

3 November 2014**Agenda Item: 10****REPORT OF THE SERVICE DIRECTOR FOR ACCESS AND PUBLIC
PROTECTION****STRATEGIC REVIEW OF THE CARE HOME SECTOR ACROSS
NOTTINGHAMSHIRE PROGRESS UPDATE****Purpose of the Report**

1. The purpose of the report is to provide a progress update on the recommendations from the strategic review of the care homes sector.

Information and Advice

2. At the Adult Social Care and Health Committee in June 2014, the seconded Care Quality Commission (CQC) Inspection Manager presented the findings from the strategic review of the care home sector. The review concluded in January 2014 and involved representatives from both the County and City Councils and the 7 Clinical Commissioning Groups (CCGs), along with Healthwatch, representatives of the Nottinghamshire Care Association and the Community Programme.
3. Each of the recommendations from the review has been listed below with the updated position following after.
4. *Recommendation 1:* Share the findings of the Strategic Review with CQC, at the earliest opportunity, to inform the development of new adult social care methodology for inspection during the consultation period.
5. *Update:* The CQC secondee presented the findings to the Central region management team on 22 October 2014 to ensure the learning is shared and utilised within the region. In addition, the secondee has been invited to participate in the co-production group tasked with developing adult social care methodology in partnership with stakeholder agencies. This includes report writing, carrying out inspections, the ratings system measuring and responding to potential financial viability issues. These opportunities will further enhance the mutual understanding of the remit of each agency and therefore how to work most effectively in the future.
6. *Recommendation 2:* Enhance future quality audits through focussing on expectations and outcomes for people and include the requirement for care home providers to demonstrate their own quality assurance processes.

7. *Update:* The refined quality audit tool and supporting processes to determine quality monitoring have been designed, consulted on and were piloted through a series of visits to older people's care homes throughout June 2014, and younger adults throughout July 2014. This methodology has been subsequently rolled out, meeting with positive comments from providers and resulting in a significant reduction in providers seeking to appeal the outcome of the audit.
8. *Recommendation 3:* Adopt a targeted approach to both commissioning of care home provision according to geographical need, where gaps have been identified as well as the potential of re-commissioning residential as nursing / dementia care / complex needs provision.
9. *Update:* The Commissioning Manager for older people and Market Development staff have conducted discussions with representatives of several care providers over the past three months to look at the service provision being planned and how this fits with the current commissioning strategy of the Council. In addition, the secondee has begun working with planners in district councils to better develop an understanding of the impact of over-provision of care homes for older people in districts such as Mansfield and Ashfield and work more efficiently and effectively in encouraging support according to citizens' needs across districts.
10. *Recommendation 4:* Utilise increased engagement with care home providers on both a national and local level to better understand the changing market needs and in planning and delivering the provision required.
11. *Update:* The Market Development Team is currently planning a provider forum for November 2014 with themes of market shaping and oversight in relation to the Care Act requirements, and citizen needs to support preparedness of providers. It is anticipated that a refreshed market position statement, the Council's commissioning intentions and the findings and the correlation with the strategic review findings will be outlined.
12. *Recommendation 5:* Launch the commissioning strategy publicly with strong message about commissioning high quality care.
13. *Update:* As mentioned above the proposed provider forum will be used to re-launch the Council strategy regarding care homes. The National Care Home Open Day (20 June 2014) was used to share the Council position and plans to increase the presence of Members at care homes within their wards.
14. *Recommendation 6:* Improve co-ordination of visiting priorities and timing of visits between CQC, commissioners and Healthwatch work to ensure more effective monitoring and to reduce duplication of visits across all care homes.
15. *Update:* Since January 2013, the Market Development Team has been successfully chairing monthly information sharing meetings with colleagues who monitor quality of service provision from the CCGs and also CQC. At such meetings all parties share information about plans to monitor or next steps in relation to respective responsibilities. Positive relationships have been nurtured across organisational boundaries and have resulted in routine sharing of plans as risk determines.

