

ANGUS COUNCIL

MINUTE of MEETING of the **SOCIAL WORK AND HEALTH COMMITTEE** held in the Town and County Hall, Forfar on Thursday 14 August 2008 at 4.00 pm.

Present: Councillors ALISON ANDREWS, MARK SALMOND, COLIN BROWN, MAIRI EVANS, DAVID FAIRWEATHER, IAN MACKINTOSH, PETER NIELD, BILL MIDDLETON, GLENNIS MIDDLETON, DONALD MORRISON, ROB MURRAY, HELEN OSWALD, MARGARET THOMSON, PAUL VALENTINE and JOHN WHYTE.

Councillor ANDREWS, Convener, in the Chair.

1. APOLOGIES/SUBSTITUTES

Apologies for absence were intimated on behalf of Councillors Ruth Leslie Melville and David May with Councillors Mark Salmond and Peter Nield substituting respectively.

2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 22 May 2008](#) was approved as a correct record and signed by the Convener.

4. SOCIAL WORK AND HEALTH DEPARTMENT ANNUAL REPORT 2007/2008

With reference to Article 15 of the minute of meeting of this Committee of 21 February 2008, there was submitted [Report No 687/08](#) by the Director of Social Work and Health advising the Committee of the production of the 2007/2008 Annual Report for the Social Work and Health Department, a copy of which was attached to the Report.

Previously, Service Plans had reviewed progress against the previous year's Service Plan but this information together with other general and performance information about the Department would now be included in an annual report by each Director which would be submitted to Committee after the financial year end. A standard format had been adopted for the annual reports to ensure consistency of approach across the Council.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to note the terms of the Social Work and Health Department Annual Report 2007/2008.

5. SERVICE MAPPING AND NEEDS ASSESSMENT OF MENTAL HEALTH AND WELLBEING IN CHILDREN AND YOUNG PEOPLE AGED 5-18 YEARS IN ANGUS

There was submitted [Joint Report No 688/08](#) by the Director of Social Work and Health and the Director of Education advising the Committee that a comprehensive Service Mapping and Needs Assessment of Mental Health and Wellbeing in Children and Young People Aged 5-18 years had recently been undertaken in Angus. The review, commissioned by the Joint Management and Commissioning Group for Children's Services, and conducted by a research team from Dundee University's School of Nursing and Midwifery, had taken place between January 2007 and March 2008. It had been wide-ranging and had implications for both Angus Council and NHS Tayside in considering the future development and/or service re-design in this area.

The Report concluded that the review exercise had highlighted the need for the local authority to engage with key partners in NHS Tayside to progress relevant actions within the context of NHS Tayside's evolving Collaborative Commissioning Plan for Child and Adolescent Mental Health Services.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report;
- (ii) to note the content of the Service Mapping and Needs Assessment Report and Executive Summary, copies of which had been placed in the Members' Lounge;
- (iii) to instruct the Director of Social Work and Health and the Director of Education to liaise with colleagues from NHS Tayside to identify relevant actions arising from the Report and to bring forward a further report as soon as possible; and
- (iv) to instruct the Director of Education to establish a policy to support children and young people admitted to hospital with mental health needs.

6. ABOLITION OF UNRULY CERTIFICATES: SECTION 51(1)(bb) AND SECTION 51(3) CRIMINAL PROCEDURE (SCOTLAND) ACT 1995

There was submitted [Joint Report No 689/08](#) by the Director of Social Work and Health and the Director of Education advising the Committee that, in February 2008, the Scottish Government had announced plans to abolish the legislation that allowed children appearing on a charge in the Criminal Justice System to be remanded to a youth offender's institution. Instead, it was anticipated that secure accommodation or another place of safety, or a community alternative to remand might be appropriate.

The Report indicated that, during June and July 2008, the Scottish Government had sought views on what this legislative change would mean, both for the local authority and the wider services and systems working with young people in these circumstances. The response, a copy of which was appended to the Report, had been submitted by the closing date of 25 July 2008.

The Report concluded that the Council supported the principle of placing children in secure accommodation as opposed to young offenders' institutions or prison and the proposals mirrored its own approach to maintaining young people's placement in the community, when possible, while recognising that secure accommodation would always be required for a very small group of children and young people who were persistently absconding and presenting significant risk to themselves or others.

The Committee, for its interest, agreed:-

- (i) to note the contents of the Report; and
- (ii) to homologate the response to the Consultation Paper submitted by the Director of Social Work and Health and the Director of Education.

7. ANGUS ADULT PROTECTION COMMITTEE ANNUAL REPORT 2007/2008

With reference to Article 5 of the minute of meeting of this Committee of 16 August 2007, there was submitted [Joint Report No 690/08](#) by the Director of Social Work and Health, the Director of Neighbourhood Services and the Chief Executive presenting the Angus Adult Protection Committee Annual Report for 2007/2008.

The Report indicated that the Angus Adult Protection Committee had been established in July 2006 in advance of the Adult Support and Protection (Scotland) Act and the Annual Report, which had been circulated to all members of the Social Work and Health Committee, was the second one produced. It set out the work of the Committee during 2007/2008 and detailed priorities for 2008/2009.

