

OPEN

BRIEFING REPORT

Adults and Health Committee

23 September 2024

CQC Assurance Briefing

Report of: Helen Charlesworth - May, Executive Director, Adults, Health and Integration

Report Reference No: AH/19/2024-25

Purpose of Report

- 1 This report is intended to update the Adults, Health and Integration Committee on the Council's preparations for a local authority assurance visit by the Care Quality Commission (CQC). This is likely to be before the end of the current financial year.
- 2 Legislative changes mean that adult social care services are subject to external scrutiny by a regulatory body for the first time in over a decade. The CQC will rate the extent to which it considers that Cheshire East Council is fulfilling its statutory duties in relation to Part 1 of the Care Act 2014.
- 3 To assure the Adults, Health and Integration Committee that there is a dedicated team (Reform, Assurance and Development) in place to proactively respond to this area of work.

Executive Summary

- 4 The Health and Care Act 2022 introduced a new duty for the CQC to assess local authorities' delivery of their adult social care functions under part 1 of the Care Act 2014. The process known as 'local authority assurance' commenced in April 2023. When introduced it was anticipated that all local authorities would go through this process by April 2025.
- 5 The local authority assurance process begins when a local authority receives a notification letter from the CQC. Following receipt of this letter, each local authority is expected to submit a predetermined Information Return (IR) through a secure CQC portal within a 3-week timeframe. What follows is a period of desktop analysis by CQC, this includes, but is not limited to, publicly available

information and data returns produced over the past 12 months by the local authority, and some discussion with providers and people who use and access services, prior to the local authority receiving 6-8 weeks' notice of an onsite visit.

- 6 No date is given at the time of the notification for the onsite visit. From the experience of other local authorities, we know that this is likely to take place between 4 and 6 months following the notification. The onsite visit is likely to involve a CQC team of 10 people who will be onsite for approximately 4 days. During the onsite visit, the CQC will meet with a variety of individuals, including elected members, focus groups and are also likely to select community services to visit off site. Following the onsite visit CQC will publish a draft report and a rating for each of the 4 themes in what is known as the Single Assessment Framework (SAF). The draft report will be discussed with the Executive Director of Adults, Health and Integration and will then be subject to an internal CQC moderation process before being published as a final report.

Recommendations

- 7 Papers to be regularly brought to the Adults and Health Committee between now and the onsite visit for update and scrutiny.
- 8 A monthly briefing for members to be established to provide insight into our preparation, whilst ensuring check and challenge. This will include representatives from each group represented on the Committee.

Background

- 9 The statutory duties of adult social care services are set out in Part 1 of the Care Act 2014. The legislation places a duty on councils to support and promote the wellbeing and independence of working age disabled adults and older people, and their unpaid carers and gives them more control of their care and support.
- 10 CQC annual assessments of local authorities were abolished by the government in 2010, and as such the CQC stopped conducting inspections of adult social care services, which then focused primarily on adult safeguarding. After 2010, local authorities participated in 'sector-led improvement' on a regional and national basis involving teams of local authority managers conducting peer reviews of other local authorities either through the Local Government Association (LGA) or the regional networks of Associations of Directors of Adults Social Services (ADASS).
- 11 The 'People at the Heart of Care' white paper, published in December 2021, detailed proposed reforms to adult social care and health, and social care more broadly, with a particular focus on integration of health and care services.
- 12 The subsequent Health and Care Act 2022 placed a duty on the CQC to assess local authorities' delivery of their adult social care functions under part 1 of the Care Act 2014. It also gave the Secretary of State power to intervene in failing local authorities.

- 13 In response to the Health and Care Act 2022, the CQC introduced a new 'Single Assessment Framework' (SAF) in July 2022. The SAF unifies assessment approaches for all health and care organisations in England to make assessment simpler, more dynamic, and more evidence led. This includes care providers, whether run by local authorities or private and third sector providers, who have been continually assessed by the CQC since 2010.
- 14 The Single Assessment Framework maintains some aspects of previous CQC assessment frameworks including rating health and care organisations based on their quality, from outstanding to inadequate, and the five key questions, whether health and care organisations are safe, effective, caring, responsive to people's needs, and well-led.
- 15 The Single Assessment Framework replaces the old key lines of enquiry (KLOEs) and prompts with nine new 'quality statements' organised into four themes. These are referred to as 'we statements' as they're written from the perspective of the organisation being assessed and 'I' statements written from the perspective of people who use and access adult social care services. They draw on previous work developed with Think Local Act Personal (TLAP), National Voices and the Coalition for Collaborative Care on Making it Real.
- 16 The Single Assessment Framework also aims to improve consistency of assessment by highlighting six categories of evidence inspectors will collect: people's experiences, feedback from staff and leaders, observations of care, feedback from partners, processes, and outcomes of care.
- 17 In April 2023, the CQC announced that all local authorities would be subject to an assurance visit by April 2025. There followed a programme of pilot assessments between April 23 and September 23 in six local authorities, the results of which were evaluated prior to the widescale roll out of the programme.

