
Adult Social Care – Preparation for CQC Inspection

Committee considering report:	Executive
Date of Committee:	22 September 2022
Portfolio Member:	Councillor Jo Stewart
Date Portfolio Member agreed report:	13 July 2022
Report Author:	Paul Coe, Service Director, ASC
Forward Plan Ref:	EX4255

1 Purpose of the Report

The purpose of this report is to update on the preparations West Berkshire Council is making for the planned Care Quality Commission (CQC) inspections of local authority Adult Social Care (ASC) functions and to identify areas for investment.

2 Recommendation

It is recommended that the council invests in the identified areas for improvement in order to support a better outcome from any CQC Inspection activity.

3 Implications and Impact Assessment

Implication	Commentary
Financial:	Identified costs are £ 175k one-off funds and £ 435k per annum of recurrent funding. There is no 'new burdens' money available for this work. ASC will develop bids for Transformation Funding relating to the one-off funding but it will not be suitable for the recurrent funding needed.
Human Resource:	Preparation for the new inspection regime requires significant amounts of officer time from a range of departments. Some additional staffing resource is proposed below.

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Legal:	Legal Services are supporting the process, including the self-assessment activity.			
Risk Management:	If the preparation for inspection is not of an adequate standard, then there could be some risk to the Council of a poor rating which could bring the Council into disrepute.			
Property:	NA			
Policy:	Government White Paper 'People at the Heart of Care: adult social care reform' was published in December 2021 and provides more detail as to what is expected of the Local Authority regarding quality assurance and CQC inspection.			
	Positive	Neutral	Negative	Commentary
Equalities Impact:				
A Are there any aspects of the proposed decision, including how it is delivered or accessed, that could impact on inequality?	X			Quality Assurance should provide improved practice and outcomes for services users and carers.
B Will the proposed decision have an impact upon the lives of people with protected characteristics, including employees and service users?	X			Better outcomes for service users and carers.
Environmental Impact:		X		None
Health Impact:		X		None

ICT Impact:		X		None
Digital Services Impact:		X		None
Council Strategy Priorities:	X			This paper highlights work which when completed aligns with WBC’s ‘Council Priority One; to ensure our vulnerable children and adults achieve better outcomes’.
Core Business:	X			This paper links directly into the WBC ‘Priorities for Improvement’, by strengthening the Adult Social Care Quality Assurance Framework resulting in better outcomes for the residents of West Berkshire.
Data Impact:		X		None
Consultation and Engagement:	<p>Paul Coe – Service Director, Adult Social Care</p> <p>Jo England – Service Lead, Adult Social Care</p> <p>Sue Brain – Service Manager, Adult Social Care</p> <p>Marion Angas – Service Manager, Adult Social Care</p> <p>Barbara Billet – Quality Assurance Manager</p> <p>Karen Felgate – Service Manager, Commissioning</p> <p>John Carpenter – Market Management Lead, People Directorate</p> <p>Tracy Thorne – Finance Manager, Finance and Property</p> <p>Holly Whitwham – Legal Services</p> <p>Shona Kelly – Human Resources</p>			

4 Executive Summary

4.1 CQC Inspections of ASC’s core functions (much like Ofsted inspections of Children’s Services) are anticipated to commence in 2023, although the actual date is not known.

- 4.2 The inspection framework has not been finalised but initial indications of a proposed approach have been circulated for comment/ awareness.
- 4.3 A paper was submitted to Corporate Board on 21st December 2021 advising of the new requirement. At that time the key action was to convene a Task and Finish Group, made up of representatives from ASC, Commissioning and Procurement, Human Resources, Legal and Communities and Wellbeing.
- 4.4 The Task and Finish Group (T&FG) has now met on several occasions and has completed a self-assessment activity to identify areas of strengths/weaknesses in line with the anticipated framework.
- 4.5 Members of the T&FG have also met separately with sub-groups of our Peer Network, which is made up of West Berkshire, Slough and Wokingham. This provides the opportunity for us to share examples of best practice. We are also drawing on the experience of colleagues in Children and Family Services.
- 4.6 Having completed the self-assessment activity, we are now in a position to provide a costed proposal for improvements in readiness for the inspection process.

