

NOTE OF THE THIRTEENTH MEETING OF THE LEARNING DISABILITY IMPLEMENTATION ADVISORY GROUP HELD ON 14th OCTOBER 2004 AT THE MEDIA RESOURCE CENTRE, LLANDRINDOD WELLS.

PRESENT:

David Felce – Co-chair
Glayne Walker – Co-Chair (supported by Yvonne Hedges)

Members

Roger Banks
Evan Davies
Ian Ferris
Paul Lawrence (supported by Cyril Luke)
Paul Leathwood (supported by Cherno Bah)
Chris Maggs
Liz Neal
Sean O'Reilly
Adrian Roper (attending for Jim Crowe)
Ann Thomas
Stephen Wade
Peter Watkins
Bryan Williams

Assembly Officials

John Carter
Alyson Collins

1. Welcome & apologies

1.1 Apologies were received from Jim Crowe, Margaret Gregory, Nigel Miller and Brickchand Ramruttan (members) and Peter Meredith-Smith, Sarah Watkins and Pat Vogt (Assembly officials).

2. Presentation by John Carter – Mental Health Bill

2.1 John Carter gave a presentation on the draft Mental Health Bill and explained that the Group needed to decide whether there were any views that they would like to make to the Minister for her to take into account in her letter to the Scrutiny Committee. A detailed discussion followed about the draft Bill. Concern was expressed about a number of matters including learning disabilities being included in the definition of mental disorder; the role of the nominated person and the proposed advocacy arrangements. The Group decided that it would like to make its views known to the Minister.

Action : Members were invited to e.mail any comments on the draft Bill to David Felce/ the Secretariat by Tuesday, 19th October. David Felce & Roger Banks would then draw up a letter to the Minister to be handed to her at the meeting on 21 October.

3. Draft Policy Paper

3.1 Chris Maggs introduced the Paper. He explained that the comments made by members at the previous meeting had been taken on board. The paper had not yet been finalised and additional comments on its shape, form and content were welcome. Generally members were content with the document as it stood but were invited to submit further text changes. Members were advised that it was likely that the new Policy Statement, if adopted by the Minister, would supercede the 1994 Strategy guidance document. On the Targets and Priorities Section, David Felce said that he was still working on the data for inclusion in this section. On the Workforce Planning section, members acknowledged that more text was needed and further comments/text were invited. It was confirmed that if the Minister adopted the new Policy Statement then a separate service user version of the paper would be produced. Members were advised that David Felce would be meeting the Minister on Thursday 21st October to discuss Version 12 of the Policy Paper. (Roger Banks also attended this meeting).

Action: Members to e.mail any suggested text changes/additions to Chris Maggs/David Felce by the end of October.

4. Minutes of the last meeting (16th September 2004)

4.1 The minutes of the meeting were agreed as a true and accurate record.

5. Action Log and Matters arising

5.1 Employment – David Felce advised that he had not yet written to DH or ELWA. Liz Neal said that she had yet to provide David Felce with the required information on ELWA. [**Action** : David Felce/Liz Neal]

5.2 Consultation paper on Integrating Carers Assessments into the Unified Assessment process – Evan Davies and Bryan Williams confirmed that they had responded to the consultation on behalf of the Group. A copy of their paper had been circulated by the Secretariat.

5.3 LA's responses to the Service Principles and Service Responses guidance - Members confirmed that they were happy for David Edwards (a deputy member) to sit on the sub –group considering the Action Plans. It was agreed that where possible the Action Plans would be sent to all members of the Group electronically [**Action** : Secretariat]

5.4 Group Membership – David Felce confirmed that he had written to the Minister seeking her agreement to Professor David Allen, Dr Steve Beyer and Professor Mike Kerr becoming members of the LDIAG.

5.5 Unified Assessment Process – a draft letter for consideration by the Group had not yet been provided by Jim Crowe. [**Action** : Secretariat to remind Jim Crowe about this draft letter].

5.6 Annual Health Checks for People with a Learning Disability – John Carter advised that David Melding's motion on annual health checks had been debated in Plenary on Tuesday, 12th October. The Minister had advised that informal discussions with the British Medical Association had indicated that the motion as drafted would not be acceptable to GP's but that she was looking at a number of mechanisms that could achieve a similar end. In the debate the Minister gave a commitment that she would ask the LDIAG if, in the context of the Action Plans due to be received from local authorities by the end of the month, greater priority should be given to health checks. Members took note and concluded that they should discuss this issue after they had considered the local Action Plans.

Action: To be considered at the December meeting of the Group. Members to be provided with background information on the Pearl Project [**Action** : Secretariat]

5.7 Resettlement – John Carter said that his understanding of the present position for the reprovisioning of the Bryn y Neuadd NHS services was that outline agreement had been reached for:

- enhanced community teams which would require 1 extra consultant
- 3 separate challenging behaviour services to include a new Conwy/Denbighshire team and improvements to the existing NE Wales team.
- A new residential unit for 8 people in the grounds of Bryn y Neuadd (for existing residents staying in NHS care) in a 4 +3 +1 configuration
- 3 crisis management beds in each Trust area using the existing facility in Bryn y Neuadd, enhancing the existing facility in NE Wales and developing a facility in Conwy/Denbighshire.
- 2 x 6 bedded assessment and treatment units, 1 at Bryn y Neuadd and 1 at Mold
- 4 people proposed to be transferred from continuing NHS care to social care.

6. Any Other Business

6.1 Bournewood Judgement – John Carter advised that the European Court had recently ruled that an individual who lacked capacity had been detained in breach of articles in the European Convention of Human Rights. He added that either the draft Mental Health Bill or the Mental Capacity Bill or both may need to be amended to take account of this ruling. The Department of Health and the Welsh Assembly Government were considering the position.

6.4 WCVA's Advocacy Proposal – John Carter advised that he was aware that the WCVA had arranged an open meeting for 18th October to discuss a proposal to establish an advocacy umbrella body. All Wales People First confirmed that they had received an invitation to this meeting. It was suggested that the letter drawn up by Paul Lawrence and Roger Banks on a joint advocacy conference could be handed to the WCVA on the day.

Action : Paul Lawrence.

6.5 Disability Rights Commission : Formal Inquiry – John Carter advised that the Disability Rights Commission had recently announced that, using its own powers, it intended undertaking an England/Wales Formal Inquiry into health inequalities for people with a learning disability and/or mental health problems in accessing primary care. The work is presently being scoped. The Formal Inquiry is due to commence in December 2004 with the Final Report being issued within 18 months.

6.6 National Service Framework for Children, Young People and Maternity Services in Wales – John Carter advised that the consultation period for the National Service Framework was due to start the following day, Friday 15th October.

Action : When available, the Secretariat to send out hard and electronic copies of the consultation document to all members

6.7 Papers circulated to Members at the meeting :

- A paper outlining the costs associated with running the LDIAG
- A paper drawn up by the DoH Valuing People Support Team on 'How to estimate the numbers of people with a learning disability in your area: or check current results'.
- A paper from the UK Parliament – 'Joint Committee seeks evidence on draft Mental Health Bill'.
- DoH information on the draft Mental Health Bill produced for their roadshows.

7. Date of Next Meeting

7.1 Members noted that the fourteenth meeting of the Implementation Advisory Group would take place on Thursday, 18th November 2004 at the Media Resource Centre, Llandrindod Wells.

Alyson Collins