

Brunswicks' Healthcare Review

Volume 4 Issue 41
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refreshingly modern, reassuringly traditional

This week's article—Working together to prevent and control infections

As promised last week, we reproduce not the whole of the CQC report on this important issue which is 44 pages, but rather the executive summary, key findings and recommendations which is directed at the arrangements which exist between care homes and hospitals.

To read the material, [click here](#)

Parliament

Parliament is in recess until 12.10.09.

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Editorial

We were concerned at Brunswicks to learn that Michael Monks, widely known in the social care sector for his energy, and as one-time owner/editor of Caring Business, is gravely ill following an accident at home.

We send our good wishes to Michael, Rita and their family.

My weeks are mostly spent, when not writing or editing this publication, dealing with problems and concerns affecting clients. This can create an unbalanced view of the sector.

On Monday this week I spent an exhausting but thoroughly enjoyable and uplifting day listening to good news stories and the many positive things going on in care homes up and down the country operated by one of the four largest of our national residential care providers.

All took a great interest in service users for a variety of reasons; one, a chef, produced a range of buffets in the care home in which he works – he is renowned for them; some 'freaky' in nature, by design, to mark Halloween. He bakes for the service users and their visitors every day.

Others, through their concern to make a difference in the lives of those they care for had 'stumbled' into undertaking a range of original research. These people are champions of those they care for and of the care sector generally.

Oh how I wished a Daily Mail journalist had been with the judging panel to hear the stories of these people who make a real, positive difference every day!



Abuse/Dignity

1. Bristol child abusers let off with caution

28 September 2009 - thisbristol.co.uk

Almost 25% of people subject to police action over child abuse in Avon and Somerset are dealt with by a caution, figures have revealed.

Out of 326 cases involving sexual and physical abuse against children in the year to April, 249 people were charged and 77 people were cautioned.

A caution means the offender does not go to court, but if they re-offend it would likely result in court action. Police can also issue a conditional caution that could require the offender to take part in a rehabilitation course.

Lib Dem spokesman Chris Huhne said the figures were "staggering".

2. Vatican envoy to UN defends church's response to sex abuse

30 September 2009 - Catholic News Service

The Vatican has defended its response to the problem of sexual abuse of children by priests, saying that the church had been "cleaning its own house" and that other religions and institutions were similarly tainted.

The Vatican delegation to the U.N. Human Rights Council said in an oral statement on 22.09.09 in Geneva that church authorities fully understand the gravity of the issue of child sex abuse by clergy and have taken measures to eliminate the problem.

Keith Porteous Wood, IHEU representative, accused the church of covering up allegations of the sexual

abuse of children, seeking to reduce criminal sanctions and monetary compensation to victims, and avoiding full assumption of responsibility.

Jesuit Father Federico Lombardi, director of the Vatican press office, said that, as the Vatican's envoy, Archbishop Tomasi exercised his right to reply to "a very hard and unjust attack."

According to the Vatican statement, "we now know that in the last 50 years somewhere between 1.5% and 5% of the Catholic clergy has been involved in sexual abuse cases."

3. Child abuse case payments agreed

01 October 2009 - news.bbc.co.uk

For full report see *Cases in the News—item 42*

4. Adult abuse reports increase by 20 per cent

02 October 2009 - Yorkshire Post

The annual report of the Calderdale Safeguarding Adults Board records an increase from 273 in 2007/08 to 338 in 2008/09 – a rise of nearly 20%. However, about 100 incidents were not proven.

Councillor Bob Metcalfe, chairman of Calderdale Council's adult health and social care scrutiny panel said:

"There is now an increased awareness among the public and professionals about safeguarding adults.

"If people are concerned or suspect that relatives or friends are being abused, either in care settings or in their own homes, then they must not hesitate to report it.

"People have a basic human right to live free from abuse and neglect and we all need to be vigilant in

ensuring that vulnerable people are safe."

5. The rules covering nursery staff

02 October 2009 - BBC News

Following conviction of Plymouth nursery worker Vanessa George and two other people she met online for acts of sexual abuse recorded on mobile phones there have been calls to further tighten regulation with one of the parents, Cheryl Higgs, is campaigning for tighter controls on staff's camera phones.

6. British Pedophile Ring Pleads Guilty

02 October 2009 - AOL News

Agony as paedophile remains silent

02 October 2009 - Press Association

Agony for hundreds of families at abuse nursery

02 October 2009 - Daily Mail

Facebook strangers bound by depravity

02 October 2009 - Daily Mail

Vanessa George, 39, who worked at Little Ted's nursery in her home city of Plymouth, admitted a string of chilling sexual assault offences involving children as young as 12 months and is causing dozens of parents anguish as she has refused to identify her victims.

Bristol Crown Court heard George swapped pictures of the abuse with Colin Blanchard and Angela Allen, who are also 39. However, none of them had met until they stood together in the dock.

Mr Justice Royce who heard the case urged her to co-operate in identifying her victims before she is sentenced next month, he said: "Would it not be decent for her to indicate who she has abused? It is a factor that I have got to take into account."

The trio who met on Facebook exchanged thousands

of texts and dozens of emails, goading each other to commit more depraved acts. They swapped pictures via email using unprotected accounts, including MSN Hotmail, but never met in person.

It emerged that a fourth suspect, a 35 yr old woman in Liverpool, was arrested during the investigation and charged with the indecent assault of a child under the age of 13 and making and distributing indecent images. However, the case against her was dropped "*due to insufficient evidence*".

7. The rules covering nursery staff

02 October 2009 – BBC News

The rules governing places that care for young children have now come under scrutiny again after the court case involving a nursery worker who abused children.

Plymouth nursery worker Vanessa George and two other people she met online have admitted charges of abuse after it was recorded on mobile phones.

[For full report click here](#)

8. Baby P council's foreign recruits

03 October 2009 – BBC News

Haringey Council in north London has recruited 22 social workers from abroad to fill vacancy gaps. Staff have been recruited from the United States and Canada due to a national shortage into the number of recruits into the profession.

[For full report click here](#)

9. Nursery paedophile to get new identity

03 October 2009 - Daily Mail

Item about the anticipated treatment of convicted abuser Vanessa George after serving her prison sentence.

10. The hidden menace of female depravity

03 October 2009 - Daily Mail

Mark Williams-Thomas, a retired detective, provides his commentary on the way in which technology, while not causing abuse, is able to facilitate and ease some of the challenges which potential abusers might face without it.

11. Joan Smith: We stereotype sexual predators, and we get it wrong

04 October 2009

Vanessa, Colin and Angela: they sound like inoffensive neighbours whom you might invite round for a drink. In fact, they're three of the worst paedophiles ever convicted in this country.

Sickening details of their assaults on babies and toddlers emerged at Bristol Crown Court last week, when Vanessa George, Colin Blanchard and Angela Allen admitted 38 charges of child abuse. They appear to have made contact through the internet, and engaged in a competitive form of exhibitionism which involved exchanging sadistic fantasies and pictures of children and babies being abused.

Such cases inspire revulsion and agonised soul-searching about what kind of society we have become. As in the case of the murder of the toddler James Bulger, aspects of human nature are revealed that seem scarcely credible, reinforcing anxieties about a "broken" society which is, on occasion, incapable of protecting its most vulnerable members.

When one of the perpetrators turns out to be a 39-year-old woman, the mother of two daughters who passed a criminal records bureau check to get her job at Little Ted's nursery

12. Bungled Jersey child abuse probe branded '£20 million shambles'

04 October 2009 - The Mail on Sunday

Operation Rectangle the inquiry into the allegations of abuse at Haut de la Garrenne headed by Lenny Harper has been branded as a 'shambles' by his successor Mick Gradwell.

Business News

13. ADL plc Preliminary announcement of results for the year ended 31 March 2009

29 September 2009

Operational and financial highlights

- Turnover decreased 10.1% to £5,430,255 from £6,043,335
- Gross profit reduced by 27.8% to £1,646,502 from £2,278,913
- Core operational profit before exceptional and property items reduced by 68.5% to £289,594 from £918,533
- Total operating loss of £189,472 compared to £117,444 profit in 2008
- Loss after interest and tax £743,569 compared to £462,898 in 2008
- Group properties valued at £14.29m compared to £16.18m in 2008

CHAIRMAN'S STATEMENT

As reported at the time of our Interims, the past 12 months have been dominated by the Court case in respect of the allegations against management on Newsham House, Gloucester (the case was stayed by the judge in late November) and the closure of The Knoll in July 2008.

Although the Newsham House judgement bought to

an end a period of blight for the Company its cost in fees and management resources was considerable and this is fully reflected in the accounts to the 31st March 2009.

Furthermore, The Knoll is still empty and as a consequence producing no income as the Regulatory Authority has still not heard the Company's appeal against the closure order. The resultant loss of income from both homes and exceptional costs of the Court case have meant that the Company's gross revenue for the 12 months to the 31st March 2009 was down at £5,430,000 (£613,000 less than 2008) and the loss after interest and tax was £743,000 (£280,000 more than 2008).

Inevitably the significant loss made by the Company has had a seriously depleting effect on the Company's cash and although the Company has stayed within the financial requirements of its banking covenants there is little room for manoeuvre going forward.

However I am pleased to say that the Company's other homes are all operating well and profitably. In addition the majority have had their CQC ratings improved during the last 12 months; the current situation as at the 1st August 2009 is that 5 homes are rated as good and 4 as adequate. The Company's firm intent is to ensure that all its homes are rated as good within the next 12 months.

