Brunswicks’ Healthcare Review

refreshingly modern, reassuringly traditional

© Brunswicks LLP 2009 http://www.brunswickslaw.eu
This week's article

THIS WEEK'S ARTICLE – Hang Your Heads in Shame
This week my business partner Andrew Dawson lets off the steam of frustration in having to intervene on behalf of a care provider with a council which was apparently failing in its duty to convene a Strategy Meeting in relation to a vulnerable service user at risk of abuse by relatives.

How many providers find themselves on the receiving end of overly reactive adult protection activity when allegations are made against the provider or staff. The irony will not be lost on you!

To read Andrew’s article, go to page 19.

CQC—pages 8-9
Ireland, Scotland & Wales—page 9
Learning Disabilities—pages 9-10
Legislation update—page 10
Mental capacity—page 10
Mental health—pages 10-11
Miscellaneous—pages 11-14

Abuse/Dignity—pages 3-4
Business news—pages 4-5
Care Homes—page 5
Case reports—pages 5-6
Children—page 6
Conferences & Courses—pages 6-8
Consultations—page 8

Nursing—pages 14-16
Older people—page 17
Parliament—page 17
Social Care—pages 17-18
Workforce—page 18

Editorial

The rumour mill is rife with talk and speculation of what is going to become of Four Seasons as time ticks by and there is no immediate sign of a white knight or other solution to the financial woes of the business.

There are few organisations at the moment with both the financial clout and the management team with the skills mix to be able to swallow the challenge of acquiring the whole Four Seasons business. Priory is one, Craegmoor Healthcare another. Others seem to have their own concerns which would probably prevent them entering into a bidding war.

Priory was making overtures a few months ago. They were apparently rebuffed.

Rumours are that Priory is still interested. However, whether it will make an outright offer or seek to ‘cherry-pick’ remains to be seen.

Other contenders might be one of the Goldman Sacks investment vehicles – the financial colossus has remained just that, despite the credit crisis which has afflicted most of the other banking giants in London and New York. Goldmans was forced to accept the US Government bailout to the tune of about £10 billion – however, it didn’t want it; it didn’t need it; but was forced to take it along with all the other Wall Street banks so that the banks which really did need the bail-out didn’t look unduly weak!!

Using Wall Street as the link – By the time this reaches you I will be in the USA for a break, during my absence, as usual, my business partner will replace me. So, I leave you in the capable hands of Andrew Dawson to whom readers can send interesting items or challenge the next couple of issues of BHCR.

And finally, the telephone scam which made an appearance at the turn of the year has returned.

Care providers are getting calls from someone purporting to be from the Care Quality Commission saying that in the transfer between CSCI and CQC data has become lost or corrupted. The caller then seeks all manner of other detailed information. Decline to provide the info and ask the caller to write with their requests; that will doubtless be an end to it.

Brunswicks is being instructed by more and more care providers who are encountering a firm called OLM and other so called fee brokers. Their one and only aim is to reduce the fees which councils and NHS trusts pay you. Have nothing to do with these so called fee brokers and consult lawyers as soon as you are contacted. Co-operation with the seemingly innocuous requests made of you is expensive.

It is never too late to consult us in these matters; however, the later in the process that we are instructed the more limited the extent of the results.
Abuse/Dignity

1. Louis Theroux: A place for Paedophiles
19 April 2009 BBC 2, 21:00hrs
Quirky presenter Theroux visits Coalinga State Hospital, California to contain and treat 800 serious sex offenders; only 13 patients have been approved for release in the last decade. It provokes strong views among supporters and detractors.

2. Electronic applications mean faster criminal record checks
17 April 2009 COI
A new electronic application system bringing faster results to its largest customers was launched today by the Criminal Records Bureau (CRB).

Customers who make more than 3,000 checks a year can now use e-Bulk to send multiple applications and receive the results electronically.

Those high-volume customers have been offered use of the e-Bulk system – are said to enjoy benefits including:

- faster results - the e-Bulk service will reduce the average processing time by around five days;
- fewer forms to complete - customers can integrate the CRB requirements into their own recruitment processes and application form;
- reduced inaccuracy - all information sent via e-Bulk is automatically checked for completeness reducing errors; and
- electronic results - certificates that do not contain conviction information are returned electronically.

Home Office Minister Vernon Coaker, said:

"The Criminal Records Bureau (CRB) plays a vital role in helping deliver increased protection of the vulnerable, having stopped more than 80,000 unsuitable people working with children and vulnerable adults in the past four years.

"The launch by the CRB of its new online application process e-Bulk for its core customers shows it continues to actively listen to their needs and has delivered a service that meets those needs."

Adele Townsend, CRB Director, said:

"The launch of our first electronic application system represents a significant milestone for the Criminal Records Bureau (CRB) and demonstrates our commitment to make all of our services accessible electronically.

"This is an exciting time for the CRB and I am proud to have Girlguiding UK as our first customer of this new service."

The e-Bulk service was developed in response to customer feedback in 2007, which revealed more than two-thirds of customers wanted to be able to submit multiple applications online and more than four-fifths would like to submit single applications via the website. The launch of the service is a step towards delivering the CRB’s objective to make all of its services available electronically.

CRB launched its Online Tracking service on 14 January 2008. For more information about this, visit http://www.crb.gov.uk/tracking/

3. Nurse who filmed hospital neglect for BBC struck off
17 April 2009 The Times
Tears of the nurse barred for filming on wards for Panorama
17 April 2009 Daily Mail
Margaret Heywood, a nurse has been struck off for the secretly filming the neglect of elderly patients for a television documentary. It was decided by the Nursing and Midwifery Council that her conduct amounted to misconduct when filming the neglect of older people in circumstances in which she said staff were afraid to speak out. Linda Read, chair of the panel said it was a major breach of the nurses Code of Conduct.

4. Nurse found guilty of misconduct
16 April 2009 news.bbc.co.uk
Margaret Heywood, 58, who secretly filmed in July 2005 at the Royal Sussex Hospital in Brighton for BBC Panorama to reveal the neglect of elderly patients, has been found guilty of misconduct at a disciplinary hearing. It is said that she breached patients confidentiality when filming.

5. Charity condemns the NMC decision to penalise whistleblowing nurse
16 April 2009 Action on Elder Abuse
Action on Elder Abuse has strongly condemned the decision of the Nursing and Midwifery Council to strike Margaret Haywood from the nursing register. The nurse had previously collaborated with Panorama in an undercover expose of conditions facing elderly patients at the Royal Sussex Hospital in
Brighton, and was found guilty by a Professional Conduct Committee of ‘misconduct’.

Commenting upon the case, Gary FitzGerald Chief Executive of Action on Elder Abuse (AEA) said, “There was a clear and over-riding public interest in the actions taken by Panorama and Margaret Haywood, and equally importantly, a moral obligation to those older people who were experiencing poor care and neglect. It would appear that protecting the interests of the nursing profession has now taken precedence over uncovering and highlighting the dreadful conditions of older people on an NHS ward.”

Continued FitzGerald, “We have seen the pressures placed upon nurses in the Mid Staffordshire debacle, the deaths of Older People in Gosport War Memorial Hospital, the Nursing Times survey indicating that nurses are reluctant to report abuse, and the list is clearly going to continue. If, as the NMC would have us believe, it is possible for nurses to safely speak out about the abuse and neglect they witness taking place in elderly care wards I have to ask them why none of the other nurses in the Royal Sussex had successfully done so?”

