

## **Health and Adult Social Care Overview and Scrutiny**

**16 January 2024**

### **Care Quality Commission – Local Authority Assessment**

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#### Summary

This report presents the Committee with the findings of the Care Quality Commission (CQC) assessment of Medway Council's performance in fulfilling their obligations under Part 1 of the Care Act 2014.

The CQC has awarded Medway with a score of 59% and an overall rating of "Requires Improvement."

#### 1. Recommendations

- 1.1. The Committee is requested to note the Local Authority rating issued by the Care Quality Commission following an assessment of how well Medway Council are performing against their duties under Part 1 of the Care Act 2014<sup>1</sup>.
- 1.2. The Committee is requested to note the action plan which addresses the improvement areas identified in the assessment.

#### 2. Budget and policy framework

- 2.1. This report supports the One Medway Council Plan<sup>2</sup>.
- 2.2. Priority 1: Delivering Quality Social Care and Community Services, and sub priorities:
  - Provide effective, targeted support for our most vulnerable residents to enable them to fulfil their potential and improve their quality of life.

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<sup>1</sup> <https://www.legislation.gov.uk/ukpga/2014/23/contents>

<sup>2</sup> [https://www.medway.gov.uk/info/200781/our\\_priorities](https://www.medway.gov.uk/info/200781/our_priorities)

- Support people of all ages to live the most happy, healthy, independent life possible, utilising assistive technologies.
- Support all adults, including those living with disability or physical or mental illness to live independently and stay safe.
- People in Medway live independent and fulfilled lives into an active older age.

### 2.3. Priority 4: Improving Health and Wellbeing for All, and sub priorities:

- Empowering people to achieve good health and wellbeing through prevention, with access to local activities and services that will enable and support them to lead independent, active and healthy lifestyles.
- Work in partnership with communities and organisations to address the issues that negatively affect health and wellbeing, making sure everyone has the opportunity to live long, healthy lives.

## 3. Background

3.1. The Health and Care Act 2022<sup>3</sup> gave the Care Quality Commission (CQC) new regulatory powers to undertake independent assessment of local authorities' delivery of regulated care functions set out in Part 1 of the Care Act 2014. The CQC regulatory powers focuses on how well the local authority is meeting its duties under Part One of the Care Act 2014.

3.2. Part One of the Care Act's duties include:

- |   |                                |
|---|--------------------------------|
| • Wellbeing principle   | • Next steps after assessment  |
| • Assessment of an adult or carers needs for care and support, eligibility criteria | • Direct Payments              |
| • Charging and financial assessment   | • Deferred Payments (tbc)      |
| • Duty to meet needs  | • Independent advocacy support |

3.3. In April 2023, the Care Quality Commission (CQC) implemented the single assessment assurance regime for Adult Social Care Services. This expanded the CQC remit of the Care Quality Commission (CQC) to oversee the quality and performance of both Local Authorities and Integrated Care Systems (ICS) alongside the existing responsibilities they hold for providers of regulated activity.

3.4. The assessment framework draws on the CQC's new single assessment framework for providers, local authorities and integrated care systems. For local authorities, the CQC is not using the full set of quality statements, but a subset, this is because local authorities are being assessed against part one of the Care Act 2014, which has a different set of statutory duties than the

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<sup>3</sup> <https://www.legislation.gov.uk/ukpga/2022/31/contents>

Health and Social Care Act, which the CQC use to assess care providers and integrated care systems.

- 3.5. The assessment framework for local authorities comprises 9 quality statements mapped across 4 overall themes.

