditional day, residential and respite services that detracted from the social inclusion of people with learning disabilities. Some people told us that current levels of staffing meant that it was not easy for some people to participate in community-based activities. This was particularly the case for people who required high levels of support.

We found that some people living at home with older or single carers had limited opportunities to engage in social and leisure activities. There was a need to address this to ensure people with a learning disability and their carers had the support they required in their own right. Some family carers told us that the lack of flexibility in access to day services and transport made it difficult for them to have a job or pursue their own interests. Some activities were provided in day services such as pottery, drama, horticulture or country dancing. There was a need to ensure people also had the option of and support to pursue their interests in local community settings.

Over 130 people with a learning disability were involved in volunteering including a variety of charitable and small businesses in their local communities. Only 43 people were engaged in paid work for up to four hours per week. Some people who had been attending day services for a long time continued to receive an 'incentive payment'. This was valued by them, but was not available to new users of services. This needed further review in the light of the council's strategy to promote employment opportunities and to ensure compliance with minimum wage issues.

The adult social services department had recently appointed three community development workers. One of these had a lead responsibility for progressing new ways of working with people with learning disabilities and their families. There was a need to ensure future developments were inclusive of people with diverse needs including people from minority ethnic communities and those who required high or specific levels of support to access their communities.

Voluntary organisations contribute views and develop services that support people in all communities. They can show that people who use services and carers are involved in the work.

There were some strong relationships and work with local groups centred in enabling people with a learning disability to make a positive contribution. The monthly '*Seven Waves*', community radio slot provided discussion and awareness-raising of the experiences of people with disabilities living in Wirral.

People with learning disabilities valued their contribution to neighbourhood or community activities such as Royden and Central Park and *Everyone's Community Café*. These arrangements sought to maximise the use of local resources and promoted a stronger voice and presence of people with a learning disability in their local areas. There was potential to build on this to strengthen the council's approach to social inclusion and to ensure opportunities for people with a learning disability were embedded within a wider equalities framework. This included making better use of local community, sports and leisure facilities.

There was work required to ensure a shared strategic direction in partnership with local community and voluntary sector organisations. The council's procurement and commissioning action plan would benefit from a stronger focus on outcomes. Policies and procedures relating to the use of volunteers were being revised at the time of the inspection. Partnership between the council's *Working Life* project and the council for voluntary services was growing and enabled some people to have a wider range of opportunities and to learn new skills. People with learning disabilities and family carers valued the support they received from advocacy organisations such as WIRED and Mind.

People who use services and carers contribute their experience and views about social care. Their experience and views help to shape service improvements.

The council was working to expand its approaches for involving and listening to people who used services and their carers. It had included high numbers of people in its plans to transform in-house services. The development of social enterprises and user-led organisations was encouraged. One user-led organisation told us that their relationship with the council was positive, open and encouraging. A few people had attended a '*Partners in Policy Making*', course and felt that this had helped them in having their voice heard. However there was a need to review involvement arrangements to ensure the inclusion of people with high or complex needs and people from a minority ethnic background.

There was a particular need to improve the availability of support to enable people with a learning disability to have a stronger voice. This included expanding opportunities for self and peer advocacy. There was work required to routinely provide clear information in formats that were appropriate to individual needs with recognition of support requirements and costs. The engagement of people with a learning disability and their carers in setting standards and reviewing the quality of

local services was under-developed.

The Learning Disability Partnership Board had recognised gaps in its representation and had recently strengthened its membership to include parents involved in transition. It had only recently established sub-groups to support implementation of 'Valuing People Now' priorities. Some people with learning disabilities and carers we met had not heard about the Board and were unaware of its role or how they could bring matters to its attention. It needed to develop its arrangements for communicating with wider groups of people using services, their carers, service providers and partners so that they were kept informed about priorities and progress.

The 'Enabling Fulfilling Lives' group was accountable for electing Board members. This group included people with disabilities, their carers and staff. There was a need to widen its focus and include user and carer representation from other parts of the sector including supported living. One person told us:

"We would have a bigger voice if we all pulled together".

There were some new developments that sought to strengthen the engagement and leadership of people using services. Work was taking place to strengthen the involvement and voice of carers. A Wirral Carers Association had recently been established and carers' issues were being championed by an elected member. An autism development group had been established and involved family carers, professionals and advocates. Their work was informing the development of a local autism strategy. The new Open University course on personalisation positively included participation by people using services and carers.

The council had undertaken a detailed consultation exercise 'Options for Change', on the future of its directly provided services. Care was taken to use a variety of methods to involve people and to engage advocates in facilitating and recording discussions. Decisions had yet to be taken by the council on the best way forward. People who had been involved in the consultation told us that they found the proposed changes difficult to understand and were unclear about what the various options meant. In particular they wanted more information about costs and how individual budgets would work in practice. They identified expansion of supported housing as a key priority for improvement.

Increased choice and control

People who use services and their carers are supported in exercising control of personal support. People can choose from a wide range of local support.

All local people who need services and carers are helped to take control of their support. Advice and information helps them think through support options, risks, costs and funding.

The council's arrangements for the provision of advice, information and support to people with learning disabilities and their carers were under-developed. It was at a relatively early stage in producing information in accessible and easy read formats. The recent appointment of people with learning disabilities to take a lead role in its development was positive. The council's website had been recently reviewed and improved. There was work required to support its use by people with a learning disability and their carers. The council and its partners had improved the provision of information about the transition process. "Your Future, Your Choice" information events had been held involving all transition partners.

The council produced an annual Care Services Directory for users of adult social care services. A number of information booklets had been recently produced, but many people had not yet seen them. There was a need to progress shared approaches to the production of information with local partners. All information would benefit from review and involvement by people using services and families to improve its focus and accessibility.

Welfare benefits information was provided by a number of local organisations. However, there was a need to improve the targeting of information to promote improved understanding of savings thresholds and the implications of having a job. The Wirral Multi Cultural Organisation was funded by the council and NHS Wirral to provide advice and support in areas such as health, housing, maximising income, social care and befriending. There was work in progress to assess the outcomes of this. A helpline for carers had been recently introduced. The council had consulted carers about the need for a local carers centre. There was a high level of support for this.

All enquiries were dealt with by the Central Advice and Duty team. We found them to be friendly and approachable in their manner. They provided information about a range of local services. This could be provided in other languages and formats. The team did not keep data about the people it had signposted onto external agencies. There was a need to improve their focus on the outcomes for people it referred on and learning from re-referrals. The emergency duty team was under review at the time of the inspection. There were issues to be addressed with regard to its focus, funding and joint arrangements with partner agencies.

Since 1st April, everyone with a learning disability could access a personal budget. Information packs were not yet available. It was not sufficiently clear to people where they could go for help and advice. The council had not yet established its brokerage

arrangements. Wirral had a low level of investment in advocacy services for people with a learning disability. This needed review to enable people with learning disabilities and their carers to have greater understanding and control.

Several people told us that correspondence from the council was not easy to understand. This included information about charging, complaints and self-directed support. We saw no evidence that correspondence from the council recognised individual access issues such as impaired sight or specific communication needs.

People who use services and their carers are helped to assess their needs and plan personalised support.

Most assessments and support plans did not adequately reflect the whole person's needs or those of their carers. They were not sufficiently focused on the future, on risks to individuals, on the promotion of their independence or outcomes. Mental capacity issues were not embedded in assessment and support arrangements. There was work to do to agree and align the role and contribution of partner agencies including service providers. This included both improving existing arrangements and developing new models of support. Strict criteria and an additional point of entry to specialist health services meant that some people were not getting the level of support they required. There was a strong focus on eligibility, costs and affordability of existing services.

The council had restructured and expanded its learning disability care management teams over the past year. It was working to provide a more reliable service and to deal with increased demand. However, some people told us of ongoing difficulties in getting in touch with their social worker, changes of social workers and lack of effective relationships. One person said:

"Social workers change too often and you can't build up a relationship with them. They don't have time and think everything is about the money-but it's about listening to things I want to say."

We found that the council had not addressed need in a timely manner in a number of cases. Some people reported having to wait too long for resources to be agreed. The work undertaken with some individuals and their families was very limited and did not secure the required outcomes. We were particularly concerned about the lack of support provided to older carers, single carers and those with multiple caring responsibilities. A number of older carers said they were tired and worried about their ability to care long term. Few people had clear contingency plans in the event of carer breakdown. This was poor practice and resulted in some people being placed without adequate preparation and in inappropriate environments.

Carers told us:

"You can be very isolated and don't know where to turn".

"I don't know how long more I will be able to care for X on my own".

There was generally weak practice in the development of person-centred planning. Although there were a few areas where practice was improving, the approach was not embedded. This meant that the council did not have a clear or up date picture of peoples' wishes and preferences to inform new models of service development. The council was working to address this. All new requests for assistance and review arrangements offered the option of a personal budget. However, people told us that the new self-directed assessments and carers assessments were too complex and did not ask what they considered to be the right questions. They relied on others to understand what was required and assist with their completion.

A number of assessments highlighted a lack of awareness about 'stranger danger' or risk of exploitation or harm. These concerns were not adequately addressed through support planning and the development of self-protection strategies. We identified a few examples of sensitive work being undertaken to support people in managing loss and change. However, this approach was not sufficiently embedded in frontline practice. Sexuality and personal relationships had not been identified or effectively supported in some cases. Some people we spoke to were not able to and would have liked to be involved in recruiting their own staff.

The lack of robust practice in these areas required urgent review. Some staff did not have the required levels of knowledge or training for their roles. We found examples of low expectations by caseworkers. This included views that assistive technology was not appropriate due to lack of rehabilitation potential, or college courses being too difficult for the person to understand. There was a lack of creativity in addressing barriers to access. Some case workers did not adequately involve people, their families and independent advocates in these important decisions.

There were significant pressures on health and social care agencies in meeting local demand, but current arrangements detracted from effective case co-ordination. Care processes, equality and engagement, service design and delivery had been identified as areas for improvement in supporting people with learning disabilities and mental health needs. The council reported that approximately 44 per cent of people with a learning disability living in the area had a health action plan. There was better practice in the number of health checks undertaken by doctors which was recorded as 75 per cent. There was good support provided by community nurses in the management of epilepsy and challenging behaviour. The appointment of a physiotherapist at a local college was effective in opening access for some people.

There was positive recent work to improve transition planning and provide earlier identification and consistency of support as young people moved into adult services. Joint working with partner agencies was being strengthened and this was increasing options for young people and their families. Efforts were being made to develop alternatives to out of county college placements. One carer told us:

"Our social worker is good. They have a nice rapport with X"

However, there was work to be addressed, particularly for people about to leave college. There was a need to significantly improve support to people with learning disabilities as they aged to ensure any additional needs were proactively recognised and responded to. Support for people with early onset dementia or high health needs

required development.

A total of 58 people with a learning disability were in receipt of Direct Payments. The council had a contract with an advocacy organisation to provide support in managing the process. People who had a Direct Payment or had access to the Independent Living Fund valued the opportunities and flexibility this offered. There was relatively low levels of promotion and use of Direct Payments for carers. The council was at a relatively early stage in the development of self-directed support and personal budgets. There was a considerable programme of learning taking place to improve staff understanding and to implement affordable and appropriate resource allocation arrangements.

People who use services and their carers benefit from a broad range of support services. These are able to meet most people's needs for independent living. Support services meet the needs of people from diverse communities and backgrounds.

People who used services and their carers were heavily dependent on traditional services where support was provided to large groups of people. Carers lacked opportunities to balance their caring responsibilities with a life of their own. The council needed to radically transform local services so that they recognised peoples' aspirations and supported their move on to more enabling forms of support. There were too many people living in residential care or with older carers who could benefit from supported living.

Access to supported housing was poorly co-ordinated. There were risks of unequal access given gaps in joint working in this area. There was an urgent need for a shared approach to agreeing priorities and the development of a clear and transparent allocation system. Adaptations, including those that were urgent, were slow to be provided in some cases. Assistive technology had not been adequately promoted to people with a learning disability living in their own homes or with family carers. People who benefited from supported living valued the opportunity to be more independent.

Work was beginning to take place to widen employment opportunities. The council and its health partners had recently set targets to improve its performance in this area. Dale Farm provided opportunities for people to develop their interests and knowledge in horticulture. A person volunteering at the farm told us:

"I like coming here. I like to be busy. I have learned to do some new things".

A person who had been supported to find a job told us:

"Before I started working I was talked down to, things are very different now".

The council's travel training positively assisted people to be more confident and independent in using public transport. Some people reported problems in the use of the council's transport. There were some people who had to leave their day centres

early in order to meet scheduling requirements.

The council had not adequately developed its arrangements to support carers, many of whom had cared for a family member for decades. The council was slow in its approach to implementing carers' legislation. It was still working to establish a carers' emergency scheme. Carers' support planning and review arrangements were weak and did not adequately consider their personal development and employment needs. There was a limited range of short break options for people with learning disabilities and their carers. Usage of adult placement schemes was low. Family carers were heavily reliant on a large accommodation-based service. Some carers told us:

"If there was a choice, we would not use it."

There were gaps in local provision for people with specific needs including autism, older people with learning disabilities and people from black and minority ethnic communities. The use made of and outcomes achieved from specialist health resources including the assessment and treatment and short breaks provision was being reviewed. There was a need to expand support out of hours and enhance access to social and leisure opportunities.

There were some areas where further work was required to help people consider their options and prepare for changes in line with the council's promotion of self-directed support. This included ensuring access to reliable and appropriately trained staff that could be appointed as personal assistants. There was also a need to ensure robust back-up support in the event of a crisis.

People who use services and their carers can contact service providers when they need to. Complaints are well-managed.

The quality and outcomes of reviews was an area for urgent attention. There were a relatively high number of unscheduled reviews. It was of concern that a number of people with high or complex needs had not had a recent review of their needs. A consequence of this was that there were missed opportunities for outcomes for individuals to be assessed or support plans adapted in the light of individual priorities or preferences. The council had undertaken reviews of all people with learning disabilities living out of area. All expressed a desire for their support arrangements to continue. A number of reviews had been undertaken of high cost placements and had resulted in savings.

The management of complaints was inadequate. Some complaints were very slow to be resolved and there was a lack of clarity about the outcomes achieved. The council had not adequately addressed the root causes of some complaints such as the level of staffing or the quality of its buildings. Advocacy and mediation could have been more proactively used in some cases. The council did not have a system to check if people were satisfied with the outcome of their complaint or with the improvements made. There was also a weak focus on promoting and learning from compliments.

Capacity to improve

Leadership

People from all communities are engaged in planning with councillors and senior managers. Councillors and senior managers have a clear vision for social care. They lead people in transforming services to achieve better outcomes for people. They agree priorities with their partners, secure resources, and develop the capabilities of people in the workforce.

People from all communities engage with councillors and senior managers. Councillors and senior managers show that they have a clear vision for social care services.

The council had clear strategic aims for improving the quality of life of people living in the area. These were shared with local health partners and included addressing inequalities and promoting independence and choice. The vision for transforming adult social care was developing. Priority was given to enabling people to have more involvement and personal control. However, some partners including service providers, people using services and their carers were not clear about the future direction and did not understand the impact for them. The council needed to provide them with clear and up-to-date information, encourage new ways of working, and address uncertainty and fears about future change. The departmental 'Focus' newsletter and senior manager briefings were positive means of informing and involving front-line staff.

The council and its partners were working to strengthen the governance, leadership and impact of the Safeguarding Adults and Learning Disability Partnership Boards. Membership had been recently reviewed and included senior managers with an improving focus on working together. A number of work streams were being developed to progress policy agendas and improve outcomes linked to safeguarding adults, 'Putting People First and Valuing People Now'. The council was significantly behind the pace compared to most other councils in delivering improvements in these areas. The Cabinet recently approved the establishment of a review group to strengthen the focus of senior managers and councillors on safeguarding children and adults.

People who use services and their carers are a part of the development of strategic planning through feedback about the services they use. Social care develops strategic planning with partners, focuses on priorities and is informed by analysis of population needs. Resource use is also planned strategically and delivers priorities over time.

There was work required to translate the vision for personalisation into clear, responsive and sustainable plans. The departmental plan was too heavily weighted

towards internal processes and did not sufficiently specify targets or the impact of proposed changes and outcomes for people. The department was under significant pressure to identify efficiencies and deliver savings in the short term. This was impacting on its capacity to effect and deliver change in a timely manner in a number of areas. The council was ambitious to strive forward, but there were some critical gaps and risks to be addressed in the areas of resource management and partnership working.

Wirral was at an early stage in implementing personal budgets and self-directed support. Plans to widen access to services including out-of-hours had been delayed. There was work required to progress joint working with health and housing partners at both strategic and operational levels. The future modernisation of its directly provided services was unclear. There was heavy reliance on making savings from the '*Options for Change*', programme in the current year. This was becoming more difficult to achieve. The local market was not well-positioned to support new models of service delivery. The work of front-line staff required review to improve the quality of support provided to people with complex needs. There were significant gaps in the council's approach to prevention for adults with a learning disability.

The priorities of the Safeguarding Adults Partnership Board had not yet been secured by shared action plans. A safeguarding adults' strategic framework was produced in March 2010 that identified a number of areas where improvements were required. An action plan to support its delivery had not yet been developed. There was an urgent need to strengthen joint arrangements, establish and progress the work of its sub-groups to improve the focus on and co-ordination of safeguarding at a number of levels. There was work to do to ensure safeguarding adults was higher on the agenda of the council and some local strategic partners.

The Learning Disability Partnership Board was working to build its capacity to respond to '*Valuing People Now*'. There were gaps in its implementation of the original *Valuing People* strategy that still needed to be addressed. The Board had recently agreed a forward plan that detailed areas where work to deliver improved outcomes was urgently required. Senior managers and people using services were jointly accountable for key areas of delivery. It was too early to tell the impact of this. Board members needed to strengthen their focus on supporting and tracking the delivery of outcomes to enable people to be positively and safely included in their local communities. There had been a significant over-spend against the allocated budget in 2009-10.

A joint strategic needs assessment had been carried out. It included areas where additional information was required to improve understanding of the needs of the local population. This was beginning to inform the development of joint commissioning strategies. There was an improving focus on addressing health inequalities including those experienced by people with a learning disability and people from black and minority ethnic communities. The council recognised that too often people were expected to fit into existing services. Its key challenge was to translate this into person-centred, affordable and responsive services. There was improved joint working between children and adult services in mapping the needs and resources to address areas of growth.

The social care workforce has capacity, skills and commitment to deliver improved outcomes, and works successfully with key partners.

Some staff did not have the required level of knowledge, skills or experience to do their job well. The council and its partners needed to expand access to safeguarding training so that staff and others, including volunteers, were competent and confident in managing risk and keeping people safe. There was a need to improve co-ordination of training and to develop multi-agency review and learning groups. We found gaps in workforce planning and development, including joint arrangements with health and local service providers. There was a need to promote the development of a flexible health and social care workforce. There was a particular need to ensure the workforce across the sector effectively supported people with mental health needs, learning disabilities and dementia.

The council was working to enhance the knowledge and competencies of its staff. A total of 450 adult social care staff had accessed its development centre and received feedback on their performance. Areas of personal development were agreed and were being progressed. The council had made a significant investment in training for its managers. 'A Values and Leadership Unites Everyone' (VALUE) programme sought to promote shared understanding of the vision and values of key partners. There was a programme of training to support personalisation. The staff recognition process recently introduced was positive.

Team structures had been reviewed to support localisation and integration of support for older people and adults with a physical impairment. There was evidence of improved joint working with primary health care staff. The number of staff employed within the specialist adult social care learning disability team had recently been increased. Its next steps in progressing joint working with specialist health staff were unclear. Knowledge and information systems required significant development as the different systems in use were a barrier to efficient joint working. The department needed to secure the effective deployment of expertise across all its frontline teams to raise the quality of safeguarding work and assessment of mental capacity. It would benefit from closer scrutiny of its supervision arrangements.

The council's expenditure on assessment and care management staff was lower than that of other councils in the region. Some managers were over-stretched in meeting operational and service development targets. The Reform Unit workforce provided additional capacity, but its future focus and funding arrangements required review. Work was required to establish brokerage arrangements to support personalisation developments.

Recruitment was generally compliant with safeguarding requirements, with appropriate checks being made. There were gaps in the staffing of some frontline teams. It took too long for some disciplinary issues to be explored and brought to conclusion. The department of adult social services was working to encourage better use of its whistle blowing procedures to promote a culture of openness and accountability.

Performance management sets clear targets for delivering priorities. Progress is monitored systematically and accurately. Innovation and initiative are encouraged and risks are managed.

Wirral was ambitious to become an excellent council. It monitored its performance against key indicators and local area agreement targets. Its approach to performance management, including responding to complaints, needed development to include a stronger focus on the experience of people using services and the outcomes delivered. The recently introduced balanced scorecard was beginning to enable a better focus on wider organisational effectiveness. Performance surgeries had been established to provide feedback and support to frontline managers. Action was being taken to improve the accuracy and reliability of management information including in the area of safeguarding adults. The council and its partners needed to strengthen systems for information-sharing, quality assurance and the management of risk.

There were some areas where the council and its partners had not made the required level of progress in transforming services for adults with learning disabilities and their carers. A previous inspection in 2005 highlighted a number of areas that still needed to be addressed including partnership working and implementation of person-centred planning. The Department of Communities and Local Government in a recent visit to the council identified that there were a number of people remaining in residential accommodation who could be living in supported housing.

The council had not achieved the required level of performance with regard to self-directed support, help for carers, people with learning disabilities living in settled accommodation and people having a review of their needs. Support to carers of adults with a learning disability (15 per cent) was significantly lower than the overall performance of the council in this area. The council needed to more rigorously benchmark its performance within the department and against similar councils to improve understanding of good practice and raise levels of customer satisfaction. Equality impact assessments and action plans were insufficiently developed.

The council recognised weaknesses in its arrangements for keeping local people safe. It commenced a review of safeguarding in February 2009. A number of changes were being made to improve joint working and the quality of practice. The Safeguarding Adults Partnership Board and senior managers had improved their awareness of activity and trends, but gaps remained in some key areas. There were variable levels of activity between teams and partner organisations that required further analysis. The engagement of elected members in local safeguarding activity required development. There was a need to promote learning from management and serious case reviews. The council and its partners needed to have a better understanding of concerns about specific localities, user groups and settings.

Commissioning and use of resources

People who use services and their carers are able to commission the support they need. Commissioners engage with people who use services, carers, partners and service providers, and shape the market to improve outcomes and good value.

The views of people who use services, carers, local people, partners and service providers are listened to by commissioners. These views influence commissioning for better outcomes for people.

The council was working to strengthen its engagement and consultation arrangements to support improvements in listening to and learning from the views of local people. This was still at a fairly early stage of development. Further work was required to ensure appropriate levels of involvement and coverage to support the delivery of its transformation agenda. There was work required to expand the level of involvement and focus of the personalisation steering group to promote wider learning and regular feedback on what was working well and areas for improvement. Some people were not clear about some key areas including personal accountabilities, resources, employment responsibilities and contingencies.

The focus of the Learning Disability Partnership Board had recently been reviewed and its membership complied with *Valuing People Now* guidance. The '*Enabling Fulfilling Lives Group*', was working to ensure people with learning disabilities and their families had a stronger voice on the board. Although arrangements were still relatively new, we had positive feedback from some people that the work was moving in the right direction. Concerns raised by people with learning disabilities about the availability of accessible public transport had resulted in Merseytravel becoming involved in the work of the Partnership Board. There was potential to widen the challenge and impact of the Board. One person told us:

"We are on a steep learning curve and willing to learn together-things are slowly improving."

The council and its health partners had recognised the need to do more to support carers. A carer's survey was recently undertaken and provided some important feedback on areas for improvement. This should assist the council and its partners in targeting future support to carers and addressing areas where customer satisfaction was low. The joint carers' action plan required substantial development in the light of this.

Commissioners understand local needs for social care. They lead change, investing resources fairly to achieve local priorities and working with partners to shape the local economy. Services achieve good value.

Commissioners were working to improve their understanding of the local population's needs for housing, social and health care. The council had taken action to secure

improved value for money and had reduced the costs and fees paid to all providers. However, there remained some areas where better value for money was still required. The council was beginning to challenge its legacy investment patterns and support more flexible use of its resources. This included promoting user-led organisations and social enterprises. A high level of efficiencies and savings had been made by the department in recent years. Significant financial pressures remained in the current year. There was a need to strengthen medium-term financial planning to ensure effective control of costs and progress the transformation agenda.

We found gaps in transforming strategic objectives into timely, robust and sustainable joint plans. New commissioning frameworks for adults with learning disabilities and older people had been recently agreed. Detailed project and resource planning work to support implementation was not well-developed. A total of £26 million of the learning disability budget (over 66 per cent) was invested in residential, nursing homes and day services. Work with local voluntary sector organisations needed to be underpinned by a clearer focus on outcomes and use of resources. There had been a significant fall in the rate of people using Direct Payments. The council needed to understand the reasons for this. It needed to ensure its new arrangements to support people in managing their individual budget were effective.

The council was piloting new ways of working to support learning in implementing self-directed support and individual budgets. Phase 1 of the pilot, due to its small sample size did not allow for a robust evaluation of its approach. The council had set a target to include 200 people by August 2010 including adults with a learning disability, people who had a stroke and people living in the Birkenhead locality. New systems and support requirements were being tested, and additional staff had been deployed to support the work of frontline staff. We had concerns about the council's capacity to secure full implementation within the required timescales including supporting the level of change required in conjunction with its partners and people using services.

The joint strategic needs assessment was being updated and its findings were being used to inform joint commissioning and service procurement activity. A website had been developed to support access by local partners and stakeholders. There were some gaps in awareness of the needs of people with a learning disability. These included people with complex needs, people living with older carers, people with a learning disability who were parents, and people from minority ethnic communities. Gaps in person-centred planning meant that commissioning was not sufficiently alert to peoples' aspirations and did not proactively drive the development of new models of service delivery. There were plans to co-locate the department's business support unit with NHS Wirral to improve research and identification of needs.

The adult social services department had made significant savings and delivered efficiencies in a number of areas in recent years. It had re-negotiated contracts with care home providers and secured savings of over a £1 million. There was potential to achieve better targeting and outcomes from its quality incentive scheme that had been in place since 2005. There was work still required to tackle over-provision of care home places and the quality and sustainability of some providers. Domiciliary care contracts had been re-negotiated and a standard fee agreed. The costs of some services for adults with mental health needs and adults with physical disabilities were

high. There was work required to re-shape the local market to strengthen the quality and capacity of local services and improve the choice and flexibility of local provision.

There was an urgent need to expand housing and support options for people with a learning disability. The council had reviewed the costs of its supported living services and secured savings in excess of £600,000. All except one provider had agreed to new contract terms. Action was being taken to address non-compliance. The council needed to ensure it had robust contingency plans to manage the process of decommissioning across the sector. NHS Wirral and the council was in the process of reviewing the outcomes and effectiveness of use of specialist resources for adults with a learning disability. There was work required to respond to the findings of the council's strategic asset review.

The learning disability budget had over-spent by £4 million against its allocation in 2009-10. The council's base budget for learning disability services was below regional averages. The council had further work to do with its partners including people using services to ensure the level of resources was appropriate, and that its plans, including the '*Options for Change*', work secured improved outcomes and value for money. It needed to develop the local market to ensure reliable and easy access to alternatives and back-up support. Some providers told us they had not been adequately included in reviews of individual need. This meant that opportunities to learn from and adapt support to deliver improved outcomes for people were not robustly captured.

The quality of residential, nursing and domiciliary care services operating in the area was high overall compared to other areas. However, care home provision for adults with physical disabilities or long term conditions was an area for improvement. The council needed to strengthen its focus on the outcomes achieved by its own directly-provided services. It also needed to improve its focus on the outcomes for people using services that were not regulated including day care and grant-funded services. There was work in progress to review services for people with challenging behaviour in line with the findings of the Mansell report.

The council needed to develop its work with partners and service providers to reduce the risk of self-neglect or of people harming each other. This included embedding shared approaches to the management and monitoring of risk, careful matching of people to the services commissioned, with sufficient and appropriately skilled staff to meet individual needs. The council recognised that its contract monitoring arrangements were largely reactive and focused on investigating safeguarding issues or complaints. The new safeguarding officer (contracts) was working to improve scrutiny of and support to service providers. The new outcomes framework planned for implementation in April 2011 aimed to strengthen procurement practice and drive higher standards of service delivery.

Appendix A: summary of recommendations

Recommendations for improving performance in Wirral Council

Safeguarding adults

The council should:

1. Ensure that arrangements and policies for preventing abuse are comprehensive and co-ordinated. (Pages 10,12-13)
2. Embed a shared approach to recognising and responding to allegations of abuse. (Pages 10-14)
3. Ensure that staff involved in safeguarding adults and supporting people with high or complex needs have the appropriate knowledge and competencies. (Pages 11-14)
4. Ensure that safeguarding activity at all levels is focused on the experience of people who require safeguarding and on the outcomes achieved. (Pages 10-12)
5. Ensure that safeguarding is supported by robust quality assurance arrangements across the partnership. (Pages 11-12)
6. Improve scrutiny of provider activity and risks across the sector. (Pages 11,13-14)

Making a positive contribution for adults with a learning disability

The council should:

7. Improve its focus on people who have limited opportunities to engage in and contribute to their local communities. (Page15)
8. Ensure wider representation, involvement and support for people using services and their carers in planning and managing change. (Pages 16-17)

Increased choice and control for adults with a learning disability

The council should:

9. Ensure that people with learning disabilities and their carers have access to appropriate advice, information and support .(Pages 18-19)
10. Ensure people's needs are holistically assessed and supported by effective partnership working. (Pages 19-21)
11. Transform support planning to provide a clear focus on the future, on risks to individuals, on the promotion of their independence and outcomes. (Pages 19-22)
12. Address gaps in awareness of the needs of and support to carers. (pages 19,21-22)
13. Ensure that reviews are appropriately timed and focused. (Pages 22 and 28)
14. Strengthen arrangements for management and learning from complaints and compliments. (pages 12 and 22)

Providing leadership

The council should:

15. Ensure the Safeguarding Adults Board and Learning Disability Partnership Board drive improved outcomes for local people. (Pages 23-24)
16. Promote stronger communication with and involvement of local people and service providers in shaping the vision and development of local services. (Page 23)
17. Develop robust joint planning to address local needs secured by effective deployment of resources and management of risk. (Pages 24 and 26)
18. Expand its approach to prevention to deliver improved outcomes for people with learning disabilities and their carers. (Page 24)
19. Ensure the workforce across the sector has relevant knowledge, skills and experience to do their job well. (Page 25)

Commissioning and use of resources

The council should:

20. Robustly challenge and enable the local market to address gaps, raise standards and meet new personalisation requirements.(Pages 27-28)
21. Ensure joined-up and efficient use of resources across the council, health and housing services.(Pages 28-29)

Appendix B: Methodology

This inspection was one of a number service inspections carried out by the Care Quality Commission (CQC) in 2010.

The assessment framework for the inspection was the commission's outcomes framework for adult social care which is set out in full [on our website](#). The specific areas of the framework used in this inspection are set out in the Key Findings section of this report.

The inspection had an emphasis on improving outcomes for people. The views and experiences of adults who needed social care services and their carers were at the core of this inspection.

The inspection team consisted of two inspectors and an 'expert by experience'. The expert by experience is a member of the public who has had experience of using adult social care services.

We asked the council to provide an assessment of its performance on the areas we intended to inspect before the start of fieldwork. They also provided us with evidence not already sent to us as part of their annual performance assessment.

We reviewed this evidence with evidence from partner agencies, our postal survey of people who used services and elsewhere. We then drew provisional conclusions from this early evidence and fed these back to the council.

We advertised the inspection and asked the local LINKs (Local Involvement Network) to help publicise the inspection among people who used services.

We spent six days in Wirral Council when we met with approximately 7 people whose case records we had read and inspected a further 25 case records. We also met with approximately 200 people who used services and carers in groups and in an open public forum we held.

We also met with

- Social care fieldworkers
- Senior managers in the council, other statutory agencies and the third sector
- Independent advocacy agencies and providers of social care services
- Organisations which represent people who use services and/or carers
- Councillors.

This report has been published after the council had the opportunity to correct any matters of factual accuracy and to comment on the rated inspection judgements.

Wirral Council will now plan to improve services based on this report and its recommendations.

If you would like any further information about our methodology then please visit the [general service inspection page](#) on our website.

If you would like to see how we have inspected other councils then please visit the [service inspection reports](#) section of our website.

Annex E

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Documents Relating to
Charging Policy for
Supported Living Services**

ADDITIONAL PAPERS SUPPLIED BY [REDACTED]
28 January 2009



Metropolitan
Borough of Wirral

memorandum

to [REDACTED]
Assistant Director Finance

date 30 November, 2004

from [REDACTED]
Client Financial Services Manager

my ref [REDACTED]
your ref [REDACTED]
tel 3623

subject RE: Fairer Charging Policy

[REDACTED] and [REDACTED] have approached me regarding the implications of the inspection due to start in January 2005.

