Overview of performance and monitoring of in-borough Care Home and Sheltered Housing Providers

Report authorised by: Jo Cleary, Executive Director, Adults’ and Community Services

Executive summary

HASSC have requested detail of the overarching approach to the review and management of Lambeth host care home and sheltered housing providers. This report details current contract monitoring arrangements and proposals to quality assess care home providers in light of the Care Quality Commission’s changes to their inspection regime.

Summary of financial implications

There are no financial implications arising from this report.

Recommendations

(1) That the sub-committee notes these arrangements

Consultation

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<tr>
<td>Jo Cleary</td>
<td>Executive Director Adult and Community Services (ACS)</td>
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<td>Helen Charlesworth-May</td>
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Report history
Overview of in-borough Care Home and Sheltered Housing Providers monitoring

1. Current arrangements – Care Homes monitoring

1.1 “The Director of Adult Social Services (DASS) in every council has social services responsibility for ensuring high quality, responsive adult social services in the local community” - Best Practice Guidance on the Role of the Director of Adult Social Services, Department of Health, March 2005. Reference is also made in this document to the DASS role to ensure Value for Money and Safeguarding vulnerable adults.

1.2 There are 76 care homes within Lambeth, of which 70 have been used by Lambeth ACS for either temporary or permanent placements since October 2009, along with 357 care homes that have been used across the country.

1.3 This has averaged at 1,155 service users’ care home placements, including temporary admissions since October 2009 on an approximate split of 40% within borough and 60% out of borough.

1.4 The cost of adult care home placements for 2009/10 is detailed in the table below, the end of this reports details this spend against all third party payments.

<table>
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<th>Nursing Homes £</th>
<th>Nursing Respite Homes £</th>
<th>Residential Care Homes £</th>
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<td>£14,693,386</td>
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1.5 The ACS Procurement - Service Improvement Team has been in operation since February 2009, being formally established by a restructure in September 2009. The team undertakes contract monitoring of service providers and seeks to improve the quality standards of support and care services used by Lambeth Social Services and to ensure value for money.
The quality rating of Care Home placements from April to Sept - for 2007, 2008 and 2009

The Service Improvement Team aims to build on the improvement so far made, introduce more efficient and effective contract monitoring, further embed links with the Safeguarding Team to protect vulnerable adults and work to elicit greater value for more and cost savings from service providers.

1.6 The Service Improvement Team has 5.5 designated officers including a manager with principal responsibility for contract monitoring and improving the quality standards of care homes. The staff have nominated responsibilities for specific areas of work, see the chart below.

1.7 Historically, the number of quality visits to care homes and level of contract monitoring scrutiny by the Service Improvement Team have been determined by the following factors;

- The Care Quality Commission’s Inspection Reports – quality “star rating”
• The date of the last Care Quality Commission Inspection or quality visit
• The number and severity of safeguarding alerts and complaints
• The number of service users at the home
• The value of the contract

1.8 Capturing Regulatory Information at the Local Level (CRILL)

The CRILL is a report produced by the Care Quality Commission (CQC) that evaluates the quality levels authorities purchasing and commission care services. This report is used by CQC to assess the performance of procurement and commissioning of all Adult Social Services Departments.

The analysis of this report by the Service Improvement Team influences the frequency of contract monitoring of care providers and gives focus to where service improvements are required.

The CRILL has reported significant improvement in 2009 with the Lambeth moving up from 10th place to 5th place as compared with a CQC determined cohort of other London Authorities – see appendix 1.

The graph below displays Lambeth's improved performance against the CRILL from December 2009 to May 2010; in May 2010 Lambeth exceeded the England average in all 3 assessed domains.

1.9 Service Improvement Team Operational Activity

Due to the value and size of the Excelcare older adults block contract, a named Procurement Officer is designated to oversee these three services which total 288 bed spaces. High levels of contract monitoring take place involving the Service Improvement Team, care management and the Safeguarding Team. In February 2010 Queens Oak in Southwark, a 1 star (adequate rating) Older Adults Care Home, part of Lambeth's Excelcare block contract was inspected by CQC and was awarded 3 stars (excellent).

