

**Department of Health and Wellbeing  
Directors Office**

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Date: 23<sup>rd</sup> December 2022

Dear Sir / Madam

**Your Ref: 21 001 973**

I am writing in response to the public interest report published by the you on 1 December 2022 regarding the failures by Bradford Council in regard to Mr Y and Mrs Z, your reference number above with findings of maladministration and injustice. Before doing so, I wish to thank the officer undertaking this investigation for their work and apologise to them for all delays on our part in ensuring that they have received sufficient information to be able to conclude their investigation.

We have carefully considered the report and recommendations made by the investigator. The recommendations are welcomed and we accept the findings in full and have taken steps to resolve these issues, as listed below.

The council has complied with your instructions regarding the publication of the report. Two public notices were placed in the Telegraph and Argus and Keighley News local newspapers in the week beginning 12 December 2022 and copies of the report have been made available free of charge at City Hall in Bradford. The report has been shared with the Chief Executive, adult social care Executive Member, Leader of the Council and I have met with the social care staff involved in the case in the preparation of this response. The report is scheduled to be presented to Bradford Council's Governance and Audit Committee on Thursday 26 January 2023, which is the committee specifically reserved for hearing these matters. This is a meeting in public.

By way of response to each of the recommendations in the report, the council has already taken action to resolve many of these issues and will act to implement the others on publication of your report:

1. In response to your recommendation that the carer's assessment be finalised for Mrs Z, a Care Act compliant carer's assessment for Mrs Z has been completed. The social worker allocated is supporting to identify people to provide the support linked to the assessment outcomes. We will then be able to set up a separate carer's personal budget via a direct payment. We are working towards this being finalised by the end of January 2023. I can confirm that our carer's assessments

are indeed Care Act compliant – and we have found a workaround with our IT case management system to record these more appropriately.

2. In response to the recommendations as to how to remedy the injustice caused, I apologise unreservedly to Mr Y and Mrs Z and accept the recommendation that Mr Y should be paid £2,000 and Mrs Z should be paid £2,000 for the loss of service and avoidable distress. A letter of apology was sent to both parties from me in week beginning 5 December with compensation cheques arriving within five working days of these letters. We will check with Mr Y and Mrs Z that this correspondence has arrived given the current postal strikes.
3. You have recommended that the council reviews Mr Y's current support and advises what further work is needed to address the ongoing difficulties he has experienced in engaging suitable support. The social worker is now in the process of reviewing Mr Y's current social care support. The aim is to complete this by the end of January 2023, but sooner if possible. All of Mr Y's funded social care support is now being provided. This is via his direct payment- funded personal assistant. Additionally, the council's occupational therapy team have engaged with Mr Y in relation to his mobility needs. There remain unresolved issues between Mr Y and his landlord with regard to permission for housing adaptations.
4. You have asked us to provide information about details of the market engagement work both undertaken and planned, and analysis of the outcomes. A refresh of the council's autism strategy, which will be an all-encompassing Neurodiversity Strategy, recognising specific interventions around autism & ADHD. The council has commissioned a local voluntary sector organisation, Bradford Talking Media, to facilitate co-production events so that people who are neuro-diverse can shape the strategy. Bradford Council is also fully engaged in a West Yorkshire collaborative to improve and systemise data collection to inform tangible outcomes, implement trusted minimum quality standards, equitable access to assessment and treatment and implement standardised clinical prioritisation for people with autism.

In response to your recommendation that all assessors and their managers are familiar with the Care and Support Statutory Guidance (which is available online in an easily accessible format) in particular sections 1,2, 6 and 7. The Council has taken steps to invest further in training our 250 trained / qualified social work, OT and nursing assessment staff. A rolling programme of training has been commissioned from an external legal training provider. Since June 2021, 192 assessment staff have been trained with a further 38 booked to complete this training by the end of December 2022. This programme is planned to continue on a rolling basis.6. In response to your recommendation that the Council ensure all relevant staff are clear about how people, including those with ASD, should be directed to suitable assessors who can assess their needs properly. The Council recognised the way it's services were configured needed to change to provide a clear pathway from first point of contact through to our adult assessment teams. A new post of Assistant Director for Adults with Disabilities was recruited to and the new post holder started on 7 November 2022. The new role includes remit to ensure that the assessment pathway neurodiversity including autistic people is clear and sufficiently well resourced. In preparation for this wider change programme, the Council has established a specially trained Autism Champion in each of its five Locality Assessment and Support Teams. These social work staff have undertaken specialist training, Understanding Autism Level 3 provided by Shipley College. Council officers have been engaged fully into the West Yorkshire ICB Neurodiversity Strategy and Planning Groups. They have contributed to the development of the West Yorkshire Neurodiversity Priorities Plan (attached in DRAFT stage) which sets out our refreshed approach towards ensuring all staff at

all levels across health and social care understand and can best support autistic people and neuro-diverse needs. In addition, to ensure clarity of the pathway for referrals for adults with long term social care support needs, six social workers have been trained as level 2 specialists in autism, a further 11 social workers are being trained as level 3 specialists in autism due to finish in spring 2023. Three occupational therapists are being trained as specialists in Sensory Integration to support autism assessments. Furthermore, we are conscious of the Health and Care Act 2022 introduced a requirement that regulated CQC registered service providers must ensure their staff receive training on learning disability and autism that is appropriate to their role. The Oliver McGowan Mandatory Training on Learning Disability and Autism is the standardised training that was developed for this purpose and is the government's preferred and recommended training for health and social care staff to undertake. Whilst the impetus is upon CQC regulated employers to ensure that the Training is undertaken by staff through the [e-learning for healthcare website](#), we are taking steps to ensure the highest quality provision through engagement and compliance monitoring.

