

<b>NAME OF MEETING:</b>	<b>PAPER NUMBER:</b>
Public Board Meeting	B10/059

<b>TITLE OF PAPER:</b>	<b>Six Lives Assurance Report</b>
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<b>DATE OF PAPER:</b>	<b>DATE OF MEETING:</b>
9 <sup>th</sup> March 2010	23 <sup>rd</sup> March 2010

<b>PURPOSE OF PAPER:</b>
To inform the Board about the requirements of the Six Lives report and to report the review of local arrangements, progress made and further work planned in relation to understanding and meeting the needs of people with learning disabilities.

<b>SUMMARY:</b>
<p>“Six Lives: The provision of public services to people with Learning Disabilities” was published by the Local Government and Parliamentary and Health Service Ombudsman report in March 2009. The report required that all NHS and social care organisations should review effectiveness of local systems for needs assessment and planning to meet the needs of people with learning disabilities; and the capacity and capability of the services they provide and/or commission for their local populations. It was also required that a report concerning this should be provided to those responsible for the governance of health and social care organisations within 12 months.</p> <p>The attached report includes an outline of the organisational structures in place in Berkshire West to identify and respond to local needs, and work undertaken in Secondary Care, Primary Care and PCT Provider services in relation to the provision and improvement of health services for people with learning disabilities.</p> <p>Assurance processes are described which will enable future monitoring of progress and identification of additional work required.</p>

<b>RECOMMENDATIONS:</b>
The Board is asked to <b>note</b> the Six Lives Assurance Report, and the commitments made to future action in relation to the requirements of the Six Lives report of the Local Government and Parliamentary and Health Service Ombudsman.

<b>LEAD:</b>	<b>PAPER AUTHOR:</b>
Bev Searle Director of Partnerships & Joint Commissioning	Bev Searle Director of Partnerships & Joint Commissioning

**FINANCIAL IMPLICATIONS:**

None

**WHICH HEALTHCARE STANDARDS ARE RELEVANT TO THIS PAPER?**

CO6, CO7e, C18, C22ac

**WHICH WORLD CLASS COMMISSIONING COMPETENCY DOES THE SUBJECT OF THIS PAPER HELP US ACHIEVE? *(X as appropriate)***

1. Local leader of NHS		2. Collaborates with Partners	x	3. Patient & Public Engagement	
4. Clinical leadership		5. Assess needs		6. Prioritisation	
7. Stimulates Provision		8. Innovation		9. Procurement & Contracting	
		10. Performance Management		11. Effectiveness of Spend	
Governance - Strategy	x	Governance - Finance		Governance - Board	

**HOW DOES THIS PAPER IMPACT ON THE PCT'S STRATEGIC OBJECTIVES?**

5 - To work collaboratively with community partners and provider organisations to ensure we commission services which improve health and reduce inequalities.

**Implementation of identified actions will support the continued development of quality health service provision for people with learning disabilities in response to identified local needs.**

**PLEASE LIST ANY OTHER COMMITTEES OR GROUPS WHERE THIS PAPER HAS BEEN DISCUSSED:**

None

# Six Lives Assurance Report

## 1.0. Introduction

This report is required to provide Board assurance of the implementation of the requirements of the "Six Lives" report.

"Six Lives: The provision of public services to people with Learning Disabilities" was published by the Local Government and Parliamentary and Health Service Ombudsman report in March 2009. The report required that all NHS and social care organisations in England should urgently review the effectiveness of the systems they have in place, to enable them to understand and plan to meet the full range of needs of people with learning disabilities in their areas; and the capacity and capability of the services they provide and/or commission for their local populations to meet the additional and often complex needs of people with learning disabilities. It was also required that a report concerning this should be provided to those responsible for the governance of health and social care organisations within 12 months.

## 2.0. Background

A report was brought to the Board of NHS Berkshire West in September 2008, which outlined the Independent Inquiry into Access to Healthcare for People with a Learning Disability. The Inquiry was commissioned following the Mencap Report "Death by Indifference", and made ten principle recommendations for the Department of Health, Trainers, Commissioners, Provider, and Inspectors and Regulators.

In addition, a report on the Independent Inquiry was taken to the Berkshire West Partnership Board in November 2008, in recognition of the need for a joint approach to the implementation of the recommendations.

The Six Lives report contains a detailed summary of the Ombudsman investigations undertaken into the six cases cited in the "Death by Indifference" report.

