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Tameside Metropolitan Borough

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INTEGRATED CARE AND WELLBEING SCRUTINY PANEL

Day: Thursday
Date: 13 January 2022
Time: 6.00 pm
Place: Guardsman Tony Downes House, Manchester Road, Droylsden, M43 6SF

Item No.	AGENDA	Page No
1.	**APOLOGIES FOR ABSENCE**	
2.	**MINUTES**	1-2
	To approve as a correct record, the Minutes of the proceedings of the Integrated Care and Wellbeing Scrutiny Panel held on 4 November 2021.	
3.	**TAMESIDE SEND INSPECTION**	
	The Panel to meet Councillor Leanne Feeley, Executive Member (Lifelong Learning, Equalities, Culture and Heritage); and Tim Bowman, Director of Education, to receive an update on the recent SEND inspection, outcomes and actions.	
4.	**ASSURANCE REVIEW OF LGSCO FOCUS REPORT - DOMESTIC ABUSE**	3-28
	The Panel to receive a service response to the Local Government and Social Care Ombudsman Focus Report – *HELP! Learning to improve council services for domestic abuse victims*, published November 2021.	
5.	**REVIEW OF MENTAL HEALTH PROVISION (ACCESS AND CRISIS)**	29-32
	The Panel to receive a paper with interim findings from the review of Mental Health Provision (Access and Crisis).	
6.	**GREATER MANCHESTER SCRUTINY**	
	The Chair to discuss priorities and recent activity of the Greater Manchester Combined Authority Scrutiny Committees.	
7.	**CHAIR'S UPDATE**	
	The Chair to provide a verbal update on recent activity and future priorities for the Panel.	
8.	**DATE OF NEXT MEETING**	
	To note that the next meeting of the Integrated Care and Wellbeing Scrutiny Panel will take place on Thursday 10 March 2022.	

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Paul Radcliffe, Policy and Strategy Lead, to whom any apologies for absence should be notified.

9. URGENT ITEMS

To consider any additional items the Chair is of the opinion shall be dealt with as a matter of urgency.

From: Democratic Services Unit – any further information may be obtained from the reporting officer or from Paul Radcliffe, Policy and Strategy Lead, to whom any apologies for absence should be notified.

Integrated Care and Wellbeing Scrutiny Panel
4 November 2021

Commenced: 6.00pm

Terminated: 7.00pm

Present: Councillors T Smith (Chair), Affleck, Drennan, Pearce, Sweeton, Welsh.

Apologies: Councillors Alam, Cooper, S Homer, Jackson, Owen, Patrick, N Sharif.

22. MINUTES

The minutes of the meeting of the Integrated Care and Wellbeing Scrutiny Panel held on 9 September 2021 were approved as a correct record.

23. ADULT SERVICES

The Panel welcomed Stephanie Butterworth, Director of Adult Services; and Mark Whitehead, Head of Service, to receive an update on current challenges and future strategic priorities for Adult Services.

Ms Butterworth advised members of two significant challenges faced by Adult Service:

- Demographics and demand – with the numbers of older people increasing this will result in a greater need for help and support, pressures regarding long-term conditions, services for adults with a learning disability and wider determinants and impacts of the pandemic.

- Finance and resources – significant budget reduction over time and future uncertainties linked with short-term and one-off funding. Heightened challenges with regard to the social care workforce and delivering a placed based model that provides the best and most suitable accommodation for independent living.

The local health profile does mean that services will need to plan for a proportionately greater level of need and support across the ageing population. This is evident with the number of residents living with long-term conditions, frailty and mental health issues, all of which have been impacted to some extent since the start of Covid-19.

It was reported that through the Live Well at Home initiative the Council in partnership with key health and social care partners has successfully increased the number of residents receiving their care and support at home. There is also an increase in the numbers living independently after a hospital stay, mainly due to investment in the in-house homecare and reablement teams.

Work is ongoing with local housing providers in support of creating greater capacity and availability to provide residents with the most appropriate and sustainable housing options to meet their needs. This includes younger adults to live independently and supporting people to return to Tameside and receive ongoing support for mental health needs.

The Panel heard that plans are in place to develop Live Well at Home through the ongoing work with wider system colleagues in offering early support to prevent the need for ongoing adult social care. The care at home support with work alongside and in connection with the Primary Care Networks and a digital service to assist residents in continuing to have their care needs met at home and to avoid unnecessary hospital admissions.

Ms Butterworth advised that outcomes from a recent public consultation exercise will help inform future strategy and delivery for areas such as daytime services.

Ms Butterworth and Mr Whitehead responded to a number of questions from the Panel on:

- Workforce pressures across the wider care sector and in particular local challenges for Tameside providers and care agencies – the ongoing work to review and prioritise people's needs and risks where necessary
- Tameside Sensory Services
- Building resilience within neighbourhoods and the support available to carers
- The role and availability of the digital services

Resolved: That Ms Butterworth and Mr Whitehead be thanked for attending the meeting.

24. RESPONSE TO MID-YEAR BUDGET UPDATE

The Panel received for information, a letter of the Scrutiny Chairs to Councillor Oliver Ryan, Executive Member, Finance and Economic Growth, in response to the mid-year budget updates held on 7 and 9 September 2021.

25. GREATER MANCHESTER SCRUTINY

The Chair provided a verbal update on activity of the GM Corporate Issues & Reform Overview and Scrutiny Committee.

26. CHAIR'S UPDATE

The Chair informed panel members of the Children's Working Group meeting that will now take place on 31 January 2022, with plans in place for members to receive an update on Children's Services improvement plan.

Members updated on the Scrutiny annual budget meetings that will take place in January 2022, as soon as the dates and times are finalised calendar invitations will sent to all panel members to attend.

27. DATE OF NEXT MEETING

To note that the next meeting of the Integrated Care and Wellbeing Scrutiny Panel will take place on 13 January 2022.

28. URGENT ITEMS

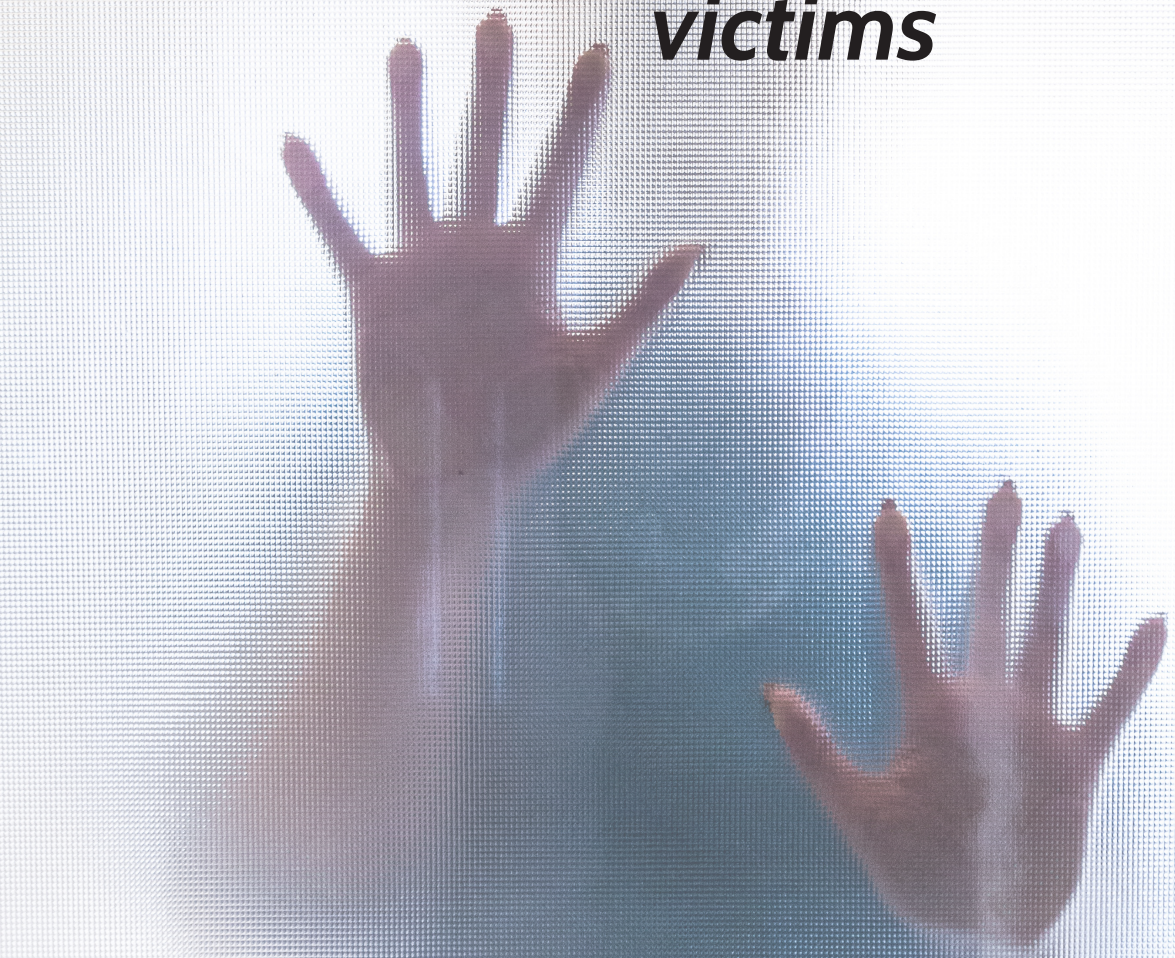
The Chair reported that there were no urgent items for consideration at this meeting.

