

London Borough of Enfield

Health and Adult Social Care Scrutiny Panel

19th of January 2023

Subject: Introduction of Care Quality Commission Inspections of Local Authorities.

Cabinet Member: Cllr Alev Cazimoglu
Executive Director: Tony Theodoulou

Purpose of Report

To report on the progress of the implementation of the Quality Assurance Framework and action plan. This work is in preparation for the new duty for the Care Quality Commission to assess how Local Authorities are meeting their Adult Social Care duties and how Enfield Adult Social Care are preparing for these inspections.

Background

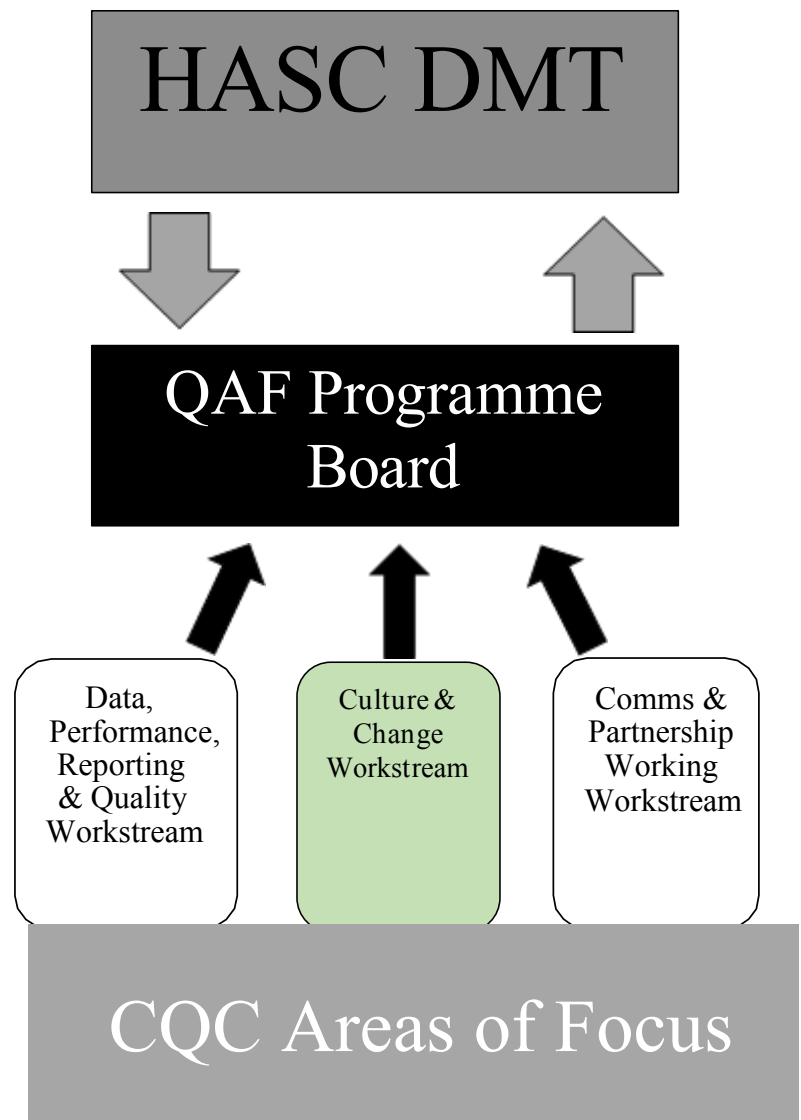
1. On 11 February 2021, the Department of Health and Social Care (DHSC) published the White Paper, **Integration and innovation: working together to improve health and social care for all**, which set out legislative proposals for a health and care Bill. The White Paper brought together proposals that build on the recommendations made by NHS England and NHS Improvement in **Integrating Care: next steps to building strong and effective integrated care systems across England** with additional recommendations relating to the Secretary of State's powers over the system and targeted changes to public health, social care, and quality and safety matters. In recognition of the increasing numbers of people who need adult social care and the consequent need for greater oversight of the provision and commissioning of services, the White Paper proposed introduction of a new duty for the Care Quality Commission (CQC) to assess how local authorities are meeting their adult social care duties, and a new power for the Secretary of State to intervene where CQC considers a local authority to be failing to meet these duties. This entered into law as the Health and Care Act 2022.
2. CQC's new responsibilities under the Health and Care Act are twofold. Firstly, there will be a role in reviewing Integrated care Systems (ICS) and secondly a new duty is placed on CQC to assess how local authorities are meeting their social care duties under part 1 of the Care Act.
3. Under the Care Act, local authorities have duties to make sure that people who live in their areas:

- Receive services that prevent their care needs from becoming more serious, or delay the impact of their needs
 - Can get the information and advice they need to make good decisions about care and support
 - Have a range of high quality, appropriate services to choose from
4. Emerging CQC scope for reviews of Adult Social Care has started to be shared. The assessment framework has been grouped into four key themes, each with several quality statements mapped to them:
- How local authorities work with people – assessing needs, care planning and review, direct payments, charging, supporting people to live healthier lives, prevention, wellbeing, information and advice.
 - How local authorities provide support – market shaping, commissioning, workforce capacity and capability, integration and partnership working.
 - How local authorities ensure safety – safeguarding enquiries, reviews, Safeguarding Adults Board, safe systems, pathways and continuity of care.
 - Leadership – culture, strategic planning, learning, improvement, innovation, governance, management and sustainability.

We are using a self-assessment tool developed by ADASS (the Association of Directors of Adult Social Services) to ensure that we have the desired processes in place, or are working towards them, and that we are collating the evidence for these as we go.

