

People Scrutiny Commission

27th September 2023



Report of: Hugh Evans, Executive Director, Adults and Communities

Title: **New Assurance Framework for Adult Social Care**

Officer Presenting Report: Mette Le Jakobsen, Director Adult Social Care

Recommendation:

For the People Scrutiny Commission to note the update provided on the new Adult Social Care Assurance framework, including the preparatory work underway.

The significant issues in the report are:

The new Adult Social Care Assurance Framework came into effect in April 2023. Bristol City Council awaits notification of a date for assessment by the Care Quality Commission.

Preparatory work is underway including the development of a self-assessment statement, a continuous improvement plan and inspection readiness planning.



1. Summary

This report provides an introduction to the new assurance framework for adult social care and sets out the work underway to prepare for assessment.

2. Context

- 2.1 The Health and Care Act (2022) gave the Care Quality Commission (CQC) new regulatory powers to undertake independent assessment of local authorities' delivery of regulated care functions set out in Part 1 of the Care Act (2014). The new powers took effect from 1 April 2023. The act also introduced a requirement for the CQC to assess integrated care systems (ICSs), though development of the assurance framework for ICSs has been slower and implementation has been delayed to April 2024.
- 2.2 The CQC's new Single Assessment Framework provides the framework for the assessment of providers, local authorities and integrated care systems. The [assessment framework for local authority assurance](#) was published in March 2023 and comprises nine quality statements mapped across four overall themes:

Theme 1: Working with people	Theme 2: Providing support	Theme 3: Ensuring safety	Theme 4: Leadership
<ul style="list-style-type: none"> •Assessing needs •Supporting people to live healthier lives •Equity in experiences and outcomes 	<ul style="list-style-type: none"> •Care provision, integration and continuity •Partnerships and communities 	<ul style="list-style-type: none"> •Safe systems, pathways and transitions •Safeguarding 	<ul style="list-style-type: none"> •Governance, management and sustainability •Learning, improvement and innovation

Appendix A sets out the relevant 'I Statements' for each Quality Statement.

- 2.3 The CQC is carrying out five volunteer pilot inspections between April and September 2023 (Birmingham City Council, Lincolnshire County Council, North Lincolnshire Council, Nottingham City Council, Suffolk County Council). The final pilot finished in early September and we understand that the CQC is currently preparing a report on the pilots; it is intended that learning from the pilots will inform the final assessment process. The first inspections are expected to start in December or January with a nine-week lead-in period, which means that the first local authorities should receive notifications from early October.
- 2.4 The criteria that the CQC will use in determining when to inspect are as yet unknown, as is any information about when Bristol City Council ASC will be inspected. Inspection schedules have not yet been issued. The CQC has advised that its officers are currently considering how local authorities will be selected for assessment and will publish more information on this prior to formal assessments starting. There have been informal indications that priority may be given to those local authority areas where there are concerns over discharge pathways and performance.
- 2.5 For the pilots, the CQC will provide a report and indicative scores for all the quality statements. The Department of Health and Social Care (DHSC) has also requested that the CQC provides an overall indicative rating to each authority: Outstanding; Good; Requires Improvement; Inadequate.

The Association of Directors of Adult Social Services (ADASS) has raised concerns about this, indicating that one-word ratings would not properly reflect the broad range of responsibilities within adult social care.

- 2.6 In August 2023, the DHSC published the [Operational framework for adult social care intervention in local authorities](#), setting out the DHSC’s approach to enhanced monitoring and support, and statutory intervention in adult social care. The framework states that the priority will be to support authorities to lead their own improvement wherever possible but, where there are serious and persistent failures, the DHSC will offer ‘enhanced support and monitoring’, asking the authority to produce and implement an improvement plan. Where the authority demonstrates improvement, this support may be withdrawn or tapered off. If an authority cannot tackle sustained problems, the Secretary of State can use new intervention powers introduced through the Health and Care Act (2022), which commenced in April 2023. The DHSC expects these powers to be used in the most serious cases (e.g. where there is a serious and persistent risk to people’s safety) and when other forms of support have proven insufficient to drive improvement. Unlike interventions in children’s social services, there is no power to set up independent trusts.