Currently the Department is charging some of our service users in establishments such as Curlew Way and Bermuda Road, (see attached email) while others such as Cardigan Road, Langdale Road and Serpentine Road pay nothing.


I understand from [REDACTED] this is to be looked at under the revised Fairer Charging Policy.

It has been suggested that until this has been completed, to be fair to our service users, charges currently being made for some residents should be put on hold until the policy is finalised.

Those effected are listed on this e-mail. This would allow a breathing space while the issue of charging is resolved.

Would you be in agreement with the current charges ceasing as soon as possible?

Att

 Metropolitan Borough of Wirral Social Services Department	Notes on Meeting	Meeting Date: 3rd Oct 1997
	Charging Policy re: Independent Living Schemes	Location: 63 Hamilton Sq
Present:	[REDACTED] PO, Support Services Res. Mgr, Learning Disabilities OIC, Esher House Contract Manager	
1.	Agreed that charging policy for care services will be based upon normal Part 3 assessment system excepting that: Personal allowance will be equal to Income Support Personal Allowance plus Income Support Disability Premium (currently equal to £70.10 for a person aged over 25)	
2.	Since the majority of Service Users will not have any other income or capital assets, a version of the Domiciliary Services Assessment form will be used. [REDACTED] will amend this form to ensure that it requires sufficient information to identify the few cases where capital or other income exists. In these cases an E1 will need to be used for a detailed assessment	[REDACTED]
3.	Transport charges - where a care service includes the provision of transport services, particularly where this is associated with day care services, Service Users will be charged in accordance with the Transport Charging Policy. [REDACTED] considered that, as a standard, the charge would be equivalent to the "Band 1" tariff which is presently £6 per week. [REDACTED] will confirm this approach with [REDACTED]	[REDACTED]
4.	[REDACTED] to arrange meeting with [REDACTED] to discuss contractual arrangements as it is understood that the declarations made by Service Users within the assessment process is not deemed sufficient to authorise application of charges.	[REDACTED]
5.	[REDACTED] to incorporate principles agreed above into contractual arrangements for ILS residents in receipt of care from private sector - McIntyre, MENCAP, Alternative Futures etc	[REDACTED]
6.	Implementation of the charging policy is expected to be progressive, as contractual arrangements for the various schemes and providers are formalised.	

Service User Group

(B)

This policy applies to:-

People who are Wirral residents, as defined within the criteria for Ordinary Residence issued as Department of Health Local Authority Circular LAC(93)7, and any subsequent amendments
and
are entitled to receive care services following an assessment of need, as defined in the NHS & Community Care Act, 1990, section 47, and any subsequent amendments
and
are resident in accommodation which falls outside the scope of the Registered Homes Act 1984 and any subsequent amendments
and
are in receipt of, or would qualify to receive Housing Benefits if all their capital were disregarded.

Such people will usually be living in Supported Living Services, also known as Independent Living Schemes, Community Living or Group Homes. They may also be people who had been placed with foster carers but who are now aged over 18 years.

Power to Making a Charge

The power for a Local Authority to make a charge is derived from the Health and Social Services and Social Security Adjudication Act (HASSASSA) 1983. This Act gives local authorities the powers to charge Service Users for services arranged on their behalf.
The intention of the charge is that the Service User should make a reasonable contribution to the cost of care services based upon an assessment of income and available capital resources.

Basis of the Charge for Care Services

The framework for determining the charge to be made is the Charges for Residential Accommodation Guide (CRAG) issued by the Department of Health as amended by this Policy.
Service Users should have their ability to pay determined using the CRAG rules with the following options and changes:-

- Section 1, Introduction;
- Section 2, Less Dependent Relatives;
- Section 3, Temporary Residents
- Section 4, Couples;
- Section 7, Treatment of Property;
- Section 11, Liability of Relatives;
- Section 12, Students,
- Section 13, Transitional Provisions;

will generally not apply to these Service Users, however in exceptional circumstances they will be used to provide guidance and will be applied with discretion.

Section 5. Personal Allowance

In place of the CRAG rules, the following shall apply:-

Purpose of the personal expenses allowance.

The Personal Allowance for this Service User group needs to be at a level which allows the Service User to pay costs associated with his residence for which Housing benefit cannot be claimed (e.g. food, cooking and heating costs, personal possessions insurance, etc.).

Amount of personal expenses allowance.

*Accordingly the Personal Allowance shall be the sum of
Income Support Personal Allowance (age related) plus
Single Person's Disability Premium.
This amount will vary from year to year as DSS benefit rates change*

Varying the amount of personal expenses allowance

The personal allowance may be increased in special circumstances which must be agreed by the Service User's Care Manager.

Section 6. Capital

The CRAG rules will apply with the following exceptions:-

Capital limits

The upper limit of £16,000 will not be applied as long as the Council provides services. All assessment rules which are qualified by this limit will be applied to the total assessed available capital.

For example where a resident has capital a tariff income would be calculated on the total amount above the lower limit of £10,000. Thus a resident with capital of £40,000 would be assessed for weekly tariff income of £120 per week.

(£40,000 less £10,000 = £30,000. Tariff income is £1 per £250. Tariff on £30,000 is 30,000/250 = £120 per week)

This rule will be amended in future should the DSS minimum of £10,000 be changed.

Capital Disregarded Indefinitely

There shall be no disregard of

any payment made or derived from;

- *the Independent Living Fund*
- *the Independent Living (Extension) Fund*
- *the Independent Living (1993) Fund*

This rule will be amended in future to allow for any other similar schemes.

Section 8. Income Other Than Earnings

The CRAG rules will apply with the following exceptions:-

All income from Housing Benefit will be fully disregarded.

There shall be no disregard of

any payment made or derived from;

- *the Independent Living Fund*
- *the Independent Living (Extension) Fund*
- *the Independent Living (1993) Fund*

Other Charges

Where Service Users receive transport services as a part of the Care Services arranged by Council, they will be expected to make a contribution to the cost of such services in accordance with the current Council Charging Policy for the provision of Transport Services.

STRICTLY CONFIDENTIAL – NOT FOR PUBLICATION

DRAFT, 28/10/97

Supported Living Schemes
General Conditions of Residence

1. You will share a house with a number of other residents. This will be your home whilst you stay with the Supported Living Scheme.
2. You will have your own furnished bedroom and you will have the use of shared facilities such as bathroom and toilet, kitchen, laundry equipment, lounge/dining area. The exact facilities may vary from one home to another.
3. Wirral Social Services will arrange to provide care and rehabilitation services which are appropriate to your care needs. These services will be agreed with you following an assessment of needs, and written up in your Care Plan.
4. A Care Worker will be identified as your "Key Worker" and will be your main contact in helping you to deal with any problems which arise during your stay.
5. You will be able to bring personal possessions but you should discuss this first with your Key Worker as space may be limited.
6. You will have to enter into either an Unsecured Tenancy Agreement or Occupancy Licence with the landlord of the property. The landlord may be Wirral Council or a Housing Association. The Tenancy Agreement or Occupancy Licence will include various conditions which affect your residence. You should be aware of these conditions.
7. You will continue to live at the house until it is agreed that your care needs can best be met elsewhere. You should be aware that your residence is an "unsecured tenancy". This means that if it is agreed that you should move to other accommodation, you will need to give four weeks notice to your landlord and you do not have the right to refuse to move.
8. You must pay rent to the landlord of the property. The rent paid will include both the cost of your own room and a part of the cost of shared facilities. Details about the way the rent must be paid will be included in your Tenancy Agreement or Occupancy Licence.
9. You will be required to pay a contribution to the cost of care services. This will be based upon your DSS Benefits and any other Income which you receive. You will be able to retain a reasonable amount to pay for your own day-to-day expenses.
10. Your Care Plan may include time spent away from your home, for example visiting a day centre. Arrangements for transport will vary from one scheme to another. If transport is provided for you, you will be required to pay a charge for the use of that transport.
 - If public transport is used you will have to pay the usual fares.
 - If transport is provided then you will be required to pay a charge based upon the Council's Charging Policy for Transport Services.
 - In some Supported Living schemes, the residents of the scheme club together to pay for a vehicle which is available to all the residents and which can be used as and when needed. In such circumstances, the costs will depend upon the arrangements at that particular scheme.You will be told which arrangements operate before you take up residence.

I have read and understood the general conditions of the Supported Living Scheme.

I understand that I will be responsible for making rental payments.

I understand that I will be responsible for paying a contribution to care costs.

I understand that I may be required to pay towards transport costs

Signed _____ Date _____

Name (Please print)

I confirm that the resident named above understands the General Conditions of the Supported Living Scheme.

Witnessed by _____ Date _____

Name and address (Please print)

FINAL DRAFT 2/12/97



Metropolitan
Borough of Wirral

Department of
Social Services

(C)

Supported Living Services
Care Services Charging Policy

Service User Group

This policy applies to:-

People who are Wirral residents, as defined within the criteria for Ordinary Residence issued as Department of Health Local Authority Circular LAC(93)7, and any subsequent amendments and are entitled to receive care services following an assessment of need, as defined in the NHS & Community Care Act, 1990, section 47, and any subsequent amendments and are resident in accommodation which falls outside the scope of the Registered Homes Act 1984 and any subsequent amendments and are in receipt of, or would qualify to receive Housing Benefits if all their capital were disregarded.

Such people will usually be living in Supported Living Services, also known as Independent Living Schemes, Community Living or Group Homes. They may also be people who had been placed with foster carers but who are now aged over 18 years.

Power to Make a Charge

The power for a Local Authority to make a charge is derived from the Health and Social Services and Social Security Adjudication Act (HASSASSA) 1983. This Act gives local authorities the powers to charge Service Users for services arranged on their behalf.

The intention of the charge is that the Service User should make a reasonable contribution to the cost of care services based upon an assessment of income and available capital resources.

Legal Basis of the Charge for Care Services

The framework for determining the charge to be made is the Charges for Residential Accommodation Guide (CRAG) issued by the Department of Health as supplemented by this Policy.

Service Users should have their ability to pay determined using the CRAG rules with the exceptions and ranges indicated below.

General

The following sections of the CRAG rules will generally not apply to these Service Users, however in exceptional circumstances they will be used to provide guidance and will be applied with discretion:-

- Section 1, Introduction;
- Section 2, Less Dependent Relatives;
- Section 3, Temporary Residents;
- Section 4, Couples;
- Section 7, Treatment of Property;
- Section 10, Capital;
- Section 11, Students;

FINAL DRAFT 2/12/97

Section 5. Personal Allowance

In place of the CRAG rules, the following shall apply:-

Purpose of the personal expenses allowance.

The Personal Allowance for this Service User group needs to be at a level which allows the Service User to pay costs associated with his residence for which Housing benefit cannot be claimed (e.g. food, cooking and heating costs, personal possessions insurance, etc.).

Amount of personal expenses allowance

Accordingly the Personal Allowance shall be the sum of Income Support Personal Allowance (age related) plus Single Person's Disability Premium.

This amount will vary from year to year as DSS benefit rates change.

Varying the amount of personal expenses allowance

The personal allowance may be increased in special circumstances which must be agreed by the Service User's Care Manager.

Section 6. Capital

The CRAG rules will apply with the following exceptions:-

Capital limits

The upper limit of £16,000 will not be applied as long as the Council provides services. All assessment rules which are qualified by this limit will be applied to the total assessed available capital.

For example where a resident has capital a tariff income would be calculated on the total amount above the lower limit of £10,000. Thus a resident with capital of £40,000 would be assessed for weekly tariff income of £120 per week.

(£40,000 less £10,000 = £30,000. Tariff income is £1 per £250. Tariff on £30,000 is 30,000/250 = £120 per week)

This rule will be amended in future should the DSS minimum of £10,000 be changed.

Capital Disregarded Indefinitely

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any payment made or derived from;

- *the Independent Living Fund*
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This rule will be amended in future to allow for any other similar schemes.

Section 8. Income Other Than Earnings

The CRAG rules will apply with the following exceptions:-

All income from Housing Benefit will be fully disregarded.

There shall be no disregard of

any payment made or derived from;

- *the Independent Living Fund*
- *the Independent Living (Extension) Fund*
- *the Independent Living (1993) Fund*

Other Charges

Where Service Users receive transport services from the Council, the Council will be regarded as a provider of services and charges will be calculated in accordance with the Council's Social Charges Policy, or the Council's Social Charges Policy.

①

Handwritten initials: JP, AS, RA, PW, LN, VB, ER.



Metropolitan Borough of Wirral

CHARGING MECHANISM - INDEPENDENT LIVING

BACKGROUND

In June 1994 the Authority agreed a strategy for Community Living for people with a learning disability. The strategy was developed to support the change of emphasis of service provision based on community integration and ordinary life. These principles endorsed in the Wirral Community Care Plan acknowledged that people with a learning disability should be enabled to live in ordinary domestic houses as much as possible.

Esher House is one of Wirral Social Services Department's large residential hostels for people with learning disabilities. It has been recognised for some time that this type of provision does not provide the degree of independence necessary to promote the fullest development of residents despite an emphasis on rehabilitation and the support of good quality staff. In addition the home is in need of costly repairs, refurbishment, decoration and does not meet registration standards.

PRESENT POSITION

The Social Services Department has been working closely with Wirral Methodist Housing Association and Liverpool Housing Trust towards the re-provision of accommodation. It is expected that the residents of Esher House will be moving into 3 houses in Moreton sometime in August 1997. Two of these will be owned by Wirral Methodist Housing Association; the other by Liverpool Housing Trust.

Both housing associations involved in this project have been liaising with the Housing Benefit Section to establish a level of housing benefit to be claimed for each person resident. In general housing benefit can be claimed to cover the following costs:

- Capital outlay
- Maintenance
- Management
- Heating/Lighting - common areas
- Cleaning - common areas
- Insurance
- Provision of furniture and renewal

Although it is considered that this move will benefit the residents and enhance their abilities to live more independent lives, they will for the foreseeable future require the same level of staff support which will be provided by the Social Services Department.

Handwritten date: 27/1/97

SPECIAL CHARGING POLICY FOR ADULTS WHO REQUIRE INTENSIVE 24 HOUR SUPPORT

This charging mechanism applies to clients for whom the department has secured an intensive holistic package based on an assessment of social care needs throughout each 24 hour period. This package may be provided by local authority or independent sector staff.

For the charging mechanism to be applied,

1. The user must be living in their own accommodation (for which they hold a tenancy/licence agreement) which has been suitably adapted and/or furnished to meet their daily living needs.
2. The user must be responsible for fuel charges only for his/her own accommodation and insurance of personal property and not for communal areas. Similarly he or she should not be liable for repairs, redecoration of rooms, or replacement of furniture and equipment used communally.
3. The user must be in receipt of an intensive support package that is available to meet his or her needs over each 24 hour period (which may be a "waking" night service to the individual or "on-call" cover on or off site).

The charging mechanism will not be applied to:

1. For users whose high care needs are met partially but on a regular basis through informal arrangements with unpaid carers.

NB This exemption would not apply to people living in their own accommodation who choose to spend holidays/weekends with friends or relatives but for whom service package remains available in their absence.

The charging mechanism is applied to the whole person's income except:

- DLA mobility component and
- an amount equivalent to the Income Support Personal Allowance for a person aged 25 or over plus the Income Support Single Person's Disability Premium*

*That net Rent/Council Tax/Water Rates/Council Rent/DLA/Attendance Allowance.

FINANCIAL IMPLICATIONS

Although the Authority will be making a saving, these savings will be in the areas of accommodation and services. Staff costs are likely to increase as the staff group will be split between three units.

This Authority currently receives residential care allowance for the 18 residents currently accommodated at Esher House of £61.15 per resident per week. From this the resident receives a total of £13.75 personal allowance, leaving an income of £47.40. The annual income to the Authority is currently £44,366.

As the new project, accommodating 16 residents, will be considered supported group living which attracts housing benefit, the authority will no longer receive this income. In order to address the shortfall it is necessary to consider a charging mechanism which could be implemented not only for this project but others which are currently in operation and any future projects. Such a charging mechanism would:-

1. Enable us to provide a needs-led 24 hour service.
2. Ensure that individuals have more disposable income than in residential care with room for discretion where risk of hardship.
3. We would rarely need to waive charges. Opposite problem individuals might accumulate savings which disqualifies them from other benefits.
4. Some individuals might be left with large amount of benefits; through experience of other services this can often act as a disincentive towards future independent living and creates a 'dependency culture'.
5. Equity - if they don't get it they don't pay it. No minimum charge unlike the general policy.
6. A charging mechanism brings money in - so more available for others waiting.

Should such a charging mechanism be implemented and applied to the residents of Esher House it should raise an income of £61,427 p.a. whilst leaving individual residents a minimum of £68.30 per week.

From this the individual is expected to meet the following expenses:

- (a) Food
- (b) Clothing
- (c) "Pocket money" - social/leisure expenses
- (d) Fuel charges for own bedroom
- (e) Insurance for personal property

The Care Package they receive should ensure that they are provided with the following to a high standard (in addition to 24 hour support).

- Suitably equipped and adapted accommodation
- Furniture and fittings - for communal and personal use
- Fuel for cooking, bathing and heating/lighting communal areas
- Gardening
- Window cleaning
- Laundry expenses
- Internal decoration

[REDACTED]

From: [REDACTED]
Sent: 31 October 2000 09:42
To: [REDACTED]
Cc: [REDACTED]
Subject: Charging Policy

Have now looked at copy.

Re Supported Living, I see no reason for it to be excluded. The prime concern around SLS was that potentially residents could inherit large capital resources from relatives and that this should be taken into account. The policy allows for this (recommendation 12.6) so that is OK.

The principle problem is that committee agreed to calculating the value of a service via a table of assumed subsidised costs. It would therefore be necessary to determine the cost of an SLS package from this table and an identification of the number of hours (and types of service) received. I am not sure how this could be done, especially where someone is expected to receive a tapering level of support during the course of a rehabilitation package which is designed to promote a move to more independence. (Mind you it would give service users a financial incentive to become more independent).

The other issue is that it includes transport as a service. We have argued that, within a SLS scheme, if transport is provided, then this should be paid by service users out of mobility allowance. I'm not sure where we go now.

[REDACTED] tells me that SLS was excluded because "we already had a policy" i.e. the one we devised for Curlew Way etc.

Perhaps, because of para 4.24, what is needed is a new committee report reconfirming the existing agreed policy.....????

[REDACTED]

Tracking:

Recipient
[REDACTED]



Metropolitan
Borough of Wirra

Social Services Department

*Comments
on the
proposal
covered*

(K)

Charging Policy Review – Implications for Supported Living Schemes
Briefing Note

There is currently a special charging policy which applies to people who access Supported Living Services also known as Independent Living Schemes, Community Living or Group Homes. It may also apply to people who had been placed with foster carers but who are now aged over 18.

Service users subject to the above policy were not included in charging policy review which was presented to a special Social Services Committee 26 July 2000. Para 4.24 of this report stated that "a further report will be submitted to Adult Community Care Panel and Social Service Committee outlining charging management for this client group".

However, the proposals outlined in the revised charging policy should be considered applicable. In summary, the proposals are that:-

- ❖ When disposable income is below £7.40 over basic income support level there is no charge
- ❖ When disposable income in excess of £7.40 over basic income support a charge of 27% is applied or the price for the care package which ever is the lower (most usually in supported living it will be the former)
- ❖ A charge against severe disability premium of 27% be applied
- ❖ When AA or DLA care component is received a charge of 14% of that benefit is applied

The income implications of applying revised charging policy to support living services is as follows:

	Special Charging Policy	Charging Policy Review	Income Deficit
D.L.A. Care (higher)	53.55	7.50	46.05
(middle)	35.80	5.00	30.80
(lower)	14.20	-	14.20
S.D.P.	40.20	10.85	29.35

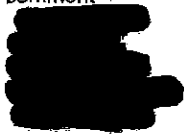
Accordingly, each service user accessing supported living services will be better off 86% in respect of DLA (Care) and 73% of SDP. Income deficit should be recovered through transitional housing benefit scheme of Supporting People Framework. Therefore it is fundamental to implementing charging policy review that housing benefit claims are maximised. Moreover this policy should be applied to private/independent placements where the Department has secured an intensive

holistic package based on an assessment of social care needs throughout each 24 hour period" (Special charging policy). This presently does not happen.

The principles outlined in charging policy review comply more fully with CIPFA guidance on developing charging policies in respect equity, consistency and simplicity. It is therefore recommended that the special charging policy be withdrawn. Further recommendations include:

- ❖ Monitoring of transitional housing benefit claims
- ❖ Effective systems for recovery of transitional housing benefit relating to support from care providers
- ❖ Further consultation with independent/private care providers in respect of applying revised charging policy

For comment –
cc



DRAFT

Mm/eb/chargpolmri

28.11.00 Yes. I have just found our letter
after claims for LFP are made LFP
to take account of 50% of the DLA.
This needs to be checked over
Jay.

Annex F

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Documents Relating to
27 Balls Road**

27 BALLS ROAD

Schedule of Key Findings and Recommendations

1. Accountability

A minor finding was identified; a note of which was left with the Acting Manager at the conclusion of the Audit.

2. Budgets

This area was not tested.

3. Internal Control

A minor finding was identified, a note of which was left with the Acting Manager at the conclusion of the Audit.

4. Computers

This area was not tested.

5. Insurance

This area was not tested.

6. Purchasing

This area was not tested.

7. Personnel/Payroll

This area was not tested.

8. Security of Assets

This area was not tested.

27 BALLS ROAD

9. Income

Findings

- 9.1 The following relate to the charges being made to tenants at the Unit :
- i). Committee has not approved the charges being made to tenants, i.e weekly rent and weekly accommodation charge. This was included in my previous Report dated 16th August 1999.
 - ii) Tenants have not paid the weekly accommodation charge of £35.00 per week since week ending 5th May 2002. The amount outstanding is approximately £3,185.00.
 - iii) There appears to be an inconsistency between the charges made at this Unit and those charged at Fellowship House, which was also the subject of a recent routine internal audit visit (see my Report reference AAD/569/H.04 dated 5th August 2002).
- 9.2 The following relate to the operation of the Unit's payphone :
- i) An amount of £53.50 was collected from the payphone and banked on 25th March 2002. This collection was not undertaken on a witness basis and the details were not entered on the separate record of payphone income.
 - ii) A reconciliation of income to expenditure relating to the payphone for the period September 2001 to March 2002 was undertaken. Expenditure for the period is approximately twice the level of income. The majority of the expenditure relates to line rental. The cost of calls is minimal.
- 9.3 A periodic independent check of income to bankings is not undertaken.

Recommendations

- R.1 The following relate to the charges being made to tenants at the Unit :
- i) The Charge Policy should be reviewed and approved in accordance with the Authority's Constitution. The charges at other similar establishments should be included in the review to ensure consistency.
 - ii) The weekly accommodation charge of £35.00 per week should be collected from tenants each week. Consideration should be given to calculating and collecting the outstanding amounts from each tenant.

27 BALLS ROAD

R.2 The following relate to the operation of the Unit's payphone :

- i) All cash collections of income from the payphone should be undertaken on a witness basis and the details entered on the separate record of payphone income. Both officers involved in the collection should sign the record.
- ii) The requirement for a payphone at the Unit should be considered. If it is decided that the provision of a payphone facility is still necessary consideration should be given to obtaining a portable coin operated system which may be used in conjunction with the office phone line.

R.3 A periodic independent check of income to bankings should be undertaken. The appropriate records being endorsed with a signature and date should evidence such a check.

10. Bank Accounts

Area not applicable.

11. Imprest

This area was not tested.

12. Voluntary Funds

Finding

12.1 The following relate to the Amenity Fund operated at the Unit :

- i) It has not been independently audited since 1999.
- ii) A management committee has not been established to oversee the operation of the Fund.
- iii) The bank mandate for the Fund is out of date.

Recommendation

R.4 The following relate to the Amenity Fund operated at the Unit :

- i) It should be independently audited on an annual basis. Copies of the statement of account and auditor's certificate should be presented to the Management Committee and forwarded to Departmental Headquarters.
- ii) A Management Committee should be established to oversee the operation of the Fund.
- iii) The bank mandate for the Fund should be updated and a copy retained at the Unit.

27 Balls Road (L D)

Section 2

Key Systems Control Evaluation Summary

This evaluation of your systems has been based on your response to the Internal Control Questionnaire, together with tests carried out during the audit.

Area Under Review	Assessment		
	A	B	C
Accountability	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Budgets	Area not Tested		
Internal Control	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Computer	Area Not Tested		
Insurance	Area Not Tested		
Purchasing	Area Not Tested		
Personnel	Area Not Tested		
Security of Assets	Area Not Tested		
Income	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Operation of Bank Accounts	Not Applicable		
Imprest	Area Not Tested		
Voluntary Funds	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Key to the Assessment : A - Meets or Exceed Current Standards
 B - Requires Some Attention
 C - Major Weakness Identified

06/08/02 563/4

ACTION PLAN

Report Heading: Routine Audit of 27 Balls Road – 6th August 2002

File Ref 563 H.04

Ref	Recommendations	Priority	Officer Responsible	Agreed	Planned Action Date	Client Comments	Date Verified (For Audit use only)
R.1	The following relate to the charges being made to tenants at the Unit : i) The Charge Policy should be reviewed and approved in accordance with the Authority's Constitution. The charges at other similar establishments should be included in the review to ensure consistency. ii) The weekly accommodation charge of £35.00 per week should be collected from tenants each week. Consideration should be given to calculating and collecting the outstanding amounts from each tenant.	High					
R.2	The following relate to the operation of the Unit's payphone : i) All cash collections of income from the payphone should be undertaken on a witness basis and the details entered on the separate record of payphone income. Both officers involved in the collection should sign the record. ii) The requirement for a payphone at the Unit should be considered. If it is decided that the provision of a payphone facility is still necessary consideration should be given to obtaining a portable coin operated system which may be used in conjunction with the office phone line.	Medium					

ACTION PLAN

Report Heading: Routine Audit of 27 Balls Road – 6th August 2002

File Ref 563 H.04

Ref	Recommendations	Priority	Officer Responsible	Agreed	Planned Action Date	Client Comments	Date Verified (For Audit use only)
R.3	A periodic independent check of income to bankings should be undertaken. The appropriate records being endorsed with a signature and date should evidence such a check.	High					
R.4	The following relate to the Amenity Fund operated at the Unit : i) It should be independently audited on an annual basis. Copies of the statement of account and auditor's certificate should be presented to the Management Committee and forwarded to Departmental Headquarters. ii) A Management Committee should be established to oversee the operation of the Fund. iii) The bank mandate for the Fund should be updated and a copy retained at the Unit.	Medium					

Client Responsible: Signature: Date:

Please complete, sign and return this Action Plan to [Redacted], Principal Auditor - Client Systems (Establishments).

Internal Audit,
Department of Finance, PO Box No2,
Treasury Buildings, Birkenhead, CH41 6BU


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Action Plan Page 1 of 2

ACTION PLAN

Report Heading: Routine Audit of 27 Balls Road – 6th August 2002

File Ref 563 H.04

Ref	Recommendations	Priority	Officer Responsible	Agreed	Planned Action Date	Client Comments	Date Verified (For Audit use only)
R.1	The following relate to the charges being made to tenants at the Unit : i) The Charge Policy should be reviewed and approved in accordance with the Authority's Constitution. The charges at other similar establishments should be included in the review to ensure consistency. ii) The weekly accommodation charge of £35.00 per week should be collected from tenants each week. Consideration should be given to calculating and collecting the outstanding amounts from each tenant.	High	[Redacted] <i>(Temporary)</i>			 <p>A review of charges will be undertaken in consultation with tenants in September.</p> <p>Charge re-visited from 1/1/02. awaiting advice for tenants prior to presentation.</p>	<p>17/9/02 Lester Roughley 17/9/02</p>
R.2	The following relate to the operation of the Unit's payphone : i) All cash collections of income from the payphone should be undertaken on a witness basis and the details entered on the separate record of payphone income. Both officers involved in the collection should sign the record. ii) The requirement for a payphone at the Unit should be considered. If it is decided that the provision of a payphone facility is still necessary consideration should be given to obtaining a portable coin operated system which may be used in conjunction with the office phone line.	Medium	[Redacted] <i>(Temporary)</i>		immediate	<p>Has in place</p> <p>Considered essential to Unit due to late arrivals & staff absences.</p>	

ACTION PLAN

Report Heading: Routine Audit of 27 Balls Road – 6th August 2002

File Ref 563 H.04

Ref	Recommendations	Priority	Officer Responsible	Agreed	Planned Action Date	Client Comments	Date Verified (For Audit use only)
R.3	A periodic independent check of income to bankings should be undertaken. The appropriate records being endorsed with a signature and date should evidence such a check.	High	[Redacted]		immediate		
R.4	The following relate to the Amenity Fund operated at the Unit : i) It should be independently audited on an annual basis. Copies of the statement of account and auditor's certificate should be presented to the Management Committee and forwarded to Departmental Headquarters. ii) A Management Committee should be established to oversee the operation of the Fund. iii) The bank mandate for the Fund should be updated and a copy retained at the Unit.	Medium				<p>Consideration is being given to closure of a/c. to be under discussion with tenants.</p>	

Client Responsible: [Redacted] Signature: [Redacted] Date: 22-8-02

Please complete, sign and return this Action Plan to Lester Roughley, Principal Auditor - Client Systems (Establishments).

Internal Audit,
Department of Finance, PO Box No2,
Treasury Buildings, Birkenhead. CH41 6BU

Annex G

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Standards for England
Decision Notices**



Standards
for England

Decision Notice

Reference SfE-000290

Subject member	Councillor [REDACTED]
Member's authority	Wirral Metropolitan Borough Council
Complainant	[REDACTED]
Standards committee authority	Wirral Metropolitan Borough Council

Allegation

On 10 June 2011 Wirral Metropolitan Borough Council's Standards Committee's Initial Assessment Panel decided to refer the above allegation to Standards for England. It was received by Standards for England on 14 June 2011.

The complaint concerns Councillor [REDACTED]'s alleged behaviour with regard to the continuation of special charging policy operated by the Council. The allegation is summarised in the authority's decision notice.

Decision

When Standards for England receives an allegation from a standards committee, it must make one of three decisions:

- refer the case to one of its ethical standards officers;
- refer the allegation back to the standards committee of the relevant authority; or
- take no further action.

Having carefully considered the information provided to it, Standards for England has decided, in accordance with section 58(1)(b) of the Local Government Act 2000, as amended, to take no further action.

Reasons for decision

In making this decision I note that similar allegations were considered for referral and a decision was made to take no further action. Since that decision Wirral Council have provided the full document set and asked us to consider the allegations afresh. This has been agreed to and I have given careful consideration to the allegations made by the complainant and the Standards (Local Assessment) Sub-Committee's reasons for referring the case to Standards for England.

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The complainant has raised serious concerns about the potentially inappropriate and unfair treatment of vulnerable people; concerns that the Council appears to now be treating very seriously. However in considering the various allegations against Councillor [REDACTED] in terms of them being a potential breach of the Code of Conduct I have the following observations:

1. During 2005 Councillor [REDACTED] was a member of the Charging Policy Review Group. It was alleged that as such she brought the Council into disrepute by supporting the continuation of an unfair and unlawful charging policy. The allegation appears to relate to a decision that was made several years ago. While I note that additional information has been provided to support this allegation, it still holds true that Standards for England do not investigate political decisions even if they are unfair. I am still not satisfied that the evidence provided with the complaint establishes that the decision was unlawful. Further Councillor [REDACTED] could not be held personally responsible for any charging policy which would have had to have been agreed by full Council as the review group was advisory.
2. In July 2007 Councillor [REDACTED] chaired the appeals sub-committee meeting that was considering the complainant's grievance appeal. It was alleged that Councillor [REDACTED] should have declared a prejudicial interest in the matter because [REDACTED] had been a member of the Charging Policy Working Group during 2005. It was further alleged that Councillor [REDACTED] was clearly biased during the meeting and used [REDACTED] position to allow [REDACTED], the director of Social Services, to threaten him with an action for defamation during the meeting. When considering whether this allegation warrants further investigation I consider it relevant that the alleged conduct was four years ago, making any investigation potentially unfair. Having said that, in my view the interest alleged by [REDACTED] would not necessarily be prejudicial in nature even if proven anyway; Councillor [REDACTED] involvement in the charging policy working group would not preclude [REDACTED] from considering the grievance if the only link was that the complainant believed [REDACTED] had been mistreated because [REDACTED] was a whistle blower. Further while it may be that Councillor [REDACTED]'s failure to properly deal with [REDACTED]'s conduct might lead to her chairing of the hearing to be criticised, I do not see how such an allegation could be considered as a breach of the Code. Had [REDACTED] considered his hearing procedurally unfair [REDACTED] would have been able to take the matter to tribunal. Finally Councillor [REDACTED] decision to meet only [REDACTED] and not [REDACTED] subsequent to the hearing would not be a Code issue.
3. It is alleged that Councillor [REDACTED] discriminated against persons with learning disabilities by subjecting them to a special charging policy that treated them less favourably. However no evidence has been provided in

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the complaint to demonstrate that Councillor [REDACTED] was personally responsible for discriminating against anyone; indeed as stated earlier any charging policy would have had to have been agreed by full Council as the review group was advisory.