Briefing Information

- 18 On 12 August 2024 Cheshire East received formal notification of a CQC assurance visit and are one of six local authorities in the North West to be notified. On receipt of the notification, the local authority had three weeks to submit an Information Return to the CQC portal. This includes a Self-Assessment of the local authority's position in relation to the four themes of the Single Assessment Framework and nine quality statements. Cheshire East completed this information within the required timeframe.
- 19 At this stage we have no indication of the date of the onsite visit but anticipate that this will take place between four and six months of the notification (based on national trends). In any event, we will have six to eight weeks' notice of the date of the commencement of the onsite visit.
- 20 During the period between the submission of the Information Return and the onsite visit, the CQC will undertake analysis of publicly available data in relation to Cheshire East and will contact our providers and partner agencies. At the point of informing us of the date of the onsite visit the CQC will also request an anonymised list of 50 people who have used or have accessed services within

the past 12 months. From this list, CQC will select 10 individuals to contact to discuss their experience (having obtained consent) and will request specific documentation from the local authority.

- 21 The Reform, Assurance and Development team collated data for the information return and are a single point of contact for the purpose of CQC local authority assurance. The team will coordinate the CQC on site visit in conjunction with the Executive Director of Adults, Health and Integration and the Directorate Management Team. The onsite visit will include focus groups with staff, providers, elected members and experts by experience. Prior to the onsite visit, the CQC will request a set up meeting with the Executive Director of Adults, Health and Integration and there will be an opportunity to highlight the strengths of Adult Social Care, Health and Integration, in addition to the areas of improvement that we are already working on as part of the wider Council's Transformation Plan.
- 22 Reports are emerging on the CQC website of local authorities who have gone through this process and the ratings attributed to them. [Local authority assessments - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/local-authority-assessments)
- 23 There is a communication plan in place which includes regular updates with the Chair and Vice Chair of the Adults Health and Integration Committee.
- 24 The Adults, Health and Integration Committee will be advised of the date of the onsite visit when this is known.

Implications

Monitoring Officer/Legal

- 25 The CQC local authority assurance process links directly to an assessment of how well the local authority is meeting its statutory responsibilities under Part 1 of the Care Act 2014. The Health and Care Act 2022 provides the Secretary of State with powers of intervention in local authorities who are deemed to be 'inadequate'.

Section 151 Officer/Finance

- 26 There are no financial implications associated with the CQC local authority assurance process attributable to Cheshire East.

Policy

- 27 CQC local authority assurance relates to "A Council which empowers and cares about people" and relates to both Cheshire East residents and staff.

Equality, Diversity and Inclusion

- 28 Equality, Diversity and inclusion are central themes that run through the CQC local authority assurance process. An Equality Impact Assessment is not appropriate at this stage of the process.

Human Resources

- 29 There are no human resources implications associated with this process other than allowing staff time to attend focus group discussions with the CQC.

Risk Management

- 30 The CQC assurance process includes a review of the management of risk.

Rural Communities

- 31 CQC assurance process includes a review of equity and experience in outcomes. Access to information, advice, and services by those who live in rural communities will be taken into account as part of this process.

Children and Young People including Cared for Children, care leavers and Children with special educational needs and disabilities (SEND)

- 32 The CQC assurance process will include a review of the transition of young people between Childrens and Adult Social Care Services, particularly in respect of Preparing for Adulthood.

Public Health

- 33 Individual wellbeing is central to the Care Act 2014. Additionally, one of the CQC Quality Statements relates to equity and experience in outcomes. The Public Health team have been actively involved in the preparing for the CQC assurance process. It is anticipated that there will be a positive impact on the health and wellbeing of Cheshire East residents.

Climate Change

- 34 There is no direct impact on climate change.

Access to Information	
Contact Officer:	Sheila Wood. Head of Improvement and Assurance Adult Social Care Operations sheila.wood@cheshireeast.gov.uk
Appendices:	None.
Background Papers:	Presentation - CQC Assurance update – 23 Sept 24 Local authority assessments - Care Quality Commission (cqc.org.uk)