

Health and Wellbeing Board

21st June 2013

Update on Winterbourne View Concordat Implementation



Report of David Shipman, Strategic Commissioning Manager, Children and Adults Services, Durham County Council

Purpose of Report

1. The purpose of this report is to provide an update on progress made in relation to the Winterbourne View Concordat.

Background

2. The Shadow Health and Wellbeing Board received an initial report in relation to the Winterbourne View Concordat on 6th March 2013.
3. As outlined in that report, key milestones for the Concordat were as follows:
 - The identification of Adult Service Users in receipt of NHS funded care currently in assessment/treatment beds or private hospitals, with learning disability/autism/challenging behaviour, by the end of March 2013
 - The identification of all children in receipt of NHS funded care, people in forensic services and people in receipt of Continuing Health Care, by the end of March 2013
 - A programme of individual reviews for all of the first cohort to be in place by June 2013
 - A plan to return individuals in the first cohort to local services by June 2014
4. Health and Local Authority Officers are now working together to implement these actions, with lead officers from the North East Commissioning Support Unit (Donna Owens, LD Lead for Teesside, Durham and Darlington) and Durham County Council (David Shipman, Strategic Manager and Tracy Joice Operations Manager) co-ordinating the activity in County Durham.

Progress to Date

5. The required register of relevant service users in County Durham has been compiled and was submitted to the Department of Health (DH) within the set timescales.
6. The register details have been shared with relevant Clinical Commissioning Group (CCG) officers and a full briefing has been provided to CCGs by Donna

Owens.

7. Guidance on the 'Enhanced Reviews' required has now been circulated by DH.
8. A clear governance structure has been established at national level, through the Joint Improvement Programme, with Local Government Association lead. It is envisaged that the work programme will have a two year lifespan from April 2013.
9. At regional level the work will be co-ordinated through the North East and Cumbria Learning Disability Clinical Networks, with the detailed work carried out in a Winterbourne Implementation Group. Donna Owens and David Shipman are both group members and attended the first meeting on 16th May 2013.

Next Steps

10. A local implementation group has been established to address the specific, individual case issues.
11. There are currently 10 relevant Service Users, six aligned to Durham Dales, Easington and Sedgefield CCG and four to North Durham CCG.
12. Explicit plans will then be developed for each individual to enable their return to suitable local services by June 2014.
13. Detailed consideration will also need to be given to a range of related issues, including the following:
 - Joint funding mechanisms and possible use of pooled budgets
 - Commissioning of additional advocacy services if there is insufficient capacity and availability within current contracts
 - Improved engagement with Public Health and community services
 - Market management and capacity building with providers
 - Whether it is possible to reduce the number of assessment/treatment beds commissioned in County Durham, in line with DH expectations.
14. To support the process there will be further work by the Joint Improvement Programme Board with Health Providers to examine service users and discharge processes.
15. The Joint Improvement Board will also be appointing four Health Improvement Advisors, to work across local areas in assisting with implementation of the Concordat.
16. Further monitoring of implementation by Department of Health will ensue. The first element of this will be a 'Stocktake' exercise to be completed jointly by each Local Authority and Health area and returned to Department of Health by 5th July 2013.

17. The 'Stocktake' focusses on the following areas:
- Models of Partnership
 - Budget
 - Case Management
 - Current Review Programme
 - Safeguarding
 - Commissioning
 - Developing Local Teams and Services
 - Prevention and crisis response capacity
 - Understanding the population who need/receive services
 - Children and Adults – Transition Planning
 - Current and Future Market Requirements and capacity
18. The response to the 'Stocktake' will be coordinated by Donna Owens and David Shipman and will be completed within the required timescales. It will not be possible to return the 'Stocktake' response to the Health and Wellbeing Board for formal sign off before 5th July 2013. It will be necessary for the Board to delegate the responsibility to named signatories from DCC (Chief Executive), CCG representative and the Chair of the Health and Wellbeing Board.
19. In addition, Winterbourne Implementation will be covered in the next Joint Health and Social Care Learning Disabilities Self Assessment Framework, due to be compiled in the Autumn 2013.
20. In May Normal Lamb, MP, Minister of State for Care and Support wrote to Chairs of Health and Wellbeing Boards, Council Leaders and Chief Executives, and Chairs and Chief Operating Officers for CCG's – See appendix 2. The letter urges Health and Wellbeing Boards to take a full and active role in ensuring that the commitments made in the Winterbourne Concordat are delivered locally.

Recommendations

19. It is recommended that the Health and Wellbeing Board:
- Receive this update and share it with relevant staff and Stakeholders.
 - Note that the 'Stocktake' return for the Department of Health will be agreed by named signatories from DCC (Chief Executive), CCG representative and the Chair of the Health and Wellbeing Board.
 - Receive a further update including a detailed implementation plan, at a future meeting in November 2013.

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Appendix 1 - Implications

Finance – There are possible significant cost implications for both health and the Council.

Staffing – None – work carried out within current resources

Risk – No direct implications at this stage

Equality and Diversity / Public Sector Equality Duty – providing specialist services for people with learning disabilities and complex needs. Full consultation with affected service users and their families will be carried out.

Accommodation - Specialist accommodation will be developed within the County.

Crime and Disorder - No implications

Human Rights Consultation - Full consultation with affected service users and their families will be carried out.

Procurement – procurement will be carried out within existing procurement frameworks

Disability Discrimination Act – ensure people with complex needs have their needs met in appropriate local services

Legal Implications – Mental Capacity Act and Best Interest decision making processes will be followed.