

LINCOLNSHIRE HEALTH AND WELLBEING BOARD

Open report on behalf of Joanna Tubb, Commissioning Manager – Learning Disabilities, Adult Care

Report to	Lincolnshire Health and Wellbeing Board
Date:	30 September 2014
Subject:	Assuring Transformation: Meeting the Winterbourne View Concordat Commitments, Lincolnshire's Current Position on Inpatient Care for Adult with a Learning Disability

Summary: In Lincolnshire as we have a Section 75 arrangement between the Local Authority and the Clinical Commissioning Groups; Adult Care Learning Disabilities have taken the lead in ensuring that following the Winterbourne View review all the requirements set out nationally are met. We have developed robust monitoring and reporting systems which enable us to provide assurances to anyone including the Health and Wellbeing Board, Safeguarding Adults Board, the CCG's and NHS England.

Adult Care Learning Disability Services have incorporated a lot of the requirements into day to day work so as to ensure good practice for those individuals who require a period of inpatient care in a specialist hospital setting.

Actions Required: The board are asked to note the content of this report as an update on the requirements of Local Authorities and Clinical Commissioning Groups in response to the Winterbourne View Review and Concordat.

(NB. When reference is made to inpatient care this is not a general hospital these are assessment and treatment unit for adults with learning disabilities who also have related healthcare needs including mental health issues, complex epilepsy, and challenging behaviors that may have an impact on their mental wellbeing).

1. Background

Winterbourne View was a scandal that shocked everyone from the general public to professionals working with people with a Learning Disability. Following the review a full programme of work was required to ensure changes were made to ensure that there was no one with a Learning disability living inappropriately in a hospital and that those who required inpatient services had a clear care plan and discharge plan.

The Department of Health Winterbourne View Review Concordat: A Programme for Action was published in December 2012 and formed the foundation of work undertaken and was the basis for the Joint Action Plan which Lincolnshire has been working to for the last sixteen months.

What we did/are doing in Lincolnshire

Joint Action Plan

This was developed in 2013 as a clear plan of action for anyone in Learning Disability Services in the Clinical Commissioning Groups and Lincolnshire County Council (Adult Care) to work to. It has been reviewed monthly and we have completed the majority of the requirements. A new Joint Action Plan is now being developed taking forward any area still to be completed and to add in any new actions which relate to good practice for individuals requiring a period of inpatient care.

Learning Disability Register

One of the main outcomes of the Winterbourne View Review was an expectation that anyone placed inappropriately in a hospital would be discharged into a community based service by 1st June 2014. In Lincolnshire we developed a register of all individuals who are in inpatient care and this is updated on a weekly/monthly basis and maintained by the Head of Service for Learning Disabilities.

This register ensures that we know at any one time which individuals are in inpatient care, where they are placed, why they are in inpatient care, that they are in receipt of a regular review, that they have a care plan and a discharge plan. Where an individual is subject to a Section under the Mental Health Act we can ensure due process is followed regarding Mental Health tribunals.

Over the two years we have kept this register the names have changed in many cases as an individual goes through an assessment followed by a period of treatment and then discharge. Those still in inpatient care who were in when we commenced this monitoring are all subject to a Mental Health Act section and some are subject to Ministry of Justice restrictions.

Joint Improvement Programme Stocktake of Progress

A Stocktake of Progress questionnaire was sent to Local Authorities to be completed and signed off by in our case the Chief Executive of Lincolnshire County Council, a Chief Operating Officer representing the Clinical Commissioning Groups and the Chair of the Lincolnshire Health and Wellbeing Board. This was completed in July 2013 and a report issued in October 2013 following analysis of our submission. There were no significant areas of concern for Lincolnshire.

Lincolnshire Adult Social Care Peer Review - November 2013

The Government has agreed a system of "Peer Review" for Adult Care with the Association of Directors of Adult Social Services. This is described as Sector Led Improvement where colleagues from within the same region undertake a Peer Review over three days. The East Midlands region agreed an approach to Sector Led Improvement earlier this year and Lincolnshire will be the third authority to be Peer Reviewed in 2013. There is no national inspection regime out with Sector Led Improvement and therefore the Care Quality Commission and Ofsted have no role in this approach.

The Peer Review Team is led by a Director or ex-Director alongside typically three Assistant Directors, all of whom are independent of the Authority being Peer Reviewed.

The areas looked at were Quality Assurance and Safeguarding and within this the actions around Lincolnshire's approach to the Winterbourne View review were included. The work on the Winterbourne recommendations is considered an area of strength within the Review.

NHS England Quarterly Return

A quarterly data collection process was launched by NHS England in January 2014 which required the Clinical Commissioning Groups to provide data on anyone still in or who had been in inpatient care during the previous quarter. The data collection was backdated to June 2013 with the first return covering Quarter one and two.

Lincolnshire have a section 75 agreement with Lincolnshire Adult Care leading on Learning Disability services thus the quarterly return is completed by the Head of Service for Learning Disabilities on behalf of the four CCG's.

The results from the first two quarters have been published and there have been follow up questions from NHS England to each individual CCG which required a response by 11th July.

This quarterly return will continue for a second year as it enables NHS England to monitor all individuals in inpatient care from a national perspective including those in secure

hospitals. This enables them to follow patients in terms of discharge planning and clear care planned pathways.

NHS England Monthly Return

In addition to the quarterly return we provide a monthly update on behalf of the four CCG's in Lincolnshire regarding all hospital discharges for adults with a Learning Disability in a specialist facility.

East Midlands Leads Network

The Commissioning Manager or the General Manager for Learning Disability Services attends the East Midland meetings with the Regional Lead Zandrea Stewart. We update the Joint Improvement Plan on local progress and bring to their attention any issues we are experiencing as well as sharing good practice. We are currently working on a regional action plan which has defined five priority areas, outcomes and a plan of action.

There are also additional events where the Joint Improvement Programme delivers clear messages regarding their expectations on the future use of inpatient facilities and challenge the thinking on how we provide services for individuals who challenge services. This again is an opportunity to share good practice and how different areas have overcome difficulties and challenges.

Individuals inappropriately placed in inpatient care

There was a requirement that all individuals who had been in inpatient care for a long period of time who were no longer appropriately placed should be discharged into a community based service by June 2014.

In Lincolnshire this timeframe was met with no individuals still being inappropriately placed in hospital.

Developing Future Services

There is a need for specialist community based services in Lincolnshire to avoid inpatient admissions and provide a pathway for those who experience an episode of inpatient care. We are currently working with providers of support services and housing providers in terms of service requirements for those individuals who have very high support needs and challenge services. We are also in discussions with CQC regarding how physical interventions are managed and what registration requirements there are for community based services outside of residential care.

Lincolnshire's Current Position for Inpatient care

There are currently 19 individuals receiving treatment in specialist inpatient care.

Six are in independent hospitals and three of these are outside of Lincolnshire. The remaining thirteen are in NHS inpatient care in Lincolnshire.

2. Conclusion

Lincolnshire does not have any individual with a learning disability inappropriately placed or living in an inpatient provision. We continue to review those who are in inpatient care on a regular basis to ensure that no one in the future remains in a hospital setting once they no longer require assessment or treatment. All individuals have a care pathway. Those individuals not ready for discharge because they are still undergoing treatment or are subject to home office restrictions will still have an estimated discharge date.

3. Consultation N/A

4. Appendices N/A

5. Background Papers

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Joanna Tubb who can be contacted on 01522 554401 or email: Joanna.tubb@lincolnshire.gov.uk