

Brunswicks' Healthcare Review

Volume 4 Issue 47
18 November 2009



refreshingly modern, reassuringly traditional

This week's article

Re: **Baby RB - Words Of Endorsement, Remarks Of Mr Justice McFarlane**

As the tragic case of Baby RB and his parents unfolded before the High Court last week, the father, before the case concluded, withdrew his objection to the withdrawal of life support from his year old son.

The judge took the opportunity to express his views by way of endorsement of the medical and other support for the withdrawal of life support.

To read the full statement now [click here](#)

Parliamentary Business

18.11.09 State Opening of Parliament

19.11.09 – HoC – Health Select Committee

Subject: Social Care

Witness(es): National Care Association, English Community Care Association, and UK Homecare Association; Partnership Life Assurance Company Ltd, and William Laing (at 11.15 a.m.)

Location: The Wilson Room, Portcullis House

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Editorial

There have been a number of 'big' stories this past week; first the death of Baby RB following the withdrawal of life support – may Baby RB, his parents, family and carers find peace.

Second, the report from Prof. Sube Banerjee on the wrongful prescribing of anti-psychotic medication for 145,000 people with dementia. Surely there should be a requirement that GPs, within the next 12 months, review all patients for whom such medication is prescribed to consider whether it is appropriate; with disciplinary consequences for those who do not, or, who negligently continue to prescribe such medication.

Third, the announcement that from 2013 all nurses will be required to have a degree.

What manner of nonsense is this?

First, I am far from convinced that the raising of academic barriers is objectively justified. If it is, I wonder whether this is the pre-cursor to reducing reliance on GPs for primary care.

Second, it may well deprive the profession of many dedicated caring people.

Third, it may well lead to a shortage of UK trained

nurses.

Fourth, it will not, in my view, increase the status of the profession.

Finally, it may well lead to greater demands for higher pay.

Increasing the academic barriers to nurse training may not turn out to be the best idea this week.



Abuse/Dignity

Nothing to report

Business News

1. Four Seasons could still be sold 10 November 2009 thebusinessdesk.com

Joanne Birtwistle, Deputy Editor, writes that Four Seasons Health Care could be up for sale in less than a year.

In September last the company finally reached agreement on proposals to reduce debt by 50% to about £790m. Accounts finalised at the end of October reveal the 'lock up agreement' was for £950m of existing debt for an equity investment in the group's new holding company.

The report said: *"It may be possible to negotiate an extension to the maturity date of the remaining circa £790m of debt beyond September 2010 or procure its refinancing by that date."* Adding that if an extension to the maturity date or refinancing of the remaining debt could not be arranged, a sale of the company would again be considered.

In the year to the end of December 2008, earnings before interest, tax, depreciation, amortisation and rent (EBITDAR), the company's preferred performance indicator, remained steady at £116.1m.

Pre-tax profit stood at £2.7m (2007: £6.5m) on a turnover of £437.9m (2007: £414.1m).

But despite what the group called a challenging mar-

ket, average fee rates increased by 4.8%

During the year the group launched PEARL (Positively Enriching And Enhancing Residents' Lives), a specialised dementia care service, with eight flagship homes. It plans to roll out a further 42 homes before the end of 2010.

The company said its focus on quality and developing specialist elderly care had resulted in increased average occupancy levels of 86.4%.

2. Out of hours provider loses contract following overdose case

10 November 2009 Health Service Journal

The out-of-hours provider, Take Care Now, that hired German locum Dr Daniel Ubani - who accidentally killed a patient in 2008 by administering a lethal overdose - is to have its NHS contract terminated - after becoming "dissatisfied" with the company's progress.

3. Deutsche Bank AG increases holding in Southern Cross

11 November 2009 Stock Exchange

Deutsche Bank increased its holding of 23,096,532 ord shares when it bought a further 17,454,198

4. Exclusive: LNT gains £67m funding to expand care home concept

12 November 2009 Yorkshire Post

Peter Edwards writes that LNT Group, run by Lawrence Tomlinson, secured £67m of funding from three banks to develop its 'no top-ups' care home business Ideal Care Homes which was established in summer 2009. Tomlinson sold a previous care business, Orchard Care Homes, for £175m two years ago. He hopes to transform the market with an innovative business model under which residents do not have to

drain their savings to pay for the cost of their stay.

The new funding deal was agreed with long-term financier Royal Bank of Scotland, as well as Bank Leumi and Yorkshire Bank.

LNT, based in Garforth, Leeds, says it can operate care homes on a low-cost model by building its own assets rather than buying them. This means they are cheaper to run and so don't charge top-ups, accepting publicly funded residents while charging private funders little or no premium over publicly funded levels. It is designed to spare elderly people the anguish of selling their homes or cashing in savings to pay for care.

5. Synergy Healthcare

12 November 2009 The Times

Last autumn there was a profit warning – the first in eight years – there is no ill-effect. Income is up 7%, pre tax profit up 20% and the divi increased by 17%.

6. Briefing: Care UK

15 November 2009 The Sunday Times

The Business Editor summarises the business, CEO, background and likely financial results, due out on 17.11.09.

7. Ouch! Dentist chief is extracted

15 November 2009 The Sunday Times

James Hull, 49, founder and CEO of James Hull Associates, has left the company following a disagreement with investors over his £180,000 of expenses for the year.

Ed. In terms of numbers, it makes our MPs look like amateurs!

Care Homes

8. Training for all care homes to support dignity campaign

11 November 2009 – NCF

10,000 people have now signed up to be Dignity Champions – all of them committed to playing their part in a movement to put dignity at the heart of care, thanks to Michael Parkinson.

Dignity Champions, part of the Dignity in Care Campaign, have volunteered to promote good care for the elderly. Their aim is to change the culture of care services and place a greater emphasis on the quality of experience of those services.

Dignity Ambassador Sir Michael Parkinson said:

“I have had the great honour of meeting some of our nation's real unsung heroes, hearing their stories and bringing attention to what they are doing to hopefully inspire many others to follow suit. They are ordinary people doing everyday things. But in their own way having tremendous impact on those around them.”

To support the campaign, new training materials will this month be provided to every care home and home-care provider in the country to ensure everyone in care are treated with dignity and respect at all times.

The training materials provide practical advice and exercises on how to improve dignity in the areas that really matter most to people receiving care. These include communication, privacy, social inclusion, diversity, eating and nutrition, pain control and hygiene.

Care Services minister Phil Hope said:

“It's inspiring that over the past three years we over 10,000 people have signed up to become Dignity Champions to promote more respectful care across the country. They have made a huge contribution to bringing dignity up the agenda in care homes and hospitals across the country.

“We must also ensure care staff at all levels are trained and equipped to deliver dignity in care. That is why we are making training materials available to every care home and every home care provider in the country.”

[For full report click here](#)

9. PM backs bid to save care home

11 November 2009 – BBC News

Prime Minister Gordon Brown has asked Wolverhampton City Council to reconsider its decision to close a care home where a 106-year-old woman lives.

Family and friends of Louisa Watts and other residents have campaigned to keep Underhill House open after the council decided to close it and a businessman's offer of £80,000 to keep it open for another year was rejected by the council.

[For full report click here](#)

10. Personalisation for residential care - new briefing from SCIE

11 November 2009 – NCF

A briefing launched at the NCF Managers Conference this week has highlighted the opportunities for residential care home managers in shaping the personalisation agenda.

[For full report click here](#)

11. If you work in residential or domiciliary care look out for your free training programme & resource guide

13 November 2009 DH

Later this month, every care home and every home care provider in the country will receive a free copy of the training materials: 'With Respect'. This is sector-specific training for domiciliary & residential care. The pack explains how to train staff, how to treat people with dignity & respect and it provides criteria for best practice.

Look out for the training guide that will be delivered to your door this month or take a sneak preview on the link below

12. Guidance to help local authority overview & scrutiny committees move dignity to the top of their agenda

13 November 2009 DH

New guidance has been published this week designed to help overview & scrutiny committees to gain a further understanding of what dignity & respect for individuals means in reality and to help them raise the profile of it in their work. As the authoritative voice on quality of care in their local area and as a channel for service users to voice their opinion, scrutiny committees have the power to influence the care agenda locally & drive forward better quality services.

