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Dear Ms Clark

APPLICATION FOR APPROVED PROVIDER STATUS - DUNDEE CITY COUNCIL

I refer to your application for the above and write to inform you of the outcome of the assessment undertaken by Social Work Department's Contracts Section.

Background

In order to be approved as a provider of social care services and be included on the Approved Providers' List, organisations must fulfil set criteria. By setting criteria for approval as an Approved Provider, the Council is attempting to ensure that organisations and individuals delivering care and support to vulnerable individuals are fit and proper persons; operate from a value base which respects the rights of service users and carers; are financially viable and can maintain continuity of service.

A thorough assessment of all of the documentation submitted by Eighteen and Under in support of your APL application has been undertaken. Details of the findings of this assessment will be presented to you under four main headings:

1. Information about the Organisation/Applicant
2. Details of Management and Executive Committee
3. Finance, Insurance and Employment Practice
4. Organisational Objectives and Service Standards

The outcome of the assessment will be detailed under the final section:

5. Conclusions

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FINDINGS

1. Information about the Organisation/Applicant

Eighteen and Under became a Company Limited by Guarantee on 1st October 2009. There is satisfactory evidence the organisation is properly constituted and appropriately registered. This requirement is fulfilled and therefore the Organisation meets the required criteria for Section One of the APL Assessment.

2. Details of Management and Executive Committee

The Organisation satisfies the required criteria in relation Section Two of the APL assessment.

3. Finance, Insurance and Employment Practice

Finance

The organisation is clearly successful in bidding for and securing funding from a number of sources. However, significant underspends have accumulated over the period examined within this assessment process and there is a concern that this organisation is not making best use of the finance which has been made available to it.

In relation to the Organisation's Admin Policy and financial controls within the organisation, the Council would view current arrangements to be unacceptable. In accordance with the Admin Policy, employees can spend up to £2,000 on a single item without formal authority from a manager or the Board. The policy states two signatories are required. Similarly, any worker can withdraw up to £800 from petty cash at any one time. If receiving public funds, Dundee City Council would be responsible for ensuring that tighter financial controls are implemented.

Insurance

Levels of insurance held in relation to Public (£5m) and Employer Liability (£10m) meet the requirements of the Council. The organisation's current certificate of insurance is valid until April 2010. An insurance certificate for the period April 2010 - April 2011 should be submitted to the Council as soon as it is available.

Employment Practice

The Recruitment and Selection Procedure in place within Eighteen and Under does not meet the required standards. The following summarises why the required standard has not been met.

The recruitment policy does not provide evidence of an appropriate process. There is no evidence that person specifications detailing minimum requirements for a post exist. The short-listing template is a scoring chart which is not based on matching a candidate with any required competencies and other personal qualities. The application for employment form does not ask the candidate for information in relation to formal qualifications and/or training, nor does it ask for a full employment history. The emphasis within the application form is on a candidate's "experience of" particular areas of practice, the application form does not specify whether this is in a professional capacity or not. Within the application form candidates are asked to provide a response to the question "What do you think causes abuse and what can we do to support abuse survivors?" This approach is not regarded as being appropriate in accordance with fair selection principles.

The procedure makes no reference to legislation (either Equal Opportunities or Disability Discrimination Act) nor does it make reference to the need for identity checks. The policy states "a recent enhanced disclosure certificate must be made available before commencement of employment". As an absolute minimum, a new, satisfactory disclosure should be sought in all cases. Although the organisation is appropriately registered for obtaining disclosure information and elsewhere in the documentation there is a stated requirement for enhanced disclosures, it is not clear from the recruitment policy whether or not this established standard is being met.

The language in the policy on "Recruitment of Ex Offenders" is inappropriate and makes no reference to Rehabilitation of Offenders Act 1974, the disqualified from working with children list or the Protection of Children (Scotland) Act 2003.

Similar issues exist in relation to the recruitment and training of volunteers.

In relation to Section Three of the APL Assessment; it will be necessary to develop a procedure which ensures a satisfactory level of financial control. The Council would also seek to reach agreement on an appropriate reserves policy.

In relation to Insurance requirements, the organisation holds suitable insurance cover and meets the required criteria.

In relation to employment practices, the organisation does not, at this stage, demonstrate appropriate recruitment practices for staff and volunteers and therefore does not meet the Council's requirements. The issues detailed above must be addressed in order to meet the required criteria.

