



**ADULTS AND COMMUNITIES OVERVIEW AND SCRUTINY COMMITTEE**  
**6 MARCH 2023**

**ADULT SOCIAL CARE ASSURANCE SELF-ASSESSMENT**

**REPORT OF THE DIRECTOR OF ADULTS AND COMMUNITIES**

**Purpose of the report**

1. The purpose of this report is to seek the Committee's views on the Council's draft Self-Assessment, which is being developed in preparation for inspection by the Care Quality Commission (CQC) under the new assurance process introduced through the Health and Care Act 2022. The draft Self-Assessment is attached as Appendix A to this report.
2. It is proposed that the Committee will receive updates on the Self-Assessment and Improvement Plan every six months.

**Policy Framework and Previous Decisions**

3. The Committee has received regular updates on the CQC assurance process during 2022, as part of broader reports on the Social Care Reform Programme (on 7 November, 5 September, 6 June, and 24 January).
4. The Committee also reviewed and commented on the draft Self-Assessment at a standalone workshop on 13 February 2023 (see Appendix B).

**Background**

5. The Health and Care Act 2022 introduced a new assurance process with effect from April 2023, together with new legal powers for the Secretary of State for Health and Social Care to intervene in local authorities to improve services, where there are significant failures to deliver their Care Act duties.
6. Under the assurance process, the CQC will assess the performance of each Council with adult social care responsibilities in delivering their duties under the Care Act (2014). This will place adult social care services on a similar basis to children's services, whereby councils are regularly inspected by Ofsted and subject to Government intervention if deemed to be 'inadequate'.
7. The CQC will assess performance based on the following four themes:
  - *'Working with People'*: Focuses on wellbeing and prevention. It aims to identify how well the Council supports adults' wellbeing and prevents development of long-term adult social care needs. It also explores the Council's adult social care assessment and care planning arrangements, to identify if care eligibility

thresholds are clear, transparent, and consistently applied and if assessments and reviews are undertaken in a timely and person-centred way.

- *'Providing Support'*: Focuses on partnership-working, commissioning, and market-shaping. It aims to identify how well the Council works with partners to integrate and jointly-commission services and ensure continuity of care when people move between services. It also explores how well the Council understands local care needs and shapes the market around these, as well as how its quality assures care providers and supports their ongoing sustainability.
  - *'Ensuring Safety'*: Focuses on preventing harm and abuse, managing risks to peoples' safety, and safeguarding vulnerable people. It aims to identify how well the Council maintains awareness of and mitigates risks to peoples' safety, investigates and resolves safeguarding alerts and enquiries and uses Safeguarding Adults' Reviews to improve safeguarding practices.
  - *'Leadership'*: Focuses on leadership and governance within the Council, as well its processes and culture around continuous learning and innovation. It aims to identify if the Council has effective governance and performance management at all levels and a stable adult social care leadership team with strong links with the Council's executive and political leadership. It considers to what extent continuous learning and innovation is supported and encouraged, and whether the Council seeks to challenge its performance.
8. To prepare for inspection by the CQC, which as outlined could take place at any time from April 2023, the Council is required to develop a Self-Assessment document.
  9. The Self-Assessment will set out the Council's understanding of its own performance in delivering Care Act duties, including an overview of its key strengths and areas for improvement. It will indicate how the Council intends to address any areas for improvement.
  10. The Council's perceived strengths and areas for improvement in relation to each of the CQC's four themes are outlined below and explained in more detail in Appendices A and B. These are subject to change based on feedback from all key stakeholders.

### Strengths

- *'Working with People'*:
  - Focus on wellbeing, prevention, and person-centred care
  - Innovation in prevention activity
  - Intermediate care and reablement services
- *'Providing Support'*:
  - Understanding of local care needs and the provider market
  - Provider engagement, quality assurance and risk management
  - Joint-commissioning and partnership-working
- *'Ensuring Safety'*

- Partnership governance
- Focus on continuous safety and improvement
- Commissioning, quality assurance and contract monitoring
- *'Leadership'*
  - Leadership and governance
  - Commitment to equalities, diversity, and inclusion
  - Focus on continuous improvement

### Areas for Improvement

- *'Working with People'*:
  - Information and advice
  - Care experiences
- *'Providing Support'*:
  - Collaboration with the Voluntary and Community Sector
  - Development of the extra care and nursing care provision
  - Care workforce
- *'Ensuring Safety'*
  - Participation in safeguarding enquiries
  - Service user perceptions of safety
- *'Leadership'*
  - Engagement and co-production

