

ANNUAL ASSESSMENT OF THE SOCIAL SERVICES INSPECTION UNIT

2000 Report of the Chief Executive

Author: Pat Sanders, Group Internal Auditor (Internal Audit), tel.: 01992 555329

1. Purpose of the Report

At their meeting on the 16th June 1994, the Social Services Committee received a report on the implementation of the Department of Health's Circular LAC (94)16, "Inspecting Social Services". That circular includes the provision for an annual report to be made by the Chief Executive to the Department of Health on the work of the authority's inspection unit. This is the fifth of the annual reports in respect of Hertfordshire, and has again been prepared by the internal auditors.

2. Summary

The assessment by the Chief Executive concentrates on :

- the objectivity with which the Unit applies common standards as between local authority and independent provision;
- the success of the Unit in maintaining its independence within the Social Services Department;
- the degree to which inspection reports are being made publicly available and the scope for the further extension of open reporting;
- the effectiveness of the Social Services Department's follow-up where improvements in service are found to be necessary, particularly in respect of directly provided services;
- the involvement of lay assessors and the role of the Inspection Consultative Forums
- the Unit's staffing resource.

Despite the achievement of almost 100% of statutory inspections across all services, the Unit is not complacent and is constantly seeking ways to improve

its practice. The announcement of the 8 Commissions for Care Standards and the likely relocation of the Unit out of HCC by 2002 will, however, continue to have an impact on Unit staff and the relationships it currently has with the in-house services and the independent sector.

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1. Methodology

- 1.1 The advice offered by the Department of Health in their reports “*Inspecting Social Services: An overview of Chief Executives’ Annual Reports 1995*” and “Better Regulation Now 1999” were followed in the preparation of this report.
- 1.2 The other documents used in compiling this report included a number of Local Authority Circulars, draft statistics prepared for the Inspection Unit’s 1999/00 Annual Report, and a selection of Unit Inspection Reports. A full list of the documentation used, and greater detail on the testing completed to support the report findings, is attached at Appendix A.
- 1.3 At the time of the review the number of beds in residential homes (excluding Boarding schools and Children’s homes) was as follows:

<u>Sector</u>	<u>Homes</u>	<u>Total Beds</u>
Vol. & Private Residential	239	5395
Vol. & Private Small Residential/Adult Placements	33	76
HCC Residential	18	394
Vol. & Private Nursing	76	2929
TOTAL	366	8794

- 1.4 Face to face and telephone interviews with a number of key personnel were carried out:
- Head of the Unit and senior staff in the Unit
 - Other senior Social Services District staff
 - Proprietors and managers in voluntary, private and HCC homes.
- 1.5 As in previous years a survey of a sample of 50 service providers was undertaken, in order to evaluate the impact of action by the Inspection Unit on areas identified last year as being in need of some improvement. Conclusions drawn from the survey were supplemented by a sample of results of the Units own feedback questionnaires and from responses to a confidential survey of Inspectors. Appendix D gives details of the results of the provider survey.
- 1.6 Appendix C gives details of the 1999 recommendations and the extent to which they have been implemented.

1.7 Consultative Forum minutes were reviewed and the Chair of the Adult Forum contacted for comments.

1.8 The wide range of information gathered throughout this exercise (much of it provided on a confidential basis) provides the basis of the analysis in this report.

2. Overall Assessment

2.1 Feedback from providers overwhelmingly praises Inspectors. Inspectors consistently impressed them as having the well being of the residents at heart and were highly valued as a source of advice on service issues.

2.2 The Department of Health's proposals to reform the regulatory system for residential care and implement national standards were published in the White Paper *Modernising Social Services* in November 1998. A primary aim of the proposals is to promote independence in the regulation and inspection of residential and nursing care. With that intention a timetable is in place to introduce national standards and 8 independent regional statutory bodies - Commissions for Care Standards - by April 2002.

