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HEALTHY LIVING AND SOCIAL CARE SCRUTINY COMMITTEE

Minutes of a remote meeting held on 9th October, 2023.

The Committee agenda is available [here](#).

The recording of the meeting is available [here](#).

Present: Councillor J.E. Charles (Chair); Councillor N.C. Thomas (Vice-Chair); Councillors G. Ball, I. Buckley, A.M. Collins, M. Cowpe, E.J. Goodjohn, J. Lynch-Wilson, J.M. Norman and C. Stallard.

Also present: Councillor W.A. Hennessy and G. John (Cabinet Member for Leisure, Sport and Wellbeing).

415 ANNOUNCEMENT –

Prior to the commencement of the business of the Committee, the Democratic and Scrutiny Services Officer read the following statement: “May I remind everyone present that the meeting will be live streamed as well as recorded via the internet and this recording archived for future viewing.”

416 APOLOGIES FOR ABSENCE –

These were received from Councillors C.A. Cave and R. Fisher.

417 MINUTES –

RECOMMENDED – T H A T the minutes of the meeting held on 12th September, 2023 be approved as a correct record.

418 DECLARATIONS OF INTEREST –

No declarations of interest were received.

419 SPORT AND PLAY UPDATE 2022/23 (DEH) –

The Operational Manager for Neighbourhood Services, Healthy Living and Performance introduced the Principal Healthy Living Officer to present the report, the purpose of which was to advise on the current activities and operations of the Council’s Sport and Play Section.

Over a series of Powerpoint slides and two short promotional videos, the Principal Healthy Living Officer detailed the work carried out by the Councils Sports and

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Play team for the period April 2022 – March 2023 and highlighted many of the successful initiatives undertaken during the past year, including assistance to clubs, the summer of fun, winter of well-being and the provision of playschemes. The initiatives increased levels of social interaction for little or no cost, decreased the need to travel to access activities due to them being organised locally and encouraged individuals to become active outdoors.

The Officer also apprised Committee on both the Vale Young Sports Leaders Pathway and the Young Ambassadors Scheme. Both initiatives encouraged young people to build healthy lifestyles, build confidence, and become ambitious, capable learners and sporting leaders of the future.

The Chair began debate on the item by congratulating officers on a positive report and queried if the families getting involved were required to register in advance in order to attend the organised activities as part of the Summer of Fun programme. In response, the Principal Healthy Living Officer advised that certain activities did require participants to pre-register due to the nature of the activity, such as Archery, however, the majority of the activities were run on a turn-up-and-play basis. The Officer also added that the full programme was shared with both internal and external partners in order to promote the programme and get individuals involved.

In response to a supplementary question from the Chair, the Officer advised that the programme was promoted via the Council's corporate social media channels as well as the independent social media channels managed by the Sport and Play Team.

Councillor Goodjohn then echoed the Chair's sentiments with regards to an excellent report and stated that they were pleased to see sessions that had been arranged for the whole family unit. A suggested area for further development was sessions to be arranged for families of pupils who were home educated, to which, the Officer advised that links were made with home educators via the various play sessions.

Councillor Stallard then enquired how the service chose the communities it provided activities within. In response, the Officer advised that programme delivery was reliant on the partners that were engaged and where the said partners could deliver their activities. However, the Sport and Play Team tried to accommodate activities as widely as they could across the Vale of Glamorgan area as a whole.

In recognising that the priority of the Sport and Play Team was to fill all the available spaces on sessions advertised, Councillor Cowpe queried whether spaces were predominantly filled by individuals who were responding very quickly via social media e.g. Facebook. In response, the Officer advised that the Team had tried to advertise the programme earlier in the calendar year, through the Council's Early Help Team, and it was willing to try any means in order to publicise the programme more widely and to fill the available spaces on a first come first serve basis. The Officer also advised that the Sport and Play Team had previously held spaces back for individuals that were referred internally in order to

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ensure that individuals most in need received a place on the activities. However, it was recognised that there was still more to do to promote and engage with the target individuals. The Team had also focussed promotion of the programme in schools where there had historically been a low participation rate.

The Operational Manager for Neighbourhood Services, Healthy Living and Performance then added that the Sport and Play Team had been undertaking new initiatives and therefore, further developments would be included in the next version of the update report, to be received next year, following funding that had kindly been allocated by the Social Services directorate. Therefore, the team had also utilised the Children and Young People's Information Team within Social Services in order to promote the programme.

