

PART 1 - PUBLIC

Decision Maker: **Adult and Community Portfolio Holder**

Date: **for Pre-Decision Scrutiny by the Adult and Community PDS Committee on 16th February 2010**

Decision Type: Non-Urgent Executive Non-Key

Title: **CARE QUALITY COMMISSION INSPECTION OF ADULT SOCIAL CARE**

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Chief Officer: Terry Rich, Director Adult & Community Services

Ward: Boroughwide

1. Reason for report

This report informs the Portfolio Holder and Policy Development and Scrutiny Committee of the outcome of the Care Quality Commission (CQC) inspection of Adult Social Care carried out in August 2009 focussing on Adult Safeguarding, and Choice and Control for older people.

2. **RECOMMENDATION(S)**

PDS are asked to:

- a) Note the outcome of the Inspection of Adult Social Care and comment on the progress made since the inspection

The Portfolio Holder is asked to:

- a) Consider and comment on the views of PDS and the CQC inspection report.
- b) Approve the improvement plan and note the progress since the inspection.

Corporate Policy

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

1. Cost of proposal: N/A All arears detailed within the report are contained within existing budgets
 2. Ongoing costs: N/A.
 3. Budget head/performance centre: Adult and Community Services
 4. Total current budget for this head: £72m
 5. Source of funding:
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Staff

1. Number of staff (current and additional): this report relates to the work of adult and community services and partner agencies and does not involve any additional staffing
 2. If from existing staff resources, number of staff hours: 788 FTE within ACS
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Legal

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

1. Estimated number of users/beneficiaries (current and projected): Adult social care carries out around 2000 new assessments annually and supports 8500 people with a care package
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? N/A.
2. Summary of Ward Councillors comments:

3. COMMENTARY

- 3.1 The Care Quality Commission (CQC) undertakes a programme of inspection as part of their monitoring arrangements of health and social care services. In August 2009 an inspection in Bromley focussed on Adult Safeguarding, and Choice and Control for Older People. These outcomes were part of CQC's 2008/09 annual assessment of adult social care performance and will influence the annual assessment of adult social care for 2009/10. For more information the link to the 2008/09 annual assessment is set out in section 8.
- 3.2 This report introduces CQC's Inspection report (appendix 1) and the Council's improvement plan and progress update (appendix 2) developed in response to the report's recommendations. Tim Willis, the Lead Inspector, will present the key findings of the report to Members at the meeting, and the Director of Adult and Community Services will present the Council's response.
- 3.3 The findings from the inspection were that the Council was judged to be providing adequate outcomes in adult safeguarding, and choice and control for older people. The Commission also concluded that "with effective improvement planning the service should be able to demonstrate that it is performing well in a relatively short time" against both these outcomes. The Council's capacity to improve was judged as promising.
- 3.4 The Adult and Community Services Department broadly accepts the assessment of the service undertaken in August 2009, and considers that continued developments since the summer now place the Council in a good position to be judged as performing well in both these areas.
- 3.5 The inspection report covers three areas, adult safeguarding, choice and control for older people and capacity for improvement.

Adult Safeguarding

- 3.6 In this area the Care Quality Commission assess against the following outcomes:
- 3.7 *People who use services and their carers are free from discrimination or harassment in their living environments and neighbourhoods. People who use services and their carers are safeguarded from all forms of abuse. Personal care maintains their human rights, preserving dignity and respect, helps them to be comfortable in their environment, and supports family and social life.*
- 3.8 The CQC inspection in August 2009 acknowledged the developments the Council and partners had made in safeguarding, including the strengthened multi-agency Bromley Adult Safeguarding Board (BSAB), and increased capacity in safeguarding through the creation of 2 new consultant lead practitioner posts within the two older people's teams to complement the existing arrangement in the learning disability service. Additionally it was recognised that a strengthened quality assurance service had been introduced by bringing together support staff from quality assurance, safeguarding and complaints.
- 3.9 The Care Quality Commission also highlighted that the Council was delivering increasingly effective multi disciplinary support for vulnerable people and provided a range of multi agency community safety initiatives.
- 3.10 At the time of the Inspection the Commission felt that some further work was needed in the areas of ensuring consistent risk identification, assessment and protection planning, appropriate protection planning for differing levels of need, and staff from all agencies having the necessary skills and competencies.

