

Worcestershire ruling – a threat to independent living for disabled people?

A High Court judge has rejected claims that a council unlawfully decided to introduce a 'maximum expenditure policy' on funding for adult care packages where people choose to live in the community.

Worcestershire County Council adopted the policy (on 8 November 2012) under which – except under exceptional circumstances – the maximum weekly expenditure on care in the community for an adult under 65 years of age would be "no more than the net weekly cost... of a care home placement that could be commissioned to meet the individual's assessed eligible needs".

Have the battle lines been drawn? The judgment leaves the door open for a further challenge, says Belinda Schwehr, Community Living's legal adviser.

See the full report in the next edition.



Also in this issue...

Cool but careful: watchwords for creating a safer net

The internet has transformed the way we live. Perhaps more than anything else, cyberspace has changed the way that we communicate. For better or worse, we can now keep in touch in a myriad and ever-increasing number of ways: via email, chat, Skype, Facebook or Twitter.

How is this brave new world affecting people with learning disabilities and those who work with them? Louise Wallis reports on a project Respond is running to help people feel confident about using the net (www.safernet.org.uk).

You can communicate with Community Living using Twitter or Facebook:

Twitter @CommLivingmag

www.facebook.com/CommunityLivingMagazine

How many premature deaths could have been avoided?

Data from the Confidential Inquiry into the premature deaths of people with learning disabilities suggest that over a third (37%) of the deaths were classified as amenable. This means that all, or most, of these deaths could have been avoided through good quality healthcare. This is almost three times the proportion found in the general population.

Anna Marriott and Pauline Heslop of Norah Fry Research Centre were both members of the Inquiry team and reported on their findings for Community Living.

**The full report and recommendations can be found at:
<http://www.bris.ac.uk/cipold/fullfinalreport.pdf>**

The Confidential Inquiry team are running a series of free events across England this autumn to discuss the findings of the Inquiry and how to take forward the recommendations. These are morning events held at the following venues:

- 17 September Tavistock Town Hall, Bedford Square, Tavistock PL19 0AE**
- 20 September RISC, 35 - 39 London Street, Reading, RG1 4PS**
- 23 September Brighthelm Centre, North Road, Brighton, BN1 1YD**
- 25 September Research Park, 97 Vincent Drive, Edgbaston, Birmingham B15 2SQ**
- 26 September Town Hall, Pinston Street, Sheffield, S1 2HH**
- 27 September East Community Complex, Peterborough, PE1 5EN**
- 30 September NHS England, Newcastle Upon Tyne, NE15 8NY**
- 1 October Botcherby Community Centre, Carlisle, CA1 2UE**

Please book in advance to attend these meetings as places are limited. For further information or to request a booking form please email: sps-ci-events@bristol.ac.uk or call 0117 3310980

No Going Back: Psychodynamic perspectives on community living for people with learning disabilities

Speakers include Professor Jan Walmsley, Baroness Sheila Hollins and David O'Driscoll

Research has shown that for the majority of service users the change from long term institutional care to community care has been positive. But it would be wrong to say that this has not been without its challenges and problems...

This conference will take place on 4 October at the Fielder Centre, Hatfield Business Park, Hatfield Avenue, Hatfield, Hertfordshire AL10 9TP. Enquiries to: carolyn.johnson@hpft.nhs.uk www.conferencehertfordshire.co.uk

Too many people are being sent away from their communities

Groups representing 80% of providers of care and supported housing for people with learning disabilities recognise that Winterbourne has lessons for them. They have come together in the Driving Up Quality Alliance which has launched a quality code and self-assessment tool, designed to improve standards of care and support and ensure a focus on the individual.

http://www.hscf.org.uk/sites/default/files/article_attachments/Driving%20Up%20Quality%20Code%20draft%204.pdf The code, endorsed by the Department of Health, has been piloted by eight organisations. They found the experience "not altogether comfortable" David Brindle

<http://www.theguardian.com/society/2013/sep/11/winterbourne-view-learning-disability-care-providers>.

As the Alliance says: "We found out that too many people are sent away from their communities for too long and... that the professionals responsible for organising, paying for and checking that people are doing well were not doing their jobs very well".

See also *Moving on after Winterbourne* at www.cl-initiatives.co.uk

Work Capability Assessments – your response needed

Should the DWP no longer have to report on Work Capability Assessment tribunals? The Government is proposing to remove the need for the Department for Work & Pensions to report on the outcome of Work Capability Assessment Tribunals "to ease the burden of regulation".

This is a potentially serious shutdown of information, accountability and transparency. For more information please see <http://bit.ly/1dnxgub>. The relevant section is clause 35.

The deadline for responses is 16 September. Please let us know what you think by contacting: suel@aldingbournetrust.co.uk.

Ordinary Lives: Shifting Perspectives in Housing and Social Care

The H&SA Annual Conference will take place on 21 November at Coin Street Conference Centre, London SE1 9NH. The event will be chaired by journalist Ian Birrell. <http://www.housingandsupport.org.uk/what-we-do/events>

C.L. Initiatives Ltd, No. 6 The Square, Waterhouse Green, Whittle-le-Woods, Chorley, Lancashire PR6 7LF

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