

# Public Document Pack

## Health and Adult Social Care Overview and Scrutiny Committee.

Monday, 9th October, 2023

6.00 pm

Meeting Room A

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### AGENDA

1. **Welcome and Apologies**
2. **Minutes of the last meeting**  
**Draft Mins H&SC OSC 7th August 2023** **2 - 6**
3. **Declarations of Interest**
4. **CQC Self Assessment**  
**Scrutiny Report CQC Assessment1 v2** **7 - 12**
5. **Date of Next Meeting**

The next meeting of the Committee will be held on Monday 5<sup>th</sup> February 2024, where the main agenda item will be:

- Scrutiny of Care Homes in the Borough – Task and Finish Group to report back and Committee to discuss. Task and Finish Group Membership – Councillors Jacquie Slater, Tony Humphrys and Anthony Shaw.

Date Published: 29<sup>th</sup> September 2023  
Denise Park, Chief Executive

Agenda Item 2

**HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY  
COMMITTEE.  
Monday, 7 August 2023**

**PRESENT** – Councillors, *Jacquie Slater (Chair) Whittingham, Hardman, Humphrys, Irfan, Shaw, and Smith.*

**ALSO IN ATTENDANCE** – *Mustafa Desai (Executive Member) Claire Richardson, Mark Warren, Kevin Lavery and Christopher Bradley*

**RESOLUTIONS**

**7 Welcome and Apologies**

The Chair welcomed everyone to the meeting.

Apologies were received from Councillors Harling, Patel and Talbot.

**8 Minutes of the last meeting**

The minutes of the meeting held on 5<sup>th</sup> June 2023 were submitted for approval.

Matters arising: Chris Bradley circulated the leaflet and information in relation to Refresh timetable. After Members have reviewed the information the committee will consider whether to ask for a further discussion on Refresh.

**RESOLVED** – That the minutes of the meeting held on 5<sup>th</sup> June 2023 were approved as a correct record and signed by the Chair.

**9 Declarations of Interest**

**RESOLVED** – There were no Declarations of Interest received.

**10 Lancashire and South Cumbria Integrated Care Partnership**

Kevin Lavery, Chief Executive for NHS Lancashire and South Cumbria, Integrated Care Board delivered a presentation to the Committee about the Lancashire and South Integrated Care Board (ICB).

It was noted that the ICB was formally established as a new statutory body on 1<sup>st</sup> July 2022, replacing the 8 clinical commissioning groups across Lancashire and South Cumbria. The Board is responsible for developing a plan for meeting the health needs of the population, managing the NHS budget and arranging for the provision of health services in a geographical area.

Nationally, the expectation is that an ICB will:

- Improve outcomes in population health and healthcare
- Tackle inequalities in outcomes, experience and access
- Enhance productivity and value for money
- Help the NHS support broader social and economic development

One of the major priorities that had been identified was delivering the challenging budget for 2022/23 as budgets had been frozen however the population and demand on services was still growing. The underlying drivers of cost were, acute elderly, ageing population, long COVID and innovation and solutions extending healthy years of life. The priorities will be delivered in the 10 year plan.

The Chair highlighted that Darwen Health Centre was not being used to its fullest capacity and that it could serve the surrounding Community which would elevate the pressures at Blackburn A&E and other hospital establishments.

Claire Richardson advised the Chair and the committee that an update could be provided to show the uses at the Health Centre and also what opportunities could be placed at the Centre.

Claire Richardson, Director of Health and Social Care Integration (Blackburn with Darwen) at NHS Lancashire and South Cumbria ICB, delivered a presentation to the Committee on Developing Health and Care integration in Blackburn with Darwen a place-based partnership.

The impact of joint working was discussed and the influences were highlighted as:

- **Strong partnership** – trusting relationships across all levels in health and council ‘best council to work with’ – Peer Review 2023
- **Political leadership** from members L&SC ICP representative and HWBB Chair Councillor Talbot; BwD PBP Chair Councillor Desai
- Well established primary care **neighbourhoods**
- Pooled budget arrangements for **Better Care Fund**
- **Joint commissioning** impacting for our people – Mental Health in Schools, extension of homeless pods, falls prevention
- Strong position on **hospital discharges** and resilience – testament to our collaboration with adult social care
- **Inspection outcomes** – SEND/JTAI – strong partnership working with health

A number of priorities and work streams had been identified through discussions with all partners. In identifying these, consideration was also given to the priorities outlined by the Health and Wellbeing Board in their Joint Local Health and Wellbeing Strategy, along with the priorities outlined by the ICP in the Integrated Care Strategy and the ICB in the Joint Forward Plan. The key areas of focus were:

**Delivering integrated services:** Neighbourhoods, Community health and care, Intermediate Care, Care Sector Quality Improvements, growing and supporting our workforce.