3.11 The Adult and Community Services Department was at the time of the inspection already working on improving consistency of application of the multi-agency safeguarding procedures through the department's own quality audit programme, and this information was fully shared with CQC during the inspection. Safeguarding had been prioritised within the department's quality assurance programme due to the implementation of the new multiagency safeguarding procedures in January 2009 and the significant increase in safeguarding activity during the previous period. The range of actions underway prior and during the inspection included:

- A revision of the LBB risk assessment tool which has since been implemented, as has a revised protocol with the London Ambulance Service which provides further guidance on appropriate responses to cases of self neglect. Risk tools and procedures will continue to be revised during the coming months to take account of national and local developments in safeguarding and the personalisation of services.
- More recently, the Consultant Lead Practitioners in each of the Care Services Teams have taken on responsibility for triaging all safeguarding alerts ensuring consistent application of the multi agency safeguarding procedures.
- Progress in implementing a new competency based training programme last year was recognised by CQC as giving staff undertaking key roles within safeguarding the skills to do the job. Since the inspection the competency training has continued to be rolled out as planned and the department's policy is that safeguarding investigations should only be allocated to staff who have undertaken the appropriate level of training; this is mandatory and will be monitored as such. The BSAB training sub-group continues to assess the evaluation from the courses which will be fed through to the future commissioning of training.
- Evaluation of safeguarding practice continues to be monitored through the quality assurance framework within Adult and Community Services, and through BSAB's Performance Quality and Audit sub group.

3.12 The inspection findings for safeguarding re-affirmed in many areas developments to services already in progress, or identified for action by the Council and partners, during a time of increasing expectations and demands on services nationally and locally. The Bromley Safeguarding Adults Board works within the legislative requirements of safeguarding and aims to meet the standards in the government guidance "No Secrets" in providing services to vulnerable people who are abused in the main by third parties. However, the inspectors highlighted that CQC are of the view that safeguarding responsibilities extend to cover a wider range of vulnerability and includes self neglect and/or risky living situations of individuals who may either fall below the Council's eligibility criteria for care support, or not be interested in accepting services or accepting help. The Department and Safeguarding Board has reviewed the arrangements that it can make to provide appropriate signposting to support, and monitoring of vulnerable adults in circumstances like this within available resources.

Increased Choice and Control for older people

3.13 In this area the Care Quality Commission assess against the following outcomes:

People who use services and their carers are supported in exercising control of personal support. People can choose from a wide range of local support.

3.14 The Care Quality Commission highlighted a range of areas of strength in choice and control including that the Council; involved people in designing their care and listened to their views,

had developed sound brokerage services for those outside of eligibility criteria, had begun to develop a wider choice of support services and had developed specialist services for people with dementia. However, the Care Quality Commission considered that the Council could have made more progress in delivering increased choice and control.

