

## Health and Wellbeing Board

11 March 2015



### Winterbourne View /Transforming Care Agenda Update

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### Joint Report of Jane Robinson, Head of Commissioning, Children and Adults Services, Durham County Council and Nicola Bailey, Chief Operating Officer, North Durham and Durham Dales, Easington & Sedgefield Clinical Commissioning Groups

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#### Purpose of the Report

1. The purpose of this report is to provide an update to the Health and Wellbeing Board on progress in relation to the Winterbourne View / Transforming Care Agenda.

#### Background

2. Following the Winterbourne View Inquiry report of 2012 the government and leading organisations across the health and care system remain committed to transforming care for people with learning disabilities, autism and those who have a mental illness or whose behaviour challenges services.
3. This continuing commitment has been outlined in a recent letter sent on behalf of the Department of Health, Association of Directors of Adult Social Services, Local Government Association and NHS England (attached at Appendix 2).
4. Prior to that an independent review which was commissioned by NHS England and carried out by Sir Stephen Bubb, reported in Autumn 2014, the progress made and obstacles so far, then highlighted what needs to be done to accelerate the transformation required.
5. Locally, Care and Treatment Reviews for around 35 identified individuals in County Durham have been co-ordinated by NHS England and Clinical Commissioning Groups (CCG's), covering all of the people from County Durham who are currently in hospital assessment and treatment units or secure settings.
6. Of the 35 individuals, 10 are the responsibility of the Durham CCG's, with the remaining 25 being managed by NHS England.

7. Taking place between December 2014 and March 2015 these reviews involve each service user and family members, along with representation from the Local Authority and health services. In addition, independent expertise and scrutiny has been provided by an 'Expert by Experience' and an 'Expert Commissioner'.
8. The overall purpose for each Care and Treatment Review is to ensure a clear discharge plan is put in place for each patient.
9. Of the 10 people who are the responsibility of the Durham CCGs the situation is as follows:
  - Two have clear discharge plans in place with identified providers
  - Three have been identified as not being ready for discharge
  - One is ready for discharge and a possible placement has been identified
  - Two have ongoing complex medical needs which will make placement in the community difficult to achieve
  - One has no discharge plan yet, but will be extremely difficult to place in the community because of a history of sexual offences
  - One could be discharged but detailed work is required with the family, as they want their son to remain in his current hospital placement.
10. The information from the NHS England Care and Treatment Reviews will be collated and analysed by the end of March. DCC, CCG and North of England Commissioning Support Unit (NECS) staff will be meeting in April to identify the implications of those reviews for each individual.
11. The Health and Wellbeing Board were asked to consider a set of questions, which were identified in guidance for Health and Wellbeing Boards: leading a local response for Winterbourne View. This guidance was included in a report to the Health and Wellbeing Board in November 2014. The questions and answers from this guidance are attached as Appendix 3.

### **Next Steps**

12. A Complex Needs steering group has been established, chaired by NECS with representation from all key agencies. Service models for the future are being developed and conversations have commenced with a number of service providers about future commissioning requirements.
13. Locally the strategic information from the Care and Treatment reviews is being analysed by officers from the Local Authority, NECS and CCG's, as it will give clear evidence of what is required for the future commissioning of services or within health and social care. It is already clear that because of the complex needs of some individuals the service provision for the future will need to feature integrated health and social care delivery, with more robust community health services available to

support and sustain those individuals in the community and to prevent future hospital admissions. This will require the strategic transfer of resources from 'hospital to community' over a period of several years.

14. Reflecting that requirement it has now been decided by central government "Transforming Care: Next Steps" that this will be led by NHS England, in order to achieve the goal at the heart of the programme, which is "to see far more people living independently within their communities and far fewer people admitted to long stays in hospital".
15. Overall, the message is very clear, i.e. that insufficient progress has been made in the wake of Winterbourne View, and "too many people with learning disabilities are admitted to hospital when admission could have been avoided, too many remain in hospital too long, and instances of poor care remains too common". [Transforming Care Next Steps page 7].
16. A refreshed national action plan is being developed, with a series of regional workshops planned for March 2015. Officers from the Local Authority, NECS and CCG's will be attending the North East event on Wednesday 25<sup>th</sup> March 2015 at the Centre for Life, Newcastle.
17. A "rapid review" of learning disability services in the North East of England was carried out by NHS England January 2015, partly because of concerns about the continuing high number of admissions to impatient beds in the North East. Current data suggests admissions are twice as high in the North East as when compared to other parts of the country.
18. In the North East, the proposed transformation programme will be taken forward by the Regional CCG's group, sponsored by David Hambleton, with Victoria Cooling as the Transformation and Delivery Programme Manager. Initial meetings have already begun between NHS, the regional LD Network, regional ADASS and Local Authorities to scope out how the work will be taken forward. Victoria Cooling met with Lesley Jeavons, Head of Adult Care, Durham County Council and David Shipman, Strategic Commissioning Manager – Learning Disabilities/Mental Health, Durham County Council on 23 February 2015 as part of the developmental work. At that meeting it was highlighted that local and sub-regional coordination would also be essential for the required transformation to be achieved.
19. It is proposed that the transformation work will be supported by a 'reconfiguration task force,' to support local leaders to reshape services.

20. Whilst the Transformation guidance states that Local Authorities should not be financially disadvantaged by this agenda [paragraph 4.12 page 23] it is clear that current arrangements including section 117 Hospital Discharge and the Better Care Fund will come under significant pressure unless elements of 'double running' or 'pump priming' are resourced. These pressures will become more significant within the context of continuing austerity beyond 2017/18.

### **Recommendations**

21. The Health and Wellbeing Board is recommended to:
- Receive this update and note the requirement for continuing leadership and robust partnership working.
  - Note the possible significant funding pressures regarding hospital discharge and the development of community based services.
  - Receive further updates on the "Transforming Care: Next Steps" agenda as work progresses.

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## **Appendix 1 - Implications**

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### **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**

A number of individuals have significant forensic and offending histories.

### **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.