



## Report to Healthier Communities and Adult Social Care Scrutiny Committee 22<sup>nd</sup> July 2015

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**Report of:** Head of Commissioning

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**Subject:** Transforming Care – update on Winterbourne Actions

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**Author of Report:** Pamela Coulson, Commissioning Manager NHS Sheffield CCG

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### **Summary:**

Winterbourne View Concordat is now incorporated into the national “Transforming Care” agenda.

Whilst the initial programme requirements of the original Concordat are completed, in relation to the return of the identified cohort of people for local repatriation, and data collection for this time period, there will be a requirement for continued city wide collaboration to safeguard this population. This will be done by ensuring that the right services are available at “the right time in the right place,” as defined by Sir Stephen Bubb, in his report “Transforming Care, the national response.”

The programme requires continued collaborative commissioning and provision of services across Children and Adults Directorates, given the newer obligations outlined in Transforming Care. New groups have been constituted within the city to progress this work, with identified leads across health and social care.

Sheffield’s LD Commissioning Strategy reflects the requirements of “Transforming Care” and detailed implementation plans are being developed. This includes progressing improved access to general needs housing, building business cases for new build one bedroom apartments, and deregistration of a number of registered residential care homes to supported living arrangements.

The Better Care Fund and Integrated Commissioning agenda, particularly the Long Term High Cost work stream and the emerging Whole of Life Learning disability strategy provides an opportunity for greater coordination and collaboration to meeting the needs of the learning disabled population.

The work will require extended joint working with NHS England and other regional Clinical Commissioning Group and Local Authority commissioners relating to the implications of the responsible Commissioner guidance.

Transforming Care requires continued high level leadership by Executive Directors, and scrutiny of the Safeguarding Boards to ensure our focus remains on meeting the needs of this vulnerable group of people.

There is more work to be done to ensure that joint processes across Health and Social Care commissioning and provision work effectively to safeguard against people being cared for in inappropriate settings which do not meet their needs. This includes streamlining processes for preventing mental health and learning disability hospital admissions, supporting hospital discharges, and ensuring reviews are done in a timely and effective manner, to safeguard people with complex needs. We need to maintain a vigilance and joint recognition that hospitals are not homes.

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**Type of item:** The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Community Assembly request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	X
Other	

**The Scrutiny Committee is being asked to:**

- **Note the new national programme to continue this work, “Transforming Care”**
- **Note Sheffield’s response to meeting the recommendations within this new programme**

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**Background Papers:**

**WinterbourneView – Time for Change (2014)**

**Transforming Care for People with Learning Disabilities**

**Sheffield’s Learning Disability Commissioning Strategy**

**Category of Report:** OPEN

## **1. Introduction/Context**

- 1.1 In May 2011, a BBC Panorama programme exposed staff abuse of patients with learning disabilities at Winterbourne View, a private mental health hospital. The government responded with a commitment to

transform services for all people with learning disabilities or autism who had challenging behaviour or a mental health condition.

- 1.2 In December 2012 The Department of Health published “Transforming Care: A National Response” and the accompanying “DH Winterbourne View – Concordat: Programme of Action” (the concordat). The concordat set out 63 Transforming Care commitments with the central commitment being by 1st June 2014, if anyone with a learning disability and challenging behaviour whose care would be appropriately delivered in the community, then they should be moved out of hospital.
- 1.3 As of July 2013 Sheffield had a total of 18 adults funded in out of city placements:
  - Of those 18 placements 12 were place by NHS Specialist Commissioners;
  - The remaining 6 were identified as having the potential to be repatriated to Sheffield;
  - All 6 have now returned, with 5 of the 6 being returned within the target timescale;
  - It took until March 2015 for the final person to return, due to the complexity of their support needs.

The Government did not met its central goal of moving people with learning disabilities and challenging behaviour out of hospital by 1 June 2014, because it underestimated the complexity and level of challenge in meeting the commitments in its action plan. The Government commissioned Sir Stephen Bubb to consider how a mandatory national framework – The Transforming Care Programme – could be implemented nationally, delivered locally, to achieve the growth of community provision to move people out of inappropriate institutional care.

## **2 The Transforming Care Programme and what this means for the people of Sheffield**

**2.1** The original concordat actions the Winterbourne View Concordat has now been extended into the Transforming Care Programme locally.

**2.2** “Transforming Care for People with Learning Disabilities – Next Steps” (January 2015), written in response to Sir Stephen Bubb’s report “Winterbourne View – Time for Change” (2014) sets out the actions to progress transformation. Below are the main priorities and what we are doing for the people of Sheffield

**1. Empowering people and their families by giving them the means to challenge their admission or continued placement in inpatient care through an admission gateway process and Care and Treatment Reviews, to reduce the number of admissions and speed up discharges.**

A Care and Treatment Review brings in two advisors, one clinical and one expert by experience plus a representative of the responsible CCG with the aim to act as a “critical friend” by supporting the individual and their family to have a voice and to support the team working with them to identify the blocks which are preventing a discharge.

In Sheffield we are rolling out a programme of Care and Treatment Reviews starting with people currently placed out of City.

1 person has been identified as being ready for transfer in to a more appropriate setting. The Community Enhancing Recovery Team is working with NHSE Specialist Commissioners to develop a transfer pathway.

We are discussing recruitment of two social workers to work back into the Out of City Team to enable this to fully function.

We are aiming by September to have Care and Treatment Reviews imbedded “as business as usual” and will begin of people in inpatient setting within Sheffield.

