

Contract Quality Assurance and Monitoring of Care Homes in Torbay

The small team responsible for this function have a good understanding of the level of Regulatory Compliance within Torbay and in almost all cases will be actively involved in working with the non-compliant homes and the Care Quality Commission (CQC).

How the CQC Review and Compliance Process works:

- CQC compliance is judged upon 16 Outcomes across 5 Standards. These are:
 1. Treating people with respect
 2. providing safe care and preventing harm
 3. providing care, treatment and support to meet people's needs
 4. staffing
 5. management

- In 2010 when Care Homes re-registered (under The Health and Social Care Act 2008 (Regulated Activities) Regulations 2010) they completed a self-declaration to cover all areas of these Regulations.

- When the CQC complete a Review of Compliance they usually inspect at least 5 of the 16 outcomes, one under each standard. In some cases where it is felt necessary the CQC look at a number of additional outcomes.

- If a home fails 1 or more of the outcomes inspected, then the standard which it relates to is not met. CQC will issue Compliance Actions and these will be included in the care homes publically published report and highlighted on the homes CQC webpage by an 'X'.

- The home will then be required to draw up an Action Plan in response to the Compliance Actions and submit this to the CQC. Ordinarily, the CQC do not go back to the home to check that the intended actions have been completed, nor overwrite the website markings ("X") until such time that the CQC revisit and review the specific outcome again.

- Therefore it is important to consider the date of the review and the fact that the "X's" may remain with the home for some time even though the necessary improvements have been made.

Torbay's Contract Monitoring Team Process:

As and when we are notified or find out about a Review of Compliance we will engage with the home to request:

1. a copy of the draft report (if this has not already been published) and
2. where appropriate, a copy of the Compliance Action Plan they are duty bound to submit to the CQC, detailing the remedial actions the home will take in order to achieve compliance in any area that has been identified as non-compliant.

In addition to CQC actions, and dependent upon other local knowledge and confidence levels, we may need to draft a Contracts Action Plan (enforceable by the agreement we have with the home) to ensure we are satisfied that the necessary actions have been taken.

We track compliance for the 108 Torbay care home providers on our commissioning database and since the reregistration and introduction of Compliance in October 2010 can report the following information:

	Homes reviewed by CQC	% Total of homes	How this % relates to the 70 homes CQC reviewed	Homes reviewed by Torbay Contracts Team
Total homes reviewed since 2010	70	65%	Of all 108 Torbay Homes since re-registration in Oct 2010	94 Homes independently assessed by Torbay (includes 21 Learning Disability Homes)
Homes Fully Compliant	40	57%	Of the 70 Reviewed Homes, but many outcomes adjudged purely upon the Oct 2010 self-assessment.	21 homes assessed in 2012 2 in assessed in 2011 7 assessed since 2008 Plus 10 LD homes visited in the past three years
Homes Failing in at least 1 of the 16 Outcomes	30	43%	Of the 70 Reviewed Homes	See breakdown below
80% Compliant – 4 ticks out of 5	8	27%	Of the 30 Non-Compliant Homes	7 assessed in 2012 1 assessed in 2009
60% Compliant – 3 ticks out of 5	8	27%	Of the 30 Non-Compliant Homes	6 assessed in 2012 1 assessed in 2011 1 LD home visited
40% Compliant – 2 ticks out of 5	8	27%	Of the 30 Non-Compliant Homes	3 assessed in 2012 3 are currently under review (following assessment in 2011 and 2009) 2 LD homes visited
20% Compliant – 1 tick out of 5	4	13%	Of the 30 Non-Compliant Homes	3 assessed in 2012 1 is under DPT
0% Compliant – 0 ticks out of 5	2	7%	Of the 30 Non-Compliant Homes	Both homes are currently being supported by the team

From our own assessment and subsequent work with the homes in Torbay, many homes who had areas of non-compliance identified by the CQC, have completed the associated Compliance Actions to a satisfactory level sufficient to meet the requirements of the previous CQC inspection.

For example, a safeguarding concern at one home prompted a CQC inspection which identified areas of non-compliance. The Trust team engaged with the home and set up a Contracts Action Plan (CAP) to cover both the safeguarding actions and the Compliance Actions. The home is no longer under safeguarding and they have satisfied all but 1 area from the CAP yet the “X’s” will stay on their CQC website until CQC re-inspect and determine that all those areas previously checked are now compliant.

We are developing our own Quality Assurance Framework as a provider of care in order to understand “what good care looks and feels like for Mrs Smith”.

Outline of proposed Quality Assurance Framework 2012/2013

By 31st March 2013, The Trust will have a framework and tools in place to assure the quality, safety and client experience of care provision by residential, nursing and domiciliary organisations within a defined set of agreed outcomes. This will be achieved within current resources by:

- Enhancing the current contract monitoring data base and assessment tool to include clinical quality indicators and client/carer feedback alongside the current business and financial data.
- Developing, testing and implementing the revised quality assurance tool, dashboard and report to aid senior management’s knowledge, understanding and decision-making with regard to commissioned care.
- Collating information from Safeguarding, Incident and Hazard reports to monitor the key learning and ensure triggers have been disseminated back to the front line to prevent, reduced or eliminate similar incidents.
- Capturing “soft intelligence” from front line health and social care staff to pro-actively monitor activity and trends outside of the formal incident/safeguarding process and prevent escalation or crisis intervention. Triggers for escalation are in development.
- Providing data for CQUIN on care home performance against quality and business assessment framework
- Providing quarterly audit reports on quality and application of the personalisation process – resource allocation, outcome-based support plan and risk assessment – to identify good or poor practice and subsequent training needs.
- Providing qualitative data and feedback to evidence legislative and regulatory requirements for customer experience including Quality Account
- Providing the mechanism and data for Cluster Commissioning assurance
- Providing mechanism to support CQUIN for care homes 2013/2014 (standards & fees)
- Providing intelligence for market management and development
- Identifying educational and training needs across the care sector
- Enabling partnership /relationship building with providers to support quality improvements
- Planning roll out across Torbay and Southern Devon of quality assurance framework

Nicola Barker

Head of Transformational Support