As recommended in the September 2008 Board report, the Independent Inquiry recommendations have been taken forward by the Learning Disability Commissioning Group.

This report outlines progress to date and further work required concerning the requirements of the Six Lives report.

## 3.0. Assessment of Needs

The first requirement of the Six Lives report was the review of the systems enabling understanding and planning to meet the needs of people with learning disabilities.

### 3.1. Organisational Structures

NHS Berkshire West and its 3 partner Unitary Authorities work in partnership to provide and commission services for people with a learning disability, and the structures which exist to undertake these tasks are as follows:

- There are jointly managed Community Teams for People with a Learning Disability in each of the Unitary Authority areas, which enable a coordinated response to the needs of individuals referred.
- There is a joint Learning Disability Commissioning Group which oversees commissioning activity across the three areas, and takes responsibility for required performance monitoring and support of strategic planning.
- This group is accountable to the Berkshire West-wide Joint Commissioning Partnership which includes oversight of commissioning in response to all patient and service user groups across Berkshire West.

- Learning Disability Partnership Boards (LDPBs) exist in each of the 3 Unitary Authority areas, and membership includes service users, family carers, voluntary sector representatives, statutory service providers and commissioners. These groups have the lead responsibility for implementation of Valuing People national guidance, and ensuring the involvement of service users and family carers in the identification of local needs and planning.
- There are Health Sub Groups of each of the LDPBs which have taken forward a variety of actions in each area to promote the health and wellbeing of people with learning disabilities.
- The LDPBs are linked to the 3 Health and Wellbeing Partnerships, which are in turn accountable to the 3 Local Strategic Partnerships. This structure ensures the inclusion of the needs of people with learning disabilities in the development of Sustainable Community Strategies, and wider partnership work – for example in terms of Community Safety and Housing etc.

### **3.2. Joint Strategic Needs Assessment (JSNA)**

The JSNA has been undertaken in 2008 and 2009, and informs the development of health and social care strategic plans. To date, it has not included significant specific information on the needs of people with a learning disability, although health and social care organisations have detailed information which is available to be shared on request. Work is currently underway to inform the development of the 2010 JSNA, and the Learning Disability Commissioning Group will take responsibility for the inclusion of an appropriate analysis of the needs of people with a learning disability.

The requirement of the Six Lives report was to review the means by which the **full range** of needs of people with learning disabilities were understood and planned for – further work is required to ensure that this is completed, and the annual reports of the Learning Disability Partnership Boards will be used to inform specific actions required.

### **4.0. Capacity and Capability of Services**

The second requirement of the Six Lives report was the review of the capacity and capability of the services provided and/or commissioned for our local populations to meet the additional and often complex needs of people with learning disabilities.

#### **4.1. Secondary Care**

Since the September 2008 Board report, a Learning Disability Liaison Nurse has been appointed at the Royal Berkshire Hospital. This has improved access and care for people with learning disabilities when using acute services. The post-holder also attends the three Learning Disability Partnership Boards within the Berkshire West area. This has effectively promoted the role to service users, family carers, commissioners and providers of local services, enabling issues of concern to be raised and issues resolved.

The post also carries lead responsibility for Deprivation of Liberty Safeguards (DOLS), which were introduced in April 2009, providing an addition to the Mental Capacity Act 2005. The link between DOLS and the Six Lives report is outlined below in section 5.

Berkshire Healthcare Foundation NHS Trust provides specialist assessment and treatment services for people with a learning disability. The specialist Learning Disability Psychology and Psychiatry Services provide an important source of expertise for staff employed in the mental health service, when treatment is required for people with a learning disability who also have a mental health problem. The specialist Learning Disability staff work closely with the 3 Community Teams for People with a Learning Disability (CTPLD) in Reading, West Berkshire and Wokingham.

The national guidance for the provision of mental health services for people with Learning Disabilities is contained with the Green Light document, published in 2006

The Mental Health Local Implementation Team will undertake a review of the local implementation of Green Light during 2010 to ensure local compliance with all requirements.

#### **4.2. Primary Care**

Using the Directed Enhanced Service (DES) for learning disability, GP practices have received training and are able to provide annual health checks for people with learning disabilities. Training has been provided by health staff in CTPLDs, which has had the added benefit of developing stronger relationships between the teams and Primary Care. Further work is required to analyse the outcomes of the assessments, and assure universal provision across the whole PCT area.

