

Report to: **East Sussex Health and Wellbeing Board**  
Date: **13 February 2014**  
Title of report: **Implementation of the Winterbourne View Review Concordat**  
By: **Martin Komen, CCGs Service Redesign and Delivery Lead Manager**  
Purpose of report: **To apprise members of progress locally against the commitments made in the Winterbourne View Concordat.**

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## **RECOMMENDATION**

The Health and Wellbeing Board is asked to consider progress against the Winterbourne View Concordat.

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### **1. Background and Supporting Information**

1.1. The Winterbourne View hospital abuse occurred at Winterbourne View, a private hospital at Hambrook, South Gloucestershire owned and operated by Castlebeck. In 2011, it was exposed in a BBC Panorama investigation into physical abuse and psychological abuse suffered by people with Learning Disabilities and challenging behaviour. The hospital has been shut down as a result of the abuse that took place.

1.2. Eleven people pleaded guilty to criminal offences of neglect or abuse. The Serious Case Review was published, which revealed hundreds of previous incidents at the hospital and missed warnings.

1.3. In December 2012, the Department of Health published the 'Transforming Care' report relating to the significant failings at Winterbourne View. The response of respective agencies was set out in the 'Winterbourne View Concordat'.

1.4. The Concordat required Clinical Commissioning Groups (CCGs) to identify and review all current hospital placements by June 2013.

1.5. The primary concern for East Sussex CCGs has been with regard to people with Learning Disability and challenging behaviour or severe mental illness who may be placed in similar types of establishments to Winterbourne View. These establishments are commonly known as Assessment and Treatment Centres.

1.6. The Winterbourne View Concordat was concerned with identifying the people commissioned by the NHS in Assessment and Treatment Centres, ensuring that their care and support arrangements were urgently reviewed and that plans be made with them and their family carers to ensure that suitable care and support arrangements are put in place.

### **2. The Local Review Findings**

2.1. The East Sussex commissioners identified twenty three adults with a Learning Disability who were placed in hospitals outside East Sussex. Out of the twenty three hospital placements, nine were commissioned by NHS England, and fourteen commissioned by the East Sussex CCGs.

2.2. All twenty three people were reviewed within the timescale set out in the Winterbourne View Concordat, i.e. before the end of June 2013.

2.3. Discussions are underway and plans are being developed to support patients to move from hospital to community (less restrictive) settings, noting the complexity of their needs and bespoke care and support arrangements required. In light of the complexity of

care for some patients, it is highly likely that placements in inpatient units will continue to be required for a small number of patients, for example those who are formally detained subject to the Mental Health Act.

2.4. Summary table: NHS East Sussex funded secure hospitals as at 31<sup>st</sup> May 2013.

	<b>HWLH</b>	<b>EHS</b>	<b>H&amp;R</b>	<b>Total</b>
<b>NHS England</b>	2	3	4	9
<b>CCG</b>	2	2	10	14
<b>Total</b>	<b>4</b>	<b>5</b>	<b>14</b>	<b>23</b>

### **3. Financial Appraisal**

3.1. East Sussex County Council and NHS commissioners are currently working together to progress the Winterbourne View Concordat commitments for East Sussex to help people who are subject to it.

3.2. The cost of meeting the care and support needs of the people in community (less restrictive) settings as the alternative to hospital care will become apparent to the East Sussex commissioners in 2014/15. Arrangements for funding transfer to follow individuals from current settings, has not yet been set out by the Department of Health.

### **4. Current Developments**

4.1. The Concordat requires CCGs and local authorities to set out a joint strategic plan to commission the range of local health, housing and care support services to meet the needs of people with challenging behaviour in their area. Commissioners are required to give regular updates to both NHS England and the Local Government Association. The commissioners in East Sussex have set up the Learning Disability Strategy Group to develop and coordinate its joint work plan.

4.2. One important example of the work plan is the development of the CCGs' commissioned Community Learning Disability Service, provided by Sussex Partnership NHS Foundation Trust. The specification for this service will include the care pathway jointly developed between commissioners, health and social care clinicians for people with Learning Disability who present with challenging behaviour, some of whom require care in hospital. In developing and implementing the pathway, it is envisaged that front line health and social care professionals will work together with people with Learning Disability and challenging behaviour and their carers in offering effective interventions that are based on the latest evidence and provide positive behaviour support in community settings.

### **5. Conclusion and Reason for Recommendation**

5.1. In order to meet the requirements set out in the Winterbourne View Concordat commissioners in East Sussex are working together to commission the range of local support services to meet the needs of people with challenging behaviour in the area, and those who are currently placed in hospitals outside of East Sussex, but for whom the CCG is responsible.

5.2. Regular updates are provided to the Local Government Association and NHS England, and could also be provided to the Health and Wellbeing Board, incorporating the Joint Strategic Needs Assessment and be linked with the Health and Wellbeing Strategy process.

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