

## HAMPSHIRE COUNTY COUNCIL

### Report

<b>Committee:</b>	Health and Adult Social Care Select Committee
<b>Date:</b>	20 September 2016
<b>Title:</b>	Cover Report - Update on progress following the Mazars & CQC reports
<b>Reference:</b>	7782
<b>Report From:</b>	Director of Policy & Governance

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#### 1. Purpose of Report

- 1.1 This report reminds Members of the background to the publication of the Mazars report which reviewed 'deaths of people with a learning disability or mental health problem in contact with Southern Health NHS Foundation Trust April 2011 to March 2015', as well as the Care Quality Commission's (CQC's) inspection of the Trust following the review.
- 1.2 The Committee are requested to consider the appended documents updating Members on progress made against the recommendations and actions from these reviews, and to discuss the key issues.

#### 2. Mazars Report

- 2.1 NHS England commissioned Mazars (an independent auditing firm) to conduct an investigation of the deaths of all patients of Southern Health who had been in receipt of mental health or learning disability services since 2011 following the avoidable death of Connor Sparrowhawk, a patient of the Trust, in Oxfordshire.
- 2.2. The purpose of the Mazars report was to identify any common themes and trends in terms of unexpected deaths, any lessons to be learned for providers, commissioners, and/or regulators, and any common contributory factors. The team reviewed deaths that occurred in the period between April 2011 and March 2015 for people who had been in receipt of the Trust's mental health and/or learning disabilities services, either at the time of their death or within the twelve months preceding their death. The report did not

consider the quality of care provided by the Trust to the people the Trust serves.

- 2.3. The Mazars report was published on NHS England's website in December 2015 and highlighted a number of actions for the Trust, commissioners and regulators.
- 2.4. The final report by Mazars was scrutinised at an additional meeting of the Health and Adult Social Care Select Committee (HASC) in February 2016. The meeting papers considered, as well as the Mazars report and its recommendations, can be found from the below link:  
[http://www3.hants.gov.uk/councilmeetings/meetingsummary.htm?sta=0&currentpage=1&tab=1&date\\_ID=2012](http://www3.hants.gov.uk/councilmeetings/meetingsummary.htm?sta=0&currentpage=1&tab=1&date_ID=2012)
- 2.5 The HASC resolved the following in relation to the Mazars review in February 2016:
  - To add the topic to its work programme, and request a monitoring update on the progress made with actions taken to implement the report's recommendations in six months' time. (*to be considered*)
  - To request a Hampshire-specific breakdown of the data referred to in the Mazars report. (*received March 2016*)
  - To receive the Care Quality Commission report on the follow-up inspection of Southern Health NHS Foundation Trust, once available. (*received June 2016*)
  - To accept the offer from Southern Health NHS Foundation Trust to visit mental health and learning disability services, observe internal meetings and forums relating to the implementation of the report's findings, and volunteer as peer reviewers. That any Member who wishes to take up these offers does so through the Committee's scrutiny officer. (*ongoing*)

### **3. Care Quality Commission**

- 3.1 The CQC undertook a re-inspection of Southern Health in January 2016 following the outcomes of the Mazars review. This re-inspection reviewed areas previously considered by the CQC, as well as focusing on improvements within mental health and learning disability services, in particular acute mental health inpatient wards, learning units for people with learning disabilities, crisis/community mental health teams and child and adolescent inpatient and secure services.

3.2 Following the inspection, the CQC announced in April 2016 that it had issued Southern Health with a warning notice, part of which highlighted improvements to be made to governance arrangements.

3.3 The HASC reviewed the outcomes of the CQC's recommendations at its meeting in June 2016. The report and minutes from this meeting can be found from the link below:

[http://www3.hants.gov.uk/councilmeetings/meetingssummary.htm?sta=0&currentpage=1&tab=1&date\\_ID=1922](http://www3.hants.gov.uk/councilmeetings/meetingssummary.htm?sta=0&currentpage=1&tab=1&date_ID=1922)

3.3 The HASC resolved the following in relation to the Mazars review in February 2016:

- To note the outcomes of the Care Quality Commission's report monitoring action taken in relation to Southern Health NHS Foundation Trust's original inspection, and the outcomes of the Mazars review.
- To receive the outcomes of the Interim Chair's review of Board Capability, when available. (*received August 2016*)
- To further consider progress made at the September 2016 meeting of the Committee.

#### **4. Update**

4.1. Southern Health and West Hampshire Clinical Commissioning Group have provided a joint update on progress made following the Mazars and CQC reviews, which is attached to this report. Also appended are three action plans detailing the progress made against the required areas.

#### **5. Recommendations**

##### **5.1 That the Committee:**

- a. considers the progress made to date.**
- b. requests any further information identified during the course of discussions.**
- c. requests a further update in six months' time.**

**CORPORATE OR LEGAL INFORMATION:**

Links to the Corporate Strategy

<b>Hampshire safer and more secure for all:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Maximising well-being:</b>	yes
Corporate Improvement plan link number (if appropriate):	
<b>Enhancing our quality of place:</b>	yes
Corporate Improvement plan link number (if appropriate):	

**Section 100 D - Local Government Act 1972 - background documents**

**The following documents discuss facts or matters on which this report, or an important part of it, is based and have been relied upon to a material extent in the preparation of this report. (NB: the list excludes published works and any documents which disclose exempt or confidential information as defined in the Act.)**

DocumentLocation

None

## **IMPACT ASSESSMENTS:**

### **1. Equality Duty**

1.1 The County Council has a duty under Section 149 of the Equality Act 2010 ('the Act') to have due regard in the exercise of its functions to the need to:

- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act;
- Advance equality of opportunity between persons who share a relevant protected characteristic (age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, gender and sexual orientation) and those who do not share it;
- Foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

**Due regard in this context involves having due regard in particular to:**

- a) The need to remove or minimise disadvantages suffered by persons sharing a relevant characteristic connected to that characteristic;
- b) Take steps to meet the needs of persons sharing a relevant protected characteristic different from the needs of persons who do not share it;
- c) Encourage persons sharing a relevant protected characteristic to participate in public life or in any other activity which participation by such persons is disproportionately low.

1.2 **Equalities Impact Assessment:** This is a covering report for items from the NHS that require the attention of the HASC. It does not therefore make any proposals which will impact on groups with protected characteristics.

### **2 Impact on Crime and Disorder:**

2.1 This paper does not request decisions that impact on crime and disorder

### **3 Climate Change:**

3.1 How does what is being proposed impact on our carbon footprint / energy consumption?

3.2 How does what is being proposed consider the need to adapt to climate change, and be resilient to its longer term impacts?

No impacts have been identified.