

From: Lynne Hunt, Acting Chief Executive
To: Trust Board
Date: 7 September 2006
Subject: Independent inquiries

1.0 Purpose of the Report

- 1.1 Two independent inquiries have recently been published by NHS London involving service users of the Trust; the *Independent inquiry into the care and treatment of Stephen Soans-Wade* and the *Independent inquiry into the care and treatment of Dennis Foskett*.
- 1.2 The action plans produced in response to the inquiries have also been published by NHS London and are attached for information.
- 1.3 Full copies of the inquiry reports can be obtained from the Trust Board Secretary.

2.0 Financial/Legal Implications

- 2.1 Action required that has financial implications will be considered by the relevant commissioning body.

3.0 Background/Introduction

- 3.1 *Independent inquiry into the care and treatment of Stephen Soans-Wade*

In September 2003 Stephen Soans-Wade pushed Christophe Duclos into the path of an oncoming underground train at Mile End Station; Mr Duclos died as a result of his injuries. Stephen Soans-Wade was convicted of his murder in February 2004 and sentenced to life imprisonment.

At the time of the homicide Mr Soans-Wade had been receiving treatment from a number of mental health and substance misuse services in Tower Hamlets, he was also receiving care from his GP. Mr Soans-Wade had a complex range of needs including personality disorder, mental illness, drug and alcohol dependence.

Following the homicide, an Independent Inquiry into his care and treatment was commissioned by North East London Strategic Health

Authority (now part of NHS London). The report of the Inquiry highlights a number of areas where improvements in services and processes are required, making a total of 8 recommendations. These include:

- a requirement to improve practice, delivery and monitoring of the Care Programme Approach particularly related to joint risk assessments and discharge planning
- the call to develop a better range of services for people with personality disorders and other conditions

The agencies involved in providing care to Stephen Soans-Wade have jointly agreed an Action Plan setting out what has already been done to improve services since the death of Mr Duclos. The Action Plan establishes what other action will be taken to fully meet the reports recommendations.

3.2 *Independent inquiry into the care and treatment of Dennis Foskett*

The Report of the Independent Inquiry of Dennis Foskett looks into the circumstances surrounding the homicide of his partner PC in July 2003.

At the time of her death, PC was receiving care and treatment from mental health services provided by East London and The City Mental Health Trust. Mr Foskett was also known to mental health services in East London and was being supported informally by a Consultant Forensic Psychiatrist.

Mr Foskett has a long history of involvement with mental health services, in 1985 was detained in hospital under sections 37 and 41 of the Mental Health Act (1983) having killed his wife and the family GP. He was fully discharged from formal supervision under the Mental Health Act (1983) in 1995 although continued to engage with specialist mental health services until the time of PC's death.

The Inquiry report highlights a number of areas where improvements in the care and treatment of people with mental illness who also have a caring role should be made. The report also makes recommendations about formalising arrangements for transferring care between organisations when a service user moves to another borough and still requires follow up under the Care Programme Approach.

The Report makes 5 recommendations, 4 of which are aimed at East London and The City Mental Health NHS Trust and Barnet, Enfield and Haringey Mental Health NHS Trust. An action plan has been agreed between all the agencies involved in providing services to both PC and Mr Foskett. The Action Plan refers to the systems and service improvements that have already been made in response to the death of PC, and sets out the further work needed to fulfil the recommendations made in the report.

4.0 Report content

4.1 The action plans produced in response to the inquiries are attached.

5.0 Equalities

5.1 No recommendations made by the inquiries included issues of Equality & Diversity.

6.0 Assurance

6.1 The recommendations made by the inquiries are relevant to the following objectives set out in the Board Assurance Framework:

- a) Ensure CPA compliance
- b) Provide optimum treatment to clients, minimising risk to their safety and that to their carers, staff and the public.

