



Learning Disability and Autism Programme

Friday 15th May 2020

Frequently Asked Questions

Thank you for your questions and comments. We have focussed on questions which summarise a key theme from stakeholders. If you do not think we have answered your question, or if we have missed anything, please do come back to us at: england.learning.disability@nhs.net

We will provide an update on questions and answers each Friday for the next few weeks.

To support collaborative working across the voluntary and independent sector, health and social care there is a weekly webinar to raise and discuss key issues for people with a learning disability and autistic people with representatives from NHS England and Improvement, the Department for Health and Social Care, Public Health England and voluntary and independent sector organisations taking part.

To receive details about the webinar or to suggest agenda items please contact: england.learning.disability@nhs.net

We have set up a [Future NHS Collaboration workspace](#) to support the work of NHS England and Improvement Mental Health, Learning Disability and Autism Covid-19 Response Cell. We use this platform to share guidance and information, and encourage mental health, learning disability and autism leads and providers to share advice and feedback on how best to look after patients and staff during these difficult times. The resources on this workspace are open to those working in mental health, learning disability and autism services and will include the voluntary and independent sector.

If you currently have a FutureNHS account, you can access the workspace directly through the homepage (<https://future.nhs.uk/MHLDAcovid19/grouphome>). Those without a FutureNHS account can either self-register to the platform if they have an nhs.net or nhs.uk email account, or directly request access by emailing our generic mailbox if they are from other organisations at: MHLDAcovid19-manager@future.nhs.uk

Key topics this week

- Publication of data
- Testing
- Shielding
- Mental Capacity and Safeguarding
- Access to non covid related healthcare

Publication of data

We are mindful that data has been released from different sources since we last spoke:

a) the CQC released data to the BBC.

The full CQC statement: [CQC Understanding the impact of the Coronavirus on autistic people and people with a learning disability](#)

b) NHS England and Improvement published an update of daily COVID deaths. The link to the update can be found in the published resources section.

As Public Health England are not yet ready to publish the more detailed analysis that they talked about on last week's webinar, NHS England and Improvement will shortly be publishing the data we received from the University of Bristol about the deaths of people with a learning disability notified to the LeDeR programme.

We have been contacted by a number of stakeholders who would be keen to have a session explaining the data in more detail. We will talk to DHSC, PHE and CQC to try and facilitate this.

Testing

Response from Department of Health and social care

On 28 April, we increased testing capacity which meant that eligibility could be expanded to more groups at higher risk of contracting COVID-19 and/or of suffering worse outcomes if they did.

This included anyone over 65 and symptomatic, as they are at higher risk of adverse consequences if they get the disease. If a care home for older people also cares for residents under 65, all residents, regardless of age should be tested.

Health and social care workers, NHS patients and care home residents can have tests even if they are asymptomatic, as they are at higher risk of contracting the disease due to their regular close contact with potentially infectious individuals.

This service will be rolled out to all care homes in a phased approach. This service will be expanded to other types of registered adult social care settings as soon as possible.

Eligibility for testing

The Department of Health and Social Care (DHSC) is working with local authority Directors of Public Health, Directors of Adult Social Services and local NHS providers to deliver this testing programme for care homes. The first time a care home suspects an outbreak of coronavirus, care home managers should contact their local health protection team to arrange testing. Subsequent testing will be through DHSC testing programme.

We understand the importance of ensuring providers who care for people with learning disabilities have access to testing. We are currently prioritising homes that specialise in caring for older people and those living with dementia. However, they will all have been tested by early June.

This service will be expanded to other types of registered adult social care settings as soon as possible.

Essential workers, such as unpaid carers, are eligible to refer themselves for a coronavirus test via this link: <https://www.gov.uk/apply-coronavirus-test>

Shielding

Response from Department of Health and Social Care

The current social distancing regulations do not include specific advice about private gardens. The 'Stay Alert' guidance states that it is still not permitted to leave your house to visit friends and family in their home. The Government is looking at how to facilitate greater contact with close family or friends, and will explain how this can be done safely in the coming weeks. We ask that you continue to refer to [gov.uk/coronavirus](https://www.gov.uk/coronavirus) for the latest information.