The Committee, for its interest, agreed to note the contents of the Angus Adult Protection Committee Annual Report 2007/2008.

8. RESPONSE FROM ANGUS COUNCIL ON DRAFT GUIDANCE FOR ADULT PROTECTION COMMITTEES

With reference to Article 7 above, there was submitted [Report No 691/08](#) by the Director of Social Work and Health advising the Committee that the Scottish Government was currently consulting on draft guidance for Adult Protection Committees and detailing a proposed response to the consultation. A copy of the draft guidance and proposed response was appended to the Report.

The Report indicated that the response made a number of general comments as well as specific comments on the content and accuracy of the guidance. It also noted that, generally, the guidance was welcomed by Angus Council and partner agencies involved in the Angus Adult Protection Committee. Much of the development undertaken in Angus to date was consistent with the expectations laid out in the guidance and when final guidance was issued by the Scottish Government, this would be reviewed to ensure that the Angus Adult Protection Committee exercised its functions within the framework set out therein.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to instruct the Director of Social Work and Health to forward Angus Council's response to the consultation on the draft guidance for Adult Protection Committees to the Scottish Government.

9. ANGUS CHILD PROTECTION COMMITTEE ANNUAL REPORT AND BUSINESS PLAN 2007/2008

With reference to Article 6 of the minute of meeting of this Committee of 16 August 2007, there was submitted [Joint Report No 692/08](#) by the Chief Executive, the Director of Social Work and Health, the Director of Education and the Director of Neighbourhood Services presenting the Angus Child Protection Committee Annual Report and Business Plan for 2007/2008.

The Report indicated that the Angus Child Protection Committee had been formed at local government reorganisation and the Annual Report and Business Plan, which had been circulated to all members of the Social Work and Health Committee, was the twelfth one produced and detailed the work and activity of the Committee and member agencies in the field of child protection over the past year.

The Committee, for its interest, agreed to note the contents of the Angus Child Protection Committee Annual Report and Business Plan 2007/2008.

10. PATIENTS READY FOR DISCHARGE IN NHS SCOTLAND - POSITION RELATING TO ANGUS COUNCIL

With reference to Article 7 of the minute of meeting of this Committee of 16 August 2007, there was submitted [Report No 693/08](#) by the Director of Social Work and Health advising the Committee on the performance of the Angus Partnership in relation to those service users awaiting discharge from hospital. The Report highlighted changes in how delayed discharges would be managed locally from April 2008 by the Community Health Partnership and Angus Council. This included the establishment of a Tayside Planning Agreement and the implementation of local systems to manage complex cases. The Report also highlighted the establishment of a National Advisory Group and the Angus Partnership Local Action Plan had been updated to reflect these changes.

Attached to the Report was an appendix which showed the position in Angus for each of the ISD Scotland quarterly census returns for the period April 2006 to April 2008. This highlighted continuous improvement in relation to the number of patients with an Angus Council involvement who were ready for discharge over the six week planning period. It also demonstrated that Angus had continued to meet or exceed the target agreed by the Tayside Partnership.

The Committee agreed to note the contents of the Report.

11. IMPLEMENTATION OF THE ADOPTION AND CHILDREN (SCOTLAND) ACT 2007

There was submitted [Report No 694/08](#) by the Director of Social Work and Health advising the Committee that the Adoption and Children (Scotland) Act had received Royal Assent in January 2007. The Scottish Government had now provided an update on how implementation of the Act was progressing and was currently working towards a commencement date of no later than 31 March 2009.

The Report indicated that, to meet this tight timescale, the Scottish Government had decided to develop the training and guidance necessary to implement the Act whilst still consulting on and finalising the draft Regulations. It was intended that five main sets of Regulations be published on a rolling basis over the next few months with each sent out for consultation for eight weeks.

The Report concluded that Angus Council welcomed the opportunity to comment on the draft Regulations and looked forward to the implementation of the legislation. It was hoped that there would be no additional duties arising from this consultation which would impact on the Council, unless they had been addressed within the Concordat.

The Committee agreed:-

- (i) to note the contents of the Report; and
- (ii) to approve the proposal that the Director of Social Work and Health present a full report on the new Regulations and the consultation responses as soon as these were available.

12. HEALTH BOARDS (MEMBERSHIP AND ELECTIONS) (SCOTLAND) BILL - CALL FOR WRITTEN EVIDENCE

With reference to Article 13 of the minute of meeting of Angus Council of 27 March 2008, there was submitted [Report No 695/08](#) by the Director of Social Work and Health advising the Committee that the Scottish Parliament's Health and Sports Committee was calling for evidence on the general principles of the Health Board's (Membership and Elections) (Scotland) Bill, introduced by the Scottish Government on 25 June 2008.

The Report set out the written statement from Angus Council to the Health and Sports Committee with regard to the Bill with the Council's position reiterated that it did not support the direct elections to NHS Boards and expressed concern that the resources to meet the costs of elections should be directed at frontline service provision.

The Committee agreed:-

- (i) to note the contents of the Report;
- (ii) to note the response to the request for written evidence, a copy of which was attached to the Report; and
- (iii) to instruct the Director of Social Work and Health to forward the response on behalf of Angus Council to the Scottish Government.