

CHESHIRE EAST COUNCIL

REPORT TO: CABINET

Date of Meeting:	3 October, 2011
Report of:	Lorraine Butcher, Director of Adults, Children and Families
Subject/Title:	NOTICE OF MOTION , Submitted by Cllrs S Jones and R Fletcher
Portfolio Holder:	Cllr Roland Domleo

1.0 Report Summary

1.1 NOTICE OF MOTION , SUBMITTED BY CLLRS S JONES AND R FLETCHER.

This Council is concerned about the capacity of the Quality Care Commission (QCC) to carry out its functions effectively. The Council resolves to ask the Chief Executive to register our concerns, at Ministerial level and with the Chief Executive of QCC, with copies of correspondence to our local MPs.

This Council asks Cabinet to refer to the relevant Scrutiny Committees with a view to establishing an all-party Task/Finish group to investigate the position in Cheshire East regarding the interface between the QCC and our own safeguarding service to ensure that our vulnerable residents, particularly those in receipt of domiciliary care, are properly protected.

- 1.2 This report addresses how the Council might respond to the issues raised in this motion and responded to by Councillor Roland Domleo at the Council Meeting on 21 July, 2011.

2.0 Decision Requested

- 2.1 Cabinet is recommended to:

Refer this matter to the Safeguarding Adults Board with a view to them examining the matter and reporting back on

- The effectiveness of arrangements in Cheshire East between the Councils own a adult safeguarding function and that of the Care Quality Commission
- How well safeguarding provision has responded to personalisation
- The trends in safeguarding activity and the factors affecting it.
- Whether there are deficits in the arrangements such as to make the representations suggested in the motion necessary.

3.0 Reasons for Recommendations

- 3.1 The Council is not complacent though and there may well be a case to take a look at the relationship between CQC and our own arrangements and those of key partners to ensure full coverage of risk to vulnerable people. We meet with CQC quarterly to review compliance with regulations for the regulated services in our area and have worked closely with CQC on a number of higher profile issues.
- 3.2 It is probably best to ask the Adult Safeguarding Board to give us a view as they are there to give an overview of such matters. A task and finish group on this subject would tend to duplicate the work of the Safeguarding Adults Board. It may be that the Board may wish to invite a member or members of the Adult Social Care Scrutiny Committee to joint any consideration of this matter.
- 3.3 If our consideration of the motion demonstrates to us that there is indeed an major issue that deserves national attention then we will look at the value of writing to key people to secure their support and awareness of the matter and encourage them to provide a solution.
- 3.4 It is also worth noting that CQC have themselves reported a keenness to move to annual regulatory monitoring moving away from light touch regulation in an article published recently in Community Care:
- 3.5 In relation to domiciliary care specifically we monitor all domiciliary providers. When a safeguarding concern is raised this is investigated we then meet with the provider following the investigation to ensure all the learning and proactive actions needed have been concluded. We also meet with domiciliary providers collectively to share and develop ' Best Practice Approaches' and to build and support collaborative working. This assures effective provider relations and indeed the safeguarding of vulnerable adults. This approach could be reviewed by the Safeguarding Adults Board.

4.0 Wards Affected

- 4.1 All

5.0 Local Ward Members

- 5.1 All

6.0 Policy Implications including - Carbon Reduction - Health

- 6.1 These issues clearly affect health colleagues and the strategic response has been and remains to engage health colleagues at a senior level in this agenda

7.0 Financial Implications (To be authorised by the Director of Finance and Business Services)

There are no immediate financial impacts but the impact of safeguarding issues on providers and provider failure is a financial risk to the authority.

8.0 Legal Implications (To be authorised by the Borough Solicitor)

- 8.1 There are no legal implications in carrying out such a review but it is worth noting that safeguarding is a growth area for the legal department of the Local Authority.

9.0 Risk Management

- 9.1 No risks in reviewing safeguarding issues

10.0 Background and Options

We have strong safeguarding arrangements in Cheshire East building from the 200k investment put in via the 2009/10 budget. This has helped develop the safeguarding unit and the safeguarding board complete with an independent person. In the local teams staff are well trained and alert to the issues. This approach has created a situation in which we have one of the best profiles of good and excellent residential and nursing care homes and domiciliary care services in England.

The options for dealing with this matter are essentially:-

- Conclude that current arrangements are sufficient and no action is necessary;
- Refer matter to Scrutiny with a view to setting up a Task and Finish group;
- Use the existing body designed to oversee safeguarding issues which is the Safeguarding Adults Board.

The reason for adopting the last option is described in 3.2 above.

Access to Information by contacting the report author

This is the link to Community Care article on CQC resources

<https://www.wp.dh.gov.uk/carecommission/files/2011/07/Fairer-Care-Funding-Report.pdf>
<http://www.communitycare.co.uk/Articles/2011/07/15/117185/cqc-to-double-inspections-of-adult-care-services.htm>

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