

Report to the NHS Somerset Integrated Care Board on 25 May 2023

Title: CQC Adult Social Care Assessment Framework	Enclosure F
--	------------------------

Version Number / Status:	[1.x]
Executive Lead	Mel Lock, Director of Adult Social Care (ASC), Somerset Council
Clinical Lead:	Non-applicable
Author:	Niki Shaw, Strategic Manager (Quality & Performance), ASC

Summary and Purpose of Paper

This paper seeks to brief the ICB Board on the new regulatory approach to assessing local authorities in relation to the discharge of their duties under Part 1 of the Care Act (2014).

Recommendations and next steps

For the ICB Board:

- To note developments in relation to the new regulatory assessment framework of adult social care, related preparation activity within Somerset Council, and the associated expectations on and of key stakeholders: [Assessment framework for local authority assurance - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/assessments/assessment-framework-for-local-authority-assurance)
- To consider next steps in relation to ongoing engagement and monitoring of this activity, including how the work aligns with and/or supports the CQC's approach to ICS Assessment: [Interim guidance for assessing integrated care systems March 2023 \(cqc.org.uk\)](https://www.cqc.org.uk/assessments/interim-guidance-for-assessing-integrated-care-systems)

Impact Assessments – key issues identified

Equality	The assessment framework for Local Authority assurance includes a specific quality statement on 'Equity in experiences and outcome'. The regulator will wish to examine the extent to which the Local Authority 'actively seeks out and listens to information about people who are most likely to experience inequality in experience or outcomes, and tailor care, support and treatment in response to this'. <i>Equity in access, experience and outcomes are also key components of the CQC's assessment of Integrated Care Systems.</i>
Quality	The assessment framework is designed to enable the CQC to assess how well local authorities are performing against their duties under Part 1 of the Care Act 2014. It comprises 9 quality statements mapped across the 4 overarching focus themes. Quality statements outlined what is needed to deliver high-quality, person-centred care.
Safeguarding	The assessment framework includes as one of the 4 overarching themes a focus on how the local authority ensures safety within the system. This explores safeguarding, as well as safe systems, pathways and transitions. Assurance

	<p>will be sought as to how well we work with people to understand what being safe means to them as well as with our partners on the best way to achieve this. They will explore the extent to which 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 share concerns quickly and appropriately. The work of the statutory multi-agency Safeguarding Adults Board will inform this focus area.</p>			
Privacy	Non-applicable			
Engagement	<p>Somerset Council's Adult Social Care service has commenced a series of engagement activity with key stakeholders to ensure they are informed of the new regulatory framework and actively supported to contribute to it where necessary. The CQC will draw heavily on evidence that includes service user and carer experience, feedback from staff and leaders, and feedback from partners.</p>			
Financial / Resource	<p>Somerset Council's Adult Social Care Service has recruited a Policy and Assurance Lead to offer some additional capacity and support in helping prepare for assessment. No additional funding has been made available.</p> <p>There are potential financial implications that would emerge from the Local Authority or ICS failing to achieve a good outcome following assessment, or requiring more formalised intervention.</p>			
Governance or Legal	<p>The Health and Care Act 2022 gave the Care Quality Commission new powers that allows them to provide a meaningful and independent assessment of care at a local authority and integrated care system level, starting April 2023. https://www.legislation.gov.uk/ukpga/2022/31/contents/enacted</p> <p>Local Authorities will be assessed in relation to how well they meet their statutory duties under the Care Act 2014: https://www.legislation.gov.uk/ukpga/2014/23/part/1</p>			
Sustainability	Non-applicable			
Risk Description	Somerset Council's Adult Social Care service fails to secure a positive assessment outcome by the Care Quality Commission as part of the new LA Assessment Framework launching April 2023			
Risk Rating	Consequence	Likelihood	RAG Rating	GBAF Ref
	Reputational damage to service, Council, health and care system; Increased scrutiny and demands on service; Potential for Secretary of State to intervene under statute; Financial and workforce impacts	Feasible		AANDH0037 (JCAD)