As I said in my Interim report the Company has been concentrating on stabilising the business since the outcome of the Court case, improving relationships with the Regulator and settling the future of The Knoll. I'm pleased to report that we are making good progress in respect of each of these objectives.

Since the year end there have been two more positive moves, namely the Company has agreed and executed a lease on Newsham House to a 3rd party operator and the intention is to sell the resultant investment when market conditions improve.

The annual valuation of the Company's properties has been completed and shows that there has been a significant downwards valuation as a result of the problems experienced at Newsham House and The Knoll as well as a general deterioration in market sentiment to commercial property investments. However notwithstanding this reduction in value the Company is still operating within the loan to property value requirements of its banking covenants, albeit with less head room than previously.

Although there is a continuing and indeed an increasing demand for the care of the elderly the cases with which the Company is having to deal are becoming more complex and demanding whilst at the same time the squeeze on public expenditure is leading to resource constraint. As a consequence the future will be a challenging one with the need to carefully balance a quality service with the resources that the public sector have available to pay for the care. This will require the providers, the Regulator and Local Authorities to work closely together to ensure that the best care is achieved within the resource envelope available.

The Company will continue to actively manage its homes in this more difficult climate and make every effort to settle the future of The Knoll whilst continuing to look for suitable opportunities to grow the business.

We are very pleased to welcome Michael Chartres to the board as an additional non-executive director.

Michael, who was until 2007 a partner of Littlejohn, our auditors, brings with him a wealth of knowledge and experience of the Company and the sector in which it operates.

As explained in some detail in the Managing Directors Report the Directors are recommending, with significant Shareholder support, that the Company de-lists from the Alternative Investment Market as soon as possible. I strongly endorse this move and the Company has appointed its nominated adviser WH Ireland Limited, to advise on appropriate ways the Company may consider to enable the minority shareholders to realise their investments.

It has been another difficult and uncertain year for the Company and I would like to thank all our staff for the way in which they have handled the situation and for their hard work and loyalty.

Sir William Wells
Chairman
24th September 2009

MANAGING DIRECTOR'S REPORT

As outlined by the Chairman in his statement the performance of our company has been dramatically affected by the legal action taken by Gloucestershire Constabulary in September 2007 following the joint inspection by CSCI and police in July 2005 on Newsham House, Gloucester. The Company and its two Executive Directors were charged with wilful neglect. As previously reported this case was stayed by his Honour Judge Ticehurst in November 2008 at Bristol Crown Court.

During the period September 2007 - November 2008, the Executive Directors were placed on the provisional Protection of Vulnerable Adults List following

an application by CSCI officers, and their access to the homes was restricted to particular tasks.

The Acting Manager at Newsham House, who had been retained in a medical/administrative capacity in order to maintain continuity, was ejected from the home by CSCI officers. This undermined the confidence of residents and their relatives. Morale and standards at the home fell as it was effectively unmanaged, culminating in the Regulator applying to the Care Standards Tribunal to de-register the home. As previously reported, Lifeline Homes Limited ('Lifeline') managed the home on our behalf until Lifeline obtained registration. Immediately thereafter we contracted into a 30 year lease of the premises to Lifeline. We are currently in advanced negotiations to sell Lifeline the freehold interest, albeit at a reduced price to the previous valuation. This year's valuation includes this reduction in value.

I have made a formal complaint on behalf of the Company and Directors to Gloucestershire Constabulary in relation to the legality of the joint inspection and certain matters relating to evidence subsequently provided for the court case.

During the period when access to our homes was restricted, as previously reported, Bradford City Council, with the support of CSCI, removed all the residents from The Knoll and CQC (the successor to CSCI) has served notice of de-registration. Again this has had a major impact on this year's property revaluation, earnings and cash flow of the Company. This action is very strongly contested but in the meantime your Board intends to sell this asset.

The combined effect of lack of trading from these homes reduced our earnings; and had a considerable effect on our cash flow and potential profitabil-

ity.

In order to protect the Company, this has caused the Directors to have to seek a significant reduction in the central overheads.

In view of the low interest rate environment, central overheads have in any event been significantly reduced, but any prudent borrower must expect interest rates to rise and for that reason further cost cutting measures are required.

Your Board considers that, with reduction in the Company's scope of activities, the listing on the AIM market is both costly and unnecessary because, as the experience of the last two years has demonstrated, there is little liquidity in the market for the shares.

For these reasons the Directors consider that it is in the best interests of the shareholders to de-list from AIM and as a consequence the relevant resolution is included in the enclosed agenda for the AGM. The Directors will work closely with the Company's nominated adviser, WH Ireland Limited, to consider ways in which the minority shareholders may realise the value of their shares and will prepare a circular at which shareholders' approval to this proposed course of action will be sought and advising them of the likely financial and other implications. At the time of writing the company secretary holds irrevocable undertakings in favour of the resolution to de-list in respect of 83.66% of the total stake holdings and thus the de-listing.

Jeremy Davies
Managing Director
24th September 2009

Ed. The full statement has not been reproduced here, simply edited highlights.

14. Public Service Properties Investments Limited

29 September 2009

Half Year Results for the six month period to 30 June 2009

PSPI the specialist European real estate investment and financing company, primarily invested in care homes, announced final results for the six month period to 30 June 2009.

Financial

- § Group operating profit increased to £9.2 million for the period (30 June 2008: £7.3 million)
- § Group revenue increased by 23.3% to £9.4 million (30 June 2008: £7.6 million)
- § Interim dividend of 2p per share (30 June 2008: 2p) fully covered by cash earnings. The dividend will be paid on 13 November 2009 to shareholders on the register on 9 October 2009.
- § Net asset value per share at 153.1p (31 December 2008 – 155.1p) and adjusted net asset value per share at 193.7p (30 June 2008 – 196.9p) after distributing 4p per share in May 2009.
- § Conservative leverage strategy maintained – 54 % loan to value at 30 June 2009 (31 December 2008 – 56%) and compliant with all banking covenants.
- § Group short term and long term borrowings reduced to approximately £6.8 million and £139.7 million, respectively (31 December 2009: 15.9 million and £141.4 million)

Operational

- § Capital expenditure progressing well with £6 million funded from working capital since May 2008:

- Rental income set to increase by up to 8.0% on the gross capital expenditure
- Expansion and refurbishment of the first two properties in north Yorkshire completed in May 2009.
- Demolition of existing 23 bedded care home in NE England and the construction of a new 40 bedded care home, scheduled for completion towards the end of 2009
- Funding of approximately £0.3 million at a care home in Liverpool

Commenting on the results, Chairman Patrick Hall, said, *"The Group continues to benefit from long term leases with financially sound tenants, indexed rents, conservative Loan to Value of 54% and geographical diversification, which all support a confident outlook.*

"We are continuously reviewing the earnings and valuation outlook of our assets to determine how to best utilise the Company's capital in prevailing market conditions. The Group is well placed to continue its strategy of enhancing the value of the UK portfolio through prudent capital expenditure programmes, and seeking increased geographic diversification through the expansion into Germany"

Ed. This is not the entirety of the announcement, editorial highlights only.

15. RBS comes to rescue of Four Seasons Healthcare

30 September 2009 - The Times

Taxpayers are about to become owners of the country's largest nursing home chain, Four Seasons Healthcare, after an agreement between the heavily indebted company and its main lender Royal Bank of Scotland (RBS), which is 70% owned by the UK Government.

The bank is expected to hold on to its investment in Four Seasons until the market improves.

Dr Peter Calveley, Four Seasons CEO, said: *"Agreement on the consensual restructuring will give the group a more robust capital structure and represents a major step forward."*

This is not the end of debt talks as Four Seasons must refinance another tranche of its debt by Sept 2010.

16. Care UK PLC **30 September 2009**

The Directors of Care UK (the 'Board') note the recent press speculation and price movement in the Company's shares and confirm that the Board has recently received an unsolicited approach from Bridgepoint Capital Limited regarding a possible offer for the Company. The approach was very preliminary in nature and, having discussed it with its advisers Investec, the Board rejected it.

17. Bridgepoint Capital Ltd **30 September 2009**

Bridgepoint Capital Limited ('Bridgepoint') notes the recent press speculation in relation to its interest in Care UK plc ('Care UK' or the 'Company'), and confirms that it has had preliminary discussions with the Board of the Company.

There is no certainty that any offer for the Company will be made.

18. Civica buys in4tek **01 October 2009 - eHealthInsider**

Community and social care record software specialist in4tek, based in Altrincham, has been bought by Civica Group Ltd.

Simon Downing, chief executive of Civica, said in a statement: *"In4tek's customer base, skills and product set extend our capability within an increasingly active health market at a critical time both in the UK and internationally."*

19. Board Change **Southern Cross Healthcare Group PLC** **05 October 2009**

Having worked in the nursing and residential care sector since the early 1990's and after six years service with the Company, Kamma Foulkes, Group Operations Director has decided to step down from the Company with effect from 31 December 2009. At that time she will also resign from the board. Ray Miles, Chairman commented: *"Kamma has made a significant contribution to Southern Cross, particularly over the last 18 months, and we wish her well in the future"*.

The Company took the opportunity the announce the non-board appointment of Mark Cash as Regional Director of its southern operations. Mr Cash was previously Operations Director of Sunrise Senior Living having formerly spent 20 years with Esso UK, primarily in their retail business. While making this appointment the Company also announces that, with immediate effect, its Regional Directors will report to the Chief Executive, Jamie Buchan.