13. Taking the guesswork out of choosing a care home

Counsel and Care has launched a free handbook offering advice on care homes. The 56-page booklet is intended to be used by anyone who is exploring options for care.

The handbook can be downloaded from the [Counsel](#)

[and Care website](#) or you can order a copy free of charge (plus postage and packaging). Telephone 020 7241 8522 or email your request with your name and full postal address to sharon.ridsdale@counselandcare.org.uk.

Case Reports

Law Reports

14. R (Manchester City Council) v St Helens Metropolitan Borough Council

This case has progressed to the Court of Appeal, despite harsh words from the court below saying that the public bodies should not be squabbling and spending huge sums of public money to resolve which of them should pay for the care package for a person living in the community with support.

The court held that the council in whose area the person was ordinarily resident has the liability to meet the costs of a care package, albeit another authority had set up the package of support.

The reason for the dispute is that the annual care package is over £500,000.

Disciplinary cases

15. Operating department practitioner struck off for misconduct

11 November 2009 HPC

Operating department practitioner Brian Faulds has been struck off the HPC Register for being absent from work without appropriate authorisation whilst working at the Stoke Mandeville Hospital.

Brian Faulds was absent from work for a period of almost eight weeks, he failed to inform his line Manager of the absence and failed to produce certification to justify his absence. He had been previously issued with a written warning for unexplained absence from work.

Subsequently Faulds was required to make and attend monthly Occupational Health appointments and attend counselling. He failed to sustain his compliance with any of these elements.

Faulds was neither present nor represented at the hearing.

Cases in the news

16. Family to sue over ambulance wait **09 November 2009 – BBC News**

The family of Paul Allen who died after a heart attack in the street have declared their intention to sue the NHS, claiming he waited over an hour for an ambulance.

He collapsed near Newark Market Place last month and a paramedic in a 4x4 vehicle got to him but a fully equipped ambulance was not available.

Mr Allen, from Kirkby-in-Ashfield, died from a cardiac arrest in hospital.

[For full report click here](#)

17. Out-of-hours GP contract is ended **09 November 2009 – BBC News**

NHS Cambridgeshire has terminated its contract with the out-of-hours GP service criticised after a patient's death.

NHS Cambridgeshire said it had monitored the safety and performance of Take Care Now (TCN) since the death of 70-year-old David Gray in 2008, who was prescribed 10 times too much painkiller by a German locum.

TCN will not contest the decision.

[For full report click here](#)

18. Father drops right-to-life fight **10 November 2009 news.bbc.co.uk**

A father who had been fighting to stop a hospital stopping life support from his seriously ill son, Baby RB, withdrew his objections.

The hospital was backed by the baby's mother.

Ed. The judge hearing the case Mr Justice MCFarlane issued words of endorsement following the parties to the application all agreeing that there should be a withdrawal of life support from Baby RB. The Words of Endorsement are reproduced as this week's article on page 21.

19. Carers urged to seek NHS funding **11 November 2009 – BBC News**

Pauline Hardinges, from south east Cornwall, has ignored a legal confidentiality clause to urge carers to check what funding they are entitled to.

She was refunded £30,000 from the Cornwall and Isles of Scilly Primary Care Trust (PCT) for costs incurred through her mother's care.

[For full report click here](#)

20. Carer held over resident's death **12 November 2009 – BBC News**

A care home worker has been arrested on suspicion of manslaughter after the death of an elderly resident in

Doncaster.

Henry Henshaw, 84, died a day after he was taken ill at The Royal Care Home in Rossington.

An inquest, which opened earlier, heard that Mr Henshaw's medication had been incorrectly administered.

[For full report click here](#)

21. When they took his tube out I was cuddling him... it was the longest we had seen his face properly. It made him look so peaceful. The last thing I said to him was that I loved him

15 November 2009 The Mail on Sunday

Baby RB's mother tells the moving and tragic story of her son and how, last Friday, he died when life support was withdrawn.

Children

22. Ofsted admits Baby P report error

10 November 2009 – BBC News

Ofsted has admitted that it made a "deeply regrettable error" by not disclosing an inspection report to the court reviewing Sharon Shoemsmith's sacking.

The 70-page handwritten notes were from an inspection after Peter's death.

High Court Judge Mr Justice Foskett gave Ofsted 14 days to ensure no other documents in the case were withheld. Ofsted said it had "nothing to hide".

[For full report click here](#)

23. Baby P 'detering social workers'

11 November 2009 – BBC News

A survey undertaken by the Local Government Association (LGA) suggests that a growing number of social workers are leaving the profession following the Baby P case.

6 out of 10 councils in England have reported problems retaining staff - a 50% rise on the year before.

[For full report click here](#)

24. Roman Catholic church stalls on £8m child abuse claims

15 November 2009 The Observer

Graham Baverstock, 51, confined to a wheelchair, reliant on carers, benefit cheques and doctors who, as a 14-year-old, was sent to St William's Community Home for troubled boys in Market Weighton, near York.

The home was established and run by De La Salle Brotherhood from 1960 to 1992 – when it was closed. Almost 200 men have alleged they were physically and/or sexually abused. 142 are seeking compensation which could cost the Roman Catholic church £8m.

The home's former head, Brother James Carragher, was jailed for 14 years for abusing children.

Conferences & Courses

Nothing to report

Consultations

25. 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](#)

26. 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

27. 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?action=consultationDetails&consultationId=1662&external=no&menu=1>

28. 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](#)

29. Proposals for Adult and Community Learning Inspections from 2010: Consultation

Closing Date: 29 December 2009

Consultation seeking views on how Ofsted proposes to develop and use the common inspection framework to focus on improvement in adult and community learning and to ensure inspections for providers who offer a range of programmes are coherent.

[For full consultation click here](#)

30. Direct Payment for Health Care: A consultation on proposals for regulations and guidance

Closing Date: 8 January 2010

Consultation wanting views on the government's proposals for piloting direct payments for health care. This is part of the wider pilot programme to explore personal health budgets announced in High Quality Care For All.

[For full consultation click here](#)

31. Implementing the Health Act 2006: Review of fees for applications to provide pharmaceutical services in England - Consultation document

Closing Date: 12 January 2010

A consultation wanting views on the impact of charging on the NHS, pharmacy and appliance contractors and applicants and whether or not the current fees represent a fair contribution to NHS costs.

[For full consultation click here](#)

32. Complaints About Ofsted's Work: Proposed improvements to the process – Consultation

Closing Date: 13 January 2010

A consultation seeking views on proposals to improve

arrangements for the handling and investigation of concerns about its work and the conduct of its staff. For full consultation go to <http://www.ofsted.gov.uk/Ofsted-home/Publications-and-research/Browse-all-by/Documents-by-type/Consultations/Complaints-about-Ofsted-s-work-proposed-improvements-to-the-process>

33. 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

34. Getting ready for registration

09 November 2009 – CQC

The Care Quality Commission has published three short guides to help care providers get ready for registration, as legislation introducing a new registration system for all regulated health and adult social care services in England has now been laid before Parliament.

[Your Guide to Registration](#)
[NHS trusts – How to Register](#)
[The Scope of Registration](#)

35. SIRCC Guidance on emergency planning for a flu pandemic

10 November 2009 – SCC

The Scottish Institute for Residential Child Care has issued new guidance on emergency planning for a flu pandemic. This is for residential child care providers to help them prepare an action plan to manage the potential effects of a flu pandemic on service provision.

For full report go to <http://www.sircc.org.uk/guidance/flu/pandemic>

36. 'Naming and faming' high performing trusts

10 November 2009 CQC

CQC's chairman, Barbara Young, and the NHS chief executive, David Nicholson, sent a public letter singling out the achievements of 44 trusts that have performed strongly in the NHS performance ratings.

[Find out more about high performing trusts](#)

Dementia

37. Dementia drug use 'killing many'

12 November 2009 – BBC News

An official review into dementia care has revealed that needless use of anti-psychotic drugs is widespread and contributes to the death of many patients.

About 180,000 patients a year are given the drugs in care homes, hospitals and their own homes to manage aggression.