Action on Elder Abuse has been in regular contact with Margaret Haywood during this period and will continue to do so. It is now calling for an independent inquiry into the quality of care being provided to older people by the NHS.

Concluded FitzGerald, “This situation has continued for too long. The NHS complaints systems regularly fail to provide satisfaction when matters of concern are raised, and nurses are too often frightened to whistleblow on practices that are blatantly abusive. And the only strategy in response appears to be a ‘Dignity in Care campaign’. It is time to have an open and transparent assessment of exactly what is happening to older people in the care of the NHS and that assessment needs to be independent of the system itself.”

6. Quality care comes at a price
13 April 2009 The Times, Letters to the Editor

Rachel van Staveren, managing director of Cloud 9 Care, talks of the relentless squeeze on independent providers to reduce the price charged for care.

Ed. We are seeing it again in LD and mental health care and support where so called ‘fee brokers’ have been brought in by councils to pick apart a business’s finances and ‘force’ fee cuts on them.

7. Baby P council ‘ignored files of 60 children at risk’
13 April 2009 The Times

Three social workers in London Borough of Haringey have been disciplined following reports of 60 children at extreme risk had been ignored in the wake of the scandal surrounding the death of Baby P.

8. CQC: The Care Quality Commission’s reaction to the Panorama programme on home care

Commenting on the Panorama programme broadcast on 9 April, Cynthia Bower, Chief Executive of the Care Quality Commission, said:

“The treatment that appears to have been received by the people who are featured in the Panorama programme is very disturbing and of great concern to the Care Quality Commission as the new regulator of adult social care services. In general, home-care agencies have steadily improved their standards in recent years. But cases of bad practice and, in some cases, sheer neglect do occur and these must be rigorously addressed through our enforcement process”.

http://www.cqc.org.uk/newsandevents/pressreleases.cfm?cit_id=34843&FArea=customWidgets.content_view_1&usecache=false

Business News

9. British private firms with fastest-growing profits
19 April 2009 The Sunday Times

Just two businesses from health and social care fields appear in this list:

7 Alliance Medical - Medical imaging provider
67 Towergate Partnership - Insurance underwriter & broker

10. Drug companies refuse to swallow merger pill
17 April 2009 The Times

Item which says that GlaxoSmithKlien and AstraZenica are resisting the pressure to merge and look for other solutions to growth – such as small ‘bolt-on’ acquisitions and joint ventures.

11. Alarm bells sound as Philips reveals the recession is chipping away at healthcare sector
15 April 2009 The Times

The healthcare sector is generally regarded as more-or-less recession proof. However, Philips delivered
the shock news that it had converted a Euro 275m profit into a Euro 74m loss – most of the ‘hit’ was not in flat screen TVs or kettles, but, in the healthcare division which makes X-Ray machines, MRI scanners and ultrasound devices.

Case Reports

Law Reports

Nothing to report

Disciplinary cases

14. Nurse may fight ‘film’ misconduct
17 April 2009 – BBC News
Margaret Haywood is considering appealing against the NMC’s decision to strike her off.
For full report click here

15. Calls for whistle-blower review
16 April 2009 – BBC News
Margaret Haywood, 58, who filmed at the Royal Sussex Hospital in Brighton in 2005, is calling for a review of how the NHS deals with whistle-blowers as she said most staff are afraid to speak out.

The Department of Health said whistle-blowers were protected by law.
For full report click here

16. Secret filming nurse struck off
16 April 2009 – BBC News
Nurse found guilty of misconduct
15 April 2009 – BBC News
Undercover filming ‘only option’
14 April 2009 – BBC News
A disciplinary hearing was told that Margaret Haywood secretly filmed at a hospital because it was the "only option" to reveal the neglect of elderly patients.

She filmed at the Royal Sussex Hospital in Brighton for a BBC Panorama programme in July 2005 and has since admitted breaching patient confidentiality but denies her fitness to practise has been impaired.

She has since been struck off for misconduct.
For full report click here
For 2nd report click here
For 3rd report click here

17. Nurse Struck Off Over False Records
14 April 2009 – Evening Times
A NURSE who failed to carry out proper observations of patients and falsified records while working at a Glasgow hospital has been struck off.

Sandra Cairns, 54, of Eastfield, Cambuslang, was deemed unfit to continue practising by a Nursing and Midwifery Council disciplinary panel.
For full report go to http://www.eveningtimes.co.uk/display.var.2501835.0.0.php?utag=28804

18. Haringey disciplines three social workers over safeguarding backlog
Two practitioners suspended and agency worker dismissed after cases were not dealt with
14 April 2009 – Community Care

Haringey Council has disciplined three social workers after it found a backlog of child protection cases had not been dealt with in the wake of the Baby P scandal.

An agency practitioner has been dismissed and two staff members suspended for not dealing with their workloads appropriately.

The authority found around 1,000 referrals had not been dealt with, 60 of which included child protection concerns.
For full report click here
Cases in the news

Nothing to report

Children

19. Children behind bars
19 April 2009 Daily Mail
A two page look by Winifred Robinson at secure units housing murderers, rapists and sociopaths – all children. Item promoting the author’s BBC Radio 4 programme on 20.04.09 at 20:00hrs ‘Inside the child prisons’.

20. Social Work Taskforce
17 April 2009 – DoH
A webpage showing information on the social work taskforce. This was set up by Children’s Secretary Ed Balls and Health Secretary Alan Johnson to undertake a comprehensive review of frontline social work practice.

21. A nice little earner? Set up a nursery from home and earn £15,000 a year
17 April 2009 The Times, Bricks & Mortar
Another way to earn cash at and from one’s home by opening a children’s nursery – but it is not an easy route to riches and purpose built is often better.

22. NSPCC issues guide to spotting head and spinal injuries in children
Guidance follows paediatrician’s failure to spot spinal injury to Baby P
14 April 2009 – Community Care
The NSPCC has issued guidance to child safeguarding practitioners on spotting signs of head and spinal injuries inflicted on children. For full report click here

Conferences and Courses

23. Third Annual Partnership Conference
28 April 2009, 9.30am–4.45pm, The King’s Fund, London
This conference will look at the best ways of collecting and using data in order to improve the quality of ser-vices and care.
To download the full programme, please visit the website. Places are limited at this event, so book early to secure your place. Book online now. Discounted places available – 50% off for RCP and RCGP members.

24. Learning Disabilities Conference
Implementing Valuing People Now
30 April 2009 – Central London
Please click here to download a copy of the conference brochure in pdf format. If you have any problems with the hyperlink, please e-mail dave.eastman@capita.co.uk who will send the brochure as an attachment.
THE BOOKING REFERENCE CODE IS TSDE. YOU MUST QUOTE THIS WHEN BOOKING.
Chaired by Keith Smith, Chief Executive, British Institute for Learning Disabilities, expert speakers include:
□ Anne Williams, National Director for Learning Disabilities, Department of Health
□ Alison Giraud Saunders, Co-Director, Foundation for People with Learning Disabilities
□ Dr. Philippa Russell, Chair, Standing Commission on Carers
□ Mark Goldring, Chief Executive, Mencap
□ Carmel McKeogh, Head of Human Resources, Stockport Council
□ Raj Mungur, Associate Director – Care and Support, Yarrow Housing
□ Stephan Brusch, Project Lead for Promoting Equality, Department of Health
□ Brian Parfett, PSA 16 (Learning Disabilities) Policy Lead, Department of Work and Pensions
□ Wendy Hicks, Housing Project Worker, Housing and Learning Difficulties, Norfolk Learning Difficulties Service

Please read Terms and Conditions

25. Patient Safety Congress 2009 - Full programme
30 April - 1 May 2009, ICC Birmingham
Last year’s Congress was about making the case for patient safety. The programme this year has been developed to help you get down to work. It provides the information you need to be able to deliver improvement. The Congress is a rich opportunity to share the experiences of those that are successfully tackling patient safety across the globe. Whatever your role, or area of interest within patient safety, you will find content designed specifically for you.
Keep up to date with the latest programme development by signing up for the Patient Safety Congress E-Bulletin.
26. The Care Quality Commission and the Future of Regulation
7 May 2009
Central London
Planned sessions will examine:
- The role of the Care Quality Commission;
- What will the CQC mean for service users and service providers?
- Learning from regulation of other sectors;
- Co-ordination between agencies;
- How the CQC will deal with taking on the work of the previous three agencies and service provision is maintained; and

Using regulation to drive quality improvements. Speakers include Baroness Young, Chair of CQC.

To book places, please use our [online booking form](#).
Options and charges are as follows:
- Places at The Care Quality Commission and the Future of Regulation (including refreshments and PDF copy of the transcripts) are £190 plus VAT (£218.50);
- Concessionary rate places for small charities, unfunded individuals and those in similar circumstances are £80 plus VAT (£92.00). Please be sure to apply for this at the time of booking.

27. Implementing the National Dementia Strategy
Monday 18th May 2009 – Central London

Plus a Half-Day Briefing

28. Developing the Skills of the Dementia Care Workforce
Tuesday 19th May 2009 – Central London

This conference is an excellent learning and networking opportunity for anyone involved with Demen-
tia, Adult Social Services, Older People’s Services, Independent & Assisted Living and Supporting People.

Spaces can be booked on these events either by filling in and faxing the booking form on the final page of the brochure (For agenda and booking form please [click here](#)) to 0870 165 8989, or by e-mailing me directly with the delegate details.

Alternatively you can book online by clicking here and use booking ref code: TSDE. If you have any questions or difficulties please call Dave Eastman on 0207 202 0597 or email [dave.eastman@capita.co.uk](mailto:dave.eastman@capita.co.uk)

Please read [Terms and Conditions](#)

We also have spaces available on these other forthcoming events. Please click on the conference titles for more details.
- Social Housing and Worklessness – 27th April, London
- Sheltered Housing Conference – 29th April, London

29. Capita’s National Conference Tackling Health Inequalities Improving Outcomes for Vulnerable Groups
Wednesday 20 May 2009 – Central London

Key issues to be addressed include:
- Identifying ‘at-risk’ groups and commissioning services
- Community engagement and outreach
- Collaborative social interventions
- Specific access barriers for key target groups

Spaces can be booked on these events either by fill-
ing in and faxing the booking form on the final page of the brochure (For agenda and booking form please [click here](#)) to 0870 165 8989, or by e-mailing Dave Eastman directly with the delegate details.

Alternatively you can book online by clicking here and use booking ref code: TSDE. If you have any questions or difficulties please call Dave Eastman on 0207 202 0597 or email [dave.eastman@capita.co.uk](mailto:dave.eastman@capita.co.uk)

Please read [Terms and Conditions](#)

30. Home Care ... Is it Personal?
10 June 2009

The full day course will take place at The Royal College of Surgeons, London and costs £140 – discounts available.

Key-note speaker is Simon Weston OBE.

Other speakers include:
- Phil Hope MP, Minister for Care Services
- Stephen Burke, Counsel and Care
- Jeff Jerome, ADASS
- Glen Mason, DoH
- Julie Jones, SCIE
- James Buckley, Tunstall
- Cynthia Bowyer, CQC
- Prof. Jane Gilliards
- Caroline Ogden

For more info email [info@ceretas.org.uk](mailto:info@ceretas.org.uk)
0115 959 6130 - Heather Parfitt
31. Westminster Health Forum Keynote Seminar
Diabetes - Quality of care and patient safety
Morning, 19th June 2009, Central London
With
Dr Rowan Hillson, National Clinical Director for Diabetes, Department of Health
and
Dr Maggie Hammersley, Consultant Physician and Acute Care Diabetologist and Chair, Joint British Diabetes Societies Inpatient Care Group Nuffield Department of Clinical Medicine, Oxford University
and
Dr Gerry Rayman, Consultant Physician (Diabetes & Endocrinology), The Diabetes Centre, Ipswich Hospital NHS Trust and Clinical Lead for Inpatient Care, NHS Diabetes

Live Agenda | Our Website | Book Online

Seminar
With the prevalence of diabetes in the UK standing at 2.5 million people of which 90 per cent have Type 2 diabetes, this seminar will look at issues surrounding the prevention, treatment, clinical care of diabetes and what can be done to improve patient experience, safety and outcomes. Discussion will focus on the effectiveness of the current National Strategic Framework following on from the five years on report published in August 2008.

Booking arrangements
To book places, please use our online booking form.

Options and charges are as follows:
Places at Diabetes - Quality of care and patient safety (including refreshments and PDF copy of the transcripts) are £190 plus VAT (£218.50);

Concessionary rate places for small charities, unfunded individuals and those in similar circumstances are £80 plus VAT (£92.00). Please be sure to apply for this at the time of booking.

For those who cannot attend:
- Copies of the briefing document, including full transcripts of all speeches and the question and comment sessions and further articles from interested parties, will be available approximately 7 days after the event for £95 plus VAT (£109.25);
- Concessionary rate: £50 plus VAT (£57.50).

To order please follow the link here.

32. National Commissioning Conference 09, Aston Conference, Lakeside Centre, Birmingham
22 & 23 June 2009
Run by the Guardian and OLM-Pavilion and supported by the Association of Directors of Adult Social Services, this two day event brings insight and best practice for commissioners to improve the quality of services in health and social care. Key issues the conference will cover include:
- the future of funding care and support for adults social care
- the move towards choice and a new service market
- different systems of commissioning – how they work to realise better outcomes
- engaging with service users and providers to shape services
- building safety, quality and performance into commissioning
- developing the workforce and skills to implement changes
To book your place, call 0844 880 5061 or visit www.olm-pavilion.co.uk/ncc09

33. Activity Coordinator training for Learning Disability Homes
22.07.09 West Midlands Care Home Association
The course will be held at Salvation Army Hall in Cradley, £50 for members £100 for non members, to book email enquiries@wmcha.co.uk

Consultations
To follow next week

CQC

34. Shortcomings in end of life care in Scottish care homes
17 April 2009 – SCC
Call over support for the dying
16 April 2009 – BBC News
The Scottish care watchdog has issued a report which reveals that over 40% of care homes in Scotland need to improve the support they offer people with life-limiting illnesses and those who require palliative and end of life care.
For full report click here
For BBC report click here

35. Care quality commission praises further progress in NHS drive to lower infections
16 April 2009 – CQC
The Care Quality Commission has praised the NHS for making more progress in a drive to lower infections such as C.diff.

Nigel Ellis, Head of National Assessment and Inspec-
"Last month it was reported that rates of MRSA fell again and now we are seeing the same trend with C. difficile."