### Consultation

11. There has been considerable engagement of internal staff across the Adults and Communities Department, including a staff survey and workshops. These explored staff perceptions of the Council's strengths and areas for improvement in relation to the CQC themes and gathered staff views on how the Department could improve in its delivery of Care Act duties.
12. This feedback has been analysed and used to inform the draft Self-Assessment. The Committee reviewed the draft Self-Assessment at a workshop on 13 February 2023 and shared comments (Appendix B) which have been incorporated within the draft Self-Assessment.
13. The Department will undertake significant external engagement to obtain the views of service users and carers, partner agencies, and care providers. Findings from this engagement will be used to review and challenge the draft Self-Assessment and consider if any amendments which should be made to it.
14. The Self-Assessment and Improvement Plan are two key documents which will mitigate risk 7.6 from the Corporate Risk Register (If Adults and Communities fail to provide robust evidence of good practice for the CQC inspectors, then this will result in a poor inspection outcome and incur reputational risk alongside extra resources and possible external governance to undertake any actions required to make the improvements necessary to fulfil statutory requirements). The Corporate Governance Committee received a presentation on corporate risk 7.6 on 27 January 2023.

### **Resource Implications**

15. Officer resources have been assigned to undertake the remaining engagement activities and finalise the Self-Assessment and Improvement Plan. Delivery of the Improvement Plan will however require support from officers throughout the Adults and Communities Department and possibly from colleagues around the Council.
16. As set out on corporate risk 7.6, failure to achieve a rating of ‘good’ or ‘outstanding’ in the CQC inspection would likely result in considerable resource and financial investment requirements to address any areas requiring improvement.
17. The Director of Corporate Resources and Director of Law and Governance have been consulted on the content of this report.

### **Timetable for Decisions**

18. Following the Committee’s comments, the final Self-Assessment will be taken forward to support any requests from the CQC to undertake an assurance visit.
19. As the CQC may request a visit at any time in the future, the self-assessment document will be regularly updated to ensure it remains relevant and reflective of the way the Council carries out its statutory duties.

### **Conclusions**

20. The Council has developed a draft Self-Assessment in preparation for inspection by the CQC, which could take place at any point from April 2023.
21. The Self-Assessment will outline the Council’s understanding of its strengths and areas for improvement in delivery of Care Act duties and will outline its plans to improve. It will be supported by a detailed action plan (‘Improvement Plan’) which will set out specifically how the Council will improve in its delivery of Care Act duties.
22. The Self-Assessment and Improvement Plan will be shared with the CQC to help inform their inspection.
23. The Committee’s views are sought on the initial draft Self-Assessment (Appendix A) and the proposed submission of six-monthly updates on this and the Improvement Plan.

### **Background Papers**

“People at the Heart of Care” White Paper: December 2021

<https://www.gov.uk/government/publications/people-at-the-heart-of-care-adult-social-care-reform-white-paper/people-at-the-heart-of-care-adult-social-care-reform>

[Report to the Adults and Communities Overview and Scrutiny Committee: 7 November 2022 – Progress in Delivering the Social Care Reform Programme](#)

<https://politics.leics.gov.uk/ieListDocuments.aspx?Mid=6842>

Report to the Adults and Communities Overview and Scrutiny Committee: 6 June 2022 – Update on the Social Care Reform Programme

<https://politics.leics.gov.uk/ieListDocuments.aspx?MId=6840>

Report to the Adults and Communities Overview and Scrutiny Committee: 5 September 2022 – Adult Social Care Reform – Market Shaping and Charging Reform

<https://politics.leics.gov.uk/ieListDocuments.aspx?CId=1040&MId=6841&Ver=4>

Corporate Governance Committee: 27 January 2023 – Risk Management update (item 7) -

<https://politics.leics.gov.uk/ieListDocuments.aspx?MId=7128>

### **Circulation under the Local Issues Alert Procedure**

24. None.

### **Equality Implications/Other Impact Assessments**

25. The Self-Assessment includes an assessment of the Council's overall performance around equalities, diversity, and inclusion, with a focus on the Adults and Communities Department. It sets out some key strengths in this area along with some potential areas for development.

26. Any proposed changes to the Council's policies, procedures, functions, and services which may arise from delivery of its Improvement Plan will be subject to an Equality Impact Assessment.

### **Human Rights Implications**

27. There are no human rights implications arising from this report. Any proposed changes to the Council's policies, procedures, functions, and/or services which may arise from delivery of its Improvement Plan will be referred immediately to the Council's Legal Services for advice and support regarding human rights implications.

### **Appendices**

- Appendix A: Draft Self-Assessment
- Appendix B: Comments from the Adults and Communities Scrutiny Committee (shared during the workshop with Committee members on 13 February 2023)

### **Officers to Contact**

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