

CHESHIRE EAST COUNCIL

Cabinet

Date of Meeting: 8th December 2015
Report of: Director of Adult Social Care and Independent Living
Brenda Smith
Subject/Title: The Quality Assurance of Care Services in Adult Social Care
Portfolio Holder: Cllr Janet Clowes – Care and Health in the Community

1.0 Report Summary

- 1.1 This Council is committed to providing a range of excellent local care and support services for the residents of Cheshire East. We are proud of the care and support services provided to citizens who need both short and long-term care in the community. To support the development of the care market and to ensure that care and support services are of a high quality for our citizens this Council has invested additional resources in the development of a new Quality Assurance function. To this end the Council is delivering on its commitment to ensure residents are supported to live well for longer and to remain as independent as possible.
- 1.2 The Contract Management and Quality Assurance Team is hosted by Cheshire East Council (CEC) and is supported by input from NHS East Cheshire Clinical Commissioning Group (ECCCG) and NHS South Cheshire Clinical Commissioning Group (SCCCG). The team have strong links with the Care Quality Commission (CQC). It is now twelve months since the new function was established. Regular updates have been provided to Overview and Scrutiny Committee. This report is intended to update Cabinet on the work of the unit over the last year and to seek approval for continued investment in this function.
- 1.3 There is a large market for care and support provision that responds effectively to the needs of the residents in Cheshire East. The majority of the Adult Social Care services currently commissioned are focused on meeting eligible care needs utilising the national eligibility criteria. These services include residential and nursing care, domiciliary care services, day services and supported tenancy schemes. Services are provided across the public, private and voluntary care sectors.
- 1.4 The Contract Management and Quality Assurance Team is responsible for the quality monitoring of the adult social care market for care and support

with a view to establishing and maintaining standards, minimising risk and ensuring continuous improvement. In addition the team has oversight and management of provider and market failure on behalf of the Council. Recruitment to the new team was completed in December 2014. Appointments to date include a Commissioning Manager, Quality Assurance Manager and five Quality Assurance Officers. The new officers have been recruited from different service backgrounds including contracts, social care and provider services and are supported by colleagues from health when undertaking quality assurance visits to nursing homes.

- 1.5 An annual programme of reviews of all registered social care providers is in place and is supported by a Framework and Toolkit for the Contract Management and Quality Assurance of Commissioned Services. The primary purpose of the contract monitoring and quality assurance visit is to ensure that commissioned services are meeting the standards and requirements of their contracts, to review the safety, quality and effectiveness of services commissioned by CEC, SCCCG, and ECCCG and to ensure continuous improvement.
- 1.6 The review is also an opportunity for commissioners to engage with customers of care services. When reviewing care homes the reviews provide the opportunity to observe interaction between staff and residents, view the physical environment of the home and to talk to relatives and staff about services and to seek their views about their experiences. As well as ensuring that providers are meeting their contractual obligations, the quality of the providers care provision is also monitored in line with the 6+1 C's as outlined within the Compassion in Practice Three Year Strategy for Nursing, Midwifery and Care Staff which was launched in December 2012 by Jane Cummings, the Chief Nursing Officer for England and the CQC 5 Key Lines of Enquiry. The 6+1 C's are Care, Compassion, Competence, Communication, Courage, Commitment and Culture. The 6+1 Cs are detailed in Appendix 1. The CQC 5 Key Lines of Enquiry are Safe, Effective, Caring, Responsive and Well Led.
- 1.7 At the conclusion of a review visit officers will share initial observations and findings and if required agree immediate actions as appropriate. Following completion of the visit the Contract Management and Quality Assurance Team collate all review findings and populate a standardised report template. The report details the purpose of the review and visit, the methodology, findings and any required actions. The report is sent to the provider within two weeks. Where actions and improvements are required an action plan is produced detailing the area that needs to be remedied. The provider is required to update and return the action plan to the commissioners within two weeks detailing how and by when they intend to address the actions required. Copies of the report are shared with other relevant professionals as required.

The progress of the provider is then monitored against the agreed action plan and timescales until the actions have been completed to a satisfactory level.

- 1.8 The Skilled Multi Agency Response Teams (SMARTs) are responsible for the management of safeguarding investigations and they are represented by a Senior Manager in all governance meetings. As safeguarding investigations may be an indication of poor quality care the Contract Management and Quality Assurance Team work closely with the front line social work teams to identify when this is the case. Officers from the Contract Management and Quality Assurance Team are informed of safeguarding investigations involving independent sector care providers and attend planning meetings as required. The number and nature of safeguarding investigations are reviewed by the Contract Management and Quality Assurance Team as part of the quality assurance process to help inform and prioritise visits. The Commissioning Manager for the Contract Management and Quality Assurance Team attends the Adults Safeguarding Governance Meeting to share findings on contracts and quality assurance.
- 1.9 The work of the Contract Management and Quality Assurance Team is supported by joint governance arrangements with our health commissioners. Lower level concerns and intelligence regarding commissioned services are discussed at a multidisciplinary Contract Management and Quality Assurance Planning Meeting. This meeting is held every fortnight and provides a robust system of co-ordination and sharing of intelligence for all agencies including, but not limited to: health, social care, palliative care, Healthwatch and infection control. The Contract Management and Quality Assurance Team also communicate regularly with CQC to share intelligence on Providers and findings from inspections and quality assurance visits.
- 1.10 More serious concerns regarding commissioned services, which require consideration by senior management, are raised at the Joint Quality Assurance Governance Meeting. This meeting is held monthly and is attended by senior managers from CEC, ECCCG, SCCCG and CQC. The group makes recommendations in relation to suspensions on placements, contract defaults and, in exceptional circumstances, contract termination. These recommendations are then presented to the respective Directors of each commissioning body for approval.
- 1.11 CQC, as a statutory regulator of care provision, is required to undertake regular inspections of all registered health and social care services. CQCs approach to inspections changed in October 2014 and all care providers are now inspected under the 5 Key Lines of Enquiry. Following a CQC Inspection the findings are published on CQCs public website. There is often a delay of several months between the Inspection Visit and the report being published,

