



**STOCKPORT**  
METROPOLITAN BOROUGH COUNCIL

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Piccadilly

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Ask for: [REDACTED]

Alison Mutch, Senior Coroner  
Manchester South Coroners Court  
1 Mount Tabor Street  
Stockport  
SK1 3AG

Wednesday 12<sup>th</sup> February 2020

Dear Ms Mutch

**Re: The Regulation 28 Report submitted to Stockport Metropolitan Borough Council regarding Lewis Victor Mendelson**

This response solely addresses the concerns under paragraph 1, "The MATTER OF CONCERN". Stockport Metropolitan Borough Council are unable to comment in respect of paragraph 2 which refers to the individual's hospital treatment as, in accordance with the Mental Capacity Act 2005, the decision maker for best interest decisions in relation to medical treatment had been the NHS Trust. The arrangement of an IMCA and formal best interests meeting had been the responsibility of the Trust as this had concerned medical decisions. In this instance the NHS Trust would have been under a duty to consult with Stockport Council as stated in the Mental Capacity Act "...anyone engaged in caring for the person or interested in his welfare...". Ultimately, if the matter had gone to the Court of Protection, the NHS Trust would have been the applicant. The same issue applies in relation to paragraph 3 as this would have been the decision of the NHS Trust, or alternatively the General Practitioner, to place the individual onto the pathway for End of Life Care.

**Response to "The MATTER OF CONCERN", Paragraph 1**

Stockport Council acknowledges that there has been a historic issue with regards to the timely undertaking of annual reviews in the Learning Disabilities Service. This is not an issue unique to Stockport Council alone as indeed many other local authorities are also challenged in this area, due to the present resources, service pressures and competing priorities.

However, at present Stockport Council is in the process of addressing these matters. A business case has been presented and agreed, in order to fund and create a dedicated review team comprising initially of six social workers plus a team manager - including an option to increase staff numbers as required - with a view to addressing the entire backlog of reviews throughout the financial year 2020/21. Furthermore, additional work will be undertaken with the intention of evaluating Stockport Council's staffing resource and implementing a sustainable model for managing reviews from April 2021 onwards. For individuals who are supported by Stockport Council within community settings and who may be deprived of their liberty, there will be an expectation that, on review, the allocated social worker will triage the case in accordance with the national Association of Directors of Adult Social Services (ADASS) guidance.

I trust that the above information provides you with the reassurance that Stockport Council are addressing the areas of concern that you have raised in relation to paragraph 1 of the Regulation 28 Report. However, if you do require further details, please do not hesitate to contact me.

Yours Sincerely,

A handwritten signature in blue ink, appearing to read 'M. H. ...', is written over a black rectangular redaction box.

Director of Adult Social Care,

On behalf of Stockport Metropolitan Borough Council