

DISABLED CARE

The home front

EIGHTEEN months ago there was anger at the revelation that cash-strapped health providers were planning to force disabled people with complex health needs into nursing homes against their will if it was cheaper than providing care for them at home.

After warnings that the move amounted to a return to the inequalities and discrimination of the 1970s, MPs and campaigners believed any such plan would be quietly shelved. It seems not. In October, it emerged that health commissioners in Southampton had decided that those needing home care of eight hours or more a day or needing care at night "might be more appropriately met within a residential placement". Its policy had been developed "in light of the need to balance personal choice alongside safety, and effective use of finite resources".

Alarmed, Fleur Perry, who edits the Disability United website, sent freedom of information requests to the 212 clinical

commissioning groups (CCGs) in England. Of the 122 who responded, 44 had drawn up policies that were outside NHS guidelines and put severely disabled people at risk of going into a nursing home without consent. With another 90 CCGs yet to respond, the figure could be much higher.

The risk is to those people whose disabilities are considered to be health-related (rather than care-related) and who are in receipt of NHS-funded continuing healthcare (CHC), rather than local authority-funded social care.

"One of the most basic human rights, to live where and with whom you choose, has been fought since 1974 – and has still not been realised," says Perry, who is herself a recipient of CHC. As her own commissioning group has yet to respond, she does not know whether she is one of those affected.

With the NHS refusing to intervene, campaigners are now looking to find a "test case" to challenge the policies. They say that not only do they breach the right to a private and family life, they contravene article 19 of the United Nations Convention on the Rights of Persons with Disabilities, which states that disabled people have the "right to live in the community with choices equal to others".

ROAD RAGE

LST trips



THE government seems determined to ensure that a "trial" of longer lorries will pave the way for even bigger vehicles to pound our roads.

The "longer semi-trailers" (LSTs) are about seven feet longer than the previous maximum. At sharp bends, such as T-junctions, the extra overhang behind the rear axle swings far out in the opposite direction from the movement of the cab. There are worrying implications for the safety of other road users, and indeed pedestrians on pavements (*Eye* 1292), yet the "trial" isn't addressing the most fundamental question: are LSTs safe on typical A-roads and streets?

Firms participating in the trial are free to keep LSTs away from urban areas, and the government doesn't require logs of routes taken, although GPS technology could easily provide detailed data. Last month, roads minister John Hayes said: "When the trial started in 2012, GPS tracking was a new technology and to have placed such a tracking

requirement on the operators would have been considered an unreasonable burden on the industry."

Seriously? GPS has been available for at least 15 years. In any case, GPS availability five years ago doesn't explain why the government isn't demanding tracking records now.

The latest annual report on the trial admits: "We do not currently have detailed data on LST journeys by road type nor for urban or rural environments." Just two firms mainly serving retail sites provided detailed data – and their LSTs had far more "incidents" per million kilometres than their "regular" articulated trucks did in 2014 and 2015.

Despite the longer trucks being focused – typically – on motorways and other major roads, the report reveals that in 2015 a pedestrian on the pavement was "hit by the tail end of an LST as it was making a turning manoeuvre in an urban location". The report says the truck was on an unusual route to test the driver's skills, and "the event is not strongly representative of normal LST operations". So that's all right, then.

'Hedgehog'

DEFENCE

Fighter talk

AMID a flurry of reports that Donald Trump is considering cancelling the \$1.5trn F-35 stealth fighter project unless urgent steps are taken to reduce its budget, grovelling US defence manufacturers have been quick to revise its projected costs downward, from more than \$100m to \$90m per aircraft.

Since the UK was the only country foolish enough to become a "tier one" partner in the project – in return for better access to the software codes in the aircraft systems, more British techies on the production line and, er, that's it – British taxpayers, along with BAE Systems, may take some of the hit for placating the new president in this way.

The RAF is already forced to buy its F-35s from the US at twice the price of those destined for service with the Americans (\$256m per aircraft) and BAE Systems will shortly be asked to cut the price of the parts manufactured here

for its US customers on the F-35 production line. In the short term, it will be BAE Systems shareholders who will pay for this. But the government has already put £2bn of taxpayers' money into the F-35 project and, if it fails to take off, will have to shell out a whole heap more to find a replacement.

'Squarebasher'

NUMBER CRUNCHING

£481,000 Annual pay-packet of Sainsbury's chairman David Tyler in 2013, when shop's slogan was 'Live Well for Less'

£5,000 Amount he has just paid to charity in lieu of work undertaken by Sainsbury's staff on refurbishment of his country home that year

HOME CARE

Desperate times



A WHISTLEBLOWER says vulnerable people needing home-care in Kent are suffering because work rosters (sent to the *Eye*) did not allow carers any travel time between visits. For example, the carer was expected to be finishing a 30-minute appointment with one client in St Mary Cray, while starting another at exactly the same time in neighbouring Orpington – up to 13 minutes away by car.

As a result, the whistleblower told the *Eye*, drugs were not administered on time, all clients had to wait for their meals, and those seen at the end of the rota were put to bed extremely late – one needing changing and had to wait in a wheelchair. The carer himself had no time for a break on his first 14-hour shift – rostered from 7am until 9pm. And while he finished after 11pm, he was not paid for the extra time. For his second shift, he and a co-worker depended on local buses – and the delays in service were even longer.

He complained to the company, Verilife (Smithfield Health and Social Care Ltd), about what he considered to be "neglect" and says he was given no more employment. He says he is still waiting to be paid for the second 5½-hour shift in November.

The whistleblower contacted the *Eye* after the Care Quality Commission (CQC) this month rated Verilife "good" after an inspection in November, just after his last shift. He said: "I cannot believe Verilife passed the CQC inspection. I can only think that the 48 hours' notice the company gets ahead of an inspection gives them a warning. But as we clock in and out of appointments, I do not see how this escapes the inspectors' attention."

The *Eye* passed the rosters to the CQC and asked why the service was rated "good" when the report itself says: "Two out of the seven relatives we spoke with told us staff were often late and one told us that the weekends were particularly bad... Two out of the six people using the service also said that timekeeping was poor." Some staff also reported being late because of public transport delays.

Andrea Sutcliffe, the CQC's chief inspector of adult social care, told the *Eye*: "Our inspection of Verilife last November identified some problems in relation to timekeeping, but the overall judgment of the service was that it was good and that the manager was taking action to improve the situation.

"I am concerned by the information now shared with us and this will be urgently investigated... If we find evidence of unacceptable practice then this will influence our rating judgement and we will use our enforcement powers to take appropriate action for the benefit of people, their families and carers."

Verilife declined to respond.

● Two months after the CQC announced that care homes would have to tell inspectors how many residents have faced restrictions on who can visit them, or been evicted against their wishes, complaints about the practice continue to pour in.

Compassion in Care says its helpline has recorded more than 200 cases of what it calls "relative retribution" – restrictions on visitors who complain or evictions of the resident. The charity says the only change since the CQC introduced new guidance after the issue was highlighted by the BBC is that more people are now reporting the problem. A simple solution, it says, might be to make each case a "safeguarding" issue, leading to an independent assessment before residents suffer, rather than reporting it after the event.