5. In response to your recommendation that the Council ensure at the first point of contact, considers whether people with ASD will have substantial difficulty being involved in their assessment and will need an advocate. Staff from our Information and Advice Hub, which is the first point of contact service for adult social care, have been included in the roll out of care act training as detailed at point 2 and autism and neurodiversity awareness training, the detail of which is outlined in below at point 5. All staff in adult social care are able to access the Council's contract with Voiceability for Care Act advocacy to support people who have a substantial difficulty being involved in their assessment. Voiceability records show that since 1<sup>st</sup> April 2020, independent advocacy has been arranged for 22 individuals who had autism without an associated learning disability.
6. In response to your recommendation that the Council put in place an ongoing programme of training in autism so that all assessors and their managers, have regularly updated specialist training, and all staff to receive autism awareness training within the general equality and diversity training programme. The Council has recognised that there is a need to invest in training assessment staff in relation to autism and neurodiversity. The Council has commissioned two different training packages from an external legal training provider. 319 council staff have been trained in autism or neurodiversity since June 2022. The programme is continuing on a rolling basis. Six social workers have been trained as level 2 specialists in autism. A further 11 social workers are being trained as level 3 specialists in autism due to finish in spring 2023. The Council's general equality and diversity programme, RESPECT, now includes a dedicated autism and neurodiversity training offer.
7. In response to your recommendation that we review our data to confirm identify those with autism and no learning disability, over the last two years, we have undertaken a review of our adult social care data set. The Council is supporting 305 people with autism who are receiving services to meet long term support needs, including those who have a primary health need and a joint funding contribution under the NHS Framework for Continuing Health Care and Funded Nursing Care. Fifty-five autistic people who are being supported do not have an associated learning disability. We have also reviewed the data held on our proprietary complaints data base which records all contacts to the Council's Complaints Team.
  - a. We have considered the data to identify whether people with autism have been declined a full assessment by an assessor without training in ASD. We do not routinely collect information about autism diagnoses at people's first

point of contact with adult social care - because they may not yet have a diagnosis or they may not wish to disclose this in that initial conversation. Young adults who do have a diagnosis of ASD as children and who transition to adult social care in Bradford will routinely be offered a Care Act assessment as part of our agreed protocol with Children's Services. This is monitored through our management information. We can find no evidence that anyone who disclosed an autism diagnosis was declined a care assessment.

- b. We have manually reviewed 794 records held by our Complaints Unit relating to adult social care covering the period over the last two years to consider how many individuals have complained about an assessment by an assessor without training in ASD. We identified three complaints raised in relation to assessments for people with autism. One of these concerns was the complaints raised by Mr Y. We have taken action to make contact with the two other people through an experienced social worker who has completed specialist training in autism to offer a reassessment.
  - c. We have reviewed our adult social care records to identify individuals with autism who have been provided with an advocate to support them whilst they are awaiting assessment or are in the process of being assessed. We have cross-checked this information with Voiceability, our contracted independent Advocacy provider. 22 individuals with autism were referred to Voiceability over the last 2 years, all of whom were subsequently provided with a service.
  - d. Using the data above, we have identified two individuals. An experienced social worker, who has completed specialist training in autism, has making contact with these two individuals, offered a reassessment of need and has concluded the work with both people and no further work was needed at this stage.
8. In response to your recommendation that the Council consider whether is a way of providing easily accessible assessment records electronically and securely to the person assessed. This is not a function which is currently possible with the Council's adult social care client information system. However, we note the recommendation and shall factor this into longer term plans.

I am grateful that you have noted our progress as a council to enhance our offer to people with autism. As you have noted, the Council and health partners have established and appointed new roles to strengthen capacity to identify and develop our support offer for people with autism and neurodiversity. Within the Council these roles include a Neurodiversity and Autism Transformation and Business Change Manager, who was recruited to in June 2021, and a Commissioning Manager for Autism, who was recruited in April 2022. These new posts report into the Mental Health, Neurodiversity, Learning Disabilities and Autism Partnership Board which was established in March 2021.

I hope this demonstrates progress in joint working between health and social care to not only positively identify, diagnose and meet the needs of individuals – but also co-produce our strategic plans for better planning, commissioning and measuring outcomes for adults with autism at a place level.

I am now confident that we have business processes, training and support for staff and joint health and care systems in place to prevent such circumstances reoccurring.

I am sorry for the distress caused to Mr Y and Mrs Z and I hope that that this response begins to address Mr Y and Mrs Z's concerns.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'I. MacBeath', with a long, sweeping horizontal stroke extending to the right.

**Iain MacBeath**  
Strategic Director of Health and Wellbeing  
Bradford Metropolitan District Council