

# CHESHIRE EAST COUNCIL

## Cabinet

---

<b>Date of Meeting:</b>	20 August 2012
<b>Report of:</b>	Lorraine Butcher, Strategic Director Children, Families & Adults
<b>Subject/Title:</b>	Notice of Motion: Care Quality Commission Report June 2012 - Learning Disabilities
<b>Portfolio Holder</b>	Cllr Janet Clowes

---

### 1.0 Report Summary

1.1 The following Notice of Motion was submitted to Council on 19 July 2012 by Councillors G Boston and L Jeuda.

#### 1.2 Quality Care Commission Report – Learning Disability Services

On the 25 June 2012 the Care Quality Commissions (CQC) published the results of its damning National Review Report into Learning Disability services. It found over 50% of services inspected did not comply with CQC regulations and 27 of those services had safeguarding concerns identified.

In addition findings showed that *“some assessment and treatment services are admitting people for long spells of time, and discharge arrangements are taking too long to arrange.”*

Given that CQC have recommended:

- Commissioners need to urgently review the care plans for people in treatment and assessment services and identify and plan move on arrangements to the next appropriate service and care programme.
- Commissioners also need to review the quality of advocacy services being provided, particularly in those locations where we identified non-compliance with the standards.

#### Motion

1.3 “That Members are advised of any Cheshire East people placed in any of the services that have safeguarding issues and those people have their placements reviewed as a matter of urgency.

That Members are advised how many people are currently in treatment and assessment services and the length of time they have been there.

That Members are advised of the steps being taken to *“urgently review the care plans for people in treatment and assessment services and*

*identify and plan move on arrangements to the next appropriate service and care programme”.*

That Members are advised when the review of the quality of advocacy services being provided, particularly in those locations where CQC identified non-compliance with the standards, will take place”.

## **2.0 Decision Requested**

- 2.1 That members note the progress that has been made in the local Assessment and Treatment Unit, since the Care Quality Commission’s inspection.
- 2.2 That members note the role and monitoring arrangements of the Adult Safeguarding Board within Cheshire East.
- 2.3 That members note the regular monitoring and the review of the advocacy services in Cheshire East.

## **3.0 Reasons for Recommendations**

- 3.1 In October 2011, the Care Quality Commission (CQC) undertook an unannounced inspection of the local Assessment and Treatment Unit in Macclesfield. This was part of a programme of unannounced inspections of services providing care for people with learning disabilities. This was in direct response to the BBC Panorama programme (May2011) which exposed the abuses that had taken place at Winterbourne View hospital.
- 3.2 The CQC inspections concentrated on Outcome 4: Care and Welfare of patients who use services and Outcome 7: Safeguarding patients who use services from abuse. The inspection at the local Assessment and Treatment by CQC highlighted ‘moderate concerns’ in these areas. Since the inspection the provider, who manage the local Assessment and Treatment (A & T) service has developed an action plan to address the issues raised within the report. These actions have included the following:-
  - Closer liaison with the local SMART team around safeguarding referrals
  - Introduction of improved data collection and monitoring systems re safeguarding referrals and outcomes referrals
  - Safeguarding awareness training for staff
  - Developing & Reviewing Positive Behaviour Support Plan training for staff
  - Ensuring all clients are offered easy read care plans