2.3 The new Head of the Unit was appointed in September 1999. In addition to taking steps to improve the monitoring of the inspection programme, she is working with HCC contract and IT specialists to resolve problems with the software supplier of the newly implemented IT database. This new system already greatly enhances the information available to the Unit and has the capacity to improve public access to inspection reports and more effectively track responses to inspection findings.

2.4 The Unit's response to the recommendations made in our 1999 report is attached at Appendix C.

2.5 Joint arrangements with the two Hertfordshire Health Authorities for the Inspection Unit to carry out the registration and inspection of nursing homes and private hospitals in Hertfordshire continue. Joint units are relatively rare but the benefits are now widely promoted by the Department of Health. The benefits include joint training, applying common standards, and producing one report in the case of dual registered homes.

3. Assessment in detail

The application of common standards to all providers

- 3.1 In line with the findings of the Department of Health's Social Services Inspectorate (SSI) (published in "Better Regulation Now", dated August 1999), evidence continues to support our view that, as far as the inspection process is concerned, the Unit treats HCC homes in an identical way to the similar private and voluntary homes. Although the majority of Home Managers we surveyed stated that they were satisfied with the even-handedness of the Unit, 30% gave a 'don't know' response to Question 2 on the questionnaire ["As far as you are aware do Inspectors apply the service standards equally to services in local, private and voluntary sectors?"]. It therefore continues to be difficult for providers to make direct comparisons of their experiences of inspections, with inspections conducted in similar services. See Appendix D.
- 3.2 All the evidence we saw during this review indicated that the published enforcement action was applied evenly to both sectors up to and including the serving of notice on HCC homes. It should be noted that HCC provision for people with learning disabilities has recently been reviewed and a number of solutions agreed which meet the needs of people with learning disabilities and also meets registration standards. A senior inspector has been part of the accommodation review team and has advised on registration standards. With effect from April 2002, under the proposed Commissions for Care Standards, notices served on HCC homes will be legally enforceable, and a deadline of 2007 will be applied to all homes currently in the process of moving towards registration standards.
- 3.3 The Adult and Children's Consultative Forum includes representatives from HCC alongside private and voluntary providers, newsletters are periodically distributed to all providers, and the Director of Social Services chairs regular meetings with all providers.
- 3.4 Evidence from this review again did not indicate that any particular sector or care group received more recommendations per visit than any other. In order to ensure that individual inspections are impartial, reliable, and unprejudiced, two inspectors are involved except for small homes (less than 4 residents) where two inspectors would be too heavy handed. Inspectors meet every two weeks to discuss the Unit's work and the Head of the Unit joins some inspections. The inclusion of lay assessors also reinforces consistency within the inspection process. Service providers have an opportunity to feed back any concerns to the Unit via evaluation questionnaires. Providers from all sectors also continue to endorse the inspection report format, which clearly states the evidence upon which an appraisal rating for each standard inspected is made.

Independence of the Unit within the Social Services Department

- 3.5 The Unit continues to maintain, as far as is possible, full independence from the main Social Services Department. The Unit itself is located in Leahoe Annexe, away from County Hall, which accommodates the main Department. The Head of the Unit reports directly to the Director of Social Services on policy and managerial issues, and is given a clearly defined degree of authority, including the presentation of annual reports to committee. In the event of any conflict when enforcing registration decisions on HCC homes the Head of the Unit has a clear responsibility to consult the Chief Executive.
- 3.6 At present the Unit has a number of vacancies, one of which may be filled by an inspector returning from a long-term secondment in the Social Services Commissioning Unit. **We recommend** that the Head of the Unit ensures that adequate checks are introduced to preserve the independence of the Unit and avoid any conflicts of interest, in the event of the officer who has recently been responsible for commissioning the homes returning to the Unit as an inspector.

