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South East CSU
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SE1 7NT

Email: SECSU.FOI@nhs.net

16 February 2017

Ref: FOI.16.MERT208

Dear Ms Rushbrooke

Freedom of Information Act Request

Thank you for your request under the Freedom of Information Act. This response is provided on behalf of NHS Merton Clinical Commissioning Group (CCG).

You asked:

The Merton Clinical Commissioning Group Clinical Quality Committee Notes from the meeting held on 16th October 2015 it states - Mental Capacity Act training for GPs took place during June and July 2015 with 48 GPs attending.

1. Please can you advise who undertook the above training?

Piers McNeil, an independent social worker

2. Which GPs attended from which surgeries?

Please note that under Section 40(2) of the Freedom of Information Act (personal information) the names of individual GPs have been redacted. However NHS Merton CCG can confirm that:

- Riverhouse Surgery training took place on 16 June 2015 and eight GPs attended
- Lambton Road training took place on 24 June 2015 and eight GPs attended
- Central Medical Centre training took place on 29 June 2015 and seven GPs attended
- Morden Hall Medical Practice training took place on 13 July 2015 and five GPs attended

A total of 28 GPs attended the training, in addition to their practice staff.

3. And supply the training course content?

The CCG does not hold this information; however, the response to question four includes the learning objectives for this course.

4. How was the compliance to the MCA 2005 measured with regard to those GPs who attended?

The training sessions were not designed to measure compliance with the MCA 2005 for attendees. However a formal evaluation of the learning objectives was undertaken to ensure that these were achieved for those who attended. Here are the learning objectives;

- Awareness of the national agenda
- Knowledge of the statutory principles of the MCA
- Knowledge of the process used to assess capacity and make best interests decisions
- Knowledge of Advanced Decisions to refuse treatment
- Knowledge of Lasting Power of Attorney & Deputyship
- Awareness of the role of Independent Mental Capacity Advocates' (IMCAs)
- Knowledge of Restraint under the MCA
- Awareness of Deprivation of liberty safeguards
- Awareness of new DNAR guidance

5. Please supply the policy that guides care homes in Merton to comply with the MCA 2005?

The CCG does not hold the information you have requested.

Care homes are required to have their own company MCA/DoLS policy in place that is compliant with Legislation and required for Care Quality Commission (CQC) registration. The CQC require sight of this on inspecting the home. In addition it is the Merton CCG expectation that all providers, including care homes, comply with local and national policy and guidance on MCA.

Please refer to NHS Merton CCG's Safeguarding Adults policy attached at Annex A that refers to MCA 2005 and the Care Act 2014 legislation. NHS Merton CCG staff, including commissioners and contract managers, monitors compliance with this requirement at contract review meetings.

6. How does the CCG ensure compliance of the MCA 2005 in Merton care homes

The Safeguarding Adults Lead supports and guides CCG staff on aspects of the monitoring of MCA 2005 compliance in care homes. The CCG works closely with our contract monitoring managers, the continuing healthcare team and its local CQC inspectors where there are issues identified with provider non-compliance with any aspect of the MCA/DoLS process, and supports the care homes to address these issues.

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If you remain dissatisfied, you can ask us to review our decision by making a written request for internal review. This must include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

Email

Secsu.foi@nhs.net

Postal Address

South East CSU
1 Lower Marsh
London
SE1 7NT

Website Address

<http://www.southeastcsu.nhs.uk>

The review will be handled by staff who were not involved in the original decision – although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive. Your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

Telephone

01625 545745

Postal Address

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Website Address

www.ico.gov.uk

Feedback

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely,

Freedom of Information Team

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