

Title of meeting:	Cabinet Meeting
Date of meeting:	5 March 2024
Subject:	Adult Social Care – Self-assessment preparing for inspection
Report by:	Andy Biddle, Director of Adult Social Services
Cabinet Member:	Councillor Matthew Winnington, Community Wellbeing, Health & Care
Wards affected:	All
Key decision:	No
Full Council decision:	No

1. Purpose of report

The purpose of the report is to outline the new regulatory process for Adult Social Care, (ASC) share the self-assessment as part of this process, set out what has informed the assessment and highlight key elements.

The self-assessment has been prepared to support a single understanding of how well the Council is meeting its statutory duties and responsibilities under Part 1 of the Care Act 2014¹, aligned to the regulatory assessment framework for local authority assurance.

2. Recommendations

Cabinet to:

- a. Note the report and self-assessment.
- b. Request the Director of Adult Social Care to develop an improvement plan for 2024/25 to address the identified areas for development in the self-assessment.
- c. Request the Director of Adult Social Care to attend Cabinet with the improvement plan for note and feedback by the end of June 2024.
- d. Refer the self-assessment to the Health Overview & Scrutiny Panel for scrutiny.

¹ <https://www.legislation.gov.uk/ukpga/2014/23/part/1>

3. **Background**

The Health and Care Act 2022² gave the Care Quality Commission (CQC), the independent regulator of health and social care in England, a new responsibility to independently assess care in a local area; this responsibility applies to assessments of Integrated Care Systems (ICSs) and Local Authorities, (LA).

On 8 December 2023, government approval was given to publish the Local Authority assessment guidance, this included the framework CQC will use to assess how well Local Authorities are performing against their duties under Part 1 of the Care Act 2014, and signalled the start of formal assessment. Local Authorities' adult social care responsibilities have not been subject to formal assessment for over 14 years.

All 153 Councils with Adult Social Services Responsibilities (CASSRs) will be inspected over the 24 months starting December 2023, to date 10 councils have been contacted by CQC signalling the start of their assessment. Following contact, councils will have a week to provide details of key local contacts, then a further three weeks to provide information under 40 headings set out in the Information Return (IR) and will also have the opportunity to submit their self-assessment. There is no prescribed format for the self-assessment, and it is not a mandated requirement, however if one is not submitted CQC may need to request more information and spend more time undertaking the assessment to understand the council's performance in adult social care.

The structure of the Portsmouth ASC self-assessment is set out to respond to the nine quality statements detailed under the four themes of the regulatory framework:

- Working with People
- Providing Support
- How the local authority ensures safety in the system
- Leadership

Each of these will be assessed against four categories of evidence:

- People's Experience
- Feedback from staff and leaders
- Processes; and
- Feedback from Partners

Ahead of formal assessment CQC will write to the Council and request the Information Return and self-assessment, which will signal the commencement of assessment. The assessment will take place within nine weeks to six months of the notification. CQC will review the information, six customer journeys and spend two days meeting with key council roles (including the DASS and Chief Executive), frontline workers, partners, carers and customers. CQC will review the evidence against the evidence category for each quality statement, score each of these evidence categories and combine the evidence category scores to

² <https://www.legislation.gov.uk/ukpga/2022/31/contents/enacted>

give a score to the related quality statement. The resulting nine quality statements scores will then be combined to arrive at an overall score and a rating. Overall ratings will be Inadequate, Requires Improvement, Good or Outstanding. Following a factual accuracy check by the council, CQC will publish a report and rating on their public facing website (similar to the familiar Ofsted process that regulates Children's Services).

The purpose of the self-assessment is to demonstrate that Portsmouth ASC knows the areas of practice where the service is strong and understands the areas of practice where the service needs to develop.

Approach to the self-assessment

The drafting of the self-assessment during 2023, has involved different groups of people and different elements.

Staff

Over the last year we have engaged with staff across the Directorate by keeping all informed of the evolving CQC framework through monthly ASC newsletters and ASC All Staff Live Webinars. In addition, a monthly (workshop style) All Managers Meeting has taken place to co-produce our approach to self-assessment and collectively take responsibility for gathering evidence and developing case studies in recognition that this will be an inspection of what 'we' do.

The information, case studies, observations, processes, and evidence provided by staff have been collated and used to support a review of our performance against the framework.

Formal Stakeholders

How we work with care providers, the voluntary sector and statutory partners is important, as is their view of ASC in Portsmouth. In October 2023 ASC hosted an event³ with formal stakeholders and partners to hear how well they understood the service, our strategies, and priorities; and how well aligned the respective organisations are to one another. The learning from this has been included in the self-assessment, for example considering how we can support partners 'having a place at the strategic table' and celebrating that we are 'talking the same language'.