Assurance of the services provided by GPs and other Independent Contractors is required in order to identify whether reasonable adjustments are being made to meet the needs of people with Learning Disabilities. This has been planned as part of the response to the Learning Disability Health Self Assessment (see below), and will include "mystery shopper" reports undertaken by people with learning disabilities. The Learning Disability Commissioning Group will analyse results of this work and provide recommendations to the PCTs Primary Care Commissioning Team during 2010.

#### **4.3. NHS Berkshire West Provider Services**

The Learning Disability Commissioning Group ran a training session for all PCT Learning Disability staff in September 2009 which included a session on the implications of Death by Indifference, Healthcare for All, and Six Lives.

The completion of Health Action Plans for individuals with learning disabilities has been progressing as part of the implementation of Valuing People guidance. This will be audited during 2010 to assess the level of progress achieved and further action required. There will be a follow up half day workshop for PCT Learning Disability staff in May 2010 so that the Six Lives report and resulting Action Plan can be monitored and requirements for further work identified.

#### **5.0. Deprivation of Liberty Safeguards**

The implementation of DOLS in April 2009 has provided an important additional means of promoting quality provision for people with a learning disability in hospital. DOLS is an addition to the Mental Capacity Act of 2005, and provides a legal framework for the authorisation of arrangements which may deprive the liberty of a person who lacks capacity to make their own decisions. Although the numbers of DOLS that we have authorised since April 2009 have been very small, there have been a number of opportunities to improve arrangements for advocacy for people with a learning disability, to reduce restrictions of liberty, and ensure the person's best interests are assessed fully and in line with the legal framework.

In addition, a number of members of Community Health staff have received training as Best Interest Assessors (BIAs), who undertake assessments required within the DOLS process. This has enabled them to develop a greater understanding of the needs of people who may lack capacity to make their own decisions. This includes some people with a learning disability, as well as people with specific health problems. Community Health has an identified DOLS lead, who provides leadership and support for BIAs, as well as advice for staff when working with individual patients in our Community Hospitals.

#### **6.0. Assurance Processes**

A number of processes exist which provide ongoing assurance of action in response to the Six Lives requirements:

##### **6.1. Learning Disability Health Self Assessment**

In March 2009, the Learning Disability Commissioning Group completed the first national Health Self Assessment for the Strategic Health Authority. The framework for the Self Assessment included questions that reflected the recommendations from Healthcare for All. A validation process was undertaken with the SHA, and areas for further action identified. The self assessment process for 2010 is now in progress, and will incorporate stakeholder, user and care feedback, and will be used to inform additional work required, which will be monitored by the Learning Disability Commissioning Group.

## **6.2. Learning Disability Partnership Board Annual Report**

For the first time this year, LDPBs have been required to complete an annual report which includes a significant amount of detail about needs of people with a learning disability in the area, as well as commissioning arrangements and strategy implementation. This will provide a basis for national benchmarking in future, and ensure input of service users and carers in the submission of information. The annual reports will provide a basis for development of the Learning Disability section of the JSNA referred to earlier.

## **6.3. Care Quality Commission**

One of the reviews due to be undertaken during 2010/11 by the Care Quality Commission is the provision of health services for people with learning disabilities. The Learning Disability Commissioning Group will take responsibility for necessary preparation work, and required action identified following the review.

## **7.0. Complaints**

Poor complaints handling was a key feature of all six cases which were the subject of the Six Lives report. Therefore, the review of the joint health and social care complaints process will be undertaken by the Learning Disability Commissioning Group during 2010.

## **8.0. Conclusion**

A significant amount of work has been undertaken in Berkshire West since the publication of the Six Lives report:

Structures and processes exist to ensure the PCTs understanding of needs of people with a learning disability locally, and the use of this information to plan service provision. Further work is required to ensure that this includes the full range of needs and the development of the JSNA. However, there are assurance processes in place to ensure that this work is undertaken and monitored.

Capacity and capability of services to meet the needs of people with a learning disability has improved as a result of the introduction of health checks, developments in secondary care and the work of the health sub groups of LDPBs. Assessment of the reasonable adjustments made by services provided locally will be undertaken during 2010 and monitored by the Learning Disability Commissioning Group. The LDPBs annual reports and Care Quality Commission review will provide an objective assessment of progress and guidance on further work required.