



Task & Finish Group Report

**Adult Safeguarding in
Herefordshire**

**For consideration by the Overview &
Scrutiny Committee – March 2012**

Adult Safeguarding in Herefordshire – Review Report

1 Background

1.1 On 27th July 2011 the Overview and Scrutiny Committee commissioned a Task and Finish Group to undertake a review of Adult Safeguarding in Herefordshire, and agreed a scoping statement for that review. The agreed terms of reference of the task and finish group were:

- How assessments are made about an individual's suitability for a placement (matching)
- How we assess that the organisation provides good quality care for their resident population
- If there are concerns about an organisation, what processes are in place to consider on-going assurances
- To review how Joint Commissioning Service proactively finds out whether there are problems within care homes

1.2 The full Scoping Statement for the review is set out in Appendix 1, together with a list of elected Members who served on the Group. The Task & Finish Group Members were Councillors JW Millar (Chairman), PH Bettington , WLS Bowen, C Chappell, K Guthrie , JLV Kenyon and GA Powell. Officer support for the Review was provided by Lynne Renton (Head of Safeguarding) and David Penrose (Democratic Services). The Group would like to thank all those who participated in the work of the Review.

1.3 Between July and December 2011 the group carried out research and convened meetings, interviews and a site visit to gather as much background information and seek as many views as was required to make recommendations. The Group were provided with a background information pack which included key regulations, examples of best practice and generic templates used by the integrated commissioning team when inspecting care homes.

2 Overview

2.1 This review considered the variety of mechanisms which contribute to assuring that vulnerable adults are safeguarded when in care homes. The key questions that have been addressed by the task and finish group are therefore:

- How many vulnerable adults are housed in Herefordshire?
- What constitutes the vulnerability of adults living in Herefordshire Care Homes: Disabled, Learning Disabilities, Elderly?
- What Care Homes are operating within the County, and for what designation of vulnerable adults are they offering services?
- How many resident vulnerable adults within the social care system are placed outside the County?

2.2 This report addresses these four key questions and sets out a number of recommendations.

3 Introduction

- 3.1 In November 2010 the Department of Health published 'A vision for adult social care: Capable communities and active citizens'. The report set out the overarching principles for adult social care and gives the context for future reforms. The document reinforces the Government's commitment to the local community being part of the safeguarding framework, playing its part in preventing, recognising and reporting neglect and abuse. The personalisation agenda whereby people make informed choices regarding the care they receive and are supported in maintaining choice and control in their lives is fundamental to people maintaining their autonomy. However, the safeguarding needs cannot be lost. There will be an even greater need in future to balance safeguarding against a person's rights to make decisions about how they live their lives.

4 Herefordshire Safeguarding Adult Board

- 4.1 The Herefordshire Safeguarding Adult Board provides the multi-agency strategic leadership for safeguarding adults in the County. The Board's work increasingly dovetails with the Herefordshire Safeguarding Children Board in order to ensure that robust safeguarding processes are in place across Herefordshire which adequately safeguard people from cradle to grave.
- 4.2 The Board's functions include:
- Multi agency policies and processes
 - Training strategies and delivery
 - Strategic planning
 - Developing inter agency relationships
 - Public and professional awareness
 - Performance management and Quality Assurance
 - Member agency compliance

5 Assurance Processes

- 5.1 NHS Herefordshire and Herefordshire Council (NHS/HC) have a duty to ensure all services commissioned by or on behalf of the organisation provide high quality care for the residents of Herefordshire, in order to give public and Board assurance with regard to the safety of people living in Care Homes in Herefordshire an assurance process has been developed.
- 5.2 The NHS Herefordshire and Herefordshire Council pre placement checklist gives assurance that the Care Home has robust governance arrangements in place (such as good recruitment processes, fire safety procedures etc) before an individual is placed within the Care Home. A check is also made with the Care Quality Commission (CQC) to enable commissioners to be aware of any concerns the CQC may have prior to placement. The NHS/HC Integrated Commissioning Team have developed a quality schedule which is included in each adult social care/health contract, whether the

service is provided by a statutory provider (such as Hereford Hospitals NHS trust) or an independent provider (such as a care/nursing home).