Care Homes

20. Son's pledge in care home fight

28 September 2009 – BBC News

Decision delayed in care home row

29 September 2009 – BBC News

Derek Watts, whose 106-year-old mother is living at Underhill House, a care home in Wolverhampton, is set to “fight to the bitter end” to prevent its closure.

He said that experts advised Wolverhampton City Council the health of his mother Louisa would suffer if she was moved from Underhill House.

[For full report click here](#)

[For 2nd report click here](#)

21. Banks opens specialist care home

29 September 2009 – BBC News

Football star Gordon Banks has officially opened a care home for older people.

Amberley House in Bentlee, Stoke-on-Trent, provides specialist and dementia nursing care and includes special signage to help with orientation.

[For full report click here](#)

22. JRHT works with national initiative to improve life in care homes

29 September 2009

The Joseph Rowntree Foundation has launched a national initiative, which is designed to promote best practice and improve quality of life for people living and working in care homes.

Eight pillars of best practice identified are as follows:

- Make sure people enjoy a smooth transition from their former residence to their care home and easing pressures on family members.

- Maintain a sense of identity within the home through person-centred care.
- Create a sense of community within the home and developing relationships with the surrounding community.
- Ensure residents are involved in decision-making around the home.
- Ensure residents have the same access to health care that they did in their own home.
- Support residents and relatives at times of loss and bereavement.
- Have a workforce which is well trained and has access to opportunities for development.
- Promote a positive care culture where relationships are valued.

[For full report click here](#)

23. Potentially fatal prescription errors 'hit half of care home residents'

30 September 2009 - MailOnline

More than half of care home residents have been the victim of prescription blunders, an official study suggests.

Slip-ups ranging in severity from clerical errors to life-threatening mistakes affected more than 50% of the pensioners surveyed for the Department of Health. Some of the mistakes were made by the care or nursing home staff, some by pharmacists and others by GPs.

Daniel Blake, of Action Against Elder Abuse, said: *'When you look at the size of the sector, the numbers of patients involved, this is an extremely big problem and I think the report has only touched the tip of the iceberg.'*

Researchers visited 55 residential and nursing homes for the elderly over a period of two-and-a-half years and surveyed 256 residents. Both council and privately-run homes were included. The average resident was taking between seven and eight medicines.

In some cases GPs prescribed the wrong drug. In others, they failed to consider how a newly-prescribed medicine might interfere with one the patient was already taking.

Victims of drug errors include Aldwyn Jones, a 90-year-old D-Day veteran who was given a massive morphine overdose after the faxing of his prescription led to a vital decimal point being missed.

The coroner found that the overdose contributed to his death in 2006.

The report on Channel 4 News broadcast at 7pm 30.09.09.

Read more: <http://www.dailymail.co.uk/health/article-1217038/Potentially-fatal-prescription-errors-hit-half-care-home-residents.html#ixzz0Swjmi1Ph>

24. DH report confirms GP neglect

01 October 2009 - ECCA

The English Community Care Association has condemned the behaviour of GPs following the Department of Health report which identified high levels of prescribing errors to care home residents.

Martin Green, Chief Executive of ECCA, said:

'ECCA recently produced two reports that highlighted both neglect and exploitation by GPs in their dealings with care home residents. The DH report has exposed yet another area of GPs' malpractice and poor service to some of the most vulnerable people in our communities.'

"The evidence is clear. There is a problem with the way in which many GPs engage with care homes. It is time the Department of Health, strategic health authorities and PCTs delivered an end to this scandalous abuse of older people".

25. Tories: we won't force elderly to sell homes

02 October 2009 - Daily Mail

For full report see Older People—item 158

26. Tories unveil care home guarantee

03 October 2009 – BBC News

The Conservative party has unveiled a "home protection scheme" to prevent older people having to sell their properties to fund long-term care.

Currently in England, residential care costs must be met by the individual if they have assets of more than £23,000.

[For full report click here](#)

27. Osborne's £8,000 plan to cover care in old age

04 October 2009 - Mail on Sunday

Summary of the announcement by the Conservative Party as to how it proposes funding long term care of older people – everyone aged 65 yrs will pay an insurance premium, at aged 65, of £8,000 and who ever needs residential care will be fully funded.

28. Are quality ratings unlawful?

September 2009 - Healthcare Business

Item about the fetter which CQC has applied to itself in assessing the quality of care homes which fails to pay proper heed to its public body obligations.

29. Carebase awards staff at seven care homes

September 2009 - Healthcare Business

Alnur Dhanani, Chairman of Carebase, presented seven awards to staff across the range of Carebase homes who had been nominated by residents, family members, co-workers suppliers and social workers.

30. Challenging continuing healthcare funding decisions

October 2009 - Care Management Matters

After the High Court ruled before the Summer Vacation that the NHS had been wrong to deny the full funding of people with Alzheimer's Disease and ordered payments of some £450,000 to families cheated out of resources, CMM looks at the issue and how one might challenge a decision to refuse such funding.

31. NHS Continuing Care costs could escalate

August/September 2009 - Community Care Market News

A detailed look at the claims and basis of awards following the complaints against a number of PCTs in their approach to continuing care.

32. Care home technology

October 2009 - Care Management Matters

Article over four pages or so summarising the assistive technology available.

Case Reports

Law Reports

33. Pereda v Madrid Movilidad SA: C-277/08,

Employees who fall ill during their annual leave are entitled to reclaim their holidays to make up for the days they've missed, the European Court of Justice ruled.

The court's judgment stated: "It is...common ground that the purpose of the entitlement to paid annual leave is to enable the worker to rest and to enjoy a period of relaxation and leisure. The purpose of the entitlement to sick leave is different. It is given to the worker so that he can recover from being ill."

The judgment concluded: "[T]he answer to the question referred is that Article 7(1) of Directive 2003/88 must be interpreted as precluding national provisions or collective agreements which provide that a worker who is on sick leave during a period of annual leave scheduled in the annual leave planning schedule of the undertaking which employs him does not have the right, after his recovery, to take his annual leave at a time other than that originally scheduled, if necessary outside the corresponding reference period."

Disciplinary cases

34. Jailed social worker struck off after admitting £25,000 fraud

29 September 2009 – Community Care

A social worker has been struck off after she defrauded a local authority of £25,000 in care payments for her disabled husband over two and a half years.

An independent conduct committee of the General Social Care Council removed Julie Andrews after she ad-

mitted supplying false financial information to Essex Council in her capacity as her husband's carer.

[For full report click here](#)

35. Paramedic struck off for misconduct

29 October 2009 - HPC

Paramedic Patrick Rodgers has been struck off the HPC Register for failing to respond to an emergency call when instructed to do so.

Rodgers gave documented statements to the effect that the vehicle would not start, that the mobile data terminal (MDT) in the vehicle was malfunctioning, and that the vehicle was "amber to the scene", meaning he was en route to the scene of the emergency.

The Panel determined at the hearing that the registrant gave misleading and dishonest information both at the time of the incident and during the subsequent investigation.

Rodgers was neither present nor represented at the hearing.

36. Paramedic struck off for severe misconduct

29 September 2009 – HPC

Abusive paramedic failed patient

29 September 2009 – BBC News

Paramedic Jason Sefton has been struck off the HPC Register for failing to undertake any physical examination of a patient whilst employed by the North West Ambulance Service NHS Trust.

A panel of the HPC Conduct and Competence Committee heard how Jason Sefton failed to treat a patient who had collapsed on a bus in Liverpool and had sent a text recorded in the ambulance log reading "patient pink, warm, perfused and refusing. Jason

Sefton wrongly advised the driver to "contact the police if he wanted the patient removed from his vehicle."

The Panel also heard that the Registrant behaved in an aggressive, sneering, ranting and insulting manner whilst repeatedly swearing at colleagues and members of the public.

Before this incident Jason Sefton had practiced as a paramedic for a number of years and there was no evidence of any previous disciplinary or regulatory problems. Jason Sefton resigned from his employment and has expressed remorse for what occurred.

Sefton was neither present nor represented.

[For BBC report click here](#)

37. Operating department practitioner struck off for drug misuse

01 October 2009 - Health Professions Council

Operating department practitioner Martin Henry has been struck off the HPC Register for stealing unauthorised drugs for personal use whilst employed at the Royal Stirling Infirmary, NHS Forth Valley Trust.

A panel of the HPC Conduct and Competence Committee heard how Martin Henry removed ampoules of Midazolam from the Hospital without consent or authorisation for personal use and for the use of his partner.

Henry was neither present nor represented at the hearing.

38. Operating department practitioner struck off for drug misuse

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Henry was neither present nor represented at the hearing.

39. Fitness to practise update

01 April 2008 to 31 March 2009

The HPC's Fitness to Practise Department is responsible for handling allegations made about the fitness to practise of the professionals we register.

The Fitness to practise annual report 2009, which covers the period 01.04.2008 to 31.03.2009, has been published and is available on HPC's website at www.hpc-uk.org/publications

The report outlines the measures in place to protect the public. It also provides statistical information about the complaint received and the ways in which the fitness to practise panels dealt with cases brought before them.

In 2008–09 HPC received 483 new cases, which equates to 0.26% of the Register. Panels of the Investigating Committee considered 363 cases over the course of the year. HPC held a total of 396 public hearings which included interim orders, reviews of conditions of practice orders and suspension orders and final hearings.

Previous editions of HPC In Focus have included a list of outcomes from recent fitness to practise

cases. HPC has announced that the list will no longer be provided in the way that it has been as the information is available on its website at www.hpc-uk.org/complaints/hearings, where details of forthcoming hearings are also published.

