

Winter Pressures Issue

Welcome to the 'winter pressures' issue of our Care Newsletter. We are sure that you are all familiar with the news headlines last winter about the long waits in hospital Accident & Emergency and the issue of 'delayed discharge' particularly affecting our older citizens.

Behind these headlines there is a bigger picture of health and social care systems that – in the face of higher demands and capped budgets – are struggling to provide a 'joined up' approach to care provision – particularly at the point of hospital discharge. This was highlighted in a recent Healthwatch England Report ("Safely Home" available at www.healthwatch.co.uk which identified five key problems:



1. A lack of joined up service provision between health and social care leading to unsafe, delayed inappropriate discharge
2. A lack of support available for people after discharge
3. Concerns that people are being 'rushed out the door'
4. People not feeling involved in discharge planning processes
5. Individual's needs as a whole are not being addressed

These stresses can lead to families

feeling unsupported and pressurised to make significant decisions with only ad hoc information and little time to think things through. One of the most common things we hear from our clients is how confusing the information around care is, and that they often receive conflicting information from different people.

With this in mind, this issue aims to provide an overview of hospital discharge, reablement and recent care guidance so that you and your client can understand and feel more confident navigating this difficult area of care.

Book a talk or training session:

We offer:

- Free bespoke talks
- Staff training
- Free resident group seminars
- Consultancy

To book training or a talk, please contact Esme Hill: esmeh@moore-tibbits.co.uk

DELAYED TRANSFERS OF CARE

September 2012

4,102

Patients delayed

114,264

Total days delayed

September 2015

5,247

Patients delayed

147,738

Total days delayed

THE COST OF READMISSION



In **2012-13** there were more than **one million** emergency readmissions within 30 days of discharge, costing an estimated **£2.4 billion***

*Emergency admissions cost NHS £12.5 billion in 2012/13. 19% were readmissions.
www.nao.org.uk

Self Funders – Get in the know about care home contracts

If you have over £23,250 and need to move into permanent residential care, you will inevitably have to sign a contract with the provider. Regulation 19 of the Care Quality Commission (Registration) Regulations 2009 (Part 4) (as amended) requires care home providers to provide accurate information about fees, preferably before the service starts to the service user or their representative. The information should also include the terms and conditions of the service and should be provided where individuals are paying fully or partially for their care.

TOP TIP

Ensure that you know when fees are likely to be reviewed and any notice period required to cancel the contract. This is especially important when savings drop to the Local Authority threshold.

But first...

NEWS ON PREVENTION

It is, of course, preferable to avoid hospital admissions and many health and Local Authority providers are piloting innovative schemes like the one below, to improve the hospital

discharge process and the care needed to prevent hospital readmission.



Innovative “Gateway” service

Age UK Warwickshire provides a “Gateway” service which provides a single point of access to older people’s services including signposting to other relevant agencies to meet identified ongoing needs.

The service benefits all older people requiring support, in particular those aged over 65 who have been discharged from hospital following an acute episode of care and who have not been deemed to be ‘critical’ or in ‘substantial’ need of a care package for social care support. All individuals referred to the service are contacted by telephone within three working days and contact is maintained throughout a 30 day period to re-evaluate needs and offer further support if required. If necessary a home assessment can be arranged.

Referrals to the Gateway service are made from a broad range of teams including hospital based discharge teams, OTs, GPs and front line County Council staff, including councillors and Social Care teams.

They also provide a Rapid Hospital Discharge Service. For details of who to contact regarding these services, please click on the link.

www.ageuk.org.uk/warwickshire/our-services/health-services-partnerships



Hospital Discharge – The Law

We are sure that you are all familiar with the terms ‘bed blocking’ and ‘delayed discharge’. These terms have been used in recent years to describe the problem of frail older people staying in hospital after they are medically ready for discharge because of the lack of appropriate support beyond the acute setting. ‘Delayed discharged’ legislation was first introduced over ten years ago to tackle the delays by setting out a coherent discharge process and imposing fines on a Local Authority for failure to act.

This has recently been updated under:

- Section 74 and schedule 3, Care Act 2014
- Care and Support (Discharge of Hospital Patients) Regulations 2014

In spite of the fines (currently £130 per day/ £155 in London), and repeated calls to action to address this issue, the delays have continued to increase, particularly during winter. We are often approached by distressed family members who are asked to make significant decisions about future care, sometimes forgoing important health and social care assessments, in order to respond to these time delay pressures rather than focusing on care needs.

UPDATE!