Further to the above I am mindful that substantial public funds have already and continued to be expended in investigating the factual context of the complainant's concerns. It is my view that in all the circumstances, including the lack of supporting evidence included with the complaint and the time that has elapsed since many of the alleged incidents occurred, the allegations made do not currently justify even further expenditure of public funds. I would comment that it may be for the Council's Monitoring Officer and Standards Committee to examine the findings of the investigation into the charging policy when it concludes and then consider the role of individual members.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice, require large print, or a Braille or taped transcript, or translated version of the information in this letter, we are able to assist you.

[REDACTED]
Regulation Programme Manager

Date



Standards
for England

Decision Notice

Reference SfE-000291

Subject member	Councillor [REDACTED]
Member's authority	Wirral Metropolitan Borough Council
Complainant	[REDACTED]
Standards committee authority	Wirral Metropolitan Borough Council

Allegation

On 10 June 2011 Wirral Metropolitan Borough Council's Standards Committee's Initial Assessment Panel decided to refer the above allegation to Standards for England. It was received by Standards for England on 14 June 2011.

The complaint concerns Councillor [REDACTED]'s alleged behaviour with regard to the continuation of special charging policy operated by the Council. The allegation is summarised in the authority's decision notice.

Decision

When Standards for England receives an allegation from a standards committee, it must make one of three decisions:

- refer the case to one of its ethical standards officers;
- refer the allegation back to the standards committee of the relevant authority; or
- take no further action.

Having carefully considered the information provided to it, Standards for England has decided, in accordance with section 58(1)(b) of the Local Government Act 2000, as amended, to take no further action.

Reasons for decision

In making this decision I note that similar allegations were considered for referral and a decision was made to take no further action. Since that decision Wirral Council have provided the full document set and asked us to consider the allegations afresh. This has been agreed to and I have given careful consideration to the allegations made by the complainant and the Standards (Local Assessment) Sub-Committee's reasons for referring the case to Standards for England.

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The complainant has raised serious concerns about the potentially inappropriate and unfair treatment of vulnerable people; concerns that the Council appears to now be treating very seriously. However in considering the various allegations against Councillor [REDACTED] in terms of them being a potential breach of the Code of Conduct I have the following observations:

1. It is alleged that Councillor [REDACTED] discriminated against persons with learning disabilities by subjecting them to a special charging policy that treated them less favourably. While I note that additional information has been provided to support this allegation, it still holds true that Standards for England do not investigate political decisions even if they are unfair. I am still not satisfied that the evidence provided with the complaint establishes that the decision was unlawful. Further Councillor [REDACTED] could not be held personally responsible for any charging policy which would have had to have been agreed by full Council as the review group was advisory.
2. It is alleged that Councillor [REDACTED] used [REDACTED] position to secure [REDACTED] and other senior officers an advantage by protecting them from adverse criticism from the implementation of the special charging policy. The complainant suggests that by doing this the member was complicit in a cover up, yet no cogent evidence has been provided to support this position. In addition the alleged conduct was at least four years ago, making any investigation potentially unfair.
3. It is alleged that Councillor [REDACTED] brought her office into disrepute by declaring a prejudicial interest in all discussions related to the charging policy because [REDACTED] was friends with [REDACTED]. It is also alleged that Councillor [REDACTED] was wrong to exclude [REDACTED] from decision making in such an important issue for vulnerable people. In the additional documentation provided [REDACTED] has suggested that that such an interest should have precluded Councillor [REDACTED] from taking on the role of Cabinet member for Social Care and Inclusion. However the evidence provided suggests that [REDACTED] left the Council on 21 October 2007 and that all the declarations listed by the complainant occurred after this date. It appears that the only issue Councillor [REDACTED] declared an interest in due to the friendship related to the Special Charging Policy; this is just one of the many issues Councillor [REDACTED] would have responsibility for. Further Standards for England would not investigate a member for declaring a prejudicial interest and [REDACTED]'s view, that [REDACTED] should have placed [REDACTED] interest before [REDACTED] responsibility to uphold the rights of the most vulnerable people in society, does not stand up. Had Councillor [REDACTED] involved [REDACTED] in the matter [REDACTED] would have potentially breached the Code and left any decisions made open to challenge.

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Further to the above I am mindful that substantial public funds have already and continued to be expended in investigating the factual context of the complainant's concerns. It is my view that in all the circumstances, including the lack of supporting evidence included with the complaint and the time that has elapsed since many of the alleged incidents occurred, the allegations made do not currently justify even further expenditure of public funds. I would comment that it may be for the Council's Monitoring Officer and Standards Committee to examine the findings of the investigation into the charging policy when it concludes and then consider the role of individual members.

Additional Help

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Regulation Programme Manager

Date



Standards
for England

Decision Notice

Reference SfE-000292

Subject member	Councillor [REDACTED]
Member's authority	Wirral Metropolitan Borough Council
Complainant	[REDACTED]
Standards committee authority	Wirral Metropolitan Borough Council

Allegation

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The complainant has raised serious concerns about the potentially inappropriate and unfair treatment of vulnerable people; concerns that the Council appears to now be treating very seriously. However in considering the various allegations against Councillor [REDACTED] in terms of them being a potential breach of the Code of Conduct I have the following observations:

1. It is alleged that Councillor [REDACTED] discriminated against persons with learning disabilities by subjecting them to a special charging policy that treated them less favourably. While I note that additional information has been provided to support this allegation, it still holds true that Standards for England do not investigate political decisions even if they are unfair. I am still not satisfied that the evidence provided with the complaint establishes that the decision was unlawful. Further Councillor [REDACTED] could not be held personally responsible for any charging policy which would have had to have been agreed by full Council as the review group was advisory.
2. It is alleged that Councillor [REDACTED] used her position to secure [REDACTED] and other senior officers an advantage by protecting them from adverse criticism from the implementation of the special charging policy. The complainant suggests that by doing this the member was complicit in a cover up, yet no cogent evidence has been provided to support this position. In addition the alleged conduct was at least four years ago, making any investigation potentially unfair.
3. It is alleged that Councillor [REDACTED] failed to declare her friendship with [REDACTED] at a meeting of the Council on 2 November 2009 during a discussion on the special charging policy. At the debate Councillor [REDACTED] is alleged to have spoken against an independent investigation into the matter. However the complainant has provided no evidence to support the allegation that Councillor [REDACTED] and [REDACTED] are friends; to refer the matter for investigation I would expect at least a description of why the complainant considers them friends. I note in the additional documentation provided that [REDACTED] has demonstrated that Councillor [REDACTED] declared a prejudicial interest in the matter at a meeting on 19 January 2010 citing her friendship with an interested party (alleged to be [REDACTED]). Given that this declaration came two months after the November meeting and the fact that it is not clear that the friendship is with [REDACTED] in my view there is still not enough information to warrant an investigation.

Further to the above I am mindful that substantial public funds have already and continued to be expended in investigating the factual context of the complainant's concerns. It is my view that in all the circumstances, including the lack of supporting evidence included with the complaint and the time that has elapsed since many of the alleged incidents occurred, the allegations made do not currently justify even further expenditure of public funds. I would

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comment that it may be for the Council's Monitoring Officer and Standards Committee to examine the findings of the investigation into the charging policy when it concludes and then consider the role of individual members.

Additional Help

If you need additional support in relation to this or future contact with us, please let us know as soon as possible. If you have difficulty reading this notice, require large print, or a Braille or taped transcript, or translated version of the information in this letter, we are able to assist you.


Regulation Programme Manager

Date

Annex H

to the

Independent Review of

Wirral Metropolitan Borough Council's

Response to Claims Made by

Mr Martin Morton (and Others)

consisting of

Documents in Relation to

Reimbursement Claims

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From: [REDACTED]@Weightmans.com]
Sent: 25 February 2010 13:09
To: [REDACTED]
Cc: [REDACTED]
Subject: Reimbursement Claims
Dear [REDACTED]

Many thanks for your time yesterday. I found the meeting with [REDACTED] and yourself very helpful and hopefully you did too.

In the pre-meeting with [REDACTED] I mentioned that I knew a little about the background to the matter, but this had mainly been as a result of local media coverage. Prior to the meeting you kindly provided me with letters that have been sent to the 12 individuals that the Council has identified as having made overpayments and for each of them a "Reimbursement Form".

We touched on the background of how the overpayments came about and you later provided me with a copy of the report that went to the Cabinet on 14 January 2010. I am not being asked to advise on any aspect of the history of this case or how the overpayment figures were reached. However, I am asked to provide ongoing 'support' and advice as matters progress. [REDACTED] was anxious that matters are resolved as speedily as possible and that we alive to the ongoing 'political' aspects of the cases.

You provided me with a copy of an email that was sent in relation to the meeting and we discussed the issue of advocacy services. The intention is to ensure that each service user ("su") was provided with an advocate. However, it has become clear that a number of families have objected to this. When we discussed the issue I advised that an advocate should be introduced in all cases. We can't be seen to be pre-judging individual cases and whether there are any concerns or issues with family. In effect we should first see what each individual has to say for themselves. The advocate needs to speak to the individual service-user and take into account their wishes and feelings in light of their capacity to understand the position. The intention is for the advocate to do more than simply express the su's wishes and feelings, but they will also discuss the position with care providers and importantly family members. The advocate will then report back to the Council.

You said that you had met with the advocacy service and they are beginning their task. In the circumstances I suggested that you send a 'letter of instruction' to the advocacy service setting out exactly what their instructions are. Please feel free to forward the draft letter to me before it is sent.

We discussed providing a 'pen picture' of each individual su to the advocacy service, but we decided against this and felt it would be more appropriate to let the advocacy service do what they felt was needed. However, we agreed that in those cases where concerns had been raised in the past as to possible financial abuse this would be shared with the advocate beforehand. You are to make arrangements with care managers to pass any such concerns to you.

It will be up to the advocacy service to decide upon what steps they consider necessary to undertake their task. However, it is likely that for a number of the su's there won't be a big role after the initial 'sift' and either the su will deal with matters (with continued support from family or the advocacy service as necessary) or discussions etc can take place directly with family members.

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Once the advocacy service begins reporting back we can consider what further steps should be taken.

I suggested that where families aren't co-operating with the appointment of an advocate we simply tell that they will be appointed and if they wish to make representations this should be done within a given time frame and we be considered before an appointment takes place. Where family members object to MIND (as one family has) then the Council will do what it can to accommodate an advocate of their choice.

A number of family members have said that they are 'appointees' for the su's. However, as discussed this simply relates to the welfare benefits of individuals. In relation to Cavendish there are also some issues regarding an EPA/LPA and this needs to be considered by the advocate.

We briefly touched on what the next steps may be for those lacking capacity. We discussed the possible need for applications to the CoP and how these would be made and funded. I suggested that [REDACTED] of the Financial Protection Team be included in future discussions. [REDACTED] team obviously have a great deal of expertise in this area and hopefully [REDACTED] involvement will help to keep our costs lower than they would be otherwise.

I am content that the approach adopted so far by the Council is the right one.

Please let me know when you wish to discuss matters further and if there any particular aspects you wish me to clarify now.

Finally, I advised that in the case of the four deceased su's steps should be taken to ascertain information regarding wills and family members. As mentioned the money owing forms part of the individual's estate and should be distributed in accordance with their will or rules of intestacy.

Many thanks

[REDACTED]

[REDACTED]

Associate Solicitor
Local Government Group
Weightmans LLP

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TO:

Re: Claim for reimbursement – [REDACTED]

I write to advise that with immediate effect I can no longer act in the capacity of Advocate for [REDACTED]. After confidential discussion with management and colleagues it has been agreed that continued use of my time in this capacity would be inappropriate. In addition imminent organisational restructuring within Mencap will also impact on the availability of Mencap personnel to be long term Advocates.

Current situation:

1. The financial reimbursement for individuals, including [REDACTED], is being processed and monitored through the Court of Protection.
2. [REDACTED] Solicitor and Director from [REDACTED] firm is acting in a legal capacity for [REDACTED].
3. [REDACTED] (sister of [REDACTED] and [REDACTED] have agreed to become financial "joint and several deputy" for [REDACTED].

Considering all the above I believe that necessary measures are in place to ensure that in respect of the reimbursement the financial interests of [REDACTED] will be safeguarded. If other parties do not consider this to be the case and believe that a Citizen Advocate is still required the I would suggest it would be appropriate to utilise the local contracted Advocacy service.

Contact with [REDACTED]

I have had contact with [REDACTED] since April 2010 and have visited [REDACTED] at [REDACTED] home and at the Day Service setting. I felt that [REDACTED] very quickly recognised me as a familiar face and was always amiable in [REDACTED] responses to me.

Over the several months I have been in contact I have met with many, if not most, of the staff that support [REDACTED] in [REDACTED] home and day service. Some of these staff have known [REDACTED] nearly all [REDACTED] adult life. During all my visits to [REDACTED] either at [REDACTED] home or day service all the staff have been extremely courteous, friendly and helpful. All staff have demonstrated a sensitive and perceptive knowledge of [REDACTED] as a person and clearly respect and understand [REDACTED] best interests and future needs. Consequently I believe that when the time comes these staff should be jointly, openly involved with family members to discuss and agree how the reimbursement should be utilised for the benefit of [REDACTED].

Yours sincerely

[REDACTED]
Community development officer
Merseyside and Cheshire
8th December 2010

TD [redacted] for filing
Monday 24th January 2011

‘The Beeches’
1, Barnston Towers Close
Heswall
Wirral
Merseyside
CH60 2UJ
Tel: 0151 342 8921

Attention: [redacted]
Head of Branch - Access & Assessment
Department of Adult Social Services
Wirral Metropolitan Borough Council
Westminster House
Hamilton Square
Birkenhead
CH41 5FN

Dear [redacted],

Re: Claim for reimbursement in respect of [redacted]
Appointment of an alternative advocate

In reply to your letter dated 4th January 2011 recommending I appoint an advocate for my [redacted] following [redacted]'s departure. At the present time I cannot see the need to engage another advocate and in any event I would like to speak for my [redacted] myself. As his [redacted] I understand and respect [redacted]'s best interests and future needs more than most.

Should it be necessary I can always avail myself of professional and legal advice. Meanwhile I look forward to your future cooperation with regards to [redacted]'s care and welfare.

Yours sincerely,

[redacted]

[redacted]

Annex I

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

**Emails Relating to
Supported Living Contracts**

From: [REDACTED]
Sent: 22 Nov 2002 14:11
To: [REDACTED]
Subject: Contracts

Following meeting with [REDACTED]

List of Contracts of concern

[REDACTED]	Hope Street	£148,643
[REDACTED]	Church Road	£137,646
[REDACTED]	Golden Lane Project	£364,423 est*
[REDACTED]	Wallasey reprovision	no formal quote seen yet!! **
[REDACTED]	Webster House/Lingdale Rd/Westbank Rd	£82,845
[REDACTED]	St James Rd./Shrewsbury Rd.	£274,536
[REDACTED]	Ackers Lane, Stockton Heath	£58,683
[REDACTED]	Support Services	£179,057

*may vary dependent upon final resident group, [REDACTED] may know more up to date figures. This was their basic tender price last year.

** [REDACTED] may know something

Oh, look over £1m

Tracking: [REDACTED] Recipient [REDACTED]

9

[Redacted]

From: [Redacted]
Sent: 01 August 2000 10:03
To: [Redacted]
Cc: [Redacted]
Subject: [Redacted] Supporting People

Finance Department have raised some queries regarding [Redacted]s financial position and I have, today, written to [Redacted] requesting some additional information. I suggest that it would be unwise to fully confirm their appointment as successful tenderer until I have received that information and it has been viewed by Finance Department.

[Redacted]

Tracking:

Recipient

[Redacted]

[REDACTED]
From: [REDACTED]
Sent: 18 September 2000 11:24
To: [REDACTED]
Subject: RE: Supporting People Service

When somebody gives me a copy of the committee or panel minutes which approved the letting of the tenders. I will then send out. Have you seen anything?

[REDACTED]
----- Original Message -----
From: [REDACTED]
Sent: Monday, September 18, 2000 11:02 AM
To: [REDACTED]
Subject: Supporting People Service

Following our meeting with [REDACTED] I think we need another meeting to sort out the fixed and variable costs I'm afraid I'm at a complete loss on this sort of thing.

They also need a letter of confirmation of the contract. Please could you send me a copy of the letter you send. Plus the one that went to WAD.

[REDACTED]
Tracking: Recipient [REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 20 November 2001 11:28
To: [REDACTED]
Subject: NWCS

Attachments: Memo PJ 20 Nov 01.doc; Requested Changes to Funding.doc; Revised costings.xls

Please see attached documents

  
Memo PJ 20 Requested Revised
Nov 01.doc (29 K) Changes to Funding.xls (17 K)

I look forward to hearing from you

[REDACTED]

Tracking: Recipient
[REDACTED]

Requested Changes to Funding

Background

The advertisement for this services stated:-

"Wirral Borough Council is seeking tenders for a community service to support adults with learning disabilities and/or physical disabilities living in the community. The service aims to enhance community living through a combination of outreach support, home help, and general maintenance providing targeted support for service users and carers."

The tender data stated:-

"The number of Service Users to be supported is uncertain at this time and will be partly dependent upon the effective development of the service, the level of need of service users and the rate of referral to the service. For tendering purposes it should be assumed that there will be:

One service co-ordinator with appropriate administrative support

An average of 350 hours direct support (approx. 66% support work and 33% domestic work) per week

The equivalent of one person fully employed providing night sitting services

One person fully employed as gardener/handyman"

The original intention was that the service would be formed from a pool of support workers to whom referrals would be made on an ad-hoc basis. Support for individuals would change week by week order to due to service users needs.

The service as utilised has evolved into a conventional support service for a limited number of people with high support needs. Each service user group has a dedicated support team who provide support 24 hours/day, 7 days per week, including accompanying service users on annual holidays.

As a result the original cost assumptions for the service are not reflected in that which the Community Learning Disabilities Team has commissioned.

Representatives of [redacted] visited Contracts on 16/11/01 to present revised costings for the service and request a review of contractual arrangements. The proposed costings and original costings are attached. The overall effect is to increase the cost per hour of service delivered from £10.17 per hour to £12.38 per hour, an increase of £2.19 per hour. £1.43 of this cost is directly attributable to the cost of providing 21 "sleep-ins" per week compared to 7 (original tender documents). The balance being attributable to the provision of 354 hours care per week compared to the 322.5 hours per week in the original contract, with associated increased overhead costs.

2nd attachment to
on 27/11/01

Comment

The request to renegotiate the contractual arrangement with [REDACTED] appears to be reasonable, in principle. There is no doubt that the service being delivered is of a different nature to that originally envisaged.

[REDACTED] indicated that the current contractual arrangements are adequate with respect to the services being provided now, but when services are provided to service users N/S, they will be operating at a loss. This additional service is expected to become operational in 8 to 12 weeks time when the service users move into their new accommodation.

When compared to the costs associated with similar projects recently agreed, the revised costings are reasonable (costs are per resident per week), however I am not able to make a judgement regarding the relative needs of the individuals concerned.

Church Road	£1,195.00
Hope Street	£ 901.86
[REDACTED] -1-RC	£1,364.76
[REDACTED] -2-LC/MS	£ 736.99
[REDACTED] -3-N/S	£ 882.89

However it is also clear that the original contract is not written appropriately for the service being commissioned. It would be more appropriate for the contractual arrangement to be related specifically to each establishment where care is being provided as three block contracts, or as one block contract covering services to five individuals at three locations.

Given that the major part of the service provision is "support" which would qualify for Transitional Housing Benefit payments, it may be reasonable to structure the revised contract in line with the Supporting People Interim Guidance on contracting. However there will be a need to dis-aggregate any personal care being provided.

[REDACTED]
20/11/01

H

From: [REDACTED]
Sent: 30 January 2002 11:38
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED] - S Wirral Supported Living Project

Importance: High

I noticed in the Wirral Globe, recently, that [REDACTED] have advertised for staff for this project. It appears therefore that [REDACTED] are beginning to incur set-up costs and I suspect that they will be expecting us to reimburse them. I have a copy of [REDACTED]'s letter to [REDACTED] dated 10/01/02 confirming their appointment as managing agent following the presentations which potential providers made in November. I note from that letter that the project cost is based upon "costings presented during the selection process" and that "any amendments be submitted as soon as possible". I do not know whether the costs presented at that time are the same as those included in the original Expression of Interest or whether they are different. I do not know whether any new costs have been submitted or what other arrangements may have been made. The letter of 10/1/02 also requests details of expected set-up costs and implies that we will reimburse them.

- 1) I need to point out that the advert for this project was on the basis of expressions of interest and it was acknowledged that the final cost of the project could only be determined when the 9 residents and their needs had been identified.
- 2) The process following the "presentations" should have been to identify 3 potential suppliers who would then be able to tender on the basis of price alone - in accordance with Standing Orders - and with a full knowledge of the resident's needs.
- 3) Will you please provide notes from the presentation process which clearly identifies why it was appropriate to, at that stage, identify only one organisation as the preferred supplier. Without this information you could be accused of being in breach of Standing Orders.
- 4) Will you please provide details of the finally agreed costs of this project and any other associated financial arrangements which have been agreed either in writing, or verbally, with [REDACTED].
- 5) Will you also please provide names of residents and copies the care plans or identified assessed needs which should have been made available to [REDACTED] in order that they may determine the levels of support necessary and hence calculate their costs. Without this information it will not be possible to prepare a draft contract and payments to HFT will be significantly delayed.
- 6) Given the size of this contract, it will need to be formally sealed by Borough Solicitors who will require us to identify the relevant committee authority. Will you please, therefore, let me know the date of the related Cabinet Report, again, without this you could be accused of being in breach of Standing Orders.
- 7) Can you please let me know what the present expectations are regarding operational dates for each of the three properties, and the full postal address for each.
- 8) Can you please arrange for the return to me of the documents submitted by the various organisations who originally expressed an interest.

-III-

Given the difficulties that we have had in finalising payments and contract arrangements for [REDACTED], Church Road and Hope Street, I would like to get this one on a proper footing and sorted in a reasonable timescale. At this point in time, as far as I am aware, there is no proper authority to make any payments to [REDACTED] for this project.

Tracking:

Recipient

[Redacted]
From: [Redacted]
Sent: 25 April 2002 13:59
To: [Redacted]
Cc: [Redacted]@hft.org.uk
Subject: RE: Bromborough service

[Redacted] - I never received a reply to me eMail of 30/1/02 so I have not been able to progress anything although it was my intention that the contract arrangements would be similar to Church Rd etc. However,...

- 1) There having been no FB Forms, as far as I am aware there are no service users resident yet, can you confirm?
- 2) The original "expressions of interest" were based upon a theoretical perception of the residents and with the knowledge that costs may be different for actual nominated residents. I do not know what agreements may have been reached between yourselves and [Redacted] regarding costs or services to be delivered in reality. Can you let me know where this is up to? I can't draw up a draft contract without that.
- 3) I suggest one contract for each "unit". Is this a practical proposition based upon whatever discussions you may have had with HFT?

-----Original Message-----
From: [Redacted]
Sent: Thursday, April 25, 2002 1:48 PM
To: [Redacted]@hft.org.uk
Cc: [Redacted]
Subject: RE: Bromborough service

Thank you for this [Redacted] and my apologies for not getting back sooner have discussed the issue of start up costs e.c.t,with [Redacted] and have passed your invoice across to our finance section for payment. [Redacted] has not been around for me to liase with re contract but I will hopefully resolve this with [Redacted] soon.Can I request that we continue to stagger start up costs in relation to houses being operational so staffing overheads are as economical as possible.

-----Original Message-----
From: [Redacted] [mailto:[Redacted]@hft.org.uk]
Sent: 22 April 2002 10:53
To: [Redacted]@wirral.gov.uk
Subject: Bromborough service

Hi [Redacted]
Just a brief note to see were everything is up to. We haven't heard about the contract yet.
It's [Redacted]'s intention to bill you with the costs so far, and to include costs for £4,500 to set up [Redacted]. Please give me some authority today to continue along these lines, your written authority (e-mail) will at least give me the opportunity to use [Redacted] funds in the mean time.

[Redacted]
Tracking: [Redacted] Recipient
[Redacted]
[Redacted]@hft.org.uk

[REDACTED]
From: [REDACTED]
Sent: 30 July 2002 16:14
To: [REDACTED]
Subject: RE: Grosvenor Rd -Support Provider

OK you in my diary
You mean no-one from Ashton House told you they were doing this? Surely you must be mistaken!!

[REDACTED]
-----Original Message-----
From: [REDACTED]
Sent: Tuesday, July 30, 2002 4:20 PM
To: [REDACTED]
Subject: RE: Grosvenor Rd -Support Provider

Point Taken ! I was unaware of any discussion that this would be funded via THB, however.....Is 1pm ok as I've meetings at 2 and 4.

-----Original Message-----
From: [REDACTED]
Sent: 30 July 2002 15:29
To: [REDACTED]
Subject: RE: Grosvenor Rd -Support Provider

It will have to be Thursday afternoon.
Given that this development has been on the cards for many months, and I have been consistently assured that it does not require tendering because all the costs will be covered by THB and therefore we don't need to do anything and anyway 1 month is quite an inadequate time for any reasonable provider to set up a scheme expletive deleted
Presume you will come down here ?

[REDACTED]
-----Original Message-----
From: [REDACTED]
Sent: Tuesday, July 30, 2002 3:16 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: Grosvenor Rd -Support Provider

In [REDACTED]'s absence [REDACTED] has asked me to speak to you about a standard invitation press release to provide support to 4 women with differing and complex needs at the above address starting Sept/Oct. Do you have any time this week (excepting Wednesday) to discuss. Thanks, [REDACTED]

Tracking: [REDACTED]
Recipient [REDACTED]

[REDACTED]
From: [REDACTED]
Sent: 15 August 2002 10:10
To: [REDACTED]
Subject: RE: Grosvenor Rd Support Provider

AT OMG on Tuesday, [REDACTED] announced that this property would be ready for occupation in 4 weeks, i.e. earlier than expected. This was announced as "good news".
It seems to me that this leaves insufficient time for a proper competitive exercise - however restricted.
Under delegated powers (Constitution, section 3, page 68) the Director has powers to waive contract standing orders in relation to seeking quotations and tenders for certain Community Care Services.
I suggest that the Director is requested to exercise this authority and allow LD Team to just get on with giving the work to whoever they choose.
It would not be the first time after all!

The total contract will be greater than £100,000 per annum and this would require a full formal tender in accordance with Standing Orders relating to purchases costing more than £50,000.

[REDACTED]
-----Original Message-----
From: [REDACTED]
Sent: Friday, August 09, 2002 10:58 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: Grosvenor Rd Support Provider

[REDACTED] estimated hours of support are 400hrs including sleep in cover. Specific criteria for choosing a provider include:
-ability to work with people with complex needs including sensory impairment
-commitment to pursuit of daytime occupation including community access
-ability to develop positive relationships with families and others involved in supporting individuals.

The accommodation will be for 4 women with diverse needs. 1 woman will have self contained facilities, the other 3 women will have separate bedrooms and shared communal facilities.

Is this enough information to proceed to advert for a support provider? Thanks, [REDACTED]

Tracking: Recipient
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 31 October 2000 09:42
To: [REDACTED]
Cc: [REDACTED]
Subject: Charging Policy

Have now looked at copy.

Re Supported Living, I see no reason for it to be excluded. The prime concern around SLS was that potentially residents could inherit large capital resources from relatives and that this should be taken into account. The policy allows for this (recommendation 12.6) so that is OK.

The principle problem is that committee agreed to calculating the value of a service via a table of assumed subsidised costs. It would therefore be necessary to determine the cost of an SLS package from this table and an identification of the number of hours (and types of service) received. I am not sure how this could be done, especially where someone is expected to receive a tapering level of support during the course of a rehabilitation package which is designed to promote a move to more independence. (Mind you it would give service users a financial incentive to become more independent).

The other issue is that it includes transport as a service. We have argued that, within a SLS scheme, if transport is provided, then this should be paid by service users out of mobility allowance. I'm not sure where we go now.

[REDACTED] tells me that SLS was excluded because "we already had a policy" i.e. the one we devised for Curlew Way etc.

Perhaps, because of para 4.24, what is needed is a new committee report reconfirming the existing agreed policy.....????

[REDACTED]
Tracking:

Recipient
[REDACTED]

From: [redacted]
Sent: 30 September 2002 15:22
To: [redacted]
Subject: RE: [redacted] - Confidential

Ah good to see another prophet in the camp - join the club of non-progressive negative thinkers!!
You confirm my care management suspicions. I can only offer the consolation that I have been fighting a similar battle with respect to extra costs in residential and nursing for a number of years now!! It is nice to see someone else recognising the problem.
I had a discussion in Children's div recently about social workers and paperwork and it was explained to me that it takes time to achieve a culture change - and that is after 2 years trying as well!

Not heard anything of Cambrian.

-----Original Message-----
From: [redacted]
Sent: Monday, September 30, 2002 2:52 PM
To: [redacted]
Subject: RE: [redacted]

[redacted] my observation in respect of [redacted] is that dealings are, as ever, dictated by the quality of Care management involvement. My gripe is that Care Managers do not want to engage with the THB process and are therefore quite happy to let the provider lead as it saves the aggravation of disaggregation (if you'll pardon the expression). I spoke to [redacted] about this last week as [redacted] claims wing their way to HB without hitting our desk. I'm meeting with [redacted] tomorrow to look at some [redacted] claims. I am anticipating that following this meeting I will have the need to contact [redacted] and raise concerns with regard to THB claims. I'll keep you keyed in.
The accreditation business is driving me to distraction! I had a meeting with Cheshire Social Services last week that would make your hair curl! If I mention this matter to [redacted] usually alongside my concerns about NCSC I'm seen as a prophet of doom. I'm reassured that I'm not the only one thinking that we're sailing close to the wind - what are your thoughts for example about Cambrian Housing?, have you come across this one yet?

-----Original Message-----
From: [redacted]
Sent: 30 September 2002 11:37
To: [redacted]
Subject: RE: [redacted] - Confidential

Not [redacted] specifically (in fact the conversation was around [redacted] places) but it was the general principle that bothered me.
If - as I suspect - care managers are allowing agencies to "dictate" care plans, then it is hardly surprising that we end up with daft cost care packages. It seems to me that part of the [redacted] issue arises because of the costs involved.
Sorry I was using RSL as shorthand for all support/accommodation providers.
The issue of whether [redacted] are an agency we should be working with brings us back to me accreditation concerns generally as we seem to be being swept up into accepting all such providers without question.

-----Original Message-----
From: [redacted]
Sent: Monday, September 30, 2002 10:22 AM
To: [redacted]
Subject: RE: [redacted] - Confidential

[redacted] does this enquiry pertain just to [redacted]? If so this is worrying, especially as [redacted] are not an RSL as far as I am aware. Could you give me more details as I need to further advise that [redacted] are an organisation that we should reconsider working with. Thanks.

-----Original Message-----
From: [redacted]
Sent: 30 September 2002 08:54
To: [redacted]
Subject: FW: [redacted] - Confidential

At MI panel b Friday we were discussing SPL applications.

[REDACTED]
From: [REDACTED]
Sent: 16 September 2002 16:17
To: [REDACTED]
Subject: RE: [REDACTED] Confidential

Did I suggest, once upon a time, that we needed to validate and accredit providers of supported living?
I look forward to seeing the continued evolution of this saga. Thanks for keeping me on the "mailing" list!

[REDACTED]
-----Original Message-----
From: [REDACTED]
Sent: Monday, September 16, 2002 4:20 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED] Confidential

Further to email sent last week regarding the above organisation I have spoken to [REDACTED] (Liverpool SP) today who reports that Liverpool have stopped making referrals to [REDACTED] until the financial standing of the organisation is established to their satisfaction. (Liverpool Social Services are owed £130,000 by [REDACTED]). Additionally, Probation have stopped making referrals for reasons as yet unspecified (but I understand it relates to matters connected to the placement of mentally disordered offenders). [REDACTED] will let me know of further developments as soon as he can.

In the light of this information I feel this Department needs to establish a view on placement policy with [REDACTED] with particular regard to potential issues of tenant vulnerability and potential insolvency. Thanks, [REDACTED]

Tracking: Recipient
[REDACTED]

[REDACTED]
From: [REDACTED]
Sent: 02 October 2002 08:28
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [REDACTED]

With regard to the first part - it may be necessary to have a similar conversation with other providers. With regard to the second point - the 80% for homes is based on the expectation that a home will make a small saving as result of a resident's absence. Such savings are likely to come from items such as food, heat, laundry etc. all of which would be a "resident" cost in a supported living situation and thus not savings available to the provider. In my view the cost of administration of the retainer compared to the cost savings suggests that the saving to Social Services is marginal.

