

CAMBOURNE PARISH COUNCIL

District of South Cambridgeshire

ANNUAL COUNCIL MEETING 17TH MAY 2016

GENERAL CORRESPONDENCE

FROM	SUBJECT
Alain Losero – Municipal Councillor, Cuincy, Northern France	Letter Regarding possible twinning of Cambourne and Cuincy
Richard Young – Children's Services Manager, Cambridgeshire Libraries	Email Regarding Summer Reading Challenge 2016
Amanda Davies – Communications Officer, Children Families & Adults Information Team, Cambridgeshire County Council	Email Regarding Safeguarding Adults and Mental Capacity Act Newsletter- Spring 2016

AGENDA ITEM No. 23.1

RECEIVED

29 FEB 2016

Cuincy, le ..

25 février 2016



Mairie de Cuincy
15, rue François Anicot
59553 CUINCY
Tél : 03 27 93 03 00
Fax : 03 27 93 03 05
Mél : administration@ville-cuincy.fr
www.ville-cuincy.fr

Clerk to Cambourne Parish Council, Parish
Office

Cambourne Community Centre, High
Street

Cambourne

Cambridgeshire CB23 6GW

ANGLETERRE

Objet : Twinning project.

Madam Major, Sir Major,

My name is Alain LOSERO and I serve as a municipal councilor in the city of CUINCY. I am writing to you on behalf of the Cuincy twinning project. Cuincy is a city of 7 000 inhabitants located close to LENS and LILLE in Northern France.

I am writing in connection with our willingness to launch a twinning relationship with you.

Such a partnership could be a benefit for both of us. First, your city and ours are not so far apart from each other, which will enable regular exchanges, should they be cultural or sportives.

Moreover, our cities have a multitude of common features. Cuincy is a dynamic city, with a rich associative life. We also have several factories, SMES, and many sports facilities...

For further information, please find enclosed Cuincy's presentation leaflet. And should you be more curious about us, here is the link to a brief video introducing our city : www.ville-cuincy.fr

Thank you for your consideration on that matter. Should you be interested in such a partnership, please do not hesitate to contact us : aloser@ville-cuincy.fr

Sincerely,



Alain LOSERO

Cuincy, la ville et la campagne

AGENDA ITEM No. 23.2

Liz Pinchen

From: Young Richard ELH <Richard.Young@cambridgeshire.gov.uk>
Sent: 01 April 2016 14:44
To: 'clerk@cambourneparishcouncil.gov.uk'
Subject: Summer Reading Challenge 2016

Dear Cambourne Parish Council

For many years you have very kindly supported the Summer Reading Challenge at Cambourne Library.

Your generosity has enabled us to fund additional staff hours to promote and deliver the challenge and to provide a range of supporting activities such as special story times and craft activities.

The Summer Reading Challenge is a national initiative which encourages children to read lots of books during the Summer holidays. Every child who joins is given a members card on which to record details of the books they have read. There are stickers to collect and every child who reads 6 books or more receives a medal and certificate at special ceremonies held throughout September. We always invite local councillors to present the awards at these events.

The Reading Challenge is a great way of encouraging reading and literacy and the rewards are a great incentive to children. Above all, it is fun and keeps our local libraries really buzzing during the Summer.

This year's challenge is called "The Big Friendly Read" and links in with the celebrations to commemorate 100th anniversary of the birth of Roald Dahl. The package is extremely attractive and I anticipate we will break all records in terms of participation.

It would be wonderful if you could consider repeating your much-valued support this year. If the council has a formal grant aid form, please forward this to me to me for completion.

If successful in our application, cheques should be made payable to **Cambridgeshire County Council** and sent to me at

Richard Young
St Ives Library
4 Library Row
Station Road
St Ives
Cambs
PE25 5BW

Thank you

Very best wishes

Richard Young
Children's Services Manager, Cambridgeshire Libraries

The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. If you receive this email by mistake please notify the sender and delete it immediately. Opinions expressed are those of the individual and do not necessarily represent the opinion of Cambridgeshire County Council. All sent and received email from Cambridgeshire County Council is automatically scanned for the presence of computer viruses and security issues. Visit www.cambridgeshire.gov.uk

AGENDA ITEM No. 23.3.