"Overall, NHS trusts are continuing to strengthen their grip on infection control, which is good news for service users. They must remain vigilant to ensure that all healthcare-associated infections are kept down."

“We are monitoring NHS providers to check they are maintaining tight practices for infection control, including good antibiotic prescribing, cleaning and decontamination. On April 1st, we identified 21 trusts that need to make swift improvements and will be paying particular attention to them. We won't hesitate to use our enforcement powers to drive improvement where needed.”

For full report go to http://www.cqc.org.uk/newsandevents/pressreleases.cfm?cit_id=34850&FAArea1=customWidgets.content_view_1&usecache=false

---

Ireland, Scotland and Wales

Ireland

Nothing to report

Scotland

38. SCAH Conference & Care Awards 2009
19 April 2009 – Scottish Care
Scottish Care at Home will be holding their Annual Conference & Care Awards on Friday 29 May 2009.

The link below takes you to another link to enable you to view the programme of events.
For full report click here

39. Elderly 'left on A & E trolleys'
17 April 2009 – BBC News
A consultant has expressed his concern for the welfare of elderly patients left on hospital trolleys for hours while they wait to be taken back to care homes.

Dr Bill Morrison at Ninewells in Dundee has said too many pensioners are taken to A & E at night when they could be treated in their care home by a nurse or GP.
For full report click here

40. New cleaners to blitz dirty wards
17 April 2009 – BBC News
Health Secretary, Nicola Sturgeon has announced that 600 extra cleaners are to be employed in Scotland's hospitals to tackle infections on the wards.
For full report click here

---

Wales

17 April 2009 – CIW
a report on the rights of persons with disabilities has been published by the Joint Committee on Human Rights.
For full report click here

42. Half of foster payments 'too low'
16 April 2009 – BBC News
Fostering Network Wales, has found that half of the foster carers across Wales are being left out of pocket because they are not receiving the recommended expenses rate, a charity has said.

The charity’s survey found that half the 22 Welsh councils paid less than its “benchmark” allowances.
For full report click here

---

Learning Disabilities

43. An uncertain future: children with Down’s
14 April 2009 The Times
With the current generation of children with Down’s Syndrome expected to outlive their parents Alexandra Blair writes about some of the issues confronting families as individuals seek independent living.

44. 'National scandal' of postcode lottery for autistic children
14 April 2009 Foundation for People with Learning Disabilities
Parents of children with autism face a postcode lottery which amounts to a "national scandal", said author Nick Hornby.

More information at: http://www.learningdisabilities.org.uk/information/news/?EntryId17=32443

Legislation Update

45. The Health Service Commissioner for England (Authorities for the Ashworth, Broadmoor and Rampton Hospitals) (Revocation) Order 2009
15 April 2009 – OPSI
For full legislation click here

Mental Capacity

Nothing to report

Mental Health

46. Be not afraid...especially of fear itself
17 April 2009 The Times
Dame Joan Bakewell sets out her views of the report from the Mental Health Foundation ‘In the Face of Fear’ reported in BHCR Vol 4, Issue 15, Item 43. She opines that perhaps there is not more fear in society, rather, more recording of it. As she observes, no one was measuring anxiety at Dunkirk or during the Cuban missile crisis.

47. Largest research programme into self-management for severe mental illness launches
16 April 2009 Mental Health Foundation
The Mental Health Foundation will launch the UK’s largest research programme into self-management for people with a severe mental illness at the Welsh Assembly’s Senedd on 28.04.09.

Hosted by David Melding, Chair of the All Party Assembly Group for Mental Health, the event will give Assembly Members, health professionals, service users and voluntary sector representatives the opportunity to learn more about the programme.

The Mental Health Foundation was awarded £816,146 under the Big Lottery Fund’s £15 million Mental Health Matters programme, which aims to promote the rehabilitation and independence of people with serious mental health problems in Wales and support those at risk of suicide.

Through the research programme, the Mental Health Foundation aims to build an evidence base to demonstrate the effectiveness of self-management for people with serious mental health diagnoses including schizophrenia and bipolar disorder. It is hoped that a strong evidence base will support widespread provision of self-management to those with a severe mental illness.

Self-management is already commonly used by people with chronic physical health problems such as diabetes and arthritis, and provides people with a set of tools and techniques that can bring about many benefits for those who use them, including:

- Feeling in control of the symptoms of an illness
- Increased feelings of confidence
- Healthier lifestyles
- Improved relationships with health professionals

The four-year project is the first of its size in the UK and will work to train 900 people with a range of severe mental health problems self-management skills. A total of 60 courses will run in venues across Wales, and a number of them delivered in Welsh. The training courses have been designed and developed in consultation with people with a psychiatric diagnosis, and will be delivered by individuals who have practical life experience of living with mental illness.

Take part in the programme
The Foundation is currently recruiting trainers and participants to take part in the programme. For further information contact Jane Wycherley (Project Manager) or Catherine Currier (Support Officer) at the Mental Health Foundation. Email mhfinfowales@mhf.org.uk or telephone 01633 257071.

Comment
David Crepaz-Keay, Head of Programme Development at Mental Health Foundation in Wales, said:

“People with a severe and enduring mental illness are currently expected to self-manage their condition but without any support or training. The result is that people who are unwell often end up feeling powerless, at the mercy of health professionals, while health and social services end up providing expensive crisis intervention that could have been avoided with better self-management. We really hope that this project will lead to transforming the lives of many people who experience a severe and enduring mental illness.”
David Melding, Chair of the All Party Parliamentary Group for Mental Health, said:

“It is fantastic to be launching this project in Wales. Too often people with an illness like schizophrenia or bipolar disorder are marginalised and their illness can take away so much. Self-management can help individuals and their families to reclaim a better quality of life. Mental illness can be destructive, it is vital to research and make available new ways to help people cope.”

48. 10 ways to beat the blues?
14 April 2009 – BBC News
The Mental Health Foundation, amongst other charities, is calling for a nationwide campaign to help promote mental health as surveys suggest that people are becoming more anxious in general.

49. DH seeks views on new mental health strategy
14 April 2009 – HSJ
The Department of Health has commissioned a series of “listening events” to gather views on the Department of Health’s new mental health strategy.

50. Drug offers hope on Alzheimer's
13 April 2009 – BBC News
The Proceedings of the National Academy of Sciences has reported on a drug that currently promises a treatment for Alzheimer's disease.

CPHPC is thought to remove a protein thought to play a key role in Alzheimer's from the blood whilst tests at the University College London found the protein also disappeared from the brains of five Alzheimer's patients given the drug for three months.

51. Mental Health Matters facing prosecution
Charity, Mental Health Matters is believed to be facing prosecution over the death in 2006 of one of its members of staff killed by a service user he was supporting. The service user is now in Rampton having pleaded guilty to manslaughter.

52. Row over GP out-of-hours service
18 April 2009 – BBC News
A GP out-of-hours service has been criticised after telling a woman, who was later found to have contracted meningitis, to ring back the next day.

Christine Saltmarsh, 73, who lives in Alconbury Western, Cambridgeshire, is now in coma and suffered brain damage after she contracted meningitis.

