

Committee Name and Date of Committee Meeting

Health Select Commission – 25 July 2024

Report Title

Adult Social Care Preparation for Assurance Peer Challenge Report

Is this a Key Decision and has it been included on the Forward Plan?

No

Strategic Director Approving Submission of the Report

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Ward(s) Affected

Borough-Wide

Report Summary

Rotherham Council's Adult Social Care (ASC) Service commissioned the Local Government Association (LGA) to carry out a Peer Review in December 2023. This report details the findings from the LGA Peer Review Team and provides assurance on the recommendations being implemented to improve the delivery of adult social care for people in Rotherham.

Recommendations

That the Health Select Commission:

1. Note the findings of the Peer Review of Adult Social Care and the subsequent improvement programme.

List of Appendices Included

Appendix 1 Peer Challenge Report

Appendix 2 Peer Review CQC Work Programme

Appendix 3 Internal Audit LGA report

Appendix 4 Rotherham feedback presentation

Background Papers

Care Quality Commission (CQC) assessment framework for Local Authorities [Local authority assessments - Care Quality Commission \(cqc.org.uk\)](https://www.cqc.org.uk/local-authority-assessments)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

No

Council Approval Required

No

Exempt from the Press and Public

No

1. Background

1.1 From April 2023, 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 as set out in Part 1 of the Care Act 2014. Local authorities will be assessed against four domains:

- i.) Working with people
- ii.) Proving support
- iii.) How the local authority ensures safety
- iv.) Leadership

1.2 The CQC Assessment Framework focuses on:

- Delivering and commissioning high-quality services which enables individuals to achieve their outcomes and live their best life
- Working effectively with partners in an integrated way
- Making a positive impact on the lives of people with care and support needs and their carers
- Delivering services which are compliant with legislation.

1.3 Each local authority receives a rating of their assurance ranging from inadequate, through to requires improvement, good or outstanding. The CQC has committed to inspecting all 152 Local Authorities by December 2025. The inspection outcome reports are published online via the CQC website.

1.4 It is critical that the Council are adequately prepared for CQC assurance. Adult Social Care commissioned the Local Government Association (LGA) to carry out a Peer Review to gain insights into its areas of strengths and identify areas for improvement with a focus on preparing for assurance.

2. Key Issues

2.1 The LGA Adult Social Care Peer Review took place from 5 – 7 December 2023. The Peer Review identified (Appendix 4):

- The service's feedback communication loop could be strengthened. This was a repeated theme with staff, residents and providers.
- There should be active steps taken to ensure that community team Deprivation of Liberty Safeguards assessments (DoLS) are visible and subject to the Association of Directors of Adult Social Services (ADASS) risk triage tool.
- Carers should be consistently offered the opportunity for a carers assessment.

- There are clear market position statements presenting clarity in relation to capacity and demand. This is extremely helpful for the short to medium term. However, future position statements should be embedded within Joint Commissioning Strategies. These should also be supported by clear financial planning frameworks, covering 5–10 years and incorporate plans for the use of available housing stock in the Council to overcome homeless pressures and resolve temporary accommodation issues.
- Joint working across the system to maximise Better Care Fund (BCF) resource should continue with ongoing review of schemes to maximise value to the system and embed a business-as-usual approach to demonstrate beneficial resident outcomes.

2.2 The Peer Review positively identified that (Appendix 4):

- Our preventative offer includes a range of services such as Rothercare, micro enterprises and the complex lives team, with information, advice and guidance being clear and intuitive.
- A robust process for equality impact assessment exists.
- There is a focus on robustly managing any waiting lists for assessments.
- A case file audit process is in place to assure practice standards.
- Rotherham has a strong advocacy service to offer.
- Decisions are public health led and supported by data.
- The brokerage services which commissions packages of care is strong.
- Quality assurance and contract management processes are in place and robust.
- There are Market Position Statements in place that are being used to inform decision making.
- There are good support networks for providers in Rotherham such as the provider forum.
- The CQC rating of local providers shows that 85% are rated good.
- Partnerships working and relationships with housing are strong.
- In-house provision such as crisis is innovative.
- Partnerships and collaborative working with strategic partners in the Integrated Care Board (ICB) and Place Board are strong and clear partnership governance exists.
- Rotherham Safeguarding Adults Board (RSAB) are actively working on improvements (resulting from a peer review in 2023) and engaging with partners.
- There is robust multi-agency risk management system around Community Multi Agency Risk Assessment Conference (CMARAC)

and Vulnerable Adults Risk Management (VARM) since the Safeguarding Adults Board peer review.

- There is a focus on section 42 safeguarding enquiries and the associated action plan.
- Making safeguarding personal is embedded in practice.
- There is strong political leadership which is supportive of adult social care.
- The scrutiny board has an inclusive and collegiate approach which adds value to the system.
- There is a performance focus and good performance insights.
- Learning from complaints is in place and used to inform service improvements.
- A strong continued professional development (CPD) offer is in place, supported by a workforce training and development programme for the workforce.
- A strong partnership exists with the South Yorkshire Teaching Partnership.
- Career progression is possible for all parts of the workforce i.e. for social workers to become advanced practitioners.
- The Principal Social Worker (PSW) is knowledgeable and has strong leadership skills.
- There is a reverse mentoring programme.