7.0 Action being requested

7.1 The Board is asked to **RECEIVE** and **NOTE** the report for information.

Additional Supporting Papers (Available from Trust Board Secretary)

1. *Independent inquiry into the care and treatment of Stephen Soans-Wade*
2. *Independent inquiry into the care and treatment of Dennis Foskett*

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>The London Borough of Tower Hamlets, East London and The city Mental Health NHS Trust and Tower Hamlets Primary Care Trust should review their strategy and operational policy for the provision of services to those with a dual diagnosis i.e. a substance misuse problem co-morbid with mental illness or a clinically significant personality disorder</p>	<p>Within the East London and City Mental Health Trust, the Tower Hamlets Directorate have implemented Phase One of the Trust Dual Diagnosis Plan, and currently have in place: a Lead Nurse for Dual Diagnosis who oversees practice development and provides a range of training programmes for staff, a dual diagnosis worker based in two CMHTs and a dual diagnosis worker in Assertive Outreach. The Directorate is also participating in a London Development Centre pilot project to develop standards for assessment and care planning for people with a dual diagnosis in in-patient settings. The Directorate has an identified lead for dual diagnosis within the Senior Management Team and the Lead is currently working with a group of professionals to develop a dual diagnosis "operational policy" for adult mental health services in the borough in line with Phase Two of the Trust Dual Diagnosis Plan. The plan has been considered by both the Adult Mental Health Partnership Board and the Drug Action Team.</p>	<p>The Drug Action team will co-ordinate the development of a system wide strategy for the provision of services to people with a dual diagnosis. Operational policies to support the delivery of this strategy will build on the work already undertaken within ELCMHT.</p> <p>To complete Phase Two of the Trust Dual Diagnosis Action Plan and to develop plans for implementation of Phase Three which is to put in place support structures specifically for people with a personality disorder and substance misuse problem.</p>	<p>DAT</p> <p>ELCMHT</p>	<p>Strategy completed by April 07</p> <p>Oct 06</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>East London and The City Mental Health Trust should give consideration to the development of a specialist personality disorder team to provide consultation and support to staff working</p> <ul style="list-style-type: none"> • Within adult mental health teams • More widely across the Trust • To external agencies 	<p>ELCMHT has established a Personality Disorder Steering Group which has developed a Personality Disorder Strategy. The Trust has developed services for people with Dangerous Severe personality Disorder (DSPD) at the John Howard Centre. ELCMHT recognises that there is now a need to consider with partner agencies how best to support people with personality disorder who do not meet a DSPD threshold. The Tower Hamlets Partnership has identified services for people with a personality disorder as one of its Top Ten priorities for 2006/7 and is in the process of forming a sub-group to the Local Implementation Team to oversee this work, jointly chaired by the locality Clinical Director and the Trust Director of Therapies.</p>	<p>To agree and complete the LIT work programme on services for people with a personality disorder for 06/07.</p> <p>To consider outcomes of the work plan as part of the commissioning round for 07/08.</p>	<p>LIT sub group</p> <p>Joint Commissioning Executive</p>	<p>Oct 06</p> <p>Nov 06</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>The London Borough of Tower Hamlets, East London and The City Mental Health NHS Trust and Tower Hamlets Primary Care Trust should give conduct a comprehensive review of the adequacy of day services they make available to patients with multiple morbidities as part of their care package. That review should not be limited to considering the provision of facilities at the proposed day centre at Mile End Hospital. That review should assess the services already available on a trust-wide basis from both statutory and non-statutory agencies and their efficacy at, for example, building better social networks for patients and achieving at return to employment.</p>	<p>A review of social day care was completed by the Adult Mental Health Partnership Board in 2003. Subsequently, day services have been refocused with an emphasis on promoting social inclusion, integration with wider community networks, and access to employment and training. There has been additional investment in these services. However, current day services do not have a specific focus on patients with multiple morbidities, and the development of such services would require either new or redirected investment.</p> <p>ELCMHT is remodelling its Rehabilitation Services to focus on a recovery model. The Trust is working with partners in developing 'Routes to Employment', a programme to promote the employment of people with mental health problems, in conjunction with statutory and non statutory partners and local businesses.</p>	<p>Commissioners should consider whether further day services of the kind proposed should be commissioned, and if so what priority should be afforded to them in considering future investment plans.</p>	<p>Joint Commissioning Executive.</p>	<p>Consider in 2007/8 commissioning round</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>Upon completion of the strategy review recommended above, the London Borough of Tower Hamlets should seek to ensure that the Trust is held accountable for delivering against their key objectives and reporting mechanisms between the two must be well established. For example, the Performance Assessment Framework and Referral, Assessment and Package of Care Requirements should be delivered within mental health and substance misuse services.