Nevertheless, there are similar concerns amongst home care organisations where we stop paying for services as soon as a service user is unavailable to receive the services. Agencies are asking how long they should keep staff available in the expectation that services will be resumed. I expect the same issue is even more relevant to supported living. It would be unreasonable to expect a provider to "lose" or re-allocate support staff for relatively short periods of time. It would be a good idea if we could have a consistent approach across supported living and home care. Maybe it is appropriate to have a discussion across operational divisions.

[REDACTED]
----- Original Message -----
From: [REDACTED]
Sent: Tuesday, October 01, 2002 5:34 PM
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

I met with [REDACTED] and [REDACTED] from above organisation along with [REDACTED] and [REDACTED] to discuss THB claims. Agreement was made that the claims for [REDACTED] and [REDACTED] stacked up in respect of care and THB. However my I expressed my concern that such claims appear to be provider led. It was therefore agreed that in future all claims should be compiled collaboratively between Care Coordinator and [REDACTED] (this is detailed in THB Procedure Note) with an agreement to review costings at a 12 week review or sooner if required. Can this approach be promoted within the appropriate Mental Health teams. I am available to advise and support individuals or teams with progressing THB claims with provider organisations if so required.

The second issue raised in this meeting was the matter of payment to organisations such as [REDACTED] in the event of a tenants hospital admission. I understand that currently in residential care 80% of costs are picked up in such an event. I think we need to establish a Departmental view with regard to this bearing in mind that in supported accommodation Housing Benefit / THB/SP grant will all continue to be paid in the event of a tenants hospital admission. Should any/a proportion of care costs be met if they form part of a package that attracts THB/SP?

Thanks, [REDACTED]
Tracking: [REDACTED] Recipient [REDACTED]

Annex J

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

Documents in Relation to

[REDACTED]

R

From: [redacted]
Sent: 27 July 2006 18:01
To: [redacted]
Cc: [redacted]
Subject: FW: [redacted]

Work smarter, not harder!

As you know, I am personally leading the strategy around the above organisation, and [redacted] you attended the meeting of 20th June, and [redacted] attended on the 24th July. Why then, was a separate strategy meeting being held on Wednesday 26th July? I believe that several people did not attend, which is unsurprising as they had attended a meeting only 2 days prior. I found out about the meeting of the 26th July from the Director, who also knew that people did not turn up. Quite frankly it makes us all look like fools, and makes the whole approach look uncoordinated.

You may not be aware that the profile of this issue is become higher by the day, with a lot of political interest.

Can I, therefore ask you to let me have details of all other meetings which you have organised to look at this organisation, so that I can determine which ones are duplicating those which are already taking place. Can I also ask you to confirm that the large scale investigation referred to is that which has been carried out by [redacted], or is there another?

I require a speedy response to this e mail.

-----Original Message-----
From: [redacted]
Sent: 27 July 2006 16:00
To: [redacted]
Subject: [redacted]

As requested!
Cheers, [redacted]

Contracts Manager - Adult Social Services
Tel: 0151 666 5147
Fax: 0151 666 4774

-----Original Message-----
From: [redacted]
Sent: 19 July 2006 14:27
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

Thanks,

[redacted] can you pull any vacancies info etc and numbers of currently funded anything else we know of als ready for this meeting

Principal Manager, Contracts
0151 666 4760

-----Original Message-----
From: [redacted]
Sent: 13 July 2006 14:13
To: [redacted]
Cc: [redacted]
Subject: RE: [redacted]

Sorry [redacted]
Basically the adult protection unit initiated a large scale investigation in July of

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last year. This has now been concluded and a report will be shared finalising the findings.

will then need to make some recommendations in relation to what needs to be done. We could do with you there so you are aware of the findings of the report in relation to any future commissioning and to guide us on some sort of exit strategy if the report deems it necessary. (we know that the report will recommend withdrawing from this agency due to proven Adult Protection concerns)

Hope that helps.

-----Original Message-----

From: [REDACTED]
Sent: 19 July 2006 14:01
To: [REDACTED]
Subject: RE: [REDACTED]

So what is the detail missus

Principal Manager, Contracts
0151 666 4760

-----Original Message-----

From: [REDACTED]
Sent: 19 July 2006 13:46
To: [REDACTED]
Subject: RE: [REDACTED]

Thanks

-----Original Message-----

From: [REDACTED]
Sent: 19 July 2006 11:34
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: [REDACTED]

Yes I will attend, however still concerned in contracts role as no contract currently in place with als, can you give me detail of ap meeting
thanks

Principal Manager, Contracts
0151 666 4760

-----Original Message-----

From: [REDACTED]
Sent: 19 July 2006 10:19
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Importance: High

and
There is to be a strategy meeting in relation to [REDACTED] on Wednesday, the 26th of July @2.30pm at the Adult Protection unit.

Could you please confirm with [REDACTED] that you are able to attend.

Thanks



[REDACTED] MEETING
24th JULY 2006

P
12

PRESENT:

- [REDACTED], Head of Services, Adult Social Services
- [REDACTED], Service Manager, Mental Health
- [REDACTED], Team Manager, Mental Health
- [REDACTED], Supporting People
- [REDACTED], Supporting People
- [REDACTED], Supporting People
- [REDACTED], Supporting People
- [REDACTED], Legal Services
- [REDACTED], Team Manager, -Adult Protection
- [REDACTED], Service Manager, Learning Disabilities

Introduction

At the meeting on the 20th June a series of reports into the quality of the service that is provided by [REDACTED] were discussed. This meeting will be used to formulate a clear and firm action plan and set decisions. The overall approach and strategy is to determine a way to get out of doing business with [REDACTED] with a clean exit and ensure that there is an alternative in place.

		Action
1	<p>Update on Supporting People Position</p> <p>[REDACTED] reported that Supporting People are undertaking a review of the service. This needs to be completed as soon as possible, before the information becomes dated as it cannot lapse over a certain period due to contract requirements. The Supporting People contract states that if after a review, the service provider still does not meet the standards, it will expire at the end of 12 months. This can be shortened and a Serious Default Notice delivered if there is evidence that the provider is putting staff or service users at risk. Supporting People are conducting interviews this week with some of the eleven people they fund at Bedford Road and Euston Grove. These would not normally be conducted without stakeholders being present but the social workers concerned are on annual leave and these must be concluded, as the grounds for appeal against Supporting People is not about the decision but about the process.</p> <p>[REDACTED] stated that following the interviews, Supporting People would not be decommissioning the service, but would notify [REDACTED] that a further contract would not be entered into at the end of the 12 month period, as they did not meet the required standards. Supporting People will state that they are not refusing to work with the organisation to improve the standards over the notice period. Supporting People will issue a further action plan and assist them in improving the quality of service to clients.</p>	
2	<p>Rock Lane/Spencer Lodge</p> <p>[REDACTED] have taken the decision to adapt and consolidate into Spencer Lodge. [REDACTED] and [REDACTED] have spoken to the learning disability tenants and explained everything clearly. They have taken them through a number of options but both service users have insisted that they still want to go to Spencer Lodge. It is felt that they have been influenced by [REDACTED]. Reports indicate that the mental health clients had not been told about Spencer Lodge, as they are deemed to be trouble-makers and they feel they are being excluded.</p>	

	<p>briefed on the recent incident where a support worker was stabbed by a service user. This resulted in the member of staff going to hospital, leaving the rest of the house, including the assailant, unsupported. A Reflective Review will be taking place on 10th August, where a group of independent people will analyse the incident, what there is to learn and make recommendations.</p> <p>enquired about the condition of the building and any issue regarding the standard of the properties resulting from a HMO inspection. advised would pursue the matter through regarding any notices which may have been issued.</p> <p>stated that if Spenser Lodge does not reach the regulations, then people need to be moved and if they insist on living there, they must understand that their support will not be paid for. People from Rock Lane West will not be able to move into Spenser Lodge and have support from whilst there are questions still to be addressed regarding the serious incident and the HMO regulations.</p>	
<p>4</p>	<p>Financial Liability</p> <p>It was reported that:</p> <ul style="list-style-type: none"> > Rent on the Rock Lane properties have not been paid for at least two months and the owner is taking to court > (Director of) has been found guilty of not supplying accounts > Two staffing agencies have been supplying staff on a regular basis and have not been paid. 	
<p>5</p>	<p>Legal Position</p> <p>stated that when this organisation was set up, there was no meeting between and Senior Officers of the Department. Most of the agreements have been with Care Managers and CPNs set up the organisation with five people and has grown over the last six years. A combination of factors have allowed them to take advantage.</p> <p>stated that DASS does not have a formal contract with the organisation but help to facilitate a tenancy with associated support for individuals, which is paid on a case by case basis.</p> <p>highlighted that if there is no model contract, the Court will have to construe what there is. They could find that the organisation are in breach of their duty to protect the people for whom they are being paid. There should be correspondence passing between Social Services and agreeing to pay for services. If their letters have been unanswered, the agreement will be on their terms. If there is a standard term contract, it is open to interpretation. advised that the only alternative is for individual Care Managers to trawl through copies of correspondence in order to establish what formal agreements have been made. There could be an issue if an invoice has been sent by on the back of standard terms, which would mean a commitment to pay on their terms. A contract does not have to be in writing, it can be part-verbal and asked if the support package remains in being for as long as the tenant is there.</p> <p>highlighted that the ethos has built up that that if you choose to leave your accommodation, the support must come from somewhere else. The two are not supposed to be linked.</p> <p>Tenancy agreements were discussed. Supporting People will be requesting copies of the tenancy agreements for clients funded through SP they will then raise any issues which arise from these with the borough solicitor and Tenancy officer.</p>	<p>C/Mgrs</p>

	<p>stressed that it is informed that we will no longer be doing business with them, there would be very little time to find support for extremely complex people and it is likely that the staff will begin to leave. This needs to be done in such a way that it is done quickly, with a strategy already in place for alternative accommodation for people to go. The issue is that alternatives can only be offered when the Supported Living Accreditation process is complete and there is an accredited list of providers. reported that from Knowsley has set up a programme with seven North West Authorities and has a list of providers from these Authorities. Supporting People have accredited 47 organisations and could come up with a list of alternative providers. However they may not be skilled enough or have sufficient capacity to deal with all of clients.</p>	Supp/P
6	<p>Adult Protection</p> <p>has produced a report which is still in draft and reported that the adult protection issues encompass the managerial issues. Not receiving an adequate standard of care is an adult protection issue and should be dealt with through the correct process.</p> <p>stated that specific instances that are undergoing investigation need to be cited. confirmed that each allegation has gone through the Adult Protection procedure will have been spoken to and it will have been followed up. In terms of evidence, it can be documented with plans and outcomes. reported incidents of racial and sexual harassment and it was agreed that this, together with the death of a service user last year and the stabbing of an individual were evidence enough. The main issue is that staff report incidents but are unwilling to make a statement and go to Court. Agreed that a trawl should take place of the number of Adult Protection complaints received and what direction they have taken. and to go through the files of everyone living with and establish on what basis they are there. to go through the files.</p>	
7	<p>Action Plan</p> <p>The key question is what the alternative is if services are withdrawn from</p> <p>It was agreed that more resources need to be put in to providing alternatives and the following was suggested:</p> <ul style="list-style-type: none"> > Social Landlords > Tendering for the service > The use of St Andrews Road and Shrewsbury Road, which are in need of a considerable amount of work. Agreed that would be the appropriate person to talk to. <p>suggested that a Needs Impact Assessment to establish the support need and accommodation need of each person be carried out. It is difficult to know how many supporting people vacancies there without phoning up, as the accounts are in arrears and the situation can quickly change. has a list and this could be followed up by Brokerage.</p> <p>It was agreed that people cannot move into Spencer Lodge and discussed whether the Advocate should be brought in to liaise with Social Services. It needs to be made clear that Social Services will not pay for their support. will write to regarding Spencer Lodge.</p> <p>stated that there are two issues:</p> <ul style="list-style-type: none"> > If a need has been assessed, that need has to be provided for but it doesn't have to be with a particular provider. The final version of report needs to be seen to determine what the issues around Adult Protection are in order to issue a Serious Default Notice 	

<p>➤ if we refuse to pay for a service for the people who insist on going into Spencer Lodge, are we defaulting on our agreement to provide a service. We need to find out from the trawl of the correspondence if there are any restrictions to bring these support packages to an end.</p> <p>● stated that there are two strands:</p> <ul style="list-style-type: none">➤ Accommodation➤ Support <p>and whether the two are tied up together. If they are we have to fund both and if not, we must provide support.</p> <p>The following decisions were made:</p> <ul style="list-style-type: none">➤ An exit strategy is required➤ To investigate the use of social landlords➤ To investigate the use of private landlords➤ Legal advice to be clarified around the issue of telling people they can have a tenancy, but that their support will not be paid for➤ Contact ● at Knowsley➤ Obtain a list of providers and contact landlords and providers to see if they have any capacity for additional work➤ The next meeting to be held in September	
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Qualitative Study of [REDACTED] Adult Protection Studies

me L

Qualitative study of [REDACTED] Adult Protection referrals.

Background

A quantitative study of the [REDACTED] adult Protection cases has been carried out. This was able to show us the number of referrals over a period of time. A quantitative study does not allow us to assess the referral content, how it was processed or the outcomes.

A Qualitative study has been completed giving more detailed information relating to the referrals and addresses these concerns.

Summary.

All cases that have been referred into the Adult Protection arena within the Adult Protection unit have been fully processed in line with the Wirral Adult Protection policy.

Over a 17-month period 37 adult protection referrals were received in relation to [REDACTED] [REDACTED] responded to all 37 referrals in an appropriate manner and full co-operation was given by [REDACTED] attending all 61 of the appropriate strategy meetings. In addition [REDACTED] gave full co-operation to the large-scale investigation dealing with the remainder of the cases.

The process for each referral and its out come, were then deemed to be satisfactory or not satisfactory. For the purpose of this report the term satisfactory in relation to the outcome for a referral indicates that

1. The referral was received by adult protection unit
2. The appropriate CMHT/ LD team responded.
3. A strategy meeting was held
4. [REDACTED] attended the meeting
5. Action plan identified

In conclusion, 95% of referrals were processed in line with the Wirral Adult Protection policy.

A study of the content of the referrals could indicate that the service user group who [REDACTED] provides a service for a very vulnerable and complex service user group. The incidents of alleged abuse do not show any trends that would raise concerns or would not be expected for such a service user group.

With no trends apparent the incidents of abuse are likely to be a result of the complex needs, chaotic life styles and failure to identify risks and compliance by the service user themselves. The service user group is vulnerable to Domestic Violence from both partners they choose from within the service and general public with drugs and alcohol also playing a major part in life style choices.

Findings

1. The Alerter

- A total of 37 referrals were reported between April 2005 and 30th September 2006
- This related to 20 service users some of who had repeated referrals over time.
- All 37 referrals were received by the Adult Protection unit via referral form.
 - 41% of referrals were initiated by [REDACTED]
 - 49% of referrals were initiated by [REDACTED] and [REDACTED]
 - 5% of referrals were initiated by relatives of Service users
 - 5% of referrals initiated by service users.

2. Types of Abuse

- 30% of referrals related to Emotional abuse
- 19% of referrals related to financial abuse
- 35% of referrals related to Physical abuse
- 2% of referrals related to racial abuse
- 14% of referrals related to sexual abuse.

Of these 37 recorded incidents 35% of them related to domestic violence incidents.

3. Alleged perpetrators.

- 27% [REDACTED] staff
- 32 % service users
- 8% Family
- 11% partner
- 22% Public

Out of the 10 cases relating to the perpetrator being identified as [REDACTED] Staff. All 10 have been fully investigated.

4. Location of alleged abuse

- 83% of alleged incidents took place in the home of the service user
- 17% of the alleged incidents took place in a public place.

The home address of the service user

- Mallaby street 16%
- Rock Lane west 19%
- Woodchurch Road 16%
- Bedford Road 8%
- Kirkland Avenue 5%
- Bebington road 3%
- Spencer Lodge 32%

Repeat referrals for some service users give a false indication of prevalence of abuse in some addresses.

5. Outcomes

Out of the 37 referrals

- 73% received a satisfactory response
- 22% were satisfactorily investigated as part of the large-scale investigation.
- 5% were not satisfactory. This was related to areas of work not the responsibility of [REDACTED]

A total of 61 strategy meetings were held in relation to the 73% of cases with a satisfactory response. In addition numerous meetings were held in relation to the large-scale investigation carried out by [REDACTED]

[REDACTED]
Safeguarding Adult Co-ordinator
03/10/06

Qualitative study of [redacted] AP cases

Date	Address	Setting	Participant	Relationship	Abuse Type	Duration	CMHT dealing
18/08/06	26 rocklane west	Menor grange	emotional	staff	yes	L/I	CMHT dealing
19/09/06	Babington Road	Menor grange	Racial	public	yes	no	no L/D response
14/07/06	Bedford road	Self	emotional	staff	yes	yes	2 CMHT dealing
14/07/06	Spencer lodge	other service user	emotional	staff	yes	yes	2 CMHT dealing
14/04/06	Bedford road	Birkenhead CMHT	sexual	service user	DV	yes	1 Satisfactory
21/11/06	Spencer lodge	Ashton House	financial	staff	yes	yes	1 CMHT dealing
02/07/06	Bedford road	Ashton House	emotional	staff	yes	L/I	3 Satisfactory
22/02/06	Rock lane west	Penzance CMHT	emotional	staff	yes	yes	3 Satisfactory
04/07/06	Spencer lodge	Ashton House	Physical	Family	no	no	1 Satisfactory
29/12/06	Spencer lodge	Ashton House	emotional	ex tenant	yes	yes	2 Satisfactory
20/04/06	89 Rocklane west	Birkenhead CMHT	financial	service user	DV	yes	2 Satisfactory
02/12/06	Spencer lodge	Ashton House	sexual	public	DV	yes	2 CMHT dealing
26/09/06	Mallabey street	Ashton House	sexual	service user	DV	yes	2 Satisfactory
10/11/06	Mallabey street	Highfield Centre	sexual	service user	DV	yes	4 CMHT dealing
19/09/06	Spencer lodge	Ashton House	financial	Family	no	no	1 Satisfactory
18/09/06	Spencer lodge	Ashton House	emotional	service user	yes	yes	1 Satisfactory
31/07/06	85 Woodchurch road	Ashton House	Physical	service user	DV	no	1 Satisfactory
03/02/06	Spencer lodge	Ashton House	Physical	partner	DV	yes	no info
03/01/06	Spencer lodge	Ashton House	Physical	partner	DV	yes	2 Satisfactory
31/05/06	Spencer lodge	Penzance CMHT	Physical	partner	DV	yes	2 Satisfactory
19/05/06	Mallabey street	Ashton House	emotional	public	yes	yes	2 Satisfactory
17/05/06	Kirkland Avenue	Birkenhead CMHT	emotional	public	yes	yes	2 Satisfactory
20/06/06	Woodchurch road	family	financial	Family	DV	yes	4 Satisfactory
15/08/06	Spencer lodge	family	emotional	staff	yes	yes	2 Satisfactory
17/05/06	Mallabey street	Birkenhead CMHT	Physical	public	yes	yes	3 Satisfactory
08/03/06	Rock lane west	Birkenhead CMHT	Physical	public	DV	no	2 Satisfactory
10/02/06	Spencer Lodge	Ashton House	sexual	service user	DV	yes	1 Satisfactory
27/01/06	Kirkland Avenue	Ashton House	financial	public	DV	no	2 Satisfactory
23/01/06	Mallabey street	Ashton House	emotional	partner	DV	no	1 Satisfactory
30/11/06	Rock lane west	Ashton House	emotional	public	yes	L/I	CMHT dealing
17/11/06	Rock lane west	Birkenhead CMHT	Physical	service user	DV	yes	1 Satisfactory
20/04/06	Rock lane west	Birkenhead CMHT	financial	service user	DV	yes	2 Satisfactory
03/07/06	81 Woodchurch road	Ashton House	financial	public	yes	yes	4 Satisfactory
31/07/06	Woodchurch road	Ashton House	Physical	service user	yes	yes	1 Satisfactory
27/06/06	Woodchurch road	Ashton House	Physical	staff	yes	L/I	CMHT dealing
12/04/06	Woodchurch road	Ashton House	Physical	service user	DV	yes	6 Satisfactory

Agency
Attended 61

Annex K

to the

**Independent Review of
Wirral Metropolitan Borough Council's
Response to Claims Made by
Mr Martin Morton (and Others)**

consisting of

Documents Relating to

[REDACTED]

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From: [REDACTED]
Sent: 03 November 2005 12:09
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]
Importance: High

[REDACTED]
Following our discussion this morning on the subject of [REDACTED], the proposed course of action is as follows:

- I will acknowledge receipt of the fax from [REDACTED] and say that I/we will reply more fully within 10 days
- I will respond to the memo from [REDACTED] in the following terms;

"I refer to your memo of 31st October regarding the letter to [REDACTED]

The issues with [REDACTED] are well established and the review of this company has been in progress for over 12 months. With the review having now been completed there is a requirement for Supporting People to notify the provider of the conclusion and outcome of that review (that outcome is determined by the SP lead officer, subject to considering any concerns of Commissioning Body members which, generally, have been previously expressed) so that any further follow-up action may be undertaken (such as the impact assessments etc to which you refer). The letter was, therefore, sent to yourself and [REDACTED] for comment, with the intention that your concerns could be considered and, in proceeding in this way, we would not unduly delay the issue of the letter to [REDACTED]. Clearly, the concerns about not contracting in the longer term with this organisation have been expressed at previous CB and CSDG meetings and exhaustively discussed.

The notice letter does not signify a withdrawal of SP funding to these clients, merely a notice to the effect that we do not intend (at this time) to contract further with this particular provider. We would seek an alternative provider. . The issue about re-housing, if required, for those clients is a matter for Regeneration (as having the statutory responsibility to deal with homelessness) although the department would work with Social Services on this in view of the vulnerability of the clients. The issue about impact on community care demand is not clear to me ; I am aware of 2 clients placed and supported by SSD in [REDACTED] schemes (therefore already budgeted for?) and Social Services has consistently made it clear that no other clients in this service are eligible for community care services.

Potentially there is an issue about media involvement, but this would presumably arise whenever this decision was made.

In view of your concerns I will ensure that the decision of the SP lead officer is presented to the next CB meeting so that those concerns can be addressed, before the letter is issued to [REDACTED]. I think it might be useful if we could meet briefly in advance of the next CB meeting to discuss these matters and try to establish a common approach"

It might be better for this' memo to go in the name of the Director of Regeneration.

- A draft response to [REDACTED] is as follows: "I refer to your fax and accompanying letter of 2.11 .05 regarding your client [REDACTED]. I would reply as follows in answer to your questions (and please note that my answers are subject to discussion at the next meeting of the Wirral Supporting People Commissioning Body , at which meeting any matters of concern to members in relation to the continuation of the [REDACTED] Supporting People contract will be taken into account):

1) The contract has not been terminated

2) The Supporting People Review has taken place, is now complete and the outcome will be reported to the Commissioning Body at its meeting of 30th November '05. 3) The outcome (subject to any matters of concern raised at the Commissioning Body) is that, at this time, [REDACTED] has not complied with all material aspects of the action plan issued in July '04. In view of this there will be no further award of a Supporting People funded contract to [REDACTED] at the expiry of the current interim contract (12 months from the date that this decision is notified to [REDACTED]). [REDACTED] has a right to appeal the decision and they will be provided with a copy of the appeal procedure. They will also be provided with details of those areas of the action plan in which they remain non-compliant. I emphasise "at this time" because the findings of the review recognise that [REDACTED] has made some

progress in meeting the requirements of the action plan ;in addition the SP team has recently received further information from [REDACTED] which represents some progress toward meeting action plan

issues [REDACTED] will be advised that the decision will be re-considered within 6 months of the date of the issue of notice to determine whether or not they remain non-compliant in any substantial or material way with aspects of the action plan. 4) No decision has been made on this. As the body responsible for ensuring that Wirral's Supporting People Strategy is , amongst other things, strategically relevant and is directed largely toward meeting identified local need, the Commissioning Body reserves its right to review this issue at any time. 5)Should such a decision be made, it would be made taking into account all relevant factors. I can confirm that supplying Supporting People funded services to a client originating from outside the borough is not, in itself, a reason to discontinue SP funding for such a service.

I am willing to meet with you to discuss the above issues should you consider it to be necessary

- [REDACTED] Arrange a date to meet [REDACTED] should they request it ; in any event arrange a date to meet with [REDACTED] and [REDACTED] prior to the next meeting of the CB (possibly Tuesday/Wednesday a.m. next week?)
- [REDACTED] Present the decision of the SP lead officer to the meeting of the CB , note any concerns, the response to those concerns etc but on the basis that the decision is , effectively, in the hands of the administering authority
- [REDACTED] Write to [REDACTED] with the decision of the SP team leader, copy to [REDACTED]

Confidential.

██████████,
I attach a copy of my minutes of the latest meeting with ██████████ and a copy of my draft letter to them. ██████████ also has copies of both documents and will amend the letter as appropriate before sending to ██████████.

I do need to go through this with you as we need to present it at the CB meeting purely as an item of information, but we should not discuss it with anyone else in advance of that meeting. This sounds very cloak and dagger, but I will explain it to you on Monday (we have made some progress with ██████████ and we now need to act to consolidate that)

I have seen the Cabinet report about ██████████, written by HB, and have made very brief comments on it, also forwarded it to ██████████. It doesn't seem to be at odds with anything we are doing (more a position statement than anything).

Unfortunately I am off today (Friday~S is ██████████), but we are both in on Monday if we could meet then??
██████████

Page 1 of 1

[REDACTED]
From:

Sent:

To:

[REDACTED]
07 November 2005 08:11

Cc:

Subject:

Importance: High

I am meeting with [REDACTED] and [REDACTED] this morning to discuss [REDACTED]
I am going to suggest the following:

we write via the Borough Solicitor to [REDACTED] stating that we will no longer respond in ad hoc fashion to a series of faxes , emails etc

we will respond in full to all issues raised to date via the Borough Solicitor and on behalf of all parties (SP , SSD and HB)

we. put together a small team of staff [REDACTED] , [REDACTED] + rep. from HB) which will work from here (South Annexe) to compile a full response

'....', chief officers agree the full response; a summary of that response is presented to members then respond to [REDACTED].

Please let me know if you have any views on this.

We should aim to have the full response and summary for members available within 7 working days (clearly a date for members to consider the report would likely be outside this time scale, but we cannot unduly delay a response to [REDACTED]. I will make sure that the report is put together within this time.

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Draft letter to [REDACTED]

"I refer to our meeting of 16th November. I acknowledge receipt of your letter and accompanying papers. I also acknowledge the progress made by [REDACTED] against the original action plan issued in July 2004, and the further progress made more recently and since the appointment of [REDACTED]. [REDACTED]'s approach in recognising the current shortcomings of the organisation, the need to address those, and the willingness to commit to a time scale for improvement are all positive developments.

As I stated at our meeting, the Supporting People review findings are that [REDACTED] does not currently meet minimum standards, and we have pointed out what we believe to be the shortcomings. You have responded to those summary findings and your responses will inform our report to/discussions at the Commissioning Body meeting of 30th November. We discussed possible decisions that may be made in respect of SIL's interim contract and, in this respect, I would ask for your view on the following:

- Whilst recognising that, at the completion of the Supporting People review on 15th September '05, [REDACTED] did not comply with the minimum standards, the SP lead officer decision will be "not to decide" on the outcome at this time.
- This decision will be based on a belief that substantial improvements are possible within [REDACTED] over a relatively short period of time, which will enable them to meet those minimum standards; in these circumstances it may be unreasonable and detrimental to the organisation to insist on the issue of a notice to determine the contract.
- Instead, a date will be agreed with yourself and your client (with that date to be no later than 6th March 2006) by when all necessary improvements will have been made and verified by the SP team.
- At that stage [REDACTED] will be in the same position as every other provider of Supporting People funded services.
- This process is clearly beneficial to [REDACTED]; in return the authority seeks your acceptance of the date of 15th September as the date of completion of the supporting People review. This acceptance is of no detriment to your client provided that the minimum standards are achieved, but does protect service user and authority interests in the event of any other outcome.

I would be pleased to receive your comments on the above.

[REDACTED] and [REDACTED] will arrange to meet with [REDACTED] in the near future to discuss his proposals to develop [REDACTED]'s service and will offer what advice and assistance they can, should any be necessary.

It would appear that a practical resolution to whatever issues have been outstanding between [REDACTED] and Supporting People is possible and I welcome your very positive approach to this. I would also agree with your sentiment that we draw a line under previous attempts to resolve issues, concentrating instead on developing the good working relationship which now seems to be possible.

Yours Etc

- We are minded to make a particular decision on this contract
- We have not formally communicated the decision to the provider as we undertook to first discuss at CB, and we wish to take into account any provider response
- We have issued a summary of the action plan
- We will only accept a provider response based on the factual accuracy of the report and what was made available to the reviewing officers at the time of the visit.

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- Any other response will be dealt with at appeal

Annex M

to the

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Extract from the Supporting People Provider Diary Sheets for [REDACTED]

N.B. the diary sheets do not reflect every contact or conversation regarding this provider, and Supporting People were only using them on a regular basis from mid 2006.

29 th June 2004	SP made formal referral to CADT for assessments to be carried out on 15 [REDACTED] Service Users.
8 th December 2004	<p>Excerpt from Commissioning Body Minutes</p> <p>"[REDACTED]; SP team recommendation is to terminate this contract due to the concerns expressed and the limited prospects for any improvement ; agreed in principle but with a delay on termination until client assessments have been made and re-housing/service re-provision issues identified."</p> <p><i>DASS represented by [REDACTED] & [REDACTED]</i></p>
15 th August 2006	[REDACTED] Spoke to [REDACTED] (DASS) regarding the assessments of service users living in Grove Road and Seabank Road. [REDACTED] advised that [REDACTED] had copies of all assessments on her desk right up until one week before her summer holidays when they were taken by [REDACTED]
6 th March 2007	[REDACTED] telephoned [REDACTED] regarding the client assessments. [REDACTED] advised that the assessments are well under way. Their findings are such that with the exception of one old lady no other clients have community care needs. [REDACTED] advised that [REDACTED] sleeps at 12 Grove Road but attends Sunningdale each day. I advised [REDACTED] that although this may be the case at the moment, it certainly was not the case. [REDACTED] had moved from Grove Road before Xmas. [REDACTED] said [REDACTED] was aware of this but [REDACTED] is back there now. [REDACTED] did confirm that there was heating and food. Although [REDACTED] will be going on annual leave shortly [REDACTED] advised that [REDACTED] would be sending information regarding the assessments to us shortly.
12 th March 2007	[REDACTED] Spoke to [REDACTED] (4930) who has been out to carry out two assessments. One for [REDACTED] the other [REDACTED] meets the critical/substantial criteria and [REDACTED] feels that SSD will pay for [REDACTED] to go/remain in Sunningdale. [REDACTED] advised that [REDACTED] is unable to prepare a meal and requires help with cleaning, hygiene, making/changing [REDACTED] bed and would require another accommodation based service when the contract ends. [REDACTED] asked if [REDACTED] could put the information regarding the assessments in writing. [REDACTED] expressed further concerns about the organisation. [REDACTED] said that when [REDACTED] went to see [REDACTED] at Sunningdale, [REDACTED] told [REDACTED] that [REDACTED] lived at 12 Grove Road but went to Sunningdale each day. The following day when [REDACTED] went to Grove Road, [REDACTED] asked to see [REDACTED]'s room. It was completely empty and [REDACTED] was advised that [REDACTED] had moved out before Xmas. [REDACTED] said that [REDACTED] was blatantly lied to. [REDACTED] advised that because of concerns [REDACTED] had contacted

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	<p>Housing Benefits and CSCI.</p> <p>● advised that other assessments are being carried out by ● and ●</p>
30 th May 2007	<p>● rang ● regarding assessments. 11.40 a.m. left message on answer machine.</p>
30 th May 2007	<p>● rang ● regarding the assessments. ● advised that all had been done, written up along with supporting reports. ● said that ● did not wish to get anyone into any trouble so could ● clear it with ● before we went over to discuss. ● advised that the conversation was short and curt. We could not have copies of the assessments or have a dialogue about them. Any request needs to go through ● who is off on leave until next week.</p>
30 th May 2007	<p>Email from ● to ● (copying in ● and others) which stated</p> <p><i>"Under SP review, it was identified that the Service provided by the ●'s was of a poor quality and provided little more than a domestic service and did not appear to meet their needs of the tenants in the Service, although we are unable to determine the type of service that these Service Users would require.</i></p> <p><i>Despite numerous requests, over the last four years, to our colleagues in DASS, we have yet to be provided with any assessments of the ● Service Users"</i></p>
30 th May 2007	<p>● replied to previous email:</p> <p>"Following our conversation I have followed your concerns with ● ● tells me that whilst there was a delay in undertaking the assessments, they are now completed</p> <p>However the work has not been validated by the appropriate Service Manager ● This would be usual process and in my opinion extremely wise to do.</p>
30 th August 2007	<p>Caretaker Service (European Lifestyles) commenced providing service.</p>

ADULT PROTECTION INVESTIGATION – STRATEGY MEETING 2

RE: [REDACTED] / 12 GROVE ROAD

DATE: 25.06.04

Present: Chair - [REDACTED]
(Service Manager - Learning Disabilities),
[REDACTED] (SP Team),
[REDACTED] (Cambridge Road),
[REDACTED] (Cambridge Road),
[REDACTED] (Supported Living Development Officer)

Background:

This meeting was reconvened following a previous Adult Protection Strategy Meeting held on 13/05/04 chaired by [REDACTED] (Acting Service Manager).

