



**Open Report on behalf of Martin Samuels,  
Executive Director - Adult Care and Community Wellbeing**

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| Report to: | <b>Adults and Community Wellbeing Scrutiny Committee</b>   |
| Date:      | <b>29 November 2023</b>  |
| Subject:   | <b>Care Quality Commission (CQC) Pilot Assessment of<br/>Lincolnshire County Council - Adult Social Care</b> |

**Summary:**

In July 2023, Lincolnshire County Council (LCC) was the first local authority in the country to work with the Care Quality Commission to pilot their new process for assessing councils' performance in the delivery of adult social care functions as required by the Care Act. This report gives an overview of that assessment process and presents a copy of the outcome report produced by CQC regarding LCC, which has very recently been published.

**Actions Required:**

The Committee is recommended to note the report and the assessment of LCC's performance in delivering its Care Act duties, and note that a further report, setting the findings in the context of the national pilot with a total of five local authorities and presenting the LCC action plan in response to the local findings, will be presented to the next meeting of the Committee on 17 January 2024.

## **1. Background**

Following 2010, the Government ended the system of external inspection of local authority adult social care functions in favour of a process of sector-led improvement. Through the Health & Care Act 2022 (s.163), the Government took new powers for the Care Quality Commission (CQC), which has long regulated the provision of health and social care services to also provide an independent assessment of adult social care at local authority level. This programme will also inform a wider programme of assessments of Integrated Care Systems (ICS). For adult social care, the CQC decided to test the approach by undertaking a limited number of pilot assessments, ultimately covering five local authorities. The pilot assessments would help the CQC to test the new assurance framework, how the process might best work in practice and the time required to deliver an assessment, before formal assessments (inspections) were commenced nationally.

In Lincolnshire, we have always been on the front foot in wanting to shape local and national improvement and therefore we agreed to be part of the CQC assurance pilot. The other four councils in the pilot were Nottingham City Council, Birmingham City Council, North Lincolnshire Council and Suffolk County Council.

### Pilot Process

Lincolnshire County Council (LCC) were the first of the five councils to pilot the new assurance arrangements, with CQC starting their on-site visit at County Offices, on Monday, 3 July 2023. CQC were on site for three full days and then followed up that information-gathering activity with a number of on-line interviews. Over 94 different colleagues from LCC Adult Care staff teams and from our partners, including Portfolio Holders and members of the Adult Care and Community Wellbeing senior leadership team, were interviewed by the CQC inspectors.

In addition to these staff interviews, a broad range of feedback from people who access adult care and wellbeing services, unpaid carers and wider key stakeholders was considered by CQC to help them understand how we measured up against the nine CQC Quality Statements. The CQC assurance process also considered various national outcome measures to help them understand how we perform in comparisons with other councils.

Following the assurance process, CQC shared a draft letter with LCC on a confidential basis. This set out high level feedback of what they had found and offered us opportunity to challenge the accuracy of their findings and to provide additional information for CQC to consider. Detailed feedback was provided to CQC and additional evidence was supplied to confirm areas of practice that we believe are performing to a high standard.

In October 2023, the CQC shared with LCC a second draft of the assurance feedback letter, which had accepted some of our additional points. That letter then went through a process of national calibration by CQC, alongside the findings from the other four pilot sites. No changes were made to the Lincolnshire letter as a result of that process. Provided with this covering report is a copy of Lincolnshire's calibrated and final public facing assurance report. In order to assist Members in contextualising this report, a copy of the CQC interim assessment guidance for local authorities is also attached.

In terms of scoring, the assurance process provides a rating from 1 to 4 for each of the nine CQC Quality Statements. These translate into the now-standard ratings of 1 = 'Inadequate', 2 = 'Requires improvement', 3 = 'Good' and 4 = 'Outstanding'. Lincolnshire was rated as 'Good' against all nine quality standards. The report summarises a number of areas that CQC were particularly pleased with and also provides a small number of points for further consideration. That LCC has secured such a positive rating from the CQC, especially through a process that is very new for everyone concerned, is very welcome and represents a significant endorsement by an independent and respected authority regarding the quality of service provided by Adult Care for the people of Lincolnshire.

## Next Steps

Although the LCC assessment was undertaken during the summer, the CQC were keen to ensure that they considered the results of all five pilots as a single group. The resulting assurance pilot reports were therefore only made publicly available once all five assessments had been fully completed and calibrated. As a consequence, the LCC report (along with the other four) was only published earlier this month and therefore there has not been an opportunity for the pilot sites to compare findings or share details of their differing experiences of the process – it should be noted that initial conversations between the five local authorities suggests that there were quite considerable differences in the approach adopted by the CQC in conducting the assessments, as that organisation tested a range of ideas and sought to learn as each pilot assessment was delivered. We believe there will be many benefits from sharing our experiences which will add to the richness of learning. LCC will therefore be talking to the other pilot sites before we determine specific recommendations on next steps.

We also want to take the opportunity to speak to key local stakeholders about the CQC findings before we fix the details of the resulting improvement actions. This includes experts by experience, our own staff teams and, partners. We are therefore arranging a number of opportunities to discuss the feedback letter to have input to actions for continuous improvement we will consider.

It is the intention to complete a second report to Adults and Community Wellbeing Scrutiny Committee early in the new calendar year 2024 with further findings from our discussions with the other four pilot sites and our local stakeholders. This is likely to include detail on actions that we believe will enhance outcomes for local people even further and will also respond to the areas identified by CQC for further consideration.

At this time, CQC have not confirmed when they intend to complete a formal (non-pilot) inspection of LCC. This is something that we are seeking further clarification on in relation to CQC's plans for the roll out of formal inspections nationally. It is understood that Ministers have tasked the CQC with assessing all 153 local authorities within two years, and that organisation is therefore intending to deliver batches of around 20 assessments every quarter, with the first batch due to be notified very shortly. Given that the CQC will also be undertaking a new process of assessment of the 42 ICSs to a similar timescale, and will also need to provide regular monitoring visits for those local authorities that are judged to be 'Inadequate', it seems likely that their capacity will be at full stretch for some time.

## **2. Conclusion**

The Committee is recommended to note the report and the assessment of LCC's performance in delivering its Care Act duties, and note that a further report, setting out the findings in the context of the national pilot with a total of five local authorities and presenting the LCC action plan in response to the local findings, will be presented to the next meeting of the Committee, in January 2024.

### **3. Consultation**

#### **a) Risks and Impact Analysis**

Analysis of risks and impact will be included in the follow-up report in January 2024.

The assessment report represents the findings of the CQC, as the statutory regulator, which were developed through an extensive process of engagement and data collection. There is no requirement for consultation.

### **4. Appendices**

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| These are listed below and attached at the back of the report |  |
| Appendix A  | CQC Interim Guidance for Local Authority Assessments |
| Appendix B  | CQC Final Report on Lincolnshire County Council      |

### **5. Background Papers**

No background papers within Section 100D of the Local Government Act 1972 were used in the preparation of this report.

This report was written by Martin Samuels, who can be contacted on [martin.samuels@lincolnshire.gov.uk](mailto:martin.samuels@lincolnshire.gov.uk).