</p>	<p>The mechanisms described have been established under the existing Section 31 Partnership Agreement. The Joint Management Board meets monthly, and there is a six weekly tripartite performance management meeting between ELCMHT, LBTH and THPCT. ELCMHT has a responsibility, under the Section 31 agreement, to provide LBTH with all required performance management information, including all information required for Performance Assessment Framework / Referrals Assessments and Packages of Care purposes. There have however been ongoing difficulties with obtaining this information from the Trust's information systems, which have had to be overcome by manual data collection. It is expected that these difficulties will be resolved either via the deployment of Sepia Phase 2 or by the implementation of the Rio system, although there is uncertainty at this point about the timescale for those developments.</p> <p>Work is already underway by the ELCMHT performance department to streamline the collection and presentation of both health and social care performance data, including the LIT performance schedule which includes a measure for meaningful occupation.</p>	<p>Resolve and implement the next phase of mental health information system development.</p> <p>Future governance arrangements of integrated health and social care mental health services are under review between ELCMHT and LBTH, and both parties have signalled their intention to move to a robust joint management model, rather than the current delegation of functions model, by 31.12.06. This will strengthen direct accountability to LBTH for delivery of its statutory functions</p>	<p>ELCMHT</p> <p>ELCMHT / LBTH</p>	<p>October 2006</p> <p>Implement new arrangements by 01.01.07.</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>As part of their reporting mechanisms, the London Borough of Tower Hamlets should establish formal quarterly reviews with East London and The City Mental Health Trust. Those reviews should monitor the Trust's progress and achievements in the delivery of mental health and substance misuse services which have been delegated to it pursuant to the Health and Social Care Act 1999. Those reviews should examine qualitative matters such as carer and service user experience and progress on findings from serious incidents and enable the Council to assess the Trust's impact on the Council's Comprehensive Performance Assessment.</p>	<p>The existing governance and performance management arrangements are described above.</p>	<p>As described above, the delegation of functions referred to will cease by 31.12.06.</p>	<p>ELCMHT / LBTH</p>	<p>Revised management and governance arrangements in place by 01.01.07</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>As has been recommended by earlier Independent Inquiries, East London and The City Mental Health NHS Trust ought to address its training for risk assessment and management and emphasize the importance of good information gathering and sharing.</p>	<p>ELCMHT has undertaken a review of the risk management training and implemented a number of changes including</p> <ul style="list-style-type: none"> • Clinical Risk Assessment and Management training programme for clinical staff, which is mandatory with a refresher every 3 years. • An audit of clinical risk assessment was carried out in Tower Hamlets in 2005. • The Trust achieved Level 1 Clinical Negligence Schemes for Trusts (CNST) in 03.06. • Clinical Risk Management Policy reviewed and updated during 2006. 	<p>Achieve CNST level 2</p> <p>Achieve CNST level 3</p>	<p>ELCMHT</p> <p>ELCMHT</p>	<p>By 31.03.07</p> <p>By 31.03.08</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>East London and the City Mental Health NHS Trust should develop, and adhere to, clear policies on joint assessments for patients which are aimed at achieving effective discharge planning including contingency and crisis planning and a designated care co-ordinator. Those policies should seek to ensure that all agencies or services involved in a patient's care and treatment participate in the joint assessments and are fully aware of the outcome of the assessments</p>	<p>The Trust has developed a robust and clear CPA Policy which is supported by a defined training programme. CPA policy, guidance and documentation have been reviewed, and the revised documentation is currently subject to final consultation with partners. Users have been actively involved in the review.</p>	<p>Completion of Trust wide review of CPA policy and processes.</p>	<p>ELCMHT</p>	<p>Revised CPA policy to be agreed by Trust Board Oct 2006</p>
	<p>Compliance against key targets is subject to ongoing performance monitoring as part of the Annual Health check. Monthly reports are submitted to the Trust Board.</p>	<p>100% compliance and adherence for patients on CPA including contingency planning and crisis planning and allocation of dedicated care co-ordinator.</p> <p>On going Audit and patient survey and rolling programme of training for staff.</p>	<p>ELCMHT</p>	<p>By 31.3.07</p>
	<p>The locality has piloted an in-patient care pathway, developed as part of the National Management Development Initiative that needs to be rolled out to all wards. There has been active user involvement in the review of CPA process within ELCMHT.</p>	<p>Roll out in-patient care pathway to all in-patient areas with in built evaluation.</p>	<p>ELCMHT</p>	<p>March 07</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>East London and The City Mental Health NHS Trust should ensure that a patient's GP and any other agency providing care to him is informed promptly of his discharge from inpatient care and is given full details of the contingency and crisis plans formulated for that patient.</p>	<p>Discharge policies covering all these issues are now in place.</p>	<p>Audit to ensure that policies are being fully complied with.</p>	<p>ELCMHT</p>	<p>Complete audit by March 07</p>
<p>East London and The City Mental Health NHS Trust must establish a governance and risk assurance structure which distributes expertise across its senior staff and makes use of non-executive directors</p>	<p>The Trust has established an integrated healthcare governance framework which sets out the governance arrangements through committee structures accountable to the Trust board. Members include clinicians, managers executive and non exec directors and service users.</p> <p>The framework is subject to regular internal audit and is consistent with good practice guidance for board assurance.</p>	<p>The Governance arrangements are under review as part of the process for our application for foundation Trust status.</p>	<p>ELCMHT</p>	<p>Complete review as part of Foundation Trust application Nov 06</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF STEPHEN SOANS-WADE
JOINT ACTION PLAN