[For full report click here](#)

38. Report on the prescribing of anti-psychotic drugs to people with dementia

12 November 2009 – DH

This report presents the findings of an independent clinical review of the use of anti-psychotic drugs in care for people with dementia.

[For full report click here](#)

39. Government takes action on antipsychotic drugs and dementia

12 November 2009 DH

A new action plan concerning over prescribing of antipsychotic drugs to people with dementia has been announced by Care Services Minister Phil Hope.

The action plan responds to an independent review by Professor Sube Banerjee, commissioned by the Department of Health. Prof. Banerjee's review shows that too many people with dementia are routinely prescribed antipsychotic drugs to treat aggression and agitation, contrary to National Institute of Health and Clinical Excellence (NICE) guidance.

The action plan will include:

- a new National Clinical Director for Dementia;
- measures to ensure people with dementia and their carers have access to psychological therapies to tackle the root of agitation and aggression;
- an audit to establish definitive prescribing figures;
- clear local targets to cut antipsychotics use as a result of the audit;
- better regulation;
- collaboration with the General Medical Council (GMC) and Royal Colleges to ensure all health and social care staff have specialist training in dementia; and joint Department and Alzheimer's Society guidance on what to do if a family member is given antipsychotics.

40. Anti-psychotic drugs to people with dementia

12 November 2009 ECCA

In response to the publication of the review of the use of anti-psychotic drugs to people with dementia, Martin Green, Chief Executive of ECCA, appeared on BBC's 24 news. Barchester Healthcare, an ECCA member, was also been featured in the news item. The following clips feature Barchester's Derham House in Upminster as an example of a care home that does not rely on anti-psychotic medication as a first port of call for people with a dementia.

http://www.channel4.com/news/articles/science_technology/

[alzheimer-poss+drugs+aposneed+rethinkapos/3420942](http://www.bbc.co.uk/1/health/2009/11/091112_alzheimer_drugs.shtml)
http://www.bbc.co.uk/1/health/2009/11/091112_alzheimer_drugs.shtml
[BBC News at One 12 11 2009/](http://www.bbc.co.uk/1/health/2009/11/091112_alzheimer_drugs.shtml)

41. Dementia drugs warning

13 November 2009 Health Service Journal

Powerful anti-psychotic drugs intended to treat schizophrenia are reportedly being regularly used to "chemically cosh" elderly dementia patients. Sube Banerjee, professor of mental health and ageing at the Institute of Psychiatry at King's College London, has said people are being kept on the drugs for far too long.

His warning echoes research suggesting such drugs can double the risk of death and triple the risk of stroke.

42. 'Chemical cosh' for dementia kills 1,800 a year

13 November 2009 The Times

About 145,000 people with dementia are wrongly being prescribed powerful sedatives which cause around 1,800 deaths a year, a Government-ordered review has found.

43. Towards the end, Mummy's mind was like lace...solid bits and big gaps held together with fragments of her memory

15 November 2009 The Mail on Sunday

Angela Rippon, former newsreader, talks about her recently deceased mother who had deteriorated mentally and died a couple of weeks ago.

Dignity

44. Dignity in care: input assessment - DH interventions

11 November 2009 – DH

A review aiming to answer whether or not the Dignity in Care campaign is making a difference to the way services are being provided and commissioned across health, social care, local authorities and the independent sector and the way people experience care.

[For full report click here](#)

45. Independent Review - the Dignity in Care Campaign 3 years on

13 November 2009 DH

This month is the third anniversary of the Dignity in Care Campaign. To celebrate three years of raising the profile of Dignity in Care an independent review has been undertaken and published. It demonstrates that dignity issues show steady improvement. The review includes case studies from all regions of what champions have been doing over the three years.

46. Dignity and respect of older people in accordance with their human rights

15 November 2009 Dignified Revolution

A resolution proposed by Dignified Revolution (DR), with the help of Porthcawl Women's Institute (WI), has been put forward as one of six shortlisted for members to vote on for next year's WI manifesto. If you are able to promote and encourage any WI members to support the resolution DR would be most grateful.

47. Policy on privacy, dignity and respect

15 November 2009 Dignified Revolution

NHS Highlands has published a [policy on privacy, dignity and respect](#).

Domiciliary Care

48. New non-executive directors join UKHCA Board

10 November 2009 UKHCA

Two new non-executive directors have joined the Board of United Kingdom Homecare Association Ltd, following the AGM on 04.11.2009.

John Ivers of the Nestor Healthcare Group plc and Heather David of Mid-Yorkshire Care Ltd were warmly welcomed onto the Board by Chair, Mike Padgham:

"John Ivers brings the experience of one of our national provider organisations with him, and has subsequently been elected Treasurer of the Association. Heather David brings the experience of growing and directing an independent homecare agency with a keen eye for the quality of homecare services."

At the Board meeting the following day, Bill McClimont of Active Assistance and Lynda Gardner of Oxford Aunts Care were re-elected Vice-Chair and Honorary Secretary respectively. Lucianne Sawyer, Yvonne Apsitis and Noni Cobban were reappointed as President and Vice-Presidents respectively for the following two years.

On behalf of the Board, Mike Padgham thanked two

non-executive directors who stood down at this year's AGM: Mark Hales of Claimar Care Group plc and Gill Charlick of Premier Homecare North Wales Ltd.

"Mark has been an invaluable Treasurer for the Association, building the organisation's reserves to our target level and supporting the executive team. Gill's contribution to the representation of our members in Wales has been highly appreciated. We thank both of them for their work."

A subsequent election for a member of the Board to represent providers in Wales will be held in the near future.

49. Dignified Revolution seeks clarification on charges in Wales

15 November 2009 Dignified Revolution

DR has written to the **Welsh Assembly Government (WAG)** to establish whether Gordon Brown's recent announcement that the elderly and infirm will soon be offered free personal home care would also apply in Wales. The response was that WAG will be publishing its own Green paper on Paying for Care in Wales. It has its own policy on personal care in Wales – one that it believes will be fairer and beneficial to a wider number of services users than that proposed for England. The full response is available on [DR's website](#).

Ireland, Scotland & Wales

Ireland

Nothing to report

Scotland

50. First hospital report published

09 November 2009 – BBC News

Scotland's newly-appointed hospital inspectorate, the Independent Healthcare Environment Inspectorate has published its first report since being established earlier this year.

The Inspectorate said Stirling Royal Infirmary needed to tighten up its infection control procedures.

[For full report click here](#)

51. Child protection vetting improved

10 November 2009 – BBC News

The Scottish Government has announced the start up of a new scheme aimed at streamlining the disclosure system designed to protect children and vulnerable adults.

The £53m project is said to replace the need for multiple "one-off" checks with a continually updated system.

A consultation on what is called the Protecting Vulnerable Groups (PVG) Scheme has been launched.

[For full report click here](#)

52. Five die in hospital bug outbreak

10 November 2009 – BBC News

An outbreak of the Clostridium difficile (C.diff) bug has killed two hospital patients and contributed to the deaths of three more at Ninewells Hospital in Dundee over an 18 day period.

The patients were among a total of eight elderly people who contracted the infection. The ward is still closed to new admissions.

[For full report click here](#)

53. Bug outbreak 'identified quickly'

12 November 2009 – BBC News

Health Secretary Nicola Sturgeon has said she has every confidence that the outbreak of Clostridium difficile at a Dundee hospital was identified quickly.

It was revealed last Tuesday that five elderly patients had died after contracting the bug on Ward 31 at Ninewells hospital.

[For full report click here](#)

Wales

54. Concern over NHS child protection

10 November 2009 – BBC News

Keith Towler, Wales' Children's Commissioner, has expressed his concern about the ability of the NHS to co-ordinate its protection of young people.

He said recent child death cases highlighted the role of health providers in identifying child injury and indicated recent reports by watchdog groups which he said identified inconsistencies in practice.

[For full report click here](#)

55. Swine flu cases 'levelling off'

10 November 2009 – BBC News

Dr Tony Jewell, The Chief Medical Officer for Wales, has expressed his surprise that the number of swine flu cases in Wales appears to be levelling off and possibly even going down.

But he warned that there was the potential for a third wave in January and February and that it was important to remain vigilant.