People with lived experience

Feedback from people with lived experience was a critical part of knowing ourselves and is a core category of evidence for CQC. With support from the Community Engagement Team feedback was gathered from over 200 people living in Portsmouth in November 2023⁴ and through a postal survey led by ASC. We have included that people know where to go for information advice and who they need to contact about their care, and as an area for improvement

³ Appendix 1 for copy of ASC Assurance Stakeholder Feedback Report 2023

⁴ Appendix 2 for Adult Social Care Self-Assessment Feedback Report



we are developing our approach to strength based practice which includes a review of how we record and present detail relating to an individual's support and their personal budget.

The feedback summary includes a response from one person who shared their experience of finding it hard to know who to talk to when accessing social care, with commissioned care providers having little accountability for problems, and they felt that communications between care providers, customers and social services could be improved. Although this is feedback from one individual, with ASC supporting over 2000 people, this feedback important. We plan to undertake a 'mystery shopper' exercise to better understand the experience of people contacting ASC and share the feedback on communication with staff and care providers. Care providers are held to account through contract management and safeguarding and supported to improve quality when this is needed; where issues, or complaints are raised these are investigated under the appropriate framework.

Peer review

In addition to work with stakeholders, the Local Government Association (Partners in Care and Health) facilitated a review of the leadership of ASC in October 2023. This exercise reviewed senior management capacity in key areas aligned to our Care Act duties including commissioning and hospital discharge. Consequently, the Directorate has formed an action plan and secured temporary resource to lead areas reflected in the self-assessment.

Performance

The number of people waiting for assessments, services or reviews has been an area of focus for the Directorate, and is relevant to the assessment framework, reviewed monthly as part of our governance arrangements. Over the last year due to dedicated efforts of teams these have been reduced and are managed taking account of risk and priority.

Successes

There is much to be celebrated in ASC including the positive quality of life indicator reported through the Adults Social Care Survey, the work being taken forward by the transition lead to support a seamless move from Children's Services to Adults, Carers Service and Room One.

We have developed trusted relationships with care providers, which recently included working together to support to inform the Department of Health and Social Care on the shape of future data collections from providers.

Challenges

Known challenges that are highlighted in the self-assessment and are being further highlighted in pulling together the Information Return are gaps in written policy and process. Over a number of years, as the council and the Directorate has focussed available funds to protect front line services and meet growing

demand, resource crucial to business infrastructure such as policy and practice development posts have not been funded. Consequently, there are gaps in written policy and process, some of which are detailed under the information return.

During 2023 funding was agreed by the Council to secure analyst resource, this has given ASC capacity and the capability to extract and analyse data to support the Directorate to understand its business, manage and drive performance and see the impact of change. We are also leading a project to create a 'data warehouse', supported by corporate IT, with the aim of simplifying data reporting, however we are not as advanced as we would want to be at a time of new regulation.

Preparing for inspection

The LGA's Partners in Care and Health have an offer to support staff to prepare for assurance. Portsmouth have requested this support and are likely to be invited to scope the work in late March 2024 with 2 days on site work in mid-April 2024.

4. Reasons for recommendations

The recommendations are being made to:

- i. support openness and transparency in the approach
- ii. be transparent and accountable for the areas of development and for the delivery of any improvements.
- iii. ensure Cabinet are appraised of progress with ASC assurance and aware of any risk.

5. Integrated impact assessment

The self-assessment responds to new legislation and regulation to inspect adult services under Part 1 of the Care Act, with relevant impact assessments being undertaken by the regulator.

6. Legal implications

Legal implications would be as a consequence of being scored 1 for any of the Quality Statements by CQC. This would result in CQC referring this fact and evidence to the Secretary of State, who would then exercise judgement over the level of intervention, under the [Intervention Framework⁵](#) published by the Department for Health & Social Care in 2023..

7. Director of Finance's comments

The Council is not committing to expenditure above its current budget through this report. It is of note that where Local Authorities have had a low inspection rating, the costs associated with this rating and improving the rating are

⁵ <https://www.gov.uk/government/publications/adult-social-care-intervention-framework-for-local-authorities>



significant. If the implementation of the improvement plan requires financial resource this will be managed through established governance processes.

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Signed by:

Appendices:

- 1.ASC Assurance Stakeholder Feedback Report 2023
- 2.Adult Social Care Self-Assessment Feedback Report
- 3.ASC Self-Assessment 2024

Background list of documents: Section 100D of the Local Government Act 1972

The following documents disclose facts or matters, which have been relied upon to a material extent by the author in preparing this report:

Title of document	Location

The recommendation(s) set out above were approved/ approved as amended/ deferred/ rejected by on

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Signed by: