

# Bulletin



[www.familycarers.org.uk](http://www.familycarers.org.uk)

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Welcome to this week's Bulletin from the National Family Carer Network. You are receiving this because you are members of our organisation. If you no longer wish to subscribe, please contact [info@familycarers.org.uk](mailto:info@familycarers.org.uk).

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**National Family Carer Network**  
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NFCN is an umbrella organisation that aims to promote the voice and rights of family carers supporting a person with a LD. Its membership comprises both organisations and individuals but we cannot be responsible at any time for the views expressed by our members unless explicitly promoted by us.

# National

## 1. Independent report on care of people with learning disabilities

NHS England asked Sir Stephen Bubb, Chief Executive of charity leaders body ACEVO, to make recommendations for developing a national commissioning framework, recognising that we need to do more to transform care for people with learning disabilities and/or autism.

The work will support NHS England's current activity on transforming services to deliver better care now – working alongside other national partners – and re-shaping services to improve health outcomes in the longer term.

The report – Transforming the Commissioning of Services for People with Learning Disabilities and/ or Autism - has been developed with input from healthcare specialists, the voluntary sector, local government and people with learning disabilities, their families and carers, and is [available here](#).

## 2. Getting it right for people with learning disabilities. Going into hospital because of mental health difficulties or challenging behaviours: what families need to know

This Housing and Support Alliance booklet is for parents, or anyone who cares about and is close to a person with learning disabilities. It will help to protect their interests if they are admitted to hospital because of mental health difficulties or because they present behaviours that are challenging.

Please [click for more information](#)

## 3. Netbuddies: Your guide to inclusive UK events

Live music, autism-friendly film screenings, accessible sports, relaxed theatre performances and much more...

Please [click for more information](#)

## 4. Care Act 2014: Advocacy

SCIE has published a new guide: Care Act 2014: Commissioning independent advocacy. The guide is based on good practice in commissioning and sets out principles that local authorities should follow, and also provides a checklist to help assess their current practice. SCIE welcomes comments and examples of commissioning practice to inform Version Two, which will be published in January 2015.

[Care Act: Commissioning independent advocacy](#)

## **5. Care Act 2014: Carers are often still unaware of their rights despite new duties for local authorities under the new Act**

Only a small proportion of carers receive any type of social care support and just 1% of the social care workforce is estimated to be working exclusively with carers, according to a study carried out by researchers within the Social Care Workforce Research Unit at King's College London. The study also found many carers were still unaware of their rights to an assessment. The findings have implications for the implementation of the Care Act 2014, which has created new rights for carers and aims to place them on an equal footing with those for whom they care.

Read the [full news story](#)

Read the [summary findings](#)

## **6. Care Act 2014: Information and Advice.**

[Following this link](#) will help you engage with local authorities as they take steps to develop information and advice strategies.

## **7. Care Act 2014: Council duty to make enquiries where they suspect a vulnerable adult is a risk of abuse or neglect**

Social workers have been provided with advice on legal powers they can use to overcome barriers to accessing adults who may be facing abuse or neglect.

A Social Care Institute for Excellence (SCIE) publication is designed to help councils carry out their Care Act 2014 duty to make enquiries where they reasonably suspect a vulnerable adult is at risk of abuse or neglect in cases where they cannot access the person to determine this.

[Gaining access to an adult suspected to be at risk of abuse and neglect: a guide for social workers and their managers in England](#)

## **8. Improving Access to Psychological Therapies (IAPT) for people with learning disabilities**

Kings College London & Foundation for People with Learning Disabilities have launched a report which describes how people with learning disabilities are currently accessing IAPT services. It is based on a large survey and interviews with IAPT and Community Teams for people with Learning Disabilities (CLDT) staff across England. The following links tell you more about the project along with links to the report and easy read summary:

[Improving Access to Psychological Therapies for people with learning disabilities](#)

[IAPT and Learning Disabilities Report](#)

[IAPT and Learning Disabilities Report \(Easy Read Summary\)](#)

## **9. Making reasonable adjustments to epilepsy services for people with learning disabilities**

IHaL has produced a report which brings together some of the reasonable adjustments that are being made to make epilepsy services more accessible to people with learning disabilities. It includes a summary of policy and guidance and research evidence as well as links to resources and examples from practice.