Liz Pinchen

From: Davies Amanda <Amanda.Davies@cambridgeshire.gov.uk>
Sent: 26 April 2016 10:56
To: Davies Amanda
Subject: Safeguarding Adults and Mental Capacity Act Newsletter - Spring 2016
Attachments: Newsletter Spring 2016 V FINAL.pdf

Dear Parish Clerk,

Please find attached the Spring 2016 issue of the Safeguarding Adults and Mental Capacity Act Newsletter (Volume 3, Issue 1) circulated on behalf of the Safeguarding Adults and MCA DoLS Team.

Copies of the newsletter can also be downloaded from the Council's website:

http://www.cambridgeshire.gov.uk/info/20161/care_and_support/595/worried_about_an_adult_or_older_person/2

Kind regards.
Amanda

This information has been circulated using distribution lists. Apologies if you have received it more than once. If you no longer wish to receive information about Adult Social Care or if your details have changed please email Amanda.Davies@cambridgeshire.gov.uk and I will remove you from our lists/update your details.

Amanda Davies

Communications Officer, Children Families & Adults Information Team
Cambridgeshire County Council

Tel: 01223 699650
Box OCT1211, Shire Hall, Cambridge CB3 0AP

**Reach Out
and reduce
loneliness**

www.cambridgeshire.gov.uk/reachout



The information in this email is confidential and may be legally privileged. It is intended solely for the addressee. If you receive this email by mistake please notify the sender and delete it immediately. Opinions expressed are those of the individual and do not necessarily represent the opinion of Cambridgeshire County Council. All sent and received email from Cambridgeshire County Council is automatically scanned for the presence of computer viruses and security issues. Visit www.cambridgeshire.gov.uk



Cambridgeshire County Council
Safeguarding Adults and Mental
Capacity Act Team

Spring, 2016
Volume 3, Issue 1

Safeguarding Adults and Mental Capacity Act Newsletter

THE SPRING EDITION

Welcome to the Spring edition of the Safeguarding Adults, & MCA DoLS
Newsletter.

NEW TRAINING AVAILABLE

For information on the new 2016-2017 Safeguarding Adults courses click
[here](#) and for MCA/DoLS click [here](#) (MCA/DoLS courses begin on page 34
of the Training Programme).

If you need advice on the best course for your role, please contact our
administrators on 01223 699 307 (Tuesdays, Wednesdays and Thursdays)
or 01223 703 538 (Monday to Friday).

THE MCA IS ABOUT TREATING PEOPLE AS HUMAN BEINGS WORTHY OF RESPECT

In a piece for MCA Action Day, lawyer Alex Ruck Keene argues that the
legislation embodies a way of thinking that chimes with our deepest values.
This is a brief piece that encapsulates the importance of this legislation.

To read the article click [here](#).

With this in mind there is now also a short video explaining the MCA
available on the Cambridgeshire County Council webpage. This resource
would be useful for all professionals and for people and families affected by
the legislation.

To access the video click [here](#) and scroll down the webpage.



Cambridgeshire
County Council



Cambridgeshire
Safeguarding Adults Board
making a difference together

INSIDE THIS ISSUE

New Training.....1

'Human Beings' and the
MCA1

Main Article: Disability
and Domestic Abuse
.....2

MCA/DoLS Resources and
Information.....4

MCA/DoLS Case Law
Updates.....5

MCA/DoLS Training
update for CCC Locality
Teams.....6

‘LOSING OUT ON BOTH COUNTS’ DISABILITY AND DOMESTIC ABUSE

‘Losing out on both counts’ is the title of a seminar Dr Ravi Thiara delivered at the University of Bedfordshire, Kings College London, and ‘The European Conference on Domestic Violence’ in 2015 and the ‘Safe Lives’ conference in early 2016.

Health and social care services tend to focus on what they feel to be the key issue or barrier that is affecting the person. With a person with disabilities, it is usual to find that the disadvantages caused by the disability are well addressed – with provision of treatment, care, equipment and other resources to improve the person’s day to day life. But once an additional issue, such as domestic abuse, is introduced, it can be hard to ensure the person receives the support they need, whilst also taking into account their needs from disability.