40. Rapist GP struck off by GMC

02 October 2009

Anil Tangotra, 53, a GP who posed as a wealthy banker to find women whom he drugged and raped has been struck off the medical register.

Cases in the news

41. Practice manager jailed for fraud

29 September 2009 - Health Service Journal

An NHS practice manager who swindled a West Country surgery out of £70,000 has been jailed for 15 months and ordered to repay £48,000.

42. Child abuse case payments agreed

01 October 2009 - news.bbc.co.uk

Dumfries and Galloway council has approved plans to pay £20,000 to every victim of a child abuse scandal at Merkland Children's Home in Moffat between 1977 and 1982.

Payments will be made to 20 known victims and a fund has also been set up should others be identified. Peter Harley inflicted physical and sexual abuse on boys aged from six to 16 when he ran Merkland.

Children

43. Changes to childcare criticised

28 September 2009 – BBC News

A social workers' union has said that planned changes to the way children in care in Gloucester-

shire are looked after are not in their best interests.

Most children have been fostered outside Gloucestershire since the county council closed its homes.

[For full report click here](#)

44. Politicians kept off child database

03 October 2009 - Daily Mail

ContactPoint the £224 million database of all children in the country is to permit tens of thousands of politicians and celebrities to keep their names off the database according to Children's Minister Baroness Delyth Morgan.

Ed. Why? This is an outrage! I am against the database. However, if there is to be such a thing either the database is worthwhile, in which case all names should be entered or it is not; in which case scrap it. It seems self-evident that the Government accepts that the database is not 'secure' – what DOES it think it is doing?

It seems very 'convenient' to exclude these privileged few – come back Stalin!

45. Top Ofsted job for official embroiled in council child sex scandal

04 October 2009 - The Mail on Sunday

John Goldup has been appointed Ofsted's social care director giving him control of children's homes and nurseries; he was second in command at Islington which was savaged by official reports when it came to light that a paedophile ring operated for years in the council's care homes.

46. Bungled Jersey child abuse probe branded '£20 million shambles'

04 October 2009 - The Mail on Sunday

For full report see Abuse—item 12

Conferences & Courses

To follow next week

Consultations

47. Shaping the Future of Care Together

The Green Paper on the Reform of Adult Care and Support in England:

join the debate

On 14.07.09 the Government launched the Green Paper 'Shaping the Future of Care Together' which contains ideas on ways the care and support system in England can be improved, both in the way it is delivered and funded. The future system should be fairer, simple to understand and more affordable for everyone.

There will now be a period of public consultation until the 13th November. During this time the Government will be running a series of local events across the country at which the issues raised in the Green Paper will be discussed in detail.

Once the consultation has finished, the Government will publish the results and will set up a national leadership group, bringing together the leading experts and organisations across care and support to drive forward changes and to resolve issues where clear differences remain.

The Government will publish a White Paper on care and support in 2010, with detailed proposals for implementing a new National Care Service offering care and support for everyone.

Join the big care debate

Everyone with an interest in the future of care and

support is invited to join Ministers, Department of Health officials and other key stakeholders at the event held closest to you to debate the issues and air your views on the proposals outlined in the Green Paper.

Below is the list of all the regional events.

South West

Bournemouth, Friday 9 October 2009: 13.00 - 16.30

Bournemouth, Saturday 10 October 2009: 09.30 - 13.00

London

London, Thursday 15 October 2009: 13.00 - 16.30

London, Thursday 15 October 2009: 17.00 - 20.30

London, Friday 16 October 2009: 13.00 - 16.30

London, Saturday 17 October 2009: 09.30 - 13.00

Follow the link below to register your place at one of the events:

www.coievents.co.uk/careandsupport .

Alternatively, telephone 020 7261 8400 or email careandsupport@coi.gsi.gov.uk .

If you are unable to attend one of the events, you are invited to contribute your thoughts and views on the Green Paper online at

www.careandsupport.direct.gov.uk

48. Essence of care: a consultation on a new benchmark on pain

Closing Date: 12 October 2009

Essence of Care is a system of benchmarks widely used in various health settings. Essence of Care benchmarks are developed by stakeholders from focus groups that will use them. A focus group is made up of carers, patients and professionals have met to review

the benchmarks and this has led to a proposed new benchmark for pain management.

[For full consultation click here](#)

49. New Horizons: Towards a shared vision for mental health – Consultation

Closing Date: 15 October 2009

A consultation wanting views on the Government's plans to target the root causes of mental illness and support the local development of higher quality, more personalised services.

[For full consultation click here](#)

50. Serious Case Reviews: Revised chapter 8 of working together to safeguard children - Consultation

Closing Date: 23 October 2009

Consultation seeks views on revised guidance that aims to improve the quality, consistency and impact of serious case reviews and is directed in particular at local safeguarding children boards that by law undertake a serious case review whenever a child dies or is seriously injured and abuse or neglect is known or suspected to be a factor.

[For full consultation click here](#)

51. Fees for the Registration of Pharmacy Premises: A consultation on the level of fees to be charged from 1 January 2010

Closing Date: 30 October 2009

This consultation seeks views on the level of the fee charged by the Royal Pharmaceutical Society of Great Britain for the registration of pharmacy premises.

[For full report click here](#)

52. Shaping the future of care together (Green Paper)

Closing Date: 31 October 2009

The much delayed Green Paper sets out a vision for

a new care and support system. It identifies the challenges posed to the current funding system by the increasing population of older people and the need for radical reform, to develop a National Care Service that is fair, simple and affordable for everyone. The Green Paper sets out a number of consultation questions and seeks views about how Government can make its vision a reality and develop a care and support system fit for the 21st century. The consultation runs from 14 July 2009 to 31 October 2009. A White Paper is expected next year.

The Green Paper can be downloaded:

http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_102338

53. A joint consultation on the Report to Ministers from the DH Steering Group on the Statutory Regulation of Practitioners of Acupuncture, Herbal Medicine, Traditional Chinese Medicine and Other Traditional Medicine Systems Practised in the UK

Closing Date: 2 November 2009

[For full consultation click here](#)

54. Consultation on the Health and Social Care Act 2008 Code of Practice for Health and Social Care on the Prevention and Control of Infections and Related Guidance and Prevention and Control of Infection in Care Homes (a Supporting Guidance Document for Providers of Adult Social Care)

Closing Date: 6 November 2009

Consultation seeking views on a code of practice and supporting guidance that will help providers of health care and adult social care to plan and implement how they prevent and control healthcare-associated infections. It sets out criteria that the Care Quality Commission will use to assess compliance with the regis-

tration requirement.

[For full consultation click here](#)

55. Consultation on the Review of the Mental Health (Care and Treatment) (Scotland) Act 2003

Closing Date: 6 November 2009.

The Scottish Government is consulting on a review of the 2003 Mental Health Act.

[For full consultation click here](#)

56. A consultation on proposals to discontinue some current inpatient and outpatient collections

Closing Date: 1 December 2009

This consultation seeks views on proposals to discontinue some current inpatient and outpatient data collection.

[For full consultation click here](#)

57. A public consultation on the DPP's interim policy for prosecutors on assisted suicide

Closing Date: 16 December 2009

The message from Keir Starmer QC the Director of Public Prosecutions sent the following to Court Circuit Leaders.

Dear Sir/Madam

I have now published my interim policy on the offence of assisted suicide and launched a public consultation exercise in order to seek the views of everyone who wants to comment.

I thought you would like to have a copy of the policy, together with a document that sets out the ways in which I am asking people to send in their views. You may wish to forward this policy to anyone who you

think might be interested to send in their comments.

During and after the public consultation period, which is to run between 23 September and 16 December 2009, my team shall be considering all the responses that we receive. After that, I will consider whether, and if so, how to amend the policy.

I intend to publish a summary of responses and the final policy on this very sensitive area of the law by 10 March 2010. This will be available on the CPS website: www.cps.gov.uk

I look forward to hearing from you if you would like to comment on the specific interim policy that has been published.

**KEIR STARMER QC
DIRECTOR OF PUBLIC PROSECUTIONS**

Ed. The consultation document and the instructions document are available on the following weblink: http://www.cps.gov.uk/consultations/as_index.html

58. Revising the National Minimum Standards for Adoption, Children's Homes and Fostering

Closing Date: 17 December 2009

Consultation that seeks views on proposed revisions to the national minimum standards for adoption, children's homes and fostering. It also asks for comments on how to improve the standards further.

For full report go to [http://www.dcsf.gov.uk/consultations/index.cfm?](http://www.dcsf.gov.uk/consultations/index.cfm?ac-)

*ac-
tion=consultationDetails&consultationId=1662&external=no&menu=1*

59. Consultation on our strategy for 2010-15 Closing Date: 24 December 2009

The Care Quality Commission wants to get views on how it should use our powers and resources to achieve the best possible care for people across England.

[For full consultation click here](#)

60. NICE: Current consultations

To browse through consultations go to

<http://www.nice.org.uk/page.aspx?=consultations.current>

Care Quality Commission, CSSIW & Scottish Care Commission

61. A new registration system from April 2010 30 September 2009 – CQC

All health and adult social care providers, who provide regulated activities, will be required by law to register with the Care Quality Commission. Click on the link to find out about the new registration system.

[For full report click here](#)

62. Panorama special on independent treatment centres

30 September 2009 – CQC

The BBC's Panorama programme Dying to be Treated focuses on the death of a patient at an independent treatment centre in 2007.