The report can be used for example, by people with learning disabilities, carers, commissioners, providers, public health, neurology services, etc. to improve services.

[Click here to read report](#)

## **10. 'Streamlined' system for court authorisations of deprivation of liberty**

The Court of Protection's 'streamlined' system for handling applications to authorise deprivations of liberty in care placements outside of care homes and hospitals came into force on November 17th. Updated practice directions outline the steps local authorities, and other applicants, should follow. The streamlined system, which allows for initial decisions on cases to be made on paper evidence alone without the need for an oral hearing, is designed to help the court cope with a "very significant increase" in cases triggered by the Cheshire West Supreme Court ruling in March.

[Click here to read more](#)

## **11. But a Judge has urged the Supreme Court to reconsider its view on deprivation of liberty laid down by the Cheshire West judgement**

Mr Justice Mostyn's decision in the Court of Protection, in [Rochdale MBC vs. KW](#), has sparked concerns that social workers and health professionals will face greater difficulty in applying the law on a deprivation of liberty.

This was supposed to have been settled by the Supreme Court's judgement in the two cases of [P v Cheshire West and Chester Council and P&Q v Surrey County Council](#) handed down in March. The "acid test" emerging from the Cheshire case specified that a deprivation of liberty would apply in a domestic setting as well as in health or social care placements where a person:

- is under continuous supervision and control; and
- is not free to leave the place they are in; and
- their confinement is the responsibility of the state

In the latest ruling Mr Justice Mostyn stated that someone without the physical or mental ability to leave a home arranged and paid for by the local authority (rather than a person's own family) could not exercise her "freedom to leave" and so could not meet the acid test. An appeal against this decision will be taken to the Supreme Court.

**12. The government has backed plans to introduce the first national standard outcome measure of service user satisfaction with safeguarding services from April 2016.**

Work is underway to scope the feasibility of introducing it into the adult social care outcomes framework (ASCOF) 2016-17. A draft version of the indicator, which measured the proportion of safeguarding referrals where people said they felt safer as a result of interventions and a survey to gather the information from service users, was tested by 40 local authorities as part of a pilot scheme run between May and June of this year. [The report on the pilot study findings](#) found that the survey questions related to the indicator worked well but further work was needed to develop a “worthwhile and usable ASCOF measure for safeguarding”.

The Health and Social Care Information Centre (HSCIC) recommends that safeguarding adults boards implement the survey within their council from next April and build the questions into the safeguarding process to capture information on whether services meet their safeguarding duties under the Care Act 2014, including whether the person felt empowered during the safeguarding investigation.

The Adult Social Care Operating Framework for 2015/16 is [available here](#) - Safeguarding starts on page 42.

**13. The Care Quality Commission (CQC) is to publish information on the use of cameras in care settings in the New Year**

CQC’s Board has approved the information to be included in the final documents but have asked that it be written for the public, in a more accessible way. Care and Support Minister Norman Lamb, said: “Cameras have helped to expose terrible cruelty and neglectful care and I welcome this new information. Decisions about using surveillance are extremely difficult – there is always a balance to be struck between protecting people and respecting their right to privacy – but this information will help families to make the right choice for them. We are committed to preventing poor care from happening in the first place and have introduced tougher standards for inspecting care services as well as measures to shut down those that aren’t up to scratch.”

You can read more about the board meeting [here](#).

#### 14. MPs to investigate ESA and JSA sanctions regime

The House of Commons Work and Pensions Committee are to conduct an inquiry into benefit sanctions policy. The committee is particularly interested in employment and support allowance (ESA) sanctions and why they have increased so steeply in recent months. Members of the public can provide evidence to the committee about their own experiences of sanctions. Submissions of no more than 3,000 words are invited from interested organisations and individuals.

The Committee is particularly interested in whether particular groups of ESA and JSA claimants (by impairment type; age; gender etc.) are proportionately more likely to be sanctioned than others.

The deadline for submitting evidence is Friday 12 December.

For more information and details of how to make a submission, [visit the parliament website](#).



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