Open Reporting

- 3.7 Open reporting is a requirement for all residential and nursing homes. It is one key factor in demonstrating the even-handedness of the Unit between sectors.
- 3.8 The Unit continues to publish leaflets and posters about the work of the Unit. These are made available to the general public via various access points, including all libraries and Social Services Department offices. In addition, the Head of the Unit is currently considering a number of ways to improve access to reports, including writing to the relatives of clients prior to each announced inspection to invite their comments on the quality of the service being provided. This would also provide an opportunity to restate the open reporting policy enabling interested parties to have access to a copy of the inspection report. **We recommend** that the Head of the Unit should continue to also explore the need to provide inspection information and reports in large print and/or other languages.
- 3.9 No charge is normally made for copies of reports requested, and, in order to further increase the accessibility of reports to current and prospective users, the county libraries which have Information Points can now request faxed reports directly from the Unit without charge to the individual. Some success must be noted in that significantly more reports have been requested from the Unit this year although public take-up still remains relatively low. A number of other Local Authorities very successfully provide access to individual home reports via their internet site as well as more traditionally by post or fax. We have been assured by the Project Manager (Herts Connect - Social Services) that she will continue to consider how information about the Unit on the HertsDirect web site can be improved.

- 3.10 The revised report formats, introduced last year, were generally very well received by providers. All of the 27 returned questionnaires responded yes to Questions 7 and 8 [Q7 “Do you find inspection reports clear and understandable?” Q8 “Do you think that inspection report recommendations and requirements for action, are clearly specified?”].

The effectiveness of follow-up procedures and extent to which the follow up policy has been observed

- 3.11 Hertfordshire’s inspection follow-up policy provides a mechanism to ensure that the requirements of inspection reports covering HCC homes are responded to by the Social Services Department. Follow-up procedures for all sectors are generally understood (78% of providers surveyed responded “yes” to question 3 “Are you aware of Hertfordshire’s policy on inspection follow-up”). However, the document “Policy for the Follow up of Inspections” drafted in January 1995, which specifies the action to be taken in the case of homes directly provided by HCC, is now out of date and **we recommend** that the Social Services Assistant Director (Operations) ensures that priority is given to the current review of the follow-up policy and that the revised document is widely distributed to all service providers.
- 3.12 The two Consultative Forums (adults and children) meet at least three times a year and receive reports, which include the impact of required standards in all sectors. Details of appeals to Social Services Committee and Tribunals are also included in the Unit’s annual report, which is published, made available to the public, and again presented to the Consultative Forums.
- 3.13 The newly implemented IT system is able to effectively track responses to inspection findings across all sectors. Depending on the seriousness of the inspection requirement the inspector will either review the action taken at the next routine visit, arrange for a special follow up visit, or bring forward an unannounced inspection. The effectiveness of the ‘traffic light’ system used for monitoring more significant residential and nursing inspection issues which often arise from the investigation of complaints is currently being reviewed by the Head of the Unit.

The involvement of lay assessors in Unit Inspections

- 3.14 Lay assessors were introduced into inspections in 1995, and are seen by inspectors and the service providers as valuable members of the team, bringing a common-sense approach to the process of inspection.
- 3.15 In contrast to a number of other Inspection Units, this Unit continues to successfully attract and maintain a significant group of about 60 lay assessors. Lay assessors contacted during this review were confident about their role in

the inspection process formalised by a signed declaration of confidentiality. All felt supported when doing on site inspection work and attended regular meetings. In addition, feedback from new lay assessors attending a recent induction session, which we also attended, highly praised the support given by the inspector and administrative officer who manage the function.

Inspection Consultative Forums

- 3.16 Consultative Forums provide an opportunity for those with an interest in inspection to meet and discuss issues. Membership and administration arrangements for Hertfordshire's two Consultative Forums (adults and children) comply with the Department of Health Circular LAC(94) 16. As in previous years the returned surveys continue to indicate that a significant number of providers remain unaware of the functions of the Consultative Forums despite continued efforts to widely publicise the Forums.
- 3.17 There is lay assessor representation on the Adult forum. Quarterly meetings of the Adult Forum are now held at various homes around the County, giving members the opportunity to informally talk to the home's residents and staff. This has to some extent countered the difficulty of permanently recruiting users and carers to the Forum. Similarly the quarterly children's Forum meeting is now linked to the group representing children in care - Voice of the Child.