- 5.3 The Quality Schedule lays down expectations of quality service delivery from providers and a process whereby these expectations will be monitored by the Integrated Commissioning team.
- 5.4 Regular contract monitoring and assurance visits take place once a person is placed within a Care Home. Following each visit a report is submitted to the relevant provider and, should there be any areas for development, an action plan is requested, the progress of which is then monitored.
- 5.5 The work of the Integrated Commissioning Team in this area is supported by the Herefordshire Safeguarding Adults Framework, which outlines how all safeguarding concerns within provider services must be assessed. The principal aim is to commission high quality, safe services that meet the Partnership's quality outcomes and safeguarding responsibilities.
- 5.6 A monthly Risk Panel meeting takes place where Integrated Commissioning, CQC, Adult Social Care, 2gether NHS Foundation Trust, Wye Valley NHS Trust and West Mercia Police meet to develop remedial plans for any Care Homes where there are concerns regarding the quality of care delivered by Care Homes.

There are a range of information sources for detecting quality concerns:

- CQC Inspection Reports: The Contracts Team holds a database that will record the outcomes of CQC inspection reports. The database is populated with baseline information which will be the most recent reports for all providers across all care groups. This will then be updated as new inspection reports are released.
- Safeguarding Adults: The Quality Concerns Risk Panel will be informed by regular reports from both the operational safeguarding team and the safeguarding unit.
- Complaints: The Customer Experience Team will put in place processes to ensure that intelligence from complaints relating to quality concerns and relevant safeguarding concerns are fed in to the process.
- Critical Incidents: The organisation has a critical incident reporting process that covers all aspect of care. All incidents that highlight potential quality concerns will be referred to the Quality Concerns Risk Panel.
- User Feedback: The organisation will put in place processes to ensure that user feedback mechanisms are developed to feed into the monitoring process.
- Operational and Practitioner staff who through the course of their work, including statutory care management reviews or contract monitoring reviews, identify potential service quality concerns and poor outcomes for service users.

6 Adult Social Care commissioning

- 6.1 The Quality Schedule sets the standards by which quality should be evidenced and monitored in all contracts. The Schedule is placed in each contract to give explicit quality standards for services and enable Providers to be in a position to assess their own performance across the standards. It also serves to inform Providers how services will be assessed. Assessments take place at each assurance or contract monitoring visit. Each contract will clearly set out those aspects of the Quality Schedule that apply to that individual organisation.

7 Adult Social Care Inspection

- 7.1 The Care Quality Commission (CQC) is the independent regulator of health and adult social care services in England. In August 2010 the CQC inspected adult social care in respect of safeguarding adults and increased choice and control for older people. Two inspectors and an Expert by Experience visited Herefordshire for two weeks in August and September 2010 and interviewed a selection of staff, service users, carers and partner agencies to assess how well Herefordshire was delivering certain aspects of social care. The full CQC report was published by CQC on 26th November 2010, with the outcome that Herefordshire received a rating of adequate for both safeguarding adults and increased choice and control with an uncertain as to the Council's capacity to improve.

The report stated that:

- The Council made it easy to contact someone when people had concerns about abuse towards a vulnerable person.
- Messages about community responsibility for reporting concerns were having an impact, there were good signs of people recognising and reporting poor practice.
- A programme of core safeguarding training and briefings was available to staff and volunteers in social care to improve awareness of safeguarding.
- The council worked closely with local health partners to improve the quality of care.
- Citizens benefited from some universally available preventative services.

8 Key Questions

8.1 How many vulnerable adults are housed in Herefordshire?

The Review Group noted that as of the 30th June 2011, Herefordshire had 90 Care Homes registered with CQC operating within its borders with a maximum capacity of 1859 residents. Many residents within Herefordshire Care Homes are self-funding.

A total of 746 residents are living within these establishments who are funded either by Herefordshire Council or NHS Herefordshire.

Some residents who are funded by Herefordshire Council also have funded nursing care (fnc). Since 2001, people receiving nursing care in a care home have been entitled to the registered nursing care contribution (RNCC); a sum of money (fnc) is paid by the NHS to Herefordshire Council for the care provided by a registered nurse.

8.2 What designation of vulnerable adults are present in the County:

| Type of Care Home | Number of Care Homes in Herefordshire | Residents Funded by: | Number of Residents |
|---------------------------|---------------------------------------|-----------------------|---------------------|
| Learning Difficulty | 38 | Herefordshire Council | 106 |
| | | NHS | 0 |
| Nursing Home | 21 | Herefordshire Council | 214 |
| | | NHS | 138 |
| Personal care Residential | 31 | Herefordshire Council | 288 |
| | | NHS | 0 |

8.3 What Care Homes are operating within the County, and for what designation of vulnerable adults are they offering services?

