

	<p align="center">Barnet Health Overview and Scrutiny Committee</p> <p align="center">7 July 2014</p>
<p align="center">Title</p>	<p>Barnet, Enfield and Haringey Mental Health Trust: addressing quality and safety issues</p>
<p align="center">Report of</p>	<p>Governance Service</p>
<p align="center">Wards</p>	<p>All</p>
<p align="center">Status</p>	<p>Public</p>
<p align="center">Enclosures</p>	<p>Appendix A - CQC Press Release - CQC warns Barnet, Enfield and Haringey Mental Health NHS Trust that it must improve the care it provides to people using its mental health community services</p> <p>Appendix B - Barnet Health and Well-Being Board Report, 20th March 2014: “Barnet, Enfield and Haringey Mental Health Trust: implementation of the CQC action plan/ implementation of the BEH CCG’s mental health commissioning strategy”</p> <p>Appendix C - Barnet Health and Well-Being Board, 23rd January 2014: “Quality and Safety at Barnet, Enfield and Haringey Mental Health Trust”</p> <p>Appendix D - Update on recent CQC inspections from Barnet, Enfield and Haringey Mental Health Trust</p> <p>Appendix E – CQC Inspection Report - St Ann's Hospital – Date of Inspection - 11 April 2014</p>
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Summary

This paper seeks to update the Committee on the work taking place locally to address quality and safety concerns at Barnet, Enfield and Haringey Mental Health Trust. Concerns about the quality and safety of the care provided at the Mental Health Trust have been discussed regularly at both Barnet Health Overview and Scrutiny and Barnet Health and Well-Being Board over the past few years. In the past 6 months, Barnet's health and well-being board have been actively engaging with the Trust in efforts to resolve the concerns raised by the CQC following inspections of older people's wards in November 2013.

However, the CQC issued the Trust with a formal warning of non-compliance regarding the Crisis and Home Treatment teams in May 2014, identifying that a number of improvements had not been made following previous inspections.

This report is required to:

- Update the HOSC on the activity that has been taking place by the LA, CCG and HWBB to address quality concerns at the Trust over the past 15 months
- Inform the HOSC of the CQC's formal warning to the Trust
- Invite conversation at the HOSC about how to address the referral from the HWBB in March 2014 that calls for on-going scrutiny of the Trust to take place through the Committee, in light of the latest response from CQC.

Recommendations

- 1. That the Committee note the presentation by provided by the Barnet, Enfield and Haringey Mental Health Service in relation to quality and safety issues being inspected by CQC, and agree a robust approach to on-going assurance, in light of the CQC's formal warning to the Trust in May 2014.**

1. WHY THIS REPORT IS NEEDED

- 1.1 Barnet, Enfield and Haringey Mental Health NHS Trust are commissioned by Barnet, Enfield and Haringey Clinical Commissioning Groups (CCGs) and NHS England to provide a range of mental health services. These include community and inpatient services.
- 1.2 Barnet, Enfield and Haringey NHS Mental Health Trust services have been the subject of a number of inspections undertaken by the Care Quality Commission in 2013. Some of these inspections have resulted in quality concerns being raised by the CQC in respect of the care and treatment of patients.

- 1.3 The Health and Well-Being Board met formally with the Trust to discuss quality and safety concerns at both their January and March 2014 meetings.
- 1.4 The Board, having reviewed both the improvements made by the Trust to address the CQC concerns, and the on-going challenges they face to deliver high quality, safe services to local residents, referred the issue to Health Overview and Scrutiny Committee for continued oversight and scrutiny of both the CQC improvement action plan the Trust had committed to implementing by April 2014, and broader on-going quality improvement of the care provided by the Trust.
- 1.5 Since this referral from the Health and Well-Being Board was made, the CQC has issued a formal warning of non-compliance to the Trust regarding the Crisis and Home Treatment teams. As noted in the CQC's press release, dated 14th May 2014.
- 1.6 The Trust have been invited to the July Health Overview and Scrutiny meeting to advise the Committee on the activity that has taken place since the formal warning was issued.

2. REASONS FOR RECOMMENDATIONS

- 2.1 By receiving the update from the Barnet, Enfield and Haringey Mental Health Trust, the Health Overview and Scrutiny Committee will be updated on the issues at the Barnet Enfield and Haringey Mental Health Trust, and will be provided with the opportunity to question Officers in attendance at the meeting.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 Not applicable.