1. Update

[REDACTED] requested update on agreed action from previous meeting. [REDACTED] confirmed that they had visited 12 Grove Road on 28/05/04. Additionally [REDACTED] had met with service user [REDACTED] on 04/06/04 at Cambridge Road Day Centre. [REDACTED] had undertaken interviews with tenants of other [REDACTED] properties (129 Seabank Road, 17 Seabank Road) on 15-16/06/04. [REDACTED] and [REDACTED] (SP Team) made a further visit to 12 Grove Road on 22/06/04.

2. Areas of Concern

During the visit to 12 Grove Road on 28/05/04 [REDACTED] had met with [REDACTED] and [REDACTED], the managers of [REDACTED]. There were a number of discrepancies reported in relation to interviews with tenants and the [REDACTED]'s, especially areas concerned with how tenants finances were managed.

- Other than two tenants ([REDACTED], [REDACTED]) whose mothers acted as their appointees, it appeared from statements given by tenants that they received approximately £30 a week from their benefit. This was given to tenants in an envelope every Friday.
- [REDACTED] enquired whether the [REDACTED]'s acted as appointees in relation to the tenants. This could not be determined, as no benefit books were available for scrutiny.
- [REDACTED] confirmed that SP funding was approximately £37 per tenant per week. This would appear to be funding a "cooking and cleaning" service. [REDACTED] were having their review brought forward by SP Team in response to concerns in relation to financial matters, the nature of the service provided and the failure of the organisation to engage with SP processes.
- [REDACTED] explained that Wirral Methodist Housing Association have informed the [REDACTED]'s, that they will be ceasing any Housing management responsibility for 12 Grove Road, 17 & 129 Seabank Road with effect from 05/07/04. Therefore new tenancy agreements will need to be issued to tenants from this date.

- [redacted] reported that [redacted] was concerned that [redacted] (tenant 12 Grove Road) was very unhappy living at the address and wished to move. [redacted] reported that [redacted] shouted and swore at [redacted] and [redacted] reported that [redacted] had made similar accusations concerning [redacted] in the past.
- Additional concerns were raised in relation to health and safety procedures in the event of an emergency; lack of clarity on whose responsibility it was for the running of the properties in the [redacted]'s absence (they were currently on holiday, due to return on 25/06/04). Although [redacted] (Manager – Penkett House) had made enquiries to [redacted] and [redacted] about the SP review process [redacted] denied having any responsibility for the above named properties.
- There was no evidence of care Plans in relation to tenants or planned activities. [redacted] expressed the view that in the light of how services were presenting it was unlikely there would be sufficient funding to enable [redacted] to address quality of life issues.

3. Agreed Action

- Supported People Team have already informed [redacted] that their reviews had been brought forward. SP Team to discuss current concerns with the [redacted]'s at a meeting on 05/07/04.
- [redacted] requested that [redacted] make a referral to CADT to enable a co-ordinated Social Services Department assessment of all 15 [redacted] tenants. [redacted] to liaise with [redacted] (LD Team) and [redacted] (Supported Living) to set up a project team.
- [redacted] to compile briefing rota for [redacted] (Assistant Director).
- [redacted] formed [redacted] and [redacted] that [redacted] would contact [redacted] (Team Manager – Physical Disabilities Team) to ensure that [redacted] was allocated a Care Manager in accordance with the Adult Protection procedures.

ADULT PROTECTION INVESTIGATION – STRATEGY MEETING 3

RE: [REDACTED] / 12 GROVE ROAD

DATE: 14/10/04

Present: Chair - [REDACTED]
(Service Manager - Learning Disabilities),
[REDACTED] (SP Team),
[REDACTED] - (Supported Living Officer),
[REDACTED] (Cambridge Road),
[REDACTED] - (Care Manager – Ashton House),
[REDACTED] - (Day Centre Officer – Cambridge Rd),
[REDACTED] (Supported Living Development Officer).

1. Agreed Action Update

[REDACTED] confirmed that she met with [REDACTED] on 05/07/04 and informed them of SP review and that SSD would be in touch to undertake assessments. Further meeting held with [REDACTED]. Information returned so far is insufficient for SP accreditation purposes.

- [REDACTED] had completed CCA's as far as possible. Still awaiting information in relation to financial and medication matters. [REDACTED] sent letters requesting information on 22/07/04 and 06/09/04.
- [REDACTED] needs to update and agree with [REDACTED] a briefing note for [REDACTED] (Head of Service – Mental Health and Learning Disabilities).
- [REDACTED] required to make further contact with [REDACTED] (Team Manager – Physical Disabilities / Sensory Needs) to ensure that [REDACTED] is allocated a Care Manager in accordance with Adult Protection procedures.

2. Further Developments – Mary Dougherty

[REDACTED] outlined further concerns in relation to [REDACTED] and [REDACTED] which included allegations of financial and verbal abuse. These allegations had been recorded and copies sent to [REDACTED].

- [REDACTED] had visited [REDACTED] at Cambridge Rd day Centre on 04/10/04 to reassure [REDACTED] that an investigation was taking place, as [REDACTED] was extremely distressed at recent events.

Agreed Action

- [REDACTED] to contact [REDACTED] re: Care Manager allocation [REDACTED] to close down involvement on SWIFT)
- [REDACTED] to forward copy of API & AP3 to [REDACTED] / [REDACTED] – 777 2690 to consider possible criminality,
- [REDACTED] to raise issues relating to cross – divisional working with [REDACTED] (Service Manager, Physical Disabilities / Sensory Needs).

3. Wider Issues

SP are to undertake validation visits to all [REDACTED] SP – funded services, dates to be confirmed. An interim action plan will need to be agreed including information relating to financial controls.

- [REDACTED] to send further letter requesting financial information by 01/11/04 and expressing the need to involve SP Team and Benefit Agency should that information not be forthcoming.
- [REDACTED] to meet with [REDACTED] (CSCI) to clarify issues of registration. As [REDACTED] own properties and provide support / care this could make their supported living set ups liable for registration as a care home recourse "hands on" personal care was involved.
- Further consideration needs to be given to these tenants who had previously assessed / expressed a preference for moving on [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
- Potential impact for SSD in terms of commissioning / exit strategy to be detailed in Briefing Note to be compiled by [REDACTED]

Date of Next Meeting: To be arranged week beginning 01/11/04 – depending on development in interim, may need to involve Police / Benefit Agency (Please advise on availability 1-5 November 2004).

FAO Central Advice and Duty Team
Social Services

Fax No 606 2600

From [REDACTED] Supporting People Team

Date 29 June 2004

Tel 0151 666 5042

Fax 0151 666 5106

E-Mail [REDACTED]@wirral.gov.uk

Number of pages to follow 1

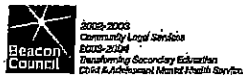
Subject

Request for Assessments

Message:

During an Adult Protection Investigation Strategy Meeting which took place on 25.06.04, I was requested by Shiela Finnigan Jones to make a referral to your department for assessments to be carried out on the attached (15) [REDACTED] tenants:

Fax from Wirral



Metropolitan
Borough of Wirral
Department of Housing &
Environmental Protection
Westminster House
Hamilton Street
Birkenhead
CH41 5FN

12 Grove Road, Wallasey



129 Seabank Road



17 Seabank Road





Copy [redacted]
memorandum

to [redacted] date 17 October, 2005
Service Manager, Social Services, Bebington Office

from [redacted]

my ref [redacted]
your ref [redacted]
tel 0151 691 8341

subject **Adult Protection**

Further to our meeting of 10.10.05 on the above subject I set out this department's understanding of the process for dealing with adult protection issues:-

- where Supporting People (or other) staff identify what they believe to be an adult protection issue they will provide whatever information they possess to the adult protection team.
- whilst they (SP staff) will not investigate adult protection issues they will co-operate with any adult protection investigation which may follow.
- SP staff will also pursue provider issues such as accreditation, adherence / conformity to "No Secrets" etc.
- Adult protection team staff will consider each referral made to them, but will only investigate those which involve individuals who are in receipt of Community Care Services, or who should be in receipt of C.C. services.
- any other individual (there not in receipt of C.C. services) should seek assistance from the police.

Two points arise from this process:-

- SP will need to be informed of those individuals referred to adult protection whose claims will not be investigated, as it would be the intention of the SP team to ensure that the matter is at least raised with the police.
- presumably, each individual referred to the adult protection team who is not currently in receipt of C.C. Services will need to have a C.C assessment (to establish whether or not they should be) before a decision is made to investigate or not?


This is 100% recycled paper



The second point above raises other questions:-

- how quickly would a CC assessment be made?
- if a C.C. assessment has to be made in each case, would it not be good practice to investigate the adult protection issue at the same time?

You explained the definition of "vulnerable adult" and your explanation does seem to support the process as set out above. It does, however, seem strange to me that Social Services is only required to investigate those allegations relating to people already within the care system (who, you might think, are least likely to be at risk as their services / service providers should be monitored to some extent), but not to investigate those not within the care system (who would seem to be most at risk).



[REDACTED]
From: [REDACTED]
Sent: 27 June 2006 15:44
To: [REDACTED]
Subject: RE: [REDACTED]

Cheers [REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 27 June 2006 15:13
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: [REDACTED]

It was originally stated that following the conclusion of the Newhaven investigation an investigation into the supported Living [REDACTED]'s service re to the service users below would start. I am aware that you have closed the Newhaven case.

I am currently unaware as to this supported living investigation being started. I am aware however of a new referral that [REDACTED] was dealing with which was from one of the [REDACTED]'s tenants. Does this investigation now include the original two referrals.

Can [REDACTED] myself and you meet to discuss this issue.

Thanks [REDACTED]

-----Original Message-----

From: [REDACTED]
Sent: 26 June 2006 16:15
To: [REDACTED]
Subject: [REDACTED]

I spoke to [REDACTED] from Cambridge Rd today about above, I'm concerned that an AP referral made by [REDACTED] about service user [REDACTED] seems not to have been followed up. Can you advise?
I have a copy of an email from [REDACTED] from July 2005 in which [REDACTED] claims matters in relation to the [REDACTED]'s were not as I claimed to be "drifting".

However 12 months later there is neither a Protection Plan or an Exit Strategy in place. Therefore [REDACTED] and myself have been involved informally in relocating 3 people about whom AP concerns were raised [REDACTED] and it would appear from my involvement in these cases that the financial abuse of tenants continues unabated.

I'm seeing [REDACTED] and [REDACTED] on Monday about the possibility of the former moving on but I am still concerned about remaining tenants and wonder whether we need to formalise a Departmental AP response via a strategy meeting (also involving SP).....again can you advise.

Thanks, [REDACTED]



Metropolitan
Borough of Wirral

memorandum

to Director of Regeneration
fac: [redacted]

date 2 August 2006

from Corporate Services Department

your ref
my ref CJH060802-2/AA/HES/C3/7
service Legal and Member Services
tel 8502 [redacted]
fax 8482 [redacted]
email [redacted]@wirral.gov.uk

Reference:
8 AUG 2006
Service: Supporting
Client: People

subject [redacted]

I thank you for your email of 21 July.

There is no provision in the interim contract for an early termination of the contract except on the grounds of serious default leading to a suspension notice and ultimately to a notice of termination on the grounds that the contractor is unable to remedy the default.

Interim contracts were intended to be of short duration, expiring one year after the conclusion of your review of the service.

A "serious default" is defined in the interim contract as a breach of contract which materially prejudices the health, safety or welfare of a service user or service users.

It will therefore be necessary for you in drafting the serious default notice to deal with the following issues.

1. Specify in what ways the "poor working practices" amount to a breach of the service providers obligations under the contract, e.g. in relation to staffing, meals, health and safety. The serious default notice must specify the company's obligations which have not been performed.
2. The notice must also indicate in what ways the breaches materially prejudice the health, safety or welfare of service users.
3. The default notice itself should specify what action is required to put right the breaches of contract and the timescale within which the breaches are to be remedied.

In the meantime, you must conclude your review as quickly as possible, so that if the serious default is remedied, the contract will in any event expire automatically after 12 months.

CJ14

18th August 2006

CHRONOLOGY

5th May 2004

Managers of Cambridge Day Centre wrote to [REDACTED] highlighting their concerns regarding the service provided by [REDACTED] service user living at Grove Road.

13th May 2004

Adult Protection Strategy Meeting chaired by [REDACTED] (Acting Service Manager).

28th May 2004

An unannounced visit was carried out to Grove Road by [REDACTED] and [REDACTED]. Information given to them by [REDACTED] at the time of the visit was not consistent with the information provided by the Day Centre.

4th June 2004

[REDACTED] met with [REDACTED] at Cambridge Day Centre to discuss allegations. Also present were [REDACTED], Assistant Manager and [REDACTED], Day Centre Officer.

15th /16th June 2004

[REDACTED] and [REDACTED] visited 17 and 129 Seabank Road to interview tenants

22nd June 2004

[REDACTED] and [REDACTED] visited Grove Road

25th June 04

Adult Protection Investigation – Strategy Meeting 2, chaired by [REDACTED] (Acting Service Manager)

29th June 04

SP made a formal referral to the Central Advice and Duty Team for assessments to be carried out on 15 SP-funded clients

8th July 04

Letter requesting a meeting with [REDACTED] for 12th July 04

12th July 04

Meeting with [REDACTED] to advise them that SP would commence Service Review (letter on file).

27th July 04

Memo from SSD to advise that they have commenced assessments but are experiencing problems due to lack of information provided by the [REDACTED]s. Memo also raised a number of concerns.

14th October 04

Adult protection Investigation – Strategy Meeting 3 regarding [REDACTED]
12 Grove Road.

18th October 04

Letter from SSD to the [REDACTED]s regarding their failure to provide information necessary for assessments.

22nd October 04

Letter from SP to The [REDACTED]s notifying them of Validation Visit scheduled for 25th November 2004.

26th October 04

Letter from The [REDACTED]s to SSD supplying the information requested by SSD in their letter of the 18th October 04.

25th/26th November 04

SP Validation Visit carried out by [REDACTED] (SSD)

Validation Visit resulting in action plans for Accreditation and Quality Assessment Framework (QAF). Written up for presentation to the Commissioning Body.

8th December 04

CB agreed in principle that the contract should be terminated but a delay should be placed on said termination until *'client assessments and re-housing / service re-provision issues identified'*

16th June 05

Meeting held with [REDACTED] (7) issued both QAF / Accreditation Action Plan

6th September 05

Telephone call from Service User's relative with concerns regarding the service provided by [REDACTED]

30th September 05

Re-review to determine compliance with the action plan. [REDACTED] had failed to resolve any of the issues identified in the Action Plan.

25th April 06

Default notice issued for failure to submit performance information for the last three quarterly periods

16th May 06

Default notice issued for failure to submit interface files

STRICTLY CONFIDENTIAL – NOT FOR PUBLICATION

20th July 06

Unannounced validation visit to Seabank Road

21st July 06

Validation Visit to Seabank Road to conclude the Service Review that commenced in November 04.

26th July 06

Service Review completed. Report written.

██████████ failed to meet the requirements of Accreditation or the minimum standards required for the QAF. The recommendation of the Review Officers is to issue notice against the interim contract.

10th August 06

Letter to ██████████ giving 12 months notice against the interim contract.

[REDACTED]

From: [REDACTED]
Sent: 13 September 2006 16:18
To: [REDACTED]
Cc:
Subject: requested info -confidential


06-09-06 [REDACTED]
doc

See attached minutes for [REDACTED]. There was another meeting of which we are waiting clearance on the minutes.

Thanks
[REDACTED]



Regeneration Department

Director

Wallasey Town Hall
Brighton Street
Wallasey
Wirral
CH44 8ED

to [redacted]
Newhaven
5 Sunningdale Road
Wallasey
Wirral

date 16 January, 2007

your ref /
my ref /
tel ext (0151) 691 8345 please ask for [redacted]
email supportingpeople@wirral.gov.uk

Dear [redacted]

We have been contacted by a relative of one of your service users complaining about a deterioration in the standard of service being provided in your supported living accommodation.

May we remind you that under **Clause 24.2** of the Interim Contract, you are required to maintain the provision of the support service for the duration of the notice period to ensure that the service users experience minimal disruption during the transitional period leading up to the contract expiry date on 14th August 2007.

In order that we can respond to these complaints and other issues, it is of the utmost importance that we speak to you as soon as possible. Please contact the office within 24 hours of receipt of this letter.

Yours sincerely,

[redacted]
Supporting People Lead Officer

This is 100% recycled paper



[REDACTED]

From: [REDACTED]
Sent: 16 January 2007 10:25
To: [REDACTED] (DASS)
Cc: [REDACTED]
Subject: [REDACTED]

Good Afternoon [REDACTED]

The SP Team has received a complaint from the relative of a service user in Grove Road. (see attached memo, which is self explanatory) As a result of this I have written to [REDACTED] and have sent it out recorded delivery (copy attached). Please could you advise that in view of the fact that [REDACTED] receives the service users monies then gives them an allowance. In the event that this money is not forthcoming and service users do not have enough to care for themselves, does this not constitute abuse?

Please could you also advise me what date the next Adult Protection meeting is due to be held.

Regards

[REDACTED]

16/01/2007

[REDACTED]

From: [REDACTED]
Sent: 01 February 2007 11:00
To: [REDACTED]
Subject: [REDACTED]

Morning [REDACTED]

[REDACTED] advised me that [REDACTED] spoke to you regarding the above organisation and our concerns. I did email [REDACTED] on 16.1.07 advising [REDACTED] that we had written to [REDACTED] asking him to contact us within 24 hours of receipt of our letter which was sent recorded delivery, and sending attachments however I have heard nothing to date. Please find attached Notes from an unannounced visit 31st Oct 06. The original complaint from a relative of a service user. Notes from an unannounced visit 30th Jan 07. I have also emailed housing benefit to advise them they are paying for [REDACTED] who has not been in Grove Road since before Xmas. DASS contracts dept. and CSCI because they are in breach of their registration having someone living in their registered scheme when they have not received an assessment. Do we need to contact DLA regarding Service users' monies? Please advise.

Regards
[REDACTED]

01/02/2007

STRICTLY CONFIDENTIAL - NOT FOR PUBLICATION

[REDACTED]
[REDACTED]
From: [REDACTED]
Sent: 01 February 2007 09:41
To: [REDACTED] (DASS)
Cc: [REDACTED]
Subject: [REDACTED]
Importance: High

[REDACTED]
I have received a phone call in relation to [REDACTED].
[REDACTED] has been trying to contact you in relation to this matter.
It seems that there are now serious concerns around service user safety. It seems that
some of the tenants had their food provided by the cleaner when she came on duty.
Since [REDACTED]'s death the cleaners work has not been monitored and does not appear to be
happening on the agreed daily basis. This of course has raised concerns as there is
evidence that S/U have not been receiving a meal on these days. (service users and
families have reported this) As Chair of this case you are aware the last strategy
meeting on 17th of November set actions for [REDACTED] to investigate.
[REDACTED] has been on long term sick leave since before Christmas and so I am
assuming this case has not progressed.

[REDACTED] need to discuss this matter urgently with you.
I will be reviving more detailed information in relation to the latest concerns from
[REDACTED] and will forward them to you as soon as I have them.

Emergency action is urgently required.

Thanks
[REDACTED]

[REDACTED]

From: [REDACTED]
Sent: 30 April 2007 14:19
To: [REDACTED]
Cc: [REDACTED]
Subject: FW: [REDACTED] Safeguarding Adults

For information

From: [REDACTED]
Sent: 30 April 2007 13:43
To: [REDACTED] (DASS)
Cc: [REDACTED]@cscf.gsl.gov.uk; [REDACTED]@jobcentreplus.gsl.gov.uk; [REDACTED]
Subject: [REDACTED] Safeguarding Adults

[REDACTED] as Chair for the [REDACTED] Safeguarding adults case I am writing to request action in pulling together a formal investigation of these services. The General Adults team are nearing completion of the service review for the Service users who are in [REDACTED]. This review came out of the original Safeguarding adults concern around this Supported living agency. These allegations were brought by other professionals. All have raised concerns around the financial abuse of the service users. In addition we have two different Service users with allegations of Financial Abuse against [REDACTED] in Newhaven Care Home. These two case were chaired by [REDACTED] and [REDACTED] and are not progressing due to the pending investigation following your original meeting. We need to pull all this information together under one Chair if we are to have an effective investigation. CSCF, Job centre Plus, police and the General Adults Care managers are all requesting we meet to formalise what route the investigation is to take. Can you please contact Safeguarding Adults to look at setting up this meeting. Thanks

[REDACTED]
Safeguarding Adults co-ordinator
Wirral Council
Department of Adult Social Services
Tel: 0151-643-7320
[REDACTED]@wirral.gov.uk
Fax: 0151-643-7321
Visit our website: www.wirral.gov.uk
Please save paper and only print what is necessary

17/05/2007

[REDACTED]
From: [REDACTED] (DASS)
Sent: 18 May 2007 12:02
To: [REDACTED]
Subject: RE: [REDACTED]

Where are we up to with this?

[REDACTED]
Service Manager Social Inclusion
Wirral Council
Department of Adult Social Services
666 4909
[REDACTED]@wirral.gov.uk
Visit our website: www.wirral.gov.uk
Please save paper and print out only what is necessary.

From: [REDACTED]
Sent: 09 May 2007 15:08
To: [REDACTED]
Cc: [REDACTED] (DASS); [REDACTED]
Subject: [REDACTED]

Good Afternoon [REDACTED]

Once again I am afraid I am the proverbial thorn in the side. Have you any further information on the assessments of clients in [REDACTED]. Time is now quite limited and I know we will have to liaise with the clients to find them suitable accommodation. Please advise

Kind regards

[REDACTED]
Special Needs and Supported Housing
Wallasey Town Hall
South Annexe
Brighton Street
Wallasey
CH44 8ED

0151 691 8684

18/05/2007

[REDACTED]

From: [REDACTED]
Sent: 25 April 2007 16:34
To: [REDACTED]
Subject: Assessments

Hi [REDACTED]

Sorry to be a pain (again) but any news on the assessments for [REDACTED] clients?

Kind regards

[REDACTED]
Special Needs and Supported Housing
Wallasey Town Hall
South Annex
Brighton Street
Wallasey
CH44 8ED

0151 691 8684

16/05/2007

[REDACTED]

From: [REDACTED]
Sent: 24 May 2007 11:29
To: [REDACTED]
Cc: [REDACTED]
Subject: MEETING TO DISCUSS [REDACTED] EXIT ACTION PLAN

[REDACTED] has asked if I could arrange a meeting of interested parties to discuss the above. The SP contract is due to end on 7th July and to date we do not know the outcome of any of the assessments for the clients in the service and have been unable to consult with them to discuss their housing options. I have discussed this with [REDACTED] and [REDACTED] has suggested a meeting between [REDACTED] Myself and [REDACTED]. The dates [REDACTED] has given me are as follows:
18th June PM
21st June
27th June

Please could you advise me as soon as possible which date would be most convenient and I will make the necessary arrangements;

Kind regards

[REDACTED]
Special Needs and Supported Housing
Wallasey Town Hall
South Annexe
Brighton Street
Wallasey
CH44 8ED

0151 891 8684

24/05/2007

[REDACTED]
From: [REDACTED]
Sent: 25 May 2007 16:35
To: [REDACTED]
Subject: RE: [REDACTED]

As discussed, we will give DASS one more chance to cooperate, at the scheduled meeting with [REDACTED], if not, then we will have to contact an agency to carry out assessments on our behalf.

Thanks
[REDACTED]

From: [REDACTED]
Sent: 16 May 2007 10:50
To: [REDACTED]
Subject: FW: [REDACTED]

Hi [REDACTED]

As you can see, I am getting absolutely nowhere with DASS. Please could you advise whether or not we should be contacting [REDACTED] to carry out assessments on our behalf so that we can consult with service users in the above service.

Thanks

[REDACTED]
Special Needs and Supported Housing
Wallasey Town Hall
South Annexe
Brighton Street
Wallasey
CH44 8ED

0151 891 8684

From: [REDACTED]
Sent: 16 May 2007 10:41
To: [REDACTED] (DASS)
Cc: [REDACTED]
Subject: [REDACTED]

Dear All,

Please could anyone give me any update on what is happening with the service users in the above organisation. The contract is due to end on 14th August 2007 and we really need to consult with clients in the service once we know what their requirements are.

Please advise.

[REDACTED]
Special Needs and Supported Housing
Wallasey Town Hall
South Annexe
Brighton Street

31/05/2007

[REDACTED]
From: [REDACTED]
Sent: 04 June 2007 12:03
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Supporting People [REDACTED] contract.

As discussed and agreed the following:

- [REDACTED] Contract Termination 14th August 2007
1. You will forward a copy of all the assessments for the client in [REDACTED] for Living ASAP advising SP of their support requirement, and whether any care needs have been identified.
 2. You will discuss with AP the issues previously raised and advise of the current position.
 3. SP to liaise with alternative support providers regarding a caretaker service as an interim measure.

- ALS - Contract Termination 16th September 2007
1. You will provide SP with a copy of 11 SP contracted clients assessments, and advise of any outstanding assessments i.e the 3 clients who are solely SP funded. If they are outstanding, you will advise of the availability of resources to carry out the assessment in order that SP can specify the contract for tendering. If the resources are not available, SP will commission the assessments through an agency.
 2. SP to advise service users of the termination of contract and to discuss, with them, to ascertain their views regarding the future contracting of the service.

The outcomes of the above to be discussed at our meeting on the Monday 11th June 1pm

Thanks

[REDACTED]
Supported Housing Commissioning Manager
Metropolitan Borough of Wirral
Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

From: [REDACTED]
Sent: 04 June 2007 08:22
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Supporting People - [REDACTED] contract.

Thanks for this. I have had no conversation with anybody from regeneration regarding a meeting. I can offer 9.30 tomorrow, 11th June after 1pm or 12th June before 11am. [REDACTED], I would appreciate your attendance.

[REDACTED]
Principal Manager – Specialist Services
Wirral Council
Department of Adult Social Services
Tel: 0151 666 4790
Email: [REDACTED]@wirral.gov.uk
Fax: 0151 666 4747

13/12/2010

Wallasey Town Hall
Brighton Street
Wallasey
CH44 8ED

From: [REDACTED]
Sent: 30 May 2007 13:32
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Supporting People [REDACTED] contract.
Importance: High

Thanks for this [REDACTED].
Following our conversation I have followed your concerns with [REDACTED].
He tells me that whilst there was a delay in undertaking the assessments, they are now completed.

However the work has not been validated by the appropriate Service Manager [REDACTED]. This
would be usual process and in my opinion extremely wise to do.

[REDACTED] is back in the office on Monday 4th June.

Given the complexity of this matter it may be sensible to wait until [REDACTED] returns. This would be my preferred
option unless matters are so urgent that details have to be checked this week.

In turn I feel sure that [REDACTED] will be able to organise a meeting before 18th given the urgency of this matter.

Please let me have your thoughts

[REDACTED]
Head of Service

Referral, Assessment and Care Management

Wirral Council

Department of Adult Social Services

Tel 0151 666 3632

[REDACTED]@wirral.gov.uk

Fax 0151 666 4747

Visit our website www.wirral.gov.uk

Please save paper and print out only when necessary

From: [REDACTED]
Sent: 30 May 2007 13:12
To: [REDACTED]
Cc: [REDACTED]
Subject: Supporting People [REDACTED] contract.

13/12/2010

[REDACTED]

From: [REDACTED]
Sent: 04 June 2007 11:05
To: [REDACTED]
Cc: [REDACTED]; [REDACTED] (DASS); [REDACTED]
Subject: RE: [REDACTED]

Hi [REDACTED]
we have had a change of structure here at DASS and [REDACTED] has taken over Safeguarding adults from [REDACTED]. I have made [REDACTED] aware of this situation and we will be convening a follow on strategy meeting as soon as possible.

Thanks

[REDACTED]
Safeguarding Adults co-ordinator
Wirral Council
Department of Adult Social Services
Tel-0151-643-7320
[REDACTED]@wirral.gov.uk
Fax 0151-643-7321
Visit our website: www.wirral.gov.uk
Please save paper and only print what is necessary

From: [REDACTED]
Sent: 01 June 2007 14:02
To: [REDACTED]
Cc: [REDACTED]; [REDACTED] (DASS); [REDACTED]
Subject: [REDACTED]

Hi [REDACTED]

Hope you're well?

Earlier this morning, I received a call from a Social Worker [REDACTED] regarding [REDACTED], a Service User

[REDACTED] was calling as he had some serious concerns regarding Pauline's wellbeing.

[REDACTED] stated that

- Meals have not been delivered
- The Housekeeper has not been replaced, resulting in a deterioration in the state of the interior.
- [REDACTED]'s personal hygiene is deteriorating rapidly.

After the concerns were raised in Jan 06, regarding the unreliable delivery of food and the lack of access that the SU's have to food, [REDACTED] advised [REDACTED] by telephone that there was food available to SU's thus minimising the immediate risk. However, as per our T/C with [REDACTED] this does not appear to be the case.

Once again, we are becoming increasingly more concerned about the health, safety and wellbeing of the SU's.

Please could you advise of action taken by AP in addressing the last complaint raised by the SP Team and the recommended action arising from this complaint?

We will attempt to contact [REDACTED] again regarding this matter. It is however, difficult for us to secure an alternate

Adult Protection Investigation; Seabank Road and Grove Road

Update since last strategy meeting of 21 September 2007

I met with [redacted] of European Lifestyles on 28th September, [redacted] not available. At this meeting I also met three tenants of Seabank Road, [redacted] and [redacted]. [redacted] showed me around the house and there was not enough food in the cupboards or fridge to cook a nutritious meal. I was shown inside the garden shed where there was a substantial amount of tinned food and the chest freezer which was full of frozen foods. [redacted] told me that the food was delivered on a monthly basis and consisted of exactly the same order whether it was needed or not. The residents had been instructed by [redacted] not to touch the food as it was [redacted].

All three tenants told me they did not like living at Seabank Road. [redacted] was inconsolably crying and pleading with me to help [redacted] move out. The previous night [redacted] had called round and 'frisbied' [redacted] envelope of money at [redacted] which fell on the floor.

I arranged to meet later with [redacted] of European Lifestyles later on the 28th; we arranged to put in an emergency package of care of 5 hours a day to provide calls in the morning, lunch and teatime. These hours would be added to the 5 hours a day funded by Supporting People meaning that two support workers would be able to call for 1 hour in the morning, 1 at lunch and 3 in the evening. The purpose of the visits would be to support the tenants with meal preparation and their general wellbeing. This support would straddle both Seabank Road and Grove Road although [redacted] at Grove Road has [redacted] own package of support commissioned by [redacted].

I received a call in the early evening of 1st October from [redacted]. [redacted] told me that [redacted] had been to Seabank Road when [redacted] (Senior Support Worker) was there; [redacted] was shouting at [redacted] and being very intimidating to the point that [redacted] physically removed [redacted] from the building. All tenants were upset at these events. [redacted]'s argument was that [redacted] had no right to be in [redacted] house and using [redacted] food. EDT were informed and service manager [redacted] who ratified that the carers had every right to be in the property. I communicated this to [redacted] and [redacted] returned later to check on the tenants, all had calmed down by then. The following evening (2nd Oct) a similar altercation happened between [redacted] and [redacted] although there was no physical contact on this occasion, as agreed beforehand [redacted] removed [redacted] from the situation.

A letter to [redacted] was drafted by [redacted] informing [redacted] that his behaviour could not be tolerated and reminding [redacted] that [redacted] was solely the landlord for the tenants and should not impede the assessed package of care, this was delivered by hand and given to [redacted]. That evening [redacted] contacted [redacted] and told [redacted].

not to let anybody in to Grove Road, no food was delivered and it is believed that [REDACTED] did not have any food that evening.

A meeting was held with [REDACTED] of the Department of Work and Pensions Fraud team, this meeting unearthed information which when added to information already known gives the great concern as to the distinct possibility of fraudulent activity on the part of [REDACTED], examples of such are;

- No written, signed and dated rental or other payment agreements
- No receipting of monies paid or received
- Evidence of [REDACTED]'s deceased wife still being appointee and [REDACTED] bank account still being used to handle monies, this information came from [REDACTED] in the DWP Fraud team.
- Tenants who do not spend their weekly allowance are only 'topped' up at the end of the week and resulting in a couple spending all their money on the day before payment to get the full amount
- Tenants getting 'fined' £5 if they ask for their money a day early
- A tenant told me that [REDACTED] is shown statements of [REDACTED] savings accrued through the year but this then goes back to nil at the end of the year.
- [REDACTED] telling residents not to touch the substantial amount of food in the outside shed as it is [REDACTED]
- According to other tenants one resident of Seabank Road who [REDACTED] is appointee for and claiming all benefits has not slept in [REDACTED] room for more than two years, [REDACTED] lives with [REDACTED] boyfriend in another place in Egremont and collects [REDACTED] allowance from [REDACTED]
- Copies of an agreement (signed but not dated) saying residents pay [REDACTED] £47 a week for food which is certainly not provided and £35 for unspecified 'management fee'
- [REDACTED] who is appointee for [REDACTED] being charged £96.10 per week by [REDACTED] [REDACTED] has a breakdown which states that this is for utilities, food and care however the food and care are not being provided to this extent.

