

	<h2 style="text-align: center;">Health Overview and Scrutiny Committee</h2> <h3 style="text-align: center;">8 December 2014</h3>
<b>Title</b>	<b>Liverpool Care Pathway: Update from the North London Hospice</b>
<b>Report of</b>	Governance Service
<b>Wards</b>	All
<b>Status</b>	Public
<b>Enclosures</b>	Appendix A – Report from North London Hospice Appendix B – Extract from “One Chance to get it Right”, by The Leadership Alliance for the Care of Dying People.  Appendix B is available in full here: <a href="http://tinyurl.com/mad2kql">http://tinyurl.com/mad2kql</a>
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## Summary

At their meeting in May 2014, the Barnet Health Overview and Scrutiny Committee considered the North London Hospice’s Quality Account. During the consideration of this item, the Committee noted that the Liverpool Care Pathway was due to be phased out. The Health Overview and Scrutiny Committee requested that the North London Hospice attend the Committee at a future date to provide an update in relation to the phasing out of the pathway, and to be provided with an update on the new approach taken to care planning.

The report at Appendix A provides a short submission from the North London Hospice about the phasing out of this pathway.

The independent Neuberger review of the Liverpool Care Pathway (LCP) recommended that the Liverpool Care Pathway be phased out by 14 July 2014. Following this, The Leadership Alliance for the Care of Dying People (LACDP) produced a document called “One Chance to get it Right” which is attached (in part) at Appendix B.

Representatives will be in attendance on the evening to provide a further detail on the phasing out of the pathway, and to respond to questions from the Committee.

## **Recommendations**

**That the Committee note the report and update from the North London Hospice, and ask questions and make comments.**

### **1. WHY THIS REPORT IS NEEDED**

- 1.1 The Barnet Health Overview and Scrutiny Committee have requested to receive this report, following their consideration of the North London Hospice Quality Account 2013-14.

### **2. REASONS FOR RECOMMENDATIONS**

- 2.1 By receiving this update, the Committee will be kept up to date on the approach to care planning undertaken by the North London Hospice following the phasing out of the Liverpool Care Pathway.

### **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable.

### **4. POST DECISION IMPLEMENTATION**

- 4.1 Not applicable – the Committee is being asked to note the report.

### **5. IMPLICATIONS OF DECISION**

#### **5.1 Corporate Priorities and Performance**

- 5.2 The Overview and Scrutiny Committees must ensure that the work of Scrutiny is reflective of the Council's priorities.

- 5.3 The three priority outcomes set out in the 2013 – 2016 Corporate Plan are: –

- Promote responsible growth, development and success across the borough;
- Support families and individuals that need it – promoting independence, learning and well-being; and
- Improve the satisfaction of residents and businesses with the London Borough of Barnet as a place to live, work and study.

- 5.4 The work of the Barnet Health Overview and Scrutiny Committee supports the delivery of the following outcomes identified in the Corporate Plan:

- To sustain a strong partnership with the local NHS, so that families and individuals can maintain and improve their physical and mental health; and
- To promote a healthy, active, independent and informed over 55 population in the borough to encourage and support our residents to age well.

## **5.5 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

5.6 None in the context of this report.

## **5.7 Legal and Constitutional References**

5.7.1 The Council's Constitution (Responsibility for Functions) sets out the terms of reference of the Health Overview and Scrutiny Committee as having the following responsibilities:

*"To perform the overview and scrutiny role in relation to health issues which impact upon the residents of the London Borough of Barnet and the functions services and activities of the National Health Service (NHS) and NHS bodies located within the London Borough of Barnet and in other areas."*

5.7.2 The LCP was not a single, simple medical procedure, and so there was no legal requirement for consent to be sought before it was used. However within the plan there were likely to be some aspects concerning treatment such as medication changes which would have required consent to treatment and for explanations to be given, and where issues may have arisen where the patient lacked the necessary capacity to give consent. There is an existing practice direction from the Court of Protection( Practice Direction (9E) ) which requires decisions involving serious medical treatment for those lacking capacity to be referred to the court for decision. The Independent Review ' More Care Less Pathway' found that the LCP documentation was deficient in making distinct and clear where the need for consent and explanation existed.

5.7.3 The Independent Review recommended phasing out the pathway approach and moving to individual end of life care planning for patients.

## **5.8 Risk Management**

5.81 Not receiving this report would present a risk in that it would remove an opportunity for the Health Overview and Scrutiny Committee to have an oversight in the work done in relation to care planning following the phasing out of the Liverpool Care Pathway.

## **5.9 Equalities and Diversity**

- 5.5.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the committee should consider:
- The Council's leadership role in relation to diversity and inclusiveness; and
  - The fulfilment of the Council's duties as employer including recruitment and retention, personnel, pensions and payroll services, staff development, equalities and health and safety.

5.5.2 The Council is required to give due regard to its public sector equality duties as set out in the Equality Act 2010 and as public bodies, Health Partners are also subject to equalities duties contained within legislation, most notably s149 of the Equality Act 2010; consideration of equalities issues should therefore form part of their reports.

## **5.10 Consultation and Engagement**

5.10.1 None.

## **6 BACKGROUND PAPERS**

None.