Norfolk Safeguarding Adults Board (NSAB) held a positive second progress summit in respect of the Safeguarding Adults Review (SAR) into the deaths of Joanna, Jon and Ben.

After the successful first progress summit in 2022, NSAB asked for further progress made against the SAR’s 13 recommendations in the second year.

**Local recommendations (b, c, e, l, m)**

The local recommendations from the SAR focus predominantly around the development of a service to meet the needs of people in Norfolk with challenging behaviours and the ethical commissioning of those services.

The summit heard from one of the previous residents at Cawston Park who is shortly moving to his own residence. An update was given on the current Norfolk position and the challenges in the marketplace. Since September 2022 there have been seven discharges and seven admissions. There are currently 14 inpatients (against an NHSE target of 12), with six people still receiving active treatment. Eight patients are ready for discharge and plans are progressing.

**Healthwatch Norfolk**

Shared findings from a year-long project to gather the views of people with learning disabilities and autistic people using residential and secure inpatient units in Norfolk, and their families.

From 25 Enter and View visits, talking with 94 service users, having 58 in depth family member interviews and five focus groups outside homes, the report set out in clear terms what people want from services and what was important to them:

- lives they perceived as being equal to non-disabled people
- family-like relationships between residents and with staff
- having wishes heeded and responded to
- staff and managers with a good understanding of people’s needs and preferences, who have open and honest communication and an attitude of collaboration with relatives
- giving people the opportunity and support to develop capability and independence
- supporting people to participate meaningfully in the local community

“My Views Matter: the care we need according to service users and their families” is available at My Views Matter - Healthwatch Norfolk.

Coalition for Change
From March 2023 the group started to establish contacts with key Norfolk organisations and groups to find out what has already been done. The coalition has also shared with these groups and organisations information about work that is taking place nationally.

The Coalition for Change hosts a statement made by leading UK safeguarding review authors in the UK challenging government to prevent future harm such as happened at Hesley, Whorlton Hall and Cawston Park. Organisations and individuals from all over the UK have been invited to endorse this call to action by the government to prevent further harm from happening.

Durham Safeguarding Adults Partnership (DSAP)
Durham Safeguarding Adults Partnership shared their findings and subsequent learning following the Whorlton Hall Safeguarding Adults Review as highlighted below. This included local authority and health commissioning perspectives with a lens upon out of area placements and monitoring and the role of host authorities and the local activity taking place. A number of actions resulting from the reviews have led to:

- A dedicated focus upon provider assurance in partnership development sessions October 2019, January 2020 and revisit September 2021, with a lens upon ‘our collective culture’
- Closed cultures briefing issued
- The development and piloting of a targeted Toxic/Closed Cultures (Level 1) training programme developed; now forms part of core delivery going forward.
- Level 2 Toxic/Closed Cultures training developed 2022/23 rollout 2023/24
- Proactive approach to providers concerns and via reflective exercises (x 3 in 2021/22); the partnership has oversight of this enabling annual model and impact measures agreed from 2022/23 onwards
- A dedicated development day in January 2023 suggested areas of action for Durham and nationally, forming ongoing activity.

Both NSAB and DSAP will collaborate on recommendations that have synergy across both reviews in relation to commissioning, individuals’ rights, protections and advocacy, NHS England strengthened mechanisms, and responding to service closures.
Tricordant
Tricordant have been commissioned by Norfolk County Council (NCC) and the Integrated Care Board (ICB) to help Norfolk health and social care systems improve performance for people who have needs deriving from a learning disability, autism or both.

Tricordant are moving to phase two of their work which focuses on improving what health and social care provide for people. Phase two needs to encompass:
- an agreed single vision statement for Norfolk (Learning Disabilities & Autism)
- an established core/shared approach to co-production & quality
- refined and adjusted governance and all integrating mechanisms

Tricordant believe the Norfolk system has several promising signs in support of Phase two: a commitment of frontline staff and leaders to work through challenges together (even when not easy) in the ‘best interests’ of people along, with the richness of co-production and the crucial progress on a single ‘ethical framework’.

Curators of Change
This community interest group, commissioned by NCC, assists in the co-production of a framework for ethical commissioning, on which they provided an update. As a consequence of co-production activities though it is suggested that the framework needed to cover more than just commissioning; it needs to inform how we all do business in Norfolk generally.

The update detailed the approach taken to co-produce, the draft ethical framework principles and outcomes and shared excerpts from video interviews with people who are in receipt of learning disability and autism care and support. A key finding has been most people do not understand what is meant by an ethical framework. The structure of the framework, aligned with the SAR recommendation, does not work well. The summit was told by Curators of Change that the most basic requirement is that we all behave in ways that are ‘more human’. Get this right and everything else should follow naturally.

Organisations attending the summit were asked to identify a champion for this work, to develop action plans detailing how organisations will deliver the changes needed to achieve the principles agreed. Action plans are to be drafted by 11 September followed by a stakeholder workshop on 5 October 2023 to identify any barriers and challenges that may impact on delivery.

The final recommendation of local relevance relates to tackling racism. The focus during last year has been less on the moral rehabilitation of individuals than one of structurally countering how racism is expressed in practical ways. This requires
consistent, informed challenge and the support of directors, professional bodies, trade associations, stakeholders and trustees.