The Service Improvement Team carries out quality visits to spot purchased care home placements alternating between unannounced and announced monitoring visits. A standardised narrative type report is completed by the Service Improvement Team officers including key findings and recommendations which is submitted to the Procurement Manager for approval and then a copy is given to
the service provider. These reports include comments on the catering provisions within the service and the processes in place to ensure the nutritional needs of the service users are met. These reports are generally available to staff making placements.

The Service Improvement Team is an integral part of ACS Safeguarding Adults’ work with service providers; gathering information on service provider’s policy, procedures and practise, attending and advising safeguarding meetings, monitoring provider’s uptake of Lambeth’s safeguarding training and promoting best practice.

Any significant concerns resulting from quality visits, safeguarding concerns, or complaints will result in a service improvement action plan being developed with the service provider and may lead to an embargo being put in place.

The action plan normally includes input from care management, review and monitoring teams and adult safeguarding in agreeing the plan and then verifying if the service provider has subsequently addressed the specified issues.

An embargo is when a local authority chooses not to place new service users at an institution for a specified reason relating to safety and quality, it should be put in place in line with the authority’s policy on embargos and applied consistently. There must be a clearly evidenced rationale for the use of embargos. The application of an embargo is open to challenge through judicial review. The use and removal of an embargo, or indeed cancellation of a contract, must be linked to a thorough risk assessment which has been considered as part of the multi-agency framework. If the embargo is considered to be warranted the department then undertake additional reviews and increases its presence at a home to ensure the wellbeing of the individuals already living at the home. As in all decisions the emphasis is on the balance of risk for individuals. Lambeth has focused on working with providers to improve care services because this is better for existing residents than the alternative, which is to move people.

The Procurement Department via quarterly service provider forums and the Service Improvement Team using mail shots and monitoring visits informs and updates service providers regarding changes in legislation, best practise and the need to ensure the increased personalisation of services. The majority of the care home contracts in place are spot purchase which gives greater levels of flexibility to include new or changing standards, although contract variations can and are made within the lifespan of all contracts.

The Service Improvement Team seeks regular updates from other authorities across the country on what work they are undertaking to improve the quality of care homes where Lambeth have made placements. Software has been purchased which tracks the CQC quality assessments of these homes. The host authorities of any low quality homes are then contacted and asked what work they are undertaking to improve standards and are asked to supply Lambeth with a service improvement action plan. The Service Improvement Team also undertakes contract monitoring of Domiciliary Care provision.

1.10 Lambeth LINk has been consulted on our care home contract monitoring arrangements and in May 2010 a new Contract Monitoring Framework was presented at the ACS quarterly Service Provider Forum for introduction in the new financial year.
The Contract Monitoring Framework is in two parts: Quarterly Performance monitoring against agreed key performance indicators and a Yearly Self-Assessment for service providers to score themselves against the 7 Joint Health and Social Care outcomes, from the White Paper, Our Health, Our Care, Our Say.

- Improved health
- Improved quality of life
- Making a positive contribution
- Exercise of choice and control
- Freedom from discrimination or harassment
- Economic well-being
- Personal dignity and respect

The service providers return Lambeth’s Contract Monitoring documents, which are then validated at quality monitoring visits undertaken by the Service Improvement Team, by reviewing onsite evidence, speaking to service users and the staff.

1.11 **Service Improvement Team specific safeguarding responsibilities.**

Care home providers are expected to have in place their own internal complaints procedure which states complaints can also be made to Lambeth Council and the Care Quality Commission. The Contract Monitoring Framework asks care home providers to keep records of all complaints and provide details of all complaints via the Quarterly Performance Monitoring form.

Complaints about care homes can be made and are received at the Council in numerous different ways. The different ways in which complaints can be made are encouraged to ensure the greatest levels of accessibility; this would include self-funders who can also speak to the TOPAZ (team offering people advice, assistance and support) who review service users who are not eligible for Lambeth funded services. Complaints against care homes received by the Service Improvement Team are dealt with by a named Safeguarding Adults and Complaints Lead Officer. The majority of complaints against care home providers are managed under the safeguarding adults’ procedures and all complaints received by the Service Improvement Team are passed to the Adult Safeguarding Team to determine if a Safeguarding Alert is appropriate.

A complaint against a care home will result in a contract monitoring visit to the scheme by the Safeguarding Adults and Complaints Lead Officer who also attends all Safeguarding Alert and Strategy Meetings and often carries out site visits to gather background information as part of safeguarding investigations. Having one named officer in the Service Improvement Team ensures that visits can often take place promptly following any concerns being raised.