Theme	Quality Statement
How the local authority works with people	1. Assessing people's needs
	2. Supporting people to lead healthier lives
	3. Equity in experience and outcomes
Providing support	4. Care provision, integration and continuity of care
	5. Partnership and communities
How the local authority ensures safety in the system	6. Safe pathways, systems and transitions
	7. Safeguarding
Leadership	8. Governance, management and sustainability
	9. Learning, improvement and innovation

- 3.6. The framework sets out clearly what people should expect a good service or system to look like; places people's experiences of care at the heart of their judgements; ensures that gathering and responding to feedback is central to our expectations of providers, local authorities and integrated care systems.
- 3.7. The CQC initiated the Council's assessment on the 18<sup>th</sup> March 2024, writing to request the Local Authority Information Return. The information return is a significant part of the assessment, which enables the CQC to review key documents, information and data before their on-site visit. It helps them plan their assessment, or form part of the evidence they assess. It also helps the CQC to understand national trends, issues, performance and innovation across England. The information return, which included our self-assessment, which can be seen at Appendix 1, had a strict 3-week deadline for submission; over 400 pieces of information were submitted.
- 3.8. A 'set up' meeting with the CQC took place on the 10<sup>th</sup> July 2024. Information about Medway and the Adult Social Care Structure was presented, along with an update about the improvements that had been made since the Local Authority Information Return in March.
- 3.9. The onsite assessment started on the 12 August 2024 at Gun Wharf and concluded on the 15 August 2024. The assessment team was made up of a Deputy Director, 2 Assessment Managers, 1 Lead Inspector, 2 Inspectors, 2 ICS Assessment Inspectors, 1 Specialist Advisor and 1 Executive Reviewer.
- 3.10. Comprehensive interviews were carried out with the Cllrs Murray, McDonald and Wildey, the Chief Executive, Director of People, Assistant Director, the Principal Social Worker and in the region of 60 staff.

- 3.11. The assessment included inspectors speaking to people that draw on care and support, Carers, Care Providers, Community Health, KMPT, Out of Hours (KCC) and VCS partners.
- 3.12. In addition, CQC Inspectors also spoke with many staff in Adult Social Care to obtain their feedback and experience's, via drop-in sessions.
- 3.13. After the assessment, additional information was also submitted to further support the CQC in their enquiries.

#### 4. Local Authority Rating and Score

- 4.1. The CQC published its report on the 10<sup>th</sup> January 2025. The report can be seen at Appendix 2. Medway Council has been rated 'Requires Improvement' with a score of 59%.



Graphic 1 - Score

- 4.2. Three quality statements were rated 'Good', the remaining six were rated 'Requires Improvement'.
- 4.3. The CQC identified our strengths and areas for improvement, which broadly matched our own self-assessment. There were no surprises, showing that we have a good understanding of ourselves. The assessment confirmed that we are on a path of continuous improvement and acknowledged the advantages of our right-sizing plans.
- 4.4. The identified strengths include:
  - 4.4.1. Staff at Medway Council were found to be proud of their roles and passionate about serving local people.
  - 4.4.2. Staff enjoyed working for the local authority and spoke about the learning and career development opportunities available for them. The Principal Social Worker had developed a team of Practice Development Manager roles to support learning and development opportunities for staff.
  - 4.4.3. Processes for transitions from children's to adult services had been improved, with support now provided earlier.

- 4.4.4. People who were in the process of moving from a Mental Health Hospital to a community-based service, felt they were informed of the process and the social worker updated them as and when needed. A person told us there had been a good plan in place to ensure their smooth transition from a Mental Health Hospital to a service. Their views on the service they were moving to had been valued and considered.
- 4.4.5. People told us they used direct payments to control how their care and support needs were met and mostly described positive outcomes from using them and that they could access support in using direct payments from a dedicated team.
- 4.4.6. The council collaborated effectively with partners to deliver intermediate care and support post-hospital stays. NHS leaders commended Medway for good partnership practices.
- 4.4.7. People could access equipment and minor home adaptations to maintain their independence and continue living in their own homes for example having access to an emergency call system to maintain people's independence and to keep them safe.
- 4.4.8. Standard core equipment was delivered to people promptly.
- 4.4.9. The local authority used a number of measures to understand of the needs of people in Medway and the impact of inequalities. There was good partnership working with voluntary sector groups.
- 4.4.10. The local authority recognised staff shortages and assessment backlogs and had initiated recruitment, training, and funding measures to address these issues.
- 4.4.11. Leaders were restructuring safeguarding hubs and offering staff learning sessions to improve safeguarding processes.
- 4.4.12. The Council was actively working to ensure more people accessed occupational therapy support in a timely manner.
- 4.4.13. The multi-disadvantaged network and multi-disciplinary drug and alcohol service team was developed following identifying gaps in the market and worked to support people in the community. The multi-disadvantaged network was a joint multi-disciplinary group consisting of the Integrated Care Board (ICB), outreach nurses, housing, mental health, nighttime support, and others. It brought together separate initiatives to bridge the gap to people who found it difficult to access services.
- 4.5. Areas for improvement included:
  - 4.5.1. Recruitment and retention of staff impacted assessment times and the effectiveness of the service. Staff shortages led to waiting lists in many areas, including Care Act assessments, Occupational Therapy assessments,

