1. **Reason for report**

   This report informs Members of the results of work undertaken to monitor the quality of service provided in residential and nursing homes in the borough.

2. **RECOMMENDATION(S)**

   Members are asked to comment on this report.
Corporate Policy

1. Policy Status: Existing policy.
2. BBB Priority: Excellent Council.

Financial

1. Cost of proposal: No cost
2. Ongoing costs: N/A.
3. Budget head/performance centre: 824
4. Total current budget for this head: £15m
5. Source of funding:

Staff

1. Number of staff (current and additional): n/a
2. If from existing staff resources, number of staff hours: n/a

Legal

1. Legal Requirement: Statutory requirement.
2. Call-in: Call-in is applicable

Customer Impact

1. Estimated number of users/beneficiaries (current and projected):

Ward Councillor Views

1. Have Ward Councillors been asked for comments? No.
2. Summary of Ward Councillors comments:
3. **COMMENTARY**

3.1 At a special meeting on 13th February 2008 the Policy Development and Scrutiny (PDS) Committee received a report outlining contract monitoring arrangements for residential and nursing homes. The meeting also received a presentation from the Commission for Social Care Inspection (CSCI) which is the regulatory body for nursing and residential homes. The meeting resolved:

i. to review the rota of Members visits to care homes in order to include a selection of all contracted care homes.

ii. the role of scrutiny in relation to care homes to be reviewed and a Member of the Committee to join the Adult Safeguarding Board

iii. to consider an annual report on the quality of care homes across the borough, the next report to include information about staffing levels, staffing turnover and training completed by care workers.

3.2 This report updates Members on progress made to raise standards in residential and nursing care homes in Bromley during 2008 giving examples of where action has been taken to improve performance and how the Council seeks to secure continuous improvement.

3.3 The Council places on average 300 people in nursing and residential care each year. In order to secure best value the Council has a number of block contracts with homes in the Borough. Individuals are entitled to move into a home of their choice, whatever the quality of the rating and wherever practical people are placed in a home of their own choice. Consequently Bromley has spot contracts with a large number of independent sector providers, both within Bromley and in other parts of the country. At present the Council is funding 293 placements under block arrangements and 549 are under spot contracts.

3.4 CSCI’s role is to regulate, inspect and review all adult social care services, using national standards set by the Government. Since April 2008 CSCI has used a star rating system to enable both the public and Councils to gauge the assessed quality of the services they purchase. The star ratings and reports on homes are used extensively by the Council’s Contract Compliance Team when assessing where they should focus monitoring activities and informing them about specific actions that the provider should be taking to improve their service.

3.5 The Council’s role extends to all the residential and nursing services provided within the borough, not just those homes where Bromley has a block contract. During 2008/09 all the homes rated one star are being monitored through visits. In addition a large amount of management information about all homes is compiled to monitor performance. This includes:

- Safeguarding alerts
- Complaints
- Regulation 37 reports (also copied to CSCI – reports of death, serious injury, hospital admission, outbreak of disease, medication errors etc.)
- Information from other stakeholders, eg Care Managers, Carers
- Information from homes internal monitoring
- Results of customer satisfaction surveys
• Information supplied by Members, following visits
• Regular maintenance and fire safety reports.

MEMBER VISITS

3.6 In March 2008 Members of PDS agreed to visit two homes each in Bromley during 2008/09. The visits would not be restricted to the block contracted homes. PDS Members also agreed to invite Ward Councillors on visits made to homes within their wards. A new form was designed to assist Members to focus on key areas of interest during their visits. The form was piloted and has recently been amended to include additional information about GP support arrangements in the homes. Reports from Members are passed back to the Contract Compliance Team and have prompted some additional investigation, for example to ensure that the home had paid full attention to diversity issues in a home where a resident had lost the capacity to speak English following a stroke. The number of visits made by Members has increased from previous years and the information gathered helps to inform the overall quality monitoring process.

SAFE GUARDING (previously Protection of Vulnerable Adults)

3.7 Arrangements for safeguarding vulnerable adults in Bromley have been strengthened during 2008/09. The Director of Adult and Community Services now chairs the Safeguarding Executive of which Councillor Roger Charsley is also a member. The Executive has recently received a mid year performance report which highlights improvements made and issues to be addressed.