[For full report click here](#)

63. Consultation on our strategy for 2010-15 01 October 2009 – CQC

The Care Quality Commission wants to get views on how it should use our powers and resources to achieve the best possible care for people across England.

[For full report click here](#)

64. Driving improvement across health and adult social care

01 October 2009 - CQC
New registration system

CQC has published information about the new registration system for health and adult social care providers, which comes into effect for NHS organisations on 01.04.2010.

[Find the latest information on registration, including key dates and timescales](#)

65. Prevent infections through better communication

01 October 2009 - CQC

CQC's report finds that infections are passing between hospitals and care homes due to a lack of communication between care services.

Read the CQC summary as this week's article
[Find out about CQCs new report on preventing infections](#)

66. Consultation on our strategy for 2010-15

Closing Date: 24 December 2009

The Care Quality Commission wants to get views on how it should use our powers and resources to achieve the best possible care for people across England.

[For full consultation click here](#)

67. 60 Seconds with...

October 2009 - Care Management Matters

Brief interview of David Johnstone Operations Director of CQC.

68. What's the future for social care quangos?

October 2009 - Care Management Matters

The CMM business clinic puts the future of the likes of CQC and others before industry experts Nick Johnson, Sheila Scott and Dick Clough for their views on what will become of the quangos in the

quest by Government to cut costs from the state sector.

69. Inspecting the right way?

October 2009 - Care Management Matters

Mike Neilens provides his personal views on the approach of CQC inspectors to the measurement of the quality of services.

Dementia

70. Club eases the pain of dementia

30 September 2009 – BBC News

Article looking at a group of carers who call themselves the Monday Club.

[For full report click here](#)

71. Expert dementia support 'crucial'

30 September 2009 – BBC News

A report published by the Nuffield Council on Bioethics says that expert social support which could take much pain out of dealing with dementia should be more accessible to patients and their carers.

The report said that such help often was unavailable until a crisis point was reached, but that access to holistic expert services in the earliest stages of the disease could make a real difference.

[For full report click here](#)

Ireland, Scotland & Wales

Ireland

72. Nurse pay plea on swine flu jobs

02 October 2009 – BBC News

The Royal College of Nursing has expressed its concern that there are no plans to pay its members over-

time when the swine flu vaccination programme rolls out.

Weekend vaccination clinics may have to open to cope with the numbers seeking the jab.

[For full report click here](#)

Scotland

73. Scottish prescription costs soar to £1.07bn

30 September 2009 - Health Service Journal

Prescriptions are now costing the NHS in Scotland £1.07bn a year, latest figures show.

74. Jump in protection register cases

30 September 2009 – BBC News

New figures show that the number of youngsters placed on child protection registers increased by almost a third in a year.

3,628 children were placed on the register in 2008-09, compared with 2,814 the previous year.

[For full report click here](#)

75. First Older People's Assembly to be held at Holyrood

01 October 2009 – The Scottish Parliament

Scotland's first inaugural Scottish Older People's Assembly took place at the Scottish Parliament on 2 October.

[For full report click here](#)

76. Child abuse case payments agreed

01 October 2009 - news.bbc.co.uk

For full report see Cases in the News—item 42

77. Swine flu staff to have fees paid

03 October 2009 – BBC News

The Scottish Government has said that it will pay the registration fees of former nurses and midwives who

return to work to help combat the swine flu outbreak will have their fees paid.

The Nursing and Midwifery Council has already written to former members whose registration has lapsed in the last four years, asking them to renew.

[For full report click here](#)

Wales

78. Stones thrown at ambulance crew

29 September 2009 – BBC News

An emergency crew were returning to Denbigh ambulance station in Denbighshire when they were attacked as they drove under a bridge at St Asaph by a bunch of youths.

The vehicle's windscreen was damaged and the crew were "shaken up" after the incident.

[For full report click here](#)

79. NHS trust's £40m debt cancelled

29 September 2009 – BBC News

An NHS trust has had a £40m debt run up by its predecessors cancelled after it successfully balanced its books in its first year.

The Hywel Dda NHS Trust was saddled with the debt when set-up to replace the Carmarthenshire, Pembrokeshire and Derwen, and Ceredigion NHS Trusts.

[For full report click here](#)

80. Slap complaint 'not investigated'

30 September 2009 – BBC News

The public services ombudsman has ruled that complaints about the physical abuse of a vulnerable woman at a day centre were not dealt with by a social services department.

The watchdog said it was claimed the woman had

been slapped, denied food and also force fed in a "whole series of incidents" and found that flaws in Carmarthenshire council's learning disabilities service left users and staff at risk.

[For full report click here](#)

81. New health boards to control NHS

01 October 2009 – BBC News

22 local health boards set up six years ago are being scrapped to make way for a new way of running the NHS in Wales.

The new boards will be responsible for deciding which treatments and services are available.

They will also ensure that hospitals meet targets on waiting times.

[For full report click here](#)

82. Wales selects final three for lab system

01 October 2007 eHealthInsider

Welsh health IT agency, Informing Healthcare, has published its final shortlist of potential providers of the new all Wales Laboratory Information Management System.

Learning Disabilities

83. Residents set for independent living in high-tech apartments

29 September 2009 - The Star Sheffield

High-tech apartments, The Mews, in Bramley, for South Yorkshire people with learning disabilities has been officially opened and will provide homes for 10 residents, aged 18 to 42, who will each live in their own modern and individually designed apartments.

John Mason, area manager for Craegmoor Healthcare, which is overseeing the project said: "All the apartments are individually set up and no two are the

same. Everything is individual from the furnishings to crockery and cutlery."

Residents are supported by professional staff and there is a monitoring centre so the appropriate help can be sent in where necessary; apartments are fitted with 'assistive technology' including gas and water sensors.

Residents will also have wrist bands which they can use to call for assistance.

84. Brown's personal care pledge to apply to adults under 65

Disabled people with critical care needs to receive free personal care at home

01 October 2009 – Community Care

The Department of Health confirmed that younger disabled adults would benefit from the government's £670m pledge to introduce free personal care at home for people with critical care needs in England.

[For full report click here](#)

Legislation Update

85. No. 2252 The Care Quality Commission (Membership) Regulations 2008 [1](#)

29 September 2009 – OPSI

[For full legislation click here](#)

86. No. 2265 The Social Fund (Applications and Miscellaneous Provisions) Regulations 2008 [2](#)

29 September 2009 – OPSI

[For full legislation click here](#)

87. Human Fertilisation and Embryology Act comes into force

30 September 2009 – DH

The 2008 Act takes account of changes in society and ensures it is fit for purpose in the 21st Century.

The Government undertook a review of the 1990 Act to bring legislation up to date with society, and to reflect technological developments, such as new ways of creating embryos.

It enables scientists to investigate cures for serious illnesses such as Parkinson's disease and regulate assisted reproductive treatments.

[For full report click here](#)

Mental Capacity

88. The Mental Capacity Act: fact sheet for social scientists

30 September 2009 – DH

A fact sheet to assist social scientists in meeting the requirements of the Mental Capacity Act when carrying out social science research that includes people who lack capacity.

[For full report click here](#)

89. Law that let my girl kill herself makes me ashamed to be British

02 October 2009 - Daily Mail

Article about the death of Kerrie Woollorton who made a 'living will' saying that she did not want medical intervention then consumed poison. Doctors did not move to treatment after she was brought to hospital – they took legal advice and were concerned that if they tried to treat Ms Woollorton they may expose themselves to criminal prosecution, a disciplinary action by the GMC, or to both.

90. Whatever happened to the principle that doctors must always SAVE lives?

02 October 2009 - Daily Mail

Dr Martin Scurr writes a well argued and thought provoking item about the "absurdities of the fashionable 'rights' agenda" in connection with the dilemma posed by Kerrie Woollorton and the moral dilemmas and legal imperatives which doctors face.

91. Suicide culture

04 October 2009 - The Sunday Times

Following the death of Kerrie Woollorton who died after drinking antifreeze and leaving directions that she should not be revived a look at the concept of the 'living will' – more correctly referred to as an 'advanced directive' as to treatment readers responses are reproduced.

Mental Health

92. Mental health director slams CQC over survey 'distortions'

29 September 2009 – Community Care

A top Department of Health civil servant has criticised the Care Quality Commission for its "deliberately distorting" presentation of a survey of acute mental health inpatients last week.

Louis Appleby, the national director for mental health has accused the CQC of looking to gain press headlines by portraying negatively the results from the survey of 7,500 recently discharged patients

[For full report click here](#)

Ed. The care home operators have been saying this for a long time.

93. Care system 'failed' our brother

03 October 2009 – BBC News

Case report looking at Alan Scott', when on 31.03.08 after eight days without the medication for his schizophrenia, the popular sociable 36-year-old turned up at the family home in Liverpool, convinced by voices he heard, and killed his parents.

[For full report click here](#)

94. Weightmans Mental Health Newsletter

30 September 2009 - Weightmans

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95. Putting people first and championing their rights

01 October 2009 - CQC

Mental health survey

The biggest-ever national survey of people's experiences of acute mental health inpatient services reveals that many patients feel let down by the care they receive.

[Find out about the findings from CQCs mental health survey](#)

Miscellaneous

96. National Information Governance Board for Health and Social Care

The NIGB was established by Health & Social Care Act 2008 to provide leadership and promotes consistent standards for information governance across health and social care.

From January 2009 NIGB functions include administration of applications under sect. 251 NHS Act 2006 - which allows the Secretary of State to set aside the common law duty of confidentiality in specified circumstances.