5. CQC will use a variety of methods to assess a Council's Adult Social Care department as follows:
- People's Experience
 - Feedback from Partners
 - Feedback from staff and leaders
 - Observations
 - Process
 - Outcomes and performance data
6. CQC will want to speak to staff at all levels of the organisation, our partners, and those who use our services, their families and carers including:
- Operational staff
 - Social Workers
 - Principal Social Worker/Principal OT
 - Occupational Therapists
 - Assistant Team Managers
 - Team Managers
 - Service Managers

- Heads of Service
 - Directors
 - Members
 - Provider Organisations, including home care providers, care homes, Healthwatch, Voluntary Partners.
 - Service Users, their families and carers
7. Adult Social Care (excluding regulated service provision) has not been subject to regulation of this kind for over ten years. The timetable for reviews to begin is Oct 2023. Enfield, as in other Councils, have had a period of austerity and resultant cuts in funding have forced Councils to prioritise front line service delivery, often to the detriment of other vital types of preventative services.
8. It is expected that the that the final legislation will be laid before parliament in early 2023 the expected implementation date was the 1st of April 2023 this has now been delayed until Oct 2023. In preparation for the inspections have in place a Programme Board that meets every 6 weeks. There are 3 workstreams,—reporting to the programme board to identify areas where further work and development is needed and to review progress.
9. The 3 workstreams are, 'Culture and Change', 'Communication & Partnership Working' and 'Data, Performance, Reporting and Quality'. These workstreams meet every 2 – 3 weeks to track the progress of tangible outcomes. They submit a highlight report in time for the Programme Board and report directly to the board on progress, risks and issues and any mitigating actions, as well as planned progress next reporting period. The workstream leads also take turns in submitting reports to the ASC Directors' management team.



Here is an example of key achievements to date on each of the programme workstreams:

Culture & Change:

- Equality Diversity and Inclusion (EDI) policy being further developed in conjunction with Corporate Equalities Board for implementation across the whole council, not just ASC.
- Revised Supervision Policy finalised and being embedded.
- Strengths-based practice framework and toolkit drafted and awaiting finalisation by the strengths-based working group.
- Integration between Mental Health Trust and ASC systems being further explored in order to share best practice and learning.
- Collaboration with Employee Experience Programme.

- Developed the Anonymous Suggestion box to allow staff to ask senior management questions and to make useful suggestions. This is now up and running.
- Developed a draft etiquette policy for online meetings.
- Developed an accepted terms of reference (ToR)for Focus Group style meetings (agreed at DMT) to enable better co-production between Adult Social Care and Parents, Carers, Voluntary Organisations, Care Providers etc.
- Looking at all learning following better collaborative practice during and after COVID and what principles need to be adhered to, to continue the good on-going joint working.
- Developing plan to implement a learning culture across Adult Social Care (ASC).
- ASC workforce survey and focus groups looking at recruitment and retention completed, with results being analysed before being taken forward with staff.

Data, Performance, Reporting and Quality:

- Reports developed for both operational staff, senior management and residents (Local Account).
- Power BI reporting tool accessible from Eclipse, comms going out to staff and managers and internal online (iLearn) training available, as well as demo's to team meetings.
- Corporate customer feedback solution being considered for use in ASC, and a pilot is being developed.
- Discussions with the Mental Health Trust is on-going; some reporting included in Power BI dashboards and future solutions being considered as part of phase 2.
- Phase 2 development will focus on reporting not yet included in the Power BI dashboards, including Deprivation of Liberty Safeguards and MHT.

Comms and Partnership Working:

- Working groups on-going with Healthwatch and other partnership agencies to improve partnership working.
- Revised disclosure and barring service (DBS) policy under development.
- Internal comms framework in place, including regular updates to all ASC staff via a Principals Newsletter, updated ASC intranet page (including anonymous suggestion box) and workstream attendance at team meetings to raise awareness.
- New complaints policy, including regular reporting and learning/impact, finalised.
- Work has begun on using the SCIE integrated logic model to evaluate our progress with integration between Health and Adult Social Care.
- Co-production framework being developed by a working group, led by the Principal Occupational Therapist.
- Additional Safeguarding working group set up in order to look at processes and outcomes.

Risks

While Enfield is putting in place a range of activities to ensure inspection readiness, it is important to note the risks that the new CQC assurance regime may pose, this includes for example:

- Reputational risk for officers and politicians
- Low morale across adult social care
- Loss of confidence from residents which may impact on Safeguarding and requests for support
- Risk of Central Government intervention
- Significant financial cost, over an extended period (2 to 3 years) for example additional services and staffing
- Increased CQC assurance visits and oversight
- Loss of staff, difficulty in recruiting and retaining staff on top of current recruitment crisis
- Ratings will be published

Conclusion

A significant amount of work has been done to prepare for the return of regulatory inspections by the Care Quality Commission. Originally planned to begin at the beginning of 2022/23, delays in the development of inspection methodology and resourcing of the Care Quality Commission to deliver inspections of Councils with Adult Social Care responsibilities, have resulted in a delay until at least October 2023.

It is expected that the CQC will use a single overall rating for Local Authorities, outstanding, good, requires improvement and inadequate, although this has not yet been finalised. The evidence within the Quality Statements will be scored 1-4. The overall rating and scores for Quality statements will then be published alongside a narrative report.

The delay in implementation of the inspection regime is welcome, although it does coincide with the proposed date for implementation of the Liberty Protection Safeguards (LPS), another significant change programme of work. Nevertheless, we are confident, without being complacent, that the work done, in progress or planned will enable the Council to achieve a favourable inspection rating.

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