A Care and Treatment Review process will also take place prior to an admission to ascertain whether there is an alternative to an inpatient stay. When there is an emergency admission a review will take place within two weeks.

**2. Getting the right care in the right place by working with local authorities and other providers to ensure that high quality community-based alternatives to hospital are available, meaning more people can get the support they need close to home.**

Sheffield has a new Learning Disability Commissioning Strategy which has been developed in line with local and national policies, with a focus on providing high quality care that promotes independence, social inclusion, choice and provides best value. The strategy reflects the requirements arising from the Winterbourne scandal – stronger local community based services based on co-production, community building, a capability based approach, integrated services and personalisation.

Following the approval of the commissioning strategy, the City Council and partners have agreed to develop a strategy based on whole life, asset based approach to ensure social and economic inclusion within the City for people with learning disabilities.

We have a joint (CCG and SCC) working group developing plans for accommodation in the city – the main thrust of this is to ensure that people have good access into mainstream housing options. In addition, we are developing business cases for a number of new build one bedroom flats to ensure that the range of choice for people will meet demand, now and in the future. NHS Sheffield CCG successfully bid for regional capital to support the SCC accommodation strategy, and have recently applied for further regional funding from NHS England.

Sheffield CCG and Sheffield City Council are working in partnership to review short breaks and respite provision in both Adult Services and Children and Young People's services. There is potential for the provision of health and social care short breaks to be jointly commissioned and to be a continuous service from childhood to adulthood. This aims to reduce carer/family breakdown, which in turn can lead to out of city placements.

**3. Driving up the quality of care by tightening the regulation and inspection of providers, including closing poor quality settings and preventing inappropriate new settings from opening.**

We have already put in place quality assurance arrangements for those people living in private rented accommodation which will be put in place across the full range of supply to ensure that people are living in appropriate and good quality accommodation.

The City Council established a Framework Agreement preferred list of providers last autumn which sets out standards and quality requirements for all supported living services. We are also planning to establish a Framework Agreement for meaningful day time activities promoting innovation, diversity and quality which will be available for Council arranged services and for people who are in receipt of direct payments.

The CCG and SCC work closely together to ensure that the monitoring and quality assurance of all provision is both robust and effective. We are currently reviewing these arrangements with a view to ensuring that people who use services and their family carers are fully engaged and that their views and experiences are key to our feedback to providers. We have also increased resources available to work with providers to improve quality.

All CQC reports are scrutinised by the monitoring team and follow up action instigated when required.

**4. Strengthening accountability for improving outcomes by reforming contracts, including giving commissioners the ability to fine providers who fail to meet care standards or an individual's personal objectives.**

Within the Council we are currently reviewing our contract management arrangements and a workshop has been set up in August with all our providers.

**5. Increasing workforce capability by working with patient and carer groups to address gaps in skills, best practice and staff awareness of learning disabilities and mental health problems.**

We are exploring options in how we can engage service users and carers in developing best practice. The Learning Disability Partnership Board is developing a Service Improvement sub-group of service users and carers.

Sheffield CCG is holding a Learning Disability Protected Learning Event for 300 GPs and practice nurses in September 2015.

A Supported Living Forum has been developed to raise awareness and drive up good practice.

**6. Improving the amount of data and information collected and shared by public agencies to ensure that a person's outcomes and destinations are monitored, and that local public services can be held to account for their progress.**

Sheffield CCG is working with Local Authority and Sheffield Health and Social Care Trust to develop a register of people who are 'at risk of admission' and will closely maintain and monitor this with all agencies (Health, Social Care and Education).

Sheffield CCG submits data to the Assuring Transformation "Clinical Audit Platform" which is the new reporting mechanism. This is being managed by the national Health and Social Care Information Centre, This has been introduced to collect data on all adults with a learning disability or with an autistic spectrum condition who are in a mental health hospital bed whether in city or out of city.

In addition to this the CCG has to report fortnightly to NHS England on patients who were in hospital and out of city as of 1st April 2014 to enable them to track discharges and delayed discharges.

3. Nationally this work will be spearheaded by the Transforming Care Delivery Board which is made up of senior representatives from each organisation responsible for delivery.

3.1 In response to "Assuring Transformation – A Time for change – The next steps", the former "Winterbourne Steering Group", with leadership from Kevin Clifford, Chief Nurse, NHS Sheffield Clinical Commissioning Group, and Moira Wilson Interim Director of Adult Services, has reformed after a break of some months. Kevin Clifford is meeting with Phil Holmes to discuss the continuation of this group.

This group is working on a new "Transforming Care Action Plan", to give a renewed focus to the development of a joint citywide strategy relating to the care of people with complex needs arising out of autism, behaviour that challenges services to support and mental health conditions. The action plan development is being led by Barbara Carlisle as Head of Commissioning at Sheffield City Council. Pamela Coulson, Commissioning Manager leads on this work for NHS Sheffield CCG.

3.2 To ensure delivery of the operational elements of the Transforming Care Action Plan the former Complex Needs Implementation Group is to be reformed as the Transforming Care Operational Group. This will be chaired by Heather Burns as the Head of Commissioning for the Mental Health Portfolio in Sheffield CCG It will support the delivery of Care and Treatment Reviews in Sheffield

and monitor and review the data on the Assuring Transformation Clinical audit platform.

The Steering Group will have oversight and scrutiny of the action plan and its delivery.

#### **4. Recommendation**

- Note the new national programme to continue this work, “Transforming Care”
- Note Sheffield’s response to meeting the recommendations within this new programme

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