Safeguarding Enquiries, Deprivation of Liberty Safeguards (DoLS) assessments, and Financial Assessments.

- 4.5.2. People were not always contacted in a timely way following a safeguarding referral and partners frequently had to request an update or an outcome.
- 4.5.3. The Council aimed to have financial assessments completed within 56 days. However, they struggled to meet this target, and the average was 181 days.
- 4.5.4. There were no delays providing home care, however an area for improvement was to increase capacity across residential and nursing provision.
- 4.5.5. Some unpaid Carers lacked awareness of the assessments available to them; others who were aware had to wait 3-4 months for an assessment.
- 4.5.6. Care providers advised they did not consistently receive the support they were entitled to from the Council. Some said they actively worked with the local authority, others said this only happened occasionally.
- 4.5.7. We received mixed feedback from providers about assessments, care planning and reviews. Some providers said they were mostly consulted with when people's needs were reviewed, whilst other providers told us they had relied on family members or other professionals for updates on reviews of people.
- 4.5.8. There was mixed feedback received from people that draw on care and support and carers. While some gave positive feedback of being supported and listened to during the assessment and the ease of direct contact with their allocated social worker, the CQC were told of an example where staff lacked knowledge of specific disabilities of a person and their family members felt staff had been reluctant to help or support.
- 4.5.9. The local authority used a number of measures to understand the needs of people in Medway and the impact of inequalities. There was some good partnership working with voluntary sector groups, but this needed developing more to understand the needs of local communities.
- 4.5.10. Staff were able to use different communication methods depending on people's needs, however accessible communication methods needed greater consideration. However, the local authority later confirmed they would have video interpreters for deaf people available in September 2024.

## 5. Advice and Analysis

- 5.1. Medway's Adult Social Care service has been rated 'requires improvement' overall. With some quality statements achieving good, the overall score is a strong requires improvement rating.
- 5.2. The report clearly demonstrates that mixed feedback was received and the need to improve consistency in the service is paramount. Adult Social Care

introduced redesigned pathways and processes on the 6<sup>th</sup> January 2025. These were developed by frontline staff and introduce consistent ways of working.

- 5.3. The increase in the number of Heads of Service in Adult Social Care and the transfer of Adults Partnership Commissioning into the division, creates the capacity to build stronger relationships with our care provider partners.
- 5.4. The CQC acknowledge that leaders at Medway are aware of where improvements need to be made to ensure people have access to the services they need and that they look forward to returning to see how the Council has done this and how the current plans mature.
- 5.5. A robust action plan has been created and we will develop a data driven monitoring system linked to the CQC themes, in addition to our robust audit schedule, so that we can truly monitor our improvement journey.
- 5.6. Progress of actions will be monitored at a number of boards, including the Adult Social Care Partnership Board. The board has an independent chair (a former CEO and DASS) and membership consists of the Leader of the Council, Deputy Leader of the Council, Chief Executive, representatives from the staff reference group and senior representatives from our partner organisations, including KMPT, Medway Foundation Trust and the VCS.
  - 5.6.1. The purpose of the board is for partners to work together and provide challenge and rigour to the Medway Adult Social Care's improvement journey with a focus on core standards, performance, quality, impact, and effectiveness of activity to enable adults to live the most happy, healthy, and independent lives possible.
- 5.7. The action plan is attached as Appendix 3.