Staffing of the Unit

- 3.18 It was clear from discussions with the personnel identified at 1.4, and from the responses to the various questionnaires reviewed, that inspections continue to be considered to be well planned, conducted efficiently, and also that the expertise of the inspectors was very highly valued.
- 3.19 In preparation for the transfer to the proposed Commissions of Care in April 2002, staff are in the process of preparing a portfolio of their skills as defined by a number of competencies required by the National Care Standards Commission (NCSC). Staff in the Unit also currently operate workwise arrangements which appear similar to working arrangements envisaged by the NCSC i.e. that Inspectors will be largely peripatetic and working remotely including possibly from home.
- 3.20 At present there are a number vacancies within the Unit. The Head of the Unit remains confident that, despite many uncertainties around the move to the Commissions of Care, high calibre staff will continue to be attracted because of this Unit's high national profile as a joint unit.

4. Financial Implications

There are no significant financial implications arising from this report.

Officer contact for further information - Pat Sanders 01992 555329

Background information referred to by the author in preparing this report is detailed in Appendix A of the report.

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**BACKGROUND DOCUMENTATION USED BY THE AUTHOR WHILST
COMPILING THIS REPORT**

Legislative Framework:

- Department of Health Circular (94)16 and associated guidance
- Registered Homes Act Manual
- Statutory Instruments - 1984 No 1345 Social Welfare Services- The Residential Care Homes Regulations 1984
- White Paper “Modernising Social Services” dated November 1998, Chapter 4 Improving protection.
- Better Regulation Now – 1999

Social Services Department / Registration and Inspection Unit documents

- Care Choices 2000 Hertfordshire -Directory of Care Services, Residential and Nursing Homes
- Annual Report of the Inspection Unit 1998/99
- A sample of Inspection reports taken from all sectors
- Staff operating handbook
- Management information reports
- Social Services Committee Reports
- Revised Handbook - Registration and Inspection of Residential Care and Nursing Homes in Hertfordshire)
- Leaflet - Safeguarding Standards of Care in Hertfordshire Inspection and Registration of Residential and Nursing Homes and Home care services
- Internally prepared statistics - single room occupancy, inspections completed
- Complaints information

SAMPLE DATA TESTED

- Internal Audit questionnaire sent to 50 residential and nursing home managers
- Internal Audit questionnaire sent to all inspectors
- Survey results from the following exercises commissioned or carried out by the Inspection Unit – Evaluation questionnaires left on site by inspectors after inspections – Course evaluations following lay assessors induction
- Discussions: Head of Unit, Senior Inspector and 2 Inspectors, 2 Unit Admin. Officers, 1 senior Social Services officer
- Discussions: 1 experienced lay assessor, 2 new lay assessors
- Review of reporting data from inspections
- Review of detailed requirements and recommendations - a sample from each sector.

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RECOMMENDATIONS

The Assistant Director of Social Services -Operations

1 ensures that priority is given to the current review of the follow-up policy and that the revised document is widely distributed to all service providers.