It considers ethical issues; the interpretation and application of the law and policies; and provides advice on information governance matters at a national level. The Board reports annually to the Secretary of State for Health and is responsible for the NHS Care Record Guarantee for England.

The body is currently advertising for a director at a salary of £75,383-£95,333. Closing date is 15,10,09.

97. C. diff rise due to 'gene switch'

27 September 2009 – BBC News

UK researchers have found that the rise in Clostridium difficile infections in recent years is due to genetic changes rather than dirty hospitals.

Comparison of a historic strain and a strain from the outbreak at Stoke Mandeville hospital in 2003 found that it had evolved to be more virulent, can spread more easily and cause more severe symptoms.

[For full report click here](#)

98. Spotlight on the regulator at the Lib Dem conference

29 September 2009 – NCF

At The King's Fund debate at the Liberal Democrats' conference, Norman Lamb MP complained that there are 60 regulators inspecting hospitals, asking the same questions, duplicating work and creating a bureaucratic burden on NHS staff.

[For full report click here](#)

Ed. It is the same for care homes, lets opt for a level playing field.

99. Shipman letters sale criticised

28 September 2009 – BBC News

Coroner John Pollard, who originally held the inquests into the deaths of Harold Shipman's victims has condemned a decision to auction a collection of letters by the killer.

In 65 letters to two former patients and friends after his arrest in 1998, Shipman repeatedly denied his guilt.

[For full report click here](#)

100. Delivering high quality midwifery care: the priorities, opportunities and challenges for midwives

28 September 2009 – DH

A report produced from work undertaken by the Quality of Midwifery Care Project steering group, its subgroups of midwives, lay representatives and other stakeholders, supported by the Department of Health in response to the NHS Next Stage Review and reflecting the policy direction of Maternity Matters.

[For full report click here](#)

101. Insurer will cover medical tourists for mishaps

28 September 2009 - The Times

Those 100,000 people each year who seek dental treatment, cosmetic and elective surgery overseas will be able to insure against negligence and other risks through PJ Hayman, a specialist travel insurer.

102. Free personal care at home pledged by Gordon Brown

29 October 2009 - UKHCA

The United Kingdom Homecare Association, representing domiciliary care agencies, has welcomed Gordon Brown's announcement that free homecare will be available in England to those who meet the eligibility criteria.

UKHCA Chair, Mike Padgham, said:

"Mr Brown's announcement recognises the homecare sector's achievement in enabling frail and older people to remain in their own homes and partly redresses the current imbalance of the funding between the Health Service and social care."

Commenting on the initial details that free care will be sourced in part from non-priority areas in the NHS spend, UKHCA's Head of Policy, Colin Angel, said that more details were needed, and commented:

"Over 80% of state-funded homecare is delivered by the independent sector. It is vital that monies are directed to front-line services, rather than being diverted into the administrative processes of councils, who are the majority purchaser."

"Government will need to take a strong line to ensure that the impact of the commitment is realised by peo-

ple who use care services.”

Free personal care is likely to increase the number of people in receipt of services, plugging the gap in unmet care needs, which are thought to exist under the current arrangements. This will require the home-care sector to recruit additional careworkers. UK-HCA reaffirms its commitment to working with the Department of Health's recruitment initiative in the coming year, to support providers delivering high-quality services.

103. Ethics of hydration in terminally ill 29 September 2009 - The Times, Letters to the Editor

Dr Gillian Craig, Vice-Chair, Medical Ethics Alliance, reminds readers that the National Council for Hospice and Palliative Care issued guidance in 1997 to the effect that "a blanket policy of artificial hydration or of no artificial hydration is ethically indefensible".

104. New continuing care Directions 29 September 2009 – DH

Directions related to NHS continuing health care and NHS-funded nursing care.
[For full report click here](#)

105. New health chief officer selected 30 September 2009 – BBC News

A new chief officer, Mark Cooke, has been appointed at the Health and Social Services Department.

He is currently chief executive of Dudley Primary Care Trust, in the West Midlands, and has worked within the NHS for 28 years.

[For full report click here](#)

106. Ambulance staff abuse 'sickening'

30 September 2009 – BBC News

The Chief Executive of West Midlands Ambulance has said that the current level of physical and verbal violence against ambulance staff is "sickening".

The results of a staff survey indicate According to a staff survey, 27% experienced violence from patients in the year to last March, a rise on the previous year.

[For full report click here](#)

107. International health: DH objectives and ways of working

30 September 2009 – DH

A guide primarily for DH staff, to help DH work more effectively internationally. It sets out objectives for our international work and describes the roles and responsibilities of different parts of DH.

[For full report click here](#)

108. ECCA condemns headline grabbing politics

30 October 2009 - ECCA

The English Community Care Association responded to the suggestion that the Prime Minister's announcement of a policy of free personal community care for older people might be funded by local authorities saving money on residential care.

Martin Green, Chief Executive of ECCA, said:

"At a time when residential provision is under severe financial constraint and the Government is spending enormous amounts of money on the consultation process for the Green Paper on social care, it is unfortunate that the Prime Minister has made what appears to be an ill-thought through and uncoordinated announcement on the funding of personal care.

"ECCA believes that leaving local authorities to take

responsibility for deciding who gets this funding is contradictory to the idea of a National Care Service. The Prime Minister should be leading a strategic approach to developing care services and not just making headline grabbing, unclear and contradictory statements".

109. Questions raised over Gordon Brown's free personal care pledge

30 September 2009 - Health Service Journal

Questions have been raised over the details of the prime minister's pledge yesterday to provide free personal care for those most in need.

110. NHS-funded nursing care practice guide (revised) 2009

30 September 2009 - DH

This practice guide sets out the process for determining the eligibility for NHS-funded Nursing Care under the National Framework for NHS Continuing Health-care and NHS-funded Nursing Care. It has been revised in line with the revised National Framework.

111. Ricky Hatton supports Thalidomide victim's hunger strike

01 October 2009 - Gary Skyner

Former World boxing champion Ricky Hatton MBE has given his full support to Liverpool comedian and mentor Gary Skyner's hunger strike who is protesting at the Government's refusal to pay compensation to the Thalidomide victims. Both Mr Skyner, 49, and his mother Frances, 72, have been on hunger strike for nine days.

Ricky Hatton is urging Health Minister Andy Burnham MP to intervene and meet with both Gary Skyner and his committee to find a satisfactory resolution to this 50 year battle.

112. Restructured Health Professions Council

02 October 2009 - HPC

The newly restructured Council took office on 01.07.2009 and met for the first time on 06.07.2009. An induction for members has been held.

Full details of the new Council, including biographies, are available on the HPC website at: www.hpc-uk.org/aboutus/council/councilmembers

113. Important information for clinical scientists, prosthetists / orthotists and speech and language therapists

02 October 2009 - Health Professions Council to practitioner psychologists

Due to ongoing postal disruption the closing date for receipt of renewal forms from clinical scientists, prosthetists / orthotists and speech and language therapists has been extended from 30.10.2009 until 16.10.2009.

Registrants are now being given until the dates listed below to renew their registration for the 2009–2011 cycle:

Clinical scientists 16.10.2009,
Prosthetists / orthotists 16.10.2009,
Speech and language therapists 16.10.2009

To check the status of your registration visit www.hpcheck.org.

For more information about renewals visit www.hpc-uk.org/registrants/renew

114. Is your out-of-hours doctor a health risk?

02 October 2009 - Daily Mail

Article about the provision of out-of-hours GP ser-

vices and the threat that CQC thinks they may pose following an its investigations after the death of David Gray who was administered a dose of morphine 10 times the lethal dose by a doctor flown in from Germany to provide cover.

115. Brown's broken promise led to out-of-hours GP tragedy

03 October 2009 - Daily Mail

Review of the history of out-of-hours GP support for patients and the history of statements from Gordon Brown over the years – reference to the death of David Gray and journalist Penny Campbell, 41.

116. The GP who destroyed our marriage

03 October 2009 - Daily Mail

Two page article by Helen Weathers about the conduct of recently struck off GP Dr Michael Rusling (BHCR Vol 4, Issue 36—item 12) and its effect on one of the patients with whom he conducted illicit trysts.

117. Business interruption insurance cover September 2009 - Healthcare Business

David Waters of Care Home Insurance Services, CHIS, writes about his experiences of claims made following instances of business interruption – fire flood, storm and tempest, you know the sort of thing!

118. EU Procurement - Is your service safe? October 2009 - Care Management Matters

Four pages considering how EU Procurement rules might impact on local authorities contracting for the full range of services from residential care to domiciliary care and the effect that this might have on the equal treatment of potential providers.

119. The future of extra care

October 2009 - Care Management Matters

CMM looks at the concept of extra care and the chal-

lenges facing providers and those designing the built environment and the services.

Ed. I expect that if regulation is to continue along its present course that, in time, extra care will fall to be first defined and then regulated!

120. You can get it if you really want: care brokerage comes of age

August/September 2009 - Community Care Market News

Robert Potter reports on the efforts of the Royal London Borough of Kensington and Chelsea in the pursuit of care brokerage, with Martin Green of ECCA sounding a cautious note.

121. Legally speaking Assisted suicide – Impact for carers

August/September 2009 - Community Care Market News

Rachel Woodall considers some of the issues prior to the publication for consultation by the DPP guidance for those involved in assisting suicide.

