

Meeting Health and Well-Being Board
Date 27 June 2013
Subject **Winterbourne View- Update report**
Report of Cabinet Member for Public Health

Summary of item and decision being sought

Barnet Council has been asked to coordinate a local “stocktake” on progress being made to deliver the Winterbourne View Concordat. Norman Lamb MP, Minister of State for Care Services, has also recently written to Local Authority Chairmen of Health and Well-Being Boards outlining their leadership role in ensuring that the Winterbourne View Concordat commitments are achieved. The Health and Well-Being Board is asked to note the actions that have been taken place locally to progress delivery of the Concordat, and to note the actions requested of the Board by Norman Lamb MP (detailed in this Report).

Officer Contributors Claire Mundle, Commissioning and Policy Advisor - Public Health / Health & Well-Being

Reason for Report The purpose of the Report is twofold. Firstly, the Health and Well-Being Board is asked to note the progress at both the national and local level in response to the publication of the Winterbourne View Review by the Department of Health, and the subsequent signing of the Concordat. Secondly, the Health and Well-being Board is asked to note the actions requested of the Board by Norman Lamb (detailed in this Report).

Partnership flexibility being exercised None

Wards Affected All

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1. RECOMMENDATION

- 1.1 That the Health and Well-Being Board (HWBB) notes the actions taking place locally to support delivery against the Winterbourne View Concordat outlined in this Report.
- 1.2 That the Health and Well-Being Board notes the specific requests made by Norman Lamb MP that Health and Well-Being Board's embody a leadership role with respect to delivery against the Winterbourne View Concordat in their local area.

2. RELEVANT PREVIOUS DISCUSSIONS AND WHERE HELD

- 2.1 Health and Well-Being Board- Winterbourne View One Year On- Thursday 29th November 2012.

3. LINK AND IMPLICATIONS FOR STRATEGIC PARTNERSHIP-WIDE GOALS (SUSTAINABLE COMMUNITY STRATEGY; HEALTH AND WELL-BEING STRATEGY; COMMISSIONING STRATEGIES)

- 3.1 This Report focuses on the safeguards and safety of people with learning disabilities. Safeguarding is one of the key responsibilities of the Health and Well-Being Board. The safeguarding agenda links directly with the four main themes of the Health and Well-Being Strategy 2012-15; '*Preparing for a healthy life*', '*Wellbeing in the community*', '*How we live*', and '*Care when needed*'.

4. NEEDS ASSESSMENT AND EQUALITIES IMPLICATIONS

- 4.1 Barnet's Joint Strategic Needs Assessment shows that people with learning disabilities are one of the most excluded groups in the Community. They are much more likely to be socially excluded and to have significant health risks and major health problems including obesity, diabetes, mental health problems, heart and respiratory diseases.

5. RISK MANAGEMENT

- 5.1 A failure to keep adults at risk of abuse safe from avoidable harm represents not only a significant risk to residents but also to the reputation of the Council and Barnet Clinical Commissioning Group (CCG). Although safeguarding must be the concern of all agencies working with vulnerable adults, and is also of particular relevance to the Special Safeguarding Overview and Scrutiny Committee, the Local Authority is lead agency through the multi-agency Safeguarding Adults Board, chaired by the Adults and Communities Director.
- 5.2 Barnet's Health and Well-Being Board has a key leadership role to play in ensuring that the commitments made in the Winterbourne View Concordat are achieved.

6. LEGAL POWERS AND IMPLICATIONS

6.1 None relating specifically to this report.

7. USE OF RESOURCES IMPLICATIONS- FINANCE, STAFFING, IT ETC

7.1 None relating specifically to this report.

8. COMMUNICATION AND ENGAGEMENT WITH USERS AND STAKEHOLDERS

8.1 The Barnet Learning Disability Partnership Board (LDPB), a multi-agency partnership arrangement bringing together people with learning disabilities and autism, family carers and professionals from the Council, NHS, voluntary sector and other mainstream services has played an important role to date in fostering a partnership approach to keeping people safe.

9. ENGAGEMENT AND INVOLVEMENT WITH PROVIDERS

9.1 Barnet Safeguarding Adults Board (SAB) provides an inter-agency framework for coordinating actions in respect of safeguarding with representation from the Council, CCG, NHS Trusts, the voluntary sector, the police and service users.

9.2 The Adult and Communities Director, in her role of Director of Adult Social Services, will involve Health and Well-Being Board partner organisations in completing aspects of the review of local progress on meeting the Concordat where this is relevant/ necessary.

10. DETAILS

10.1 In December 2012 the Department of Health published its final report into the events at Winterbourne View Hospital and set out a programme of action to transform services so that vulnerable people no longer live inappropriately in hospitals and are cared for in line with best practice.