4. Organisational Objectives and Service Standards

Within this section, organisational values and principles, policies on working with service users and staffing policies are assessed. In addition, this section is concerned with the stated objectives and service standards set by the organisation and evidence is gathered to assess how well those principles and standards are applied throughout the organisation. It is expected there will be internal and external monitoring systems in place to continually assess the organisation's adherence to agreed policies and procedures. Evidence of shared values and a willingness to work in partnership with the Council and other relevant agencies is a requirement for APL status.

Policies relating to Service Users

Within its mission statement, Eighteen and Under states a commitment to protecting children, young people and vulnerable adults and that services are provided mainly in nurseries, schools and sheltered housing complexes. As a result of assessing this application, the Council has learned of the expansion of the VIP Programme into Sheltered Housing Complexes. The Council was not aware that services are being provided to tenants in some sheltered housing complexes in Dundee. These services are subject to contractual arrangements with Social Work Department and I would expect some consultation and involvement from relevant Social Work Officers in relation to the planning and delivery of services to sheltered housing tenants. The need for consultation and involvement will be discussed in more detail with you during the next phase of the assessment process.

Similarly, I am not aware the Council was contacted in relation to another recent development: adaptation of the VIP Programme to suit the needs of people with a Learning Disability. Again, I would hope that Eighteen and Under would see the need

for multi-agency consultation and involvement in the development of such policies.

Vulnerable Adults Policy

Social Work Department cannot endorse this as an acceptable policy. The policy offers no clear guidance to workers on what to do and when. It makes no reference to the Adult Support and Protection Act; terminology used is inappropriate, i.e. "handicapped" and it seems to be weighted towards protecting workers within Eighteen and Under. Workers are instructed to refer concerns to the manager who will "consider" contacting the authorities. This is not appropriate in relation to the requirements of the Act, where there is an obligation to report any concerns either witnessed or reported by a member of the organisation. This policy requires development if it is to be accepted as appropriate.

Child Protection

The assessment process has highlighted a number of concerns in relation to the Organisation's Child (and Young Person) Protection Policy and the related policy on Confidentiality.

The Child Protection Policy in particular is written from the point of view of abuse as an easily definable incident or incidents that are likely to be criminal. There does not seem to be consideration of ongoing or repeated behaviours against a child that might not amount to an offence but which nevertheless amount to abusive or neglectful treatment.

The document is based on the assumption that a young person will disclose abuse. Eighteen and Under operate with "designated child protection workers". These designated officers decide what action to take in relation to child protection issues. There is no reference to reporting suspicions of abuse to statutory agencies other than the police, nor is there acknowledgement that if a case is one featuring an accumulation of concerns as opposed to a definable incident or incidents, then SWD may be the most appropriate point of contact.

In relation to confidentiality, the document makes no reference to young people being informed, when they first engage with the service, as to the circumstances in which information must and will be shared, even without their consent.

Record Keeping and Access to Personal Records

Further work would be required to ensure the organisation achieves the proper balance between maintaining an appropriate level of confidentiality for service users, but at the same time meeting the likely requirements of partners and funding bodies in relation to monitoring.

Evaluations

The organisation has undertaken a number of service user evaluations and surveys, copies of which were submitted by the organisation as part of the APL application. A number of points need to be raised in relation to the surveys.

The evaluations often lack clear focus, there is little or no information about the methodology or under what circumstances the surveys were conducted. Failure to satisfy the required conditions of a piece of research obviously affects its reliability and validity. However, the organisation is often able to draw conclusions from the research, many of which are less than positive about people's views of "statutory agencies".

Organisational Policies

Staffing Policies

A number of staffing policies (Dismissal, Disciplinary and Flexible Working) carry the "MacRoberts" Company name, Solicitors for Eighteen and Under. Whilst those policies are sound and meet more than the minimum requirements, at this point in time these are not policies developed by Eighteen and Under. Proposed action in relation to this issue is outlined under Conclusions.

Recruitment of Volunteers

Concerns in this area are similar to those raised under Recruitment and Selection of staff.

5. Conclusions

The overall conclusion of the Assessment for Approved provider status for Eighteen and Under is that the organisation does not meet the standard required. Assisting organisations to meet the required criteria is within the remit of the Social Work Department's Contracts Section and I am proposing that 2 Contracts Officers work closely with you to offer the necessary assistance on the policy development that is required if your organisation is to achieve Approved Provider Status.

I hope that you are in agreement with this proposal. If so, please contact Sandra Lorimer, Senior Contracts Officer on the above number. Sandra will be able to discuss the next steps in more detail with you and make the necessary arrangements to facilitate the completion of the required tasks.

Yours sincerely



Alan Baird
Director of Social Work

c.c. Sandra Lorimer, Senior Contracts Officer, Social Work Department