There are Nursing Homes and Residential Homes within Herefordshire, as well as Care Homes that offer services for those with Learning Difficulties and Mental Health issues.

8.4 How many resident vulnerable adults within the social care system are placed outside the County?

There are 101 resident vulnerable adults placed outside the County (detailed at Appendix 2)

9 Interviews

9.1 West Mercia Police

The Group met with Detective Inspector Jon Roberts in order to discuss safeguarding issues that the West Mercia Police were involved with. Within the County, the police had one Detective Sergeant and a Detective Constable who were dedicated to adult safeguarding matters, and were based in two different locations in the City.

There was currently no legislative framework through which the police could directly work in adult safeguarding in the same way that there was in children's safeguarding. West Mercia Police worked within five different models for adult safeguarding, and Herefordshire currently had the highest referral rate. This could be as a result of greater need in the County than in other areas, or through having effective processes in place.

The Group expressed concern that as there was an increase in the number of people in care, coupled with the changes in the police service as a whole, this was an area that should be kept under review.

Recommendations

- 1** That the Director (People's Services) satisfies herself that the resources available to the West Mercia Constabulary for adult safeguarding in the County are appropriate, and that they should be regularly reviewed.
- 2** That partnership working between Herefordshire Public Services, West Mercia Police and other agencies would be improved if the teams were co-located in one building, and a team of dedicated staff were available to facilitate their operation.

10 Care Quality Commission

- 10.1 The Review Group interviewed Sarah Blake, a local inspector from the Care Quality Commission (CQC). She assured the Group that the majority of the services that were provided by the Council were not causing any concern to CQC.

There was a concern that the ability of CQC to undertake an appropriate level of rigorous inspections was hampered by the limited number of inspectors that were employed by the Commission. This could become more of a concern as the CQC would become responsible for the inspection of GP out of hours services and dental practices.

11 Provider Forum

- 11.1 The Review Group attended a meeting of the Provider Forum which was set up for all care homes and nursing homes as a quarterly meeting with commissioners in order to share information and receive support regarding the processes in place for commissioning quality care. Safeguarding is now a standard item within this Forum. There was a lengthy discussion at which a number of concerns were raised by the providers.
- 11.2 One of the primary concerns expressed by members of the Forum was over communication between the Council and Care Homes. Care Home Managers did not feel that they were being apprised of Council safeguarding policy, and there was a need to have easier access to Council documentation. Whilst the safeguarding policies were available on the internet, the length and complexity of these documents did not make it easy to assimilate on-line, and any changes were not always communicated to providers.
- 11.3 There was also a general feeling that communication could be improved during safeguarding investigations.

Recommendations

- 3** That the communication processes between Adult Safeguarding and the Care Homes should be improved to make it more effective and easier for the providers to access documentation provided by the Commissioners.
- 4** Care Homes should be provided with a copy of all relevant Council documentation on safeguarding. At present, this is only available in an on-line version.

- 5 **That once an incident had occurred, and an investigation is underway, communications between Adult Safeguarding and Care Homes should be improved to provide the Home under investigation with an understanding of the process in hand.**

12 Care Home Visits

12.1 During the review, the Group visited two care homes in the County in order to be in a position to better understand the issues involved from the perspectives of both the residents and the Care Home providers.

12.2 The following issues were considered to be of particular benefit to the residents:

- Staff recruitment at one home did not focus on qualifications to the exclusion of other criteria, but on how individuals interacted with residents. Resident panels were involved in the recruitment policy.
- Dementia care was personalised and suited services to the needs of the resident. This approach had produced good results in individual cases. There were Dementia Champions in the home who were passionate advocates for the respect of residents and dignity of treatment within the home.
- That patients in specialist dementia units were free to walk around the unit, and carried memory boxes with objects that helped them to remember their past. The unit in question provided a peaceful environment, and the staff did not feel the need to routinely utilise drugs to improve patient wellbeing.

There were concerns over access to out of hours services for residents from local GP practices.