3.8 The Council has received 87 alerts about residential and nursing homes during 2008/09 to date, 14 (16%) of which related to out of borough homes. Where alerts have been received Care Managers have responded in accordance with the Council's procedures. Due to these alerts new placements have been suspended in 3 homes in the borough pending the satisfactory completion of investigations and action plans arising. When new placements are suspended a risk assessment is also completed to ensure that measures have been taken to ensure the safety of the remaining residents.

STAFFING

3.9 CSCI monitor the level of staffing in homes and Council staff ensure that the implementation of any CSCI recommendations about staffing are monitored during visits. There are no regulatory guidelines as to appropriate staff ratios as these vary according to the physical environment of the home and the intensity and type of needs presented by the residents, which may vary from time to time. Officers ensure that sufficient qualified and non qualified staff are on duty to attend to the residents. The appropriate staffing ratios are particularly key at mealtimes when many residents may require individual attention and the monitoring staff pay particular attention to this. There have been no issues raised about staffing levels this year.

3.10 Information is also gathered about the use of temporary agency staff in residential homes. Generally the use of agency staff reported in residential homes, both block and spot contracted has been minimal. However, in nursing homes there was a temporary increase in the use of agency staff in the Autumn resulting from action taken by HM Customs and Excise against workers who did not have the right to work in the UK. Customs and Excise emphasised that the recruitment procedures of individual providers were not at fault as the fraudulent documents provided on recruitment had been of very high quality. Following this incident Customs and Excise offered one provider in the borough enhanced training in order to avoid future incidents and this has been shared with other providers via the Provider Forum.
3.11 The Council helps to assist in raising the standards of training for the care homes through offering membership of a training consortium where providers can pool their available training funds and purchase places on a training programme run throughout the year to ensure that they can address identified training needs. Bromley Council, as purchasers of social services from the private/ independent sector, are committed to working in partnership with local providers to ensure adequate provision is made for training and that they can access a comprehensive training programme. There are 49 homes in Bromley and there have been 1488 attendances at training courses facilitated by the consortium this year. The Council will continue to work with providers to ensure that the courses provided are timely and assist providers in balancing the competing demands of delivering care and ensuring that training is delivered and refreshed.

3.12 The training courses provided for care home managers and their staff address the National Minimum Standards for registered care services which are issued by the Department of Health as part of the implementation of the Care Standards Act 2000. These standards include requirements about the competence of the workforce including their suitability, experience and qualifications. The overall intention of the Care Standards Act 2000 is to improve the quality of care provided and to ensure that services delivered are what users want.

3.13 Currently in 2008/09 there are 26 members of the care home training consortium, which is an increase from last year. 3 are larger organisations who own more than one home. Analysis of the membership indicated that the consortium members were those owning homes with higher quality ratings. The consortium administrator has made a particular point of encouraging homes with lower ratings to join the consortium in order to ensure access to high quality training for all care home staff.

3.14 Within the training programme approximately 30 courses are currently provided, of which 4 are core training courses; first aid, food hygiene, health and safety and manual handling. The other courses are also valuable learning opportunities for care staff to gain additional skills and knowledge to help them carry out their duties. These include dignity in care, dementia, diet and nutrition, safe administration of medicines and infection control. These also reflect current key issues regarding care homes and the programme is regularly updated and reviewed to include new legislation such as Mental Capacity Act training and Deprivation of Liberty. The Council is also working with the PCT to identify opportunities for joint health and social care training.

PROVIDER FORUMS

3.15 All managers of residential and nursing care homes within the Borough are invited to attend quarterly forums. The aim of the forum is to discuss key issues that managers need to be aware of and to be able to talk directly about emerging changes in the sector. The forum provides representatives to work alongside Council and PCT staff on specific projects, such as a group identifying ways of reducing admissions to hospital from residential and nursing homes, and representatives on safeguarding sub groups. Care homes are currently providing monitoring information for a joint PCT /LBB project which is using the Rapid Response Team to avoid unnecessary admissions to hospital. Another project proposed by providers is to enable nurses and other trained staff in nursing homes to administer subcutaneous fluids to combat dehydration in service users and thus avoiding the need to call out District nurses, ambulance crews or GPs.

