NHS Rotherham
NHS Rotherham Board meeting 17th May 2010
Learning Disability Programme Update

Contact Details:

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Purpose:
To update the Board on the programme for commissioning Learning Disability Services and the action plan for 2010/11.

Recommendations:
- That The Board notes the current work programme and attached outline action plan for the Learning Disability Commissioning Programme.
- That The Board notes the scores for the most recent LD Health Assessment submitted to the Yorkshire and Humber SHA in April 2010.

Background:
Learning Disability Services in Rotherham are currently provided by the Joint Service comprising Rotherham Community Health Services (RCHS) and the Local Authority (RMBC). This is governed by a sec 75 Partnership Agreement and a pooled budget. Under the Partnership Agreement RMBC is the lead commissioner and lead provider for the Joint Learning Disability Service. Following the publication of ‘Valuing People Now’ (DH 2009) the Government required NHS commissioners to transfer responsibility and the funding for commissioning social care components of services to Local Authorities from April 2009. The transfer from NHSR to RMBC totals £6.4m, which has stayed in the learning disability pooled budget. Since this transfer the respective annual contributions to the pooled budget are: NHSR £3.3m and RMBC £2.3m. NHS commissioners retain responsibility for commissioning specialist health services for people with learning disabilities (including secure and specialist hospital placements and continuing health care) and for ensuring that people with learning disabilities have access to the right treatment and support in mainstream health services.

The NHS Rotherham Commissioning Programme for Learning Disabilities contains the following components:
- Improving access to healthcare including the regional annual health assessment process and action plan;
- Responding to the recommendations in ‘Six Lives’ the report of the Health Service and Local Government Ombudsmen (March 2009);
- Implementing the GP Directed Enhanced Service (DES) offering annual health checks to people with moderate and severe learning disabilities;
- Development of service specifications for local specialist health services – linked to the work on ‘Shaping our Future’;
- Local implementation of the Yorkshire and Humber SHA Healthy Ambitions Pathway for Learning Disability (due for publication in June 2010).
- Case management for individual patients and link to SCG and CHC

**Analysis of Risks:**
Following the funding transfer in April 2009, NHS Rotherham has a much smaller stake and less leverage over this important service area. Our main leverage comes currently from the Partnership Agreement. We need to ensure that future arrangements continue to give us influence over the strategic development and service delivery of the wider Learning Disability Services and that NHS Rotherham can continue, through its commissioning programmes to ensure that local people with learning disabilities do not experience the inequalities and abuse that have been a feature of services in other parts of the country.

**Return on Investment:**
In addition to the £3.3m in the pooled budget, NHS Rotherham contributes the following to services for people with LD in Rotherham:
Secure and specialist health placements:
Continuing health care (and Funded Nursing Care):

Work is underway in each of these areas to ensure value for money and that there is no duplication of funding from NHS R.

NHS Rotherham have also funded a full-time Strategic Health Facilitator (liaison nurse) post for 18 months from Sept 2009 and have provided project officer capacity in the MH programme team to support the annual health assessment and action plan. The significant progress in the last 12 months is in large part due to the increased capacity and a more robust project management approach.

**Analysis of Key Issues:**
The Learning Disability Programme is a part of the Mental Health and Learning Disabilities Commissioning Programme in NHSR. There are some common components and overarching pieces of work – for example work on improving the interface between local and secure services, and on clarifying the arrangements for Continuing health care (CHC) for patients with MH needs, but the areas specific to learning disability follow:

**Improving Access to Healthcare**
Y&H SHA introduced an annual assessment of access to healthcare for people with a learning disability in 2007/8 following the publication of ‘Healthcare for All’ (Michael, 2008), and two damning investigations by the then Healthcare Commission (HCC) into NHS learning disability services. We have developed a local action plan and provided feedback to the Board following each assessment. The submission for 2010 was sent to the SHA in mid-April and we meet with them in mid June to validate our scores and receive feedback on our submission. The 2009/10 assessment is the third annual regional assessment it is also the first year of national roll-out. Last year Rotherham appeared as an outlier in the region and we were told that our scores did not properly reflect the good progress that had been made. The SHA revised a couple of scores up following our ‘validation meeting’ with them in July 2009.
Significant progress has been made in the last 12 months, including:

- Work with GPs to implement Annual Health Checks (see below);
- Work with the Acute Trust to train staff and develop communication tools and referral and discharge protocols, and
- Collecting data on access to services, and access to screening and health promotion activity by people with learning disabilities.

Three audit proposals have been put forward to the 2010/11 NHS R audit programme to support this work, and a fourth is underway. A summary of the scores and actions from the 2010 assessment is attached at Appendix 1.

An action plan is being developed to ensure that any remaining ‘Amber’ scores turn to ‘Green’ at the next assessment. Implementation of the action plan will be overseen by the Health Sub-Group of the Learning Disability Partnership Board; and performance managed by commissioners from NHSR. Key components of the action plan, which link into the wider MH programme area and which are already underway are:

- ‘Green Light for Mental Health’ - a national checklist to assess progress on delivering good mental health services to people with learning disabilities who also have MH needs. A steering group has been set-up to apply the check-list to local services and to develop protocols and referral pathways jointly between MH and LD services in Rotherham. Implementation of the tool-kit and resulting action plan and protocols comprises part of the CQUIN quality requirements in the RDASH contract for 2010/11.