CQC Adult Social Care Assessment Framework

25 May 2023

CQC Adult Social Care Assessment Framework

CONTENTS

	Page
1 INTRODUCTION	1
2 A BRIEF INTRODUCTION TO ADULT SOCIAL CARE	1
3 ROLL OUT OF CQC ASSESSMENT PROGRAMME (2023/24)	3
4 LOCAL PREPARATION ACTIVITY	4
5 THE ROLE OF THE INTEGRATED CARE BOARD	5

CQC Adult Social Care Assessment Framework

1 INTRODUCTION

1.1 The Health and Care Act 2022 gave the Care Quality Commission (CQC) new powers to provide a meaningful and independent assessment of care at a local authority (LA) level. These commenced from April 2023. Together with assessments of Integrated Care Systems, these are intended to support greater understanding of the quality of care in a local area/system and provide independent assurance to the public.

1.2 Assessments will focus on how LAs discharge their duties under Part 1 of the Care Act (2014), and will 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.

1.3 On 28 February 2023, the CQC published their interim Local Authority Assessment guidance, which has been approved by the Secretary of State for Health and Social Care. The guidance clarifies:

- Themes and quality statements
- Evidence categories
- How they will assess LAs
- Reporting and sharing information, and
- Intervention and escalation.

1.4 For each quality statement, the CQC will assess the required evidence and assign a score. The scoring framework to support decisions is:

- 1 = significant shortfalls in the standard of care
- 2 = some shortfalls in the standard of care
- 3 = a good standard of care
- 4 = an exceptional standard of care

2 AN INTRODUCTION TO ADULT SOCIAL CARE

2.1 The scale of social care and support is vast, affecting the lives of over 10 million adults of all ages in England. People draw on care and support in different ways and at different stages of their life; some people will require long-term support throughout their life whilst for others care needs may develop suddenly or gradually. Some people may only use social care for a short period (for example after a hospital stay).

- 2.2 Social care affects adults of all ages – including young people moving into adulthood and those of working age – with a diverse range of needs (including autistic people, people with a learning disability or physical disability, people with mental health conditions, people with dementia etc).
- 2.3 Care and support covers a wide range of activities to promote people’s wellbeing and support them to live independently, staying well and safe. It can include ‘personal care’ as well as wider personalised support to enable people to stay engaged in their communities and live their lives in the way they want.
- 2.4 Somerset Council’s adult social care service is made up of two key functions: an operational service (made up of frontline social care teams) and a commissioning and quality service which helps shape and oversee our care provision and performance.

2.5 **Somerset: Adult Social Care in numbers (2022/23):**

- We received an average 5,830 contacts per month via our call centre (Somerset Direct) for care and support related advice or activity. The overall resolution rate at first point of contact was 63.7%.
- We had over 6,897 open clients in receipt of a Local Authority Adult Social Care service.
- Our teams completed over 8,000 assessments and 6,250 reviews of individuals care and support needs.
- We undertook 738 Safeguarding Enquiries, reducing or removing the identified risk in 92% of cases.
- We supported over 90% of individuals aged 65 and over to be discharged back home from hospital each month (92.7%)
- We sourced 21,511 hours of home care for people assessed as requiring care and support at home
- We received 216 independent submissions of stakeholder feedback, of which 179 (83%) rated the overall service received by our staff as ‘Good’ or ‘Excellent’.
- 83.9% of Somerset’s active (independent) residential care settings and 86.7% of active community-based adult social care settings were rated ‘Good’ or better by the Care Quality Commission as of end of March 2023.

2.6 As outlined within our [2023-26 Adult Social Care Strategy](#), our vision is 'for people to live healthy and independent lives, supported by thriving and connected communities, with timely and easy access to high-quality and efficient support when they need it'.

2.7 Our key statutory duties under The Care Act 2014 include:

- The provision of social care: *assessment of individuals' and carers' needs, provision of detailed care and support plans; duty to meet the needs of someone assessed as eligible for care and support; financial assessments*
- Provision of preventative services and information/advice: *reducing, preventing, delaying the need for care and support*
- Promotion of individual wellbeing
- Promotion of integration between health and social care services including integrated commissioning
- Safeguarding adults at risk and multi-agency Safeguarding Adults Boards
- Market shaping: quality, choice, sufficiency of provision; provider failure contingency.