16. Through the development of an annual work programme, the scheduling of all the quality audits and dementia quality audits is now based on risk. This has allowed the quality monitoring team to plan and liaise with partner agencies to conduct visits in partnership where appropriate, and therefore more effectively and systematically.
17. *Recommendation 7:* Provide feedback to CQC on local secondment outcomes in relation to improved ways of working across commissioners and regulator to inform better national working partnerships.
18. *Update:* After the first 6 months of the secondment, regular monthly meetings or telephone calls have been arranged with the relevant Head of Regional Compliance or Head of Inspections for Adult Social Care. These contact sessions have been used to look at areas for development to improve alignment between the regulator and commissioners.
19. An extraordinary meeting was convened in May 2014 to review and acknowledge lessons learned regarding the CQC's management of concerns regarding three specific care homes at a local level. A formal response from CQC was received.
20. A meeting was convened in January 2014 with David Pearson, David Behan (Chief Executive of the Care Quality Commission) and the secondee to review the secondment and share learning to date. An initial meeting was convened with the Head of Inspections, which was productive in progressing some blocks in communication, and further bi-monthly meetings have been agreed to create a 'business as usual' approach to the evaluation of partnership working.
21. *Recommendation 8:* Highlight the discrepancies nationally to the Chief Nurse for NHS England, Public Health England, Royal College of Nursing, Unison and Unite, of the skill mix and numbers of nursing staff in the care home sector currently.
22. *Update:* This has been raised with CCGs individually to establish the best approach, and subsequently at the Quality Surveillance Group with responsibility for Nottingham, Nottinghamshire and Derbyshire. The issue was discussed at the Nursing Cabinet, resulting in co-production work between the Community Programme and the secondee to survey care homes to understand their challenges, and inform long term development and support planning for nursing staff to encourage longevity in care home careers.
23. *Recommendation 9:* Use a targeted and proactive approach by commissioners to lack of leadership/management issue, including consideration of a contractual obligation to inform commissioners when managers leave, apply for registration and interim management arrangements, baseline training, induction standards, competency and quality assurance framework (partnership).
24. *Update:* This work has formed part of the risk and development approach of the market development team and through the links made with Optimum Workforce Leadership. Information requested from providers as part of the preparation for the quality audits can highlight this as a priority. This has led to swifter conversations with providers about how to effectively assess and manage quality of services and referrals to Optimum for support, along with more focussed quality monitoring follow-up by the Market Development Team. This has

enabled a quick turn-around of quality outcomes for people in four services in the past three months.

25. *Recommendation 10:* Evaluate the effectiveness of existing clinical and specialist support to care homes.
26. *Update:* A meeting with representatives from all CCGs has been scheduled during November to develop internal task and finish groups to establish this information, following the issue of care home input being raised by the secondee at the local Quality Surveillance Group.
27. *Recommendation 11:* Use the evidence from quality monitoring findings to inform a programme of competency-based opportunities by training and learning partnership agencies.
28. *Update:* This is discussed monthly by the Market Development Team and Optimum Workforce Leadership. Examples of evidence from audits have been used to direct support to several struggling providers. Providers have welcomed this approach and evaluation continues on how effectively positive changes are then implemented by Optimum and the Market Development Team.
29. *Recommendation 12:* Consider options for alignment of the CCG and Council quality monitoring functions to use resources across nursing and residential homes and reduce duplication in the assessment of care home providers.
30. *Update:* The first steps to alignment have been achieved and was piloted by multi-agency quality audit visits through the scheduled work programme. This involves input from CCG quality monitoring colleagues, along with CQC and Healthwatch as appropriate. A summary evaluation of the pilot is being completed and will inform the potential achievement of this recommendation.
31. *Recommendation 13:* Include Healthwatch in information sharing processes and use information acquired through 'enter and view' to build picture of quality of care for people for use in quality monitoring by commissioners.
32. *Update:* Healthwatch have been invited to and now routinely attend each monthly information sharing meeting and supply information when relevant.
33. *Recommendation 14:* Partner agencies to provide regular reports to the Nottingham City and Nottinghamshire Safeguarding Adults Board (NSAB). These would supply information regarding the activities undertaken to ensure ongoing improvement in care home service quality is achieved.
34. *Update:* The update has been added to the agenda for the next NSAB in January 2015, to fit in with the Board's business.
35. In conclusion, the Strategic Review of the Care Home Sector, together with the CQC secondee's co-ordination of it, has been instrumental in driving enhanced partnership working with the CCGs, CQC and other organisations. Significant progress has been demonstrated

with this new approach to information sharing to build up a complete picture of risk, through the development of the risk tool to collate and hold qualitative intelligence about care providers. Partners have acted in a co-ordinated fashion to address specific care quality concerns as they have arisen through the multi-agency escalation process to enable the effective oversight of failing providers, as well as to promote better standards generally.

Statutory and Policy Implications

36. This report has been compiled after consideration of implications in respect of crime and disorder, finance, human resources, human rights, the NHS Constitution (Public Health only), the public sector equality duty, safeguarding of children and vulnerable adults, service users, sustainability and the environment and ways of working and where such implications are material they are described below. Appropriate consultation has been undertaken and advice sought on these issues as required.

Implications for Service Users

37. Some of the most vulnerable adults are in care home placements. It is imperative that the services that they receive are of good quality and are delivered with dignity and respect. The proposal in this report seek to reduce and wherever possible eliminate poor quality care home provision whilst at the same time supporting the development of further high quality care home services particularly in relation to care for people with profound learning disabilities, dementia care and end of life.

RECOMMENDATION/S

1) It is recommended that Committee:

- notes the progress made against the recommendations of the strategic review of the care home sector.
- receives a further update of progress before the end of the CQC secondment.

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Constitutional Comments (SG 20/10/2014)

38. The proposals in this report are within the remit of the Adult Social Care and Health Committee.

Financial Comments (KAS 20/10/14)

39. There are no financial implications contained within the report.

Background Papers and Published Documents

Except for previously published documents, which will be available elsewhere, the documents listed here will be available for inspection in accordance with Section 100D of the Local Government Act 1972.

Previous reports regarding the secondment to the Adult Social Care and Health Committee:

- 22 July 2013
- 7 January 2013
- 6 January 2014
- 9 June 2014

Electoral Division(s) and Member(s) Affected

- All.

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