- The National Autism Strategy - published in March 2010. The strategy requires work across health, social care, education and employment to improve support and opportunities for adults with autistic spectrum conditions. Further guidance on implementation, including NICE guidance, is promised by the end of the year. We have plans in NHSR to undertake some work in advance of this guidance to develop a diagnostic pathway and some referral criteria, to ensure that these can be built into service specifications for MH and LD services for 2011/12. This intention is also flagged in the contract with RDASH.

‘Six Lives’ the report of the Health Service and Local Government Ombudsmen (March 2009)

At the March meeting of the Board, the Chief Executive fed-back on work to date to address the recommendations of the Ombudsmen’s report into ‘Six Lives’. The Board was briefed on the report at it’s October 2009 meeting and agreed to a piece of work to address the recommendations. In summary: The Ombudsmen investigated the six complaints by families of people with learning disabilities who had died whilst being cared for by the NHS or social care, or both, and concluded that:

there were “some significant and distressing failures in service across both health and social care, leading to situations in which people with learning disabilities experienced prolonged suffering and inappropriate care.”

The Health Service and Local Government Ombudsmen made three recommendations following the review, the first is that:

All NHS and social care organisations in England should review urgently:

- 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;
- and should report accordingly to those responsible for the governance of those organisations within 12 months of the publication of the Ombudsmen’s report.

The Board agreed to the proposal to undertake a brief focused review, building on the health assessment and the information in the JSNA; and to receive an updated report at their March meeting.

Since October 2009 we have done the following:
- We have undertaken the regional health assessment (above) and our improved scores demonstrate the progress that has been made in services, and the improvements in data about the needs of people with a learning disability in Rotherham. These needs now have a much higher profile across all commissioning programmes and with each of the local service providers in Rotherham.
- We have started an audit of the care provided to each of the adults with a learning disability that have died in Rotherham in 2008 and in 2009. We plan to complete the audit by September 2010 and to have a report on any lessons learnt and actions required by the end of October 2010.
- We wrote to each of our NHS Provider Trusts and now have responses and evidence from each, on the specific adjustments that they make to their services to meet the needs of people with a learning disability. Any outstanding issues will be dealt with through contract performance discussions, and through the work programmes of the two health liaison nurses in the Learning Disability Service, once the information has been analysed. RFT, for example has developed a detailed action plan to address the recommendations from ‘Healthcare for all’ and from Six Lives. RDASH will be working with NHSR and the Learning Disability Service locally to address these through its work on ‘the Green Light tool kit’ (see above).
- There is an on-going programme of engagement between the NHSR Commissioning Programme Leads and the Health Sub-Group of the LD Partnership Board and changes have been made to local plans and strategies as a result. The summary of responses from the provider trusts will be discussed with NHS R Programme Leads at one of their regular meetings in late May.

GP Directed Enhanced Service (DES)
Every GP practice in Rotherham has signed up to the national DES to offer annual health checks to people with moderate or severe learning disabilities on their practice register. Staff from every practice have attended training developed and delivered jointly between staff from the LD service and people with learning disabilities from Speak-up – a local self advocacy organisation. This training has also been delivered to staff in the acute trust and from RCHS. Over 350 people have attended. 264 checks were carried out during 2009/10; 34% of the total possible people on the registers. The plan is that 90% of people on the registers (including 90% of people from BME communities) should have a health check in 2010/11. The Strategic Health Facilitator Nurse will target practices with focused support to ensure that this happens. The outcomes of the DES will be audited in the second half of the
year, using information from GP systems obtained through QUEST reports.

Development of Service Specifications
NHS R commissions local specialist health services for people with learning disabilities. These are currently provided by RCHS. Subject to the consultation process these services will transfer to another provider from April 2011. The services include the assessment and treatment unit at Badsley Moor Lane, two newly developed specialist health support teams in the community, consultant outpatient clinics and nurses and other health professionals in the Community Learning Disability Teams. Detailed service specifications are being developed for the health services that we plan to commission from April 2011, to secure the greatest health gain and value for money from the specialist resources when they transfer. The service specifications will be subject to consultation with the current provider and with members of the LD Partnership Board, and will be finalised by the end of July 2010.

Healthy Ambitions Pathway for Learning Disability
The Yorkshire and Humber SHA has recently shared a final draft paper on Learning Disabilities which it is planned will be discussed by Chief Executives at their May meeting and signed off by the SHA Board in June. The paper makes a compelling case for change. People with learning disabilities:

- Are Four times more likely to die of preventable causes
- Are 58 times more likely to die before the age of 50 than other people – especially if they are from a BME community
- Have higher levels of unmet need and receive less effective treatment than the rest of the population
- Still encounter discrimination, abuse and neglect in health services

The paper outlines a range of actions, many of which are already underway though the regional health assessment process and action plans, but crucially outlines a process to engage the range of the regional Healthy Ambitions Pathways in the work that they will need to do address the needs of people with learning disabilities, and in particular to address specific health problems or conditions that are more common in this population – for example epilepsy, dementia and sensory impairments. This work will be shared with the NHS R Programme Leads and an action plan will be developed for local implementation, following publication of the final pathway in June / July.