[For full report click here](#)

56. Row over 'no' to NHS cash probe

12 November 2009 – BBC News

The Liberal Democrats have expressed their disappointment that the Welsh health minister has refused to look into claims that £1bn of NHS cash is being poorly spent.

Last month, a NHS official told an committee a fifth of the £5bn annual health budget was not used correctly.

[For full report click here](#)

Learning Disabilities

57. Parents losing children in 'loaded system'

09 November 2009 – BBC News

Research by Bristol University has found that 6 out of 10 parents with learning disabilities are having their children removed for adoption with a background of prejudice and out-of-date assessments.

In Birmingham, where children's services were described as "not fit for purpose" in a government report, social workers say the system is loaded against the learning disabled who are more likely to lose their children than keep them.

[For full report click here](#)

58. Children's champion faces up to change

09 November 2009 – BBC News

Colin Tucker is charged with changing Birmingham Children's Services.

His comment following the news story above was:

"That isn't fair, that isn't proper and that isn't right,".

He went on to talk about the shortcomings of the children's services department which was described as "not fit for purpose" in a recent Ofsted report.

[For full report click here](#)

Legislation Update

59. No. 1924 The Education (Miscellaneous Amendments relating to Safeguarding Children) (England) Regulations 2009

9 November 2009 – OPSI

[For full legislation click here](#)

Mental Capacity

60. Secret court is told to open its doors after probe by MoS

15 November 2009 The Mail on Sunday

Following a Mail on Sunday campaign and a test case last week Mr Justice Hedley ruled the Court of Protection should allow media to attend a private hearing.

Mental Health

Nothing to report

Miscellaneous

61. UK Dementia Congress: Speech by Phil Hope

05 November – DH

A transcript of the speech by Care Minister Phil Hope at the UK Dementia Congress on 5 November 2009.

He talks about the government's...

[For full report click here](#)

62. The Health Service Branded Medicines (Control of Prices and Supply of Information) (No. 2) Regulations 2008

06 November 2009 – DH

This is a letter to pharmaceutical companies about the Department of Health's proposals to amend the Regulations.

[For full report click here](#)

63. US House backs healthcare reforms

08 November 2009 – BBC News

Despite strong opposition, the US House of Representatives has backed a healthcare bill in a step towards reforms promised by President Obama.

The Bill was passed in a narrow 220-215 vote, and aims to extend coverage to 36 million more Americans and provide affordable healthcare to 96%.

[For full report click here](#)

64. Cost of care plan for needy criticised

08 November 2009 Financial Times

Gordon Brown's plan to provide free home-based social care for those with the highest needs has been strongly attacked by Lord Lipsey and Lord Joffe, two former members of the 1999 Royal Commission on Long Term Care, and who wrote a minority report rejecting the Commission's majority proposal for free personal care for all. They said the new announcement, if acted upon, would create perverse incentives.

The policy brings the greatest benefits to the better off, costs more than projected and puts pressure on people to stay in their own home when they might be better off in a care home, the lords say.

In England, many poorer people get their care at home paid for by means-tested benefits. So the bulk

of the extra spending – £670m a year on the government's figures – will benefit the better off who currently pay their own costs.

Indeed, "since the main effect [of having to pay] is to reduce the amount of money they have to leave to their children, this change [in large measure] would benefit the offspring of better-off people", the peers said.

The proposal will also create a perverse incentive for people to stay at home in order to avoid admission to a care home where their personal care will have to be paid for, the peers said.

65. GPs 'must cut use of antibiotics'

09 November 2009 – BBC News

GPs are again being warned to cut back on the number of antibiotics they prescribe.

Recently the Government, health protection experts and drug advisers have warned that overuse is increasing antibiotic resistance, and now the European Centre of Disease Prevention and Control has warned if trends continue it will make it harder for hospitals to carry out operations.

[For full report click here](#)

66. ECCA responds to consultation on the Code of Practice for Health and Adult Social Care on the Prevention and Control of Infections

09 November 2009 ECCA

The English Community Care Association responded to the consultation on the Code of Practice for Health and Adult Social Care on the Prevention and Control of Infections.

Ann Mackay, Director of Policy said:

“ECCA is supportive of the Code, which will be an important step in ensuring the health and safety of people cared for in independent health and social care services. That said, ECCA would urge the Department of Health to use the opportunity presented by the publication of the code to address the shift of the cost of certain healthcare services, e.g. vaccinations, onto social care.

“Finally, it should be noted that application of the code needs to be proportionate, particularly when applied to small care homes. There must be a common understanding between CQC, commissioners and providers as to what is realistic for different types of providers in terms of the Code’s application”.

67. Everything you should know about the swine flu vaccine

09 November 2009 The Times

Dr mark Porter writes about the vaccine, who should have it, when, safety etc.

68. Federation Reaction To DPPS Call For Curb On Cautions

09 November 2009 ukpolicing.info.uk

Simon Reed, Vice-Chairman of the Police Federation of England and Wales, said: *“Keir Starmer QC, the Director of Public Prosecutions, is right to call for an end to excessive use of police cautions, but fails to make clear that the decision for more serious offences rests with the Crown Prosecution Service and not the police.”*

69. Obama makes history as \$1.2 trillion health plan scrapes over first hurdle

09 November 2009 The Times

President of the USA had a narrow victory in seeking to provide universal healthcare of all Americans

when his Bill was passed by the House of Representatives.

70. Undercover film nurse wins award

09 November 2009 – BBC News

Margaret Haywood, the nurse who was initially struck off after secretly filming elderly patients being neglected at a Sussex hospital has won a national nursing accolade.

She received the Nursing Standard's Patient's Choice Award.

[For full report click here](#)

71. GSCC dismisses chief executive Mike Wardle

Rosie Varley: new chief executive and directors will have 'greater clarity of purpose'

09 November 2009 – Community Care

The General Social Care Council has sacked its chief executive, Mike Wardle, after the publication of a damning review of the organisation's conduct system.

England's social care regulator is now attempting to recruit a new senior management team in an attempt to draw a line under the serious operational failings highlighted by the report by the Council for Healthcare Regulatory Excellence, published last week.

[For full report click here](#)

72. Equality and Human Rights Commission: Human rights strategy

10 November 2009 – Equality & Human Rights Commission

A strategy setting out how the Equality and Human Rights Commission plans to use its powers to carry out its human rights duties over the next three years. It also sets out how it will respond to the recommendations of its own human rights inquiry.

For full report go to <http://www.equalityhumanrights.com/human-rights/our-human-rights-strategy/>

73. Hospital uniform risk questioned

10 November 2009 – BBC News

Nottingham University Hospitals NHS Trust has defended its decision to allow hospital staff to wear their uniforms outside work after questions were raised over infection risks.

The Trust said research had shown there to be no risk to patients or staff.

[For full report click here](#)

74. Thousands use new walk-in centre

11 November 2009 – BBC News

Officials have revealed that a health service walk-in centre in Lincolnshire has dealt with more than 13,000 appointments since it opened six months ago.

The centre in Monks Road deals with illnesses and medical inquiries from students, residents and office workers.

[For full report click here](#)

75. Cut duplication not services in the NHS

11 November 2009 – BBC News

The National Health Service is facing a huge budget shortfall after 2011 and former NHS clinician Julia Manning says that it is time to look at the duplication of roles in the health service.

The NHS was asked last financial year to start thinking about how to cut £10bn from its costs.

[For full report click here](#)

76. PM reveals NHS reforms

11 November 2009 – NCF

The Prime Minister has revealed the next stage of NHS reforms.

He was joined by Health Secretary Andy Burnham to outline key changes which aim to create a "patient-centered service" which includes a guarantee that everyone between 40 and 74 will have the legal right to a five-yearly NHS Health Check. Patients will also be legally entitled to treatment within 18 weeks of referral by their GP and will be able to see a specialist within two weeks if they have suspected cancer.

[For full report click here](#)

77. 'Unacceptable' level of data loss

11 November 2009 – BBC News

Information Commissioner's Office, the privacy watchdog says that the number of incidents of loss or theft of personal data has risen to an "unacceptable" level in the past year.

The Information Commissioner's Office (ICO) said NHS hospitals holding private medical records were among the worst offenders.

