

## Health Scrutiny Committee

Meeting to be held on 26 January 2016

Electoral Division affected: All
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### **Transforming Care for people with a learning disability and/or Autism** (Appendix A refers)

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#### **Executive Summary**

The report provides the committee with a summary and history of the Transforming Care agenda for people with a learning disability or autism and an update of progress. It informs members of Lancashire's inclusion in a National "Fast Track" programme, and its subsequent mainstreaming to form a Transforming Care Partnership, a strategically led Pan Lancashire collaboration of 8 Clinical Commissioning Groups (CCGs), 3 Local Authorities and NHS England specialised commissioners, where the transformation needed can be planned and implemented.

#### **Recommendation**

The committee is recommended to:

- i. Note the progress made in developing the Transforming Care agenda in Lancashire;
- ii. Agree to provide future support and challenge that will enable effective engagement; and
- iii. Note the discussions taking place regarding the funding arrangements for this group of people.

#### **Background and Advice**

Following the Panorama programme broadcast in May 2011 which exposed the abuse at Winterbourne View, the Department of Health published a report and action plan titled 'Transforming Care'. The report focuses on the care and support experienced by all children, young people and adults with learning disabilities or autism who may also have mental health conditions or behave in ways that are described as challenging.

The review found widespread failings in service design, failure of commissioning, and failure to transform services in line with established good practice.

#### **Winterbourne View – Time for Change**

The Bubb report (Winterbourne View – Time for Change, November 2014) reinforced and escalated previous policy drivers and requirements in relation to how

people with a learning disability are supported. It emphasised a lack of progress and failures to meet the expectations and pace within the National and Local Action Plans on Winterbourne / Transforming Care. The report directed how commissioners needed to respond to the agenda, specifying the need for 'one shared plan', 'one lead commissioner' and ultimately, 'one pooled budget'. These National issues are also reflected locally in Lancashire.

### **Fast Track - Transforming Care for people with a learning disability**

The announcement of Lancashire's (including Blackpool and Blackburn and Darwen) inclusion in a National Fast Track programme in June 2015 provided the impetus and strategic leadership, for the necessary collaboration across the sectors (8 CCGs, 3 local authorities, NHS England specialised commissioners, providers and stakeholders) to plan for and drive the transformation required for the Learning Disability (LD) community. Lancashire partners were required to develop and write the action plan for submission in September 2015.

### **Governance and support**

The programme is led and governed by The Transforming Care Partnership a strategic steering group of representative partners. An existing group, the LD Commissioners Network, has taken responsibility for progress on the identified work streams and associated action plans and report to the Steering group:

- Sharon Martin, Director Performance and Delivery East Lancashire CCG has been identified as Senior Responsible Officer (SRO) to lead the process;
- Tony Pounder, Director of Adult Services, Lancashire County Council has been identified as a Local Authority SRO in support of the lead and also represents Lancashire at the Regional Transforming Care Board;
- There is a governance framework for the LD transformation programme for Lancashire through to the Health & Wellbeing Board;
- An alliance of national organisations support transforming care partnerships to deliver on this ambitious agenda including NHS England, Local Government Association (LGA), Association of Directors of Adult Social Services (ADASS), Health Education England (HEE), Skills for Health, Skills for Care, the Care Quality Commission (CQC), NHS Trust Development Authority (TDA), Monitor, and provider representative organisations;
- A Lancashire Confirm and Challenge group will work closely with people with a learning disability and/or autism as well as their families/carers to ensure the work is co-produced.

### **The situation in Lancashire**

At the time of writing the Lancashire plan there were 47 in- patients in CCG cohorts and 46 in- patients in the NHS specialist commissioning cohort. The Lancashire Plan committed us to:

- Re-home as many of the current in-patients as possible into community care packages
- Appoint Care Co-ordinators to support discharge
- Review Social Work in Lancashire and set up an LD Social Work team – this action has been achieved and the team are operational
- Develop a new service model that will be delivered in communities by key professionals working together; that the new service will provide a uniform

case management process incorporating person centred planning, care and treatment reviews (CTRs)

- Pilot a Positive Behavioural Support Service in 2 areas
- Develop innovative accommodation and care packages

### **Building the Right Support**

The experiences of the 5 Fast Track Local Authorities and their NHS partners chosen to develop and submit, to NHS England, their plans for transforming their LD services over the summer of 2015 were taken and used in the development of Building the Right Support (October 2015) - A national plan and service model to develop community services and close inpatient facilities for people with a learning disability and/or autism who display behaviour that challenges, including those with a mental health condition (Appendix A).

Key points of the Building the Right Support plan include:

- People with a learning disability have the right to the same opportunities as everyone else - to have a home within their own community not in a hospital
- The need to change services, to build the right community based services to support people at home
- The work needs co-ordinating across organisations

Key points of Building the Right Support that relate to Lancashire include:

- Lancashire has been too reliant on in-patient care
- Calderstones will close by 2019 and peoples care will be re- provided for in the community or where restrictions don't allow in other in patient settings
- If people need hospital their discharge will be planned for as soon as they are admitted
- Clinical Commissioning Groups will be encouraged to pool budgets with Local Authorities
- For people who have been in hospital the longest (over 5 years) the NHS will provide a dowry
- In Lancashire
  - a proposal to develop an integrated community learning disability team
  - improve crisis intervention and support
  - develop staff knowledge and the use of Positive Behavioural Support

### **Consultations**

A stakeholder day for people with a learning disability and/or autism as well as their families/carers and partners was held 18 August at Calderstones NHS Foundation Trust to inform the development of the Lancashire plan. Further consultation will take place with people with a learning disability and/or autism as well as their families/carers through the Confirm and Challenge group.

### **Implications:**

This item has the following implications, as indicated:

## **Risk management**

### **Financial**

A locally defined finance proposal for dowries paid by the NHS to local authorities for people leaving hospital after continuous spells in inpatient care of five years or more years was tabled at the 11 November 2015 meeting of the Transforming Care Steering Group.

Lancashire County Council rejected this proposal and have subsequently taken a decision not to fund patients discharged as part of the transforming care programme, due to the financial implications for the organisation of the costs associated with people discharged from hospital to the community passing from the NHS to Local Authorities.

LCC's Chief Executive has written to the responsible NHS England Director, outlining the pressure this work programme presents and how it compounds the overall financial pressures for the organisation (LCC). This issue is being dealt with at NHS Chief Officer level and a meeting has been set in February aimed at achieving a mutually acceptable resolution.

### **Legal**

Legal advice is being taken in relation to the Transforming Care agenda, there are some people who are going through legal proceedings where further to legal advice Lancashire County Council are continuing to support.

## **Local Government (Access to Information) Act 1985**

### **List of Background Papers**

Paper	Date	Contact/Tel
Scrutiny Committee	18/09/2015	Ian Crabtree Head of Service Policy, Information and Commissioning (Age Well) 07773390254
Lancashire Health and Wellbeing Board	29/10/2015	Ian Crabtree, Head of Policy, Information & Commissioning (Age Well) 07773390254