

HEALTH AND ADULT SOCIAL CARE OVERVIEW AND SCRUTINY COMMITTEE.

Monday, 9th October 2023

PRESENT – Councillors, Jacquie Slater (Chair) Whittingham, Irfan, Patel S, Humphrys and Shaw.

ALSO IN ATTENDANCE – Mark Warren, Christopher Bradley and Phil Llewellyn.

RESOLUTIONS

12 Welcome and Apologies

The Chair welcomed everyone to the meeting.

Apologies were received from Councillors Harling and Smith.

13 Minutes of the last meeting

The minutes of the meeting held on 7th August 2023 were submitted for approval.

Matters Arising: Chris Bradley advised that Claire Richardson would be providing an update on the usage of Darwen Health Centre soon, and that this would also be covered in the ICP Partnership update at the next meeting in February.

RESOLVED – That the minutes of the meeting held on 7th August 2023 were approved as a correct record and signed by the Chair.

14 Declarations of Interest

RESOLVED – There were no Declarations of Interest received.

15 Care Quality Commission – LA Regulation

Mark Warren presented a report and delivered a supporting presentation which provided 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.

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) had been inspecting registered providers of care for many years and under this policy CQC had acquired a new duty to independently review and assess how Local Authorities were delivering on their Care Act functions.

The focus of CQC inspection was on the legislative framework and how local authorities met their statutory responsibilities. The assurance and inspection process via CQC commenced on 1st April 2023. CQC planned to assess all

local authorities across the country within 2 years and ratings would be published as outstanding, good, requires improvement, or inadequate.

CQC aimed 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 received high quality care and support. The revised CQC strategy had 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

The Office for Local Government (OFLOG) is an office of the Department for sought to provide greater transparency and accountability in local authorities' performance by collecting and analysing data in key areas. It would serve as a regulatory body, offer guidance and support to local authorities and give recognition to Councils that performed well. The vision for OFLOG was to provide authoritative and accessible data and analysis about the performance of local government, and to support its improvement.

OFLOG had created a Local Authority Data Explorer Tool, designed to present an overview of LAs performance. Currently the data explorer covered 4 areas of performance:

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

50% of the indicators initially used to assess the performance of Local Authorities related directly to the Adults and Health Department.

CQC would 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 was 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

BwD Preparation for CQC assessment had been in progress since January 2023. The department had 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 had presented challenges for the recruitment of key roles within the team. The assurance team roles were 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 continued to work with colleagues across the Council to prepare for our assessment.

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 current knowledge, informed by ADASS recommendations and feedback from the pilot sites. The latest version of the Mosaic software system had also recently been purchased.

The Quality Assurance Team met with subject matter leads on a weekly basis to ensure traction on evidence gathering. There was also a monthly Governance Group which facilitated the official sign off of evidence and highlighted any risks.

The Team been working on completing our self-assessment using the 3-stage approach recommended by ADASS. The first iteration of the self-assessment report was shared for discussion in the CQC Assurance Governance Group on 29/08/2023. From there, further amendments would be made, and a final version shared for sign off. It had been requested that LAs share a copy of their self-assessment with North West ADASS to inform a region-wide analysis of themes and themes.

Within the next two weeks, the next 20 Councils to be inspected would be announced, and it was possible the Council would be within that 20 and given little notice of an inspection.

Members of the Committee asked a number of questions and received responses as summarised below:

Usefulness of Peer Review in April – Mark Warren advised that this had been indeed very helpful, and a number key elements came out of that relating to workgroups selected, the Commissioning and Care Strategy, and IT issues identified. The Peer Review Group would be returning in January to assess progress.

Budget – No specific budget had been allocated, but the Commissioning Team had been strengthened by recycled existing budget funding of £490K, with £150K of this assisting the process underway preparing for the inspection.

Interviews – Members of the Committee could be well be interviewed as part of the inspection process, with potential areas of enquiry relating to experience of using services, raising issues, and complaints would also be

looked at, as well as use of Contract Waivers. The Minutes of relevant scrutiny meetings would also be submitted to the CQC.

Why had it taken so long since 2021 to get to this point? The infrastructure was not in place until recently, and the initial five Councils were assessed between April and September, with the next tranche to be completed by January and the aim was that all LAs would be assessed within two years of the framework being released on 1st April 2023.

Gap between Assessments? This would be every two years, with light touch inspections for LAs who scored highly.

The Committee noted the progress made to date in preparation for the inspection, also noting that the local authority had a good story to tell, but there needed to be a very good evidence base to support this.

After Mark Warren had left the meeting, the Committee discussed the potential score the Council could achieve, it was hoped a reasonable score would be achieved, with continuing work on producing a sound evidence base for future inspections.

The Committee also wanted to know the role of Healthwatch in this process, with Chris Bradley agreeing to get an update for the Committee on this.

Chris Bradley also agreed to ask Mark Warren to advise the Committee of the date for inspection when known,

Finally, the Committee agreed that an update on the inspection at a future meeting was required, but not whilst any inspection and action planning was in progress in order that Officers could focus on the inspection and its outcomes.

RESOLVED - That the report be noted and Mark Warren be thanked for his attendance and honest answers to the questions presented.

16 **Date of Next Meeting**

The next meeting of the Committee would be held on Monday 5th February 2024, where the main agenda item would be:

Scrutiny of Care Homes in the Borough – Task and Finish Group to report back to the Committee to discuss findings.

Signed:

Date:

Chair of the meeting
at which the minutes were confirmed