during which time the Contract Management and Quality Assurance Team will have already worked with the Provider to address the areas of concern. The rating will also remain in place until the provider is re-inspected. This can result in inspection reports being published on the CQC website which show Providers rated as 'Inadequate' by the regulators when the Council feels that the Provider has already resolved the areas of concern and are continuing to contract with them. This can lead to mixed messages regarding the quality of care being provided locally and has been raised as an issue for CQC to address. In addition CQC also have their own independent alert processes and can call a 'Management Review' meeting with a Provider at any time if they have any serious concerns.

- 1.12 As a result of this work there has been continuous improvement in the quality of care and support provision in Cheshire East. The support to providers as a result of the teams' intervention has resulted in a reduction in the number of cases of serious concern. The number of providers who had been assessed as being at high risk of provider failure has reduced from eight in September 2014 to none in December 2015. All providers have responded positively to the Council's intervention and have continued to raise their performance by remedying any defaults identified within their action plan within the required timescale. The improvement in the quality of care and support services has directly benefited the users of care services in Cheshire East.

2.0 Recommendations

It is recommended that

- 2.1 Cabinet note the work of the Contract Management and Quality Assurance Team, hosted by Cheshire East Council (CEC) within the Adult Social Care Strategic Commissioning Business Unit.
- 2.2 Cabinet approve the continued investment in the Contract Management and Quality Assurance Team.

Sourcing local care and support services for customers remains integral to the Council's plans. This proposal will ensure that the quality of the care and support services commissioned from the independent sector will continue to be monitored by the Contract Management and Quality Assurance Team.

3.0 Reasons for Recommendations

- 3.1 The Care Act has introduced a requirement for Local Authorities to encourage a diverse range of high quality care providers. Local authorities therefore have a duty to stimulate the care provider markets so that individuals have a range of options to choose from.

- 3.2 This proposal will assist the Council to meet this duty by continuing to support the availability of a range of high quality provision in a range of locations across Cheshire East so that people can choose support in the location that works best for them and from a provider who can deliver to their personal requirements.
- 3.3 As a result of this work there has been continuous improvement in the quality of care and support provision in Cheshire East. The support to providers as a result of the team intervention has resulted in a reduction in the number of cases of serious concern. The number of providers who had been assessed as being at high risk of provider failure has reduced from eight in September 2014 to none in December 2015. All providers have responded positively to the Council's intervention and have continued to raise their performance by remedying any defaults identified within their action plan within the required timescale.
- 3.4 The continued improvement of the quality of care and support services in Cheshire East is of direct benefit to the users of these services, their relatives and carers. This includes the many residents who purchase their own care independently of Adult Social Care services.
- 3.5 The establishment of the new function by Cheshire East Council has also resulted in strengthened joint commissioning arrangements between the Council, NHS East Cheshire Clinical Commissioning Group (ECCCG) and NHS South Cheshire Clinical Commissioning Group (SCCCG). An excellent working relationship with the statutory regulator of care provision - Care Quality Commission (CQC) has also been established.

4 Wards Affected

- 4.1 All wards will be affected by this proposal.

5 Local Ward Members

- 5.1 All ward members will be affected by this proposal.

6 Policy Implications

- 6.1 This proposal is in keeping with the requirements of the Care Act 2014.

7 Financial Implications

- 7.1 It is proposed that the existing investment of £354k is maintained in this activity.

7.2 This represents less than 0.5% of the overall spend on externally commissioned services.

7.3 This is within the existing affordability envelope and no changes are proposed to next years budget as part of the Pre-Budget Report which is currently out to consultation.

8 Implications for Rural Communities

8.1 The proposal will support those in rural communities to access high quality provision in a range of locations across Cheshire East.

9.0 Legal Implications

9.1 The proposals support the Council's ability to demonstrate its fulfilment of its duties under the Care Act, in particular in relation to market-shaping and commissioning activity; and the Council's clear focus on the key issues of outcomes and wellbeing; promoting quality services; supporting sustainability; ensuring choice; and co-production with partners.

10 Risk Management

10.1 Ensuring adequate services in the independent sector market to meet current and future needs of local residents is critical. Carefully planned work to secure quality care and support in the independent sector should mitigate this risk, both for the Council and residents. The Contract Management and Quality Assurance Team will continue to ensure that residents can access quality care. This team provides the Council with additional assurance that residents' needs can be appropriately met.

10.2 The Council is aware of its responsibilities in relation to the Equality Act 2010. Our priority is to ensure that no groups are disadvantaged. We are proud of what we do to ensure that we uphold the rights of our citizens.

11 Background and Options

11.1 Work commenced in November 2014 with a joint stakeholder event to agree the shared priorities of the new function. The event, held at Sandbach Town Hall, was well supported with attendees including General Practitioners, health employees, council employees, Care Quality Commission and Councillors. Care providers and service users were also consulted on the proposals for the new function. Support for the Contract Management and Quality Assurance Team from these stakeholders has continued to date.

- 11.2 Sourcing local care and support services for customers remains integral to the Council's plans. This proposal will ensure that the quality of the care and support services commissioned from the independent sector will continue to be monitored by the Contract Management and Quality Assurance Team.

12 Access to Information

- 12.1 The background papers relating to this report can be inspected by contacting the report writer:

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