

Trust HQ  
Rikenel  
Montpellier  
Gloucester  
GL1 1LY

Direct Tel: 01452 894266  
E-mail: [2gnft.Information-Freedom@nhs.net](mailto:2gnft.Information-Freedom@nhs.net)  
Website: [www.2gether.nhs.uk](http://www.2gether.nhs.uk)

7<sup>th</sup> September 2017

### Freedom of Information Request – Ref: FOI 149-1718

Thank you for your recent Freedom of Information request about care planning. Please find the Trust's response below.

1. Can you provide details on whether an individual who has been hospitalised and held on section 3 of the Mental Health Act, on returning to a Community Team after section has lapsed and a robust Support Plan has been put in place. Can a Community Team ie a: CPN/Consultant, instigate/Action a Care Plan to an individual that has Capacity, without the individual signing and agreeing the plan.

**Every Service User who has been assessed and is currently receiving support and treatment must have a current care plan. This will be routinely monitored. Page 33 of the Assessment and Care Management policy:**

**7.8 Service Users must be offered a copy of their care plan in accordance with the Service User's Capacity, and if it is in the Service User's best interest to do so. Where Service Users are judged to have capacity and it is deemed appropriate, the Service User must also be given the opportunity to sign their care plan to show that they agree to it.**

**7.9 Where a Service User is being treated in the community, the care plan should be written by the Service User's Lead Professional / Care Coordinator with the involvement of the Service User. The care plan should be sent to the Service User's GP, and anyone else involved in the Service User's care, subject to their agreement (see also section on Sharing Information and issues of capacity).**

2. Can you provide details on whether a CPN/Consultant in a Community Team can action a Care Plan without specific reference to the 117 Support Plan.

**There is no requirement to specifically reference a Section 117 support plan where all arrangements for the plan are agreed within one organisation.**

3. Can you provide details on whether specific training is now needed to Re: The Care Act and, Community Teams on addressing the new law. Care Act 2014

**The Trust provides 'Think Family' training for clinicians and this contains information on the Care Act. When the Care Act came in the Local Authority provided training on the Care Act. Social Workers received this training and it was open to other staff to attend. The Social Care Lead/Social Care Specialist for the Trust provides support and advice to clinicians on the implementation of the Care Act, as required. There is a County Wide Approved Mental Health Professional (AMHP) Forum where any Care Act issues can be discussed along with regular Social Care Information training days.**

4. Can you provide details on whether a Community Care Plan is a legal binding document.

**A Community Care Plan is not a legally binding document.**

**Section 7- Care Planning Page 32 of the Assessment and Care Management policy refers to:**

**7.1 The care plan is an essential part of organising and delivering care and support to a Service User receiving services. It identifies the range of strengths, hopes and needs that a Service User may have the details of how these will be addressed, and who will be responsible for each item.**

If you are not content with the outcome of any review, you may apply directly to the Information Commissioner's Office (ICO) for further advice/guidance. Generally, the ICO will not consider your case unless you have exhausted your enquiries with the Trust which should include considering the use of the Trust's formal complaints procedure. The ICO can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire SK9 5AF.

## **Copyright & Reuse of Public Sector Information**

The information and material that is routinely published is subject to <sup>2</sup>gether NHS Foundation Trust's copyright unless otherwise indicated. Unless expressly indicated on the material to the contrary, it may be reproduced free of charge in any format or medium, provided it is reproduced accurately and not used in a misleading manner. Where any of the copyright items are being re-published or copied to others, you must identify the source of the material and acknowledge the copyright status. Permission to reproduce material does not extend to any material accessed through the Trust website that is the copyright of third parties. You must obtain authorisation to reproduce such material from the copyright holders concerned. For further guidance on a range of copyright issues, see the Office of Public Sector Information (OPSI) web site: [www.opsi.gov.uk/advice/crown-copyright/copyright-guidance/index.htm](http://www.opsi.gov.uk/advice/crown-copyright/copyright-guidance/index.htm)

or write to: OPSI, 102 Petty France, London SW1H 9AJ.