- Ensuring carers receive copies of their relatives care plans (which is agreed with the client)
- 3.3 Currently Cheshire East have one person in the local Assessment and Treatment Unit, who was admitted in March 2012 and on the 20 June 2012 was assessed by the consultant as being fit for discharge. On the same date the care package was authorised for the clients discharge and the care manager is currently sourcing accommodation for the individual, a discharge meeting will then take place to plan the move in detail with the client and their family.
  - 3.4 To reduce admissions to the assessment and treatment service, Cheshire East in association with the provider, have developed a new outreach worker role. This role works with individuals in the community, who would have otherwise been admitted to the service for assessment and treatment. The role is proving to be invaluable and is significantly reducing admissions and shortening the length of stay for people in the A & T Unit.
  - 3.5 Additionally the Adult Safeguarding Board have endorsed a new Thresholds framework which differentiates between safeguarding and care concerns. A policy has been produced and training sessions have been held for all providers, including hospital staff. The Service Manager from the Adult Safeguarding Unit attended a SMART Team Manager's meeting in July 2012, to discuss the policy and safeguarding pathways.
  - 3.6 Since the CQC inspection the local A & T Unit were advised to send all incidents to Cheshire East using a Safeguarding Trigger form. The consequence was that there was a rise in referrals, many of which were inappropriate and under the new Thresholds would be labelled as care concerns, rather than adult abuse.
  - 3.7 In the past month there has been a follow up inspection by CQC of the local A & T Unit and all recommendations from their first visit have been addressed. Their report will be published on the CQC site when completed.
  - 3.8 Cheshire East Council commission a number of individual agencies to undertake advocacy services for vulnerable people living within the Cheshire East footprint. Agencies include Citizen Advice Bureaus in Crewe and Macclesfield, Independent Advocacy, Age UK, CCIL and Cheshire East Advocacy services. Together they form Cheshire Independent Advocacy Services.
  - 3.9 Within the contract, these agencies provide a general advocacy function as well as specialist services, for example, the role of Independent Mental Health Advocate (IMHA) to support individuals detained in hospital under Section of the Mental Health Act. Also, as Independent Mental Capacity Advocates (IMCA) who assist people who lack capacity to make decisions, like, changes in accommodation, serious medical treatment or in safeguarding investigations.

- 3.10 Officers from Cheshire East Safeguarding Unit and Contracts Team meet with representatives of the advocacy services on a quarterly basis. Each organisation is expected to produce performance information together with case studies to demonstrate activity. Additionally, the Mental Capacity Act Co-ordinator based within the Adult Safeguarding Unit, has regular contact with the IMCAS, as they are required to support people liable to be 'Deprived of their Liberty' in care homes or hospital settings. Performance issues are monitored and addressed via this process.

#### **4.0 Wards Affected**

All

#### **5.0 Local Ward Members**

All

#### **6.0 Policy Implications including - Climate change - Health**

- 6.1 Cheshire East Council has responsibility for Safeguarding in the area.
- 6.2 The Safeguarding Boards policies and process can be accessed via the link below.

#### **7.0 Financial Implications (Authorised by the Borough Treasurer)**

- 7.1 There are no new cost implications for Cheshire East.
- 7.2 The Advocacy services are subject to review, through the current third sector review being undertaken by Strategic Commissioning in Children, Families and Adults Directorate.

#### **8.0 Legal Implications (Authorised by the Borough Solicitor)**

- 8.1 There are no legal implications in respect of this report.

#### **9.0 Risk Management**

- 9.1 The Mental Capacity Act, 2005, introduced the Independent Mental Capacity Advocate (IMCA). Deprivation of Liberty was also introduced by the same Act of Parliament and became the responsibility of the local authority to implement.

'Deprivation of Liberty' is monitored via the Safeguarding Unit and the Adults Safeguarding Board within Cheshire East.

## **10.0 Background and Options**

Enclosed is the link to the CQC report.

<http://www.cqc.org.uk/public/news/half-learning-disability-services-did-not-meet-government-standards>

Link to the Safeguarding Boards policies and process

[http://www.cheshireeast.gov.uk/social\\_care\\_and\\_health/adult\\_social\\_care/vulnerable\\_adults/adult\\_safeguarding\\_board.aspx](http://www.cheshireeast.gov.uk/social_care_and_health/adult_social_care/vulnerable_adults/adult_safeguarding_board.aspx)

## **11.0 Access to information**

The background papers relating to this report can be inspected by contacting the report writer.

Name: Liz Austin

Designation: Strategic Commissioning Manager

Tel No: 01625 378208