5 Supporting Information

Introduction

- 5.1 The Health and Care Act 2022 establishes a new duty for CQC to independently review and assess the performance of local authorities in delivering their adult social care functions, as set out under Part One of the Care Act 2014 (Care and support).
- 5.2 These assessments will provide a greater understanding of practice and provision at local level, making it easier to see what is working well, and make good practice, positive outcomes and outstanding quality easier to spot and share nationally.
- 5.3 This paper outlines the activity required and planned in order to prepare for these inspections of local authority adult social care functions.
- 5.4 This paper is for information purposes and to provide clarity regarding West Berkshire Council's ASC CQC preparations.

Background

- 5.5 Currently, performance is measured mainly through the Adult Social Care Outcomes Framework (ASCOF) and by nationally co-ordinated surveys. ASC is, in broad terms, performing well in many areas when compared with the national picture/ near neighbours. That said, there are some areas of long-standing weaker performance and there are risks relating to work which is not routinely 'tested'.
- 5.6 The introduction of CQC Inspections for core functions is a new requirement and it will bring heightened scrutiny. It is reasonable to expect that this will incentivise many authorities to seek to drive up standards in ASC performance.
- 5.7 The T&FG has conducted a self-assessment using a draft framework.

- 5.8 Inspection processes can be unpredictable, particularly when inspectors are applying a new framework. Investment is no guarantee of success but it should reduce the risk of negative outcomes.
- 5.9 Improvement work should begin as soon as possible so that it has an impact in readiness for the start of the Inspection programme.

Results of Self-assessment

5.10 The self-assessment identified a number of areas which the T&FG agreed should be articulated and/or addressed as far as possible. They have been classified according to the following categories:

A - High risk gap. This category has been used for those gaps which are most likely to bring significant challenge from inspectors/ have greatest impact on the outcome.

B - Demonstrably Weak Performance. This category has been used for areas of work where we benchmark poorly/very poorly against the national picture or where we do not reflect the standards as set out in the draft framework.

C - Could be improved. This category has been used for areas or work where performance is not bad but which could contribute cumulatively to a poorer outcome.

D - Exposed but defensible. This category has been used for work which is recognised as problematic but where we have undertaken proportionate work to address.

5.11 Using these categories, the following areas have been identified with costed remedies.

	Category	Deficit	Remedy	Cost
1	A	COPDOL11 (Community Deprivation of Liberty cases) backlog	Commission additional assessment activity.	£75K (one-off)
2	A	Deprivation of Liberty Safeguards backlog	Commission independent assessors.	£100k (one-off)
3	A	Insufficient Casefile Audit activity	Additional resource in ASC/ Legal. Single additional person (full-time) working to PSW; cases identified randomly in CD.	C 60k (recurrent)
4	B	Liberty Protection Safeguards requirements	Dedicated Social Workers/ Occupational Therapists to meet incoming legal requirements.	£150k (recurrent)
5	B	Gap in OT Leadership	2/3 days a week from a Senior Occupational Therapist to organise training, provide advice	C £45k (recurrent)

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6	B	Supported Employment – poor performance	Additional investment in existing Supported Employment contract	£30k (recurrent)
7	B	Direct Payments - poor performance	Additional post to support greater use of Individual Service Funds	£50k (recurrent)
8	C	Gaps in Training provision	Casual trainer/ ad hoc commissioning of courses	£30k (recurrent)
9	C	Low levels of service user feedback	Commission independent engagement (combination on external commissioning and additional use of surveys)	£70k (recurrent)
10	D	Gaps in Provider Market	N/A	N/A
			Total (one-off)	£ 175k
			Total (recurrent)	£ 435k per annum

Proposals

5.12 It is proposed that the investment identified above is secured in order to reduce the risk of a negative inspection outcome.

6 Other options considered

- 6.1 The Council could accept the risk of a negative outcome from an Inspection in order to avoid the cost set out above.
- 6.2 ASC has considered whether there are other activities which could be stopped in order to release funds but all activities contribute to relevant statutory outputs in line with the draft framework.

7 Conclusion

This paper makes costed recommendations for investment in order to improve the likelihood of a positive result from the inspection programme anticipated to begin in 2023.

8 Appendices

None.

Subject to Call-In:

Yes: No:

The item is due to be referred to Council for final approval

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- Delays in implementation could have serious financial implications for the Council
- Delays in implementation could compromise the Council's position
- Considered or reviewed by Overview and Scrutiny Management Committee or associated Task Groups within preceding six months
- Item is Urgent Key Decision
- Report is to note only

Wards affected: All

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