2.3 The LGA also identified several ‘top tips’ for the service to consider as part of its preparations for assurance. These were:

- Appoint an adult social care regulatory lead.
- Regular political briefings.
- Secure corporate support and buy-in.
- Maximise the Council’s adult social care business intelligence capacity to inform self-assessment.
- Get health partners and integrated services leadership on board.
- Compare and learn from children’s inspections.
- Gather insights from partners and providers.
- Be clear on approaches to co-production and responding to diverse needs.
- Encourage organisational self-awareness.

2.4 Adult Social Care subsequently developed a work programme to celebrate its areas of strength and to ensure the insights from the Peer Review could be harnessed to improve service delivery (Appendix 2).

2.5 The work programme is themed in line with the CQC Framework:

- **Working with People**

This theme includes nine recommendations covering areas such as feedback mechanisms with residents, timeliness and take up of assessments across areas such as Preparing for Adulthood and Carers, clear and effective pathways, the use of Direct Payments and wait times for packages of care.

- **Providing Support**

This theme includes five recommendations covering areas such as strategic commissioning, informing future planning, financial planning including the use of Care Cubed as a tool to ensure fair and competitive prices of care (this tool takes metrics that allow us to compare prices for care packages to gauge what is fair then make informed choices around finances) and building on relationships with the voluntary and community sector.

- **Ensuring Safety**

This theme includes two recommendations around stronger links with Children and Young People's Services (CYPS) to strengthen joint working between service areas, adopting a 'Whole Family' Approach and work on community Deprivation of Liberty Safeguards (DoLS) in terms of prioritisation and risk-triaging.

- **Leadership**

This theme includes seven recommendations relating to caseload management tools, capturing the voice of the resident to help shape services, an audit cycle to embed quality assurance and an approach to supervision audits to ensure these are timely and purposeful.

Recommendations are also included for communicating with the workforce and consideration of the level of corporate support for Adult Social Care.

2.6 Adult Social Care worked with Partners in Care and Health (PCH) during January 2024, to deliver a workforce event. This enabled staff to have the time and space to explore possible questions that CQC may pose, reflect on best practice and discuss any areas that they felt necessary in preparation for assessment. It also allowed feedback from facilitators in terms of strength and considerations and allowed us to identify any themes emerging between these sessions and what the peer review identified. This has further strengthened Adult Social Care's preparations for assurance.

2.7 The work programme is regularly reviewed and assured through the Adult Social Care Regulatory Assurance Board which meets on a monthly basis.

2.8 A review of the work programme and its delivery was conducted by the Council's Internal Audit Service in June 2024. The audit concluded that 'substantial assurance' had been provided to evidence progress in delivering the recommendations from the Peer Review (Appendix 3).

3. Options considered and recommended proposal

3.1 Health Select Commission note the outcome of the ASC Peer Review.

3.2 Health Select Commission offer any further recommendations for addressing the areas for improvement within the work programme.

4. Consultation on proposal

4.1 The Peer Review consisted of more than 35 meetings with 143 different members of staff, Councillors, partners and people with lived experience.

5. Timetable and Accountability for Implementing this Decision

Action	Timeline
Work programme developed.	February 2024
Internal audit of progress to deliver the recommendations.	June 2024
Delivery of the work programme.	December 2024
ADASS Peer Review to review progress.	January 2025

6. Financial and Procurement Advice and Implications

6.1 There are no immediate financial implications from this report.

7. Legal Advice and Implications

7.1 The LGA Peer Review has been undertaken in preparation for a CQC assessment under The Health and Care Act 2022, to identify areas where the council demonstrates robust performance and areas where services can be strengthened. Aware of the forthcoming inspection, this approach to preparation for that assessment is appropriate.

As such, there are no direct legal implications to this report.

8. Human Resources Advice and Implications

8.1 There are no HR implications associated with this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 The Peer Review was inclusive of young people preparing for adulthood, to ensure that all young people:

- Grow up prepared for the future.
- Have improved health and wellbeing.
- Are able to exercise control over the support they receive.
- Are able to receive support locally from a range of services that everyone values.
- Have an opportunity to have their own 'front door'.
- Can access the right support in the right place, based on where the young person lives.

10. Equalities and Human Rights Advice and Implications

10.1 The proposals in this report support the Council to comply with legal obligations encompassed in the:

- Human Rights Act (1998), to treat everyone equally with fairness dignity and respect with a focus on those who are disadvantaged as a result of disability and;
- Equality Act (2010) to legally protect people from discrimination in the wider society.

10.2 All developments identified within the work programme will be subject to a full and detailed Equality Impact Analysis where required.

11. Implications for CO₂ Emissions and Climate Change

11.1 There are no implications for CO₂ emissions or climate change directly arising from this report.

12. Implications for Partners

12.1 All relevant partners and key stakeholders including health, voluntary sector and other internal council departments, are actively engaged in delivery of the work programme for Adult Social Care and ensuring the service is prepared for CQC assurance.

13. Risks and Mitigation

- 13.1 There are associated risks with non-delivery of the work programme following the peer review, primarily related to the future CQC assurance of adult social care and its outcome rating.
- 13.2 To mitigate these risks, the service has adopted robust governance arrangements to drive forward and implement the improvements from the Peer Review via the Adult Social Care Regulatory Assurance Board.

Accountable Officer(s)

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This report is published on the Council's [website](#).