Recommendation	Action Taken To date	Further Action	Responsible	Date
<p>East London and The City Mental Health NHS Trust in partnership with Tower Hamlets Primary Care Trust should review the Trust's performance management systems to satisfy themselves that those systems are sufficiently robust to ensure compliance with the Care Programme Approach and its requirements. Learning and changes in practice and in culture should be acknowledged and reflected at all levels within the organisation.</p>	<p>The performance management systems now in place have been described above. Both CPA compliance and Serious Untoward Incidents are a standing item at performance management meetings</p> <p>CPA has been identified as a LIT Top Ten priority for 2006/07. Primary care representatives are now involved in overseeing the operation of CPA through the locality CPA implementation group. The group oversees local implementation of Trust CPA policy and manages a rolling quarterly audit of CPA implementation across community and in-patient areas.</p>	<p>Ensure 100% compliance with requirements of CPA for all service users placed on CPA by 31.3.07.</p> <p>Lead GP to attend CPA implementation group.</p>	<p>ELCMHT</p> <p>ELCMHT</p> <p>ELCMHT</p>	<p>March 07</p> <p>July 06</p> <p>Immediate</p>
<p>East London and The City Mental Health NHS Trust should carry out a review of the recommendations of all Independent Inquiries in which it has been involved and which have reported since 2001 and the resulting action plans to monitor its progress since then. An audit programme should be in place to manage the changes implemented by the Trust in a coherent and consistent manner. Key areas of weakness that need constant monitoring are assessments (including risk assessments), care planning and record-keeping.</p>	<p>The Trust Healthcare Governance Committee is currently reviewing all previous Reviews since its inception. Audit forms part of this review and key learning points will be disseminated for action through to Borough services. Need to review progress against all action plans. Progress updates to be requested from each Directorate where the Independent Inquiries have arisen. Assurance Department to map progress. Key areas of weakness have been incorporated into priority workstreams e.g. policy development, training audit. The Trust has made significant steps to strengthen SUI reviews and responsiveness.</p>	<p>Any areas where action identified as outstanding through current review process to be addressed.</p>	<p>ELCMHT</p>	<p>All required actions completed by 31.3.07</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF DF
JOINT ACTION PLAN

Recommendation	Action Taken To Date	Further Action	Responsible	Date
<p>East London and The City Mental Health Trust should</p> <ul style="list-style-type: none"> • Review the implementation of its CPA policy with a view to establishing the reasons why the referrals of PC to the East Newham CMHT in 2002 and 2003 did not occur and/or were delayed • Review the definitions and inclusion criteria of standard and enhanced CPA 	<p>Revised CPA Policy approved by the ELCMHT Board in February 2006. This clarifies all relevant standards, roles and responsibilities. CPA documentation has also been reviewed.</p> <p>The referral of PC was delayed because a number of appointments were cancelled, mainly by ELCMHT. The ELCMHT Board now monitors the number of unallocated cases and cases being assessed on a monthly basis</p> <p>The ELCMHT Community Services Review identified that a number structural and qualitative improvements were required across the Trust. The review endorsed the findings of a pilot study in Newham that creating closer links between outpatient services and CMHTs and suggested the restructuring of CMHTs to provide consistent and robust specialist assessments.</p> <p>ELCMHT's Integrated Healthcare Governance Committee routinely monitors and audits the application of standards across the Trust. The Trust audited supervision practices in Newham in 2005 and in 2006 established a performance management mechanism for middle managers to resolve performance issues. Re-audit of supervision standards and action plan will be completed before the end of 2006.</p>	<p>BEH and ELCMHT will undertake a shared learning exercise with particular emphasis on the quality of individual's experience of services and psychotherapeutic interventions provided</p> <p>Complete Trust-wide implementation of Community Services Review Action Plan and roll out Newham pilot. Monitoring by Trust Board and local Partnership Boards, next report September 2006.</p> <p>Implementation of Action Plan following re-audit of supervision standards to be monitored by Executive Directors on a quarterly basis through Directorate Performance Management Team.</p>	<p>Directors of Operations BEH/ELCMHT</p> <p>ELCMHT Borough and Clinical Directors</p> <p>Directorate Management Team</p>	<p>Nov 2006</p> <p>Sept 2006</p> <p>Aug 2006 onwards</p>