The Head of the Inspection Unit

2 ensures that adequate checks are introduced to preserve the independence of the Unit and avoid any conflicts of interest, in the event of the officer who has recently been responsible for commissioning the homes returning to the Unit as an inspector

3 continues to also explore the need to provide inspection information and reports in large print and/or other languages

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IMPLEMENTATION OF RECOMMENDATIONS MADE IN 1999 REPORT

	<u>Recommendation</u>	<u>Responsibility</u>	<u>Action</u>
1	ensures that the new Head of Unit maintains the Unit's high national profile and progresses the quality improvements initiated by the outgoing Head of Unit.	Director of SS	<i>Achieved</i>
2	continues to develop links with providers, users and carers and also follows through proposals to improve access to inspection reports, liaising with the Head of Research and Information on the opportunities that Herts Connect may provide.	Head of Unit	<i>Continuing – some progress made on access to general information on the work of the Inspection Unit via the internet, but no direct link to inspection reports as yet.</i>
3	continues to review and fulfil the training needs of his staff and carefully monitors the balance between staffing and workload in order to ensure that the Unit continues to fulfil its statutory inspection obligations.	Head of Unit	<i>Continuing – particularly crucial because of the transition to Commissions for Care in 2002.</i>
4	ensures that reports are issued without undue delay and also considers restating the date of the inspection alongside the report date.	Head of Unit	<i>Continuing – more effective monitoring now in place using the new IT system.</i>

APPENDIX D

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Questionnaire completed by providers of services inspected by Social Services Department Inspection Units.

ANALYSIS OF RESPONSES

1. Questionnaires were sent to a sample of 50 residential and nursing homes operating in the County.
2. The questionnaires were devised by the Chief Internal Auditor in order to obtain the views of a sample of service providers whose services are inspected by Hertfordshire County Council Social Services Department Inspection Unit.
3. The aim is to strengthen the Inspection Function by ensuring that the views of the service providers are built into the inspection process.

The following analysis is based on the returned 27 questionnaires.

<u>QUESTION</u>	<u>YES</u>	<u>NO</u>	<u>DON'T KNOW</u>	<u>BLANK</u>
Q1. Has the Social Services Inspection Unit supplied you with the Green Book on Registration and Inspection Standards which explains the standards they expect to find in your service?	24 89% (1999=92%)	1	2	
Q2. As far as you are aware do Inspectors apply the service standards equally to services in local authority, private and voluntary sectors?	18 67% (1999=58%)	1	8	
Q3. Are you aware of Hertfordshire's policy on inspection follow-ups ?	21 78% (1999=67%)	2	4	
Q4. Do you think the Inspection activity is well planned and conducted efficiently ?	27 100% (1999=96%)			
Q5. Do Inspectors always speak with individual residents or other service users, to seek their views on the service they receive?	27 100% (1999=96%)			1
Q6. Do you think that the qualifications and expertise of the Inspectors are appropriate for inspecting the service?	24 89% (1999=96%)	1	1	1

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<u>QUESTION</u>	<u>YES</u>	<u>NO</u>	<u>DON'T KNOW</u>	<u>BLANK</u>
Q7. Do you find inspection reports clear and understandable?	27 100% (1999=96%)			
Q8. Do you think that inspection report recommendations and requirements for action, are clearly specified?	27 100% (1999=100%)			
Q9. Are you given an opportunity to comment on reports ?	26 96% (1999=100%)	1		
Q10. If you have made comments, do the final reports take account of your comments?	14 52% (1999=79%)		8	5
Q11. Are you aware that Hertfordshire has introduced a policy on open public access to inspection unit reports ?	26 96% (1999=100%)	1		
Q12. Have the Social Services Department explained the part that lay assessors will play in the inspection process including the fact that they will accept requests from you for a lay assessor to be included in an inspection?	22 81% (1999=83%)	3		2
Q13. Are you aware that consultative forums exist and are you familiar with their membership and functions?	6 22% (1999=33%)	18	2	1
Q14. Do you think that the consultative forums perform a useful function?	11 41% (1999=29%)	1	13	2
Q15. Do you think that the service that you receive from Hertfordshire's Inspection Unit supports you in managing your home?	26 96% (1999 N/A)			1

A number of useful comments were given which will be passed on to the Inspection Unit with the agreement of the Homes concerned.

Internal Audit would like to thank all service providers who completed and returned questionnaires.