3.16 Providers also work alongside the Council to improve practice in other areas, for instance attendance at the recent business continuity exercise, “Coldplay”, which dealt with how the Council and its providers would deal with a flu pandemic. Lessons from this exercise will be shared with the forum. A representative of the Care Home Forum has agreed to attend the PDS meeting in order to answer Member questions.
PERFORMANCE STANDARDS

3.17 The star rating introduced by CSCI in 2008 provides a simple comparison both between different homes and of a home’s performance against national standards over time. The Council monitors the ratings of all borough homes and has paid particular attention to those rating only one star. The charts below illustrate the current ratings of homes in the borough and the proportion of Bromley placements distributed against those ratings. The majority of Bromley residential and nursing placements are in 2 star homes. Monitoring activity is now focused more closely on one star homes, in particular those which are not members of the Training Consortium.

CHARTS FOR NH AND RN STARS

3.18 The tables in appendices 1 and 2 outline changes in performance from the previous CSCI inspections to the most recent rating. They also show comparative performance against the national minimum standards. The ratings of all nursing homes have improved. However some of the residential home ratings have gone down and the Contract Compliance team will pay particular attention to these homes and their action plans.

LBB PLACEMENTS

3.19 Officers have undertaken a review of the performance of Bromley homes against minimum standards in comparison with national performance (Appendix 1). This data is not directly
comparable with the information presented in the last report, however it is possible to pick out areas where there is good practice or room for further improvement in homes in borough.

3.20 Homes in Bromley have higher than national ratings for: training, intermediate care, assessments, service user finances, day to day operations, staff qualifications and quality assurance. Areas for improvement include; medication, meals, activities, assessments, service user plans, complaints and recruitment and these areas are a particular focus for monitoring officers and provider forum discussion.

3.21 Areas of concern that have been raised by the Contract Compliance Officer and addressed by homes in 2008 to date include:

- Dealing with unpleasant odour arising from incontinence – the homes have replaced the existing floor covering with a more practical flooring solution
- Introduction of freshly cooked vegetables to accompany re-heated meals – the re-heated meals are soon to be replaced by freshly prepared main meals.
- Introduction of activities co-ordinator at one home. The hours of the co-ordinator have subsequently been increased due to the success of this post.
- In one block contracted home the improvement in care planning has contributed to the achievement of 2 star status.
- A quality team has been introduced in block residential homes to ensure consistent standards are maintained and improved.
- Medication practices have improved in nursing homes after CSCI highlighted poor practice.
- Surveys of users and residents have been undertaken throughout the year in order to inform improvements in service.
- In one home staffing has stabilised and this has assisted with the achievement of 2 star status.
- Improvements noted in 2 homes contributing to the dignity of users by the addition of front door knockers in one and in the other the introduction of notices alerting staff that personal care is being carried out within.
- An incident of poor practice in relation to dignity was reported by the monitoring officer resulting in disciplinary action being taken against the staff member.

COMPLAINTS

3.22 During 2007/08 19 complaints were received and investigated in nursing and residential homes. To date in 2008/09 only 3 complaints have been received.

4. POLICY IMPLICATIONS

4.1 National and local policies expect that continuous improvement be achieved in the quality of care delivered in residential and nursing homes serving the local community.
5. **LEGAL IMPLICATIONS**

5.1 Under Section 21 of the National Assistance Act 1948 the Council has a duty to provide or arrange for residential accommodation for persons who by reason of age, illness, disability or any other circumstances are in need of care and attention not otherwise available to them.

5.2 Once a person has been assessed as being in need of such care the Council must have regard to the National Assistance Act 1948 (Choice of Accommodation) Direction 1992 which are intended to give clients a choice over where they receive such care arranged or provided by the Council. Such choice has to reflect both the costs of such accommodation as well as its availability.

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| Background Documents:   | Report to ACS PDS 13th February 2008 |
| (Access via Contact Officer) | Mid Year Report to Adult Safeguarding Executive |