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF DF
JOINT ACTION PLAN

Recommendation	Action Taken To Date	Further Action	Responsible	Date
<p>Barnet, Enfield and Haringey Mental Health NHS Trust and East London and The City Mental Health NHS Trust should review the implementation of CPA policy to ensure compliance with current guidance relating to the needs of carers.</p>	<p><u>BEH</u></p>	<p><u>BEH</u></p>		
	<p>CPA Policy and supporting documentation reviewed in November 2005. Trust policy prioritises working with carers according to recognised good practice.</p>	<p>Annual audit of CPA policy implementation</p>	<p>Clinical Audit Manager</p>	<p>Aug 2006</p>
	<p><u>ELCMHT</u></p>	<p>Local Authority and BEH Board to receive regular reports on carers assessments and action taken</p>	<p>Director of Nursing</p>	<p>Dec 2006</p>
	<p>See above. In addition</p>			
	<p>Section 11 of the ELCMHT CPA Policy identifies specific standards to ensure appropriate involvement of carers and families. Standards include assessments, plans, information and consent. Newham has an active Carers Forum and is represented at the Newham Partnership Board by the Carers Worker funded by the London Borough of Newham. The Partnership Board has commissioned a study of the impact of CPA on carers. The Newham Partnership Board will consider revised guidelines for the use of the Mental Health Grant to enhance choice.</p>	<p>Report on study of impact of CPA on carers to be considered by the Newham Partnership Board and action plan agreed.</p>	<p>Carers Support Worker/Newham Partnership Board</p>	<p>Oct 2006</p>
	<p>Commissioners monitor the achievement of performance standards through the routine monitoring of the Section 31 Agreement between the Trust and London Borough of Newham. In 2005/06 the number of carers assessments, support packages and funded carers plan had risen significantly from levels reported in 2004/05.</p>	<p>Implement revised guidelines for use of Mental Health Grant in Newham</p>	<p>Deputy Borough Director</p>	<p>Oct 2006</p>
	<p>ELCMHT Board reports to include key performance data relating to carers.</p>	<p>Director of Information/Borough Director</p>	<p>Sept 2006</p>	
	<p>Include audits of services and practice relating to carers in local annual audit programme. Resulting action plans to be agreed by Directorate Management Team</p>	<p>Clinical Director, Newham</p>	<p>Ongoing</p>	

INDEPENDENT INQUIRY INTO THE CARE AND TREATMENT OF DF
JOINT ACTION PLAN

Recommendation	Action Taken To Date	Further Action	Responsible	Date
<p>Barnet Enfield and Haringey Mental Health NHS Trust and East London and The City Mental Health NHS Trust should review all forensic patients with an element of care in another locality to ensure the application of CPA principles and follow up</p>	<p><u>BEH</u></p> <p>The responsibility for service users living in other boroughs is transferred to designated teams according to the CPA and transfers policies.</p> <p><u>ELCMHT</u></p> <p>See above</p>	<p><u>BEH</u></p> <p>Monitor practice</p> <p>Clinical Governance and Service Improvement Group to review DF Inquiry report and recommendations</p> <p>BEH/ELCMHT to review case transfer policies and handover protocol and share learning</p>	<p>Director North London Forensic Service</p> <p>Director of Nursing</p> <p>BEH Director of Nursing/ ELCMHT Director of Operations</p>	<p>Ongoing</p> <p>Oct 2006</p> <p>Nov 2006</p>