



Making Social Care
Better for People



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ACCELERATE IMPROVEMENTS IN COMMISSIONING SERVICES FOR PEOPLE WITH A LEARNING DISABILITY, URGE WATCHDOGS

Review finds more work needed in planning services and personalising care

Local councils and primary care trusts (PCTs) need to plan better for the needs of people with a learning disability and complex needs to ensure care is accessible, personalised and allows service users to lead as full and independent lives as possible.

The Commission for Social Care Inspection (CSCI), the Healthcare Commission and the Mental Health Act Commission (MHAC), today published a joint report reviewing how councils and PCTs commission services on behalf of people with a learning disability.

The watchdogs conducted the review following a series of reports over the past decade that point to poor care for people with a learning disability, particularly those with complex needs. This is the first review to focus specifically on how councils and PCTs commission services.

The watchdogs said that while improvements have been made to the way services are commissioned, the pace of change was "too slow" and "uneven".

The review focused on nine local authority areas in England, which were chosen to be representative of areas across the country. The watchdogs believe the findings are relevant to all organisations that commission or provide care for people with learning disabilities and complex needs.

The review found that the way services are commissioned is starting to change "for the better". It said councils and PCTs involved in the review are moving away from large-scale care and support, toward more flexible services, where the needs of individuals were taken more into account.

Another positive finding is that many of the councils and PCTs involved in the review are adding new obligations to contracts, requiring service providers to evidence the quality of their services.

The review found that people with learning disabilities have more choice in where they live since reports over previous years highlighted this as an area of concern. The last few NHS "campus" accommodations, which the government has deemed unsuitable, are closing and people are moving to accommodation more suited to their needs. Choices for day services and activities have also improved.

However, the watchdogs highlighted a number of concerns in the nine areas reviewed and believe these are relevant to services across the country.

- Councils and PCTs do not adequately assess the needs of people with a learning disability, their families and their carers living in their local areas in order to properly plan services.

- Under current guidance, all people with a learning disability should have a person-centred plan that involves them in decisions about their care. However, only a minority of services users have such a plan. Where they do exist, they are often poor.
- Service users say they want more access to direct payments so they can make their own decisions about which care to buy.
- People with learning disabilities and complex needs experience problems in accessing health services.
- Service users, families and carers say they feel their views are not always asked for or listened to.
- There is variable access to advocacy to support those people who are less able to speak for themselves.
- Arrangements to safeguard vulnerable adults need to improve, including training of staff to recognise safeguarding issues and better joint working between councils, PCTs and services.
- Family carers are entitled to an assessment to identify their particular needs and arrange support, however carers rarely received the assessments and have limited access to short-term breaks.
- Learning disability partnership boards are not sufficiently involved strategically in planning and often did not effectively monitor quality of the services in their area.
- Staff in contact with people with a learning disability need better training to develop the specific skills required. Too many people lack ambition and aspiration for what people with complex needs can achieve.

Paul Snell, Chief Inspector at the Commission for Social Care Inspection, said: "Too many people with learning disabilities and complex needs - and their family carers - have not been involved in shaping their own care plans. At the same time, too few are receiving direct payments and personal budgets. Their expectations of enjoying the same basic rights as other people will only be fulfilled when personalised care becomes central to the services they receive."

Anna Walker, chief executive of the Healthcare Commission, said: "Services for people with a learning disability have been too low on the priority list for far too long. It is good news that improvements are being made, but it is not happening fast enough to bridge the gap between the standard of care that people with learning disabilities are entitled to, and the standard of care they actually receive. Councils and PCTs must get to grips with the needs of people with learning disabilities, families and carers that live in their local communities. This is essential if they are to provide the personalised services that people with learning disabilities are entitled to, at a standard we expect in the 21st century."

Gemma Pearce, chief executive of the Mental Health Act Commission, said: "A number of people with learning disabilities also have need of specialist mental health services. It is important that people get speedy access to services to support good physical and mental health when they need it. Staff working with such patients should be confident in their knowledge of relevant legislation, including the Mental Health Act, and we found that this was not always the case. There is plenty of guidance and evidence available – the message is, use it, to make sure that every individual gets the support and services he or she needs and deserves."

The review looked in-depth at nine local areas, to assess how councils and PCTs commission services to support people with learning disabilities and complex needs to live their lives fully. "Complex needs" refers to a range of multiple and additional needs that some people with learning disabilities may have.

The Commissions selected areas to represent different parts of the country and that provided a mix of services. The review team incorporated staff from the three commissions, as well as people with learning disabilities, family members, carers and people with experience in commissioning learning disability services.

Teams of six people visited local services, met with service users, family members and carers and interviewed staff involved in commissioning services at local councils and PCTs.

To access reports for the nine areas involved in the review, go to <http://www.healthcarecommission.org.uk/guidanceforhealthcarestaff/nhsstaff/annualhealthcheck/reviewsandstudiosofservices/2008/09/servicesforpeoplewithlearningdifficulties-commissioning.cfm>

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Notes to editors

Commission for Social Care Inspection

CSCI is the inspectorate for adults' social care in England, responsible for regulating and inspecting all social care providers - whether in the public or independent sector - and for assessing the performance of local councils in delivering their adults' social services functions. The Commission's primary aim is to improve social care by putting the needs of people who use care services first.

The Commission is chaired by Dame Denise Platt DBE and has five Commissioners. The Chief Inspector is Paul Snell.

Healthcare Commission

The Healthcare Commission is the health watchdog in England. It keeps check on health services to ensure that they are meeting standards in a range of areas. The Commission also promotes improvements in the quality of healthcare and public health in England through independent, authoritative, patient-centred assessments of those who provide services.

Responsibility for inspection and investigation of NHS bodies and the independent sector in Wales rests with Healthcare Inspectorate Wales (HIW). The Healthcare Commission has certain statutory functions in Wales which include producing an annual report on the state of healthcare in England and Wales, national improvement reviews in England and Wales, and working with HIW to ensure that relevant cross-border issues are managed effectively.

Mental Health Act Commission

The Mental Health Act Commission provides a safeguard for people who are detained in hospital under the powers of the Mental Health Act 1983. (This is the only part of healthcare where patients can be treated under compulsion, and necessarily there are very clear legal requirements on hospitals and the other services involved - primarily Local Authority social services). The Mental Health Act primary concern is the legality of detention and the protection of individuals' human rights. In addition to a visiting programme, the Commission provides important safeguards to patients who lack capacity or refuse to consent to treatment, through the Second Opinion Appointed Doctor Service.

Care Quality Commission

From 1 April 2009, a new organisation called the Care Quality Commission (CQC) will be responsible for regulating healthcare and social care in England. CQC was established by the Health and Social Care Act 2008 and will be operational from 1 April 2009. It will bring together the work of the Commission for Social Care Inspection, the Healthcare Commission and the Mental Health Act Commission.