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## Report of the Director of Adult Social Services

### Executive Board

**Date: 3 December 2008**

**Subject: Independence, Wellbeing and Choice Inspection of Adult Social Services 2008**

#### Electoral Wards Affected:

Ward Members consulted  
(referred to in report)

#### Specific Implications For:

Equality and Diversity

Community Cohesion

Narrowing the Gap

Eligible for Call In

Not Eligible for Call In  
(Details contained in the report)

**STRICT EMBARGO UNTIL 3 DECEMBER 2008**

### Executive Summary

This report advises members of the outcome of the Commission for Social Care Inspection (CSCI) Independence Wellbeing and Choice inspection for 2007-2009 which took place between 29<sup>th</sup> July and 6<sup>th</sup> August 2008. There is a requirement to prepare an action plan relating to the twenty five recommendations which are made by the report. Progress on the implementation of the action plan will be monitored by CSCI. The outcome from the inspection has contributed to the annual performance assessment of Leeds Adult Social Care for 2007/08, and progress in implementing the plan will contribute to the Annual Performance Assessment for 2008/09. The outcome of the annual performance assessment is the subject of a companion report presented to this meeting of the Executive Board.

## **1 Purpose of this report**

- 1.1 This report advises Members of the Executive Board of the production by the Commission for Social Care Inspectorate (CSCI) of the report arising from the recent Independence Wellbeing and Choice Inspection of Leeds Adult Social Care, the associated action plan arising from the inspection recommendations and the arrangements for implementation and performance monitoring.

## **2. Background**

- 2.1 A three year national programme of Independence Wellbeing and Choice inspections of Adult Social Care is taking place between 2007-2009. The fieldwork for the Leeds inspection took place between 29th July and 6th August 2008. The inspection outcome informs the Annual Performance Assessment of Adult Social Care and is therefore linked to the Corporate Assessment.
- 2.2 The objective of the inspection has been to evaluate Leeds City Council's performance in ensuring social care outcomes for its population have developed in line with the expectations of the Departments of Health and Communities and Local Government. Its methodology focuses upon up to three themes, selected by CSCI on the basis of areas of highest national concern; areas where CSCI consider that authorities would benefit from a 'reality check' or areas which are least well represented in the Commission's evidence set for performance assessment. It gives attention to the experiences of people who need social care services, and leadership and commissioning and delivery of three thematic elements of adult social care.
- 2.3 Adult safeguarding features as a theme for all inspections undertaken in 2008 along with up to two other selected inspection themes. For Leeds, the three themes selected by CSCI were:
- Safeguarding Adults,
  - Personalised Services, and
  - Preventative Services.

CSCI inspected adult safeguarding across adult services generally but in relation to personalised services and preventative services solely in respect of older people.

- 2.4 Independence, Wellbeing and Choice Inspection reports make a separate rated judgement for delivery on each of the themes and one overall rated capacity judgement across all themes. The Commission rates council performance using four grades. These are; poor, adequate, good and excellent. The Commission rates council capacity to improve its performance using four grades. These are; poor, uncertain, promising, and excellent.
- 2.5 In terms of the arrangements for releasing this report, the protocols employed by the Commission for Social Care Inspection require that the outcome of the Inspection cannot be made public prior to the presentation by the lead inspector to the first available public meeting of the relevant Local Authority governance board (in this case the Executive Board) following the completion of the agreement by the Authority and the lead inspector of both the Inspection report and the consequent Local Authority Action Plan.

## **3.0 Inspection Findings**

- 3.1 The report highlighted a number of strengths and areas for improvement. Key elements of these are outlined below

### **Strengths**

- The Local Strategic Partnership (Leeds Initiative) was strong and oversaw the work of the Healthy Leeds Partnership.
- There were good links to the priorities set out by the Local Strategic Partnership and within the Local Area Agreement
- The range of services had improved, the quality of commissioned services was generally high and community services were developing. Admissions to nursing homes had decreased and there was increased use of independently provided home care.
- The council had prioritised and invested in a range of effective preventative services
- Assessment and care management arrangements were well established and often delivered sound and timely packages of care.
- Information about services was generally good and contact arrangements for new and existing services users worked well.
- The weaknesses (in Adult Safeguarding) had been identified and the Executive Director had secured the support of chief officers from partner agencies to oversee the improvement of the board.
- Current leadership had recognised deficits and made a sound start in implementing a performance management culture, strengthening processes to deliver improvement and sustain performance in the future and ambitious plans had been agreed.
- Elected members gave sound leadership and a scrutiny review of dignity had raised the profile effectively. There was a good understanding of the improvement agenda.
- Some successes had been achieved in relation to improved budget management, improved performance indicators and some re-provisioning and externalising of traditional services such as home care
- Budget management and financial planning had been significantly improved since 2005.
- Good progress had been achieved since the commissioning unit was established in 2006 and further strengthened in 2008.
- Use of the independent sector was increasing, with a developing range of services such as extra care.
- The department had identified the excess of direct provision of traditional building based services as a significant inhibitor in the development of the range and choice of services and begun to implement a successful recovery plan.