**Delivering life course improvements:** Population health improvements across the life course: Start Well, Live/Work Well, Age Well, and Dying Well.

**Knowing our people:** working effectively with people and communities – growing our coproduction. Population health intelligence and insights.

**Developing our partnership:** Partnership arrangements, Finance Performance and Reporting, clinical & care professional leadership, VCFSE to establish BwD Community Network, Workforce and OD.

Mark Warren gave an update on Albion Mill and that the rehabilitation centre was not at full capacity due to the budget which had to cover, care, staffing and equipment. It was noted that the budget had now doubled to around £4m and that the centre would be ran by ELHT community health team.

Mark Warren, Strategic Director, Adults and Health for Blackburn with Darwen Borough Council, discussed the Adults and Health Service Plan for 2022/2023. As part of the Council Corporate Plan there were 6 strategic priorities for Blackburn with Darwen:

- 1. Keep the borough safe and protect the most vulnerable**
  - Ensuring the BwD safeguarding boards are effective and accountable as part of a multi-agency approach
  - To ensure multi agency procedures are implemented and adhered to with the person at the centre of decision making
  - To work with partners to reduce crime and antisocial behaviour
  - Reduce homelessness and rough sleeping.
- 2. To support people to stay healthy and independent at home for as long as possible**
  - Strength based and asset based conversation at the core.
  - Multi agency support planning
  - A strong rehabilitation offer that is accessible and central to recovery
  - Personalised and responsive within a positive risk culture
  - An emphasis on preventing ill health and crisis by supporting to stay well
- 3. Transformation and legislative reform**
  - Implement response to homelessness legislation
  - ASC redesign to respond to the requirements of the Health and Care Act 2022 and other legislation
  - CQC assurance
  - A vibrant ASC workforce
  - A revised financial model for charging and payments
  - A chartered offer and solutions
- 4. To ensure the services we provide and commission are of a good quality, responsive to individual needs, good value for money and reflect identified needs**
  - A clear commission strategy
  - Development of a strong Quality Assurance Framework
  - Effective and communicative case approach with our providers
  - Ensure residents co-produce service design and feedback mechanisms in place

- Appropriate services available to respond and assess need
  - A vibrant social care market with good qualities at the head
- 5. To support citizens to be part of and connected to our communities through work, education, leisure and housing models that are fit for purpose**
- Easily accessible information and advice
  - Adult learning offer to enable opportunity such as the multiply offers
  - Social prescribing control
  - Preventative health checks
  - Housing with care models that meet the needs of our local communities
- 6. Tackling inequality, oppression and enabling people to maximise their potential**
- To support vulnerable communities to integrate and maximise their potential
  - Support community cohesion
  - To be person centred
  - Dementia friendly
  - Development and implementing of strategies for people with a learning disability or autism

Members of the committee shared the concerns that they had received from their residents regarding hospital appointments being in hospitals outside of the Borough and questioned why they couldn't attend Blackburn Royal. Residents also had difficulty getting to their appointments due to financial constraints and distance.

It was noted that each hospital in Lancashire had their own specialist consultants and areas and therefore people living in Blackburn with Darwen may need to travel further for medical appointments to see the relevant consultant.

Members asked about the future of COVID boosters/vaccinations and it was noted that only the most vulnerable e.g. health condition or age, would receive the seasonal COVID-19 vaccine. For Residents who did not meet the criteria would be encouraged to have the Flu vaccine.

#### **RESOLVED –**

- For Claire Richardson to provide an update on the usage of Darwen Health Centre at the next committee
- That Kevin Lavery, Mark Warren and Claire Richardson be thanked for their attendance and presentations

#### **11 Date of Next Meeting**

The next meeting of the Committee will be held on Monday 9<sup>th</sup> October 2023, where the main agenda item will be:

CQC Self-Assessment – regulation of the Council care commissioning via the CQC, which came into force in 2022, the care market, safeguarding and budgets for the most vulnerable will all be subject to inspection at any time, how prepared is the Council?