53. Do NOT revive a patient who wants to die, 999 crews told
18 April 2009 Daily Mail
Two thirds of a page on this issue – a slippery slope to euthanasia according to pro-life groups

54. How one petty complaint put GP in disciplinary agony for seven years
17 April 2009 The Times
Two page article by Sam Lister about Dr D, a female GP with 20 yrs experience who reprimanded a patient who was abusive to a nurse and refused to register the new patient on her surgery list. A short exchange, less than 30 seconds – it finished her career. There was a seven year ordeal, including a 10 month inquiry, conduct review etc.

The report by the Parliamentary and Health Service Ombudsman presented to Parliament in June 2008 said that the GP had been the victim of maladministration and significant injustice. It is of little consolation to a person whose reputation has been traduced and lies in tatters. She has been awarded just £25,000 compensation.

The level of complaints have risen, doctors are in limbo for years – as a result the GMC is considering altering its rules to weed out frivolous and vexatious complaints.

55. Drinkers pile on the pounds
17 April 2009 COI
The average wine drinker in England now consumes around 2,000 calories from booze alone each month, new figures out today show. Over a year this is equivalent to 38 extra roast beef dinners or almost 184 bags of crisps.

But additional calories don’t just come from the alcohol consumed. 37% admit they are likely to eat more than they usually would or ditch the healthy diet when drinking above their recommended daily limits. 29% drinkers order crisps, nuts or pork scratchings to ac-
company their booze, while 19 per cent regularly opt for a takeaway to grab a pizza, burger, bag of chips or kebab when drinking more than two pints of beer or two glasses of wine.

To help keep track of the calories and alcohol units you are drinking, visit http://www.drinkaware.co.uk/tips-and-tools/drink-diary/ and start your own drink diary.

For other information about alcohol units, visit http://www.nhs.uk/units.

56. Home Secretary outlines Review of Regulation of Investigatory Powers Act (RIPA)
17 April 2009 COI
Plans to stop investigatory powers being used under the Regulation of Investigatory Powers Act (RIPA) for trivial purposes were announced by the Home Secretary today. The plans include a review of which public authorities can use them and proposals to raise the level of authorisation to sign them off in local authorities.

But there have been cases where RIPA has been clearly misused. Last year the Home Secretary announced that the government is not prepared to see investigations under RIPA used for trivial issues, like people putting their bins out on the wrong day or dog fouling offences.

57. e-Bulk is live!
17 April 2009
The CRB has launched its first electronic application channel. e-Bulk is the start of a wider programme to make all services available electronically for its customers and is a significant milestone for the CRB.

The service has been developed in response to customer feedback which revealed more than two-thirds of customers wanted to submit multiple applications online. For full report click here

58. RENOWNED INTERNATIONAL CONFERENCE HEARS FROM PIONEERING CRAEGMOOR THERAPIST
16 April 2009 Craegmoor
Craegmoor Healthcare has announced that Richard Manners, its pioneering Consultant Art Psychotherapist, is to address the 8th International Conference on the Care and Treatment of Offenders with a Learning Disability on 16 & 17.04.09.

The two day conference organised by and held at the Faculty of Health and Social Care at the University of Central Lancashire in Preston, in collaboration with Northumbria University’s Department for Health and several NHS Trusts, is now recognised as the foremost opportunity, in the UK and internationally, for sharing best practice on the treatment of offenders with a learning disability, both in the public and independent health and social care sectors and the criminal justice system.

Richard Manners has 30 years of experience in learning disability services, was the first qualified art therapist in Wales and in 2007 delivered a key note speech alongside the Secretary State of Wales to launch the Welsh Assembly’s Arts in Health and Wellbeing Strategy

Richard Manners will be delivering a presentation to the International Conference on how Art Psychotherapy is useful to additional treatment intervention packages, which is informed by his research whilst undertaking a Masters in Research in Art and Psychotherapy at Goldsmith’s College, London.

Ted Smith, Craegmoor’s Chief Executive Officer, said:
“I am very pleased that Richard Manners’ work is to be recognised by such an internationally renowned conference and one with such an esteemed audience and roster of guest speakers.

“The treatment of offenders with a learning disability is obviously a difficult subject but it is one that care providers must not shy away from if society is to realise the goal of reducing reoffending rates.”

Richard Manners, Consultant Art Psychotherapist at Craegmoor, said:
“It is obviously an honour to be invited to present at such a prestigious international conference but what matters most is the contribution that I hope the research I have undertaken whilst at Craegmoor can make to positive outcomes in both the public and independent health and social care sectors, as well as the criminal justice system.”

59. Routine transfusions ‘put patients at risk’
16 April 2009 The Times
Routine blood transfusions after heart surgery could be a waste. Most decisions to transfuse is based on haemoglobin levels and research suggests that lower haemoglobin levels may improve outcomes in heart patients.
60. Alzheimer’s Society publishes commissioning guide
16 April 2009 – NCF
A new Alzheimer’s Society guide giving vital advice on how to commission services for people with dementia and their carers in line with the National Dementia Strategy has been published.

The free guide is aimed at commissioners of health and social care services and is now available from alzheimers.org.uk.

For full report click here

61. Quality of care in general practice to be the focus of a major inquiry from The King’s Fund
16 April 2009 – King’s Fund
A major 18-month inquiry is to be launched by the King’s Fund to look at the quality of services provided by family doctors and other staff in general practice in England.

The inquiry comes at a key time in the reform of general practice and will examine and collect evidence on the quality of care provided to patients.

For full report click here

62. Statistical Press notice: GP Extended Opening Hours - monthly update
15 April 2009 COI
GP extended opening hours for month ending March 2009.

This data shows the number of GP practices within each Commissioner area (PCTs and Commissioning Care Trusts) and how many of those practices were offering extended opening hours on the census date (31.03.09). Key findings this month:

- Of 8,253 practices, 6,069 (73.5%) offered extended opening hours on the census date. This compares with 72.4% in February.
- 151 (99.3%) Commissioners have achieved the Operating Framework aim of 50% of their GP Practices offering extended opening hours. In February there were 149 (98.0%) Commissioners that had achieved this aim.
- 69 (45.4%) Commissioners have 75% or more of their practices offering extended hours. In February this was 65 (42.8%).
- 2 PCTs (1.3%) had 100% of their practices offering extended hours this compares with 1 (0.7%) in February.

GP Extended Opening Hours data: http://www.dh.gov.uk/en/Publicationsandstatistics/Statistics/Performancedataandstatistics/PrimaryCare/DH_089459

63. Homeopathy ‘eases cancer therapy’
15 April 2009 – BBC News
A scientific review has concluded that certain homeopathic medicines could ease the side-effects of cancer treatments and not interfere in how they work.

The Cochrane Collaboration said that it appeared that some effects of radiotherapy and chemotherapy could be alleviated, and highlighted in particular calendula to prevent dermatitis, and what is known as Traummel S for mouth sores.

However, it also said that further work was needed to confirm these findings.

For full report click here

64. Social Partnership Forum launches new website
14 April 2009 COI
A new website to support partnerships between NHS staff and trade unions was announced by Health Minister, Ann Keen.

The Social Partnership Forum (SPF) is a partnership between the Department of Health, NHS Employers and NHS Trade Unions to improve working relationships and involve partners in the workforce implications of NHS policy development. The new SPF website includes:

- Advice and materials to support and encourage partnership working between employers and Trade unions at all levels in the NHS
- Case studies, examples of good practice and a selection of toolkits to support regional and local partnership working
- Details and application materials for the new NHS Partnership Fund. NHS organisations can bid for money from this £500,000 fund to support partnership projects that support NHS Constitution pledges, meet local organisational goals, effectively communicate and engage with NHS staff and improve the quality of patient care.