- 3.15 Members will be aware that the Department is currently working on its Supporting Independence programme which aims to deliver increased choice and control for people who need adult social care in line with Government requirements, by April 2011. The Council had taken a measured approach to this programme during the first phases, using the 3 year government funding available since 08/09 to plan and implement this radical national change carefully. The inspection recognised many positive aspects of the developments to improve choice and control in Bromley; and the findings also reflect that some service developments at the time of inspection were at planning stage. Since the Inspection in August 09 and as planned, the Supporting Independence in Bromley Programme has implemented a range of initiatives, including establishing: Early Adopter phases for Re-ablement and Assessment, Personal Budgets and Support Planning, introducing personal budgets at transition together with driving forward implementation of telecare, telehealth and the resource allocation system development. The Council has also have been selected to be part of the Department of Health pilot on establishing a retail model for community equipment.
- 3.16 The programme has a fully developed communication strategy and information is available on the Bromley web-site inviting feedback, an initial 'Talking about Supporting Independence in Bromley' bulletin has been sent to partnership groups, voluntary and community groups; LD groups; BME representatives; PCT; Community shops; talking newspapers. There are also a number of factsheets available.
- 3.17 With enhanced capacity within the Supporting Independence Programme in Bromley the Council is on track to meet all the Department of Health's 2010 transforming social care milestones.
- 3.18 The Care Quality Commission also came to the view that there was a need to improve arrangements for hospital discharge planning and in particular multi agency working in this area. In immediate response to this finding the department commissioned a quality audit of the case work in the hospital care management team. The full audit which was shared with CQC concluded that:
- The quality of the work in the team was high, families were fully involved in the assessment process and there was good evidence of referring carers for assessments. Review standards were being followed and there was good evidence of care managers listening to and acting upon information from families. Where carer's assessments were completed, these were found to be good at identifying issues and needs. The team worked to exacting standards, speed and accuracy. The team demonstrated high levels of competence in very difficult and demanding case work. In one case there had been an inappropriate discharge from the hospital. In this instance the hospital authority had not informed the team of the discharge arrangements*
- 3.19 This affirmed that current care management arrangements for planning and effecting hospital discharge are sound and robust. This evidence was presented to CQC who modified their finding to include; - "Local performance information showed a high degree of compliance with procedures by hospital social work staff where a patient was referred for a community care assessment". Work to address CQC's finding has focussed therefore, on developing with partners a protocol for hospital discharge.

3.20 The Improvement plan and progress update (appendix 2) provides the detailed actions and information for all the priority areas identified for further development.

Capacity to improve

3.21 The Care Quality Commission rated the Council's capacity to improve its performance as promising following an assessment of leadership, and commissioning and resources. The Commission recognised; the councils strong strategic vision for developing more personalised services, the improving quality of local services, the use of high level performance information, developments in assistive technology, the well established consultation processes for involving service users and carers, improvements in services through the strengthened contracts unit and the sound medium term financial strategy.

3.22 The Improvement plan and progress update, (appendix 2) considers all the recommendations from CQC and progress against all actions will be overseen by the ACS departmental management team and will be monitored by the Care Quality Commission. Progress will be reported to Elected Members through both the specific and routine performance reports scheduled for the Adult and Community, Policy Development and Scrutiny work programme (appendix 3)

4. POLICY IMPLICATIONS

The work of Bromley Safeguarding Adults Board (BSAB) and the Supporting Independence in Bromley (SIB) programme is supported by the Building a Better Bromley key aim Supporting Independence and is the key theme within the Adult and Community Portfolio Plan 2009/10. BSAB comply with the guidance set out in "No Secrets" government guidance published in 2005, and the SIB programme is in line with national developments to transform social care and is supported by specific 3 year funding through the "social reform grant". This funding supports the vision as laid down in "Our Health, Our Care our Say" January 2006 and "Putting People First" December 2007. The links to these documents are set out in section 8.

5. FINANCIAL IMPLICATIONS

Whilst there are no specific additional resource implications arising from this report, the Inspection raises areas which could involve changed investment or use of resources. Any specific resource implication arising from the Improvement Plan will be presented to the Portfolio Holder as appropriate.

6. LEGAL IMPLICATIONS

CQC have a statutory duty to inspect and report on the performance of adult social care and the council have a statutory responsibility to co operate with CQC in the inspection of services.

7. PERSONNEL IMPLICATIONS

Any personnel implications arising from the improvement plan to address issues raised by the inspection will be presented to the Portfolio Holder as appropriate.

8. BACKGROUND DOCUMENTS

Non-Applicable Sections:	None.
Background Documents: (Access via Contact Officer)	<p>Performance Assessment Report 2008/09: http://www.cqc.org.uk/guidanceforprofessionals/socialcare/councils/councilinspectionreports.cfm?widCall1=customWidgets.content_view_1&cit_id=35601</p> <p>“No Secrets”: http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_4008486</p> <p>Supporting Independence in Bromley: http://www.bromley.gov.uk/socialcareandhealth/Help+for+adults/modernising+services+for+adults.htm</p> <p>Our Health, Our Care our Say - January 2006 http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/Browsable/DH_4127552</p> <p>Putting People First - December 2007 http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_081118</p>