CHAIR

Local Government & Social Care OMBUDSMAN

HELP!

Learning to improve council services for domestic abuse victims



November 2021

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Ombudsman's foreword

Local councils are one of the key places victims of domestic abuse turn to for help to keep them safe from their abusers. Local councils' action – or inaction – can mean the difference between a victim continuing to endure abuse or not.

Through the public's complaints, we hear from victims of domestic abuse and what happened when they asked their council for help. It is clear councils do a huge amount of good to support people at risk from domestic abuse. But this report shares some of the stories from our investigations in the exceptions when things have gone badly wrong.

It includes tragic examples of local councils leaving victims at risk, such as the case where a woman and her baby were physically assaulted.

It also includes examples of local councils failing to work with other local services to keep victims of domestic abuse safe. This results in victims having to relive their trauma by repeating their stories to different people, at a time when they most need help and support.

This report also highlights examples of local councils questioning victims' experiences of domestic abuse and downplaying the impact of the trauma they endured at the hands of their abusers. From a victim's perspective this can compound the trauma they have already suffered, especially as this behaviour might unintentionally mirror the actions of their abuser.

I acknowledge these stories are a small sample of everything councils do in this area and do not represent the regular experience for most people. Nevertheless, by sharing the key learning points from when things have gone wrong, it will help councils to reflect on and improve their services where appropriate. Even small, practical steps could make the difference in keeping someone safe from harm.

The most important learning point we highlight in this report is the need for local councils to provide services for victims of domestic abuse as soon as they ask for help. Delays, ignoring disclosures, or failing to notice the signs of abuse can leave vulnerable people at risk for longer than necessary.

To provide support quickly councils need to have robust partnerships with other local bodies. Only by working together can local services try to ensure that victims of domestic abuse do not suffer further, or repeatedly have to relive the trauma as they are passed between services.

Councils are likely to encounter victims of domestic abuse across a range of services they deliver. Once a council knows or suspects domestic abuse is happening, it has a duty, both moral and statutory, to act – and this includes departments or services that may not regularly encounter victims of domestic abuse. Another good practice point is for all customer-facing staff to be appropriately trained to be alert to, and act on, disclosures of abuse.

> ***The most important learning point we highlight in this report is the need for local councils to provide services for victims of domestic abuse as soon as they ask for help.***

The Domestic Abuse Act 2021 gives public bodies, including local councils, further powers and duties to help victims. For the first time, a child or young person related to the person being abused or the abuser, is regarded as a victim themselves. While this will place additional duties on councils, it must be welcomed that providing help to children and young people adversely affected by witnessing domestic abuse may prevent them from having long term difficulties.

I urge councils to take this report in the constructive spirit it is intended: use the learning from the worst examples, take on board our practical tips to avoid problems and question themselves on where they could potentially make changes for the better. If this helps drive action to keep even a single person safer from abuse, then it must be worth it.

Michael King
Local Government and Social Care Ombudsman
November 2021

Background

Statistics on domestic abuse

It is difficult to accurately quantify domestic abuse because it is often a hidden crime. However, in 2020 the Crime Survey for England and Wales estimated that 2.3 million people had experienced domestic abuse in the past year[1]. During the COVID-19 pandemic it is estimated that instances of domestic abuse increased, as did the demand for domestic abuse victim services[2].

It is estimated that one fifth of adults aged 18-74 (8.5 million people) experienced at least one form of abuse before the age of 16. Witnessing domestic abuse was the most common form[3].

More than half of adults (52%) who experienced abuse before 16 also experienced domestic abuse in later life. This compares with 13% who did not experience abuse before the age of 16.

Domestic abuse is also a major contributor towards homelessness. In 2019/20,around 1 in 11 households cited domestic abuse as their main reason for being homeless or threatened with homelessness[4].

Complaints to the Ombudsman

This report is based on a collection of case studies rather than a statistically significant shift in the number of cases we've received or upheld.

Nevertheless, we have seen the number of investigations mentioning the term domestic abuse double in the three years between 2018-19 and 2020-21, going from 0.3% to 0.6% of our total case load.

It is also important to note that in 2020-21, we received around a quarter fewer cases across all of our work than usual, due to the impact of COVID-19.

In terms of our cases mentioning domestic abuse, the majority relate to education and children's services, with the rest mainly comprising complaints about housing and adult care services. It is perhaps not surprising that housing is a common issue given that many victims of domestic abuse will need help and support to escape their abusers and find somewhere safe to live.

What is domestic abuse?

Historically, the term "domestic violence" was used and councils were seen as having a duty to act where there was actual violence or a threat of violence. This was extended over time through cases in the family courts. In 2011 the Supreme Court[5] confirmed that domestic violence should be interpreted to include the use of emotional, psychological, or financial abuse for the purposes of housing duties. This was further extended in 2013 to include controlling behaviour and coercive control.

The *Domestic Abuse Act 2021* introduces a new statutory definition of domestic abuse. This has two elements – firstly, defining the relationships that are covered, and secondly, the types of behaviours that may amount to domestic abuse. These behaviours consist of any of the following:

- Physical or sexual abuse.
- Violent or threatening behaviour.
- Controlling or coercive behaviour.
- Economic abuse.
- Psychological, emotional, or other abuse.

The Act says that it does not matter whether the behaviour consists of a single incident or a course of conduct.

The new Act also says children will be explicitly recognised as victims if they see, hear, or otherwise experience the effects of abuse.

1. Domestic abuse in England and Wales overview - Office for National Statistics (ons.gov.uk)
2. Domestic abuse during the coronavirus (COVID-19) pandemic, England and Wales - Office for National Statistics (ons.gov.uk)
3. Child abuse extent and nature, England and Wales - Office for National Statistics (ons.gov.uk)
4. Statutory homelessness in England: financial year 2019-20 - GOV.UK (www.gov.uk)
5. Yemshaw v London Borough of Hounslow [2011] UKSC 3

Councils' duties in dealing with domestic abuse

Councils have a key role in responding to domestic abuse, and working with other agencies, such as the police and health services, to provide appropriate support.

These duties have been extended by the *Domestic Abuse Act.* The cases highlighted in this report pre-date the introduction of the Act. However, they still contain important and relevant lessons for councils and other public bodies in how to help domestic abuse victims.

The *Domestic Abuse Act 2021* received Royal Assent on 29 April 2021. The government has announced its intention to bring the Act into force during 2021/22 but some measures will be piloted before being implemented[1].