The website was a key recommendation in a progress report by the Involvement and Participation Association (IPA) on the role and function of the National SPF. The IPA report ‘NHS Social Partnership Forum Review - Final Report’ highlights the good progress the SPF has made to date, praises the strong Ministerial support and effective working practices and makes recommendations as to how these can be
IPA Report - The Involvement and Participation Association (IPA) undertook a review into the operation of the Social Partnership Forum to ensure that the Partnership Agreement between partners remains fit for purpose. The full report is published today and is available from http://www.socialpartnershipforum.org.

65. Diabetes: a guide to glucose meters
April 2009 British Journal of Healthcare Assistants
Muili Lawal in light of the National Service Framework for diabetes looks at some of the issues raised by diabetic monitoring and the range of products on the market.

68. C. difficile decline
17 April 2009 The Times
The number of hospital patients contracting the C. diff bug is falling. There were 6,257 cases in patients aged 65 and over between October and December 2008, the Health Protection Agency reported, an 11% drop on the previous quarter and a 38% fall on the same period in 2007.

69. Trust meets waiting time target
18 April 2009 – BBC News
Surrey and Sussex Healthcare NHS Trust has met its target for treating patients within 18 weeks after their GP referral.

70. NHS lead spells out problems to adults' services directors
17 April 2009 – Community Care
Yvonne Cox, policy lead on learning disabilities for the NHS Confederation has indicated that the NHS will be unable to meet councils' demands for increased social care funding for learning disability services.

71. NHS to publish death rates on web
17 April 2009 – BBC News
The NHS will be publishing death rates and other tables on its own website to make it easier to compare success and failure of English hospitals.

72. Human error blamed for data loss
17 April 2009 – BBC News
A report has found that a health trust did not take appropriate steps to prevent the loss of a memory stick with data on 6,360 prisoners and ex-prisoners.

73. Care quality commission praises further progress in NHS drive to lower infections
16 April 2009 CQC
The Care Quality Commission praised the NHS for making further progress in the NHS drive to lower infections. Cases of the gastrointestinal bug Clostridium difficile dropped nationally for the third consecutive quarter.

"Last month it was reported that rates of MRSA fell again and now we are seeing the same trend with C. difficile."

"Overall, NHS trusts are continuing to strengthen their grip on infection control, which is good news for service users. They must remain vigilant to ensure that all healthcare-associated infections are kept down."
74. Professor Jimmy Steele's dentistry review updates - NHS Dentistry across the Globe
16 April 2009 – DoH
Professor Jimmy Steele will be providing regular updates on the emerging key themes and issues as part of the independent review of NHS Dentistry.
For full report click here

75. My tears at 'appalling' A&E ward
16 April 2009 – BBC News
An inquiry into the Mid-Staffordshire Hospitals Trust will be reporting back to the government shortly.
A damning report by the NHS watchdog the Healthcare Commission has already found that patients died due to the "appalling" state of emergency care at Stafford Hospital.
For full report click here

76. Acute overspending raises questions over PCT plans
16 April 2009 – HSJ
A survey by HSJ has found that primary care trusts have overspent against acute contracts by hundreds of millions of pounds. This raises questions over the success of efforts to deliver care more cheaply in the community.
The survey covered a cross-section of 20 PCTs across all strategic health authority areas in England how they had performed against what they had planned in their 2008-09 acute contracts.
For full report go to http://www.hsj.co.uk/5000506.article

77. Doctors 'must root out bad care'
16 April 2009 – BBC News
Barbara Young, head of the Care Quality Commission has called for NHS staff - and in particular doctors - to do more to tackle bad care.
She said there was a culture of silence among health staff, as shown by the Stafford Hospital scandal.
For full report click here

78. NHS hospitals still failing to protect patient mealtimes
16 April 2009 – HSJ
Five years after the launch of NHS Estates’ protected mealtimes initiative, nearly a fifth of hospitals in England and Wales are not halting work at mealtimes to help patients eat.
Figures were provided by the Department of Health to a parliamentary question and revealed that only around two thirds of hospitals protect all mealtimes for patients, when all non-emergency clinical work stops. Around 13 per cent protected some mealtimes.
For full report go to http://www.hsj.co.uk/5000464.article

79. GPs warn on internet drug sales
16 April 2009 – BBC News
GPs are warning of the dangers of buying medicines over the internet, as the numbers of patients being treated for adverse reactions to them have risen.
The Royal Pharmaceutical Society of Great Britain has estimated that two million Britons regularly buy drugs over the internet.
For full report click here

80. Midwife numbers 'to fall short'
16 April 2009 – BBC News
NHS workforce figures show that most health authorities are not on track to provide the midwives needed for one-to-one care.
For full report click here

81. Drugs 'stretch hospital budgets'
16 April 2009 – BBC News
Audit Scotland has reported that expensive medicines are stretching hospital's budgets to the limit.
The body's reported said that the country's acute hospitals spent £222m on drugs for patients in 2007-08 which represented a 76% increase in the total bill of £126m five years earlier.
For full report click here

82. Competition panel launches inquiry into consultants' private work
16 April 2009 Health Service Journal
The NHS co-operation and competition panel is expected soon to launch its first inquiry into NHS consultants working for hospitals other than their main employer during their spare time; some NHS trusts say it would be a conflict of interest for their consultants to work for a potential competitor.

83. Ex-BBC chief to diagnose what ails the health service
16 April 2009 The Times
New National Leadership Council Members Announced
16 April 2009 COI
Over 40 leading figures from healthcare, business and the public sector will today become part of the National Leadership Council (NLC) for the NHS.
NHS Chief Executive David Nicholson announced the full membership of the NLC which brings together experienced and inspirational leaders to champion and challenge the development of high quality leadership throughout the NHS.
Mr Nicholson, who will Chair the NLC, said he was delighted by the breadth of talent and experience that the
Council Core Members, Patrons and Fellows bring:

"Leadership is the vital ingredient that can make all the difference to the quality of care that our patients experience. Great leadership, which focuses on improving services for patients, will help transform the NHS."

The Council has been established as a result of a commitment set out in the Government’s strategy for the future of the NHS, High Quality Care for All and has been created after extensive consultation with the NHS and leadership experts. Its immediate focus will be on strengthening Clinical Leadership, Board Development, Top Leaders, Inclusion and Emerging Leaders and the NLC will have a champion for each of these areas:

* Clinical Leadership will be championed by Dr Mark Goldman to enable more clinicians to take a central role in leading the NHS.

* Board Development will be championed by Elisabeth Buggins so effective boards are able to make care more responsive to patients and communities.

* Top Leaders will be championed by Dr Barbara Hakin so the NHS is spoilt for choice in candidates for the toughest, most complex jobs.

* Inclusion will be championed by Prem Singh to ensure that the profile of NHS leaders increasingly reflects the communities that are served.

* Emerging Leaders will be championed by Julian Hartley who will focus on the spotting and the development of the next generation of leaders in the NHS.

The NLC will have 25 Core Members and 5 Patrons who will focus on bringing world-class leadership and leadership development to every level in the NHS. The Council will also be able to draw on the significant expertise of a Faculty of Fellows which is being created to support the Council. 14 Fellows have currently been appointed (See the full list in Notes to the Editor).