The head of equality, diversity & inclusion at NCC set out the following achievements including:

- a review and update to the ‘Managing abusive and violent behaviour’ compliance code which covers racism towards employees and guidance on sanctions for service users
- completion of qualitative research with 45 black women in Norfolk, primarily employed in the social care sector. The majority of women reported experiencing racism in the last year from service users. A clear sense that workers did not feel that employers took this seriously and that it was tolerated
- The NCC incident reporting system has been adapted to enable employees to record when an incident is racially motivated
- Objectives agreed for a new e-learning offering (supported by independent race equality advisors) to be made available across the safeguarding sector
- Face-to-face training: a procurement process took place in March 2023 to identify potential providers. It was not possible to appoint a provider, so an alternative solution is being developed
- NSAB is leading an equality impact assessment of its safeguarding policy and procedures

There are several ongoing barriers to this work, including pressure on the current social care system, managers’ capacity, and confidence to engage. There is no easy solution or quick fix; tackling racism is imperative so that our colleagues and staff from ethnic minority backgrounds can live and work in an environment free of racism.

**National recommendations (a, d, f, g, h, l, j, k)**

**Law Commission**
The Law Commission updated on the development of the 14th programme of law reform, specifically the project proposals on vulnerable adults at risk and regulation of healthcare providers. There were around 500 suggestions received for inclusion in the 14th programme of reform and whilst there is no reference to the current legal position of private companies, their corporate governance and conduct in relation to services for adults with learning disabilities and autism within those suggestions, the Law Commission have said that there is always a possibility that they may be included. The Law Commission commits to keeping this topic alive and will continue to seek opportunities to gain a ministerial reference needed for the Law Commission.
to take this forward. An options paper on corporate criminal liability has been written to set out reform in this area.

**NHS England (NHSE)**
NHS England provided an update on their work introducing the Mental Health, Learning Disability Quality Transformation Programme. The programme has clear outcomes, including more patients supported in their community in ways that promote their citizenship and human rights, improved patient experiences and staff experiences, plus those who need to access hospital treatment will be closer to home. Learning from the safe and wellbeing reviews (thematic report published February 2023) is also considered now in all key policies and guidance. Newly published C(E)TR and DSR policy has an increased focus upon quality of life and NHSE report that they are supporting regions and ICBs to include these questions in their KLOE.

Since the publication of the SAR there has been legislative change brought about by the Health and Care Act 2022. The Act has placed Integrated Care Systems on a statutory footing from 1 July 2022 and Clinical Commissioning Groups have now legally merged into ICS systems.

**Department of Health and Social Care (DHSC)**
The DHSC focused on work relating to recommendation F, covering Mental Health Act reforms and the Mental Capacity Act. They have committed to make it easier for people with a learning disability and autistic people to be discharged from hospital as well as improve how they are treated in law. This is shown:

- in the NHS Long Term Plan which commits to halving the number of people with a learning disability and autistic people who are inpatients in mental health hospitals (compared to March 2015 by March 2024)
- in publication of a draft Mental Health Bill on 27 June 2022.

Under the proposed reforms of the Mental Health Act

- A person with a learning disability and autistic people would **only** be detained for treatment under section 3 of the Act if they have a co-occurring mental health condition
- Recommendations from Care, (Education) and Treatment Reviews would be placed on a statutory footing
- There would be duties on commissioners to understand the risk of crisis at an individual level in their local area and ensure an adequate supply of community services for people with a learning disability and autistic people at risk of detention under the Act.
The draft Mental Health Bill has been through the pre legislative scrutiny process, undertaken by the Joint Committee on the Draft Mental Health Bill. The committee’s report was published on 19 January 2023 and contains 55 recommendations. Thirteen of these recommendations referenced learning disabilities and/or autism specifically. The government is looking closely at the recommendations in the report, and a response will be published in due course. Introduction of a (revised) Bill will follow when parliamentary time allows.

DHSC believes the proposed MHA reforms on dynamic support and community support will help achieve a reduction of the number of people with a learning disability and autistic people inappropriately detained in hospital.

DHSC will seek to commission evaluation research to monitor whether the full set of MHA reforms are being implemented as planned and early signs of their impact, including for those with a learning disability and autistic people.

Conclusions and next steps
Recommendations from the SAR have progressed significantly, both locally and nationally, following publication. Locally there are several challenges in relation to attracting good or outstanding providers to the market, however there is a very strong desire to develop the best possible service for people like Joanna, Jon and Ben.

The SAR has also attracted significant national interest and driven specific aspects of change on a national stage. NSAB will continue to engage with the national bodies and assist in keeping the momentum for change.

Locally the next steps should include:
• Delivery of the Tricordant commissioned programme of work for service delivery for people with autism or learning disabilities ensuring a clear vision of the model of care offered
• Further work on the co-production of the ethical commissioning framework ensuring a joined-up approach involving the ICB
• Further development of the practice guidance in relation to racism and the inclusion of ICB within that work
• The growth of the Coalition for Change project to include people with lived experience, families, carers and advocates
• A similar event in 12 months’ time to track progress and an update to the Minister for Health and Social Care.

August 2023

END.