3. ROLL OUT OF CQC ASSESSMENT PROGRAMME

3.1 **APRIL – SEPTEMBER 2023:** The CQC will start to review available data and published documentary evidence across *all* Local Authorities, focusing initially on themes in relation to the following quality statements:

- Assessing needs (within Theme 1)
- Care provision, integration and continuity (within Theme 2)

They will also look at themes and insight on access, commissioning, market shaping, workforce, and personalisation.

For these initial assessments, the CQC will start by assessing evidence that they **have** already, followed by evidence they need to **request** from us, and finally evidence they need to actively **collect**.

They will not publish data and evidence at individual LA level but instead use their findings to inform a collection of national level evidence. This will help them in developing judgements for individual authorities and provide valuable context and an opportunity to benchmark data.

Additionally, the CQC intends to commence a limited number of pilot assessments within (volunteer) LAs from April 2023 (covering up to 5 nationally through to September 2023). Due to local government reorganisation locally, Somerset Council has not volunteered, but is

exploring a Local Government Association Peer Review during Quarter 4, 2023/24, to support local readiness and assurance.

- 3.2 **SEPTEMBER – DECEMBER 2023:** Assessing local authorities is a new duty for the CQC. Before they move to ongoing assessments, they intend to complete an initial formal assessment for all LAs to establish a starting point position.

They aim to commence formal assessments in September 2023, and to carry out up to 20 between September and December. They will work with the LAs in question and others on the best way to publish findings from these pilots.

- 3.3 **EARLY 2024 ONWARDS:** The CQC will continue to carry out further formal assessments from 2024 and report on their findings.

The Government has also asked the CQC to publish individual ratings of LAs following the pilots and assessments. They will work with LAs and the Department for Health and Social Care to inform how findings and ratings will be published.

4. LOCAL PREPARATION ACTIVITY

- 4.1 Strategic Theme 'leads' have been identified within the ASC service for each strand to progress preparation (Director-level and Principal Social Worker). The leads are working closely with the policy, performance and assurance team in developing and maintaining a local self-assessment, evidence / document library and dataset associated with latest known assurance requirements. An annual report for 2022/23 is soon to be published which will support self-assessment activity.

- 4.2 We are also actively engaging and consulting with key partners and stakeholders (such as the ICB, the Safeguarding Adults Board, Registered Care Providers Association and Council's own leadership team and elected members) as well as with our internal workforce to support them in understanding the focus of assessment and how they can best contribute to and prepare for it.

- 4.3 Local self-evaluations are expected to generate an associated medium-term improvement plan. This will align to our Adult Social Care Strategy ambitions and delivery plan.

- 4.4 Somerset has been 'buddied up' with Devon and Gloucestershire as part of regional sector-led improvement work led by the South West Association of Directors of Adult Social Services. Directors have met to share their local story/context and assurance leads are meeting routinely to support, challenge and learn from each. All three authorities are also inviting Local Government Association Peer Reviews during 2023/24 to support preparation for inspection.

5 THE ROLE OF THE INTEGRATED CARE BOARD

- 5.1 The ICB Governing Body/Committee is asked to:
- To note developments in relation to the new regulatory assessment framework of adult social care, related preparation activity within Somerset Council, and the associated expectations on and of key stakeholders: [Assessment framework for local authority assurance - Care Quality Commission \(cqc.org.uk\)](#)
 - To consider next steps in relation to ongoing engagement and monitoring of this activity, including how the work aligns with and/or supports the CQC's approach to ICS Assessment: [Interim guidance for assessing integrated care systems March 2023 \(cqc.org.uk\)](#)
- 5.2 Within the assessment framework for LA Assurance, references are repeatedly made to CQC intentions to seek feedback from integrated care partnerships/the ICS as a key partner supporting effective adult social care delivery.
- 5.3 We are keen to understand and gather feedback both proactively as we prepare for assessment in relation to the performance and contribution of Adult Social Care to the wider system, and to enable your direct contributions as and when required by the regulator.
- 5.4 Additionally, we are conscious of some of the areas of overlap and focus within the CQC's approach to ICS Assessment. It would be helpful to understand how we can work in partnership in preparation for both assessments and share intelligence, evidence or plans accordingly.
- 5.5 It would be useful to confirm how the ICB wishes to maintain oversight of progress and preparation in relation to both assessments in future.

CLOSE