

ADULT CARE AND WELL BEING OVERVIEW AND SCRUTINY PANEL DATE 18 JULY 2022

CARE QUALITY COMMISSION ASSURANCE FRAMEWORK UPDATE

Summary

1. The Panel has requested an update on the Care Quality Commission's (CQC) Assurance Framework, following an initial briefing to the Panel on 15 March 2022.
2. The Strategic Director for People and the Cabinet Member with Responsibility for Adult Social Care have been invited to the meeting.

Background

3. The Health and Care Act 2022 (the Act) received Royal Assent on 28 April 2022. The Act introduces a new inspection and assurance framework with effect from April 2023, together with new legal powers for the Secretary of State for Health and Social Care to intervene in local authorities to improve services, where there are significant failures to deliver their duties under Part 1 of the Care Act 2014. Final details of the inspection and assurance framework has yet to be announced, but it is anticipated that there will be some level of assessment at the 'Place' level, ie focusing on a partnership approach and care market management, as well as a strong emphasis on the lived experience of people who use services.
4. The Government has been clear in their 'Integration and Innovation' white paper from February 2021, that its focus is on supporting local authorities' activities in meeting individuals' care needs, through:
 - maintaining oversight of the whole social care workforce in their local area, across public and provider organisations, though supporting staff retention and professional development;
 - managing transitions between services – for example, between health and social care, and the transition from children's to adults' services;
 - preventing people from requiring social care in the first instance – for example, by supporting and developing community organisations working on prevention and reablement;
 - carrying out their safeguarding duties;
 - ensuring good outcomes for people through effective leadership;
 - managing their commissioning and contracting responsibilities;
 - shaping the care market to meet people's needs with diverse and quality provision, enabling choice and independence;
 - meeting the needs of unpaid carers;
 - assessing the needs of people who may be eligible for care and supporting them to access what they need, whether or not they receive local authority support or will fund their own care.

5. The CQC will assess local authorities using a new single assessment framework that builds on the approach that is currently used to assess providers (that being following 5 key lines of enquiry: Safe, Effective, Caring, Responsive, and Well-led), and will also draw upon the 'I' statements used in Think Local Act Personal, 'Making it Real' framework, that reflects the most important aspects of personalised, culturally appropriate care. Themes that will be assessed for local authorities are expected to be working with people, providing support, ensuring safety, leadership, and workforce and are to be finalised by CQC in July 2022 and signed off by the Department of Health and Social Care in September 2022.

6. The new assurance system would put adults' services on a similar basis to children's services, in which local authorities are subject to regular inspection by Ofsted and Government intervention if they are deemed 'inadequate'. The CQC will be required to publish its findings' of inspections.

7. Where the CQC considers that the local authority is failing to discharge any of its adult social services functions to an acceptable standard, the bill will require the CQC to inform the Government of this and recommend any 'special measures' that it considers should be undertaken by the Government.

8. Consequently, it is a priority for Worcestershire to ensure that its response in all these areas is addressed during 2022 to 2023, so that it is in the best possible situation to respond to an assurance inspection that could take place at any point from 1st April 2023 onwards.

9. The new assurance framework marks a change in the way that local authorities are assessed in how they deliver adult social care functions, and it will have an impact both on the delivery of services under inspection and on officer resources to prepare for inspection regimes.

CQC Assurance Self-Assessment Progress

10. The self-assessment assurance programme commenced in December 2021 and will be completed by the end of August 2022. The outcome of the self-assessment will evaluate compliance with the Council's statutory duties and responsibilities, as outlined in Part 1 of the Care Act of 2014, and will assist the Council in developing its assurance improvement plan.

11. A range of self-assessment tools and a Care Act compliance check list have been developed along with a robust assurance self-assessment programme.

- CQC Assurance Self-Assessment Tool
- Approved Mental Health Professionals (AMHP) Service Self-Assessment Tool
- Learning Disability Service Self-Assessment Tool
- Mental Health Social Care Self-Assessment Tool
- Young Person's Transitions Self-Assessment Tool
- Safeguarding Self-Assessment Tool
- Safeguarding Deep Dive Audit Tool
- Young Persons Transitions Deep Dive Audit Tool
- Care Act Needs Assessment and Eligibility Threshold Compliance Audit Tool

12. The self-assessment programme has been split into the four key CQC theme areas and a full breakdown of the programme can be found in Appendix 1. The self-assessment programme includes focus groups and workshops with staff, senior managers, key partners, and stakeholders. The Council is also gaining feedback from those who use adult social care services via a short five question survey asking people to feed back about their experiences of accessing and utilising adult social care services. The Toward Excellence in Adult Social Care (known as TEASC) Risk awareness tool developed by ADASS and the LGA will also be completed by the Strategic Director of People and signed off by the Lead Member for Adult Social Care and the Council's Chief Executive.

Improvement Programme Progress

13. The improvement programme commenced in May 2022, and to date three major items have been added to the programme:

1. Coproduction Strategy
2. Quality Assurance Framework
3. Review and development of Policy, Procedure and Practice Guidance

Coproduction Strategy

14. The Care Act states that local authority adult social care departments must ensure that people who use adult care services, their families and carers play a key part in improving adult social care services and work with staff as equals, contributing their experience, skills, and influence on the design, development, delivery, and monitoring of services. As such a media campaign and survey was launched on the 5 July 2022, as part of national coproduction week asking for people who use adult social care services, carers, and families to be part of the Council's adult social care 'Building Together Forum' and Volunteer Peer Network. The aims of the forum and Network are as follows:

1. To develop user-led research that learns about people's experience and ways to improve that experience and evidence that involving users in local decision-making is effective, good for users and should be ongoing.
2. To involve people that use services in the review, redesign, and ongoing monitoring of services.
3. Produce a toolkit that will support the Council and other organisations to include people who uses when they make decisions about the services they provide.
4. Provide informal support to those with lived experience, carers, and family through a peer network model approach.

Quality Assurance Framework

15. The development of the new Care Act compliant Quality Assurance Framework is currently underway. Now approved are ten Adult Social Care Core Standards that correspond to the CQC's proposed ten quality statements. Each service area within

adult social care is in the process of developing between five and ten Service Practice Standards for each Core Standard, along with corresponding outcome-focused key performance indicators that demonstrate how each Core Standard will be met in each service area. Also, in process is the development of the Quality Assurance for adult social care, which will oversee the audit performance and reporting cycle for social care, as well as governance and quality assurance responsibilities for serious incidents, complaints, and Local Government Ombudsman (LGO) complaints.

Review and Development of Policy, Procedure and Practice Guidance

16. All policy, procedure, and practice guidance throughout the People Directorate that relates to statutory duties and responsibilities as outlined in Part 1 of the Care Act is currently being reviewed to ensure compliance with the Care Act and to ensure that the department has all necessary policy and practice guidance in place.

Purpose of the Meeting

17. The Panel is asked to:

- consider and comment on the information provided on the CQC Assurance Framework
- determine whether any further information or scrutiny on a particular topic is required.

Supporting Information

Appendix 1 [Building Together Survey and call for Building Together Forum members and Peer Network members](#)

Contact Points

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Background Papers

In the opinion of the proper officer (in this case the Assistant Director Legal and Governance) the following are the background papers relating to the subject matter of this report:

[Agenda and minutes of Adult Care and Well Being Overview and Scrutiny Panel on 15th March 2022](#)

All agendas and minutes are available on the Council's website here.