

Freedom of Information Act 2000

Your request for information has now been considered and the Council's response to your questions is shown below.

You asked:

1) Is the Council required by law to have a post of Director of Adult Social Services who is ultimately accountable and responsible for anything that happens on Adult abuse in Council owned elderly persons care homes? If yes who is this officer and what is his/her title in the Council?

The Council is required to have a Director of Adult Social Services (DASS) and their role is set out in statutory guidance. The current DASS is Deb Watson, Strategic Director of Adult Social care and Health.

2) Does the Council have any procedures/Policies which clearly outline roles and responsibilities of Councillors and Officers on Adult abuse protection issues? If yes, please confirm whether the new Cabinet under the City Mayor has seen and endorsed it. Also please send me a copy of any such procedures/policies.

The Cabinet of the Council received and approved a report setting out the roles and responsibilities of officers and members, on 13th July 2009. It was also received by the Overview and Scrutiny Management Board on 9th July 2009. It has not been further presented for approval. The reports are attached: 'Roles and responsibilities' and, 'Safeguarding Adults summary of roles responsibility'.

3) How many elderly persons Homes does the Council own/manage? Give me the names please.

The Council owns and manages the following homes:

Abbey House, Arbor House, Cooper House, Herrick Lodge, Preston Lodge, Thurn Court, Brookside Intermediate Care unit.

The Council owns 2 recently closed facilities – Elizabeth House and Nuffield House.

4) How many abuse cases/allegations were reported /investigated under the Council's Adult Protection procedures in each of these Elderly persons homes for the financial years 2008, 2009 and 2010?

The Council has recorded safeguarding alerts during part of this period. Statutory returns on safeguarding activity have only been collected since October 2009. Therefore we are unable to fully answer this question. Therefore this letter acts as a refusal notice under section 17.1 of the Freedom of Information Act 2000 because, in accordance with section 1.1 of the Act, this information is not held by Leicester City Council.

LEICESTER CITY COUNCIL

Information Governance, Bosworth House,
9 – 15 Princess Road West,
Leicester, LE1 6TH
www.leicester.gov.uk

Data since October 2009 is available.

Please note this includes all alerts (cases reported), whether or not they progressed to full safeguarding investigation

1 Oct 2009 – 31 Dec 2009	10
1 Jan 2010 – 31 December 2010	70

5) I believe depending on the nature and seriousness of abuse allegations, Councils carry out 'large scale investigations' in care Homes. For each of the Council owned older persons care homes, give me the number of large scale investigations (as defined by the Council) that have taken place for the financial years 2008, 2009 and 2010. Please send me the definition the Council uses for 'Large Scale inquiries/investigations' in relation to allegations of Adult protection.

No Large Scale Investigations were conducted and the Large Scale Investigation procedure was implemented after 2010. The current version is attached: 'LSI guidance'.

6) I believe Council commissioned 'Social care Agency' (consultancy work) and also perhaps some other consultancy firm to look into policies/procedures/staff care standard /management effectiveness and adult abuse issues in Council managed older persons care Homes. If yes how much were they paid and have they produced any reports of their findings? Can I please have a copy of any reports produced by the consultancy firm on care standards in Council owned Older persons care Homes.

The cost of the consultancy work was £30,000. Please find the relevant reports attached for Abbey House, Arbour House, Cooper House, and Herrick Lodge along with the overview report. Please note that some third party information has been redacted from the reports provided.

Section 17 of the Freedom of Information Act 2000 requires Leicester City Council, when refusing to provide such information, to provide you with a notice which states the fact, specifies the exemption and states why the exemption applies.

S40 (2) Personal Information

Where the information requested contains third party personal data, ie. the personal data of another living individual, this would be exempt under FOIA. Applications for information containing third party personal data are exempt under s40 (2) of the Freedom of Information Act (2000) if the release of such information breaches the Data Protection Principles contained within the Data Protection Act (1998). This is, therefore, an absolute exemption under s40 (2).

S41 (1) Information Provided in Confidence

S41 of the FOIA provides that information is exempt if it was:

(a) obtained by the public authority from any other person (including another public authority), and

(b) the disclosure of the information to the public (otherwise than under this Act) by the public authority holding it would constitute a breach of confidence actionable by that or any other person.

The legislation allows you to use the information supplied for your own personal use, or for journalistic purposes. If the information is a dataset (which does not relate to the environment), you may also use the information for commercial re-use under an [Open Government Licence](#).

If you are dissatisfied with the handling of your request please write to:

Information Governance Manager
Leicester City Council
Bosworth House
Ground Floor
9 – 15 Princess Road West
LEICESTER LE1 6TH
e-mail: info.requests@leicester.gov.uk

Your request for internal review should be submitted to the above address within 40 (forty) working days of receipt by you of this response. Any such request received after this time will only be considered at the Council's absolute discretion.

You may also seek independent advice from the Information Commissioner at:

Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow SK9 5AF
Telephone: 01625 545 700
www.informationcommissioner.org.uk

Please be aware that the Information Commissioner does not normally consider requests until the internal appeals process of the Council has been exhausted. You are therefore advised to appeal to the Information Governance Manager before contacting the Commissioner.