Duties towards children

Councils have duties under the *Children Act 1989*, towards children affected by domestic abuse.

Statutory Guidance: Working together to safeguard children (2018) provides guidance on how councils should work with other agencies to safeguard and promote the welfare of children. This says professionals should be alert to the need to help a child who is in family circumstances presenting them challenges, including domestic abuse, or is showing early signs of abuse and/or neglect.

Councils have a duty (section 47 of the *Children Act*) to make enquiries if they have reasonable cause to suspect that a child is suffering, or is likely to suffer, significant harm. the aim is to decide whether it should take action to protect the child. A child may be at risk of emotional harm where they have witnessed domestic abuse between adults. Section 47 enquiries should include other relevant agencies, such as health services, education services and the police.

Duties towards adults

Councils have duties under the *Care Act 2014* to make enquiries if they believe an adult with need for care and support (whether or not the council is meeting any of those needs) is experiencing or is at risk of abuse or neglect.

Chapter 14 of the *Care and Support Statutory Guidance* steers councils on their safeguarding duties towards adults. This says adult safeguarding is about people and organisations working together to prevent and stop both the risks and experience of abuse or neglect, whilst also promoting the adult's wellbeing. Domestic abuse, in this context, is defined as including psychological, physical, sexual, financial, emotional abuse and "honour" based violence[2].

Duties towards those who are homeless or threatened with homelessness

Councils also have duties under the *Housing Act 1996* where a person is threatened with homelessness as a result of domestic abuse or is homeless after fleeing domestic abuse. The Act also sets out councils' duties to have a scheme for allocating social housing in their area which gives people priority based on their needs.

Government statutory guidance on homelessness contains specific guidance on domestic abuse[3]. It says that in addition to their housing duties, councils should be aware of the wider role they play in ensuring victim safety. For example, councils should have procedures in place to keep information confidential and be mindful that abusers may go to great lengths to seek information on victims. They should not approach the alleged abuser, as this could generate further violence and abuse. They should also be alert to the possibility that their officers may be, or have links to, abusers.

People fleeing domestic abuse may be in considerable distress and an officer trained in dealing with the particular circumstances should carry out interviews with them. They should also

1. Domestic Abuse Act 2021: overarching factsheet - GOV.UK (www.gov.uk)
2. Care and support statutory guidance 2016 (updated 2021), Paragraph 14.17
3. Homelessness code of guidance for local authorities, 2018 (updated 2021), Chapter 12

be given the option of being interviewed by an officer of the same sex.

Councils have a duty to provide accommodation where a person is homeless, eligible for assistance, and may be in priority need. The *Housing Act* sets out the situations in which a person may be in priority need[1]. This includes those who are vulnerable, pregnant or have children living with them. A person may be vulnerable after leaving accommodation because of violence from another person or threats of violence from another person which are likely to be carried out.

The *Domestic Abuse Act* has amended the *Housing Act* to say that a person who is homeless as a result of being a victim of domestic abuse will automatically be in "priority need". This means councils will be under a duty to house them while they make enquiries about whether they owe them a housing duty[2].

Statutory guidance says councils need to carefully consider whether any accommodation they provide to victims of domestic abuse is suitable, particularly in terms of its location and the risk of the abuser finding out where the victim is living[3]. This may mean they need to move out of the area. The guidance says that refuges will usually be the most appropriate choice, but they provide short term intensive support and should not be a substitute for other forms of temporary accommodation. The guidance says councils should work with refuges to consider how long a person needs to stay before moving to other accommodation.

In general, people applying to a council for housing need to seek assistance in a council area where they have a local connection. However, an applicant cannot be referred to another council where they would be at risk of violence or abuse.

Specialist housing for victims of domestic abuse

Councils (and organisations, such as charities, acting on behalf of councils) may provide specific accommodation for victims of domestic abuse including refuges, specialist safe accommodation, sanctuary schemes and move-on accommodation. In addition, they may provide other support to victims, such as counselling, advocacy support and advice and information services.

The *Domestic Abuse Act*, introduces new statutory duties for tier 1 councils (county councils, unitary district councils, the Greater London Authority and the Council of the Isles of Scilly) to:

- Assess the need for "domestic abuse support" for victims (or their children) who reside in "relevant accommodation" in its area;
- Prepare and publish a strategy for providing such support; and
- Monitor and evaluate the effectiveness of the strategy.

Tier 1 councils will need to set up a "domestic abuse local partnership board" to advise them about the exercise of these new duties.

1. Housing Act 1996, section 189
2. Housing Act 1996, section 189
3. Homelessness code of guidance for local authorities, 2018 (updated 2021), Chapter 21.

Learning points and case studies

Wrongly sharing personal information with an abuser

Councils will find themselves in situations where they are dealing with both the victims of domestic abuse and the abuser at the same time, particularly in care services involved in safeguarding children and vulnerable adults. Councils must be especially alert to the need to protect victims and ensure their personal data is not shared with their abusers.

The *Homelessness Code of Guidance*[1] says councils:

"must be alert to the possibility of employees being, or having links to, perpetrators. Housing authorities should not disclose information about an applicant to anybody outside the organisation without consent, and should be particularly alert to the need to maintain confidentiality wherever domestic abuse is involved. In some circumstances, it may be necessary to restrict access to cases where abuse is disclosed to only named members of staff."

Councils have duties under data protection legislation to keep personal information private. Failure to meet these obligations can put victims at risk of further abuse. Domestic abuse affects victims in all areas of their lives and it is not always directly because of abuse that someone might need to contact a council. For example, planning officers should be alert to the risk of exposing a victim's location in public consultation. All services should ensure they hold up-to-date contact details for service users. Inadvertently sending correspondence to an old address, calling an out-dated phone number, or failing to redact documents can allow abusers to continue to exert control over victims, as shown in Zadie's story.

1. Chapter 21: Domestic abuse - Homelessness code of guidance for local authorities - Guidance - GOV.UK (www.gov.uk)

Learning points and case studies

Zadie's story

Case reference: 20 007 812

The council assessed Zadie's daughter as being a child in need. Zadie declined support from the council, which she was entitled to do. She also explained that she did not want her ex-partner to be given her phone number because he had violently abused her in the past. The council shared the child in need plan with Zadie's ex-partner and failed to remove her mobile phone number from the plan.

The council admitted fault and apologised. But it told Zadie its internal data protection team viewed the breach as "low level" and recommended no further action. The council also said there were mitigating factors because Zadie had not reminded a staff member of an agreement not to share her number and that as she was in touch with her former partner to make childcare arrangements there was no "complete confidentiality". Finally it said Zadie's ex-partner had not misused the phone number and were he to do so it would impact on him negatively in an ongoing court process.

Zadie told us that keeping her mobile phone number confidential was one of the ways in which she was able to prevent her abusive former partner from controlling her. She said the council had caused her huge stress and anxiety and it had attempted to make light of the situation.

What we found

We said the council was at fault for disclosing Zadie's phone number to her ex-partner. The council tried to downplay the consequences of this and place some of the responsibility for this on Zadie.

Zadie should not have needed to re-state the need for confidentiality or remind the council about her circumstances, having already told it about her ex-partner. The council was aware of the history of domestic abuse. We said the council had caused Zadie serious distress and compounded this through its arguments in which it tried to mitigate its actions.

An individual remedy

The council agreed to:

- pay Zadie £800 to recognise the distress she was caused and her time and trouble bringing her complaint.

Learning points

- Councils must ensure personal information, which should not be disclosed to an ex-partner, is clearly marked on its records as "confidential", "do not disclose"
- Councils should ensure they are able to restrict access to records to a limited number of relevant staff where appropriate
- Where information has wrongly been disclosed, councils must consider whether it should take action to protect the victim
- Where there has been a breach of data protection in the context of an abusive relationship, councils should acknowledge any adverse impact or trauma on the person whose data has been breached

Learning points and case studies

Failing to work with other agencies to keep victims safe

Victims of domestic abuse often have different agencies working with them to keep them safe. This might include the local council, health and care services, and the police. In some areas responsibilities for housing and social care might fall to separate local councils.