Councillor Buckley then commended the Appendix to the report which demonstrated how the Sport and Play Team had responded to what the individuals engaged with the programme had requested and was pleased to see that nearly 50% of all respondents were taking part not just in the taster sessions but also continued to take up the sport activities on a longer-term basis.

The Vice-Chair then echoed the sentiments of their Committee colleagues on the quality of the report and the fact that it was important to ensure that the most vulnerable individuals were accessing the programme via the most appropriate channels for them. They then noted that the young leaders within the promotional video provided were all from Whitmore High School and queried if any other schools were also involved in the Ambassadors Scheme. In response, the Officer advised that 255 pupils had been enrolled in the Play Makers Scheme, over 16 different primary schools, and all schools within the Vale of Glamorgan had been given the opportunity to engage with the scheme. For higher levels of the programme such as bronze and silver, these levels were promoted to all pupils, however, Whitmore High School had been very proactive in engaging with the Silver Level Ambassadors Scheme. Other secondary schools that had engaged were Cowbridge Comprehensive School, Stanwell School and St. Cyres School.

The Vice-Chair of the Committee then asked officers to expand on paragraph 2.4 of the report which stated that a separate report detailing the regionalisation proposals for sports development would be presented to Cabinet later in 2023 and would include a recommendation that the report was referred to the Healthy Living and Social Care Scrutiny Committee for comment. As requested, the Operational Manager for Neighbourhood Services, Healthy Living and Performance advised that Sports Wales wished to encourage decision making on a more local level and officers were currently exploring internal concerns as to whether areas of deprivation would stand to lose or gain as a result of the regionalisation proposals. The Vale of Glamorgan wished to maintain its services and the current proposal was that a decision making board would sit above the local authority in order to allocate funds but to the same extent. The Vale of Glamorgan Council would sit under the South East Wales Allocation/Region.

With the Committee's permission, the Cabinet Member for Leisure, Sport and Wellbeing commended officers for the exceptional work that they continued to undertake and expressed a concern about future funding to support work of the

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team going forward. The Cabinet Member made a plea to all Members of the Committee to support initiatives undertaken and implemented by the Sport and Play Team and requested that the Committee recommend the report to Cabinet for its consideration. The Committee subsequently endorsed the Cabinet Member's suggestion.

With no further comments or questions, the Committee subsequently

RECOMENDED –

- (1) T H A T the information contained within the Sport and Play Update 2022/23 Report be commended and noted.
- (2) T H A T a further Annual Report on the activities of the Council's Sport and Play Development Team be submitted to the Committee in October 2024.
- (3) T H A T the Sport and Play Annual Update 2022/23 Report be referred to Cabinet for consideration.

Reasons for recommendations

- (1) Having regard to the contents of the report on the current good practice being undertaken by the Council's Sport and Play Team.
- (2) To keep the committee informed of the work of the Council's Sport and Play Development Team on an annual basis.
- (3) To ensure that Cabinet has sight of the positive report and the excellent work being undertaken by the Council's Sport and Play Team.

420 DEPRIVATION OF LIBERTY SAFEGUARDS TEAM ANNUAL UPDATE (DSS) –

The Head of Resource Management and Safeguarding, supported by the Operational Manager for safeguarding service outcomes, presented the report which provided an overview and summary of the activity within the DoLS (Deprivation of Liberty Safeguards) team. It also highlighted the resource and capacity issues that had resulted in the area of work being included on the Council's corporate risk register.

The Cardiff and the Vale Deprivation of Liberty Safeguards/Mental Capacity Act (DoLS/MCA) Team continued to fulfil the Supervisory Body responsibilities required for DoLS on behalf of Cardiff and Vale Health Board, Cardiff City Council and the Vale of Glamorgan Council. This arrangement was overseen by a partnership management board, currently chaired by the Operational Manager for safeguarding and service outcomes from the Vale of Glamorgan Council, consisting of senior representatives from each Supervisory Body.

The Liberty Protection Safeguards had been due to replace the DoLS legal

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framework in England and Wales during 2022/23. However, on the 5th April 2023, Welsh Government had advised that the proposed introduction of Liberty Protection Safeguards had been postponed indefinitely. Prior to this announcement proposals were being considered to change the operating model of the team. These proposals would no longer progress however, the team structure would be reviewed to ensure maximum efficiency and effectiveness of the service during 23/24.

The table set out in paragraph 2.2 of the report demonstrated the number of instances whereby an urgent authorisation was utilised by a Managing Authority During 2022/23. The health board utilised the urgent application process significantly more than the two councils. This was due to the nature of the health setting and the presenting needs of the individual who may be admitted to hospital and the deprivations that could be put in place whilst assessment and treatment was taking place.