Regulators and NHS managers will be represented, including the Care Quality Commission Chief Executive, Cynthia Bower, Monitor Executive Chair, Bill Moyes, and NHS Confederation Chief Executive, Steve Barnett.

The Core Members will also be supported by five Patrons who are renowned national and international leadership experts:

- Daniel Goleman, Author of the international best seller 'Emotional Intelligence'
- Greg Dyke, Director General, BBC (2000 - 2004)
- Dr Gary Kaplan, Chairman and CEO, Virginia Mason Medical Centre, Seattle, Washington
- Sir Stuart Hampson, Former Chair, John Lewis Partnership
- Vice Admiral Sir Adrian Johns, Former Second Sea Lord & Commander-in-Chief, Naval Home Command

84. GP Extended Opening Hours – Updated
15 April 2009 – DoH
Page linking to the latest statistics on extended opening hours.
For full report click here

85. Government charges 'loan shark' interest rates on hospital loans
15 April 2009 – HSJ
The Liberal Democrats have accused the government of "ripping off hospitals" by charging interest rates of up to 5.6% on its loans.

A question in Parliament revealed hospitals have paid back more than £81m to the government, with one trust charged nearly £5m in interest.
For full report go to http://www.hsj.co.uk/5000524.article

86. Hospital's single rooms praised
13 April 2009 – BBC News
Health Secretary, Alan Johnson has been round Hillingdon Hospital which now has a ward containing 24 single rooms with en-suite bathrooms.

The rooms on the Bevan Ward are designed to make patients more relaxed, let them sleep longer and give them privacy.
For full report click here

87. To err is human - but not if you're a doctor
15 April 2009 – BBC News
Article by Dr George Fernie discussing how mistakes can be deadly if you are a doctor.
For full report click here

88. Unclean tools cancel operations
14 April 2009 – BBC News
Wythenshawe Hospital and Trafford General Hospital had to cancel operations after it was found that doctors did not have clean surgical instruments.

The hospitals said it was down to cleaning contractor Synergy Health failing to sterilise instruments in time for surgery.
For full report click here

Nursing

89. Support for Struck-off Nurse
18 April 2009 A Dignified Revolution
Messages of support for Margaret have been flooding in since the NMC announced its decision yesterday afternoon. We encourage fellow nurses and members of the public to show their support for Margaret in one
of the following ways:

- Sign the online petition here: http://www.gopetition.com/online/27030.html or through the link on the RCN website: www.rcn.org.uk
- Join the Facebook group "Margaret Haywood - show your support for whistleblowing nurse"

90. Beds shut due to nurse shortage
16 April 2009 – BBC News
The Princess Elizabeth Hospital will be closing ten hospital beds for up to six months because of a shortage of nurses.

The temporary reduction follows the departure of two senior staff at the hospital.

For full report click here

91. 16 April 2009 BBC Radio 4 PM
The spokesman for the RCN pointedly declined to provide an assurance that the RCN would support Margaret Heywood who had been struck off the Register of Nurses.

92. Guidance on the care of older people: update
April 2009 – This month at the NMC
The response to the launch of this new publication has been great, and orders have been placed for over 50,000 copies of our leaflet Care and respect every time (aimed at older people and their families), over 1000 copies of the Welsh version of the leaflet, and over 40,000 copies of the guidance (aimed at nurses caring for older people).

The next step will be to assess the Guidance and leaflet by asking people for their feedback about how they used it to improve the quality of care they deliver.

Find out more in the latest edition of NMC News

Older People

93. Stroke care 'failing the elderly'
16 April 2009 – BBC News
Age Concern and Help the Aged have said that due to ageism in the NHS, older people do not get the same level of stroke care as younger victims.

The findings were published in the Postgraduate Medical Journal and the study was led by a team at London’s Mayday Hospital.

The Department of Health responded that it was committed to equality in care.

For full report click here

94. London’s elderly ‘skipping meals’
15 April 2009 – BBC News
Research by Age Concern and Help the Aged shows that almost one in four older people in London skip meals to save money.

The survey showed that 49% of older people are struggling to afford essential items.

The survey also showed about two fifths (39%) of older people in London are cutting back on socialising, electricity (45%) and gas (40%).

For full report click here

95. Nutrition part 4: anorexia of ageing
April 2009 British Journal of Healthcare Assistants
Linda Nazarko, nurse consultant for older people, writes about the poor nutrition of older people admitted to hospitals undermining their health and increasing risk of infection, falls and pressure ulcers. Healthcare assistants are given strategies to enable older people to regain weight.

Parliament

Nothing to report

Social Care

96. Counsel and Care calls for financial intervention to help with care
16 April 2009 – NCF
Counsel and Care has called for the Budget on 22 April to provide direct financial intervention to ease the pressure on older people and their families trying to access vital care and support.

For full report click here

97. Health Professions Council launches awareness campaign
16 April 2009 – NCF
The Health Professions Council (HPC) has launched a campaign aimed at older people. The campaign promotes their work regulating key health professionals and is aimed at older people because of their frequent use of professions registered by the Council, particularly physiotherapists, dieticians, occupational therapists, chiropodists and podiatrists.

For full report click here
98. Direct payments: 'Law change needed to protect human rights'
MPs and peers call for amendment to Health Bill to protect patients who use direct payments in independent health sector
16 April 2009 – Community Care
MPs and peers are lobbying the government to legislate to ensure people who use direct payments to buy healthcare from independent providers are protected by the Human Rights Act 1998.
For full report click here

99. Registration and health
Campaigners call for scrapping of discriminatory 'health standards'
15 April 2009 – Community Care
Disability campaigners are calling on the Department of Health to scrap requirements for social workers to show they are in good health as a condition of registration. 18 months ago, an inquiry found this was discriminatory.
For full report click here

100. Commission criticises care scheme
15 April 2009 – BBC News
The Audit Commission has criticised a new council-run project assisting vulnerable people in Northumberland to live in their own homes.

Northumberland County Council gets £7m a year from the government to help the elderly, teenage parents and those fleeing domestic violence, but for the second year running the Audit Commission gave the Supporting People programme a zero rating.
For full report click here

Workforce

101. Accountability for HCAs and assistant practitioners
April 2009 British Journal of Healthcare Assistants
Chris Mulryan, Snr Lecturer in Health, University of Bolton writes about the accountability of Healthcare Assistants and assistant practitioners and reminds readers that HCAs and APs are accountable for their practice even where they are unregistered.
Hang Your Heads in Shame

As many of you know, Brunswicks runs an emergency contact number – we are available for help 24 hours a day, every day on 07855 855 588. I received a call this week from a care provider Jane (not her real name) at her ‘wits end’ using the emergency contact number.

Jane told me a disturbing tale.

Jane runs a care home in one of our shire counties where there still is a large well funded County Council. Jane runs a good home with high standards – so much so that the County Council now pays her more for the residents which it funds, based on the quality of the care which she and her staff team provide. Jane takes both private paying and local authority funded residents – and is ‘old school’ in the sense that she charges the same for the care, irrespective of who is paying the bills.

Jane has recently increased her weekly charges by around 8% and the County Council is happy to pay the revised fees. Her private paying residents also face the same increase.

One of her residents is Grace - again, not her real name.

Grace is elderly and frail both physically and mentally – but she still has mental capacity sufficient to be able to express herself and her wishes clearly. Grace has children, one of which with his/her spouse holds an enduring power of attorney to conduct af

fairs on Grace’s behalf.