Patient, Public and Stakeholder Involvement:
The recent health assessment was discussed in some detail with Service Users and Carers and with Staff from the Learning Disability Service at a ’Big Health’ meeting on 2nd March 2010. There was a similar event in October 2009 to agree the action plan from last year’s assessment. The LD Partnership Board has discussed the scores and the SHA Healthy Ambitions Paper.

Equality Impact:
An Equality Impact Assessment (EIA) Screening Tool has been completed for our local health assessment submission and action plan. The Joint Learning Disability service has recently completed an EIA according to the RMBC process and the revised service specifications will be assessed once they are complete.
Financial Implications:
Non-Recurrent funding in the operational plan supports the Learning Disability Strategic Health Facilitator Post (£25k in 2009/10 and £50k in 2010/11).

Recurrent NHSR resources for learning disability currently comprise the following:
- £3.3m to the pooled budget for Learning Disability services provides RCHS;
- £6.4m direct contribution to the pooled budget for social care services (transferred to RMBC responsibility from April 2009);
- TOTAL £9.7m
From 2011/12 £6.4m will come out of the NHSR base-line and be allocated direct to the LA.
NHSR also currently spends circa £0.5m on specialist Forensic Learning Disability placements per annum.

Approved by: John Doherty  Assistant Director of Finance & Performance  6 May 10

Human Resource Implications:
There is a range of training and culture change issues related to improving health care services for people with learning disabilities. These will be for all NHS organisations. RFT have already undertaken training and awareness raising sessions for some key staff and have plans to roll-out further training this year. RCHS managers and practice staff have received awareness training, and work on training for MH staff in RDASH and the Primary Care MH Service will be considered as part of the work on the ‘Green Light Tool Kit’.
More than 200 Staff from NHS R (RCHS) currently work in the joint LDS. The outcomes of the consultation on Shaping our Future will determine their future employer.

Approved by: Peter Smith  Head of Human Resources  6 May 10

Procurement:
Specialist health care for people with a learning disability in Rotherham is currently procured from the Joint LDS and provided by RMBC and RCHS. The lead provider and lead commissioner is RMBC. Subject to consultation, these arrangements will change in line with the proposals in Shaping Our Future.

Approved by: Doug Hershaw  Head of Procurement  5 May 10

Key Words:
Health Care for All; Valuing People Now; Learning Disability; Health Assessment; Six Lives; Autism; ‘Green Light Tool Kit’

Further Sources of Information:
The health assessment framework:
http://valuingpeople.gov.uk/dynamic/valuingpeople364.jsp
Available for information if required: NHS R submission 2010, summary Appendix 1.

Six Lives: The provision of Public Services to People with Learning Disabilities (P&HSO 23 March 2009)
Valuing People Now: A New Three Year Strategy For People With A Learning Disability
http://valuingpeople.gov.uk/dynamic/valuingpeople4.jsp:

### Learning Disability Commissioning Programme
#### Outline Action Plan May 2010

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<tr>
<th>Issue</th>
<th>Lead</th>
<th>Timescale</th>
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<tr>
<td>Develop action plan for health assessment framework</td>
<td>Strategic Health Facilitator; Acute Liaison Nurse</td>
<td>June 2010</td>
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<tr>
<td>Complete Mortality Audit</td>
<td>Clinical Audit Dept (Strategic Health Facilitator)</td>
<td>Sept 2010</td>
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<td>Develop report and Action plan</td>
<td></td>
<td>Oct 2010</td>
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<tr>
<td>‘Six Lives’: Identify any outstanding issues in Provider Trusts</td>
<td>NHS R Commissioners and contracting leads (Strategic Health Facilitator)</td>
<td>July 2010</td>
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<td>Action plan to address</td>
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<td>Dec 2010</td>
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<tr>
<td>Audit of Data from DES</td>
<td>Strategic Health Facilitator</td>
<td>Dec 2010</td>
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<td>Finalise New LD Service specifications for ‘Shaping our Future’</td>
<td>NHS R Commissioner</td>
<td>July 2010</td>
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<td>Develop local action plan for Healthy Ambitions LD Pathway</td>
<td>NHS R commissioner and Programme Leads</td>
<td>Sept 2010</td>
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<td>Equality Impact Assess Service Specifications</td>
<td>NHS R Commissioner</td>
<td>July 2010</td>
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<tr>
<td>Develop diagnostic pathway for Autism</td>
<td>NHS R Commissioner</td>
<td>March 2011</td>
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<tr>
<td>Implement ‘Green Light Tool Kit’ and action plan</td>
<td>RDASH NHSR Commissioner</td>
<td>March 2011</td>
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