NHS

122. New website section - NHS Constitution: workforce

28 September 2009 – DH

The NHS Constitution brings together in one place what staff, patients and the public can expect from the NHS. The NHS workforce has a key role to play in ensuring that the NHS Constitution becomes a reality for all staff and patients. This page gives more information.

[For full report click here](#)

123. No MRSA cases at county hospital

28 September 2009 – BBC News

Hereford Hospital NHS Trust has said that it is the only one in the West Midlands region to remain free of MRSA between April and June.

The hospital was given a clean bill of health for the bug in the latest figures released by the Health Protection Agency.

[For full report click here](#)

124. No to NHS Monopoly

28 September 2009 - The Times, Letters to the Editor

Andrew Haldenby, Director of Reform, puts an opposing view of the ISTCs which have previously been said not to offer value for money (see BHCR Vol 4, Issue 40, item 75) - he points out that the Commons Health Select Committee identified that ISTCs have "embodied good practice and introduced innovative techniques."

125. Lib Dems reveal £110m NHS parking charges

28 September 2009 - Health Service Journal

Car parking charges at NHS hospitals totalled £110 million last year, according to the Liberal Democrats.

126. Devil will be in detail of surprising move on personal care

29 September 2009 – The King's Fund

Free care: 'Older people must not be pushed into homes'

Help the Aged/Age Concern and Alzheimer's Society respond to Brown's pledge on free care

29 September 2009 – Community Care

The King's Fund Chief Executive Niall Dickson has commented on the Prime Minister's announcement of

free personal care in his speech to Labour conference:

"The government's ongoing commitment to reform social care funding is welcome, although this is a somewhat surprising move considering that ministers had previously ruled out free personal care. We will need to look at these plans in more detail."

"This pledge of free care, which they plan to bring in from October next year, is for those in the highest need living in their own homes."

"The government estimates this will cost £670 million and benefit 350,000 older people."

"On the face of it, targeting those in greatest need has a strong appeal, but as ever when you do something for one part of the system there is a danger of creating perverse incentives."

[For full report click here](#)

[For CC report click here](#)

127. Alan Milburn attacks Andy Burnham for making NHS the preferred provider

29 October 2009 - Health Service Journal

Former health secretary Alan Milburn has attacked Andy Burnham's decision to move away from competition and make the NHS the 'preferred provider' of services.

128. Mike O'Brien tells SHAs to 'justify their existence'

29 October 2009 - Health Service Journal

Health minister Mike O'Brien has called on strategic health authorities to "justify their existence", saying more of their budgets should be devolved to commissioners.

129. Clarify role of NHS, urges King's Fund

29 October 2009 -Health Service Journal

The NHS needs to clarify its role in public policy and stop "trying to do everything", according to King's Fund chief executive Niall Dickson.

130. NHS Beds Statistics – Updated

September 2009 – DH

Page linking to the latest information on bed availability and occupancy in NHS organisations in England.

[For full report click here](#)

131. NHS Continuing Healthcare and NHS-funded Nursing Care: Public information booklet

30 September 2009 – DH

Leaflet giving a summary of information for the public on NHS continuing healthcare and NHS-funded nursing care, including details of what an individual should do if they think they may be eligible.

[For full report click here](#)

132. NHS-funded Nursing Care Practice Guide (Revised) 2009

30 September 2009 – DH

Practice guide setting out the process for determining the eligibility for NHS-funded nursing care under the national framework for NHS continuing healthcare and NHS-funded nursing care. It has been revised in line with the revised national framework.

[For full report click here](#)

133. Hospital free parking plan: Your stories

30 September 2009 – BBC News

Health Secretary Andy Burnham has announced that Labour hopes to scrap hospital parking charges for in-patients in England if the party wins the next election.

Patients would get a permit to cover the length of

their stay which visitors could use to park for free, but Wales and Scotland are both scrapping fees for everyone.

[For full report click here](#)

134. The King's Fund response to car parking fees announcement

30 September 2009 – The King's Fund

The King's Fund chief executive Niall Dickson has commenting on the Secretary of State's announcement in his speech to Labour party conference that the next Labour government would phase out hospital car parking fees for inpatients:

"It cannot be right that any hospital profits from car parking fees paid by patients and relatives, but it would have been better if this had been handled at a local level. Primary care trusts, who hold 80 per cent of the NHS budget, are responsible for commissioning services from hospitals and securing the best deals for patients. The government could have asked PCTs to make free parking a condition of future contracts with their local hospitals. It is worth noting too that the plan is to offer this only to inpatients and their relatives yet in some cases outpatients have at least as great a claim."

"Perhaps more importantly, this is yet another spending commitment when we know that the NHS is about to face one of the toughest periods in its history, where difficult choices between priorities will have to be made. The government estimates that phasing out parking fees for this group will cost £140 million – while this will be a popular move, we do need to remember that the money spent on free parking is money that cannot be spent on something else in the health service."

[For full report click here](#)

135. Private clinics face safety check

30 September 2009 – BBC News

Safety checks are being carried out at all private clinics used to cut NHS waiting times in England. The move comes after a man died during a routine operation.

It subsequently emerged that there were no emergency blood supplies on site and key medical equipment was unavailable.

[For full report click here](#)

136. The H1N1 swine flu vaccination programme 2009-2010

01 October 2009 – DH

[For full report click here](#)

137. CRB reduces fees

01 October 2009 – CRB

The CRB has reduced the fee for Standard Disclosures.

[For full report click here](#)

Ed. I suspect that very few, if any, employers used the Standard Disclosure, therefore, reducing the fee gives little or nothing away!

138. Judges and NHS managers targeted in pay squeeze

01 October 2009 - The Times

A pay freeze for top judges, civil servants and NHS managers is being proposed by senior ministers as part of the Government's plan to scale back public spending.

139. Can the Conservatives mix cutting and caring?

01 October 2009 - Health Service Journal

Editor Richard Vize discusses whether the health policies of a Conservative government would deliver the right improvements for the NHS long after the

applause of the voters has faded away.

140. FT warning over competition panel ruling on consultants

01 October 2009 - Health Service Journal

Foundation trusts have warned most decisions on allowing consultants to work for other providers will need to be decided individually, despite a co-operation and competition panel ruling last week that attempts to prevent such work were anti-competitive and undermined patient choice.

141. Hospital mortality ratio wrangling 'compromises confidence'

01 October 2009 - Health Service Journal

Disagreement about the right way of measuring hospitals' standardised mortality ratios is compromising "confidence in them and their effective use", the NHS Information Centre has warned.

142. Andy Burnham makes hospital car parking pledge

01 October 2009 - Health Service Journal

Health secretary Andy Burnham has pledged to phase out hospital car parking charges for inpatients and their relatives and friends over the next three years.

143. Training blamed for hospital deaths

01 October 2009 - Health Service Journal

Death rates in hospitals are more to do with poorly trained medical staff than complications from major surgery, according to research published in the New England Journal of Medicine.

144. Medical negligence proposals would force managers to confess

01 October 2009 - Health Service Journal

NHS managers could be made to confess and apologise if patients are harmed due to medical negli-

gence.

145. Patient records should be better used

01 October 2009 - CQC

CQCs report calls for better patient care by ensuring the right patient information is in the right place, at the right time.

[Find out about CQCs report on patient records](#)

146. Our reaction to the Patients Association report

01 October 2009 - CQC

CQC has responded to a report from the Patients Association that highlights the cases of 16 people who experienced poor standards of care while in hospital.

[Read CQCs response to the Patients Association report](#)

147. CQC calls for review of out of hours GP services

02 October 2009 - Health Service Journal

A Care Quality Commission report has urged health-care managers to review the quality of their out of hours services over fears that some private GP companies do not meet basic standards.

148. PCTs neglect value in general practice

02 October 2009 - Health Service Journal

PCTs are doing little to tackle the huge variation in the cost and quality of their GP services, the results of a confidential internal NHS survey suggest.

149. GP contract: 'clunky' deal holds back quality

02 October 2009 - Health Service Journal

Primary care trusts blame the "weak and clunky" GP contract for slow progress on improving quality in primary care and unacceptable variations in cost.

150. Cornwall PCT looks for leader as another chief goes

02 October 2009 - Health Service Journal

Cornwall's primary care trust and hospital trust are both looking for new chief executives.

151. NHS Inpatient and Outpatient Hospital Waiting Times and Waiting Lists - Updated

02 October 2009 - DH

Page linking to statistics on inpatient and outpatient hospital waiting times in NHS organisations in England.

[For full report click here](#)

152. Call for out-of-hours GP scrutiny

02 October 2009 - BBC News

The Care Quality Commission says that English NHS trusts must monitor out-of-hours GP care more closely, after it carried out a review prompted by the death of a 70-year-old patient.

David Gray died in February 2008 after a locum doctor from Germany mistakenly gave him an overdose of diamorphine.

[For full report click here](#)

153. Lost NHS notes 'hamper' inquests

02 October 2009 - BBC News

A coroner has said that he is concerned over medical notes from a Bristol NHS trust going missing before inquests into patients' deaths.

The comments were made after an inquest into the death of Esther Moore, 63, at Frenchay Hospital in north Bristol.

[For full report click here](#)

154. Watchdog finds 'dirty' ambulances

02 October 2009 - BBC News

The Care Quality Commission has issued an ambulance service with a warning after a health watchdog

found it had failed to protect staff and patients from infection.

The regulator carried out an unannounced inspection on seven of the 100 East of England Ambulance Service's (EEAS) stations and inspectors reported vehicles were "dirty" and seats "grimy".