Mental Capacity and Safeguarding

Response from Department of Health and Social Care

The principles of the Mental Capacity Act (2005) and the safeguards provided by the Deprivation of Liberty Safeguards (DoLS) still apply during the COVID-19 outbreak. On the 9 April we published [guidance](#), which will help decision makers to make capacity decisions quickly and safely, whilst keeping the person at the centre of the process.

Decision makers in hospitals and care homes, and those acting for supervisory bodies will need to take a proportionate approach to all applications for DoLS, including those made before and during the pandemic. Any decisions must be taken specifically for each person and not for groups of people.

The Government is committed to preventing and reducing the risk of harm to people in vulnerable situations during the pandemic. It has carefully considered adult safeguarding when responding to the pandemic, and supporting the health and social care sector, and LAs, in their response.

The Government recognises that safeguarding concerns and referrals may increase during the pandemic, with more people receiving support and support needs changing, which may prompt concerns. Safeguarding is everyone's business, so it is important that we remain alert to possible abuse or neglect concerns. LAs, social care providers, the health and voluntary sector and our communities must continue work to prevent and reduce the risk of harm to people with care and support needs, including those affected by Covid-19.

The Coronavirus Act 2020 does not affect the safeguarding protections in the Care Act, particularly at Section 42. It is vital that LAs continue to offer the same level of safeguarding oversight and application of Section 42. However, it is also important that safeguarding teams are proportionate in their responses and mindful of the pressure social care providers are likely to be under. The government has published guidance for LAs and others on adult safeguarding practices during the pandemic. Please see the care act easement guidance in the published resources.

If you are concerned that someone with care and support needs is at risk of abuse or neglect, you should contact the safeguarding adults team at the relevant local authority – contact details can be found online. If someone is in immediate danger or you think a crime has been committed, contact the police.

CQC Inspection visits [Follows the above response from Department of Health and Social Care]

The CQC have responded to the intense pressure on health and care providers during the coronavirus (COVID-19) pandemic by pausing all routine inspections, recognising the increased demand on staff and the increased risk to staff and the people who use services. However, the CQC role of keeping people safe has not changed and so it has developed an Emergency Support Framework (ESF) which sets out its interim approach to regulation during the Covid-19 pandemic. The interim approach has a number of elements:

- Working closely with system partners across health and social care to use and share information to target support where it's needed most
- having open and honest conversations
- taking action, including reactive inspections, to respond to risk, keep people safe and to protect people's human rights
- capturing and sharing what they do.

The CQC will use this interim approach in all health and social care settings during the pandemic, and for a period afterwards. This approach is not an inspection tool and the CQC will not be providing ratings. The interim approach is flexible and the CQC will review it regularly and revise the Essential Standards Framework to reflect any ongoing learning.

Access to Healthcare for non Covid related issues

We will shortly be publishing easy read materials about the NHS campaign "Help Us, Help You" developed by the Learning Disability and Autism programme Co-production group.

We are working with our colleagues in Primary Care to develop personalised approaches to delivering annual health checks.

Links to published guidance and resources

[Coronavirus FAQs Exercising more than once a day](#)

[Apply for a Coronavirus test](#)

[NWTDT Pathways video about changes to lockdown rules](#)

[NWTDT Pathways Video about going out](#)

[Health Education England Video about Infection Control](#)

[NHS England and Improvement published data about COVID 19 deaths](#)

[Care Act Easement Safeguarding Guidance](#)

Hot topics for future webinars

- Data and what it means
- Response to increased Trauma
- Future planning for moving forward

Additional information

Public Health England weekly updates [sign up here](#)