Paragraphs 2.4 – 2.6 of the report set out the distinct types of authorisation requests meaning that the Council had between 7 and 21 days to complete.

The Head of Service added that the Council continued to see a rise in the number of applications being received year on year, paragraphs 2.8 – 2.10. During the planning phases of the proposed new framework (Liberty Protection Safeguards) additional annual funding was received from Welsh Government to address backlog of applications. This had a positive impact on being able to assess applications and backlogs had significantly decreased (226 down to 83) by the end of the last financial year.

The partners remained at risk of legal challenge in respect of not complying with statutory timescales. The Council had not received legal challenge within the region to date, but it still remained an area of priority, therefore the team continued to focus on reducing the backlog and the matter remained on the Council's corporate risk register.

With no comments or questions raised, the Committee subsequently

RECOMENDED –

- (1) T H A T the continued implications of the Cheshire West judgement in respect of arrangements for Safeguarding adults, who are unable to consent to their care and accommodation needs, be noted.
- (2) T H A T the planned implementation of the Liberty Protection Safeguards and associated codes of practice, having been indefinitely postponed by Welsh Government, be noted.
- (3) T H A T the report be referred to the Council's Governance and Audit Committee.

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Reasons for recommendations

(1) Having regard to the contents of the report on the continued implications of the Cheshire West judgement in respect of arrangements for Safeguarding adults who are unable to consent to their accommodation, care and support arrangements and the risk to the Council of legal challenge where statutory timescales are not met.

(2) Scrutiny Committee takes account of the future planning for the Liberty Protection Safeguards and changes this will bring in the Council's responsibilities for individuals who are deprived of their liberty through their care and support needs.

(3) To update Members of the Governance and Audit Committee on the progress made with the backlog of applications and the expected legislative changes.

421 1ST & 2ND QUARTER SCRUTINY RECOMMENDATION TRACKING 2023/24 AND UPDATED COMMITTEE FORWARD WORK PROGRAMME SCHEDULE 2023/24 (DCR) -

The purpose of the report was to report progress on Scrutiny recommendations and to consider the updated Forward Work Programme together with any slippage for 2023/24.

The report advised Members of progress in relation to the Scrutiny Committee's historical recommendations and the updated Forward Work Programme Schedule for 2023/24:

- 1st Quarter Recommendation Tracking April to June 2023 (attached at Appendix A to the report);
- 2nd Quarter Recommendation Tracking July to September 2023 (attached at Appendix B to the report); and
- Updated Forward Work Programme Schedule for 2023/24 (attached at Appendix C to the report).

The Democratic Services Officer advised that all recommendation tracking items were considered as completed and that there was minimal report slippage on the Committee's FWP from Quarter 1 to Quarter 2 which was continually monitored by the Chair of the Committee.

Therefore, the Committee was requested to agree the recommendation actions listed in Appendices A and B to the report as well as approve the Committee's proposed FWP for uploading to the public website as included at Appendix C. Following the advice provided by the Democratic Services Officer, the Vice-Chair highlighted the information contained in paragraph 2.11 of the report in relation to the re-launch of the Scrutiny topic suggestion form that would be undertaken to assist with Work Programme planning as well as identifying Task and Finish work

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for consideration by Committee. Although not widely known, the Scrutiny topic suggestion form was already available on the Council's website for members of the public to utilise and the Committee welcomed input from members of the public to increase the level of public participation in meetings and to bring matters to the Committee's attention.

In addition, the Democratic and Scrutiny Services Officer advised that there were dedicated Scrutiny web pages available on the Council's website, that contained a significant amount of information on the Council's Scrutiny function, including future items for consideration as contained within forward work programmes. Any suggested topics that were submitted using the available form would be directed to the relevant Democratic Services Officer in the first instance and then forwarded to the relevant Committee Chair and/or Vice-Chair for consideration as part of the agenda setting process.

With no further comments or questions from the Committee, the Chair concluded the item by kindly requesting that Members of the Committee raise any future items for consideration by the Committee with themselves.

The Committee subsequently

RECOMMENDED –

- (1) T H A T the status of the actions listed in Appendices A and B to the report be agreed.
- (2) T H A T the updated Forward Work Programme Schedule for 2023/24, as attached at Appendix C of the report, be approved and uploaded to the Council's website.

Reasons for recommendations

- (1) Having regard to the contents of the report to maintain effective tracking of the Committee's recommendations.
- (2) For public information.