10.2 Barnet responded quickly to both the events at Winterbourne and the government's report, putting an action plan in place to ensure that there would not be any similar failings here. The Safeguarding Adults Board (SAB) has played a proactive role in coordinating our approach locally to safeguarding vulnerable adults. In March 2013, the SAB planned a conference to make sure everyone locally could learn lessons from what went wrong at Winterbourne View. The event was attended by 84 staff who commission and monitor services, as well as health and social care professionals, and provider services.

10.3 Following the Department of Health report, all relevant statutory and non-statutory (50 in total) agencies / organisations signed up to a national 'Concordat' which outlines key actions and their commitments in response to Winterbourne View.

- 10.4 The Concordat contains a number of specific commitments that will lead to all individuals receiving personalised care and support in community settings no later than 1st June 2014.
- 10.5 On the 31st May 2013, Local Authority Chief Executives received a request to complete a “stocktake” of progress against the commitments made in the Concordat. The purpose of the stocktake is to enable local areas to assess their progress against commitments in the Concordat and to allow for good practice and progress from local areas to be shared nationally.
- 10.6 Locally, there are the following plans in place to complete the stocktake:
- The stocktake response will be prepared jointly by London Borough of Barnet (LBB) Adults and Communities and the Clinical Commissioning Group (CCG), and signed-off by Dawn Wakeling as the LBB Director of Adult Social Services (DASS) and the relevant CCG lead.
 - The paper will then be referred to Councillor Hart and the Chief Executive of the Local Authority for final sign-off.
 - The DASS will then circulate the document to the HWBB.
 - The DASS will involve HWBB partner organisations in completing aspects of the stocktake where this is relevant/ necessary.
- 10.7 The stocktake will be brought to the September 2013 meeting of the Health and Well-Being Board for the Board to discuss in detail. In the interim, the Board is asked to note the efforts being made locally to support delivery against the Concordat.
- 10.8 In terms of the key requirements from the national programme, the Board is asked to note the following:
- The Barnet Safeguarding Adults Board has played a key role in monitoring these type of placements
 - The Learning Disabilities service has a register of all out-of-borough placements and a review programme is in place.
- 10.9 The main action now required by the Department of Health in respect of Winterbourne View type service users is to identify all users placed in Learning Disability hospitals, review them by June 2013 and move them onto local care settings by June 2014.
- 10.10 In Barnet, there are:
- 17 service users placed in NHS hospital settings
 - 16 of them had a multi-disciplinary team (MDT) review in line with the national timescale by the end of May 2013.
 - The 17th person was placed just a few weeks before the June deadline so a review was not appropriate.

- There are already agreed plans to move 12 of these service users on to local environments, with plans for the rest to be developed over the coming weeks.
- 10.11 The other actions required from the Department of Health relate to local commissioning plans, and locally in Barnet there is already a Winterbourne action plan in place (See Appendix 1).
- 10.12 Norman Lamb MP, Minister of State for Care Services, has also written to Chairman's of Health and Well-Being Boards outlining their leadership role in ensuring that the Winterbourne View Concordat commitments are achieved.
- 10.13 The letter from Norman Lamb MP clearly sets out aspirations for Health and Well-Being Boards to be key vehicles locally to ensure the commitments in the Concordat are met. The Board is at this stage asked to note the specific requests made in the letter, set out below:
- 1- That Health and Well-Being Boards should both challenge and ultimately agree the CCG and Local Authority joint strategic plan for commissioning local services to meet the needs of children, young people, and adults with challenging behaviour
 - 2- That the Health and Well-Being Board should ensure there is the right clinical and managerial leadership and infrastructure in place to deliver the coordinated plan
 - 3- That the Health and Well-Being Board should take an active interest in how far the other commitments in the Concordat, particularly those relating to care reviews (completed by June 2013) have been achieved
 - 4- That the Health and Well-Being Board can be satisfied that commissioners are working across the health and care social care system to provide care and support which does not require people to live in inappropriate institutional settings
 - 5- That Health and Well-Being Boards should agree when a pooled budget will be established and how it will promote the delivery of integrated care

11 BACKGROUND PAPERS

- 11.1 Letter from the LGA & NHS England to Local Authority Chief Executives, 'Winterbourne View Joint Improvement Programme- Local Stocktake'
- 11.2 Letter from Norman Lamb MP, Minister of State for Care and Support, to Chairs to Health & Wellbeing Boards, Council Leaders and Chief Executives, and Chairs and Chief Operating Officers of CCGs, 'Delivery of the Winterbourne View Concordat and review commitments'