Signed: .....

Date: .....

Chair of the meeting  
at which the minutes were confirmed



**TO:** Adults and Health Scrutiny Committee

**FROM:** Strategic Director Adults and Health

**DATE:** 22<sup>nd</sup> September 2023

**PORTFOLIOS AFFECTED:** All

**WARDS AFFECTED:** All

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**TITLE OF REPORT:** Care Quality Commission – LA Regulation

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## 1. PURPOSE

The purpose of this report is to provide an update on the key changes relating to the Regulation of Local Authorities by the Care Quality Commission (CQC) and to provide an update on the local authority's preparations.

## 2. BACKGROUND

In February 2021 the government released its Integration and Innovation Policy paper which introduced a new assurance framework for Adult Social Care and the Integrated Care System. The Care Quality Commission (CQC) have been inspecting registered providers of care for many years and under this policy CQC have acquired a new duty to independently review and assess how Local Authorities are delivering on their Care Act functions.

The focus of CQC inspection is on the legislative framework and how we meet our statutory responsibilities. The assurance and inspection process via CQC commenced on 1<sup>st</sup> April 2023. CQC plan to assess all local authorities across the country within 2 years and ratings will be published as outstanding, good, requires improvement, inadequate.

CQC aim to streamline and simplify their assurance process by creating one single assessment framework against which to assess Health and Social Care. The overarching CQC strategy describes a core ambition of tackling health inequalities and ensuring that people receive high quality care and support. The revised CQC strategy has four main themes:

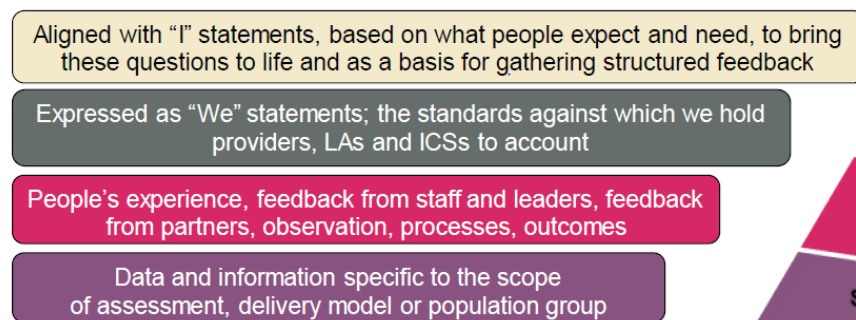
- People and communities: Regulation that is driven by people's needs and experiences, focusing on what is important to people and communities when they access, use and move between services
- Smarter regulation: Smarter, more dynamic and flexible regulation that provides up-to-date and high-quality information and ratings

- Safety through learning: Regulating for stronger safety cultures across health and care, prioritising learning, improvement and collaboration - valuing everyone's perspective
- Accelerating improvement: Enabling health and care services and local systems to access support to help improve the quality of care where it is needed most

CQC continue to work with Local Authorities and wider partners to develop their assurance framework, refine their approach and issue guidance to support inspection.

The proposed framework focuses on 5 key questions: Is the local authority Safe – Effective – Caring – Responsive to People's needs – Well Led? Local authorities and Integrated Care system will be inspecting against key themes set out below:

Our framework will assess providers, local authorities and integrated care systems with a consistent set of key themes, from registration through to ongoing assessment



Scrutiny Committee will be aware that Oflog has also been introduced by the government as a new performance body aimed at understanding and supporting local government performance across England. The Office for Local Government (OFLOG) is an office of the Department for Levelling Up, Housing and Communities (DLUHC). Oflog seeks to provide greater transparency and accountability in local authorities' performance by collecting and analysing data in key areas. It will serve as a regulatory body, will offer guidance and support to local authorities and give recognition to Councils that perform well.

The vision for OFLOG is to provide authoritative and accessible data and analysis about the performance of local government, and to support its improvement.

The establishment of the new system will help to emphasise devolving powers and funding to communities while ensuring effective accountability. The objective is to create a framework where councillors and the public feel confident and have access to necessary information to scrutinise local decisions.



OFLOG have created a Local Authority Data Explorer Tool, which is designed to present an overview of LAs performance. Currently the data explorer covers 4 areas of performance. These are:

- Adult Social Care
- Waste management
- Adult skills
- Local authority finance

Scrutiny Committee are asked to note that 50% of the indicators initially used to assess the performance of Local Authorities relate directly to the Adults and Health Department.

In addition to the Oflog changes the government have also changed policies in relation to the statutory reporting framework for Adult social Care performance metrics. Changes in respect of the Adult Social Care Outcomes Framework (ASCOF) and new Client Level Dataset requirements.

All of these reforms represent significant change to the legislative framework that Adult Social Care works within and will also form part of the overall CQC Assurance Framework and assessment process.

### **3. KEY ISSUES**

As set out above CQC will be assessing all Local Authorities (LAs) with Adult Social Care (ASC) responsibilities on how they carry out their duties under Part 1 of the Care Act. There is a general focus on 4 overarching themes:

1. How local authorities work with people
2. How local authorities provide support
3. How local authorities ensure safety within the system
4. Leadership

The single assessment framework is based on a set of quality statements which are arranged under topic areas and describe what good care looks like using the 'we' statements which can be seen in the diagram below:

<b>Working with People:</b> assessing needs, care planning and review, direct payments, charging, supporting people to live healthier lives, prevention, wellbeing, information and advice			<b>Providing Support:</b> shaping, commissioning, workforce capacity and capability, integration and partnership working	
<b>Assessing Needs</b>	<b>Supporting people to live healthier lives</b>	<b>Equity in experiences and outcomes</b>	<b>Care provision, integration and continuity</b>	<b>Partnerships and communities</b>
We maximise the effectiveness of people's care and treatment by assessing and reviewing their health, care, wellbeing and communication needs with them.	We support people to manage their health and wellbeing so they can maximise their independence, choice and control, live healthier lives, and where possible reduce their future needs for care and support.	We actively seek out and listen to information about people who are most likely to experience inequality in experience or outcomes. We tailor the care, support and treatment in response to this	We understand the diverse health and care needs of people and local communities, so care is joined-up, flexible and supports choice and continuity.	We understand our duty to collaborate and work in partnership, so our services work seamlessly for people. We share information and learning with partners and collaborate for improvement
<b>Ensuring Safety:</b> safeguarding enquiries, reviews, Safeguarding Adults Board, safe systems, pathways and continuity of care			<b>Leadership:</b> culture, strategic planning, learning, improvement, innovation, governance, management and sustainability	
<b>Safe systems, pathways and transitions</b>		<b>Safeguarding</b>	<b>Governance</b>	<b>Learning, improvement and innovation</b>
We work with people and our partners to establish and maintain safe systems of care, in which safety is managed, monitored and assured. We ensure continuity of care, including when people move between different services.		We work with people to understand what being safe means to them and work with them as well as our partners on the best way to achieve this. We concentrate on improving people's lives while protecting their right to live in safety, free from bullying, harassment, abuse, discrimination, avoidable harm and neglect, and we make sure we share concerns quickly and appropriately.	We have clear responsibilities, roles, systems of accountability and good governance to manage and deliver good quality, sustainable care, treatment and support. We act on the best information about risk, performance and outcomes, and we share this securely with others when appropriate.	We focus on continuous learning, innovation and improvement across our organisation and the local system. We encourage creative ways of delivering equality of experience, outcome and quality of life for people. We actively contribute to safe, effective practice and research

Between April and September CQC have completed their five pilot assessment site visits at Lincolnshire, Nottingham City, Birmingham City, North Lincolnshire and Suffolk.

For each local authority in the pilot, CQC will provide a report and indicative scores for all the 4 quality statements. The Department of Health and Social Care (DHSC) has also requested an overall indicative rating be provided. CQC will publish findings on their website.

Given that the Single Assessment Framework is new for LAs, CQC are constantly evaluating their approach throughout the pilots. They will incorporate any learning into formal assessments, which will start later this year, rather than in September as previously planned. Recent updates from CQC suggest that the next 20 assessments, originally planned for September to December, had not yet been confirmed internally and were likely to be announced in October, delivering through to January. The approach to formal assessments may be subject to further government approval, as required by the Health and Care Act 2022. The aim is still to have all LAs assessed within 2 years of the framework being released on 01/04/2023.