[For full report click here](#)

78. The General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 - consultation response

12 November 2009 – DH

An outcome report has been published on the public consultation held on the draft General and Specialist Medical Practice (Education, Training and Qualifications) Order 2010 and the draft Postgraduate Medical Education and Training Order of Council 2010 recommending that the statutory functions of the PMETB be assimilated into the General Medical Council (GMC).

[For full report click here](#)

79. Is sex for the disabled the last taboo?

12 November 2009 The Times

Double page article in a preview of a conference 'Disability: sex, relationships and pleasure' hosted by

the Royal Society of Medicine, London. In addition to discussing the sexual pleasures of a several disabled people there is profile for Sexual Health and Disability Alliance and Tender Loving Care Trust which help put disabled people in touch with appropriate sexual and therapeutic services.

80. Craegmoor Chief Executive Calls On Government To Put The Individual At The Centre Of All Care Policy

13 November 2009 Craegmoor Healthcare

In a speech to this year's English Community Care Association (ECCA) conference – 'Up Close & Personal' – 12.11.09, Ted Smith, the Chief Executive of Craegmoor, called on the Government to put the individual at the centre of all health and social care policy.

Setting out the challenges that the personalisation agenda presents for providers, suppliers and other professionals in the sector, he described in detail the 'Your Voice' initiative that Craegmoor – which supports more than 4,000 people with learning disabilities, complex needs and mental health illnesses, as well as older people, across the UK – has rolled out nationally so that it leads by example.

'Your Voice' promotes three key actions – Ask, Listen and Do – to ensure that each and every person using a Craegmoor service feels completely empowered and involved in how the service is run.

Emphasising that the decision maker throughout has to be the person who uses the service, Mr Smith told the conference:

"Everything that the Government does needs to be focused around the individuals that require support. The Government should not

be thinking about what they can do to help care homes or supported living schemes or independent hospitals or whatever. The Government should focus on what can be done to help individuals and this must be backed up with appropriate funding.

"When the Government shifts into this all important mindset we might start to see positive changes. Changes that will affect all providers – so that all services place the people who use them at the centre of everything they do.

"Services that are high quality, good value and innovative with excellent outcomes will be the services of the future.

"Services that are described as poor or adequate. Services that are overpriced or, much worse, underpriced. Services that are narrow in their solutions. Above all, services that lack options for the people who use them to develop. These services will wither and die.

"In making this shift it will be the individuals who use services who will be the agents of change. Not the Government, not providers nor purchasers.

"This is personalisation."

81. New alliance criticises government's care proposals

13 November 2009

Britain's biggest pensioner organisation, a leading trade union representing care workers and a major charity tackling elder abuse have joined forces to respond to the government's green paper consultation on the future of care.

The National Pensioners Convention (NPC), GMB and Action on Elder Abuse (AEA) identified three key concerns surrounding the Government's care proposals, which they say could jeopardise the safety of older people and damage the quality of the services they receive.

Their joint response to the Green Paper calls for:

1. A new National Care Service to be funded through general taxation rather than any the use of one-off lump sum payments, private insurance or through the use of existing care or disability benefits.

The organisations believe that the proposed National Care Service can only be properly financed through a universal tax-funded system, and the government's instant dismissal of this option is not evidenced based, but politically driven. There is wider support for this amongst the public and other stakeholders than the government seems prepared to acknowledge.

2. A new National Care Service to be properly regulated with regard to registration, standards, monitoring and inspection of care providers and those employed in the care sector.

There should be new requirements for the registration of care providers so that 50% of staff in care homes and all new staff working in domiciliary care would be suitably qualified. The General Social Care Council should also be responsible for registering, inspecting and regulating paid care workers.

3. The use of individual budgets for older people to be reconsidered as they raise serious concerns about personal safety, the quality of care and unacceptable responsibility that will be

placed on many vulnerable users.

Individual budgets purport to give individuals choice and control over their care, but for many older people they will be an unacceptable burden. Individual budgets also raise serious concerns about the safety and protection of vulnerable individuals who will be responsible for employing their own care workers, who at present are exempt from registration, regulation and inspection.

Dot Gibson, NPC General Secretary said: *"Care in the UK is in crisis. For years it has been the Cinderella service of the welfare state – under funded and overlooked, and this long awaited green paper has clearly missed the opportunity to put this right. Suggestions that people should pay lump sums or take out private health insurance just won't tackle the inequalities in the system."*

"Older people and their families have a right to ask: why when education, the NHS and many other public services can be funded by society as a whole – should the care of our most vulnerable pensioners be left to individuals? For generations that have already contributed to our society, the fairest and most effective way of providing good quality care to everyone is through a tax-funded option – and it is disgraceful that the government has ruled this out of the consultation before we've even had a debate."

Sharon Holder, GMB National Officer said: *"The workforce, which accounts for 80% of all social care expenditure in the UK, is low paid, nearly half work part-time, is supplemented by migrant and agency workers and is pre-dominated by female staff. There is no longer a requirement that 50% of staff employed in care homes will be qualified to NVQ 2 level, and, as a consequence, the quality of care provision*

across the sector is suffering."

"The failure of the Government in the Green Paper to devote any significant attention to workforce issues simply underpins the lack of any real commitment to delivering the high quality and innovative services users want and the Government desires. If the future of Care and Support in England is to truly improve, then, more needs to be done to regulate standards, monitor provisions and improve the conditions of the workforce."

Gary Fitzgerald, Action on Elder Abuse Chief Executive said: *"The funding and delivery of social care support has a major impact upon the quality of life for many older people, and the constant re-writing of eligibility criteria to exclude them from access to anything other than critical support has resulted in an increase in neglect within our communities."*

"The transfer of social care from regulated, managed and supervised services to the unregulated provision of 'cash for care' is dangerous. It goes against all that the Government knows about elder abuse and it unnecessarily increases risk without any safeguards being put in place. Older people do not want to become employers and managers in their old age; they want quality care that is flexible and safe, and it is about time the Government listened to their voices."

The three organisations launched the joint submission on 13.11.2009, Room M, Portcullis House, London.

82. Patient Safety Awards 2010 13 November 2009

The awards take place on 05.02.2010 at the Grosvenor House Hotel, Park Lane, London – the finalists are listed below:

Board Leadership

- Leeds Partnerships NHS Foundation Trust, "First Do No Harm": A drive for safety and reliability
- North Tees and Hartlepool NHS Foundation Trust, Reducing mortality through teamwork
- Northumbria Healthcare NHS Foundation Trust, Board Leadership
- Salford Royal NHS Foundation Trust, Executive Safety Walk Rounds
- Stockport NHS Foundation Trust, Improving the Quality Board Report

Walsall Hospitals NHS Trust, Board Leadership - Ward and Department Assurance Framework

Changing Culture

- County Durham & Darlington Foundation Trust, Antibiotic Stewardship Program
 - Great Ormond Street Children's Hospital, Transforming Care on Your Ward
 - NHS Education South Central, Peripheral line Training Project
 - Salford Royal NHS Foundation Trust, Quality Improvement - Strategy
 - Salisbury NHS Foundation Trust, Salisbury Handover System
- Wrightington, Wigan & Leigh NHS Foundation Trust, Reducing HSMR

Communicating Patient Safety

- Air Products Healthcare, Sunshine magazine
- Blackpool, Fylde and Wyre Hospitals NHS Foundation Trust, Putting Patient Safety First- Communications Campaign
- Guy's and St Thomas' NHS Foundation Trust, Acutely ill Patient in Hospital

- Harrogate & District NHS Foundation Trust, HDFTs Patient Identification Campaign
- Map of Medicine Ltd., Implementing the Map of Medicine
- University Hospitals of Leicester NHS Trust, NHS Number Programme

Data/Information Management

- Airedale NHS Trust, Ward real time metrics
- East Cheshire NHS Trust, Stroke oracle
- Healthcare Centre, Provision of offender healthcare
- Royal National Hospital for Rheumatic diseases, Vital aspects of clinical safety
- Salford Royal Foundation Trust, Quality dashboard

Tees, Esk & Wear Valleys NHS Foundation Trust, Improving inpatient safety through a rapid process improvement workstream

Education and Training in Patient Safety

- Newcastle upon Tyne Hospitals NHS Foundation Trust, Simulation based training to smooth the transition from undergraduate to foundation doctor
- Nottinghamshire Healthcare NHS Trust in association with NICE, Safe and enjoyable eating and drinking for people with learning disabilities in Nottinghamshire
- Saving Londoners' Lives, Saving Londoners' Lives
- School of Nursing and Midwifery, Queens University Belfast, Interprofessional Shared Learning using case scenarios and simulation technology for medical and nursing students
- University Hospital Birmingham NHS Foundation

Trust, Making Burns Safer

Winchester and Eastleigh Healthcare NHS Trust, Sepsis Symposiums - A model for multidisciplinary training using real patient scenarios.

