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# Social Care Inquests

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<b>Committee considering report:</b>	Health Scrutiny Committee
<b>Date of Committee:</b>	14 March 2023
<b>Portfolio Member:</b>	Councillor Jo Stewart
<b>Date Portfolio Member agreed report:</b>	6 March 2023
<b>Report Author:</b>	Paul Coe
<b>Forward Plan Ref:</b>	N/A

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## 1 Purpose of the Report

To advise Health Scrutiny Committee on the current position regarding Social Care Inquests.

## 2 Recommendation

None. For information only.

## 3 Implications and Impact Assessment

Implication	Commentary
<b>Financial:</b>	There are potential financial implications; the Council has insurance in place for any civil claims but other ancillary payments, such as waiving care costs, are not. Each matter is considered on a case by case basis.
<b>Human Resource:</b>	Inquests place a burden on staff in both Social Care and Legal Services, due to the amount of information that needs to be gathered and submitted to the Coroner in a short period of time.
<b>Legal:</b>	Work undertaken will seek to ensure that the Council is meeting its legal obligations.

<b>Risk Management:</b>	Work undertaken seeks to mitigate wider associated risks (see above).			
<b>Property:</b>	N/A			
<b>Policy:</b>	N/A			
	<b>Positive</b>	<b>Neutral</b>	<b>Negative</b>	<b>Commentary</b>
<b>Equalities Impact:</b>				
<b>A</b> Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?		X		
<b>B</b> Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?		X		
<b>Environmental Impact:</b>		X		
<b>Health Impact:</b>		X		
<b>ICT Impact:</b>		X		
<b>Digital Services Impact:</b>		X		
<b>Council Strategy Priorities:</b>		X		

<b>Core Business:</b>		X		
<b>Data Impact:</b>		X		
<b>Consultation and Engagement:</b>				

## 4 Executive Summary

- 4.1 As a result of an increased number of cases in which West Berkshire Council was being approached by the Berkshire Coroners' Office for information and/or identified by the investigating Coroner as an Interested Person in Inquests, work has been undertaken to strengthen internal processes relating to these matters. We are unclear as to the reason for the increase in requests for information, but is likely to be due to a combination of factors such as the fact WBC own care homes.
- 4.2 A summary of recent/current Inquest activity is provided below.

## 5 Supporting Information

- 5.1 Following concern regarding a growing volume of Inquest activity within West Berkshire, a meeting was chaired by Nigel Lynn on 25 May 2022 to identify required actions, if any, to manage these. All actions identified at that time have now been completed.
- 5.2 One of the relevant actions was the establishment of an Inquest Review Panel. This Panel has now met three times. The group convened on 20 June 2022 to discuss the purpose of these meetings, the frequency and the membership of Panel. The Panel includes representatives from ASC, Legal, H&S and Insurance as a minimum. These Panel meetings will continue as they provide corporate oversight of cases where the Coroner has asked for information and/or those which are more complex and to consider if a Lessons Learned piece should follow/how learning from the Inquest process can be disseminated. The Panel therefore also provides a useful method of monitoring cases which have identified areas of development, particularly with partner agencies such as Health.
- 5.3 Other actions which were identified to strengthen internal processes in relation to deaths in West Berkshire's area include: reviewing the reporting function in CREST to consider if it can be made easier for staff and ensure issues are identified at an early stage corporately, review the Inquest Protocol internal guidance document and arrange training regarding Inquests for Officers. Since May 2020, West Berkshire Council has received requests for information for 13 deaths involving a Coroner's investigation

(prior to this, the last involvement with the Coroner was in 2016). Approximately half of these required the Council to be an Interested Person (providing evidence, receiving disclosure and attendance at the Inquest). Two cases fell predominantly with Children and Family Services, with the rest being dealt with by Adult Social Care. In all cases there was some level of Health involvement which is unsurprising given the circumstances surrounding each one. Four cases related to Council care home residents, seven individuals were receiving a domiciliary package of care.

- 5.4 A number of the requests have been in relation to safeguarding processes, which is to be expected as local authorities are responsible for safeguarding enquiries under the Care Act 2014. In this regard, local authorities are heavily reliant upon information received from Health colleagues to be aware of concerns and/or assist with its investigations.

## 6 Conclusion

Whilst there has been an increase in requests for information from the Coroner and/or Inquests where WBC is an Interested Person, there is no evidence to suggest there has been a rise in deaths requiring Coroner intervention in West Berkshire. A range of actions have now been completed in relation to Coroner investigations within West Berkshire. This has included a review of internal guidance, procedures, delivery of training and the development of an Inquest Review Panel. It should be noted there is ongoing work in relation to a small number of cases.

## 7 Appendices

None.

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### Subject to Call-In:

Yes: ☐

No: ☒

The item is due to be referred to Council for final approval

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Delays in implementation could have serious financial implications for the Council

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Delays in implementation could compromise the Council's position

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Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months

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Item is Urgent Key Decision

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Report is to note only



**Wards affected:** All Wards affected.

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