My personal view on the matter is that there needs to be clear role identification in this strategy process. I feel that there seems to be enough suspicion to warrant further investigative work by the appropriate agencies involved, currently I am being pulled outside of my remit of care management.

I further feel that the general integrity of Adult Protection procedures could be compromised without effective inter agency working which we need to get right in this complex situation.

[REDACTED]
Care Manager
Learning Disabilities Service
12/10/07



Metropolitan
Borough of Wirral



supportingpeople

IMPACT ASSESSMENT

12th October 2007

Attended: [REDACTED]

Apologies: [REDACTED]

- Supporting People finished their service review on 26th July 06.
- [REDACTED] failed to meet the standards and have consistently failed to provide any documentation requested.
- SP team have advised [REDACTED] by letter that they will not be contracting any further with [REDACTED] once Interim Contract ends on 14th August. [REDACTED] was given the right to appeal to that decision but has failed to do so.
- SP team have tried unsuccessfully to make contact with [REDACTED]
- [REDACTED] and [REDACTED] will carry out unannounced visits once a month and will report back any issues.
- As a result of a Adult Protection meeting 6/10 [REDACTED] emailed [REDACTED] which [REDACTED] shared with the meeting:

Following the Strategy meeting held on 6th October 2006 the recommendations were that [REDACTED] needed to be investigated. It was felt that this investigation should be carried out by initially completing a service user assessment for all service users. This would give us clear evidence of concerns. I have since met with [REDACTED] for advice of how best to advance this recommendation. [REDACTED] will allocate an appropriate social worker to the case and will brief [REDACTED] on [REDACTED] proposed action.

- There will be a monthly multi-agency impact assessment meeting when attendees will be updated.
- The impact assessment form is to be emailed out to everyone with the request that it should be looked at in detail and they should bring any suggested alterations to the next meeting. The form should be filled in showing implication to the various

departments. This form should be brought along to each meeting.

- Some of the clients involved are now "Older People" which requires the involvement of [REDACTED]
- A discussion took place about the finances it was agreed that it would be helpful to look back at all clients with [REDACTED] to find out:
 - Who placed the clients there
 - Who authorised the placement
 - What services are they accessing
- [REDACTED] was to feedback to [REDACTED] the content of meeting and to clarify with [REDACTED] who is the identified Social Worker who will be carrying out the new assessments. And to stress the importance of attending the meeting.
- The importance of the Impact Assessment Meetings was stressed, if people cannot attend any future meetings could they please ensure they send someone in their place.

[REDACTED] (s)

1. Description

1. Clarify protection and commissioning concerns and arrange to meet service user's needs in a safe environment

2. Issues

1. Service users have tenancies with [REDACTED] as landlord
2. Unclear how Service user came to live or be placed with [REDACTED]
3. Three service user who were vocal were provided with alternative placements
4. Long history (over 7 years) of concerns re this placement with history of strategies not being effected
5. Remaining service users have SP, and CC, but seem to have CC needs.
6. Service users were assessed/reassessed 2 years ago but no care plans were written and no services offered.
7. Some service users refused to cooperate with the assessments because they were afraid that they might be moved.
8. Service users have support from [REDACTED] but it seems to be inadequate for their needs.
9. Service users seem to be funding their own care from [REDACTED] through their benefit which seem to be taken or controlled by [REDACTED].
10. Some service users say they want to remain in their current accommodation.
11. Most service users are LD, one is PSD.

3. Risks

1. Departmental failure to decide whether disabled people were entitled to services On the basis of services carried out in 2004.
2. Departmental failure to effect POVA protection plan from strategy meeting in 2005
3. Supporting People Team will try to direct responsibility from themselves towards
4. History of concerns, but failure to address effectively

5. Some service users will not wish to move from their current accommodation but [REDACTED] may serve eviction notice.

A. Action/complaint from service user

B. Action/complaint from [REDACTED] may serve eviction notice.

6. Does the Department know the location of the service user?

7. Lack of cooperation by the service user

8. Lack of cooperation by

4. Downside Analysis

1.

5. To Do

1. [REDACTED] will arrange for [REDACTED] & [REDACTED] to carry out the desktop review. DEAD: POVA follow-on strategy meeting 02/11/06

2. Identify second person to assist [REDACTED] with service user interviews

6. Resources

1. [REDACTED]

2. Second social worker

3. [REDACTED] or delegate, SP

4. Procurement – invite to Strategy Meeting
5. [REDACTED] – Joint Commissioning Manager

7. Meetings

1. POVA Follow- on Strategy Meeting 02/11/06 ? Time.
(n.b. Performance Surgery)

Diary

23/10/06: Discussion with [REDACTED] and [REDACTED]. Agreed that [REDACTED] will carry out a desktop review with [REDACTED] in time for the Strategy Meeting of 02/11/06.

Following that a second social worker will be identified to work with [REDACTED] to carry out service users interviews, (possibly a GA social worker, or [REDACTED] if not engaged with the [REDACTED] investigation/assessment). Agreed evaluation of [REDACTED] care: Historical, no [REDACTED] progress, service user appears to have GC needs; placement history unclear, no effective outcome to assessment of 2004 or strategy meeting of 2005.



Metropolitan
Borough of Wirral

memorandum

to [REDACTED]

date: 13 December, 2010

from: [REDACTED]

my ref: //
your ref
tel

subject: [REDACTED]

I received a phone call from [REDACTED] today. [REDACTED] lives in 12 Grove Road.

[REDACTED] is very concerned about the welfare of [REDACTED] stated that the standard of service has deteriorated since August last year. Examples given:

- [REDACTED] is supposed to be provided with an evening meal but no meal has been supplied since last Thursday
- The cleaner has not been coming to the property for some time
- The washing machine is broken and no attempt has been made to get it repaired
- [REDACTED] is still taking money from [REDACTED] and this does not leave [REDACTED] with enough money to take care of [REDACTED]

I gave [REDACTED] the telephone number for CADT and advised [REDACTED] to explain [REDACTED] concerns. I advised [REDACTED] that they may be able to get a Care Manager allocated for [REDACTED] or they may instigate an Adult Protection Investigation.

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INVESTOR IN PEOPLE



2002-2003
Community Legal Service
2002-2004
Transforming Resonance Education
Child & Adolescent Mental Health Services

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Annex N

to the

Independent Review of

Wirral Metropolitan Borough Council's

Response to Claims Made by

Mr Martin Morton (and Others)

consisting of

Minutes of the Adult Protection

Strategy Meetings

STRICTLY CONFIDENTIAL - NOT FOR PUBLICATION

MINUTES OF ADULT PROTECTION STRATEGY MEETING

Supported Options
HELD ON 8th April 2005

Present:

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Service Manager
Adult Protection Co-ordinator
Borough Solicitor
Supported Living Development
Supporting People Team
Supporting People Team
Supporting People Team

Supported options has been an Adult protection Concern for some time but as it was originally raised prior to the rota system it has remained outside the current Adult Protection arena. Past minutes were not available at this time.

Re –cap

- Service users made statements in June 04 relating to financial abuse.
- Supporting people team reviewed the service and raised concerns.
- 2 Care managers have met with the service users to look the complaints raised.
- To-date service users still making complaints.

-
- [REDACTED] raised concerns in relation to the capacity of the service users concerned in relation to their ability to hold a tenancy agreement. Service users signed the tenancy agreements in July 2004.
 - The Supporting people review of the service is complete and an action plan has been drawn up. SPT felt that they would not want to decommission this service. Currently the scheme is run like a care home and there is insufficient support being provided for the service users. The SPT have a record of their findings. Personal hygiene tasks are carried out by the support workers. The service is not registered with CSCI.
 - [REDACTED] discussed the two options of going with the proposed action plan or decommissioning the service. This would mean an exit-strategy for 15 people. An option to allow [REDACTED] to be Landlords and not care providers was discussed. Concerns were raised that if [REDACTED] were still landlords they would have the right to enter the property and so intimidation of Service users would still continue. It was felt that if Service users understood that as tenants they have rights and that the Landlords can not just enter a property as and when they choose this may be an option.
 - A discussion around service users who where able to hold a tenancy agreement and understand their rights could be supported by a different care provider and remain in the [REDACTED] properties. Those service users who do not have the capacity to hold a tenancy would be assessed for other accommodation.

- The possibility of criminal activity also needs to be explored. The police need to be presented with all evidence in relation to the service user complaints.

Actions

- [REDACTED] to action the Physical disabilities team to allocate ABE workers for the individual thefts that are being investigated by the police.
- [REDACTED] to set up a meeting with FSU to raise concerns with the police in relation to possible criminal activity.
- [REDACTED] to contact CSCI to look at this service and see what other properties the [REDACTED] are the registered owners for.
- [REDACTED] and [REDACTED] to meet with the head of service to discuss putting a proposal forward to [REDACTED] in relation to the future running of the service.
- [REDACTED] to writ to [REDACTED] to request copies of the tenancy agreements and to disclose financial information related to the case.
- [REDACTED] to meet with [REDACTED], Housing department and [REDACTED] to look at an exit strategy.
- Social Services to Support the SPT decommission of the service.

Adult Protection Initial Strategy Meeting

Name: Newhaven Care

Time/Date: 10:00am, 14th July 05

Chair: [REDACTED] – Adult Protection Co-ordinator

Introductions: [REDACTED] – FSU, Bebington
[REDACTED] – CSCI Inspector
[REDACTED] – Retail Fraud, Halifax Bank
[REDACTED] – Team Manager, Contract Dept.
[REDACTED] – Minutes, Adult Protection

Apologies: None

Concerns relating to the victim:

On 14th June 05 [REDACTED], owner of Newhaven Care visited the Wallasey branch of Halifax to open up 9 Liquid Gold Accounts. These are savings account. All signatures were in the same handwriting. This raised concerns with the counter staff who forwarded her concerns to the Halifax Retail fraud at head office, Halifax.

When applying for these accounts [REDACTED] produced a letter from a GP confirming that all-9 residents lived at Newhaven Care. On the letter the year had been changed from 2004 to 2005. The accounts have not as yet been processed and so are not in operation.

Concerns were also raised these residents already have active back accounts with Barclays Bank.

Emergency actions taken prior to the strategy meeting:

All 9 applications have been put on hold.

[REDACTED] is not aware of this and has not been informed that there is a meeting regarding these issues.

Concerns raised by other agencies:

- CSCI – when investigating Newhaven Care there were no concerns around finances. CSCI will do a further investigation and put down that finances will need to be looked at in more detail.

- Police –The status of the accounts for both homes were questioned. Have any transactions occurred and were there any deposits of money? The Halifax was able to report that no deposits of money had occurred the accounts were still at the applications stage.
- Halifax - [REDACTED] has previously opened these types of accounts for other service users at his other home. When applying for these accounts again in June [REDACTED] asked for the same member of staff who dealt with the accounts in February.

. It was also felt that these service users have no capacity around there finances and would not understand what the account was or for. If the service users were going to open up an account they would need an advocate there or a social worker to be present, as these are young adults with severe learning difficulties. There were also concerns raised as to why all 9 service users decided that they all wanted to open the same account.

Identified risks. Is the victim protected?

Concerns have been raised in relation to the possible financial abuse of the service users. As the accounts are not open yet it is felt that the risk has been minimised.

Action Plan:

- [REDACTED] to check who and if the service users are allocated to and what team the social workers are from.
- CSCI to investigate financial affairs. An inspection will occur were and the current set up for managing service users finances will be looked at.
- It was felt that to prevent any suspicions being raised by [REDACTED] Halifax will open the accounts. They will be carefully monitored.
- [REDACTED] to liaise with [REDACTED] and inform of new meeting and request that [REDACTED] chairs the meeting as [REDACTED] is on leave.

Date and time of next strategy meeting:

Friday 5th August 05, 09:30am, Bebington Town Hall Annex, Civic Way, Bebington.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: Newhaven Care Care Home

Time/Date: 14:30pm, 03rd August 05

Chair: [REDACTED] Service Manager

Introductions: [REDACTED] Inspector, CSCI
[REDACTED] FSU, Bebington
[REDACTED] Minutes, Adult Protection

Apologies: [REDACTED] Team Manager, Contacts Dept.

Minutes from previous meeting

Agreed.

Actions from previous meeting – progress reports

1. [REDACTED] to check whom and if the service users are allocated too and to what team the social workers are from.
[REDACTED] to chase this up.
2. CSCI to investigate financial affairs. An inspection will occur were and the current set up for managing service users finances will be looked at.
A CSCI investigation took place and [REDACTED]'s finances were looked over. There is no evidence of any financial abuse. The resident's fees are paid in to [REDACTED]'s account, [REDACTED] takes his fee and then gives the residents their £18.50. [REDACTED]'s in and out balances are all up to date. The new accounts that have been opened for the residents they will receive the interest on there accounts. CSCI feel that this is good practice on the service users behalf. The money that the service users have left over is given to [REDACTED], for the services users to have a nice grave when they pass away.
3. It was felt that to prevent any suspicions being raised by [REDACTED], Halifax will open the accounts. The accounts will be carefully monitored.
Accounts have now been open; Halifax will monitor and inform Adult Protection if an incident occurs.

4. [REDACTED] to liaise with [REDACTED] and inform of new meeting and request that [REDACTED] chairs the meeting as [REDACTED] is on leave.
[REDACTED] was unable to chair the meeting; therefore [REDACTED] chaired the meeting in place of [REDACTED].

Update:

Police – Satisfied that this is not criminal and that [REDACTED] has done this for the right reasons not the wrong reason.

Social Services – Better practises need to be put in place in managing finances for people with learning difficulties.

Is investigation complete or are further actions required

Further actions will be needed.

Summary of further action plan

1. [REDACTED] to liaise with [REDACTED] and FLO's Team in relation to putting practise in place.
2. [REDACTED] to develop the practise and then this will be circulated to all care homes who will be expected to comply.

Date and time of next meeting

No further action for Adult Protection, case closed.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: Newhaven Care Care Home

Time/Date: 14.00pm, 30th September 05

Chair: [REDACTED] Service Manager

Introductions: [REDACTED] FSU, Merseyside Police
[REDACTED] CSCI
[REDACTED] CSCI
[REDACTED] Fraud, Job Centre Plus
[REDACTED] Team Manager, Contracts
[REDACTED] Service Manager
[REDACTED] Adult Protection Co-ordinator
[REDACTED] Minutes, Adult Protection

Apologies: None

Minutes from previous meeting

Agreed.

Actions from previous meeting – progress reports

CSCI to investigate financial affairs. An inspection will occur were and the current set up for managing service users finances will be looked at. [REDACTED] went and inspected Newhaven Care Care Home and felt that all seemed well but that [REDACTED] was not happy with the outcome. [REDACTED] later liaised with team manager [REDACTED] and both felt that they needed to re-visit Newhaven Care Care Home. [REDACTED]'s finances were looked in to further and it was discovered that in the records of the ingoing/outgoing balance was not matching and when asking [REDACTED] to produce the relevant paper work they were unable too. [REDACTED] stated that they service users money was kept in the tins in their rooms. When the tins were checked there was no money. [REDACTED] were both unable to state were the money had gone and both started to contradict them selves. CSCI informed [REDACTED] that they were either keeping the money or it was down to poor accounting. [REDACTED] replied that it was down to poor accounting.

CSCI then requested documents that [REDACTED] would have to produce within a few days after the inspection. These included whom [REDACTED] was a guardianship holder for. When producing these to CSCI it was felt that there documents were false. CSCI also noticed that [REDACTED] were using service users mobility money as a top up fee. [REDACTED] was very reluctant to give any other documents and stated [REDACTED] was unable to get them. CSCI have since not been able to get in contact with [REDACTED].

Update:

[REDACTED] pointed out that it stated in [REDACTED]'s new contract that mobility money would not be allowed to be used as a top up fee.

[REDACTED] is unable to explain why there are so many gaps in the accounts. Concerns were raised as to where the money is going and why it is being paid in to [REDACTED]'s account if [REDACTED] is not an appointee. When CSCI asked [REDACTED] what accounts the service users had, [REDACTED] informed that they only had a Post Office account. [REDACTED] did not inform CSCI about the Halifax accounts [REDACTED] recently opened. CSCI are already aware of these accounts but did not let [REDACTED] know this.

When looking over the records [REDACTED] gave CSCI they noticed that when service users go for a foot massage at Ashton House they have been paying £8. Ashton House does not charge Service users for this service provided. CSCI will write to [REDACTED] to confirm this.

It was felt that the Council's Financial Liaison Officer's Team would have to be spoken to regarding this matter and to see if they are able to assist. It was felt that an Audit was in need regarding the finances of these service users.

Is investigation complete or are further actions required

Further actions will be needed.

Summary of further action plan

1. Audit to be carried out. [REDACTED] to liaise with [REDACTED]
2. [REDACTED] to speak to Welfare Benefits in relation to the ongoing concerns.
3. [REDACTED] to find out how much the fee for Newhaven Care Care Home is. [REDACTED] **contacted her team whilst in the meeting – fees are £325.42.**
4. ABE interviews to be set up for all service users.
5. A letter to be sent to [REDACTED] informing them that they are in breach of their contract. Contracts section to do this.

6. Learning Disabilities and Contracts Section to have a separate meeting, [REDACTED] to liaise with them.
7. [REDACTED] to liaise with [REDACTED] regarding the new referral.
8. CSCI to write a letter to [REDACTED] confirming whether service users have to pay the £8 for services provided.
9. A list of service users names to be forwarded to the Contracts Section by CSCI. [REDACTED] to then liaise with [REDACTED] and Job Centre Plus.

Date and time of next meeting

4th November 2005, 10.30am. Meeting will be held at Bebington Town Hall Annexe, Civic Way, Bebington.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: Newhaven Care Care Home

Time/Date: 13.30am, 4th November 05

Chair: [REDACTED]

Introductions: [REDACTED] Fraud, Job Centre Plus
[REDACTED] FSU, Merseyside Police
[REDACTED] CSCI
[REDACTED] Team Manager, Contracts
[REDACTED] Minutes, Adult Protection

Apologies: [REDACTED], Service Manager.
[REDACTED], Service Manager,
[REDACTED], CSCI

Minutes from previous meeting

Agreed.

Actions from previous meeting – progress reports

Audit to be carried out. [REDACTED] to liaise with [REDACTED].
Will be discussed at the next strategy meeting.

[REDACTED] to speak to Welfare Benefits in relation to the ongoing concerns.
Completed.

[REDACTED] to find out how much the fee for Newhaven Care Care Home is.
[REDACTED] **contacted her team whilst in the last strategy meeting – fees are £325.42.**

ABE interviews to be set up for all service users.
Will be discussed at the next strategy meeting.

A letter to be sent to [REDACTED] informing them that they are in breach of their contract. Contracts section to do this.
Contracts visited and felt that [REDACTED] were not in breach of their contract, therefore no letter was sent out.

Learning Disabilities and Contracts Section to have a separate meeting. [REDACTED] to liaise with them.

This did not happen.

[REDACTED] to liaise with [REDACTED] regarding the new referral.
A strategy meeting was held in respect of [REDACTED] CSCI will look into the issues that have been raised.

CSCI to write a letter to [REDACTED] confirming whether service users have to pay the £8 for services provided.

These services do not charge a fee.

A list of service users names to be forwarded to the Contracts Section by CSCI. [REDACTED] to then liaise with [REDACTED] and Job Centre Plus.

Completed..

Update:

Concerns were raised in relation to the service users benefits, it was agreed that [REDACTED] would collate all relevant benefit information for the investigation to continue.

[REDACTED] stated that [REDACTED] would be further investigating, as more information is required with regards to the bank accounts and interest payments made. It was felt that most service users would be unable to sign for bank accounts.

Concerns were raised in relation to comments [REDACTED] allegedly made in relation to service users excess money being spent on parties, but no evidence was produced.

Concerns were also raised in relation to saving accounts no record of saving, no evidence to support cheques that had been written.

It was decided that Learning Disability Team would need to identify a selection of service users that are able to communicate for further police investigation.

Is investigation complete or are further actions required

Further actions will be needed to complete the investigation.

Summary of further action plan

1. Learning Disability Team to highlight 3 service users who they feel would communicate best.
2. [REDACTED] to collate a breakdown and proof of benefits paid to individual services users and [REDACTED]
3. [REDACTED] to further investigate bank accounts and interest payments and to clarify any information already gathered.

Date and time of next meeting

17th November 2005, 9.30am. Meeting will be held at Bebington Town Hall Annexe, Civic Way, Bebington.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: Newhaven Care, Care Home

Time/Date: 9.30am, 17th November 05

Chair: [REDACTED], Service Manager

Introductions: [REDACTED], FSU Merseyside Police
[REDACTED], CSCI
[REDACTED], Social Service Contracts
[REDACTED], Social Service Contracts
[REDACTED], Fraud Job Centre Plus
[REDACTED], Adult Protection Co-ordinator

Apologies: [REDACTED]

Minutes from previous meeting

Agreed.

Actions from previous meeting – progress reports

Audit to be carried out. [REDACTED] to liase with [REDACTED]
[REDACTED] will continue to push for this, due to departmental joining together DWP this has proven difficult at present.

Learning Disability Team to highlight 3 service users who they feel would communicate best.

The following service users have been identified.

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] to collage a breakdown and proof of benefits paid to individual services users and [REDACTED].

This was completed and print out was provided to all in the meeting.

[REDACTED] to further investigate bank accounts and interest payments and to clarify any information already gathered.

To be discussed at next meeting.

Update:

It was reported the service users that have been identified for investigation have not been reviewed for a while. This was to prevent [REDACTED] becoming suspicious and jeopardising the investigations.

It was discussed that 2 from the older person's section of the home and 2 from the younger person's section of the home would be the key subjects for further investigations.

[REDACTED] provided everyone in the meeting with a copy of service user benefits and to whom they are being paid. Due to Disability Living Allowance being paid by Blackpool offices [REDACTED] did not have access to them and has made a further action to liaise with the Blackpool office and collate the relevant information.

[REDACTED] from Contracts was concerned in relation to making a cold call to the home, [REDACTED] stated she did not want to alert [REDACTED] to any investigations taking place. It was discussed between information from the Department of Works and Pensions, and the information ceased by CSCI [REDACTED] would be able to determine that if financial abuse was taking place, contracts cold call should not make any difference.

A further case was brought into the meeting in relation to [REDACTED] who is currently residing at [REDACTED]. It has been alleged a Giro for £364.50 was sent to [REDACTED] for [REDACTED] after [REDACTED] had left [REDACTED]. It was reported [REDACTED] refused to give any money back to [REDACTED] reply being this money was owed to [REDACTED] due to lieu of notice. It is not however in any written contract that this should be paid.

It was discussed that at present [REDACTED] would concentrate on the selected key witnesses and would put any further cases on hold.

Is investigation complete or are further actions required

Further actions are required to complete the investigations

Summary of further action plan

1. [REDACTED] to concentrate on the following four selected service users.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
2. [REDACTED] to provide [REDACTED] all files and evidence of financial transactions [REDACTED] has previously ceased from the home.
3. [REDACTED] will liaise with Disability Living Allowance for information in relation to whom these payments are being made to.

4. [REDACTED] to contact [REDACTED] for any further information [REDACTED] may be able to provide in relation to the care home.

Date and time of next meeting

Thursday 24th November at 13.00. Meeting will be held at Bebington Town Hall Annexe, Civic Way, Bebington Wirral.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: Newhaven Care Home

Time/Date: 13:00 – Wednesday 1st March 06

Chair: [REDACTED] Service Manager

Introductions: [REDACTED] FCIU, Merseyside Police
[REDACTED] CSCI, Lead Inspector
[REDACTED] Contracts, Social Services
[REDACTED] Contracts, Social Services
[REDACTED] Fraud, Job Centre Plus
[REDACTED] Adult Protection Co-ordinator

Apologies: None

Minutes from previous meeting

Agreed.

Actions from previous meeting – progress reports

[REDACTED] to concentrate on the following four selected services users.
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Completed

[REDACTED] to provide [REDACTED] all files and evidence of financial transactions [REDACTED] has previously ceased from the home.

Completed

[REDACTED] will liase with Disability Living Allowance for information in relation to whom these payments are being made to.

Completed

[REDACTED] to contact [REDACTED] for any further information [REDACTED] may be able to provide in relation to the care home.

Completed

Is investigation complete or are further actions required

Investigation are not complete, further information is required to determine if any criminal activity has taken place.

Summary of further action plan

Currently more information is required around the four service user's finances. This will need to be done prior to any decision on police action.

██████████ to ask ██████████ if one of ██████ team can collate the financial information on the four service users, inclusive of Power of Attorney.

Contacts to work with ██████████ to complete a financial audit of the service user's finances within the home.

██████████ to provide ██████████ with Social Service contract and CSCI national minimum standards.

Date and time of next meeting

Further to be arranged. ██████████ to inform ██████████ when meeting required.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: New Haven Care Home ([REDACTED])

Date/Time: 10:30am - Friday 26th May 06

Chair: [REDACTED] Service Manager

Introductions

[REDACTED] Regulation Manager, CSCI
[REDACTED] Inspector, CSCI
[REDACTED] Contract Officer, Adult Social Services
[REDACTED] Family Crime Investigation Unit, Merseyside Police
[REDACTED] Information Support Officer, Adult Social Services

Minutes from previous meeting

Agreed.

Progress reports

[REDACTED] reported that he had been working with contracts and found nothing untoward. All finances were managed appropriately. [REDACTED] commented that this was the second attempt to investigate the finances of [REDACTED] and it has been found that the management is satisfactorily being met.

Discussions were made in relation to how the disability payments were spent. It was established that the money is used to pay for a part of their care and an amount of £18.40 is left over for the service users personal allowance. This was recorded and no discrepancies were found. [REDACTED] commented that the bookkeeping is not the best.

[REDACTED] commented that the initial issue was brought to everyone's attention by the Halifax and commented that [REDACTED] is still no clearer following inspections of what the intention of these accounts are as [REDACTED] has not mentioned them being in existence. [REDACTED] commented that there may still be concerns but evidentially there is nothing the police can use.

[REDACTED] questioned that when [REDACTED] does a further inspection should [REDACTED] only see the £18.40 amount for service users. It was discussed that the only benefit that cannot be used for contributions is the mobility allowance.

██████████ commented that there are places that inappropriately use services users income. I.e. buying mini buses or cars. ██████████ commented that ██████████ would raise this concern at the Adult Protection Committee with ██████████. It was commented that ██████████ would need to be informed of the outcome of the investigations. ██████████ commented that if the situation continues and ██████████ does not address ██████████ incompetence then the situation would need to be revisited.

Is investigation complete or are further actions required

Investigations are complete. Further actions are required.

Summary of further action plan

- ██████████ to inform ██████████ of the outcome of the CSCI investigations by letter. Cc letter to ██████████.
- ██████████ to inform ██████████ of the outcome of the contracts investigations by letter. Cc letter to ██████████

Date and time of next meeting

No further action at present for adult protection. Case closed.



Metropolitan Borough of Wirral

Adult Protection Initial Strategy Meeting

Name of Victim: [REDACTED] (19/07/1945)

Time/Date: 10:30am - Wednesday 6th September 08

Chair: [REDACTED] Service Manager

Introductions

[REDACTED] Supported Living Officer – Westminster House Social Services
[REDACTED] Family Crime Investigation Unit – Merseyside Police
[REDACTED] Advocate – Wirral Mind
[REDACTED] Care Manager – Learning Disabilities, Adult Social Services
[REDACTED] Team Co-ordinator – 5 Cardigan Road
[REDACTED] Contract Manager – Contract Department, Adult Social Services

Apologies

[REDACTED] Keyworker – 5 Cardigan Road

Concerns relating to the victim

[REDACTED] reported that [REDACTED] had been to see [REDACTED] following [REDACTED] move to Cardigan Road. [REDACTED] stated to [REDACTED] that the lady from The Department of Work and Pensions had said the [REDACTED] has been robbing [REDACTED] of [REDACTED] money.

It was also alleged that following a visit from the GP that [REDACTED] had also been collecting [REDACTED]'s medication. [REDACTED] stated that [REDACTED] was concerned as to where the medication had gone.

Emergency actions taken prior to the strategy meeting

Both monies and medication are no longer going to [REDACTED]

Victim's wishes and feelings

Not known.

Capacity of the victim

It was reported that [REDACTED] has the capacity to make a complaint with support.

Concerns raised by other agencies

[REDACTED] stated that there is an ongoing adult protection referral in relation to the financial allegations and that this would need to be continued separately. [REDACTED] commented that it would be expected that the Department of Works and Pensions would pursue the allegation. [REDACTED] questioned what benefits [REDACTED] had allegedly fraudulently claimed. [REDACTED] reported that [REDACTED] had spoken with [REDACTED] (Keyworker for [REDACTED] whom was with [REDACTED] at Hordan House and it was established that [REDACTED] was still claiming housing benefits. [REDACTED] also reported that The Department of Works and Pensions questioned how many rooms [REDACTED] had lived in whilst at Grove Road as they had three different room numbers. [REDACTED] stated that [REDACTED] had always been in the same room. It was commented that there are different rates for various rooms.

[REDACTED] commented that [REDACTED] had tried on numerous occasions to speak with [REDACTED] but [REDACTED] is refusing to take [REDACTED] calls. [REDACTED] commented that [REDACTED] would not take any calls from [REDACTED] either.

[REDACTED] commented that there is not enough information from The Department of Works and pensions. It needs to be established what action they have taken against [REDACTED] for the alleged false claims. [REDACTED] commented that there are actions from the previous meeting that have not been confirmed and that [REDACTED] will liaise with the previous chair the need to reconvene and complete the actions.

[REDACTED] went onto the allegation of [REDACTED] continuing to collect [REDACTED]'s medication. [REDACTED] commented that this has been stopped, but that [REDACTED] is concerned as to what has happened with the medication. [REDACTED] questioned how the information came to light. [REDACTED] reported that when [REDACTED] arrived at Cardigan Road, all the background checks were done, i.e. setting up appointments and checking medications. [REDACTED] reported that when [REDACTED] arrived [REDACTED] did not have any medication and when checked it was being sent [REDACTED]'s previous address at Grove Road. [REDACTED] stated that the GP should be able to clarify how long the medication was supplied to [REDACTED] for and if it was returned. It was agreed that more clarity is needed to establish if the medication being sent to Grove Road was a genuine mistake or not.

[REDACTED] commented how ludicrous it was that a provider was refusing to speak with key people involved in the care of the residents.

Identified risks

It was agreed that the risks are low in relation to [REDACTED]. The alleged fraud is against The Department of Works and Pensions. The medication is an issue for the GP.

Action Plan

- [REDACTED] to clarify with The Department of Works and Pensions what steps they have taken against [REDACTED] for the alleged benefit fraud.
- [REDACTED] to speak with [REDACTED]'s GP and clarify the issues around the medication.
- [REDACTED] to liaise with [REDACTED] in relation to the previous adult protection meeting of alleged financial abuse being reconvened and the actions completed.

Date and time of next meeting

9:30am - Monday 25th September 06. Venue: Bebington Town Hall Annexe Civic Way Bebington Wirral.



**Metropolitan
Borough of Wirral**

Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED]

Date/Time: Friday 6 October 2006 – 11:20am

Chair: [REDACTED] Adult Protection Co-ordinator

Introductions

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Supported Living Officer, Supported People
Supporting People
Advocate, Wirral Mind
Contracts Manager
Team Support Officer, Adult Protection

Apologies

[REDACTED]

Service Manager, Learning Disabilities

Minutes from previous meeting

All agreed.

Actions from previous meeting – progress reports

[REDACTED] to action the Physical Disabilities Team to allocate ABE workers for the individual lifts that are being investigated by the police.

It was reported that [REDACTED] is the proprietor of three supported living properties with a total of fifteen places. The properties include; 17 Seabank Road has four places, 129 Seabank Road has five places and 12 Grove Road has six places.

[REDACTED] informed during July 2004 both [REDACTED] and [REDACTED] carried out assessments on all tenants residing at 12 Grove Road, 17 & 129 Seabank Road. It was reported that a number of concerns were identified at this stage and that [REDACTED] had been informed of these. The concerns involved: tenants being unaware of their benefit entitlement and own financial arrangements, no access to utilities, no option to develop living skills and medication not being managed. It was reported that the

tenancy licence was not stored properly and that privacy of tenants was not being met.