Improving Medicines Safety in Healthcare Organisations

- Guy's and St Thomas' NHS Foundation Trust & St George's Healthcare, Development and implementation of a generic Cancer Oral Chemotherapy Diary
 - Guy's and St Thomas' NHS Foundation Trust, Anticoagulation safety improvement programme GSTFT (CLOTS)
 - Manchester Mental Health and Social Care trust, How to improve medication safety using pharmacist's interventions across the organisation
 - NHS East Lancashire tPCT, Reducing NSAID related patient harm in East Lancashire 2008-09
 - University Hospitals of Leicester NHS Trust, Improving medication safety in children
- Wrexham Maelor Hospital, Betsi Cadwaladr University Health Board, More than just a raffle ticket: Hospital pharmacy's fact finding tool for out-patients presenting prescriptions

Infection Control and Safety

- Derby Hospitals NHS foundation Trust, Aseptic non touch technique mats
- Portsmouth Hospitals NHS Trust, Reducing Infection: VitalPAC electronic screening and surveillance project
- Royal College of Art, Helen Hamlyn Centre, 6 designs for infection control
- Royal Liverpool and Broadgreen University Hospital, Prevention and management of hospital acquired infections. "Teams with out walls"

South Western Ambulance Service NHS Trust,
Cleaner Care: Transforming pre-hospital infection
prevention and control

Patient Safety in Clinical Practice

- ABM University Trust, Pressure Ulcers - Zero Tolerance
- Aintree University Hospitals NHS Foundation Trust, Reducing Patient Falls
- Colchester Hospital University NHS Foundation Trust, Surviving Sepsis
- The North West London Hospitals NHS Trust, Reducing avoidable mortality through the use of targeted care bundles
Rotherham NHS Foundation Trust, The Falls Collaborative

Patient Safety in Critical/Intensive Care

- The Dudley Group of Hospitals NHS Foundation Trust, Reducing Cardiac Arrests
- Northampton General Hospital, MRSA prevention in Critical Care
- Musgrove Park Hospital, Safer patient initiative adult intensive care
- Salford Royal NHS Foundation Trust, Reducing MRSA colonisations in ICU Project
- Western Health and Social Care Trust, Development of a system for time-critical transfers
York Hospitals NHS Foundation Trust, Central venous catheter management in critical care

Patient Safety in Mental Health

- Bedfordshire and Luton Mental Health and Social Care NHS Trust, It's Better in Bedfordshire
- Leeds Partnerships NHS Foundation Trust, Year of Patient Safety

- Manchester Mental Health and Social Care Trust, Fire and Mental Health Liaison Project
- Tees, Esk and Wear Valleys NHS Foundation Trust, Falls Initiative
- Tees, Esk & Wear Valleys NHS Foundation Trust, Improving inpatient safety through a rapid process improvement Workstream

Tees, Esk and Wear Valleys NHS Foundation Trust, RIOTT - Randomised injectable opiate treatment trial
Brighton and Sussex University Hospitals Trust, CHAPS - Safe hand-over; a structured communication tool

Patient Safety in Maternity Care

- Brighton and Sussex University Hospitals Trust, CHAPS - Safe hand-over; a structured communication tool
- Cardiff and Vale University Local Health Board, improving recognition of impending maternal collapse to reduce unnecessary maternal death
- The Royal Wolverhampton Hospitals NHS Trust, "Pin-Girl" Interactive training poster
- The Royal Wolverhampton Hospitals NHS Trust, Waterbirth DVD
- The Royal Wolverhampton Hospitals NHS Trust, Intra-Partum Faculty
Southampton University Hospitals NHS Trust, HICSS Maternity Risk Management

Patient Safety in Primary Care

- Bournemouth & Poole Community Health Service, Dysphagia Awareness Training
- DMC Healthcare, Clinical Governance Committee
- NHS Blackpool, The Falls Matron Role - develop-

ing a nurse-led service for community falls prevention

- NHS East Lancashire tPCT, Reducing NSAID related patient harm in East Lancashire 2008-09
- Primecare, OOH Pathway Initiative
Scansol Ltd, TeleDerm

Safe Surgery—Implementing the Safer Surgery Checklist

- Airedale NHS Trust, Surgical safety briefings
- Barts & the London NHS Trust, 'The Barts & The London safer surgery check list': Enhancing an organisation's safety culture
- King's College Hospital NHS Foundation Trust, Safer theatre teams at King's
- Queen Margaret Hospital/NHS Fife, Perioperative care bundles
- Royal Bolton Hospital NHS Foundation Trust, Implementing the safer surgery checklist
Salisbury NHS Foundation Trust, Perioperative safety workstream

Technology and IT to Improve Patient Safety

- Leeds General Infirmary, interactive Emergency Dept (iED), The Paeds ED project - safety and acute decision support in paediatric resuscitation
- Oxford Radcliffe Hospital's NHS Trust, Electronic Blood Transfusion System
- Portsmouth Hospitals NHS Trust, "Hospital-wide physiological surveillance" - the use of handheld computers to improve patient safety by earlier recognition of patient deterioration.
- Portsmouth Hospitals NHS Trust, Reducing Infection: VitalPAC
- Southampton University Hospitals NHS Trust, Electronic Clinical Results Acknowledgment
Pharmacy Plus, The Proactive Care System (PCS)

83. Legal guidance on assisted suicide 'a danger to elderly'

14 November 2009 The Times

Baroness Butler-Sloss and other leading lawyers have criticised the guidance on interpretation on assisted suicide issued by the DPP, Keir Starmer, as posing "serious dangers for public safety". The guidelines have been issued in draft following the Law Lords decision in the case of Debbie Purdy (See BHCR Vol 4, Issue 40, items 69 & 78)

84. Health timebomb hits baby boomers

14 November 2009 Daily Mail

Article which asserts that people now entering their 60s suffer more illnesses caused by poor diet and lack of exercise.

85. Thalidomide victory in sight

15 November 2009 The Sunday Times

Thalidomide is story of pain and official neglect

15 November 2009 The Sunday Times

Following a meeting with Health Minister Mike O'Brien during the week, Government is believed to be close to establishing a settlement for the remaining 460 remaining thalidomide victims providing an average of £18,000 per annum. In line with recent trends, Government will also issue a public apology.

86. Libel laws stifle health doubts

15 November 2009 The Sunday Times

Article in which it is argued that UK libel laws are suppressing scientific debate.

87. Full page advertisements concerning swine flu vaccination

The Department of Health has taken out full page ads in national newspapers identifying groups who

are at risk and who have priority for vaccination.

NHS

88. NHS boss quits over cash for grit

09 November 2009 – BBC News

Kath Toward, an NHS governor has resigned after a primary care trust pledged £1m to help a council pay for extra road gritting.

She quit in protest at Durham and Darlington PCT's decision to give the cash to Durham County Council in an attempt to prevent accidents, and said that gritting was not a health issue and that the money should be spent on "struggling" NHS services.

[For full report click here](#)

89. Privacy 'helps patients recover'

09 November 2009 – BBC News

Research by South Central Strategic Health Authority has indicated that privacy and dignity are major factors in patients making a speedy recovery.

In a survey, 83% of patients also said the most important part of the hospital experience was friendliness and approachability of staff.

[For full report click here](#)

90. Clinics paid to cut waiting lists 'cherry pick patients'

09 November 2009 The Times

An investigation by the University of York has found that Independent Sector Treatment Centres are taking the less risky patients whilst being paid the same rate as the NHS which is dealing with the remainder under the payment by results system introduced by this Government.