3. Preparation for ASC Assurance

- 3.1 An Assurance Working Group chaired by the Director of Adult Social Care provides governance and oversight of preparation work.
- 3.2 Bristol’s self-assessment is presently being developed in accordance with guidance from the Local Government Association (LGA) and Association of Directors of Adult Social Services (ADASS). This will require a self-aware, honest and transparent judgement of the council’s staff and services, including how well statutory duties under Part 1 of the Care Act (2014) are being met. Views of partners and staff as well as people who draw on care and support must be included. Development of each self-assessment theme is led by a senior officer and additional resources have been secured to ensure that our self-assessment progresses at pace.
- 3.3 The self-assessment must be supported by evidence, and an evidence library is being collated to do this, mindful of the LGA/ADASS advice:

“what is asserted without evidence can be dismissed without evidence”

The assessment framework includes an extensive list of evidence requirements across five evidence categories: people, staff/leaders, partners, processes, outcomes. All categories will be weighted equally. At an early stage, it was identified that the voice of people with experience of drawing on care and support is not systematically and routinely sought, and Healthwatch Bristol was commissioned to carry out focussed work to explore people’s experiences of adult care and support services, with publication of the resulting [report](#) in July.

- 3.4 Key issues and themes arising in the development of our self-assessment are:

- We have a strong commitment to person-centred approaches to adult social care.
- We are taking positive steps to develop relationships that enable meaningful co-production.
- We will develop our operating model to:
 - Prioritise early intervention and strength-based assessment
 - Counter financial and operational challenges and increased demand

- We actively embrace our role as system leaders driving further integration and better use of resources.
- We are addressing workforce recruitment and retention challenges as a matter of urgency.

3.5 Areas for improvement or gaps identified through development of the self-assessment will be included in the Continuous Improvement Plan.

3.6 Inspection readiness planning is underway, applying learning from Ofsted inspections.

3.7 We are working closely with South West ADASS to prepare, including being part of a peer buddy group with Plymouth and Swindon Councils. The lead officers for assurance in each of the Bristol, North Somerset and South Gloucestershire (BNSSG) local authorities meet monthly to share information, learning and details of preparation activity and this group has recently been extended to include lead officers from the BNSSG Integrated Care Board.

3.8 An LGA Adult Social Care Preparation for Assurance Peer Challenge is scheduled for week of 11th December. This will be a constructive and supportive process to assist us in our preparations for inspection.

4. Policy

Adults Social Care services play a critical role in delivering Corporate Strategy commitments under the Health, Care and Wellbeing theme, particularly in relation to:

- Transforming Care
- Mental Health and Wellbeing
- Disability

5. Consultation

a) Internal

Relevant senior managers

b) External

Not applicable

6. Public Sector Equality Duties

6a) Before making a decision, section 149 Equality Act 2010 requires that each decision-maker considers the need to promote equality for persons with the following “protected characteristics”: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, sexual orientation. Each decision-maker must, therefore, have due regard to the need to:

- Eliminate discrimination, harassment, victimisation and any other conduct prohibited under the Equality Act 2010.
- Advance equality of opportunity between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular,

to the need to --

- remove or minimise disadvantage suffered by persons who share a relevant protected characteristic;
 - take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of people who do not share it (in relation to disabled people, this includes, in particular, steps to take account of disabled persons' disabilities);
 - encourage persons who share a protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.
- iii) Foster good relations between persons who share a relevant protected characteristic and those who do not share it. This involves having due regard, in particular, to the need to –
- tackle prejudice; and
 - promote understanding.

6b) This report is for information only.

Appendices:

Appendix A - New Assurance Framework for Adult Social Care: Themes, Quality Statements and I Statements

LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985

Background Papers:

None