The team have also helped develop IT systems to improve information reporting.

2. **Changes at the Care Quality Commission (CQC)**

On the 20th August 2010 the Care Quality Commission made the following announcement;

- The awarding of quality ratings (the “star ratings”) through the Care Standards Act 2000 would be phased out by 30 June 2010
• All adult social care providers that carry on regulated activities are required to be registered with us under our new registration system from 1 October 2010

• CQC will be working with the sector to design a new information system for the quality of adult social care, which builds on registration

• CQC will support people in accessing information between 1 October and the launch of the new quality information system

• CQC will launch a formal consultation on our proposals in winter 2010/11, our aim is to start the roll out of a new system from May 2011, subject to consultation.

Lambeth have expressed interest in being part of the Care Quality Commission consultation process to develop a new quality monitoring system.

3. ACS Procurements response to changes at the Care Quality Commission

3.1 In the temporary absence of the Care Quality Commission having the new quality monitoring system in place, the ACS Procurement’s Service Improvement Team has responded as follows;

| Care Quality Commission “star rating” of within-borough Care Home as of 1 October 2010 |
|---------------------------------|----------------|-----------------|-----------------|-----------------|
|                                 | Not Yet Rated | Zero star rated (poor) | 1 star rated (adequate) | 2 star rated (good) | 3 star rated (excellent) |
| Number of Care Homes            | 3 Care Homes (2 homes with no service users) | None | 10 Care Homes | 45 Care Homes | 18 Care Homes |
| Percentage of total Care Homes  | 4% | 0 | 13% | 59% | 24% |

The Service Improvement Team have visited and undertaken Yearly Self-Assessment on all Lambeth service providers scoring 1 star or less who have service users in residence.

This programme of self-assessment evaluation is on-going and will move on to review all Lambeth’s 2 and 3 star care homes.

4. Sheltered Housing Contract Monitoring

4.1 Lambeth has 70 sheltered housing schemes, 26 are Council owned through Lambeth Living with support being provided by the Sheltered Housing Service based in Adults and Community Services. The remaining schemes are owned, managed and supported by a range of housing associations, charities, and one leasehold scheme where the support is provided by a private management company.
4.2 Sheltered housing services are not inspected by the Care Quality Commission as they should provide support to service users, not care. The majority of sheltered housing schemes receive some level of Supporting People grant (SP) and receipt of SP funding is conditional on the service provider complying with the SP contract monitoring framework. Service providers must submit Quarterly Performance Information, on their properties levels of availability, occupancy, and departures. The annual, Quality Assessment Framework (QAF) examines the intensity of service provided and the degree to which service providers involve service users in planning and delivery of the service. Service providers are asked to self-assess their service against set criteria awarding themselves a score, from A to C; these scores are then verified during contract monitoring visits.

Contract monitoring visits are undertaken annually and involve a Procurement Officer visiting the scheme to meet with staff and service users. Evidence is asked for to support the QAF score. A contract monitoring report is written including an action plan for service improvements. Action plans are followed up to ensure compliance.

A small number of in-borough Sheltered Housing Schemes have declined SP funding and therefore are not covered by the SP monitoring programme; they would be the responsibility of the Tenants Services Authority, the regulatory agency of housing associations who provide social housing in England.

4.3 Sheltered Housing Complaints

Service users are encouraged to raise any complaints with their support provider. The QAF ensures that the provider has an appropriate complaints procedure in place and that this aims to resolve service users concerns at the earliest stage. Providers are also required to have an escalation procedure in place should the service user not be satisfied with the outcome. An example of this is Lambeth Sheltered Housing which follows the council’s complaints process.

The team occasionally hears directly from service users, the majority of these are enquiries rather than complaints, and by far the majority of enquiries are regarding supporting people charges, (the weekly sum collected by the council to pay for the support service). Where complaints about the service are received the team will usually raise these with the service provider on the service user’s behalf, but only intervene if the provider fails to respond or a satisfactory resolution cannot be found.

5 Future developments

5.1 Lambeth have gained access to the shared contract monitoring website administered by The London Councils. This was set up by the North East London Procurement Forum comprising 13 London Authorities who have developed standardised care home monitoring visit forms.