91. Plans for 'right' to private care

10 November 2009 – BBC News

Hospitals must now start treating patients within 18 weeks of referral - or two weeks in the case of cancer.

If patients face delays whilst on NHS waiting list, then they will get the legal right to be seen privately.

[For full report click here](#)

92. MRSA 'not the only threat to NHS'

10 November 2009 – BBC News

The Public Accounts Committee have said that the Government has taken its "eye off the ball" on hospital infections other than MRSA and C. diff.

The Committee said setting targets in England for the two infections had led to a fall in cases, but warned there were signs other bugs, such as E. coli, were becoming more common and they called for better surveillance to curb the problem.

[For full report click here](#)

93. Free NHS screening

10 November 2009 The Times

Patients aged between 40 and 72 are to be offered a NHS health check every five years, Gordon Brown announced.

94. Government sets out new patient rights

10 November 2009 Health Service Journal

Proposals to give patients the legal right to private treatment if the NHS cannot provide care quickly enough, the right to die at home and the right to NHS dentistry are set to be revealed by the Government. The proposals, set out in a consultation on the NHS constitution, would give patients the legal right to treatment within 18 weeks of referral by their GP. Patients with suspected cancer would have the right to

be seen within two weeks.

95. DH banking on patients not claiming entitlements

11 November 2009 Health Service Journal

Andy Burnham, Health Secretary, set out his proposals to give patients waiting time and health check rights; however, the Department of Health's impact assessment for the policy - which could apply from April 2010 - shows it is 'banking' on only a few patients exercising their rights.

Ed. This is either a recipe for disaster, or Government does not believe that it will be held 'accountable'. It is madness to give rights and guarantees to people and not expect them to enforce them – that was the mistake vacuum cleaner manufacturer Hoover made in 1992 with its 'Free Flights' fiasco!

96. Andrew Lansley warns against 'chilling' preferred provider policy

11 November 2009 Health Service Journal

A Conservative government would return to an "any willing provider" model, the shadow health secretary Andrew Lansley said. He also said the Government's current policy of treating the NHS as preferred provider would damage social enterprises. "[Government policy] will have a very chilling and damaging effect on social enterprises [that] think they can provide services within the NHS," he said.

97. Anger over NHS roads pledge to council

11 November 2009 Health Service Journal

An NHS governor has resigned after her primary care trust offered Durham county council £1m to help towards gritting roads.

98. Managers' anger at O'Brien's name and shame threat

12 November 2009 Health Service Journal

Managers have reacted with anger and confusion to a threat by health minister Mike O'Brien to "name and shame" those who slash budgets and services in response to the public sector funding squeeze.

99. Demand management fails as trusts soak up PCT cash

12 November 2009 Health Service Journal

Primary care trusts have failed to control demand for hospital services by transferring care into the community, research from the Audit Commission has found.

100. Intensive care investments cut death rate, study finds

13 November 2009 Health Service Journal

Thousands of lives have been saved by increased intensive care funding and the introduction of treatment guidelines according to research from scientists from the London School of Hygiene and Tropical Medicine said extra beds, more outreach services, and the adoption of clinical standards had cut the intensive care mortality rate by 11.3%.

101. Millionaire berates 'third-class' NHS as private care helps son walk again

15 November 2009 The Sunday Times

Andy Stewart, 58, a millionaire stockbroker, is campaigning for improved treatment of spinal injuries in the NHS after his son broke his back – who was "wheeled out of Stoke Mandaville but ... walked out of Royal Buckinghamshire Hospital (a private hospital)"

Nursing

102. Nursing to become degree only profession

12 November, 2009 Health Service Journal

The government has rubber stamped plans for nursing in England to become a degree only profession. The decision by the DH follows the Nursing and Midwifery Council ratification of proposals to make nursing in England an all graduate profession in Sept 2008.

103. NHS nurses must have degree under new rules

12 November 2009 The Times

Front page item about the decision that from 2013 nurses will be required to have a degree before being accepted for training. The justification is that this will "ensure new nurses have the best possible start to meet the challenges of tomorrow."

The Minister, Ann Keen, a former nurse, said that having a degree will provide the decision-making skills needed to make high-level clinical judgements.

Christine Beasley, Chief Nursing Officer, said that as a consequence nursing would become more attractive to hundreds of thousands of young people keen to go into tertiary education.

104. Tomorrow's nurse will have a degree in bedside manner

12 November 2009 The Times

Unison and Unite, two of the biggest UK unions have questioned the need for all nurses to have a degree from 2013 – they say that there is no compelling evidence of the need for such a qualification. Currently

about 25% of nurses have a degree and 4% have a post graduate qualification and 34% a diploma.

105. Doctors and Nurses

13 November 2009 The Times, Leading articles

The demand for all nurses to have degrees will not increase the status of the profession. But it will worsen the shortage of nurses.

106. Nursing stereotypes and the caring profession

13 November 2009 The Times, Letters to the Editor

Prof. Dame June Clarke, former President, Royal College of Nursing, writes in a very long sentence (some 70 words) that there is a simple need for nurses to possess degrees. Two other correspondents, a nurse and a doctor, are far from convinced that having a qualification of degree will improve care.

107. DH: Nursing set to become all graduate entry by 2013

All new nurses will be educated to degree level from 2013 making them better equipped to improve the quality of patient care, Health Minister Ann Keen has announced.

[http://nds.coi.gov.uk/clientmicrosite/Content/Detail.aspx?](http://nds.coi.gov.uk/clientmicrosite/Content/Detail.aspx?ClientId=46&NewsAreaId=2&ReleaseID=408498&SubjectId=36)

[Client-](http://nds.coi.gov.uk/clientmicrosite/Content/Detail.aspx?ClientId=46&NewsAreaId=2&ReleaseID=408498&SubjectId=36)

[tid=46&NewsAreaId=2&ReleaseID=408498&SubjectId=36](http://nds.coi.gov.uk/clientmicrosite/Content/Detail.aspx?ClientId=46&NewsAreaId=2&ReleaseID=408498&SubjectId=36)

108. Nurses, degrees and the death of GP practices

14 November 2009 The Times, Letters to the Editor

Three correspondents, doctors and nurses, write

about the rationale given for requiring future nurses to have degrees first – none of the correspondents were convinced of the need.

109. Oh nurse, your degree is a symptom of equality disease

15 November 2009 The Sunday Times

Minette Marrin writes about the decision to oblige all those seeking training as nurses from 2013 to have a degree – a “*silly decision*”- muddled thinking has taken over.

Older People

110. Should older people pay for social care?

13 November 2009 The Times

Jane Ashcroft, acting CEO Anchor Trust (and chair of ECCA) writes ‘Yes’ favouring the partnership approach propounded in the Green Paper on the funding of long term care.

Prof. Peter Beresford, Brunel University, responds ‘No’. He is in favour of a national care service delivering similar standards to people wherever they live – he argues that private insurance will not work. He believes that Government proposals are not civilised.

Parliament

Parliamentary Questions and Debate from the Past Week

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

11 November 2009 – House of Commons – Written Question tabled by the Shadow Health Minister, Stephen O’Brien MP, which asked the Secretary of State for Health about funding, courses and enrolment at the Social Care Skills Academy. The Question was answered by the Minister of State for Care Services, Phil Hope MP, who presented a full breakdown of funding to date. To read this Written Question and Answer online click on the following link: <http://www.publications.parliament.uk/>

12 November 2009 – House of Commons – Written Ministerial Statement tabled by the MP for Corby and East Northants and Minister of State for Care Services, Phil Hope, which announced the publication of the Professor Sube Banerjee Report on the prescription of anti-psychotic drugs to people with dementia. Mr Hope also announced the publication of the Government’s response to the report, which accepts its recommendations. To read this Written Ministerial Statement online click on the following link: <http://www.publications.parliament.uk/>

12 November 2009 – House of Commons – Written Question tabled by Greg Mulholland, The Liberal Democrat Shadow Health Minister and MP for Leeds North West, which asked the Secretary of State for Health what his estimates were for the number of care homes in each region that do not meet minimum standards. The Question was answered by Phil Hope MP, who presented CQC data for the number of care homes that had received a 1 or 2 star rating. To read the Written Question and Answer online click on the following link: <http://www.publications.parliament.uk/>

12 November 2009 – House of Commons – Written Question tabled by Tony Baldry, Conservative MP for Banbury, which asks the Secretary of State for Health what guidance his Department provides for carers to

understand the nutritional needs of those they support. The Question was answered by Phil Hope MP, who referred to the NHS 'Carers Direct' service and the Government's 2007 Nutrition Action Plan. To read the Written Question and Answer online click on the following link: <http://www.publications.parliament.uk/>

Workforce

Nothing to report

Social Care

111. Unison's 10 point plan to improve adult social work services

November 2009 Unison

Unison has circa 40,000 members who are social workers says, in brief, that there is a need for:

- Planned investment;
- Clear political commitment to strengthen the role of social work;
- Urgent plan to fill vacancies;
- More social workers and support staff;
- Culling of bureaucracy and performance targets;
- National standards on acceptable caseloads;
- Better support & more reflective practice;
- Better pay;
- Review of position of social work in health settings; and
- Change of management culture.

