



Adult Social Care Trade Association meeting

**Wednesday 27 July 2022,
10-12:00**

Agenda

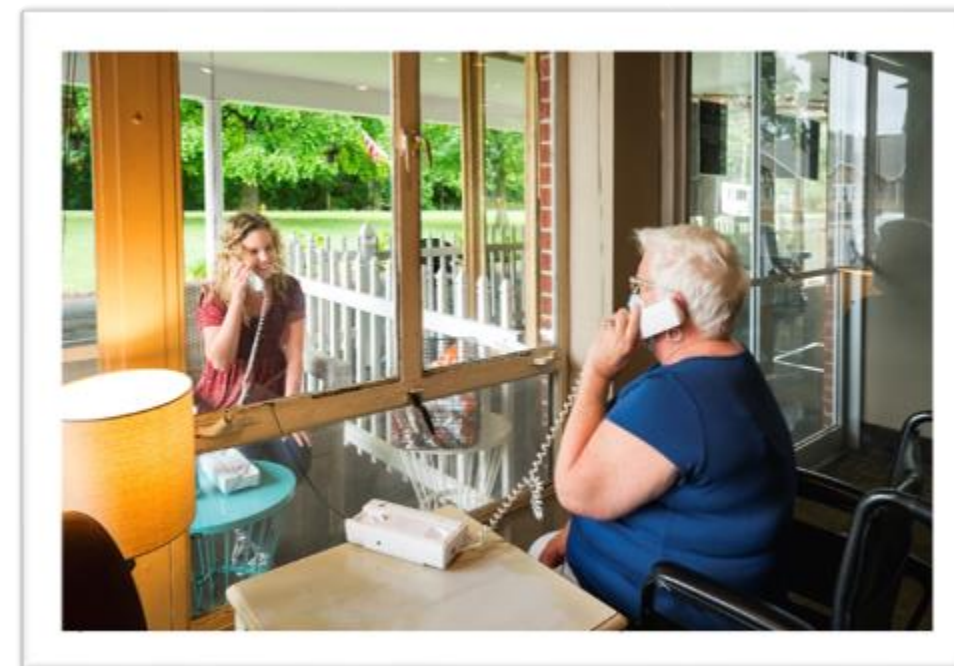
No.	Agenda item	Lead	Time
1.	Welcome and Introductions (5 minutes)	Rob Assall, CQC Network Director, London & East Operations	10.00
2.	Operational update (15 minutes)	Alison Murray, CQC Head of Inspection, Adult Social Care	10:05
3.	All CQC-registered providers to ensure their staff receive training on interacting with people with a learning disability and autistic people (20 minutes)	Adrian Dunsterville, CQC Regulatory Policy Manager	10:20
4.	Registration conditions to improve the quality of services for people with a learning disability and autistic people (15 minutes)	Laura English, CQC Regulatory Policy Officer	10:40
	Short break (10 minutes)		
5.	New regulatory model update (30 minutes) <ul style="list-style-type: none">- How we can support providers to use and understand our new quality statements.- Developing a process to query/challenge CQC's assessments.	Dave James, CQC Head of Adult Social Care Policy	11:05
6.	Recruitment resources and guidance (20 minutes)	Alison Murray, CQC Head of Inspection, Adult Social Care	11:35
7.	Trade Association terms of reference (5 minutes)	Lisa Lloyd, CQC Communications and Engagement Manager	11:55
8.	AOB	All	11:55
9.	Close	All	12:00

Operational update

Alison Murray - Head of Inspection, Adult Social Care

Inspection update

- **20,653** inspections undertaken since 16 March 2020 as at 19 July 2022.
- **16,010** inspections undertaken since 16 March for locations in Adult Social Care services in this period
- **2,856** inspections with IPC form (IPC Findings) from 1 December 2021 to 14 July 2022 (data correct as of 14 July 2022)



Please note: The IPC data is only reportable from 1 December 2021

**Risk and Rate
wherever possible**

- Responding to risk
- Focused inspections
- Inadequate and Requires Improvement services
- Registered and unrated services

Staff training on interacting with people with a learning disability and autistic people

Adrian Dunsterville - Regulatory Policy Manager

All CQC-registered providers to ensure their staff receive training on interacting with people with a learning disability and autistic people

From 1 July 2022, all health and social care providers registered with CQC must ensure that their staff receive training in how to interact appropriately with people who have a learning disability and autistic people, at a level appropriate to their role. This new legal requirement is introduced by the Health and Care Act 2022.

The government is also required to consult on and publish a Code of Practice, which would outline the content, delivery and ongoing monitoring and evaluation of the [Oliver McGowan Mandatory Training](#), which it has developed. We anticipate that the government will take at least 12 months to publish the Code of Practice.

CQC will provide statutory guidance until the Code of Practice is published. During our assessments and inspections of providers, we regularly look to see if staff are working with people appropriately, and if not, we consider what training and support has been provided to staff to ensure their understanding.

Following the introduction of this requirement, we will be looking to see whether staff have received such training and whether providers have assessed the competencies of their staff following training. We will not be looking at what the training itself has involved.

We have updated our [statutory guidance](#) to reflect these changes and will continue to engage with the Department of Health and Social Care (DHSC).

Supporting FAQ's <https://www.hee.nhs.uk/our-work/learning-disability/oliver-mcgowan-mandatory-training-learning-disability-autism>

Scope – The new requirement applies to all providers registered with CQC.

Oliver McGowan training – the government have said "The Oliver McGowan Mandatory Training package is not yet available." They have also said "The Department of Health and Social Care are exploring with statutory bodies (NHS England and Health Education England), as well as with Skills for Care, which elements of the Oliver McGowan Mandatory Training programme can start to be delivered while the Code of Practice is being produced."