We would expect local councils to work together, as well as work with other bodies to keep victims of domestic abuse safe. Victims should not have to act as a go-between, passing messages and information between council departments and external agencies.

Local councils should have robust internal and external referral mechanisms in place to ensure victims of domestic abuse do not have to relive their trauma each time they have to access a different service for help.

Local councils will be involved in Multi Agency Risk Assessment Conferences (MARAC) where the most serious domestic abuse cases are discussed. However, they should also work closely with other relevant bodies to keep domestic abuse victims safe in those cases that do not reach MARAC.

Since 1 October 2018 a wide range of public bodies, including the police, health services and social services, have had a duty to refer service users who they think might be homeless or threatened with homelessness to the local council homelessness or housing options teams[1]. The government has produced guidance[2] which says it is "*anticipated that it will encourage local housing authorities and other public authorities to build strong partnerships which enable them to work together to intervene earlier to prevent homelessness through increasingly integrated services*".

Tessa's story highlights the grave results of what can happen when local councils and other local bodies do not work together to protect victims of domestic abuse.

Tessa's story

Case reference: 19 018 743

When Tessa applied to the council for rehousing early in the year, she said she had been the victim of domestic abuse. The council's housing department advised her to speak to her social worker.

By the middle of the year Tessa's Independent Domestic Abuse Advisor (IDVA) wrote to the council's housing department and said Tessa was at risk of domestic abuse from her ex-partner. The referral said Tessa's ex-partner was a serial abuser who had previously assaulted pregnant women. It went on to say that Tessa had been subject to a referral to a Multi-Agency Risk Assessment Conference (MARAC) after her ex-partner was arrested and charged with assaulting Tessa who was pregnant with his child.

The council said the MARAC risk score for Tessa was not high enough to give her highest priority for rehousing.

A month later the council's children's services department wrote to the housing department and set out the history of violence Tessa had suffered including in front of her child. It said that although Tessa had a restraining order against her ex-partner, it was not assured this would keep her safe. It went on to say that Tessa's ex-partner was out of prison, which placed Tessa and her child "at serious risk of harm or even death".

There was no evidence the council acted in response to the contact from the children's services department.

1. Homelessness Reduction Act 2017 (legislation.gov.uk)
2. A guide to the duty to refer - GOV.UK (www.gov.uk)

Children's services produced a Child Protection Plan because of the risk to Tessa, her child and her unborn child. The plan noted that Tessa's case had been discussed at MARAC. The plan went on to say that an IDVA would help Tessa with rehousing and this would be followed up by a social worker in early August. There is no record of children's services following up on Tessa's rehousing after the plan was made.

Tessa contacted the council's housing department in November to say she had given birth and she was still at risk of violence from her ex-partner. Tessa said she would consider private rented accommodation.

Tessa's social worker sent a "multi agency proforma" to the housing department later that same month. This said that Tessa was at risk of violence from her ex-partner and he was attending her property, making threats against her and her children. The social worker explained there was a marker on her address and the Police would attend, but it would still take time for the Police to attend so there was a risk to life if Tessa was not moved.

The council wrote to Tessa in December and said it had awarded her further priority based on her children being subject to a Child Protection Plan. However, the council still would not award her the highest priority level on its housing register.

Tessa asked the council to review its decision. This included an email saying her now 4-month old son had been assaulted by her ex-partner. She also provided evidence from Women's Aid which said she was at high risk of domestic abuse.

At the end of January, the council told Tessa it would not award her the highest priority because it needed a referral from the Police or recent MARAC minutes. The council asked Tessa to send these in.

In February Tessa emailed the council to say she had been assaulted by her ex-partner leaving her with a broken nose. Tessa said she was eight weeks pregnant. She said the police had advised her not to return home and that children's services had told her she had to live with her mother.

The council awarded Tessa with the highest level or priority and she was allocated a property within 10 days.

What we found

We said there were significant failings in the way the council had treated Tessa during a period in her life when she and her children were clearly vulnerable and at risk of violence. These failings left Tessa in a situation where she and her very young baby were violently attacked.

We found there had been a lack of communication between the council's housing and children's services departments. This resulted in Tessa being left with no support and having to provide information to the housing department which children's services should already have had on file.

We found children's services failed to communicate with the housing department even though Tessa and her children's need for safe accommodation was identified as part of the Child Protection Plan.

The council should not have placed the burden on Tessa of providing evidence she was at risk of domestic abuse. The council had an email from a social worker stating that Tessa was at serious risk of harm, and even death, but it was fixated on receiving information or a referral from the Police or MARAC before awarding the highest priority.

We said the council could have provided Tessa with assistance under homelessness legislation in trying to find private rented accommodation, especially as this was something she was willing to consider.

We decided that, had the council acted sooner – either awarding Tessa with the highest priority or helping her find private rented accommodation – it is likely she would have been rehoused much sooner. The council was not responsible for the actions of Tessa's ex-partner, but its faults meant she was left in a situation where a violent incident was inevitable. This situation was entirely preventable.

Learning points and case studies

An individual remedy

The council agreed to:

- Write to Tessa and apologise for its failings which left her, and her children's, lives at risk
- Pay Tessa £2,500 for the injuries she and her baby suffered as a result of the failure to move her sooner
- Pay Tessa a further £2,450 to acknowledge the prolonged distress of living in the property for longer than she should have in which she was unsafe
- Offer Tessa and her children trauma counselling

Learning points

- Councils should build partnerships locally with internal and external bodies to ensure victims of domestic abuse receive integrated services
- Councils should have effective internal referral mechanisms and means of communication and sharing information, to ensure victims are not caught between departments
- Councils should contact external agencies directly to explain what information they need and not expect victims of domestic abuse to act as the go-between

Service improvements for all

The council agreed to:

- Hold a joint review of the handling of the case with other MARAC members, to establish any lessons learned and improvements to individual services and communication between services
- Produce a joint working agreement or protocol between children's services and the housing department to set out responsibilities and communication channels when dealing with families who are homeless or who need to move from their accommodation
- Provide training to children's services staff on the council's duties to homeless families and remind them of the council's duties under section 213B of the *Housing Act 1996 (as inserted by the Homelessness (Review Procedure) Regulations 2018)*
- Remind relevant staff that homelessness applications can be considered alongside housing applications
- Remind staff in the housing department to review and take necessary action when supporting information is received in relation to a housing application

Learning points and case studies

Failing to safeguard children from risk of domestic abuse

Working Together to Safeguard Children emphasises the importance of public bodies sharing information to protect children from harm. It says everyone who works with children has a responsibility for keeping them safe:

"Practitioners should be proactive in sharing information as early as possible to help identify, assess, and respond to risks or concerns about the safety and welfare of children... Practitioners should be alert to sharing important information about any adults with whom that child has contact, which may impact the child's safety or welfare." [1]

All council services should be alert to any risk to a child. Poor communication between departments is something we see in our investigations all too often. All front-line officers should have the knowledge and skills to identify and report child safeguarding concerns and participate in information sharing.

The responsibility to safeguard children does not stop at a council's border. Councils should share information with other councils where doing so might protect a child, as Cerys's story shows.

Cerys's story
Case reference: 19 006 684

Cerys started a relationship with Derek and he moved in with her. Derek's children from a previous relationship were subject to a child protection plan because of allegations of domestic abuse made against Derek. The council noted Derek was in a new relationship with a woman with children. However, Derek refused to give details.

The council became involved again with Derek's children from his previous relationship. At this point, the council learned that he was in a relationship with Cerys and she became aware of his past through Derek's legal proceedings with his ex-partner.

Cerys complained that the council had not told her own local council that Derek, who was a known abuser, had moved into its area – even if it did not know where he was living and with whom.

What we found

We found that the council should have told Cerys's local council that Derek had moved into its area, that there were allegations of domestic abuse from a previous relationship, and he was living with a woman with children.

