



“Care through partnership”

Partnership Commissioning Unit

Commissioning services on behalf of:
NHS Hambleton, Richmondshire and Whitby CCG
NHS Harrogate and Rural District CCG
NHS Scarborough and Ryedale CCG
NHS Vale of York CCG

Report To:	North Yorkshire Health and Wellbeing Board 26 th November 2014
Report Title:	Winterbourne Update
Report For:	Update and Assurance
Date:	17 th November 2014
Prepared by:	Janet Probert – Director of Partnership Commissioning, Partnership Commissioning Unit Anne Marie Lubanski – Assistant Director Adult Social Care, North Yorkshire County Council

1. Background

In 2011 a Panorama programme exposed evidence of abuse of some individuals with learning disabilities, who were living in Winterbourne View. Winterbourne View was an Assessment & Treatment Unit, privately run by Castlebeck Plc. An enquiry was held and in December 2012 the Department of Health published The Winterbourne Concordat 'Programme of Action'. The action plan sets out key milestones to transform services for people with learning disabilities or autism and mental health conditions or behaviours described as challenging. Each organisation has a commitment to take forward the agenda within clear time frames to address the NHS Commissioning Board's stated objective.

'To ensure that Clinical Commissioning Groups work with Local Authorities to ensure that vulnerable people, particularly those with learning disabilities and autism, receive safe, appropriate, high quality care. The presumption should always be that services are local and that people remain in their communities; we expect to see a substantial reduction in reliance on inpatient care for these groups of people.'

2. Summary

The Partnership Commissioning Unit (PCU) and North Yorkshire County Council (NYCC) have worked closely together to ensure each individual service user has a personalised needs assessment and package of care. Progress has been made against the key objectives so that the Local Authority and the Clinical Commissioning Groups have a clear understanding of their responsibilities. The positive actions are set out below but a further update will be provided in 3 months' time.

3. PCU - hospital patients

Key Action from Concordat – Health and Care Commissioners will review all current hospital placements and support everyone inappropriately placed in hospital to move to community facilities.

- All hospital patients have been reviewed.
- Personal care plans are in place for all patients who have been in hospital for more than 3 months. Those patients who have been in hospital for less than 3 months are still within the assessment period.
- Currently there are 9 in-patients for North Yorkshire, 7 are placed in hospitals outside of North Yorkshire. All patients have discharge and review plans in place. This data is not inclusive of short term treatment and assessment admissions or patients who are placed in secure hospital; provisions. Personal care plans are in place for all patients with the exception of recent admissions. For note: secure facilities care commissioned by NHS England Specialist Commissioners and do not form part of this report.

4. PCU - patients in community

- Care Management reassessments have been undertaken on all eligible people.
- All non-hospital patients for vulnerable people are reviewed in line with the Care Programme Approach and Winterbourne requirements.
- All patients are reviewed every 6 months.
- The Partnership Commissioning Unit currently have 226 individuals with live funding streams for individuals with a diagnosis of Learning Disability or Autism that meet the Winterbourne Concordat.
- We have 117 individuals who are currently living outside of the North Yorkshire and York boundary and out of their Clinical Commissioning Group locality. The table below shows how this figure is broken down by Clinical Commissioning Group. This population has been reviewed in full and decisions have been made with the individuals and those key to their care regarding suitability and need of continued care out of area.

Number of individuals living outside the North Yorkshire and York boundary	
Hambleton Richmondshire and Whitby Clinical Commissioning Group	28
Harrogate and Rural District Clinical Commissioning Group	23
Scarborough and Ryedale Clinical Commissioning Group	20
Vale of York Clinical Commissioning Group*	46
Total	117

**It should be noted that there is a small percentage of individuals within the VoYCCG figure that fall within the City of York.*

5. Local Authority – clients

- North Yorkshire County Council are working with all individuals who have expressed a wish to return to North Yorkshire to live. This will be supported on an individual basis.
- As of October 2014 the total number of people with LD/ASD in receipt of NHS funded care is 444 across North Yorkshire and York.
- 368 are from NYCC area.
- 351 of the total are in residential placements and 81 of these are placed outside of North Yorkshire and York. No placements have been to residential settings out of area in recent months.
- NYCC have 344 people placed out of area as of 1st October 2014 and 108 of these have LD/ASD. In the February report there was 318 people placed out of area, 115 of which were people with LD/ASD. 11 people with LD/ASD have been placed out of area since August 2013. Of the 344 placed out of area 312 are within an approx. 50 mile radius of the North Yorkshire Borders. The majority of people have moved out of North Yorkshire to be close to their families, or through personal choice.
- NYCC has taken the position of undertaking a complete reassessment of all people placed out of area. By June 2014 all reassessments had been completed. Of those with LD/ASD placed out of area all have been reviewed.
- The reviews have confirmed that the majority are in safe and appropriate placements and a move back within NYY would not be in their best interests.
- However, at present 12 people with LD/Autism have been moved back into area and 2 have moved closer to North Yorkshire which has been positive and of benefit to the person and their families.

