

ITEM: 10/030  
DOC: 7

**MEETING:** Trust Board  
24 March 20102010

**TITLE:** Delivering same sex accommodation

**SUMMARY:**

The Department of Health (DH) have introduced a delivering same sex accommodation (DSSA) self declaration process for all NHS providers (self assessment checklist at appendix 1). The DH have developed seventeen principles (appendix 2) to support the existing DSSA policy and guidance and to further clarify DSSA clinical definitions. Breaches are termed as mixed-sex 'occurrences' – i.e., occasions when men and women have to share the same sleeping or sanitary accommodation – "*Mixed-sex occurrences should always be considered as exceptions rather than the norm and staff must always be able to provide clinical justification for any mixed-sex occurrences*". The DH have left the local NHS to make final decisions about what constitutes clinical justification of mixed-sex accommodation for an individual patient and have provided guidance to assist with such local determination. Each organisation is expected to have in place an action plan that addresses any weaknesses and the Whittington's action plan is attached at appendix 3.

Declaration should be published on the trusts website by 31 March and the performance delivery team within the DH will work with SHAs to ensure this happens. Failure to either declare compliance or achievement of non-compliance will result in financial withholding penalties being enforced through the trust's contract with its commissioners. The 2010 contract states there will be no payments for care of an individual patient where accommodation does not comply with the DSSA guidance. Financial penalties escalate if either the self declaration or an action plan continues to not be in place or where there is ongoing non-compliance by the Trust to a maximum of 2% of the monthly contract value until required actions are achieved.

Providers will declare compliance based on the outcome of a self assessment and must have this approved by their commissioners as part of the 2010/11 contracting round. The trust, together with commissioners has agreed what constitutes clinical justification of mixed-sex accommodation for an individual patient and this is included in the Whittington's declaration which can be found at appendix 4. Also attached at appendix 5 is a statement relating to single sex accommodation that will be published on the trust's website and sign posts the declaration.

**Next steps:**

- The trust will ensure that all actions in the action plan are completed within timescale.
- The Trust Board will receive new monthly reports via the dashboard that collate patient experience and trust monitoring reports of single sex performance and monthly data will be published on the trust's website
- Once approved the declaration of compliance will be published on the trust's website.

**ACTION.** To discuss and approve the declaration

**REPORT FROM:** Fiona Smith, Director of Planning & Performance

**SPONSORED BY:** Rob Larkman, CEO

<p><b>Compliance with statute, directions, policy, guidance</b></p> <p>Lead: All directors</p>	<p>Department of Health guidance on elimination of mixed sex accommodation.</p>
<p><b>Compliance with Healthcare Commission Core/Developmental Standards</b></p> <p>Lead: Director of Nursing &amp; Clinical Development</p>	<p><b>Reference:</b></p> <p>C13a Fourth domain: patient focus.</p>