Cerys said that she had suffered no harm and neither had her children and her relationship with Derek was positive. However, in different circumstances the outcome could have been very different.

An individual remedy

The council agreed to:

> apologise to Cerys

Learning points

> Councils should give staff guidance on what to do if they learn a known abuser is in a new relationship where children are involved

> Councils should have effective information sharing agreements in place with local police

1. Working Together to Safeguard Children, Chapter 1, paragraph 25

Learning points and case studies

Refusing to believe victims of domestic abuse and failing to understand what constitutes abuse

The *Homelessness Code of Guidance*[1] says local housing authorities should *"take an active role in identifying victims and referring them for help and support"*. It goes on to say that victims *"can experience many incidents before calling the police or reporting it to another agency. Housing providers may be able to identify abuse at earlier stages and should consider how they can best provide support to their residents. By understanding the indicators of domestic abuse through training and professional development, housing officers can increase their confidence to speak to people experiencing abuse, risk assess and safety plan alongside them".*

We would expect front-line officers and managers dealing with victims of domestic abuse to have relevant training and a current understanding of what constitutes domestic abuse. Downplaying or doubting abuse suffered by a victim risks adding to the trauma they have already suffered, and at worst repeating the pattern of abuse they have experienced.

Local councils' default position should be to believe people who disclose they have been abused. The *Homelessness Code of Guidance* says councils should not have a blanket approach toward domestic abuse that requires corroborative or police evidence to be provided.

The *Homelessness Code of Guidance* says local councils *"should not approach the alleged perpetrator, since this could generate further violence and abuse. Housing authorities may, however, wish to seek information from friends and relatives... social services, health professionals, MARACs, a domestic abuse support service or the police, as appropriate".* The Guidance goes on to say that in some cases *"corroborative evidence of actual or threatened violence may not be available, for example, because there were no adult witnesses and/or the applicant was too frightened or ashamed to report incidents to family, friend or the police"*.

The *Homelessness Code of Guidance* says councils should be aware *"that the period during which a victim is planning or making their exit, is often the most dangerous time for them and any children they have"*.

Karen's story highlights the need for all front-line officers to be aware of councils' duties to help keep victims of domestic abuse safe.

1. Chapter 21: Domestic abuse - Homelessness code of guidance for local authorities - Guidance - GOV.UK (www.gov.uk)

Learning points and case studies

Karen's story

Case reference: 19 014 383

Karen asked the council for help. She gave it a letter from the police which said her case had been discussed at a multi-agency conference for victims of domestic violence and she was at high risk of further harm so needed secure housing. The letter referenced an incident which had happened some two months earlier.

The council spoke to Karen on the telephone and said it would not accept her onto its housing register because she had not suffered domestic abuse and had only been threatened with it. Karen later discovered the council had not read all the evidence she had provided.

Karen and her social worker then provided the council with evidence about her circumstances again. This included a letter from her landlord which said she had to leave her property soon.

The council wrote to Karen to say that she qualified to join its housing register and awarded her priority based on the insecurity of her accommodation and "harassment/violence". It told Karen to make a homeless application.

The council interviewed Karen in response to her application. She explained she was pregnant and gave details of her mental health issues. She said she did not feel safe in her current accommodation and was staying with friends. She also said she did not feel she could manage a private rented tenancy.

The council offered Karen accommodation and she was eventually rehoused.

What we found

We said the council should have treated Karen as a victim of domestic abuse when she first asked for help. This is because the definition of domestic abuse in statutory government guidance and case law includes threats of abuse. However, in this case Karen had been the direct victim of domestic abuse and the council failed to consider all the evidence she provided. This meant she had to go to extra lengths to get the help to which she was entitled, at an already distressing time in her life.

An individual remedy

The council agreed to:

- apologise to Karen
- Pay her £250 for the distress she suffered

Service improvements for all

The council agreed to:

- Remind relevant officers of the definition of domestic abuse included in the *Homeless Code of Guidance*
- Review how it monitors complaints and review requests, and ensure responses are provided within the required timeframes
- Review how it handles homeless applications to ensure it does not delay completing its enquiries and deciding whether to accept the main housing duty

Learning point

- Councils should ensure customer facing staff have regular training to identify signs of domestic abuse and support domestic abuse victims

Learning points and case studies

Failing to provide proper advice and support

Councils have a duty to provide advice and information about housing and homelessness to anyone[1]. For those dealing with domestic abuse, it is essential that councils get this advice right. Failure to do so could leave victims at risk of further abuse or result in significant debts.

Prevention or Relief?

The *Homelessness Reduction Act 2017* introduced new duties for councils to people who are homeless (relief) or threatened with homelessness (prevention). Deciding on which duty a council accepts, requires an assessment of all the circumstances. The *Homelessness Code of Guidance* sets out some of the factors councils should consider to establish this.

For victims of domestic abuse, the question of whether accommodation is "reasonable to continue to occupy" is key. Even if a domestic abuse victim has a home, it does not mean they cannot be homeless. The risk, or fear, of ongoing domestic abuse can mean accommodation which would otherwise be available, becomes unreasonable to continue to occupy. Councils must ensure they consider risk before deciding which duty to accept.

Councils will owe a prevention duty when someone is at risk of becoming homeless within 56 days[2]. Domestic abuse victims often approach councils early when they know an abuser is due to be released from prison. We see instances in our investigations of councils telling people to come back when the release date is more imminent. The *Code of Guidance* encourages councils to consider acting earlier when doing so might prevent homelessness[3]. In our view, this should particularly be the case where a person is only safe because their abuser is currently incarcerated. Waiting until the very last minute, or until after the abuser is released, forces survivors to continue to live in fear. Whereas taking proactive steps to support survivors earlier tells them the council takes the risk seriously.

If councils accept the prevention duty promptly, they will also produce a Personalised Housing Plan (PHP). The PHP will set out steps for both the victim and the council to keep them safe. This can help reassure victims and avoid making an already frightening time more fraught and uncertain.

Ongoing advice and updating PHPs

For victims of domestic abuse holding social tenancies, the fear of losing a secure home can be a barrier to contacting housing departments for help. While a council makes enquiries to establish whether an applicant is homeless, it might be appropriate for them to remain a tenant. It is essential, however, that councils provide the right advice at the right time. No victim of abuse should fear being found "intentionally homeless" because they fled that abuse.

Councils must ensure they review the advice and information in PHPs and update this. In our recent Focus Report about the Homelessness Reduction Act, we highlighted the failure to update PHPs as a common fault. For social tenants who are victims of domestic abuse, this fault can be very costly.

Where, for example, a council has advised against surrendering a tenancy while it decides whether it owes the relief duty, it must update this advice if it does then accept the duty.

Similarly, it might be appropriate for an applicant to remain a tenant while the council establishes whether it can make the property safe to return to. If it cannot, however, councils should tell people this and provide advice about what do with their tenancy. Victims of abuse should not be laden with rent arrears because of poor advice about their tenancy.

1. Homelessness Reduction Act 2017 (legislation.gov.uk)
2. Homelessness Reduction Act 2017 (legislation.gov.uk)
3. Chapter 12: Duty in cases of threatened homelessness (the prevention duty) - Homelessness code of guidance for local authorities - Guidance - GOV.UK (www.gov.uk)

Learning points and case studies

We recommend councils produce guidance for staff and/or advice sheets for people fleeing abuse who have tenancies. This should set out the various scenarios and help domestic abuse victims to make informed choices.

It is not always the case that domestic abuse victims will need to leave their accommodation urgently. As Barbara's story shows, a failure to provide help at the earliest opportunity can deny victims an opportunity to move to safer accommodation in a planned way that minimises further distress.

Barbara's story
Case reference: 19 014 011

Barbara contacted the council to tell it her ex-partner was due to be released from prison in the coming months. She explained he was in prison for being violent and controlling towards her. Barbara explained that even though her ex-partner was in prison he had continued to harass her by writing letters often via neighbours. The council told Barbara she was not at risk because he was still in prison and she should come back closer to his release date.