Legal – CE
CFO – AD

**Appendix 1: Barnet's Winterbourne Action Plan
Updated 070613**

| Recommendations of DH Review & the Serious Case Review | Actions Agreed | By whom | By when | RAG | Comment /Risk/Issue |
|--|--|--|-------------------|--------------------|---|
| <p>1. Redesign services to invest in flexible good quality local services and away from sending people away from home. The use of in-patient services for assessment and treatment varies hugely across the country in terms of numbers of people and length of stay.</p> | <p>1.1- Ensure PWLD and their carers are involved in decisions about placements, move on and discharge planning by monitoring access to independent advocacy and involvement of family carers in review meetings.</p> | <p>Alan Brackpool</p> | <p>April 2013</p> | <p>Completed</p> | <p>Successfully completed. PWLD and carers involved in planning and reviews. Use of independent advocacy.</p> |
| | <p>1.2- Monitor workforce training on safeguarding, use of restraint, MCA and DOLS as part of NHS contract monitoring process and via the Barnet SAB.</p> | <p>Vivienne Stimpson- CCG David Jones/ Sue Smith- LBB</p> | <p>Ongoing</p> | <p>In progress</p> | <p>Regular monitoring of MCA/DOLs through the Barnet SAB. Annual report currently in development. CCG developing a framework for Board assurance on quality and safety</p> |

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| | 1.3 Implementation of a notification system to relevant agencies (local CLDS/GP/Commissioners) for people returning back or being placed out of Borough. | Helen Duncan-Turnbull | April 2013 | Completed | A notification system now in place |
| | 1.4 Need to consider pooling of health and social care resources and opportunities to collaborate across CCGs to develop alternative community with complex needs | Alan Brackpool/Temmy Fasegha | June 2014 | In progress | Work to be developed as a product of the MDT review following Winterbourne review |
| 2. Voice of people with learning disabilities and their families | 2.1 Review and update information provided to PWLD and family carers at point of placements and monitor involvement of PWLD and carers via placement and contract reviews | Julian Easton-LBB Alan Brackpool-CCG | Sept 2013 | In progress | Being developed for LA funded placements as part of the integration project |

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| | 2.2 Liaise with Barnet Healthwatch to involve PWLD and carers on 'Enter & View' programme. | Temmy Fasegha | Oct 2013 | In progress | Healthwatch was set up in April 2013. Meeting has taken place with Healthwatch and Barnet Mencap to develop a programme for training people to be involve in the 'Enter & View' programme. |
| 3. Implementation of Personalisation. The Department expects the NHS and local authorities to demonstrate that they have taken action to assure themselves and the public that they provide personalised care and support with choice and control in all settings – including hospital. | 3.1- Involving PWLD and carers in 'Complex Care Pathways development through LDPB, LD Parliament and other existing forums. | Temmy Fasegha | Sept 2013 | In progress | Workshop at Partnership board re complex needs, all stakeholders to be involved in future strategy. Working group set up as part of the work of the Health Development Subgroup and the CLDT to engage with PMLD |
| | CCG to explore learning from personal health budgets pilots with view of implementation in Barnet for continuing health care. | Alan Brackpool | March 2014 | In progress | |
| 4. Providers and Ensuring Quality of Service: | 4. Set up system for NHS Barnet CCG to share placement information with LBB to ensure better information sharing | Sue Smith | Feb 2012 | Completed | Good information sharing already established. Formal liaison established |

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| 5. Commissioning and Contracting: | 5.1 Map social care and health resources invested in the care of people with complex needs and who challenge services as part of the 'Complex Care are work stream of the Integrated Commissioning Plan with a view of achieve better outcomes and value for money. | Vivienne Stimpson Howard Ford | Sept 2014 | In progress | Various workstreams on complex care that need to be coordinated to provide framework for developing commissioning response. |
| | 5.2 Update contracts and Individual Placement Agreement to include additional reporting requirements. | Alan Brackpool-CCG David Jones | June 2014 | In progress | |
| 6. Workforce The Academy of Royal Colleges and the professional bodies that make up the Learning Disability Professional Senate will work to develop core principles on a statement of ethics which will reflect wider responsibilities in the new health and care architecture. | 6. Use 'Skills for Care' guidance to review workforce requirements and ensure monitoring through contract reviews. | Quality in Care Homes Team Commissioning Support Unit | October 2013 | In progress | |

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| 7. Safeguarding | 7.1 Monitor provider progress in implementing improvement actions identified in their Safeguarding Adults Assessment Framework (SAAF) submissions. | Sue Smith- LBB Vivienne Stimpson- BCCG | Ongoing | In progress | A comprehensive report and dashboard for quality and safety being developed for the CCG Board and to be reported on monthly. Barnet SAB currently in the process of completing annual report which will include an update from providers on actions to improve safeguarding |
| | 7.2 Barnet CCG QIPP Board to discuss report on CCG recurrent transfer of resources to enable Council to develop capacity to fulfil new statutory responsibilities in respect of DOLS in hospitals. | Temmy Fasegha | April 2013 | Completed | BCCG has agreed funding of £17k towards the development of the DOLS office by LBB |