### **Areas for improvement**

- Leadership and governance arrangements in relation to Adult Safeguarding had been unacceptably weak.
- Adult safeguarding arrangements in Leeds were inadequate and did not satisfactorily protect vulnerable people. Procedures were weak and poorly implemented and multi-disciplinary cooperation was deficient. Investigations were inconsistent, strategy meetings were sporadic, operational staff and their managers did not have a clear understanding of the circumstances in which to intervene or the processes to follow in providing protection.

- Effective management oversight and assurance of minimum standards of practice, in casework, was missing.
- Managers and elected members did not have access to adequate performance data about the quantity or quality of practice, to have confidence that minimum standards were being achieved.
- There was no commissioning plan for older people's services although plans to publish a 'commissioning prospectus' were at an early stage.
- The redevelopment of day care services and the outreach and community support services had been agreed in principle but was yet to be delivered.
- Within the department, high cost services such as home care and small residential care units remained un-modernised
- Costs were high and there had been little demonstrable improvement in quality. For example, the in-house home care service had not differentiated specialist and skilled staff to meet a wide variety of older peoples intensive needs.
- Hospital discharge practice was unacceptably variable and inadequately managed.
- Workforce development was fragmented, underdeveloped and lacked strategic cohesion.
- Frontline quality assurance processes were inconsistent.
- Supervision and annual performance appraisal policies were inconsistently implemented.

3.2 In conclusion, the inspection rated the authority as 'good' in relation to preventative services; 'adequate' in relationship to personalised services and 'poor' in relation to safeguarding. It judged capacity for improvement as 'uncertain'. The full embargoed CSCI report is attached as Appendix A to Executive Board Members agendas only and will be made available to the public at the Executive Board meeting.

## 4.0 Action Plan

### 4.1 Immediate areas of action:

Initial feedback was provided to senior officers within Adult Social Care by the Inspection Team following the completion of the inspection and in advance of the production of the draft report. At this point the Adult Social Care leadership team took immediate action to improve front line safeguarding arrangements. These actions included:

- All senior and front line field work managers were sent written guidance outlining the requirements for safeguarding vulnerable adults. These requirements were circulated to front line workers. The guidance was further supported in meetings between the Director of Adult Social Services and Senior Fieldwork Managers.
- The Director of Adult Social Services and the Chair of the Safeguarding Board met with the Chief Executive Officers of local Statutory partner agencies to secure commitment to the adoption of significantly updated local multi-agency safeguarding arrangements and to the strengthening of partnership leadership and governance arrangements. This has been confirmed by a memorandum of understanding between the partners.

### 4.2 Immediate actions taken following the receipt of the inspection report:

Following the receipt of the first draft inspection report, further steps were immediately taken to assure that vulnerable adults in Leeds are effectively safeguarded:

- A safeguarding checklist was provided to all front line team managers, this acts as an aide-memoir of required standards of practice. All Social workers undertaking adult safeguarding investigations have received additional training regarding their roles and responsibilities to ensure that all staff undertaking safeguarding investigations have appropriate knowledge and skills to undertake the task appropriately
- Following on from the internal review of fieldwork services reported to the Executive Board in July 2008, to further support operational fieldwork staff, ten Senior Practitioner posts have been established to lead, coach, support and monitor safeguarding work in front line adult social care teams. Subject to the expedition of the relevant HR and governance processes, these staff will be in post by January 2009.
- In association with the above, to strengthen the quality assurance and appropriate performance of safeguarding interventions, three further posts have been established, with appropriate business support, to independently manage all Adult Safeguarding case conferences and strategy meetings. In the first instance reporting directly to the Chair of the Safeguarding Adults Partnership Board, these specialist staff will provide independent assurance that the vulnerable adults are appropriately safeguarded. Subject to the expedition of the relevant HR and governance processes, these staff will be in post by January 2009.
- Front line managers have undertaken an audit of all safeguarding investigations undertaken since September 1<sup>st</sup> 2008 to confirm that the written guidance that they had received in August had been appropriately followed.
- In November, a review of 20 such safeguarding cases and their associated records was undertaken by an external expert consultant. The purpose of the review is to demonstrate that improved quality assurance processes are being used and to establish the baseline from which practice standards will be raised as a consequence. The results of the review will be available in December.

#### 4.3 Key areas for action in the next year.

##### ◇ **In relation to Safeguarding**

- Amendments are made to the current Safeguarding Board which will strengthen its leadership role and procedures, including the appointment of a 'Head of Safeguarding' post to manage the business of the Board and it's revised sub-group structure.
- The role of Elected Members and non-executive Directors and their equivalent in statutory partner organisations in relation to monitoring the overall performance of the Board is enhanced.
- Strengthening quality assurance and performance management of front line practice through improved management practice independently verified by regular peer and independent practice audits. This will ensure that all vulnerable adults are safe and receiving services which meet minimum national and local standards.
- Improved and consistent interagency working which delivers effective and efficient services to vulnerable adults in ways which always promote choice and ensures their dignity and respect
- Enhanced human resource management within adult social care and with partners which will ensure that there are staff with appropriate skills and knowledge to adequately safeguard vulnerable adults and co-ordinate the delivery of appropriately personalised services.