112. Social Care Bulletin – Updated

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A page linking to all issues of the social care bulletin, which addresses matters related to the organisation and delivery of social care services and includes items of direct interest to social care staff.

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Article

Remarks Of Mr Justice McFarlane Re: Baby RB - Words Of Endorsement

1. In the autumn of last year, KM and AB, a young couple in their mid twenties, were looking forward to the birth of their first baby. The pregnancy had gone well and no complications were expected. On the 10th October 2008, following a normal labour their son, RB was born. It was, however, from the very moment of birth, apparent that their baby was profoundly unwell and could not breathe on his own. He was placed on a ventilator and admitted to the Special Care Baby Unit.

2. Save for a few short attempts which have come to nought, RB has not been able to breathe without artificial ventilation at any point during the 13 months that have now passed since his birth. He is profoundly disabled by a defect which prevents the effective transmission of messages from his brain and nerves to his muscles. It affects every aspect of his physical life. Apart from being able to make small movements of his lower arms and hands, he has little control over his limbs. His face is incapable of expression and his eyelids hang low and are not often open. A tube through which air passes to his lungs passes through one nostril and a feeding tube in the other nostril. His need for breathe is now such that, unless the machine delivers air one every three seconds, his body will go into crisis and decline. Recent attempts to lengthen this period by just one second, have had to be abandoned, such is his need for arti-

cial ventilation from the machine upon which he is, and will always be, totally dependent.

3. It is, I suspect, impossible for those of us to whom such an event has not happened to do more than guess at the impact of it upon these two young parents. In one moment all of the hopes and dreams that they will have had for their expected baby will have been dashed and replaced with a life characterised by worry, stress, exhaustion, confusion and no doubt great sadness.

4. 'Parental responsibility' is the term used in law to describe the role of a parent. During the past 13 months both KM and AB have discharged their responsibility to their son in a manner which has been described by all who have seen it in superlative terms. Dr F, the consultant in charge of RB's care, described the actions of these parents as 'exemplary'. RB's key nurse said of the parents: 'they are brilliant; they are great parents; they love him dearly, are always at his bedside and always want what they feel is best for him'. It is a fact that K and A have spent the most part of each and every day of the last 13 months at RB's bedside, doing what they can to care for him and, when the opportunity arises, to interest and stimulate him, seizing upon any sign of a spark and trying to develop it into something more. They have put their own adult lives on

hold. The stress has been immense, it has cost them their relationship, but still they work together and do what they can to support their son. When faced with the awfulness of the situation in which they found themselves, these two young people have stepped up to the plate and discharged the responsibility that life had thrust upon them by each showing 100% commitment to their child in a manner which can only command profound respect and admiration.

5. In the time that has gone by, it has been possible for the medical experts to reach the clearest view that they can as to RB's future prospects. In short terms, the condition from which RB suffers, congenital myasthenic syndrome, is an inherited muscular disorder caused by a genetic defect. The court has heard evidence from Professor Hanns Lochmuller, one of only three recognised experts in Europe on this condition. He is satisfied that this is the correct diagnosis. CMS covers a substantial number of different genetic defects, each of which produces a malfunction of the neuromuscular junction. Despite much progress in recent years in mapping the genetic causes of this condition, it has not been possible to identify the defective gene in RB's case. Even if identification had occurred the information would be academic unless a drug could be developed to neutralise the misfiring of the chemical message sent by RB's nerves to his muscles. Some such drugs exist but they are specific to the particular chemical abnor-

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mality at which they are targeted. Where they work, the court has heard that the effect, which takes place in minutes, is like moving from night to day. The press in recent days has carried stories of such recoveries. RB has been trialed on each of the three known drugs. Tragically he has not shown any effective response and the prospect of effective treatment for him, which would involve both identifying the defective gene and relying upon the development of a new pharmaceutical, must be many years down the line.

6. All involved in RB's care, and principally his parents, have recognised for some time that it cannot be in his best interests for him to remain for the rest of his life as an inpatient on a Paediatric Intensive Care Unit. Until some 10 years ago, the option for patients who required extensive ventilation were limited but, the court has heard, that pioneering work has been undertaken in developing treatment and support that allows some of these patients to leave hospital and live at home. They do so after a tracheostomy operation to their throat, which allows ventilation from a portable ventilation unit. In RB's case the choices for his future are stark. There are only two. One is for his time on the PICU to end in a planned way, with the administration of a large dose of sedative, the removal of the ventilation tube and his consequent death. The other is to contemplate his discharge from hospital on home ventilation after a tracheostomy. At the start of this hearing the treating clinicians and his mother had sadly concluded that the first option was, in the all the circumstances, in RB's best interest. The father contested that conclusion

and sought to argue for RB being discharged under the second option.

7. It is neither necessary nor appropriate in these short words of endorsement to descend into the detail of the evidence that this court has heard over the past six days. It is sufficient to say that as each day has gone on the picture of RB and the life, if that is the right word, that he could experience on home ventilation has become clearer. Undertaking a tracheostomy and connecting him to a portable ventilator, rather than being a panacea, would simply open up the potential for him to have to endure a further range of procedures and operations. The very living of life itself, day by day, hour by hour, is likely to be at best uncomfortable for him and, more probably, regularly painful for him. The medical evidence is to the effect that he is likely to feel pain and discomfort in the same manner that any baby does, yet this little boy with his inscrutable features, immobile limbs and soundless voice often gives no outward sign of that which he is feeling.

8. I have total confidence in saying that each of these two parents and each of the treating medical team have done all that they could possibly have done to make RB's life as viable, comfortable and enjoyable as it could be. I am also fully satisfied that the doctors and scientists have investigated each and every option for RB's future treatment in the manner that I have just described.

9. This morning the father has changed his opinion on what he sees as being in his son's best inter

ests. At the start of this hearing last week he came into the courtroom with a comprehensive knowledge of RB and his needs, I, on the other hand, was hearing all of this detail for the first time. In the course of the week, however, I suspect that the father and I have travelled a similar path down the evidential road and have now reached the same conclusion. In doing so I have been very greatly assisted by each and every professional who has played their part in this anxious process. I have been particularly impressed by the obvious care that the treating team at the applicant hospital have provided to RB. This level of care spans the range from the smallest detail of his daily physical care up to and including the obvious thought that they have given to determining the ultimate advice that they have given to these parents and to this court as to RB's future care. The stage has now been reached that all three of the witnesses who are expert in the delivery of respiratory care, Prof H, Dr D and Prof B, are at one in concluding that it is just not in RB's best interests to contemplate a life for him outside the PICU. I found, Prof B's contribution particularly compelling, coming as it did as an independent voice and setting out in a detailed and reasoned manner the benefits and burdens that the future would hold.

10. I used the word responsibility at the start of these remarks. It is apt to use it again at their close. AB could, if he had wished, have left the responsibility for taking this decision to the court. He has not chosen to do so. He has, no doubt with a level of sadness that has already been experienced by KM, taken that responsibility upon himself. That he has done so is

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totally in keeping with the manner in which both he and KM have conducted themselves at every stage of this sad, sad journey. For my part, I agree with the outcome and consider that the conclusion to which they and the clinicians have come is the only tenable outcome for RB, the viability of whose life, from its first moment, has depended upon receiving intensive and invasive care from others.

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