Grace likes Jane’s care home and those who hold the power of attorney for her have indicated that Grace has more than enough resources to live out her days in peace at the care home. They too are impressed with the care that Grace receives.

On the pretext of the price rise these same relatives have indicated that they want to take her from the care home. They’ve apparently found a cheaper place for her to go. They’ve told Grace they are going to take her to an hotel.

Grace doesn’t want to go.

Grace was taken out to see the ‘hotel’ and was very distressed by the whole experience. These words seriously underplay the trauma she suffered.

Jane, as any responsible care provider would, tried to contact the Safeguarding team at the County Council. Trouble was, this blew up over the Easter bank holiday weekend and, try as she might, she couldn’t get them to respond. Jane persisted in the following days and still at best only feeble responses came from the Council staff indicating that they were taking things seriously.

This is a case of suspected financial and emotional abuse of a vulnerable adult and a case where the relatives it appears are seeking to act other than in the best interests of Grace – perhaps seeking to ‘maximise’ their subsequent inheritance.

This for Jane was an emergency – so on Thursday of last week she ‘phoned Brunswicks, as I was staffing the Crisis Intervention Line, she spoke with me. Jane didn’t want to make a formal complaint against the County Council for fear of that this would sour the relationship with them – however, what else could she do?

I searched around the County Council’s website for the relevant contact details and looked for the ‘pressure points’ where I could hopefully encourage the Council to act appropriately to safeguard the health and wellbeing of this vulnerable adult.

I have to say, for one of the country’s largest County Councils its website is appalling and the way in which it ‘hide’s its senior officers’ contact details is nothing short of scandalous. I also found it revealing that the Council did not advertise which of their Councillors held what portfolio. Anyone could be forgiven for thinking that they did not encourage contact with their community.

I decided to ‘phone the Council’s main switch board number. I noted that I finally spoke with a human being after 13 minutes. I was routed through, at my request, to the PA to the Director of Adult Social Care. There is almost never any point in asking to speak with a director as you are likely to be ‘blocked’. However, asking to speak to a director’s PA will almost certainly get you one door away from the director – very useful as PA’s are often well equipped to detect
warning signs.

I explained the situation to the PA and emphasised that I was giving the Council one chance to sort out this state of affairs before I advised my client to lodge a formal complaint. I also expressed my concerns and frustrations about the poor contact arrangements and the fact that the absence of proper and effective means of contact was likely to put lives at risk. As we know, a forced move of home frequently hastens the death of an older person.

It was as if a dam had broken. Suddenly, Jane was inundated with calls from the Safeguarding team. The word ‘solicitor’ was uttered ... and, guess what? An urgent safeguarding strategy meeting was convened. Jane very courteously ‘phoned me back to thank me for getting the County, finally, to act. “You were the only person I spoke to in five days that spoke sense”; she said.

Disappointingly, she spoke too soon.

On Saturday – Jane ‘phoned me again.

Grace’s relatives had turned up. They wanted to take Grace ‘for a walk’. They’ve never taken Grace for a walk whiles she has been in Jane’s care home. Jane suspected another ‘hotel visit’ was on the cards or even, perhaps, an attempt to move Grace directly to an alternative care home. That was how she originally arrived at Jane’s home years previously! Grace doesn’t want to go for a walk, or an ‘hotel visit’, and she certainly doesn’t want to move homes but, her relatives are insisting.

Jane did what was expected – she ‘phoned the police and also tried to speak with the County Council but this was a Saturday. She commented to me that there had had an excellent Safeguarding strategy meeting on Friday afternoon and that the Council was resolved to ensure that Grace’s wishes would be honoured and she would be able to remain at the home.

However, as it was Friday afternoon no formal minutes of the meeting had been drawn up so, in the absence of seeing those records, the police were reluctant to assist.

It is Jane who is on the ‘front line’ of trying to look after Grace when those who really should be doing it – Grace’s relatives and the County Council – seemingly are not. I give Jane advice about how to ‘encourage’ the police to attend and what trenchant language to use with the County Council’s emergency social worker team.

So ask yourself the following questions:
• How quickly should a Council move to safeguard a vulnerable adult where evidence of actual abuse is presented to it?
• If records of meetings are important (and I’m not saying they are not) should they not be generated forthwith after and during a meeting – even on a Friday night?
• If the protection of a court is needed – why not seek it forthwith – the courts are available 24/7 too!
• When is it more likely that relatives will seek to perpetrate acts to the detriment of their vulnerable relatives? Perhaps weekends, bank holidays and evenings – exactly the times that the full complement of council staff are not working nor, perhaps, as vigilant as they should be.
Why is it that our front line services fail those who are most vulnerable?

At the battle of Jutland Admiral Jellicoe uttered the time worn phrase – “There is something wrong with our bloody ships” after too many of them were sunk through seemingly innocuous hits. It turned out later that the decking of the British ships was not as well armoured as it should have been and that they had gone to sea over stocked with ammunition with the obvious consequences.

Well, to borrow his phrase – “There is something wrong with our bloody councils.” Suspected financial and emotional abuse of vulnerable adults is reported by Action on Elder Abuse to be at appalling levels. There are far too many tales like Grace’s repeated for a walk whiles she has been in Jane’s care home. With that as the backdrop, asking a Council to intervene to safeguard a vulnerable person should be a well worn path. The fact that councils seemingly can’t navigate such waters is nothing short of a disgrace. It shouldn’t take Brunswicks to intervene to get action. Society should not tolerate a situation where a Council and a police force are seemingly hamstrung over a weekend by the absence of minutes or other records of decisions taken.

If one works in a service industry as I do – you don’t go home at night until you have finished your work for that day. So, why in the public sector, having identified important issues does it seem to be acceptable practise for work to stop half done – especially with these sorts of consequences?

To discuss anything arising from this article or any of the matters touched upon contact Andrew W Dawson at andrew.dawson@brunswicks.eu or telephone him on 0870 766 8400
Warnings

Brunswicks' Healthcare Review contains news summaries from a variety of third party providers. It is not a comprehensive guide from all potential sources. Whilst we try to ensure that the content of Brunswicks' Healthcare Review are correct, we do not check third party sources and we cannot guarantee total accuracy. You must not treat anything in this publication as constituting legal advice.

We cannot guarantee all hypertext links will always be in working order.

This newsletter is intended for health and social care businesses based and carried on in England and/or Wales.

Brunswicks LLP accepts no liability whatsoever for any act done or not done in reliance upon anything read in this publication. Liability is excluded to the fullest extent permitted. Regulated by the Solicitors Regulation Authority.

Data Protection Act

Brunswicks LLP will process (gather, use, store etc.) your personal information in our email database in accordance with the Data Protection Act 1998. The information may be disclosed to other Brunswicks' associated businesses to, for example, update you on new products or provide updates and briefings which we think might be of relevance to you. The information will not be disclosed to any other organisation, unless we have an obligation to do so.

If you want your details removed from our database please click here and type “Remove”.

Subscription

If you no longer wish to receive this publication please click here and type “Stop”.

Brunswicks LLP is a limited liability partnership registered in England & Wales. Registered Office Suite 3, 56 Hamilton Square, Birkenhead CH41 5AS. Registered Number OC311095. Members: Andrew W Dawson; Keith M Lewin. Regulated by the Solicitors Regulation Authority.