##### ◇ **In relation to Assessed Services**

- Improving the delivery of integrated multi-agency outcome focused assessment and care management processes.
- Extending and accelerating the current programme for reconfiguring and modernising traditional and buildings based social care services within Leeds
- Strengthening hospital discharge procedures to ensure a balance of emphasis is attained between speed of discharge and improved quality of patient experience.

◇ **In relation to Commissioning**

- Further improving the Authority's commissioning and service planning arrangements to ensure greater improvement in the quality and effectiveness of local services for vulnerable adults.

◇ **In relation to Service Modernisation**

- Accelerating opportunities to work more closely with NHS Leeds in terms of commissioning, and exploiting opportunities for more integrated processes and services.
- In the light of the above and using the successful Independent Living scheme as an exemplar, review the role and function of all current directly provided residential and other buildings based services to exploit opportunities to develop more diverse opportunities for supported independent living .

◇ **Development of the action plan**

- 4.4 The inspection action plan preparation has been developed by a multi-agency group lead by senior managers in adult social care, supported by partner agencies with the assistance of external expert consultancy. The actions arising from the recommendations will be incorporated into revisions to Service Improvement Plans within Adult Social Care. However, progress against the inspection recommendations will be monitored separately by CSCI and progress against these will inform the judgements on performance within the Annual Performance Assessment for 2008/09.
- 4.5 Internally, progress against the actions will be monitored through the Adult Social Care Directorate Management Team on a monthly basis, by report to the Executive Lead Member with the same frequency and through quarterly reports to the Adult Social Care Scrutiny Board.
- 4.6 The full action plan is attached at Appendix B to Executive Board Members agendas only and will be made available to the public at the Executive Board meeting.<sup>1</sup>

## **5.0 Specific Implications for Ethnic Minorities & Disability Groups**

- 5.1 There are no specific implications for Ethnic Minority or disability groups, the Inspectors having no recommendations for improvement in this area.

## **6.0 Legal and Resource Implications**

- 6.1 The local authority is required to publish the report of the Independence Wellbeing and Choice inspection within an open meeting of the Council Executive Board and to produce an action plan, in the light of formal recommendations made within the report. This plan requires the approval of the Commission for Social Care Inspectorate'
- 6.2 The actions arising from the recommendations will incur additional costs in relation to the establishment of new posts of

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<sup>1</sup> Due to the timetable for release of documentation the action plan attached is the latest version available.

- Head of Adult Safeguarding
- 10 senior practitioner posts
- 3 Independent Specialist Safeguarding Chairs
- Independent Quality Assurance Officers
- Appropriate Business Support.

- 6.3 The proposals contained in this report represent a considerable investment in vital elements of the system of safeguarding adults in Leeds. The gross cost required for establishing these posts is £797K. Although no formal provision was made in the development of the 2008/09 Adult Social Care budget, a number of prudent assumptions were made in anticipation of the likely consequences of the requirement to implement actions in relation to recommendations made in response to the outcome of this Inspection which was known to be taking place in this financial year.
- 6.4 Within year, a significant proportion of the Social Care Reform grant (valued at £1.17M) has been held in reserve and it is proposed that the grant is used in-year to 'pump prime' the recruitment to the posts proposed in this paper.
- 6.5 The ongoing costs of this package will be factored into the development of the 2009/10 budget which is currently under way. Although elements of the social care reform grant allocation for 2009/10 may legitimately be used to support strands of the proposals set out in this report, the substantive safeguarding proposals will be funded via reconfiguration of current Adult Social Care expenditure.
- 6.6 The personalisation of social care provision to adults requires fundamental changes to the way that services are arranged and provided by the Local Authority. Analysing, assessing and managing the risks which are naturally associated with supporting people to exercise choice and control over their care and support provision, require close and specific attention to the effective management of statutory safeguarding issues. The costs of this can legitimately be built in to the emerging resource reallocation within Adult Social Care which is a fundamental requirement in ensuring the means to access personalised care.

## **7.0 Conclusion**

- 7.1 The authority has been judged as good' in relation to preventative services; 'adequate' in relationship to personalised services and 'poor' in relation to safeguarding. The Commission judged capacity for improvement as 'uncertain' in relation to the focus of the inspection. An action plan, presented with this report, has been approved by CSCI. A number of actions have already been taken by the Authority which have improved the quality of adult safeguarding in Leeds and progress is in the process of being independently verified through review by a recognised national expert. Further consolidation of improvements to local services will be established through the implementation of the attached action plan. Progress in this respect will be monitored through CSCI and by the Adult Social Care Scrutiny Board.

## **8.0 Recommendations**

- 8.1 The Executive Board is asked to:

- Note the contents of this report and the attached Independence, Wellbeing and Choice Inspection Report and Action Plan.
- Receive updates on progress against the action plan as part of the Annual Performance Assessment Reporting in December 2009
- Refer the Inspection report and associated action plan to the Adult Social Care Scrutiny Board for their oversight of performance against the targets set out in the plan.

## **Background Documents**

- The CSCI Inspection report on Independence, Wellbeing and Choice Inspection of Adult Social Services 2008