Research tells us that women with disabilities experience more incidents of abuse and that this can be in additional ways – their risk is multiplied by vulnerability and isolation. Studies show that disabled women are twice as likely to experience gender-based violence as non-disabled women, yet are less likely to seek help.

In research carried out by Dr Thiara, women with disabilities talked about their experiences:

Sexual violence

“Yes I was exhausted, absolutely exhausted, shattered. And being deaf is hard work you know... .. And he’d be furious and slap me and kick me awake. And he used to say: ‘Don’t you fall asleep on me, I want a wife, a real wife not an old woman’. And you know it was sex all the time...he would shout at me and then hold me down and I hated it, I hated it.”

In their 2011 report, *Sexual Violence Against People with Disabilities: Data collection and barriers to disclosure*, Rape Crisis Network Ireland found domestic abuse survivors with a disability disclosed a higher incidence of sexual violence solely as adults (42% compared with 30%) than people with no disabilities.

Survivors with disabilities who attended RCC services were more likely to have been subjected to a greater number of multiple incidents of sexual violence, than those with no disabilities (39% compared with 25%)

The barriers for people with disabilities to disclosing sexual violence were explored through an anonymous online survey of 137 people. Seven in ten of all respondents said that nobody had ever asked whether they had suffered sexual violence (71%)

Abusive partner-carers

“People pity him because he is taking care of you... people are reluctant to criticise this saint or to think he could be doing these terrible things. And possibly as well... people don’t really ‘see’ a disabled woman as a wife, partner, mother. So I think for some people it’s hard to think well this might be a woman who’s being sexually or physically abused by her partner, is experiencing domestic violence because disabled women don’t have sex, do they?”

Where her main carer is also her abuser, women with disabilities will feel torn between a number of emotions. They may feel they can’t speak out about abuse because they should be grateful for the care they are receiving, or they might feel the abuse is their ‘payment’ in return for needing care from their partner. If she has children, she may worry that if she speaks out about the abuse her children will be taken away as she may be unable to care for them alone. Coercive control can be a key factor in domestic abuse and women, with or without disabilities, may feel glad that their abuser isn’t physically violent, but controlling behaviour can be a higher risk for the victim. The question ‘why doesn’t she just leave?’ is often asked, but what if you physically can’t get away? What if you can’t get dressed without the help of your abuser?

Financial Abuse

This type of abuse is usually widely known and understood by practitioners but with women with disabilities there can be additional issues. The partner/carer may ascertain he is in charge of the finances as the woman is unable to do this herself which sounds very plausible but may also be a cover for financial abuse.

Barriers to getting help

“As a disabled woman, there is a reluctance to ask for help... you’re embarrassed and ... people are already giving you lots of support, you don’t want to add to it. You don’t want to become a bigger burden.”

Asking about domestic abuse can be a real concern for professionals. Maybe they suspect something ‘isn’t right’ but presume that the woman would have told them if she was being abused – especially if she has been open about her disability issues. There are often worries about how to ask the question – will the client be offended? What if they do disclose – who can help them?

Most organisations are aware of their responsibilities to people with disabilities with regards to building adaptations, large print documents etc – but can a wheelchair user be housed in a refuge? What about her children? Who would provide her care? In addition, women’s refuges generally aren’t able to accommodate these women other than on a very short-term basis. If the woman’s house is adapted for her use, maybe the perpetrator could be removed, but how can she then stay safe in her home and keep her children safe?

What can we do?

The women Dr Thiara spoke with had a number of suggestions:

Be informed about disabled women’s needs and consult with them about services

Provide accessible well-publicised DV services that disabled women know about: tell women about them!

Develop disability equality schemes with input from disabled women. Write into the strategies.

‘Take disabled women seriously and don’t patronise us’.