#### 4. PROGRESS

BWD Preparation for CQC assessment has been in progress since January 2023. The department have established a small dedicated team to support co-ordination and collation of all activity across the department and the whole Council. Funding for the Quality and Assurance team was agreed from the portfolio underspend in 21/22 however the short term nature of this funding has presented challenges for the recruitment of key roles within the team. The assurance team roles are now being

considered as part of the wider restructure of the Finance and Performance function for Adult Social Care and a full structure is expected to be in place within the next 2-3 months. Despite these resourcing challenges the team continue to work with colleagues across the council to prepare for our assessment.

Once informed of our assessment date, CQC will submit a request for information to support their fieldwork activity in understanding how we deliver our ASC functions. This documentary evidence may include items such as plans, policies, procedures, reports and data.

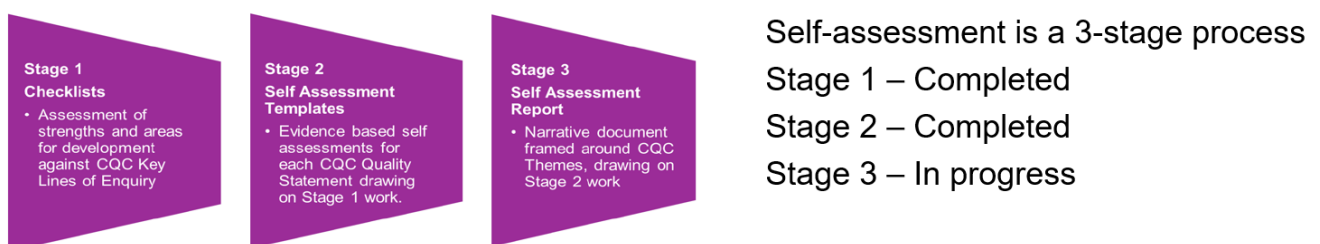
The Quality Assurance Team have been working closely with subject matter leads, under the 4 topic areas, to collate as much evidence as possible given our current knowledge, informed by ADASS recommendations and feedback from the pilot sites.

So far:

- 80% of evidence has been gathered and is proceeding through sign off and publication on Tri-x or store in evidence library
- 18% of evidence is in the process of being gathered and has a named lead/owner
- 2% of evidence represents a gap and is currently subject to discussion and risk assessment

The Quality Assurance Team meet with subject matter leads on a weekly basis to ensure traction on evidence gathering. There is also a monthly governance Group which facilitates the official sign off of evidence and highlights any risks.

It is strongly recommended that Local Authorities complete a self-assessment as part of their assurance readiness work. We have been working on completing our self-assessment using the 3-stage approach recommended by ADASS as below:



The first iteration of our self-assessment report was shared for discussion in the CQC Assurance Governance Group on 29/08/2023. From there, further amendments will be made, and a final version shared for sign off.

It has been requested that LAs share a copy of their self-assessment with North West ADASS by 29/09/2023 to inform a region-wide analysis of themes and the department is on target to meet this deadline. This Sector Level Improvement activity is welcomed and we plan to share our assessment.

## 5. POLICY IMPLICATIONS

None with this report, however policy changes required as a result of the CQC

Assurance Framework and across social care will be considered and further updates reported to Executive Board as needed.

## **6. FINANCIAL IMPLICATIONS**

There are very significant financial implications and risks associated with any CQC judgement which is not good or outstanding which cannot be quantified at this stage.

At its simplest there is a need to ensure we have adequate resources across the department to ensure we are meeting our statutory duties.

Additional resources are also required for both CQC preparedness and ongoing performance monitoring:

- Additional costs relating to the establishment of a Performance, quality assurance and business intelligence function to manage our assurance, evidence and statutory reporting requirements. The cost of this will be managed from existing resources identified from the Adults and Health budget.
- Increased resources required in other parts of the Council, for instance finance, HR, procurement, legal services.

## **7. LEGAL IMPLICATIONS**

None with this report however all future formal governance arrangements will be agreed in accordance with Social Care legislation and the Council Constitution.

## **8. RESOURCE IMPLICATIONS**

The initial resource implications are being managed within the existing Commissioning and Finance team within Adults and Health. Further resource implications are anticipated and will require further assessment to understand the full resource implications. Continued Member and Officer time and commitment are required in order to manage the CQC assurance process and any subsequent requirements following future outcome and judgement of our inspection.

**Report Version:** 1.0

**Report Author:** Zoe Evans, Head of Strategic Commissioning, Finance and Performance

**Date:** 26<sup>th</sup> September 2023