4. POST DECISION IMPLEMENTATION

- 4.1 The Committee may wish to consider how they will keep an overview of the progress of this matter following the update and questioning of representatives from the Barnet, Enfield and Haringey Mental Health Trust.

5. IMPLICATIONS OF DECISION

- 5.1 The Health Overview and Scrutiny Committee must ensure that its work is reflective of the Council's priorities.
- 5.2 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.

5.3 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)

- 5.3.1 There are no financial implications arising as a result of this report.
- 5.3.2 Enfield Clinical Commissioning Group is lead commissioner of secondary mental health services from Barnet, Enfield and Haringey Mental Health Trust-BEHMHT. In this regards, Enfield CCG hosts monthly contract and quality review meetings which are attended by clinical and quality leads as well as the joint commissioner from the three CCGs. These meetings are coordinated and supported by the Commissioning Support Unit.
- 5.3.3 Barnet CCG invests an estimated £35 million for the provision of mental health services in Barnet, with approximately £27 million of this investment is committed to the contract with BEHMHT. The CCG holds contracts with other NHS Trusts such as Central North West London Foundation Trust, Tavistock and Portman Foundation Trust, Camden and Islington Foundation Trust and South London and Maudsley Foundation Trust for a range of mental health services to meet the needs of Barnet's registered population. The majority of the other spend is on rehabilitation, out of area and continuing health care.
- 5.3.4 In April 2014, Barnet CCG agreed an additional funding of £1.25 million to enable the Trust to manage the reported increase in acute inpatient admissions on adult wards. This investment was linked to further tri-borough work to reduce and prevent Delayed Transfers of Care and a review of the Crisis Resolution and Home Treatment Teams.
- 5.3.5 In light of the ongoing quality concerns, Barnet CCG is currently reviewing its options for commissioning of mental health services. Officers from the Council's Adults and Communities Delivery Unit are involved in the review and the CCG Board will be making a decision in September

5.4 Legal and Constitutional References

- 5.4.1 Section 244 of the National Health Service Act 2006 and Local Authority (Public Health, Health and Wellbeing Boards and Health Scrutiny) Regulations 2013/218; Part 4 Health Scrutiny by Local Authorities provides for the establishment of Health Overview and Scrutiny Committees by local authorities.
- 5.4.2 Health and Social Care Act 2012, Section 12 – introduces section 2B to the NHS Act 2006 which imposes a new target duty on the local authority to take

such steps as it considers appropriate for improving the health of people in its area.

5.4.1 The Health Overview and Scrutiny (Responsibility for Functions, Council's Constitution) has 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.
- To make reports and recommendations to Council, Health and Well Being Board, the Secretary of State for Health and/or other relevant authorities on health issues which affect or may affect the borough and its residents.
- To receive, consider and respond to reports, matters of concern, and consultations from the NHS Barnet, Health and Wellbeing Board, HealthWatch and/or other health bodies.

5.5 Risk Management

5.5.1 There is a risk that vulnerable residents in Barnet who are using the inpatient services on three of Barnet, Enfield and Haringey's Mental Health Trust's wards do not receive high-quality, safe care, unless performance concerns raised by CQC are adequately addressed. Not receiving this report would present a risk to the Barnet Health Overview and Scrutiny Committee in not having a full oversight of the issues surrounding the Barnet, Enfield and Haringey Mental Health Trust in relation to safety.

5.5.2 The CCGs have put in place rigorous systems for the commissioning of safe and high quality mental health services, including monitoring and overview arrangements through the tri-borough Clinical Quality Review Group- CQRG and monthly performance reports to the CCG Board. The CCG is also represented on the Barnet Safeguarding Adults Board along with a GP representative and the Barnet, Enfield and Haringey Mental Health Trust.

5.6 Equalities and Diversity

5.6.1 In addition to the Terms of Reference of the Committee, and in so far as relating to matters within its remit, the role of the Committee is to perform the Overview and Scrutiny role in relation to:

- 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.
- 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 legislation; consideration of equalities issues should therefore form part of their reports.

5.7 Consultation and Engagement

5.7.1 None.

6. BACKGROUND PAPERS

- 6.1.1 Barnet Health and Well-Being Board, 20th March 2014: "[Barnet, Enfield and Haringey Mental Health Trust: implementation of the CQC action plan/ implementation of the BEH CCG`s mental health commissioning strategy](#)"
- 6.1.2 Barnet Health and Well-Being Board, 23rd January 2014: "[Quality and Safety at Barnet, Enfield and Haringey Mental Health Trust](#)"