CQC – will continue to be proportional in all regulatory work.

Supporting FAQ's <https://www.hee.nhs.uk/our-work/learning-disability/oliver-mcgowan-mandatory-training-learning-disability-autism>

Debbie Ivanova, Director for People with a Learning Disability and Autistic People, said:

"We welcome this important step taken by the government. By ensuring that staff in all services receive training appropriate to their role – whether in an acute hospital, dentist practice, GP surgery, or a place where people live – they will be able to further develop the skills to make sure that people with a learning disability and autistic people receive the right care."

Strengthening regulation
of services for autistic
people and people with a
learning disability –
Setting conditions



Laura English- Adult Social Care Regulatory Policy Officer

The agreed model of care for CQC regulation

How CQC regulates providers for autistic people and people with a learning disability

- **Right support:** Model of care and setting maximises people's choice, control and independence
- **Right care:** Care is person-centred and promotes people's dignity, privacy and human rights
- **Right culture:** Ethos, values, attitudes and behaviours of leaders and care staff



Current situation and what we want to change



- Service User Bands at registration determines whether we assess against RSRCRC
- A registered provider who wishes to add Service User Band relating to people with a learning disability or autistic people does not have to apply to CQC.
- A change to registration will strengthen our ability to assess proposed specialist services for people with a learning disability and autistic

Which regulated activities does proposal apply to?

- 'Personal Care'
- 'Accommodation for persons who require nursing or personal care'
- 'Assessment or medical treatment for people detained under the Mental Health Act 1983.'

Changes we propose to make

- **New applicants** who DO NOT select the Service User Bands relating to people with a learning disability or autistic people – condition of registration.
- Can apply to have condition removed if, once registered they wish to include this Service User Band.
- Effect – CQC will be able to assess the proposed change against RSRCRC
- **Providers already registered with CQC** will be assessed against RSRCRC where they
 - i) Apply to add a specified Regulated Activity and intend to deliver specialist service
 - ii) Apply to add a location to one of the specified Regulated Activities and intend to deliver a specialist service

- CQC will improve its oversight of the provision of care and support to people receiving a service from a specialist learning disability or autism service and in so doing help drive improvement in this sector
- Provide the opportunity to explore the application with the provider and determine the appropriateness of their model of care and the correct service type to be allocated to the registration
- An increased level of assurance and protection for people in respect of the quality and safety of services they receive.

**New regulatory model update – supporting providers with
the new quality statements and developing a query
process**

Dave James - Head of Adult Social Care Policy

How we can support providers to use and understand our new quality statements

A single assessment framework

Our framework will assess providers, local authorities and integrated care systems with a consistent set of key themes, from registration through to ongoing assessment

Aligned with 'I' statements, based on what people expect and need, to bring these questions to life and as a basis for gathering structured feedback

Expressed as 'We' statements; the standards against which we hold providers, LAs and ICSs to account

People's experience, feedback from staff and leaders, feedback from partners, observation, processes, outcomes

Data and information specific to the scope of assessment, delivery model or population group



What would be useful for our guidance and additional information to include?

We have now published our new quality statements.

What should we provide alongside quality statements to support:

- Understanding of the quality statements
- Provider's own quality assurance
- Driving improvement

Provider Review Process in the New Assessment Framework

Provider Review in the New Regulatory Model

- We have listened to what providers have shared as being important going forward, i.e. provision for an equivalent factual accuracy review process for preliminary judgments in the new model.
- **Provider review** builds on the factual accuracy process in the current regulatory model.
- We are working with our Operations, Data and Insight, Legal, and other teams as we develop the Provider Review process

Provider Review in the New Regulatory Model

- Our assessments will vary in scale from our current arrangements – will be generally shorter and more frequent
- Some assessments may lead to a change in a score, that will not necessarily lead to a change in a rating
- We're considering how we can make provider review arrangements proportionate to the assessment concerned.
- Providers will be able to view our preliminary judgments for their assessments.

Provider Review in the New Regulatory Model

- Through our regulatory platform, providers will be supported to submit relevant feedback on our preliminary judgments within a set timeframe
- Provider feedback will only be accepted if related to factual accuracy and / or completeness of the information that we have used to reach our judgements and ratings.
- If relevant, information submitted as part of the provider feedback that is not relevant to the current assessment may be considered as part of a future assessment.
- Prompts and reminders for provider review submission will be available through the regulatory platform

Questions

- Do you have any initial reflections on our early thinking?
- What else would you like to see included in this process?

Recruitment resources and guidance

Alison Murray - Head of Inspection, Adult Social Care

Apply the same processes for staff recruited from abroad (including refugees) as staff recruited in England.

Regulation 19 – Fit and proper persons employed

To meet [Regulation 19](#), providers must operate robust recruitment procedures, including any relevant checks.

CQC recruitment checks - Frequently Asked Questions

[Our FAQs](#) help providers understand what is required to meet Regulation 19.

Guidance on Disclosure and Barring Service (DBS) checks – Section 23

Providers must do all they can to ensure that people they appoint from overseas are suitable to work with adults who use care services and/or children. The DBS cannot access criminal records held overseas. However, it is still recommended that you undertake [DBS checks](#) for workers from overseas in case a person is barred, has a criminal record in the UK, or comes from a country where the DBS does have information sharing agreements. If you wish to check their overseas criminal record, contact the [relevant foreign embassy](#).

Skills for Care have updated their resources to support international recruitment. [Their guidance](#) includes helpful information about gathering and assessing criminal record information for UK and non-UK nationals, including displaced people. Skills for Care's [Guide to safe staffing](#) uses an analysis of CQC inspection reports to help you understand what 'good' looks like so you can learn from best practice.

Next meeting, Wednesday 31 August, 10 – 12.