

12 July 2018

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██████████
By email
██████████

Dear ██████████

Request under the Freedom of Information Act 2000 (the “FOI Act”)

We refer to your email of 14 June 2018 in which you requested information under the FOI Act from NHS Improvement. Since 1 April 2016, Monitor and the NHS Trust Development Authority have been operating as an integrated organisation known as NHS Improvement. For the purposes of this decision, NHS Improvement means Monitor and the TDA.

Your request

You made the following request:

“DoH, MHCLG, Local Authorities, NHS and Private Providers

The vast majority of HCPC professionals who work with LAAC (that you employ or are commissioning services from) are likely to be working in ways that do not reflect the evidence-base in relation to those populations – and which are likely to result in breaches of HCPC standards and human rights violations. This is particularly so where they provide services under the ASF.

The [research suggests](#) that perhaps 50% of children referred to CAMHS will have underlying NDD. This is in line with the calculations based on prevalence and comorbidity figures for the populations of children with NDD and mental health disorders.

By definition, children seen under the ASF all fall into the population overlap of (i) adopted children and (ii) children with problems worthy of clinical attention. Given the various figures known from research, [the rates of ASC alone in this specific ASF population](#) may well run at 50% – and in the vast majority of cases this will most likely have been misdiagnosed as being deprivation-related. Those children will then have been [given inappropriate treatment](#) for those disorders, which is the most likely reason for the ASF Review finding that they do not get better. The [UN have told France](#) that the provision of treatments inappropriate for autism forms one component of the widespread violations of those children’s human rights. Another significant component is the removal of those children from their families. Both of these components exist in the UK in relation to LAAC with ASC.

There are currently over 72,000 LAC in England. The rate of ASC is likely to be tens of percent whereas the identification of ASC probably runs at a fraction of this. This means there are likely to be tens of thousands of LAC with ASC whose social care, health and educational provision is partly or wholly misdirected. Many of them may have been removed from their families for erroneous reasons based on misguided deprivation-related formulations.

Our FOIA requests:

- 1. If you are a private provider, are your contracts with public bodies subject to FOIA agreements?*
- 2. Please provide all information subject to the FOIA that relates to the issues of ASC in LAAC – in particular, any communications and decision-making processes relating to the question of ASC in LAAC and its differential diagnosis*
- 3. Please provide information relating to the service configuration and training of professionals for LAAC: specifically, please provide the information that demonstrates adherence with the relevant diagnostic criteria, research and general evidence base in line with HCPC Standards of Proficiency*
- 4. What proportion of children referred to CAMHS receive an NDD diagnosis?*
- 5. What proportion of children referred to CAMHS ultimately receive an ASD diagnosis?*
- 6. What proportion of children referred to CAMHS ultimately receive an NDD diagnosis?*
- 7. What proportion of LAAC are believed to have primary problems relating to RAD or DTD?*
- 8. What proportion of LAAC are believed to have primary problems related to attachment and/or trauma and/or attachment trauma and/or developmental trauma – i.e. where those terms are being used whether or not standard diagnostic criteria are employed?"*

Decision

NHS Improvement does not hold the information that you have requested.

NHS Improvement is responsible for overseeing foundation trusts and NHS trusts, as well as independent providers that provide NHS-funded care. Further information about the work we do can be found on our [website](#).

Given how your request relates to Autism Spectre Conditions (ASC), Looked After and Adopted Children (LAAC) and Children and Adolescent Mental Health Services (CAMHS) we suggest you contact Public Health England and the local authorities who may hold some of the information you seek. Please refer to the links provided below:

[Public Health England](#)

[List of councils in England](#)

Review rights

If you consider that your request for information has not been properly handled or if you are otherwise dissatisfied with the outcome of your request, you can try to resolve this informally with the person who dealt with your request. If you remain dissatisfied, you may seek an internal review within NHS Improvement of the issue or the decision. A senior member of NHS Improvement's staff, who has not previously been involved with your request, will undertake that review.

If you are dissatisfied with the outcome of any internal review, you may complain to the Information Commissioner for a decision on whether your request for information has been dealt with in accordance with the FOI Act.

A request for an internal review should be submitted in writing to FOI Request Reviews, NHS Improvement, Wellington House, 133-155 Waterloo Road, London SE1 8UG or by email to nhsi.foi@nhs.net.

Publication

Please note that this letter will shortly be published on our website. This is because information disclosed in accordance with the FOI Act is disclosed to the public at large. We will, of course, remove your personal information (e.g. your name and contact details) from the version of the letter published on our website to protect your personal information from general disclosure.

Yours sincerely,

NHS Improvement