Firstly, and most importantly, professionals must ask about domestic abuse. NICE have guidance and a quality standard for domestic abuse which apply to all professionals in health and social care. These offer advice on how to approach the subject. Locally, both the Cambridgeshire Domestic Abuse and Sexual Violence Partnership and Adult Safeguarding Team at Cambridgeshire County Council offer free training for professionals, including people working in support organisations or voluntary roles, around identifying domestic abuse and supporting victims.

There is also a need for more provision in regards to support and refuge accommodation for women with disabilities that are experiencing domestic abuse (or sexual violence). Commissioners should ensure that provision of support is included in strategies and provider contracts. The Government’s Violence Against Women & Girls Strategy (2016-2020) states that local commissioners will be ‘provided with tools and guidance to understand their duties and responsibilities enshrined within the Equality Act 2010 and victims’ legislation, which take account of the particular needs that BME, LGB&T and disabled women may have and the barriers they may face.’

Links also need to be formed between national and local domestic abuse and sexual violence services and organisations that support people with disabilities. Not everyone with a disability will receive social care support so a specialist disability organisation may be the only way to reach out to some women. These organisations are also often best placed to consult with and represent the views of their service users.

MCA AND DOLS UPDATES

Resources and Information

Lasting Powers of attorney, care homes, best interests and deprivation of liberty

An interesting article looking at the specific roles of LPA's in the areas of Property and Affairs and Health and Welfare. To read this article click [here](#).

To visit the Office of the Public Guardian website click [here](#).

For information on Appointees click [here](#).

Guidance for professionals supporting disabled children

There has been some useful guides published for professionals working with disabled children, looking at the law of consent, the MCA and DoLS and how it applies to under 18's. To access this resource click [here](#).

Councils rapped for telling care providers to delay DoLS applications

Summary: The Care Quality Commission has expressed concern that some local authorities may be advising care providers to “delay, stagger or minimise” applications they are making under the Deprivation of Liberty Safeguards (DoLS).

The watchdog warned that this would increase the likelihood of people being unlawfully deprived of their liberty.

The warning came in the CQC's sixth annual monitoring report on how hospitals and care homes in England are using the DoLS, which protect the rights of people who are deprived of their liberty so that they can be given necessary care and treatment.

“We are continuing to find examples where providers may be unlawfully depriving people of their liberty,” it said.

The CQC reported that there was continued evidence of low notifications to the Commission about the outcomes of deprivation of liberty applications. It was a legal requirement for providers to inform the CQC of DoLS applications and their outcome together, when the outcome is known, it pointed out.

What providers must do

- ◇ Take action to meet the requirements of the Mental Capacity Act, in line with the Codes of Practice for it and the Deprivation of Liberty Safeguards. This includes making sure that their staff understand the MCA including the Deprivation of Liberty Safeguards, have access to training, consistently undertake capacity assessments where it is appropriate for them to do so and apply best interest decision-making processes for people who do not have capacity.
- ◇ Make sure that they have in place clear policies and processes relating to the Deprivation of Liberty Safeguards.

- ◇ Continue to request authorisations when they think that people may need to be deprived of their liberty, while always seeking less restrictive options to meet individual needs.
- ◇ Make sure that they notify CQC about Deprivation of Liberty Safeguards authorisation applications and their outcome (when the outcome is known), so that the CQC can fulfil its monitoring role.
- ◇ The CQC also recommends that
- ◇ Local authorities learn from good practice initiatives being put in place by other local authorities, through the Association of Directors of Adult Social Services (ADASS) regional leads programme, and to continue to use available tools such as those created by ADASS.
- ◇ Local authorities must not advise providers to delay or inappropriately minimise their applications as this increases the likelihood of people being unlawfully deprived of their liberty.

For the full article click [here](#).

Deprivation of Liberty a Practical Guide

The essential guide for people working in the area of Deprivation of Liberty has been updated. Click [here](#) for a break down of all the available resources.

Case Law Updates (based on the Feb and March 39 Essex Chambers Newsletter)

Teen Bournemouth

This is essential reading for all professionals working with or commissioning care for professionals working with Children who are coming up to their 16th birthday, and Young Adults (16+) where capacity could be in question.