## 6. Risk management

Risk	Description	Action to avoid or mitigate risk	Risk rating
Negative impact on people that draw on care & support and Carers.	Waiting lists for assessments across the division and people waiting to move into residential/nursing care will increase the risk of decline in care & support needs and possible relationship breakdown with their Carer	<p>Continue use of our Waiting Well approach. Increase resource via rightsizing.</p> <p>Ensure care at home is mitigating risks.</p> <p>Continue to work closely with care providers to identify possible solutions in providing residential/nursing care.</p>	CII
Failure to address the identified areas of improvement identified in the CQC Assessment.	The Council fails to address the improvement areas identified by the CQC. We risk not fulfilling our statutory duties and will be unable to demonstrate any progress when the CQC returns for reassessment.	We have established an action plan to drive improvements and ensure we are well-positioned to advance our improvement and transformation initiatives.	CII
Recruitment and Retention	The Council does not address the areas identified by the CQC, which could lead to decreased staff morale, increased burnout, and potentially higher staff turnover.	<p>Continue to recruit to vacant posts introduced through the right sizing of the Division to ensure adequate staffing and resources.</p> <p>Continue engagement with staff to gain regular feedback.</p>	CIII
Resource is not in place to deliver improvements	The Council cannot evidence it is sufficiently strong to main the necessary long-term sustainable improvement to Adult Social Care.	Continue to recruit to vacant posts introduced through rightsizing, including Finance, HR and the ASC Transformation & Improvement Team to increase resource.	CII
Financial implications	Improving Adult Social Care will bring with it financial implications, creating further budget pressures for the authority.	<p>Continue to use of the expertise of staff to improve rather than commission external consultants.</p> <p>Continue the use of and investigate additional technology to streamline business processes to create more efficient ways of working.</p> <p>Introduce teams to work with people to reduce, prevent &amp; delay the need for statutory services.</p>	BII

For risk rating, please refer to the following table:

<b>Likelihood</b>	<b>Impact:</b>
A Very likely	I Catastrophic
B Likely	II Major
C Unlikely	III Moderate
D Rare	IV Minor

## 7. Consultation

7.1. N/A

## 8. Climate change implications

8.1. [The Council declared a climate change emergency in April 2019](#) - item 1038D refers and has set a target for Medway to become carbon neutral by 2050.

8.2. Adult Social Care and Partnership Commissioning proactively work with partners and within their own divisions to support the target for Medway to become carbon neutral by 2050.

## 9. Financial implications

9.1. Investment of £2.4m in the budget for 2024/25 was approved by Cabinet and Council in February 2024, to right size Adult Social Care in order to meet its statutory duties.

9.2. A further £2.2m was included in the 2025/26 Draft budget agreed by the Cabinet in November and will be incorporated into the budget proposed to Cabinet and Council in February 2025 to support improvement in areas identified by the CQC.

9.3. Improving Adult Social Care will bring with it financial implications, which may cause further budget pressures for the authority and any pressures identified will be reported to the Cabinet through the revenue budget monitoring and Medium Term Financial Outlook reports in due course.

## 10. Legal Implications

10.1. This and future CQC Assessments, lay the regulatory foundations for meeting the statutory requirements for Medway Council Medway Council under Part 1 of the Care Act 2014.

### Lead officer contact

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## Appendices

Appendix 1 – Medway Council Adult Social Care Self-Assessment – March 2024

Appendix 2 – CQC Assessment of Medway Council

Appendix 3 – Medway Adult Social Care Action Plan

Background papers

<https://www.cqc.org.uk/guidance-regulation/local-authorities/assessment-framework>