██████████ informed that during the visit residents appeared anxious and stated that they did not wish to be moved again, this making both ██████████ and ██████████ question what had been said prior to the visit. It was explained that the overall assessment could not be completed given the missing information, which had been requested from ██████████

During September 2004 ██████████ and ██████████ wrote to ██████████ and requested further information. It was explained ██████████ provided a breakdown of the information requested this included, GP information, medication, limited benefit information, however no information was provided regarding tenancy agreements. This information was forwarded to ██████████ (Service Manager, Learning Disabilities).

██████████ to set up meeting with FSU to raise concerns with the police in relation to possible criminal activity.

██████████ to contact CSCI to look at this service and see what other properties the ██████████ are the registered owners for.

It was reported that ██████████'s proprietor ██████████ has been spoken to via CSCI and has been investigated. The outcome of the investigation involved recommendations made by CSCI.

██████████ and ██████████ to meet with the head of service to discuss putting a proposal forward to ██████████ in relation to the future running of the service.

No information provided.

██████████ to write to ██████████ to request copies of the tenancy agreements and to disclose financial information related to the case.

Not complete.

██████████ to meet with ██████████ Housing Department and ██████████ to look at an exit strategy.

██████████ informed that Supporting People carried out two impact assessment meetings and that a representative from social services did not attend.

Social Services to support the SPT decommissioning of the service.

It was reported that the decommissioning of the service has not yet happened.

██████████ informed that since Supporting People have tried to work with ██████████ to achieve accreditation. It was explained that Supporting People

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not decommissioning

By

no

Framework is prescriptive and advice has been given, however [redacted] have refused to engage. It was reported that [redacted] currently do not meet the accreditation criteria, as they can not provide service user accounts or financial management.

It was reported that on 26 July 2006 Supporting People finished their service review as [redacted] failed to meet standards and provide documentation. [redacted] has been informed that Supporting People will not be contracting further with [redacted] once the interim contract ends on 14 August 2007.

[redacted] informed that an Impact assessment meeting has been arranged for Thursday 12 October 2006.

Further Information

[redacted] informed that [redacted] has supported two service users ([redacted] and [redacted]) who previously resided at [redacted] properties to relocate. It was explained that both service users were relocated due to concerns to financial and emotional abuse. It was explained that the [redacted] wrote to [redacted] (Head of Service, Adult Services) stating the concerns regarding [redacted] on 29 June 2006. Following this [redacted] referred the concerns to Adult Protection and Supporting People.

It was also explained that another service user - [redacted] has been moved from Sunningdale Residential Home into Supported accommodation without social service input. Both properties being owned by [redacted].

[redacted] reported that social services could not accredit [redacted] given that Supporting People have found them to be unfit.

[redacted] questioned if social services are funding for a greater services than is provided by [redacted]. [redacted] informed with regards to [redacted] funding for care was provided by Social Services, however [redacted] needs were not being met.

Is investigation complete or are further actions required.

Further actions are required.

Summary of further action plan

1. Contracts to identify who lives at the Supporting Living units and what social services are funding and liaise with [redacted].
2. Community Care assessments to be reviewed for the fifteen people who reside at [redacted].
3. [redacted] to brief Head of Service with regard to [redacted]. To include: a) need for an investigation b) concerns of financial/verbal abuse and.

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neglect c) failure to provide service d) Supporting People withdrawing accreditation.

4. [REDACTED] to provide [REDACTED] with a chronology.
5. [REDACTED] to email [REDACTED] to inform of the concerns and the Impact Assessment meeting details.

Date and time of next meeting

The next meeting will take place Thursday 2 November 2006 at 15:30.



**Metropolitan
Borough of Wirral**

Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED]

Date/Time: Thursday 2nd November 06 -- 15:30

Chair: [REDACTED] Service Manager

Introductions

[REDACTED] Advocate – Wirral Mind
[REDACTED] Deputy Manager – Supporting People
[REDACTED] Supported Living Officer
[REDACTED] Contracts Manager – Adult Social Services
[REDACTED] Safeguarding Adults Co-ordinator – Adult Social Services
[REDACTED] Team Support Officer – Safeguarding Adults Social Services

Minutes from previous meeting

Amendments to previous meeting: Page one paragraph one should read thefts and not hefts.

Page three paragraph two should read Supporting People will not commission with [REDACTED] if [REDACTED] continues in failing to comply. Not contracting.

Page three paragraph two of further information [REDACTED] has not been moved from Sunningdale Road, [REDACTED] was moved from Supported Living and is now residing at Sunningdale Road

Actions from previous meeting – progress reports

Contracts to identify who lives at the Supporting Living units and what Social Services are funding and liaise with [REDACTED]

[REDACTED] stated that none of the clients are funded by Social Services. [REDACTED] commented that in subsequent discussions it was established that they do have needs but do not meet the criteria.

Community Care assessments to be reviewed for the fifteen people who reside at [REDACTED]

[REDACTED] stated that [REDACTED] has not yet completed the assessments but has done a desk top review. [REDACTED]'s situation is complicated and it was not clear why [REDACTED] was placed as it is difficult to get hold of assessments. [REDACTED] appears

to have been placed by the Leaving Care Team. [redacted] stated that [redacted] would be going in, in the next few weeks to assess but stated that [redacted] would not like to go in alone to protect [redacted] from possible allegations. [redacted] stated that [redacted] would support [redacted] when [redacted] goes into complete the Community Care Assessments.

[redacted] to brief Head of Service with regard to [redacted] To include:
a) Need for an investigation. b) Concerns of financial/verbal abuse and neglect c) Failure to provide a service d) Supporting people withdrawing accreditation.
[redacted] informed [redacted] - Service Manager of Safeguarding Adult whom is present and chairing today's meeting.

[redacted] to provide [redacted] with a chronology.
[redacted] reported that a meeting was first called in 2004 as [redacted] was failing to meet the criteria and providing proof of finances. Supporting People were looking at pulling the contract. [redacted] attended meeting in relation to allegations of irregular finances but this did not proceed due to lack of evidence and therefore unable to proceed. Supporting people have advised [redacted] that in twelve months time they will not be renewing the contract of which there is seven months left. In the meantime an unannounced visit was made in May 2006 to Grove Road. [redacted] was present and the property was freezing, as the heating was not allowed to be put on. [redacted] had not had any other food since [redacted] breakfast and it was 15:30.

[redacted] then visit 129 Seabank Road residing at the property were [redacted] and [redacted]. 17 Seabank Road there was no answer.

Update

Discussions were held in relation to reports that [redacted] has sold the property - 17 Seabank Road to a family member and not informed relevant people of the changes. Payments of housing benefits are still live for the address in relation to clients thought to be residing but have been moved elsewhere. There was also discussions in relation to clients benefits being paid to [redacted] and them only receiving a small amount of pocket money. It was agreed that a member of the DWP needed to be invited to the next meeting.

[redacted] stated that the priority at present is to get the clients assessed. [redacted] stated that there is another option where [redacted] could remain as landlord but relinquish [redacted] responsibility of care and bring in an agency to provide the care but [redacted] is not engaging with Supporting People.

[redacted] summarised that it is believed that the clients require support and that [redacted] is not meeting their needs. The authority cannot purchase from [redacted] as [redacted] has not been accredited.

[redacted] stated that [redacted] had spoken with the police but unless there is clear evidence of intentional neglect then they will not get involved. [redacted] stated that [redacted] would speak again with the police.

██████████ requested that ██████████ be informed officially that ██████████ is residing in Sunningdale then ██████████ can inform CSCI of an undeclared resident. ██████████ stated that ██████████ is continuing with the monthly impact meetings. There were discussions in relation to merging the meeting with the strategy meeting but it was felt that they would be better kept separately.

Is investigation complete or are further actions required

Further investigations and actions are required.

Summary of further action plan

1. ██████████ to liaise with Housing Benefits and request that they investigate the payment of Housing Benefit for clients who are not living at the claimed addresses.
2. ██████████ to invite the Housing Benefits Officer to the next meeting.
3. ██████████ to develop a contingency plan i.e. getting another agency in to provide the support.
4. ██████████ to complete the Community Care Assessments with ██████████ as support.
5. ██████████ to invite ██████████ - DWP to the next meeting.
6. ██████████ to continue with the impact meetings and unannounced visit.
7. ██████████ to inform CSCI of the undeclared resident following official notification from ██████████

Date and time of next meeting

13:30 – Friday 17th November 06. Venue: Safeguarding Adult Unit, Westminster House, Hamilton Street, Birkenhead, Wirral.

Update – ██████████ from the DWP has been invited and confirmed attendance. Police have also been informed and confirmed attendance.



Metropolitan Borough of Wirral

Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED]

Date/Time: 13:30 – Friday 17th November 06

Chair: [REDACTED] Service Manager

Introductions

[REDACTED] Fraud Investigator – Job Centre Plus
[REDACTED] Family Crime Investigation Unit – Merseyside Police
[REDACTED] Contracts Manager – Contract Dept DASS
[REDACTED] Supported Living Officer – DASS
[REDACTED] Advocate – Wirral Mind
[REDACTED] Joint Commissioning Manager – DASS
[REDACTED] Team Support Officer – Adult Protection DASS

Apologies

[REDACTED] Deputy Manager - Supporting People

Minutes from previous meeting

Note: In the previous minutes it was noted that [REDACTED] was placed by the Leaving Care Team. This was not the case [REDACTED] was placed by the Leaving Care Team. It is not clear how [REDACTED] arrived at [REDACTED]

Actions from previous meeting – progress reports

[REDACTED] to liaise with Housing benefits and request that they investigate the payment of Housing Benefit for clients who are not living at the claimed addresses. [REDACTED] reported that [REDACTED] spoke with [REDACTED] prior to this meeting and [REDACTED] had informed Housing of the meeting today by email but has yet to receive a reply.

[REDACTED] to invite the Housing Benefits Officer to the next meeting. [REDACTED] informed [REDACTED] prior to this meeting that [REDACTED] had invited the Housing Officer by email.

[REDACTED] to develop a contingency plan i.e. getting another agency into provide the care support.

[REDACTED] stated that [REDACTED] still needs to discuss the options with [REDACTED] and has written to [REDACTED] again and is waiting for a reply.

██████████ to continue with the impact meetings and unannounced visit.
██████████ stated that the impact meeting will no longer take place and are to be merged with the adult protection meetings. An unannounced visit is due to take place on Wednesday 22nd November 06.

██████████ to complete the Community Care Assessments with ██████████ as support.

██████████ stated that ██████████ had located three people, ██████████ and ██████████. ██████████ stated that when ██████████ was asked about receiving ██████████ medication ██████████ stated that ██████████ also gave her medication also. ██████████ cannot read. ██████████ stated that ██████████ is desperate to be moved and ██████████ made a commitment to ██████████ that this would be achieved. ██████████ commented that whilst ██████████ was speaking with ██████████ the cleaner came in and asked who were where as ██████████'s daughter was on the phone wanting to know. ██████████ then went quiet.

██████████ to inform CSCI of the undeclared residents following official notification from ██████████.

██████████ contacted ██████████ – inspector for ██████████. ██████████ replied that it is an offence for a regulated person to keep a resident at the home without a community care assessment in place. ██████████ stated that ██████████ has not yet replied to ██████████ and thought that CSCI should follow this up.

Update

Discussions were held in relation to how the remaining assessments would be processed. ██████████ questioned if DASS had any powers to insist that the clients were seen. ██████████ stated that DASS do not commission or fund any placements at the establishment.

██████████ summarised the concerns to ██████████. ██████████ stated that ██████████ would check the benefits for the next meeting. ██████████ stated that ██████████ also had a contact within housing benefits that ██████████ would invite to the next meeting and ask them to check their payments.

Is investigation complete or are further actions required

Further investigations and actions are required.

Summary of further action plan

- ██████████ to complete the remaining community care assessments, with the support of ██████████
- ██████████ to check the benefits and housing benefit –through ██████████ liaison.
 - a) What benefits each client is in receipt of
 - b) Who if anyone is the appointee for the clients
 - c) Request a copy of the tenancy agreements from housing benefits
 - d) For which property they are paying the housing benefits for each of the clients

- [REDACTED] to forward the outcome of the community care assessments to [REDACTED]

Date and time of next meeting

[REDACTED] to contact Adult Protection to arranged the next meeting when assessments have been completed. With a target of six weeks.

Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED] – 2006.0936

Date/Time: Wednesday 8th August 2007 – 15:30

Chair: [REDACTED] Services Manager

Present

[REDACTED] Family Crimes Investigation Units – Merseyside Police
[REDACTED] Social Worker – Learning Disability
[REDACTED] Fraud Investigator - DWP
[REDACTED] Social Worker - General Adults Team DASS
[REDACTED] Manager – Contracts
[REDACTED] Supporting People – Wallasey Town Hall

In attendance

[REDACTED] Team Support Officer – Safeguarding Adults Unit DASS

Actions from the previous meetings progress reports

[REDACTED] to complete the remaining community care assessments, with the support of [REDACTED]
Completed.

[REDACTED] to check the benefits and housing benefit

1. What benefits each client is in receipt of
2. Who if anyone is the appointee for the service users
3. request a copy of the tenancy agreements from housing benefits
4. For which property they are paying the housing benefits for each of the clients.

[REDACTED] attended for [REDACTED] as [REDACTED] is on annual leave and will check the actions for the next meeting.

Adult Protection Subsequent Strategy Meeting

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Update

██████████ reported that since the last meeting in November 2007 in relation to supporting people. Due to the concerns and never being able to bring ██████████ to the meet the minimum standards supporting people have had no alternative but to issue notice against contract this id due to end 14th August. During this time supported people had arranged monthly impact meetings. ██████████ who was chairing the adult protection meeting at the time requested that these meeting stopped and we could meet through the adult protection arena, however no meetings had been arranged and the process ceased. Therefore supporting people went ahead and have introduced a care taker service - European lifestyles are in place. A lot of the people on the previous list are not in the properties any more. There have been issues with the residents being moved around between ██████████'s properties. No assessments had taken place and this breaks CSCI regulations that all residents are to have been community care assessed. There was also a complaint that ██████████ ██████████ was not being fed and would go hungry. ██████████ stated that European Lifestyles will be supporting the people in the transaction and will work with the residents to get there benefits back and supported to move. ██████████ commented that there has never been any clarity around the finances at to what or who is paying what. In the past residents have been given money weekly allowance of which they have to give two pounds a day for there meals. This has been known to be inconsistent and the residents are too scared to ask for this as they will get shouted at.

It was reported that Community care assessments had been done but services not put in place.

██████████ reported that they had concerns in relation to ██████████ ██████████ could do a lot for ██████████ but ██████████ was not getting no post, ██████████ had no idea of finances, ██████████ had ██████████ saving and ██████████ didn't know what ██████████ had. ██████████ clarified that the social worker had only been asked to assess but not implement the care. ██████████ stated the some services users have substantial or critical care.

██████████ reported that there were assessments that ██████████ had done previously. ██████████ stated that they all had substantial or critical needs. ██████████ does not know what happened to the assessments then ██████████ said that none of the residents had needs. ██████████ reported that the statement of needs and PD has since been done and some residents do come under substantial or critical needs.

██████████ commented that ██████████ was concerned, ██████████ did eventually engage when ██████████ realised that European Lifestyles coming in. ██████████ stated that ██████████ would happy for this to occur and stated that ██████████ intention was to sell Grove Road. When ██████████ mentioned this to ██████████ daughter, ██████████ said that they would not be selling. ██████████ was worried that the residents might put undue pressure to stay and when we go nobody else going in but ██████████ is still taking all there benefits.

██████████ recalled a similar case where the providers were sentenced to two years imprisonment.

██████████ reported that there was referred no evidence to link ██████████. ██████████ done few visit never any evidence, the police need documentation.

██████████ stated that all seven people concern are vulnerable and need to be protected. ██████████ is not providing meals and there are issues surrounding their finances. All residents need to have the feelings and wishes established.

██████████ stated that ██████████ wishes to leave. ██████████ suggested that this should be addressed.

██████████ stated that ██████████ could make a referral IOU who will look into the bank accounts ██████████ will also complete the checks required by ██████████.

Feb 2003 call from Cambridge walks round with money ██████████ was told ██████████ must keep money until got figure as put in for funeral fund. They told me referred three years earlier. ██████████ fact they have moved unassessed people living in registered this breaches registration. – ██████████ to speak to CSCI

DWP that what happened four years ago withdrawing service users.

Are investigation complete or are further actions required

Further investigations are required and further actions needed

Summary of further action plan

DRAFT

1. ██████████ to make a referral through CADT in relation to the seven residents they will be launched to the General Adults Team
 - General Adults to ascertain their feelings and wishes in relation to finances and if they would like to move on, including their families views. Also about their present housing needs and if they wish to continue at their present address.
 - To review the assessments completed to ensure DASS is fulfilling it's responsibilities in relation to meeting critical and substantial needs.

2. ██████████ to make the referral to the IOU and to check the benefits and housing benefit
 - What benefits each client is in receipt of
 - Who if anyone is the appointee for the service users
 - Request a copy of the tenancy agreements from housing benefits
 - For which property they are paying the housing benefits for each of the clients.

3. [REDACTED] to contact CSCI and share [REDACTED] views again in relation to residents being in the home without the regulated requirement of a care assessment being in place.
4. [REDACTED] to invite [REDACTED] - [REDACTED] - [REDACTED] - [REDACTED] to the next meeting.

Date and time of next meeting

9:30am - Friday 21st September 2007.

DRAFT

Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED] – 2006.936

Date/Time: 9:30am - Friday 21st September 2007

Chair: [REDACTED] Services Manager

Present

[REDACTED] Regulatory Manager - CSCI
[REDACTED] Finance manager – Supporting People
[REDACTED] Reviewing Officer – Westminster House
[REDACTED] Contracts Manager – Contracts Department DASS
[REDACTED] Team Manager – Learning Disabilities Team
[REDACTED] Social Worker - Learning Disabilities Team
[REDACTED] Social Worker – Learning Disabilities Team

Apologies

[REDACTED] Service Manager
[REDACTED] Fraud Investigator – DWP

In attendance

[REDACTED] Team Support Officer – Safeguarding Adults Unit - Minutes

Minutes from previous meeting

Agreed.

Actions from the previous meetings progress reports

1. [REDACTED] to make a referral through CADT in relation to the seven residents
 - Allocated team to ascertain the service users feelings and wishes in relation to their finances and if they would like to move on.

Adult Protection Subsequent Strategy Meeting

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- To put the care assessments in to action and put the PB's through for the care that is required.

The cases were mostly open to the Learning Disabilities team.

reported that is open to four other cases have been allocated to

reported that all the assessment have been done by the General Adults Team. and went out and met with from European Lifestyles. Concerns of the post being withheld and the food is a real concern as only evening meals are being provided, no lunch or breakfast. stated that will be going out again and add an informal chat to the assessments. commented that if need be direct questions should be asked. commented that this also needs to include the families and there views.

reported that the PB's are at brokerage stage, is due tomorrow, others are going to Panel on Wednesday 26th September 2007. They are going forward with the care plans already done by the General Adult Team and will be review in six weeks once in place.

2. to make the referral to the IOU and to check the benefits and housing benefits
 - What benefits each client is in receipt of
 - Who if anyone is the appointee for the service users
 - Request a copy of the tenancy agreements from housing benefits
 - For which property they are paying the housing benefits for each of the clients.

Due to non attendance this outcome of the action is unknown. Copy of the action to be forwarded to and request feedback to be reported directly to – Contract Manager and Social Worker Investigating – Contact numbers found on the attached phone list.

3. to contact CSCI and share view again in relation to the residents being in the homes without the regulated requirement of a care assessment being in place.

reported that spoke with the inspector for the home, in relation to , and assured that Social Services were aware of the moves. re-iterated that is not allowed to move people about without the relevant assessments and care plans in place. stated that has addressed this issue with . is planning to conduct two unannounced visits.

4. to invite – – – to the next meeting.

Apologies received from and and in attendance.

Adult Protection Subsequent Strategy Meeting

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Update

██████████ stated that there are still outstanding issues in relation to ██████████ that are waiting to be addressed. This has not been addressed as the referral was integrated with the ongoing investigations.

██████████ reported contracts conducted an unannounced visit last week. ██████████ is currently in Penkett Road and has been since 21st December 2006. It was reported that this was above board and that ██████████ the social worker was involved in the move. At present ██████████ has been unable to contact ██████████ to confirm this information. ██████████ reported that this was not the case and that the team had only received a form stating that ██████████ had moved and need to be paid for; the move was not above board. ██████████ commented that ██████████ was very nervous and agitated when questions were asked about the three services users. – ██████████ and ██████████

██████████ reported that the Manager of Penkett is really good. The home itself is good and there are no issues with the home. However all finances are dealt with by ██████████. ██████████ runs the other home Sunningdale for the over sixty-fives. Swift details show details of twelve services users ten permanent and two at Penkett Road

In relation to ██████████ ██████████ reported that ██████████ was at Seabank Road but attended the home for meals and personal care. ██████████ stated that ██████████ was sectioned now and somewhere in Oxtun but she did not have any further details. ██████████ reported that ██████████ was not sectioned but was in Arrowse Park Hospital for a long time on a delayed discharge and eventually found a new home. ██████████ commented that ██████████ concern was that the home did not know anything about where ██████████ had gone.

██████████ also stated that ██████████ resided in Grove Road and attended the home on a daily basis for meals and personal care. ██████████ stated that they did not want to disrupt the residents. ██████████ stated that they do not receive funding for the services users. The housing benefits and other benefits are used as payments and paid directly to ██████████. ██████████ stated that ██████████ had contact ██████████ who completed the assessments for ██████████. ██████████ stated that it was clear that ██████████ was not resident at Grove House as ██████████ bedroom had been completed cleared. ██████████ had clearly been at Haven prior to 2006 and was settled there was no alternative but to recommend that ██████████ stayed.

██████████ reported that ██████████ findings at the time were similar to what had been reported. Most of the residents were not happy and not getting very much to eat, unfortunately ██████████ went off on leave for a while and the assessments were taken over by the General Adults. In his time ██████████ found that all residents would meet the authority's criteria for services of some sorts. ██████████ tried to work out how they

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have come to be at the homes in the first place. [REDACTED] commented that this needs to be looked into and stopped.

[REDACTED] commented that we have acknowledged that we have failed these people. However assessments have been done and care plans formulated a move is now being made on implementing these plans

[REDACTED] stated that if people are wanting to go forward then we need to be careful with the timescales if ABE social workers are required they will need to be available as once the complaint passes the six month mark the police cannot investigate.

[REDACTED] questioned if our Financial Protection Team should be involved to assist. [REDACTED] commented that the Authority should take over the appointee's. [REDACTED] commented that from previous meetings it was reported that part of the condition that [REDACTED] would take a resident was that all benefits would be paid directly to [REDACTED] as appointee.

[REDACTED] commented on previous investigations where [REDACTED]'s finances were in an appalling stated but there was no paper trail to pin anything on [REDACTED]. There was no evidence to support any financial abuse. We have screwed [REDACTED] down very tightly records and services users' records are now very transparent.

[REDACTED] raised concerns that [REDACTED] – Services User is being funded by the authority but [REDACTED] was informed that [REDACTED] sister is also making payments directly to [REDACTED]. [REDACTED] stated that contracts will follow this up.

[REDACTED] stated that if any action needs to be taken outside this meeting then to go forward anything in relation to complaint to bring back here to formulate how to go forward this is not to go ahead outside of this arena.

[REDACTED] questioned if [REDACTED] could make the complaint again. [REDACTED] stated that she would write to [REDACTED] and ask where the money has gone.

Are investigation complete or are further actions required

Investigations are not complete and further actions are required.

Summary of further action plan

1. [REDACTED] to add to assessments
 - The wishes and feelings of the service users
 - Services users view on their finances.
 - The views from the service users families.

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- Ascertain how the services users were placed
 - Liaise with Financial Protection Team
- 2 [REDACTED] to inform [REDACTED] of the previous actions and request that the information is feedback to [REDACTED] and [REDACTED] [REDACTED] prior to the next meeting. **Email Sent 24/09/07**

Date and time of next meeting

Friday 19th October at 13:30

Cc minutes to [REDACTED] and onto [REDACTED] file.

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Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED]

Date/Time: 12th October 2007 – 14.00am – Westminster House

Chair: [REDACTED] – Service Manager

Present

[REDACTED] FCIU Merseyside Police
[REDACTED] Safeguarding Adults – Co-ordinator
[REDACTED] Project Manager – European Lifestyles
[REDACTED] Manager – European Lifestyles
[REDACTED] Care Manager – Ashton House
[REDACTED] Care Manager – Ashton House
[REDACTED] Safeguarding Adults Unit
[REDACTED] Housing Strategy – Supporting people
[REDACTED] Contracts Team

In Attendance

[REDACTED] Team Support Officer - Minutes

Apologies

Housing Benefits & Working Life

Minutes from previous meeting

No minutes.

Action from Previous meeting - Progress reports

A report giving feedback on this case was presented to all member of the meeting by [REDACTED] (Ashton House Care Manager). [REDACTED] has also received a list of Appointees for all the clients involved with this case. [REDACTED] met with [REDACTED] from European Lifestyles on the 28th September.

Update

[REDACTED] feels that financial ambiguity has taken place and that further investigation is definitely needed to resolve the issues at hand. [REDACTED] had a meeting with the [REDACTED]

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12th October 2007 – Westminster House

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of [REDACTED] who discussed about when [REDACTED] first moved to Seabank Road. [REDACTED] mentioned when [REDACTED] first arrived the property had been leased to Wirral Methodist Housing who in turn rented it back to [REDACTED] to Care for [REDACTED] residents. [REDACTED]'s mother is the only active relative involved [REDACTED] pays Mr [REDACTED] £96 a week for the care of her daughter. This amount covers bills, care and support, and food. The contract stipulating that [REDACTED] would receive this money was signed by [REDACTED] and Methodist Housing. The [REDACTED]'s signature does not appear at all on the contract. [REDACTED] is aware that the case conference is taking place this afternoon. [REDACTED] mentioned [REDACTED] concern that [REDACTED] could be left without somewhere to live if the case progresses. [REDACTED] assured [REDACTED] that this would not be the case.

Once European Lifestyles took over [REDACTED] ask [REDACTED] what happens to the money that I pay to you. [REDACTED] replied that you just carry on paying it to me. The question was raised of why does [REDACTED] require this money now, as [REDACTED] is no longer responsible for the property.

A tenants meeting was held last week to discuss the current issues regarding [REDACTED]. Tenants want to see rent books so they know how much they are paying, also tenants queried charges that had been made for various purposes. Another concern raised was the fact that tenants are unsure if their Carer will turn up because [REDACTED] will not let them in, or if indeed [REDACTED] will even turn up. [REDACTED] is allocated monies to feed and look after them however [REDACTED] mentioned that they are in no way receiving the appropriate food amount for the money that is being given to [REDACTED]. [REDACTED] mentioned at this point that Residents are being taken on shopping trips to make sure they have enough food to live on. The tenants are really enjoying this.

One signed complaint has been received by a Tenant at Seabank Road. It was mentioned that the Capacity of the tenants is still to be determined. [REDACTED] believes that very few would have Capacity to make a complaint. [REDACTED] mentioned that no complaints had been received by the Police as yet.

[REDACTED] mentioned that if financial abuse is taking place then a paper trail would exist. The DWP could possibly investigate to see if any irregularities have taken place with the tenant's accounts. An IMCA could also be appointed to act on the behalf of the tenants. The IMCA could investigate to gain as much information as possible. [REDACTED] explained to the attendees the meaning of IMCA and their role within the area of Mental Health.

[REDACTED] Physically removed a Care worker from Seabank Road. This particular incident upset all the residents involved particularly because of the physical nature of [REDACTED]'s actions. The Care worker did go back later on to make sure that all the residents were o.k. The Police had not been informed of what happened with the Care Worker. [REDACTED] mentioned that action could have been taken against [REDACTED] for breach of the peace. [REDACTED] discussed the fact the [REDACTED] by removing the Carer from the environment he is impeding the Care Plan. A letter was hand delivered to [REDACTED] from [REDACTED] demanding that [REDACTED] does not interfere with the Carer's duties and allows [REDACTED] access to the property.

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██████ believes that interview with ██████████ would be useful. ████████ does have capacity and at present is angry about the conditions at Seabank Road. ████████ has become the main spokesperson for the tenants and at present their best foundation of support.

Is investigation complete or are further actions required

A further meeting is to be held on the 9th of November 2007.

Summary of further action plan

- ❖ All the victims families including victims are to be advised that no more money should be paid to ██████████ what so ever.
- ❖ ████████ to be shown the IMCA Referral Pathway by AK
- ❖ ████████ to complete the IMCA Referral Pathway.
- ❖ ████████ to ask the families if they will help provide evidence of wilful neglect.
- ❖ ████████ to get statements from ██████████ and ██████████ – both then to be passed to ████████ for further action.
- ❖ ████████ to Liase with the Financial Protection Team to make them aware of the case and the circumstances involved.

Date and time of next meeting

9th November 2007 – 9.30am – Westminster House



Adult Protection Subsequent Strategy Meeting

Name of Victim: [REDACTED]

Date/Time: Wednesday 7 November 2007 -- 9:30am

Chair: [REDACTED] Service Manager

Introductions

[REDACTED] Advocate, Wirral Mind
 [REDACTED] Contracts Manager, Contracts Department, DASS
 [REDACTED] European Lifestyle
 [REDACTED] Family Crimes Investigation Unit, Merseyside Police
 [REDACTED] Family Crimes Investigation Unit, Merseyside Police
 [REDACTED] Team, Learning Disabilities Team, DASS
 [REDACTED] Care Manager, Learning Disabilities, DASS
 [REDACTED] Care Manager, Learning Disabilities, DASS

In Attendance

[REDACTED] Team Support Officer, Safeguarding Adults Unit

Minutes from previous meeting

All agreed.

Actions from previous meeting – progress reports

All the victims' families including victims are to be advised that no more money should be paid to [REDACTED] what so ever.
 [REDACTED] reported that he contacted Advocate - [REDACTED] who is now representing the service users involved. All service users from Seabank Road will be moving to properties provided by Harbour Housing and Cambrian Agency. Financial protection are arranging for Wirral Council to become appointee for each service user.

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██████████ informed that he was disappointed with the level of input from the Department of Working Pensions. ██████████ informed that this issue should be addressed outside the Adult Protection arena.

██████████ to be shown the IMCA Referral Pathway by ██████████, and complete the IMCA Referral Pathway.

██████████ informed that in ██████████ opinion all service users have capacity and therefore would not require an IMCA.

██████████ to ask the families if they will help provide evidence of wilful neglect. It was reported that there is no complaint or complainants therefore no police action can not be pursued. ██████████ informed that wilful neglect will only be explored if the victim does not have capacity, which is not the case here.

██████████ to get statements from ██████████ and ██████████ – both then to be passed to ██████████ for further action.

██████████ explained that ██████████ met with ██████████. ██████████ explained that ██████████ paid ██████████ ninety six pounds per week for the care of ██████████. This was an old agreement with ██████████ however the contract was not signed by ██████████. ██████████ is willing to make a complaint.

██████████ informed that this would not be a strong case for prosecution given that this was a verbal agreement and historically ██████████ has withheld money from ██████████. ██████████ explained that this would be a civil matter.

██████████ to liaise with the Financial Protection Team to make them aware of the case and the circumstances involved.

██████████ informed that the financial protection team are involved; Wirral Council will now act as Appointee for each service user.

Update

██████████ re-iterated concerns regarding ██████████'s deceased wife still being Appointee, and her bank account is still being used to handle monies. ██████████ informed that to investigate this allegation police would require evidence. In the first instance someone should contact the bank holding the account who should then investigate through their fraud department. If police action is required the bank would pass their findings onto the police.

██████████ reported that the risk of repercussions from ██████████ has been reduced. This is due to Housing Generation Department cautioning ██████████ for not licensing Seabank Road. Under the new housing act if convicted ██████████ could face a fine, tenants can claim back twelve months rent/housing benefit. Wirral Borough Council could seize freehold of the property.

██████████ informed that the contracts department have no further involvement in relation to this case.

██████████ questioned if the vulnerable adults wish to pursue a complaint when relocated could this be re-explored. ██████████ confirmed that all professionals could reconvene following receipt of a complaint(s).

Is investigation complete or are further actions required

██████████ summarised that from an adult protection point of view all people involved have been made safe, however no complaints have been made. A protection plan is now in place to safeguard each person.

Summary of further action plan

No further actions.

Date and time of next meeting

Case closed to the Safeguarding Adults Unit.

Annex O

to the

Independent Review of Wirral Metropolitan Borough Council's Response to Claims Made by Mr Martin Morton (and Others)

consisting of

Documents Relating to the Safeguarding Adults Unit

①

QUARTER 2 PERFORMANCE REPORT
JULY TO SEPTEMBER 2007
Safeguarding Adults

Background

The implementation of the Safeguarding Adults Assessment Documentation took place on the 23rd of July 2007. This was a measure to assist Care management teams the strategy decision stage of the referral to ensure only appropriate cases were receiving a strategy meeting. This would ensure a better use of the limited resources available.