As the summary identifies:

To summarise the current state of the law:

1. Adults who are confined and lack capacity require Article 5 safeguards;
2. For 16 and 17 year olds who are confined and lack capacity (or do have capacity and refuse), those with parental responsibility cannot give valid consent: Article 5 safeguards are required;
3. For those under the age of 16 who are confined and lack capacity (or refuse to give it), parents can give valid consent if that is an appropriate exercise of parental responsibility;
4. For all those under 18 under an interim or final care order who are confined and lack capacity, Article 5 safeguards are required (following [A Local Authority v D and others](#) [2015] EWHC 3125 (Fam)).

Click [here](#) for full summary and go to page 6.

The screenshot shows the Law Society website with a navigation bar at the top. The main content area features the article title 'Deprivation of liberty: a practical guide' dated 9 April 2015. Below the title, there is a table of contents with sections like 'Introduction', 'Aims and objectives', 'Ethics', 'Events and training', 'Key legislation', 'Law Society Consulting', 'Library service', 'Member only data', and 'Practice management'. The article text begins with 'The Law Society has issued comprehensive guidance on the law relating to the deprivation of liberty safeguards.'

The screenshot shows the Essex Chambers Newsletter for February 2016, issue 42. The title is 'Court of Protection: Health, Welfare and Deprivation of Liberty'. It includes an introduction, a table of contents, and a list of articles. The table of contents lists articles such as 'Article 5 safeguards and the COP', 'The Bournemouth case', 'Parental responsibility and the COP', and 'The Mental Capacity Act 2005 and the COP'. The newsletter is published by Essex Chambers.

The screenshot shows the Essex Chambers Newsletter for March 2016, issue 43. The title is 'Mental Capacity Law Newsletter March 2016, Issue 43'. It includes an introduction, a table of contents, and a list of articles. The table of contents lists articles such as 'Article 5 safeguards and the COP', 'The Bournemouth case', 'Parental responsibility and the COP', and 'The Mental Capacity Act 2005 and the COP'. The newsletter is published by Essex Chambers.

Time and capacity *WBC v Z & Ors* [2016] EWCOP 4 (Cobb J)

A useful case to look through when facing the question of what amounts to unwise decision-making, and what amounts to incapacity. In cases of borderline or mild learning disability and disorders such as Asperger's, the dividing line can be very hard to pin down, particularly when it is clear that the individual is repeatedly placing themselves at significant risk of harm.

Click [here](#) for full summary and go to page 8.

“Use or Weigh? or Use and Weigh?” Discussion

39 Essex Street have now published 3 articles where the Essex Autonomy Project and the Official Solicitor to the Senior Courts have debated how the ‘use/weigh’ component of the functional test should be applied in practice. To read through the 3 articles in order follow the links below.

These articles may not be for everyone, but it will be useful reading for professionals completing formal capacity assessments who may be faced with questions of capacity that sit squarely in the use/weigh component of the 2 stage assessment of capacity.

[Part 1](#) The Essex Autonomy Project

[Part 2](#) The Official Solicitor to the Senior Courts

[Part 3](#) The Essex Autonomy Project

TRAINING UPDATE FOR ALL LOCALITY TEAMS

It was agreed at the Care Act and Transforming Lives Project Board that there is to be mandatory annual in-house MCA/DoLS training for Social Workers (SWs) and Adult Support Coordinators (ASCs) in the CCC Adult Social Care (ASC) Workforce.

The yearly time frame will be from June 2016 through to June 2017 by which point all staff should have accessed this training in-house or in the community. If you have not already received this information from your Heads of Service you can contact:

- james.codling@cambridgeshire.gov.uk (07584490240) to discuss further

or

- to book a one day MCA and DoLS Advanced in-house course, email adultsafeguardingtraining@cambridgeshire.gov.uk



Cambridgeshire
County Council

For information on Adult Safeguarding training click [here](#), and for information on Mental Capacity Act and Deprivation of Liberty Safeguards training click [here](#).

**Cambridgeshire County
Council Safeguarding
Adults and Mental
Capacity Act Team**

Children, Families and Adult
Services
Cambridgeshire County
Council
Box No.SH 1211
Shire Hall
Cambridge
CB3 0AP