When these authorities carry out quality visits the forms are completed, sent to the care home manager to be agreed, then the monitoring forms are uploaded on to a shared website.
If particular concerns exist around a care home e.g. an embargo or safeguarding issues, The London Councils website directs users to named individuals within that local authority to give specific details.

The London Councils website does not currently allow public access.

The Service Improvement Team wish to promote the greater use of Lambeth’s Contract Monitoring Framework by other London authorities to supplement the care home monitoring visit forms.

5.2 The Service Improvement Team is additionally undertaking a number of other developments to progress their objectives, including;

- Issuing revised and updated care home contract terms and conditions to “spot purchase” service providers
- Liaising with care management regarding the development of an overarching care home placements policy for both local and national service providers that addresses procurement’s main concerns, e.g. costs, value for money and risk
- Use of the “Care Funding Calculator” to ensure equitability between the cost of service provision and the level of service users needs

6 Conclusion

6.1 Due to the number of care homes and sheltered housing schemes in Lambeth and the resources available to monitor them, using service providers’ self-assessment monitoring systems followed by verification site visits by Procurement Officers to check the information provided is considered the most effective use of resources.

6.2 It is hoped that greater use of The London Councils contract monitoring website for information sharing and reducing duplicate monitoring will, with time, reduce the number of monitoring visits conducted by ACS Procurement’s Contract Monitoring Team in other London boroughs.

6.3 The greater use of shared databases both within Lambeth and more widely between London boroughs may improve levels of communication and allow the opportunity for greater work in the area of supporting service providers to improve services.

6.4 However the level of contract monitoring undertaken by the Procurement Department and specifically the Service Improvement Team may be affected by future budget constraints. However there are national conversations between ADASS and CQC to construct a new framework with providers that is commensurate with ensuring quality whilst matched against risk.

7. Comments from Executive Director of Finance and Resources

There are no financial implications arising from this report.
8. **Comments from Director of Legal and Democratic Services**

The terms of reference of the Health & Adult Services Scrutiny Sub-Committee include: "The provision and management of healthcare services in Lambeth. Scrutiny of health and well being issues affecting the residents and those working in the borough. The provision, planning and management of adult social care e.g. elderly persons and mental welfare services in Lambeth". There are no specific legal implications arising from this report.

9. **Results of consultation**

The work of the team has been presented to a sub-committee of Lambeth LINk so that the two organisations can work together in the best interests of the residents.

10. **Organisational implications**

10.1 **Risk management:**

Robust contract monitoring arrangements must be in place to reduce the level of risk to service users in terms of accessing quality services and achieving desired outcomes and safeguarding adults from abuse, and for ACS in promoting quality service and best practice, achieving value for money, developing the local market.

10.2 **Equalities impact assessment:**

All ACS procurement staff attends Equality Impact Assessment and Equalities training as part of their core induction. Contract Monitoring is conducted uniformly across the borough using the factors outlines in item 1.5 of this report to determine frequency. Equalities monitoring is central to the Contract Monitoring Framework.

10.3 **Community safety implications:**

The Service Improvement Team ensures community safety implications are captured either within Safeguarding Adults procedures, or by promote adherence to Health and Safety legislation, reporting any concerns to the appropriate regulatory authority.

10.4 **Environmental implications:**

N/A

10.5 **Staffing and accommodation implications:**

N/A

10.6 **Any other implications:**
10.7 **Timetable for implementation:**

This report details the regular ongoing work of the procurement function and the Service Improvement Team.

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**Appendix 1**

**Lambeth comparison alongside cohorts**

**Percentage of Good & Excellent rated services against all care provision** CRILL reports issued by CQC in March 2010 – Lambeth ranking No. 10

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**Percentage of Good & Excellent rated services against all care provision** CRILL reports issued by CQC in June 2010 – Lambeth ranking No. 5
Adult Social Care Expenditure
2009/10

Total Budget - £96,512,000

- Residential and Nursing Care: 54.7%
- Supporting People: 23.3%
- Home Care: 11.1%
- Supported / Extra Care Housing: 4.8%
- Other Payments to Third Parties (incl Voluntary Organisations): 4.1%
- Day Care: 1.0%
- Meals on Wheels: 0.9%
- Direct Payments: 0.1%