Initially the implementation of the Assessment has reduced the number of strategy meetings being requested. However an analysis of information available shows that this is not due to appropriate assessments and has resulted in concerns being formally raised by Partnership agencies.

In addition to general lack of response, Partnership agencies have raised concerns as to the Quality of the decision being made. It can be evidenced that there is a lack of understanding of the Safeguarding policy by Care Management Team managers.

This has resulted in cases being closed that should have received a strategy meeting. Initially a sample audit showed that half of cases closed without strategy were closed inappropriately.

Statistical Evidence.

Concerns have been raised in relation to the lack of response to Safeguarding Adults referrals by Care management teams since the recent changes. An analysis of the referrals shows evidence of concern.

(Changes were implemented 23rd of July).

Month	Number of referrals	% referrals responded to	% referrals showing as no response
July	119	95%	5%
August	93	51%	49%
September	91	57%	43%
October	66 to date	28%	72%

From October 2007 we were able to record the response time from Care Management teams from the point of referral.

Statistics show that in October, of the 28% of referrals that were responded to by a care management team 15% were outside of the 5 day Safeguarding deadline. This means that 85% were not responded to within the 5 day dead line, with 72 % having no response at all.

29th October 2007

(Date base continually updated. Statistical evidence accurate on date of report.)

3

**Safeguarding Adults Partnership Board
Performance Information
January 2008**

Report

Due to the increasing number of referrals received in to the Safeguarding Unit, it was not possible to coordinate responses to Safeguarding Adults referrals within the time scale of 5 working days. From August the 1st the responsibility to respond within the given time scales was transferred to Care Management teams within DASS. Performance information gathered from within the Safeguarding Adults unit shows a need for development in this area. It should be noted that these statistics do not mean that referrals have not been dealt with, only that the response has not been recorded.

1. Table below shows the monthly referral rate as a comparison 2006/2007.

Month 2007	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Referrals	88	83	106	82	112	119	129	97	91	95	104	62	1168
Month 2006	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Total
Referrals	40	46	52	34	57	63	55	36	54	51	69	53	610

2. The table below shows the number of Safeguarding referrals in which no response by Care Management teams has been recorded. The information has been split to show a comparison between before and after the changes initiated in August 2007.

	Jan-July 07	Aug-Dec 07
total number referrals	719	449
Total none response	111	214
No response noted %	15%	47%

3. A breakdown for the 3rd Quarter of the year shows how many referrals each month were recorded as "no response" by Care management Teams.

Month	Number of referrals	Number of referrals "No response" recorded	% referrals showing "No response" recorded
October	95	45	47%
November	104	70	67%
December	62	41	67%


4. To identify the Care Management teams in which this development need is greatest a breakdown of Decembers referrals is shown in the Table below
December 2007

Team	Num referrals	Number of referrals as No response noted
NE-OP	2	2
NW-OP	1	1
SE-OP	2	1
SW-OP	6	3
LD	28	21
St Cath's CMHT D	2	0
St Cath's CHMT K	2	0
CMHT Pensby	1	0
W assertive outreach	1	1
Adult Disability	9	8
CHMT Highfield	1	0
Access	7	3
Totals	62	41

5. From October 2007 we were able to record the response time from Care Management teams from the point of referral. Referrals that were responded to within 5 working days were deemed to be within time scales. It can be evidenced that this is an area for development.

Month	Number of referrals	% referrals responded to	With in time scales
October	95	53%	13%
November	104	45%	9%
December	62	33%	17%

6. **Summary-** Performance measurement show that the response to Safeguarding Adults referrals by DASS Care Management is in need of development. A meeting was held in December to identify this need with the Care management Team Managers. A Task group was then set up to look at the referral pathway within DASS. Following the initial meeting it can be seen that there has been some improvement in relation to time scales.


Safeguarding Adults Coordinator
DASS
14/01/08

4a



**Metropolitan
Borough of Wirral**

Safeguarding Adults Partnership Board
 Minutes of meeting held on Monday 8th October 2007 (2.00 p.m. – 4.00 p.m.)
 Wirral PCT Boardroom, 3 Port Causeway

PRESENT:

- [REDACTED] (Chair) Director of Adult Social Services
- [REDACTED] Principal Manager, DASS
- [REDACTED] Safeguarding Adults Co-ordinator, DASS
- [REDACTED] Service Manager Safeguarding Adults, DASS
- [REDACTED] Detective Inspector, (FCIU) Family Crime Investigation Unit, Merseyside Police
- [REDACTED] Team Manager Staff Development, Adult Social Services
- [REDACTED] Assistant Directorate Manager DME, Wirral Hospital NHS Trust
- [REDACTED] Team Manager Wirral Partnership Homes
- [REDACTED] Senior Care Support
- [REDACTED] CSCI

AGENDA ITEM	MINUTE	ACTION:
1	<p>APOLOGIES:</p> <ul style="list-style-type: none"> [REDACTED] Wirral Partnership Homes [REDACTED] Head of Provider Services, Wirral PCT [REDACTED] Regulatory Manager CSCI [REDACTED] Chief Executive WIRED [REDACTED] Head of Service DASS [REDACTED] Deputy Director strategic partnership PCT [REDACTED] Safeguarding Manager, Wirral PCT [REDACTED] Regulatory Manager CSCI [REDACTED] Deputy Manager Local Solutions [REDACTED] Head of Provider Services Wirral PCT [REDACTED] Local Pension Service <p>Introductions</p> <p>Apologies were given and introductions made. Kevin welcomed everyone to the meeting</p>	
2	<p>MINUTES OF PREVIOUS MEETING:</p> <p>Agreed to be an accurate record of the meeting.</p>	

<p>3</p>	<p>Matters Arising</p> <p>3.1 MARAC [redacted] informed the group that [redacted] was now the designated person regarding MARAC.</p> <p>3.2 Safeguarding Adults update It was stated that [redacted] has started work in a new role for the safeguarding adults. [redacted] has been quality assuring and giving assistance to team managers.</p> <p>3.3 Annual Report [redacted] asked if we were slipping on the report. [redacted] stated that the report had been shunted back because of the sub groups. It was stated that there was no time limit for the annual report to be completed. [redacted] asked about presenting an interim report in January.</p> <p>3.4 Chairing Meetings [redacted] stated that the referral pathway had now been running for a few months and that the rota for the chairing of the multi agency strategy meetings will now be revised. [redacted] to take over chairing the Sub Monitoring Group and the Quality and Audit Group from Annemarie Nobes [redacted] will look at reviewing the groups.</p> <p>3.5 CSCI documentation [redacted] reported that CSCI was now known as Merseyside. There will be new guidelines also they will be looking at there referring systems as there are numerous duplications. CSCI raised concerns that Referrals were being closed inappropriately with cases that require a strategy meeting being closed by the Care management teams without partnership consultation and without a strategy meeting.</p>	
<p>4</p>	<p>4.1 Safeguarding Adults Partnership Board Strategic Plan Strategic Plan is a draft document at the moment. As it is a multi agency document it is to be discussed within the sub groups and feedback. The Strategic Plan has been developed from the Safeguarding Adults Framework document to look at the standards. The standards to be discussed within the subgroups with discussion around who would be responsible to take forward. [redacted] as Chair of the Sub groups will take responsibility for feeding back progress to the next Safeguarding Adults Partnership Board. [redacted] asked if [redacted] had adopted the traffic light system, and if there were areas that the board needed to be aware of. [redacted] commented that [redacted] regarded the area around service user involvement and public awareness around referrals to be a red light area.</p>	
<p>5</p>	<p>Feedback from Adult Protection Leads 5.1 PCT There was no one available from the PCT to feedback.</p>	

	<p>5.2 Wirral and Cheshire Partnership Trust There was no one available for the Wirral and Cheshire Partnership Trust to feedback</p> <p>5.3 Merseyside police ██████████ stated that they were receiving more referrals each month. Concerns surrounding serious incidents in care homes. There was a discussion around serious incidents and who would inform the home of the allegations, would it be CSCI, police or DASS. ██████████ stated that incident and criteria would have to be discussed before a decision was made. ██████████ commented that the decision should be discussed at the strategy meeting. The question was asked if this could be done prior to a strategy meeting and ██████████ said ██████████ is aware that this is a grey area and feels that a local agreement needs to be drawn up in the Sub monitoring group and brought back to the Safeguarding Adults Partnership Board for ratification.</p> <p>██████████ stated that there is concern around the amount of time it was taking to access an ABE social worker. ██████████ stated that there is a report going to DLT regarding ABE social workers, and that we are looking to put a rota system in place.</p> <p>5.4 Wirral Hospital Trust ██████████ commented about feed-backing PI's to sub group. ██████████ mentioned the MCA and having 2 IMCA's, ██████████ asked do we need a strategy meeting as soon as possible; ██████████ informed ██████████ that with IMCA involvement it should go to a strategy meeting if it relates to a Safeguarding Adult issue.</p> <p>5.5 Department of Adult Social Services ██████████ informed the meeting that the Safeguarding Adults unit is going through a transition period. There is more personnel working in the Unit now, and we are quality assuring referrals. ██████████ said that the quality assurance had allowed us to go out to teams offering support and guidance and that we need to be patient.</p>	
6	<p>Sub Monitoring group The Sub monitoring group have not met since the last partnership board meeting.</p>	
7	<p>TRAINING SUB GROUP: ██████████ is trying to improve membership of the Training Sub Group, ██████████ Quality Assurance and Training Manager for Potens will be attending the next meeting.</p> <p>Annual Plan and Action plan have been updated following outcomes/action achieved.</p> <p>Safeguarding Adults has been made mandatory for all social care workers</p> <p>██████████ and ██████████ have recently attended voluntary organisations forum. A process has been agreed to ensure that training information reaches as many organisations</p>	

	<p>as possible.</p> <p>Achieving Best Evidence training will take place in November. Training to be delivered by [REDACTED]. Investigator Training to take place in February 2008. Again this training to be delivered by [REDACTED].</p>	
8	<p>Statistics</p> <p>[REDACTED] asked if everyone had received a copy of the basic stats document. There has been a substantial increase in the number of referrals since 2003 as more people are now aware of the work of the safeguarding adults unit. It was stated that the next increase will be from service users referring themselves. [REDACTED] commented that we also need to consider the Mental Capacity Act. At present [REDACTED] is looking at Level 3 training which is concentrated on public awareness and [REDACTED] feels that this will bring more referrals in.</p> <p>[REDACTED] said that the level of abuse regarding the elderly over 65's was high, also a lot around learning disabilities and challenging behaviour.</p> <p>[REDACTED] stated that DASS were developing Swift around an adult protection module and this would be used on a regular basis around new year.</p>	
9	<p>Any Other Business</p> <p>[REDACTED] discussed the possibility of the development of a multi agency logo for the 'No Secrets' folder. [REDACTED] suggested that we ask our marketing department for ideas as this is not just DASS; it also involves police, GSCI, PCT and NHS Trust.</p> <p>Next Meeting to take place</p> <p>To be announced</p>	

Supporting People services

- 2.5 We intend to make regulations under section 59(1)(g) of the Act to prescribe that the definition of "vulnerable adult" also includes adults who are receiving Supporting People services. In Northern Ireland these regulations will be made under article 3(1)(g) of the Order. The Supporting People programme provides housing-related support to help prevent problems that can often lead to hospitalisation, institutional care or homelessness. The primary purpose of housing-related support is to develop and sustain an individual's capacity to live independently. This could include, for example, supporting people to access their correct benefit entitlement, ensuring they have the correct skills to maintain a tenancy, advising on home improvements and accessing a community service alarm. Supporting People can also help the smooth transition to independent living for those leaving an institutional environment.

Physical or mental health conditions

- 2.6 We do not currently intend to make regulations under section 59(9)(c) of the Act or article 3(9)(c) of the Order prescribing physical or mental health conditions. The effect of such regulations would mean that everyone with one of the prescribed conditions who participates in an activity or receives a service targeted at people with such conditions would be a vulnerable adult. We believe that this may overly restrict the provision of services such as support groups and social activities to people with physical or mental health conditions, where there is no real evidence of risk of harm. Health care services are already covered by section 59(1)(d) of the Act and article 3(1)(d) of the Order, meaning that adults with any health condition are vulnerable while they are receiving health care. We will keep this position in relation to other services for people with physical or mental health conditions under review.

Dyslexia

- 2.7 The legislation includes adults who are participating in activities or receiving services targeted at people with dyslexia within the definition of "vulnerable adult". This is because the term "disability" in section 59(9)(b) of the Act and article 3(9)(b) of the Order include dyslexia. As above, we do not wish to overly restrict the provision of services or support to people with dyslexia, where there is no real evidence of risk of harm. We will therefore make an order under section 59(11) of the Act and article 3(11) of the Order specifying that those participating in activities or receiving services targeted at people with dyslexia are not to be treated as vulnerable adults. We will of course keep this position under review.

Question 1: Do you agree with the proposals for refining the definition of vulnerable adults (paragraphs 2.5 – 2.7)? If not, please explain why.

3. Regulated Activity

- 3.1 Regulated activity is central to the ISA scheme. Undertaking regulated activity accounts for the vast majority of those who will be required to become **ISA-registered**. Being ISA-registered means that the individual has been initially vetted by the ISA and is not barred from working in regulated activity.
- 3.2 The intention of regulated activity is to include activities where the person engaging in that activity could develop a relationship of trust with the child or vulnerable adult. The definition also includes specific positions and settings where it is felt that by their very nature, it is right that children or vulnerable adult should be able to build relationships of trust with the people working with them as a matter of course.
- 3.3 Regulated activity is defined by the legislation and a definition of the range of regulated activity is to be found in schedule 4 of the SVG Act and schedule 2 of the Order. It is important to note that for an activity to be considered as regulated activity, alongside the satisfaction of criteria relating to the activity and/or establishment where it takes place, it must be carried out by the same person frequently or satisfy the 'period condition' ie intensively.

Frequently

- 3.4 Without the frequency test any person engaging in the activities defined as regulated, regardless of how often they carried these out, would be engaged in regulated activity.
- 3.5 This would have the effect, for example, of placing a duty on a leisure centre to check an aerobics teacher who would normally deliver an aerobics class to adults but had agreed to deliver a one-off class to children because the regular instructor is ill. It would also have the effect that a plumber, for example, going into a care home to fix a burst pipe would need to be ISA-registered before they were used, even as a one off.
- 3.6 The policy position is that frequently should be clarified through guidance as meaning once a month or more often. This would mean that, were the same person to teach children in a class every Saturday, or every fortnight, they would have the opportunity to develop a relationship of trust with their class and, therefore pose a greater risk of harm.

Question 2: Are you content with our proposed understanding of frequently? (paragraphs 3.4-3.6)

Intensively

- 3.7 Intensively is defined in the legislation and means an activity which happens at any time on more than two days in a 30 day period, or overnight (the latter meaning that the activity occurs at any time between 2 am and 6 am).

Department of Adult Social Services



5

Safeguarding Adults Partnership Board
 Minutes of meeting held on Monday 21st January 2008 (12:00 p.m. – 4:00 p.m.)
 Westminster House, 100m / Ground Floor

PRESENT:

- [REDACTED] (Chair) Director of Adult Social Services
- [REDACTED] Service Manager Safeguarding Adults, DASS
- [REDACTED] Adult Protection/MCA Lead Wirral University Trust Hospital
- [REDACTED] Team Manager, Staff Development, DASS
- [REDACTED] Head Provider Services – WPCT
- [REDACTED] Safeguarding Adults Co-ordinator, DASS
- [REDACTED] Deputy Senior Manager – Local Solutions
- [REDACTED] CEO – Wired
- [REDACTED] Detective Inspector, (FCIU) Family Crime Investigation Unit
 Merseyside Police
- [REDACTED] Regulation Manager, CSCI
- [REDACTED] Lead Nurse, CWP

AGENDA ITEM	MINUTES	ACTION
1	<p>APOLOGIES:</p> <p>[REDACTED] Safeguarding Manager, Wirral PCT</p> <p>[REDACTED] Principal Manager, DASS</p> <p>[REDACTED] CWP</p> <p>Introductions</p> <p>Apologies were given and introductions made. [REDACTED] welcomed everyone to the meeting</p>	
2	<p>MINUTES OF PREVIOUS MEETING:</p> <p>Agreed to be an accurate record of the meeting.</p>	

Safeguarding Adults Partnership Board – Minutes January 2008

3	<p>Matters Arising</p> <p>3.1 Logo [redacted] discussed the need for a multi agency logo for the 'No Secrets' folder.</p>	
4	<p>4.1 Membership [redacted] stated that we reflect on membership of the partnership board and on why we sit around the table. Is the right group sitting round the table to take issues forward regarding vulnerable adults? A discussion took place around the partnership, as [redacted] pointed out that there were five members of DASS around the table. [redacted] commented that there was a need for representation of different agencies as items discussed at the Monitoring and Development sub group were brought to the Partnership Board for ratification.</p> <p>[redacted] said that case studies are important, that there are lessons to be learnt and [redacted] would like to see case studies presented to the board. [redacted] looking at other agencies to bring their reports into SAPP. [redacted] felt that the partnership board wasn't the place for case studies; [redacted] thinks they should be discussed in the monitoring and development sub group meeting. [redacted] stated that case studies are important, there are lessons to be learnt around cases, I can remember only one case study being discussed all the time I have been attending meetings.</p> <p>[redacted] asked if we could do better, [redacted] commented that at the moment the agenda is DASS lead, [redacted] would like to see input from other agencies.</p> <p>[redacted] looked at the membership list and commented that there was no name alongside Probation, [redacted] asked should they be represented, a discussion took place and the outcome was, no, probation did not need to be available. CPS, [redacted] stated that [redacted] would feedback to the CPS. There was no representative from Housing or Job Centre Plus. A discussion took place around the Trust, it was stated that if there was a chief executive then there should be a member.</p> <p>4.2 Terms of Reference [redacted] stated that we need to move forward with the terms of reference, are they strong enough? [redacted] to look at the terms of reference along with [redacted] and take to the next meeting in April.</p> <p>4.3 Informing care providers of Safeguarding Referrals "who takes responsibility for informing care homes that a referral has been made"? [redacted] stated that when referral is received we need to look at all the concerns. [redacted] to develop procedure through sub group.</p> <p>4.4 Safeguarding Adults Partnership Board Strategic Plan Received back from DASS and Hospital Trust. Member who had not yet completed the documentation were requested to</p>	<p>[redacted]</p> <p>[redacted]</p>

	<p>complete their section and submit it within 6 weeks. The Action plan can then be completed and submitted to the April SDPB.</p> <p>4.5 Formalise link to Safeguarding Children's Board Discussion took place around concerns that there was no link to the Children's Board. [redacted] stated that [redacted] attends the Children's Board and that [redacted] would be the link. [redacted] to e-mail minutes to the group.</p> <p>4.6 Vetting and Barring – consultation document The consultation period ends at the end of February. WUTH and PCT have completed the consultation document and so it was felt that a SAPB response would not be appropriate. DASS will complete an individual document.</p> <p>4.7 World Elder Abuse Awareness Day [redacted] said that Age Concern be asked to the next meeting to explain what happened to the money. [redacted] and [redacted] are suggesting to the board that instead of an awareness day they would like to see an awareness week, a build up to the Sunday. Age concern to be invited to the April meeting.</p>	<p>All members</p> <p>[redacted]</p> <p>[redacted]</p> <p>[redacted]</p>
<p>5</p>	<p>Standing items</p> <p>5.1 Performance Information [redacted] explained the breakdown of the referrals to the board.</p> <p>5.2 Feedback from Adult Protection Leads</p> <p>Wirral Hospital Trust [redacted] stated that [redacted] has concerns around Court of Protection and how DASS put into practice the process. It was agreed [redacted] would look into this issue. [redacted] also had an issue on leads requesting a strategy meeting and being told the case could not be allocated for several days. [redacted] asked that the principal manager for this case attend the next board to give a brief presentation on this case.</p> <p>Voluntary Sector [redacted] feedback on training received by two of [redacted] staff on deprivation of liberty and offered a presentation at the next board. The group agreed for this to happen.</p> <p>DASS [redacted] stated that the increased resource for Safeguarding Adults had been reported on at the last SAPB was no longer available and at the moment Quality Assurance was down to [redacted]. In addition DASS are unable at present to resource MARAC.</p> <p>Merseyside Police [redacted] stated that there were senior management changes, but</p>	<p>[redacted]</p> <p>[redacted]</p>

	<p>hopefully things will stay the same.</p> <p>Wirral PCT ● brought the group up to date in relation to how the PCT is bringing its entire safeguarding services under one umbrella. Discussion has already taken place with ● and how DASS can integrate with the PCT to create one unit.</p> <p>Wirral & Cheshire Partnership Trust ● commented regarding ● capacity with both children and adult safeguarding. ● is hopeful that the Trust will be getting an additional body.</p>	
6	<p>Sub Monitoring Group ● informed the Board that there had been two meetings of the group since ● had taken over. Terms of Reference have been distributed to the group for discussion at the next meeting.</p>	
7	<p>TRAINING SUB GROUP: ● explained that the training group meet every 3 months, using the strategic plan for the agenda. ● had sent invites out to members of the Board but nobody had attended. ● stated that DASS and Local Voluntary Sector had attended for training but ● had no numbers of members of staff who need training.</p>	
8	<p>Any Other Business There wasn't any other business.</p>	
9	<p>Date and Time of next meeting Monday 21st April 2008, Westminster House, Room 4, Ground Floor</p>	

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Original Message-----

From: [REDACTED]@merseyside.police.uk [mailto:[REDACTED]@merseyside.police.uk]

Sent: 05 March 2009 11:56

To: [REDACTED]

Cc: [REDACTED]@merseyside.police.uk; [REDACTED]@merseyside.police.uk

Subject: FINANCIAL ABUSE - [Restricted]

[REDACTED]

I just wanted to raise my concerns about the number of financial abuse cases being referred to the FCIU involving adults with learning disabilities.

It appears to be standard practice for bank accounts to be opened in the names of vulnerable adults with learning disabilities who in fact lack the capacity to manage their own finances.

This practice seems to be encouraged by a number of the charitable organisations assisting / providing care for these vulnerable adults.

It presents real problems for the Police when asked to investigate financial abuse. Our investigations need a "complainant" which is usually the account holder, however, in recent cases it has become apparent that the vulnerable adults concerned lack the ability to become involved because of their severe learning disabilities and lack of capacity surrounding finance.

In some cases we have had to request an appointeeship or court of protection be applied for before any investigation can commence.

I think some work needs to be done in this area. Maybe my concerns could be raised at the next safeguarding board? Speak to you soon

regards [REDACTED]

Annex P

to the

Independent Review of

Wirral Metropolitan Borough Council's

Response to Claims Made by

Mr Martin Morton (and Others)

consisting of

Minutes of the DASS Monitoring &

Development Sub Group Meeting

Held on 11 December 2008

Department of Adult Social Services



Monitoring & Development Sub Group
Thursday 11th December 2008

6

Present

- ██████████ – DASS
- ██████████ – WIRED
- ██████████ – Merseyside Police
- ██████████ – Merseyside Police
- ██████████ – WUTH
- ██████████ – DASS
- ██████████ – DASS
- ██████████ – IDPF
- ██████████ – DASS

In Attendance

██████████ (minutes)

1 Apologies of absence

- ██████████ – PCT
- ██████████ – Clatterbridge Centre for Oncology
- ██████████ – Advocacy in Wirral
- ██████████ – PCT
- ██████████ – Age Concern
- ██████████ – CCO
- ██████████ – Advocacy in Wirral
- ██████████ – Wirral Partnership Homes

No Secrets Consultation

The meeting was called to discuss the consultation on 'No Secrets' and to look at Safeguarding Adults after the Haringey Report

Introductions were made and ██████████ welcomed ██████████ to the meeting.

Discussion took place around the No Secrets consultation paper. ██████████ had been to a meeting with Merseyside and Cheshire co-ordinators and was informed that they are holding workshops.

██████████ had read through the consultation and gave ██████████ views as the Safeguarding co-ordinator from DASS. There were questions that ██████████ couldn't answer;

- Question 6 on the health side, this question will have to be answered by the PCT, WUTH, CWPT
- Question 8 made referral to the criminal justice system, which the police will need to answer.
- Housing Section – ██████████ said that ██████████ could answer some of the

questions; the other questions would have to be answered by [REDACTED]

- Leadership – Discussion around leadership and membership of the sub groups and the SAPB, this question has been brought up a few times in SAPB. Are the right people sitting around the table? It was felt that this needs addressing at the next SAPB as an agenda item.
- Discussion also around who should have the leadership role, [REDACTED] thought Family Support Unit and not DASS. Should be working into a MARAC partnership. MARAC very popular and gets things done. Police said the problem with MARAC is that the referral has to come from the victim. Cheshire's Safeguarding Unit sits within Community Safety and Trading Standards.

Members of the meeting were asked to email their comments to [REDACTED] by Friday 19th December so they could be included in the report to be presented to SAPB in January.

Haringey Report

Discussion took place around the Haringey report.

- 1 *There is insufficient strategic leadership and management oversight of safeguarding of children and young people from Haringey by elected members, senior officers and others within the strategic partnership.*

Groups view

It was felt that the membership of the SAPB was not right. Members being primarily the Operational Safeguarding Leads who also sat on all the sub groups. Safeguarding on the Wirral was felt to be practiced/driven by individuals not organisations.

- 2 *There is a managerial failure to ensure full compliance with some requirements of the inquiry into the death of [REDACTED] such as the lack of written feedback to those making referrals to social care services.*

Groups view

Historically there have been concerns around feedback. [REDACTED] said that Cheshire do have formal feedback letters which are very effective. The group felt this was something to look at.

- 3 *The local safeguarding children Board (LSCB) fails to provide sufficient challenge to its member agencies. This is further compounded by the lack of an independent chairperson.*

Groups view

The group supported this finding for Wirral. This issue has been recognised nationally within Safeguarding adults. It was agreed that the further development of practices full transparency is required. The group raised concerns around practice issues not being addressed due to the

governance of the Safeguarding work being limited to the Partnership agencies at the SAPB.

- 4 Social Care, health and police authorities do not communicate and collaborate routinely and consistently to ensure effective assessment, planning and review of cases of vulnerable children and young people.*

Groups view

DASS, the police and the voluntary sector raised concerns that WUTH is working outside of the current policy. This was felt to be a high risk strategy and one that weakens the SAPB as a whole as failure to comply by one means that others are not part of the process and goes against the whole multi agency approach.

- 5 Too often assessments of children and young people, in all agencies, fail to identify those who are at immediate risk of harm and address their needs.*

Groups views

The issue of phone calls and desk practices for Safeguarding assessments was a cause for concern. It was felt that the level of risk is not recognised by CM and cases can be closed with the victim not being seen. This is being addressed as part of the process training.

- 6 The quality of front line practice across all agencies is inconsistent and not effectively monitored by line managers.*

Groups view

Concerns around poor practice not being addressed were raised. The SA work on the Wirral is not quality assured by the line management of the practitioners. Concerns about the practice staff outside the Safeguarding unit are directed to the Safeguarding unit and not to the line management structure responsible for the Safeguarding practices. Whilst senior managers remain unaware of safeguarding practice issues they will not be able to address the concerns raised.

- 7 Child protection plans are generally poor*

Groups view

It was felt that within Safeguarding Adults work, the standard of the protection plan was inconsistent, dependent on the team or worker carrying it out. ██████████ felt that this could easily be addressed by training.

- 8 Arrangements for scrutinising performance across the council and the partnership are insufficiently developed and fail to provide systematic support and appropriate challenge to both managers and practitioners.*

Groups view

It was felt that although Wirral SAPB has a policy for Serious Case Reviews these are written by current safeguard leads of whom were all SAPB members, were fed to [REDACTED], who then collated a report which was then presented to the SAPB. The action plan was then to be implemented and monitored by the leads. The group felt that this was poor practice and not transparent as the whole process was very insular and self monitoring.

9 The standard is too much reliance on quantitative data to measure social care, health, and police performance, without sufficiently robust analysis of the underlying quality of service provision and practice.

Groups view

The group felt that this was true for Safeguarding Adults to some extent although we do have formally recorded outcomes but it was felt that feedback from victims and their families would be a good development.

A.O.B.

[REDACTED] stated that there were issues around training of councillors, and asked who carry's out the CRB check on councillors.

Also discussion around a councillor sitting on the Safeguarding Adults Partnership Board as they do with the Children's Board.

Date of Next Meeting

Thursday 15th January 2009 at 1 pm Room 5, 4th Floor Westminster House

Annex Q

to the

Independent Review of

Wirral Metropolitan Borough Council's

Response to Claims Made by

Mr Martin Morton (and Others)

consisting of

Employment Dates for Council

Employees Mentioned in the Report

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Name	Start	End	Department
Employee 1	03/04/1989		
Employee 2	25/08/2008		Law, HR and Asset Management
Employee 3	16/11/2009		Law, HR and Asset Management
Employee 4	01/03/1988	30/06/2011	Finance
Employee 5			
Employee 6			
Employee 7	21/05/1984		Finance
Employee 8			
Employee 9	19/01/1991	19/12/2003	Adult Social Services
Employee 10	26/05/1980		Adult Social Services
Employee 11	01/12/1997	31/10/2007	Adult Social Services
Employee 12	01/04/1986		Law, HR and Asset Management
Employee 13	21/07/2003		Finance
Employee 14	19/06/2000		Adult Social Services
Employee 15	04/09/2000	16/11/2003	Adult Social Services
Employee 16	24/08/1987		Finance
Employee 17	03/12/1973	05/08/2010	Adult Social Services
Employee 18	14/04/1975	30/04/2011	Adult Social Services
Employee 19	03/03/2008		Adult Social Services
Employee 20	09/12/1991	31/12/2010	Adult Social Services
Employee 21	01/11/2002	04/01/2012	Children & Young People's Department
Employee 22	01/08/2000		Adult Social Services
Employee 23	01/10/2003	31/12/2010	Adult Social Services
Employee 24	03/10/2005	31/12/2010	Adult Social Services
Employee 25	10/07/2000		Adult Social Services
Employee 26	07/08/1989		Adult Social Services
Employee 27	12/08/1974		Law, HR and Asset Management
Employee 28	22/09/2003		Adult Social Services
Employee 29	09/03/1987		Finance
Employee 30	26/09/1977		Law, HR and Asset Management
Employee 31	01/10/1979		Finance
Employee 32	03/01/1989		Finance
Employee 33	04/03/1991	31/03/2010	Law, HR and Asset Management
Employee 34	09/11/1981	31/12/2010	Regeneration, Housing and Planning
Employee 35	01/11/1977	12/04/2009	Adult Social Services
Employee 36	10/05/1982	24/05/2009	Adult Social Services
Employee 37	16/08/1999		Adult Social Services
Employee 38	01/02/2004		Adult Social Services
Employee 39	02/01/2002	01/02/2009	Adult Social Services
Employee 40	11/04/1984		Finance
Employee 41	15/05/2000	31/10/2005	Adult Social Services
Employee 42	29/09/1986	09/09/2007	Law, HR and Asset Management
Employee 43	20/01/1997	31/08/2001	Social Services
Employee 44	26/09/1983	31/03/2005	Adult Social Services
Employee 45	01/10/2002	17/05/2009	Adult Social Services

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Employee 46	21/08/1989		Law, HR and Asset Management
Employee 47	01/11/1999	31/12/2010	Adult Social Services
Employee 48	01/04/1988	31/03/2010	Children & Young People's Department
Employee 49	23/05/1988		Regeneration, Housing and Planning
Employee 50	01/10/2003	31/12/2005	Adult Social Services
Employee 51	15/07/2002	01/03/2009	Law, HR and Asset Management
Employee 52	24/04/1991		Finance
Employee 53	07/09/1987		Adult Social Services
Employee 54	24/09/1990		Regeneration, Housing and Planning
Employee 55	14/07/1986	26/07/2009	Adult Social Services
Employee 56	23/04/1990		Law, HR and Asset Management
Employee 57	28/06/1982	07/01/2011	Adult Social Services
Employee 58	07/06/2004	17/08/2009	Adult Social Services
Employee 59	30/01/1989	30/06/2011	Adult Social Services
Employee 60	26/02/1990	31/01/2011	Adult Social Services
Employee 61	07/07/1981		Adult Social Services
Employee 62	17/05/2004		Regeneration, Housing and Planning
Employee 63	21/06/2004		Regeneration, Housing and Planning
Employee 64	02/08/2004	31/10/2010	Adult Social Services
Employee 65	18/01/1999	31/03/2011	Adult Social Services
Employee 66	20/03/2000		Adult Social Services
Employee 67	21/06/2005	31/12/2011	Children & Young People's Department
Employee 68	09/10/1989		Adult Social Services
Employee 69	No Record Found		
Employee 70			
Employee 71			
Employee 72	05/06/2002	06/05/2009	Law, HR and Asset Management
Employee 73	05/04/2009		Law, HR and Asset Management
Employee 74	12/10/2009		Law, HR and Asset Management
Employee 75	01/08/1984	31/03/2010	Law, HR and Asset Management
Employee 76	21/03/2005	22/03/2009	Law, HR and Asset Management