

Avoiding Contract Breaches – opening and closing of cases Report for the Large Scale Investigation Early Strategy Meeting		
Meeting Date: 24th April 2012	Meeting Time: 09:00	Agenda Item:
This Report is presented for: decision	In the:	
Report Summary		
<ul style="list-style-type: none"> As part of the Safeguarding Adult investigations into data quality issues within the Trust a request was made at the A Large Scale Investigation Early Strategy meeting held on April 26th that the Trust investigate the practice of closing open referrals / cases and then reopening them, to assist in meeting performance targets and avoiding breaches. The Head of Information Management, Performance & Information was asked by the Deputy Director of Nursing to provide a report to support the investigation using information contained in RiO. This report sought to count the number of instances in RiO where one service user had two referrals opened within 7 days of each other to the same team, where the first referral's duration was less than 29 days (meaning it was closed before the 4 week waiting time for assessment window had elapsed). Thirty six cases were identified that require further investigation/explanation This further investigation of the findings is required to ascertain why these incidents occurred and will be conducted in a manner that which means the findings could be used in other formal processes if required. 		

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1. Purpose of the Report

- On 15th February 2012 the Trust was informed, by email, that some Wiltshire Council social workers had alleged that AWP managers had instructed them to make incorrect RiO record entries.
- In response to these allegations Wiltshire Council set up a formal safeguarding process and a Large Scale Investigation Early Strategy Meeting was held on 29th February 2012. As a result of this meeting AWP undertook to investigate the allegations.
- A Large Scale Early Strategy meeting was held on 4th April 2012. This report addresses actions numbered seven and nine in the minutes of that meeting which were required to be undertaken by the Trust.
- A follow on meeting was held on the 26th April 2012, where an additional action was requested to investigate if records within the health record had been closed and reopened within short time periods as a means of meeting performance targets.

2. Background

During the meeting on the 26th April 2012, the Trust verbally reported that initial investigations had not been able to substantiate the allegations that the RiO record was being amended to help meet performance targets. Members of the ESM reported that it was unlikely that this had occurred as the staff had refused to undertake such actions. A request was made to interrogate the RiO system to identify cases which may have been closed and reopened within a short time period.

3. Standards

There are two key service standards that are affected by the opening and closing of referrals on RiO, both of which measure the length of time a service user waits to receive service. Both indicators are detailed in the PCT contract as well as the Trust's General Access Policy. The indicators are:

1.01 **Referral to assessment** (a Contract Penalty indicator, attracting a £250 payment for each assessment completed more than 4 weeks after referral)

1.02 **Referral to treatment** (a gateway indicator for the CQUIN scheme, requiring 95% compliance to the 13 week standard)

In each case, the Trust measures the length of time between the date the referral was received and the date the service was delivered (e.g. the date of the initial assessment, or the date that treatment was started). Importantly, the Trust only calculates the duration of the wait in cases where assessment or treatment was provided. Referrals that are closed prior to these events taking place are excluded.

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The allegation is that where a team was unable to complete the assessment within the 4 week period, the referral was closed on RiO and a new referral (with a new referral start date) was opened, affording the team a further 4 weeks in which to complete the assessment – in doing so, this also resets the clock for the ‘referral to treatment’ indicator and affords a further 4 weeks against that indicator too.

4. Method of Investigation

The following methodology was used to investigate whether the practice of closing and re-opening referrals was taking place. The data was extracted from RiO, where events met the following criteria:

- There were two referrals for the **same** team opened on RiO
- The first referral’s **duration** had to be less than 29 days, meaning it was closed before the 4 week waiting time for assessment window had elapsed.
 - *Duration was calculated as the length of time between the ‘referral date’ (e.g. the date that the Trust received the referral) and the ‘referral end date’ (e.g. the date that the Trust closed the referral).*
- The first referral had to have **no contacts** recorded against it (to eliminate referrals where an assessment had already been carried out)
- The second referral’s ‘referral date’ had to be within 7 days of the ‘referral end date’ of the first referral (to show a temporal link between the two events)

Time frame: events where the initial referral was closed between April 2011 and March 2012 were included and then stratified by SBU, Team and quarter to try and establish when, if at all, this practice began, and if so in which teams did it happen.

5. Findings

Overall, there were 76 cases identified on RiO where the criteria outlined in section 4 were met. The total number of referrals received by the Wiltshire teams included in the report was 3,861, so the 76 identified cases represents 1.9% of the total.

- 73 cases were shown in Adult Community SBU; and 3 cases in L3.
- In over 53% of the cases, the initial referral was closed within the first 2 weeks (34% in the first week and 19% in the second week)
- Viewed over the 4 quarters of 2011-12, there were the following number of events:
 - Q1: 12
 - Q2: 19
 - Q3: 19
 - Q4: 26

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6. Analysis and Interpretation.

An analysis of the information obtained from RiO highlights the following key points:

- Many of these identified cases were re-opened to the same team either the same day, or within 48 hours.
- Over 50% of cases showed the initial referral closed within 2 weeks of the referral date. This does not accord with a practice of closing a referral down in order to avoid a waiting time breach. As such, these cases are not considered pertinent to this investigation.
- 36 cases remain, all within the Adult Community SBU
- Of the 36, only one case occurred in Q1, with the remaining 35 taking place between Q2 and Q4

7. Conclusion

The interrogation of the data does identify a number of cases where referrals were opened and closed in the identified time period but only further investigation may assist in revealing the causes and motivations for such actions.

8. Future Actions

8.1 Further investigation of staff within the identified teams will provide the necessary detail to understand the motivation for such actions occurring. Any internal or external investigation should be conducted in a way that would be consistent with human resources procedures to support the collection of any evidence that maybe required in the future.

8.2 Information relating to other Primary Care Trusts, will be brought to the attention of the lead investigator of the external data quality review commissioned by the Strategic Health Authority.

Report Authors

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11th May 2012

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