Barbara went back to the council when her ex-partner was being released later that month. The council arranged accommodation for Barbara and her children. However, it was too small and in a poor state of repair.

The council eventually moved Barbara to different accommodation after two months.

Barbara said the council told her not to give up her previous tenancy with a social landlord while it considered her circumstances because it might then find she had made herself intentionally homeless. There was no evidence the council gave Barbara further advice about this after it accepted a full duty to house her, so she continued to build up significant rent arrears.

What we found

We found the council was at fault for not helping Barbara when she first approached it. If the council believed she was not homeless it should have given her a decision with a chance to ask for a review. In any case, the council was under a duty to help prevent Barbara from becoming homeless and should have produced a Personalised Housing Plan including advice about how to find alternative housing and also explaining what help the council could offer.

The council should also have taken account of the fact Barbara's ex-partner had continued to harass her from prison when deciding whether it was appropriate for her to continue living in her property.

When the council provided accommodation, it was too small and had repair problems. Although there was evidence the council visited the property and raised issues with the landlord, not all of the repairs were completed and Barbara had to chase the council to have work done. This compounded the family's distress and what was already a difficult time.

Learning points and case studies

An individual remedy

The council agreed to:

- Apologise to Barbara
- Pay her £500 for not taking a homeless application when she first asked for help
- Pay her £500 for not considering the suitability of the accommodation it provided
- Give Barbara immediate advice about ending her social tenancy and meet the cost of any rent and council tax arrears

Service improvements for all

The council told us it had already taken action to improve its services. This included establishing a Domestic Abuse Hub with specialist Housing Officers as well as training for all staff on domestic abuse. We welcomed these improvements.

The council also agreed to:

- Remind relevant staff of the need to issue decision letters and Personalised Housing Plans, and provide further training if needed
- Remind relevant staff about the advice and information available to tenants fleeing domestic abuse

Learning points

- Councils should not delay or put off accepting a prevention duty to victims of domestic abuse whose abusers are due to be released from prison
- Councils must keep PHPs up to date and reflect the latest circumstances. This is particularly important to avoid social tenants fleeing abuse accruing unnecessary arrears and Council Tax debt

Learning points and case studies

Ignoring disclosures of domestic abuse

It is widely reported that one of the things victims find hardest, when dealing with public bodies, is having to tell their stories repeatedly. If council staff are properly trained and alert to disclosures of abuse, they can provide relevant advice and support and alert other departments.

We sometimes find councils at fault for not treating an application for housing as a homeless application. While this is serious enough, for victims of domestic abuse the impact can be huge.

An application for social housing is rarely a quick means of moving home. So councils failing to be particularly alert to housing applications which indicate it might owe homeless duties could be the difference between a victim getting to a safe place that day or enduring further abuse for days, weeks, or months as shown in Naomi's story.

Naomi's story
Case reference: 20 002 311

Naomi applied to join the council's housing register. She told the council she could no longer climb stairs. The medical evidence she provided also said she needed to move away from her father because he was aggressive towards her.

Six months later, Naomi's application still had not been processed. She complained to the council about this. She said her father had attacked her on more than one occasion and threatened to evict her.

The council took a long time to process her application. When it did, it decided she didn't need to move. It said her current home met her mobility needs.

An individual remedy

The council agreed to apologise to Naomi and pay her a small sum. It also agreed to carry out a review of Naomi's application to join the housing register.

What we found

As well as finding fault with how long the council took to act, we also decided it failed to consider Naomi's reports of domestic abuse. This was despite it considering her medical conditions and mobility.

Naomi told the council she was at risk of domestic abuse and was threatened with eviction. This should have caused the council to consider its duties under homelessness legislation, which it did not do.

Learning points

- Council officers should be alert to disclosures of domestic abuse and consider its responsibilities when such disclosures are made
- Officers processing applications for social housing should have appropriate knowledge and training to allow them to identify possible homeless applicants

Learning points and case studies

Failing to identify risk to victims

A council's responsibilities do not end when it has secured safe accommodation for a victim of domestic abuse. Victims and their families can suffer a continual risk that does not go away. Councils are in a unique position to help keep victims safe. We encourage councils to consider domestic abuse victims and abusers when developing their housing allocations scheme and local lettings policies. A policy cannot cover every eventuality, but setting out the commitment to keep victims safe shows councils take the risk seriously and reminds officers of their powers and responsibilities.

We have seen complaints from victims who tell us the council expected them to apply for properties in areas where they would not be safe. In our view, a council's default position should be to try to accommodate any area restrictions proposed by victims. Councils should have good, well documented, reasons for doing otherwise.

It is not unusual for both a victim and an abuser to live in the same council area. When an abuser seeks to move home through a council allocations scheme, we think the council has a responsibility to consider the location and risk to victims. This requires councils to identify known abusers and manage any allocations in a way which keeps victims safe without inadvertently revealing their location. Imposing an area restriction on an abuser is the easiest solution, but doing so might indicate where the victim is.

If a victim alerts a council that an abuser has moved close to them, or has discovered where they live, and consider themselves or their family to be at risk, councils should take this seriously. Failure to do so will likely result in victims of domestic abuse suffering further trauma as shown in Wendy's story.

Wendy's story

Case reference: 19 006 454

Wendy is a council tenant. The council transferred her and her children to a safe address following domestic abuse from her former partner. Wendy told us she and her children settled well into this new home.

Two years later, the council moved Wendy's ex-partner into the same area. Wendy alerted the council and said his new address was very close to hers. She lived in increasing fear and felt she had no choice but to seek a move to a different area.

She also complained to the council. In her complaint, she asked the council to improve its service by including 'flags' in its databases to highlight the location of victims of domestic abuse and abusers.

In response to her complaint, the council agreed the family were at risk and needed to be moved urgently.

However, nothing happened on her case for six months so Wendy complained again. The council responded 13 weeks later. It denied her ex-partner had been accommodated 'nearby' but agreed that she nonetheless needed to move urgently because he knew where she lived. It said it already had a 'red flag' system to identify abusers.

After Wendy complained to us, the council responded directly to her. It said that her ex-partner's housing provider had provided incorrect information about his address. It asked the housing provider to contact her directly to apologise. The council offered her a small payment as a remedy and said it "appreciated this had been a distressing and upsetting time for her".

The council said, had it known her ex-partner was a few streets away, it would have moved Wendy and her children straight away.

Learning points and case studies

What we found

The council told us about the improvements it had already made following Wendy's complaint. This included:

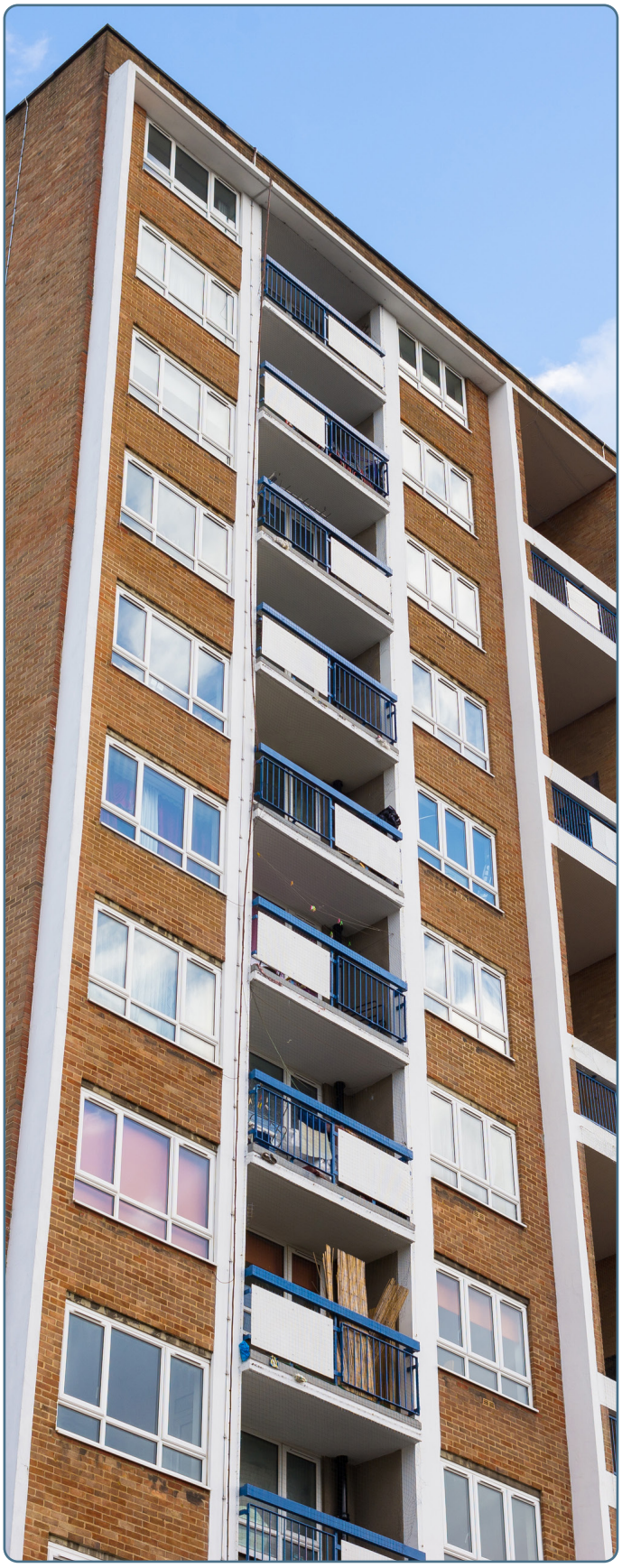
- Relevant staff now had access to databases allowing them to check the location of known abusers
- A 'single homeless service flag' would alert staff to known or suspected abusers
- High risk abusers being accommodated, supported, and risk managed to minimise contact with survivors and victims, in a pilot with another organisation

We decided these improvements, and the remedy offered to Wendy, showed the council had accepted, identified, and learned from the faults in this case. We made no further recommendations.

Learning points

Local councils should:

- look at having systems to identify known or suspected abusers, in order to keep victims of domestic abuse safe
- have robust risk assessment and management procedures to ensure abusers are not rehoused in an area where they would pose a risk to their victims



Learning points and case studies

Delays in providing victims with services

Delaying providing services is a very common fault we find in our investigations across all subject areas and types of complaint. But delays in receiving a service for victims of domestic abuse can put them at risk of further harm. It can also add avoidable frustration and uncertainty to victims' lives at an already difficult time.

Sometimes delay is unavoidable. When this happens, we expect councils to be as open and honest as possible. Many complainants tell us it is not knowing what's happening, or if indeed anything is happening, that causes the most frustration. Councils should tell people as soon as possible if there will be an unavoidable delay and give an updated time frame.

All too often, however, the delays we see are avoidable. In children's services, failure to meet statutory timescales for visits or delays reviewing child protection arrangements can put vulnerable children at risk of further harm. Building trust with victims, both adults and children, is essential to councils being able to fulfil their statutory duties. Avoidable delays and poor communication damage this trust.

For homeless applicants, delay can arise at various stages of the process. For victims of domestic abuse these delays can cause significant injustice. A delay in taking an application or providing interim accommodation, for example, can leave victims and their children at risk of further abuse.

When applying for social housing, victims of domestic abuse should have confidence the council will consider all the information they provide in line with the allocations scheme and in a timely manner. Disclosing abuse to strangers is distressing, so it is important victims do not feel it was a waste of time. As Seren's story shows, it is crucial officers are aware of their powers and responsibilities to victims of domestic abuse. It should not be for victims, advocates, or the Ombudsman to remind a council of its own policies.

Learning points and case studies

Seren's story

Case reference: 18 008 509

Seren and her daughter shared a bedroom in her parent's house. She then applied to the housing register. That same month, Seren's ex-partner assaulted her and kicked in the front door. The police attended and he was released on bail.

Seren told the council about this in an email the next month, which was early December. The council did not reply. The council asked Seren to provide more information in January and February. Seren sent a letter from a social worker which said Children's Services had been alerted by the police about the domestic violence. Seren's housing application was made active in March. The council awarded Band 2 priority for living in overcrowded accommodation.

In October, Seren got an order from the Court to stop her ex-partner from coming to her parent's house. She told the council about this and asked about its Housing Management Panel. The Panel meets once a month to consider cases where additional discretionary housing priority might be appropriate. A domestic abuse advocate from the Victim Support service also contacted the council at this time.

Seren had contacted us. In response to our enquiries, in November the council said it had now considered Seren's case at the Housing Management Panel and agreed to award her priority Band 1.

What we found

We decided the council took too long to consider Seren's application. It also failed to consider the information she provided in December about domestic abuse.

The Housing Management Panel did not consider Seren's case until a year after she applied to the Housing Register, and only following our enquiries and representations from Victim Support. We found the council should have made this referral many months earlier. This meant Seren did not receive adequate support at a very stressful and difficult time in her life.

An individual remedy

The council agreed to apologise to Seren, pay her a small sum to acknowledge the distress she was caused, and backdate the Priority Band 1 awarded by the Panel to when she first applied to the register.

Service improvements for all

The council agreed to hold a briefing session to make sure staff understood when to refer cases involving domestic abuse to the Housing Management Panel.

Learning point

> Councils must ensure they provide services to victims of domestic violence as soon as they ask for help. Government guidance recognises the time when a victim is escaping or planning to escape from their abuser is the most dangerous time for them.

Promoting Good Practice

While remedying individual injustice is an essential part of what we do, we also help councils tackle systemic failures and improve the way they deal with complaints.

In many cases we ask councils whether other people are currently or could be affected by the same issues raised in a particular complaint.

Practical examples of action taken by councils following our investigations include:

- Setting up a 'Domestic Abuse Hub' with specialist housing officers
- Providing training for all staff on dealing with and supporting victims of domestic abuse
- Producing joint working agreements between internal departments and external partners to provide an integrated service for victims of domestic abuse

Drawing on our casework we have identified some positive steps councils can take:

- Build partnerships locally with internal and external bodies to ensure victims of domestic abuse receive integrated services
- Ensure all front-line officers and managers are alert to disclosures of domestic abuse and equipped to offer appropriate support and referrals in line with the council's powers and duties
- Ensure services provide victims of domestic abuse with help and support as soon as they request it.
- Review provision of refuges and other domestic abuse support available in the local area to ensure victims' needs can be met.
- Work with neighbouring councils and other bodies to provide a means for victims to leave the area altogether if it is not safe for them to remain
- Ensure any written agreements or contracts with an alleged abuser, where they agree to move out of the family home, are clear and specific, and are sufficient to act as a protective tool. Councils must be satisfied that those involved give informed consent to such agreements
- Ensure systems are designed to allow the council to protect the anonymity of victims of domestic abuse and keep them safe from abusers. This is especially important in situations where a council is dealing with both the victim and the abuser.

Encouraging local accountability – questions for scrutiny

We want to share learning from our complaints with locally elected councillors who have the democratic right to scrutinise the way councils carry out their functions and hold them to account.

We suggest some questions elected members could ask officers, to ensure their services receive proper and effective scrutiny and are accountable to local people:

- Does the council have statistics for the number of children in its area who have been or are being affected by domestic abuse?
- How many households have been provided with accommodation after fleeing domestic abuse?
- Does the council have sufficient refuges and other domestic abuse support services in its area to meet the needs of domestic abuse victims, including children? Does it need to take steps to commission more services?
- What arrangements does the council have with local police and other bodies for sharing information and providing integrated services for victims of domestic abuse in its area?
- Does the council have good information sharing arrangements with the local police to identify known or suspected abusers living in its area?
- Does the council intend on reviewing its policies, procedures, and any internal guidance to ensure it is complying with the Domestic Abuse Act 2021 and delivering effective help to victims of domestic abuse?
- What training does the council provide to front-line staff on dealing with victims of domestic abuse? Does the council intend to provide training on the Domestic Abuse Act 2021?
- What procedures does the council have for ensuring details of domestic abuse victims are not shared with their abusers?