The National Institute for Health and Care Excellence (NICE) has recently (December 2015) published new guidance ([available at nice.org.uk/guidance/ng27](http://www.nice.org.uk/guidance/ng27)) aimed at improving the hospital discharge process for adults with social care needs.

This will make interesting reading for those working in this area of care as many of the principles identified as good practice have been around for a number of years, including improving communication between professionals, discharge planning at the earliest opportunity and person centred care. It also incorporates some key aspects of the Care Act 2014, particularly highlighting the importance of involving carers and the role of advocacy to facilitate discharge.

It may yet though become a useful tool for those seeking to ensure that patients are discharged in an appropriate and considered manner, where it states that individuals should not: *“...have to make decisions about long-term residential or nursing care whilst they are in crisis...[and]...any pressure to make beds available does not result in unplanned and uncoordinated hospital discharges”* (NICE 2015, paras 1.5.11 & 1.5.12).

Worried about what happens to your pets?

There are a number of agencies that can care for your pets whilst you are in hospital. In some circumstances the Local Authority will have a duty to take care of your pet, (although you may have to contribute to the cost). There are also services that will offer long term help, for example if you need to move into a care home. See the following links for more information:

<http://www.cinnamon.org.uk>

<https://www.citizensadvice.org.uk/consumer/pets-and-vets/vets-and-pets/pets/looking-after-pets>

Visit our website and download the discharge guide – issues to consider whatever the circumstances of an individual’s needs.



DELAYED TRANSFERS OF CARE



- 61.9% of all delays in September 2015 were attributable to the NHS, 30.8% were attributable to social care and the remaining 7.2% were attributable to both NHS and Social Care.
- The proportion of delays attributable to Social care has increased over the last year to 30.8% in September 2015 compared to 25.8% in September 2014.
- The main reason for NHS delays in September 2015 was “patients awaiting further non-acute NHS care”. This accounted for 27,700 delayed days (30.2% of all NHS delays). The number of delays attributable to this reason decreased between January 2015 and May 2015 but has risen since then.
- The main reason for Social Care delays in September 2015 was “patients awaiting care package in their own home”. This accounted for 15,900 delayed days (34.9% of all Social Care delays), compared to 10,200 in September 2014.

Source: Government Statistical Service.

Did you know...?

Even a relatively mild winter results in avoidable deaths due to cold weather – on average 25,000 each year.

The Cold Weather Plan (2015) for England was launched on 15th October by Public Health England. It aims to provide information to help statutory and voluntary organisations support vulnerable citizens and provides guidance on preparing for and reacting to severe winter weather. It is available at: https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/468160/CWP_2015.pdf

The plan is supported by a 'cold weather alert' system, operated by the Met Office which runs from 1st November to 31st March each year, where alerts and the supporting plan are triggered by low temperatures and / or severe weather. See the following link for more details: www.metoffice.gov.uk/public/weather/cold-weather-alert/#?tab=coldWeatherAlert



Reablement and the Law

Reablement is:

1. The Service consists of a programme of care and support (or support)
2. It is for a specified period of time
3. It has as its purpose, the provision of assistance to an adult to enable the adult to maintain or regain the ability needed to live independently in their own home.

Reablement can be provided regardless of whether someone needs a long term package of care and is frequently used to support people when discharged from hospital.

The Law in this area has recently been updated and is contained in Section 2, Care Act 2014; The Care and Support (Charging and Assessment of Resources) Regulations 2014; Chapter 2 of the Care and Support Statutory Guidance.

The benefits of intensive support at the earliest opportunity after a crisis is well documented and echoed in the Statutory Guidance (Page 7 Statutory Guidance 2014).

It is one of the few services that is free of charge and NOT means tested.



UPDATES...

The National Institute for Health and Care Excellence (NICE) has issued new guidance: Older people with social care needs and multiple long-term conditions (published 4th November, available at www.nice.org.uk/guidance/ng22).

This endorses some of the central tenets of the Care Act 2014 – personalised support, involvement in care planning and collaboration between health and social care. We hope that this guidance positively highlights these issues again, although without proper funding we fear that the recommendations will be difficult to fully realise.

First Case brought under the Care Act

A judge has ordered the London Borough of Haringey to re-do a flawed assessment after it failed to provide an asylum-seeking woman with an independent advocate, in the first case brought under the Care Act. For the full article, please visit www.communitycare.co.uk.

To sign up to receive our free legal updates and newsletter, please email esmeh@moore-tibbits.co.uk



NEXT ISSUE...
Mental Capacity

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