- Pen pictures have been completed of all people with ASD or LD who live out of area. 21 people have indicated they would like to return to area or move to a more community based living arrangement within the area they are currently living. NYCC is working with these individuals to develop an appropriate plan to achieve this aim.

6. Register

Key action from Concordat - Ensure that all Clinical Commissioning Groups develop registers of all people with learning disabilities or autism who have mental health conditions or behaviour that challenges in NHS-funded care as soon as possible and certainly no later than 1 April 2013;

- The PCU on behalf of the Clinical Commissioning Groups have a live Register of all individuals diagnosed either with a Learning Disability or Autism Spectrum Disorder who have a mental health condition.

7. Commissioning Plan

Key action from Concordat - Every area will put in place a locally agreed joint plan for high quality care and support services for people of all ages with challenging behaviour that accords with the model of good care. These plans should ensure that a new generation of inpatients does not take the place of people currently in hospital.

- A strategic North Yorkshire commissioning plan is being developed in partnership to support people to remain in area and reduce avoidable admissions where possible.
- The PCU and Local Authority are working together to draft a joint commissioning plan. The first draft should be completed by December 2014.
- A Service User engagement meeting was also held on 30th September which raised important themes. The meeting on the 30th September was a helpful way of connecting with service users. A second Service User engagement meeting will be arranged for January 2015 and the PCU will endeavor to invite service users and self-advocates from across North Yorkshire
- A Learning Disabilities Practitioners Workshop was held on 23 October with key expertise from Providers, Local Authorities and Health and Social Care Commissioners in attendance. The purpose of the workshop was to work thorough some 'real life examples' to consider how unnecessary admissions and out of area placements might be avoided and how this can be fed into the joint commissioning plan. The workshop on the 23 October was considered useful. A further workshop has been arranged for 4th December. The purpose of the second workshop is to build on the work from the previous workshop to develop a clear way forward for health services that support people with a learning disability. The PCU have met with with Local Independent Health Providers on 11th and 13th November to look at Business Plans to meet North Yorkshire and York local needs for repatriation of the Winterbourne population. A further Provider meeting has been arranged for 19th November.

8. Clinical Commissioning Group key objectives

The CCGs are also assessed against 6 key objectives of which the following have been achieved:-

- % of patients not placed on a register.
 - 100% of patients are on the register.
- % of patients without a care coordinator.
 - 100% of patients have a care coordinator.
- % of patients who have not been formally reviewed for more than 26 weeks.
 - 100% of patients have been reviewed.
- % of patients who have had a care plan review and are without a planned transfer date.
 - 100% of patients have had a care plan review and have a planned transfer date
- % of patients without a planned transfer date.
 - 100% of patients have a planned transfer date
- % of patients in a non-secure hospital setting for more than 2 years.
 - 100% of patients have been assessed and reviewed including those under the Ministry of Justice. (An annual report is submitted for these patients)

9. Additional Actions

- At the point of the October 2014 Winterbourne Quarterly returns it was noted by the NHS England Area Team of the good work undertaken by Health and the Local Authority on the monitoring of non-hospital Learning Disability population.
- It is noted that there have been more frequent and urgent requests from NHS England Area team for Winterbourne information. The PCU has been able to respond within these tight timescales.
- The development of Place of Safety (section 136 services) in North Yorkshire will ensure those being detained will be supported appropriately in health services and not detained in police cells. This will include those with LD/ASD and other vulnerable people detained under s136 of the Mental Health Act.
- NYCC and the PCU have invested in extra capacity to carry out the reviews of those out of area in line with the Winterbourne concordat. The NYCC Operational group has drafted guidance for staff on 'What a good review should look like'. This was used by NYCC and PCU to develop a joint checklist for the reviews of individuals to ensure a consistent approach is taken.

- The PCU are now reporting to all four Clinical Commissioning Groups on a monthly basis on the Winterbourne population in accordance with the concordat requirements with an agreed template. These reports are to be submitted the second week of the month. The November reports have been submitted.

Recommendations

1. Note the Report
2. Members of the Health and Wellbeing Board to continue to promote integrated multi-agency working on the Winterbourne Agenda and to support the Joint Commissioning Plan.
3. Due to the importance and profile of the Winterbourne Agenda it is proposed that the Health and Wellbeing Board is to be updated in 3 months' time.