> ***I urge councils to take this report in the constructive spirit it is intended: use the learning from the worst examples, take on board our practical tips to avoid problems and question themselves on where they could potentially make changes for the better. If this helps drive action to keep even a single person safer from abuse, then it must be worth it.***

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INTERIM REPORT - MENTAL HEALTH PROVISION (ACCESS AND CRISIS)

1. INTRODUCTION

1.1 The demand on mental health services and support has notably risen and while growing pressure was present prior to Covid-19, the pandemic appears to have heightened the overall complexity of need. There is a requirement to ensure residents in need of help are able to gain access to timely support and that collective efforts aim to mitigate the associated risks for individuals reaching crisis point.

1.2 The Council and Clinical Commissioning Group have key roles in supporting mental health across all ages. This includes promoting and maintaining good mental health, prevention work as well as statutory roles and responsibilities. Many local areas are maximising their opportunities by working innovatively with health and community partners, to promote good mental health and wellbeing.

1.3 With a variety of commissioning mechanisms in place to deliver a strong local offer across Public Health, the NHS and the voluntary and community sector (VCS), as a joined approach this can allow for vital contributions to be made. This happens through:

- System-wide leadership
- Public health responsibilities to promote mental wellbeing and prevent poor mental health throughout the life course
- Statutory duties and powers related to mental health for children, young people and adults
- Commissioning of voluntary and community services that support good mental health
- Provision of wider services that support wellbeing

1.4 Despite national efforts to make mental health a priority with an increased proportion of the NHS budget spent on services, the system remains fragile with ongoing challenges of demand, capacity and resourcing. The 2021 Health and Care Bill intends to enable local health and care leaders to pursue new and innovative ways of delivering services for residents and communities working as Integrated Care Systems (ICSs). It will be important to ensure that mental health has appropriate priority within the new arrangements.

2. SUMMARY

2.1 This report summarises interim activity undertaken by the Integrated Care and Wellbeing Scrutiny Panel. As part of the process to date, Scrutiny has:

- Met with Councillor Eleanor Wills, Executive Member, Adult Social Care and Health; Jessica Williams, Director of Commissioning; Lynzi Shepherd, Head of Mental Health and Learning Disabilities; and Emma Richardson, Pennine Care, to receive an update regarding the accessibility of local mental health services and responding to impacts of Covid-19 with regard to demand pressures and ongoing support for residents.
- A working group of the Scrutiny Panel met with Lynzi Shepherd, Head of Mental Health and Learning Disabilities to receive additional detail on the transformation plan for access and crisis.

2.2 The report puts forward a number of recommendations to the Executive.

3. ACCESS AND CRISIS

Responding to the pandemic

3.1 The full impact of the pandemic on mental health for all ages is yet to be fully realised, with areas already experiencing a significant increase in demand on services. Added pressure is likely to come from an increase in referrals due to a delayed demand arising from restrictions and limited access to services over a prolonged period. The pandemic has placed added

strains on individuals and families due to factors such as job losses, financial insecurity, personal health, stress, anxiety and bereavement.

3.2 The Government published a Mental Health Recovery Action Plan (2021) in response to the mental health impact associated with the pandemic. This includes an expansion of Improving Access to Psychological Therapies (IAPT) and extra funding for the most deprived areas to pay for prevention work, including debt advice, youth projects and support to tackle loneliness and isolation.

3.3 Mental health problems are frequently associated with a range of other factors including poverty, poor housing, homelessness, disability and long-term illness and experience of violence or abuse. People of all ages and backgrounds can have mental health difficulties at any point in their lives.

3.4 The Council, NHS and VCS should work closely with partners such as housing, education and employers to improve the social determinants of poor mental health, creating a place-based approach to mental wellbeing. Studies have shown that the following functions have a role in promoting good mental health:

- Workplaces that support mental wellbeing – many councils have initiatives, such as awards, that encourage this
- Schools, colleges and universities ensuring they are mentally healthy spaces, running programmes and direct interventions and providing training to promote mental good health
- Asset-based approaches to community development – reducing isolation and identifying mental health problems early
- Parks and the natural environment – exercise and green and blue spaces are associated with mental wellbeing
- Sports, culture and leisure services such as swimming pools and libraries – opportunities for exercise and social contacts
- Good standards of housing and support for those at risk of housing insecurity
- Planning the built environment
- Supporting the financial resilience and wellbeing of communities
- Bereavement support

3.5 A number of councils have appointed councillors as mental health champions to support better mental health and tackle stigma. Support for this has been through the Mental Health Challenge, a network where councillors that can share ideas, seek advice and receive support with the aim of enhancing the mental health of their local communities.

3.6 With limited funding available, it is vital that investment decisions are based on evidence, support innovation and improve outcomes by tackling mental health inequalities. Councils and their partners can target investment in a way that best meets local needs and supports the shift to prevention. For example, dependent on data, some areas may focus on reducing suicide, some on tackling bullying in young people and some on men's mental health.

Local challenges and opportunities

3.7 Covid-19 has presented a range of additional pressures, with reduced capacity to monitor those with chronic serious mental illness. This has led to an increase in admissions and use of psychiatric intensive care units. Services have experienced a rise in presentations of trauma and there has been a delay in diagnosis for people presenting with cognitive impairment. Services have continued to work together and support a rapid move to digital provision that has helped to maintain a level of capacity and accessibility.

3.8 New funding has become available to support and transform services for people living with mental ill health, including a renewed focus to improve access, develop additional prevention support and specialist provision. There is however, ongoing and significant challenges of recruitment and retention across service providers.

3.9 The CCG has successfully increased spend on mental health services year-on-year. Themes set within a new transformation plan, wider neighbourhood offer, and prevention strategies aim to improve access and pathways to timely and appropriate support for residents.

3.10 The Tameside and Glossop Mental Health Transformation Plan 2021-23 aims to create a single strategy that focuses on the following themes:

- Population mental wellbeing
- Supporting people to Stay Well – Live Well
- Improving access and crisis
- Improving care for those with highest needs
- Co-production and provision that is safe, effective and high quality
- Innovative use of resources and new investment

3.11 Positioned within and guided by a single strategy, the transformation work is to be underpinned by the growing need to improve access and crisis. This will be delivered by:

- Collaborative leadership, management and governance
- Provision that is safe, effective and high quality
- Lived experience and co-production
- Innovative use of resources and co-production

3.12 Key priorities for service enhancement and development in the short and medium term are to:

- Improve experiences when in crisis
- Provide better access to mental health services
- Create a No Wrong Door approach to support across system-wide collaboration and accountability
- Development of an effective and cohesive crisis pathway
- Expanding the capacity within current services
- Integration and system-wide support
- Understanding the demand

3.13 The Council and CCG is working closely with Greater Manchester Health & Care Partnership to commission a wide range of mental health and learning disability services. There is a key focus to continue to build on our Living Life Well neighbourhood models to improve outcomes for patients and carers

4. INITIAL FINDINGS FOR FURTHER INVESTIGATION AND IMPROVEMENT

4.1 That the Council and partners monitor the effectiveness of existing platforms, local insight and intelligence to improve mental health awareness and that signposting is widely adopted across all customer-facing services. To focus on how well known such critical pathways and early access points are known within communities.

4.2 That improving and expanding access to mental health support will require a long-term and collaborative plan for the use of technology, digital and remote services. That options are explored to connect this with the Council's future digital offer and strategy for residents and customers.

4.3 That with a renewed focus on access and crisis, recent pressures associated with the pandemic may present a need to revisit existing strategies and priorities for areas such as suicide prevention.

4.4 That the Executive involve Scrutiny in development stages and any planned consultation as part of the transformation plan for local mental health services.