Recommendations

- 6 **That the recently introduced protective meal time policy whereby relatives were not admitted whilst residents were eating their meals should be fully appraised before being more widely used.**
- 7 **That a review of access to GP services, including out of hours services, should be undertaken by the Overview and Scrutiny Committee.**

13 Conclusion

13.1 The Review Group concluded that there were no major concerns with Adult Safeguarding in Herefordshire. This view is supported by the Chief Executive of the NHS West Mercia PCT Cluster, who has stated that Herefordshire has the best safeguarding system within the Cluster.

| | |
|-------------------------|----------------------------|
| TITLE OF REVIEW: | SAFEGUARDING ADULTS |
|-------------------------|----------------------------|

SCOPING**Reason for Enquiry**

To ensure vulnerable adults from Herefordshire are safeguarded when looked after in care homes and those with nursing staff.

Links to the Community Strategy

The review contributes to the following objectives contained in the Herefordshire Sustainable Community Strategy, including the Council's Corporate Plan and other key plans or strategies:

This links to the priority in the Corporate Plan of improving health care and social care and the long term outcome of improved intervention and support for older people and keeping them safe.

Summary of Review and Terms of Reference**Summary**

This review is to consider the variety of mechanisms which contribute to assuring that vulnerable adults are safeguarded when in care homes

Terms of Reference

- How assessments are made about an individual's suitability for a placement (matching)
- How we assess that the organisation provides good quality care for their resident population
- If there are concerns about an organisation, what processes are in place to consider on-going assurances
- To review how Joint Commissioning Service proactively finds out whether there are problems within care homes

What will NOT be included

- CQC regulatory processes
- Domiciliary and extra care

Potential outcomes

To

- **That reporting to the board is achieved**
- **Information about safeguarding is available**
- **Improving the assurance process in order to provide residents of care homes within Herefordshire with a good quality of care.**
- **Improving the assurance process in order to ensure Herefordshire residents of care homes outside the County enjoy a good quality of care**

Key questions

To consider:

- **How many vulnerable adults are housed in Herefordshire?**
- **What designation of vulnerable adults are present in the County: Disabled, Learning Disabilities, Geriatric**
- **What Care Homes are operating within the County, and for what designation of vulnerable adults are they offering services.**
- **How many resident vulnerable adults within the social care system are placed outside the County.**

Cabinet Member (s)

Councillor PM Morgan (Cabinet Member, Health & Wellbeing)

Key Stakeholders/Consultees

- **Adult Safeguarding Board**
- **PCT Board**
- **Care Providers Forum**
- **Care Home Owners**
- **Officers – Integrated Commissioning**

Potential Witnesses

- **Residents and relatives**
- **Care Home Owners**

Research Required

- **Best practice in other Local Authorities**

Potential Visits

To

- **Care Homes**

Publicity Requirements

Launch of Review

During Review

Publication of the Review and its recommendations

Herefordshire Matters

| Outline Timetable (following decision by the Overview and Scrutiny Committee to commission the Review) | |
|---|---|
| <i>Activity</i> | <i>Timescale</i> |
| Collect current available data for circulation to Group prior to first meeting of the Group. | |
| Confirm approach, programme of consultation/research/provisional witnesses/meeting dates | First meeting of the Review Group. Mid August |
| Collect outstanding data | |
| Analysis of data | |
| Final confirmation of interviews of witnesses | |
| Carry out programme of interviews | |
| Agree programme of site visits as appropriate | |
| Undertake site visits as appropriate | |
| Present interim report to Overview and Scrutiny Committee, if appropriate. | October 2011 |
| Final analysis of data and witness evidence | |
| Prepare options/recommendations | |
| Present Final report to Overview and Scrutiny Committee | December 2011 |
| Present options/recommendations to Cabinet (or Cabinet Member (s)) | |
| Cabinet/Cabinet Member (s) response (Within 2 months of receipt of Group's report) | |
| Consideration of Executive's response by the Overview and Scrutiny Committee. | |
| Monitoring of Implementation of agreed recommendations (within 6 months of Executive's response) | |
| Members | Support Officers |
| Councillors: (Chairman of the Group) | Lead Support Officer Lynne Renton |
| Councillor JW Millar | Democratic Services Representative David Penrose |
| Additional members of the Group | Cllr PH Bettington |
| | Cllr WLS Bowen |
| | Cllr C Chappell |
| | Cllr K Guthrie |
| | Cllr JLV Kenyon |
| | Cllr GA Powell |