[For full report click here](#)

Nursing

Nothing to report

Older People

155. 'Free personal care' for elderly

30 September 2009 - BBC News

Prime Minister, Gordon Brown has pledged that free personal care will be introduced so the frailest can be cared for in their own homes.

Under what is being dubbed the National Care Service, up to about 350,000 people with "the highest needs" would receive home care regardless of personal wealth.

[For full report click here](#)

156. Satisfaction among older home care users declines

NHS Information Centre survey reveals declining satisfaction with care staff and providers

01 October 2009 - Community Care

A Government survey has found that satisfaction with home care services among pensioners has declined over the past three years.

The poll of users in England aged 65 or over in 2008-9 found overall satisfaction and users' views about key aspects of service quality had deteriorated slightly since a similar survey was conducted in 2005-6.

[For full report click here](#)

157. The 2p elixir of life

02 October 2009 - Daily Mail

Prof Dominic Withers of UCL reports that metformin, a cheap pill taken by diabetics, may combat ageing.

158. Tories: we won't force elderly to sell homes

02 October 2009 - Daily Mail

Front page item about the Conservative plan to require people aged 65 years to insure against needing care in a care home. On present rates the payment, it is said, will be £8,000 and although the business will be written as a policy of insurance by insurers, it will be underwritten by the Government.

Ed. If the Conservative party is elected to Government and carries out this measure as planned, it may save about £10 billion – there will be great financial pressure on a to do this on any newly elected Government

159. 'It's a complete injustice that elderly people who saved are forced to sell their home'

02 October 2009 - Daily Mail

A look at the situation now and the changes proposed by Labour and Conservatives.

Parliament

Parliamentary Questions and Debate from the Past Week

The following section is produced in conjunction with specialists in health and social care, PLMR – Political Lobbying & Media Relations – www.plmr.co.uk

Parliament is in Summer recess until 12.10.09.

Social Care

160. Social workers say open justice breaches human rights

28 September 2009 - The Times

Plans to identify social workers in family court cases are being opposed as it may drive away experts and violate a child's right to privacy. Sir Mark Potter the senior family judge has said that he is "extremely concerned" that journalists will have access to confidential medical and social reports.

161. Experts must be ready for scrutiny

28 September 2009 - The Times

Sarah Harman (lawyer and sister of MP Harriet Harman) rightly asserts that those who profess expertise in situations, which in family courts are frequently extremely difficult, need to be exposed to objective scrutiny.

She calls for dissemination of more information and research to ensure courts are not misled.

Workforce

162. Skills for care launch online funding guide for employers

September 2009 - Healthcare Business

Skills for care has responded to employers complaints that they found it difficult/impossible to find their way through training resources by launching an online service identifying funding, grants and so forth. The guide can be found at www.skillsforcare.org.uk/funding

Working together to prevent and control infections

Infection prevention and control is not simply an issue for hospitals – many infectious diseases can spread within care homes, where large numbers of people, many of whom may be susceptible to infection, share living accommodation. Infection can be a major cause of illness among residents of care homes, which can result in them being admitted to hospital. For people living in care homes in some developed countries, infection is a common cause of hospitalisation.

People can enter care homes colonised with organisms acquired in hospital that are resistant to antibiotics. These homes can then become 'reservoirs' of infection. This, and the fact that many people living in care homes have frequent contact with healthcare services, has created a 'revolving door' situation, where people are readmitted to hospital for conditions that could be managed within a care home.

Infections can range from mild food poisoning to life threatening bloodstream infections and are caused in many different ways. This report is about those infections that are associated with the care provided by healthcare organisations or care homes. Infections caused by Meticillin resistant *Staphylococcus aureus* (MRSA) and *Clostridium difficile* can often be portrayed by the media in a way that can be alarming to residents of care homes, their relatives and carers. Information on the standards of infection prevention and control in care homes is therefore very important, not only so that people who use services can make informed choices, but also because it promotes confidence in the care being provided. Families

and carers want to be assured that the care their relatives and dependants are receiving is being provided in a clean and safe environment.

Programmes for preventing and controlling infections are important in hospitals and care homes and they should address the complex care services provided. However, little is known about the impact of these programmes in care homes. The Department of Health's current infection prevention and control strategies focus on acute hospitals, since these are perceived to present a greater risk of infection. However, some studies have suggested that the number of infections in care homes may be comparable to those in hospitals.

There is a wealth of information about infection risks in hospitals, but little is known about the risks associated with care homes, particularly the arrangements for preventing and controlling infections at the interface between these settings. This is complicated by changes in regulation. From 1 April 2010, all NHS healthcare providers will be required to comply with the requirements of the Health and Social Care Act 2008 (Registration Requirements) Regulations 2009 and to follow the requirements contained in the Care Quality Commission's guidance about compliance and the Department of Health's Code of Practice related to infection prevention and control. By October 2010, all care homes and independent providers of healthcare will be registered against the same regulatory requirements.

The requirements that this report focuses on are that providers of care should:

- Work with each other to ensure that services are joined up.
- Provide information to each other relating to a person's care while observing a person's right to confidentiality.
- Ensure that staff are adequately trained and competent to carry out their work.
- Have regard to national guidance relating to infection prevention and control.*

To shed light on this area, the former Healthcare Commission and the Commission for Social Care Inspection (both organisations, along with the Mental Health Act Commission, were merged into the Care Quality Commission on 1 April 2009) commissioned a short study in England with two aims:

- To develop a better understanding of how the arrangements for preventing and controlling infections are working in practice at the interface between registered social care homes and hospitals.
- To gather and share information that could help care providers prepare for the new Code of Practice and the new arrangements for their registration and regulation by the Care Quality Commission.

The work was carried out between December 2008 and May 2009 and consisted of:

Working together to prevent and control infections (continued...)

- A quantitative, web and paper-based survey of over 1,000 care homes (a statistically significant sample of around 4% of all care homes in England).
- The research aimed to answer five key questions that were designed to provide information on how well service providers were prepared for the proposed changes in regulation. The questions were:
- How is information about infection prevention and control shared between health and social care settings?
- How is information about infections or their prevention and control shared with people living in a care home and their family members?
- What advice and support on infection prevention and control is available to care homes?
- How are staff trained and supported to be competent in preventing and controlling infection in care homes?
- How well are care homes prepared for the forthcoming regulatory changes, including registration with the Care Quality Commission?

Key findings and recommendations

Our key findings

1. Good leadership and well-trained care staff are key to the overall success of the home in preventing and controlling infection.

2. Care homes have not effectively implemented the guidance on improving infection prevention and control and their knowledge of the forthcoming regulatory changes is not widespread.

3. Care homes and hospitals are required to provide information on infections to each other. However, this does not happen in a coordinated way, which means that people with an infection may not receive the most effective care and recover more slowly, or not at all – and they may pass their infection on to others as a result. This situation is made worse, because staff are confused about what information they can share, and with whom, in the discharge summary information, while complying with data protection and confidentiality requirements.

4. There is a lack of effective information in suitable formats and languages to help staff talk about infection and control measures with people living in care homes and their families.

5. Advice on infection prevention and control needs to be improved, including advice in specialist areas such as tissue viability and continence.

Our recommendations

All care providers should:

- Ensure that their information about infections, and any particular care needs related to those infections and their control, are being communicated effectively when a person moves from their care to the care of another person or organisation.

- Ensure that their arrangements for sharing information on a person's care, treatment or support helps to prevent and control infections, while observing national guidance and people's rights to confidentiality.
- Ensure that their discharge summaries are readable and that infection risks and associated care needs are highlighted.
- Include ambulance trusts and other providers of care in their communication strategy.
- Engage with the Department of Health's consultation on the revised Code of Practice and supporting guidance (available at www.dh.gov.uk/en/Consultations/liveconsultations/DH_104114).
- Regularly discuss good, basic hygiene principles with people in their care and their relatives or carers, to help them make their own choices. This should be supported with good written information.

Care homes should:

- Ensure that all their staff and, in particular, managers and leaders, receive adequate training or personal development to ensure that they provide strong leadership for infection prevention and control.
- Ensure that all care staff, particularly nursing staff, receive training, refreshers and updates on infection prevention and control.

Working together to prevent and control infections (continued...)

- Provide evidence to support their registration application, by consulting guidance such as *Essential Steps*, *Infection Control Guidance for Care Homes*, the draft Code of Practice and the Health Protection Agency's training DVDs, and making sure that the relevant sections are implemented. Information is also available from the Clean, Safe Care website at www.clean-safe-care.nhs.uk.
- **Commissioners of care should:**
 - Ensure that they include standards for discharge summaries in relevant contracts and monitor how these are implemented.
- **The Department of Health should:**
 - Promote *Essential Steps* and other guidance to care homes, emphasising its value as a good practice guide as well as an audit tool.
 - Ensure that care homes can access authoritative information on infection prevention and control that is relevant to care homes and comparable with that available to the NHS.
- **The Care Quality Commission will:**
 - Develop an action plan to take forward the recommendations of this report with relevant stakeholders.
 - Develop clear policy on how the forthcoming Code of Practice and regulatory requirements relating to infection prevention and control will be applied to care homes.
- Work closely with the National Information Governance Board and the Department of Health to produce definitive guidance concerning the sharing of information on infections between the NHS and care homes.
- Work with other organisations to ensure that it uses the best data to assess infection risks in care homes.
- Develop robust methodologies and indicators on infection prevention and control to assess the performance of care homes, and take appropriate action when problems arise.

Ed. This is an extract from the CQC report of the same title. The full report is available for download from the CQC website.

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