

Health and Social Services Committee

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Meeting date: Thursday 26 October 2006

Venue: Committee Room 3, Senedd, National Assembly for Wales

Title: Care Standard Inspectorate for Wales Annual Report 2005-06

Purpose

1. To present to the Committee the CSIW Annual Report 2005-06 which provides an overview of trends and the quality of care services in Wales and reports on the way in which CSIW carried out its regulatory duties.

To provide an opportunity to consider the findings of the report.

Summary and Recommendations

3. To note and comment on the CSIW Annual Report 2005-06. The Annual Report was published on 12th October 2006.

Background

The CSIW Annual Report 2005-06

4. The CSIW Annual Report provides an overview of trends and the quality of care services in Wales. It meets the statutory requirements of the Health and Social Care Act 2003 which requires that the annual report includes:

CSIW's findings in the course of exercising its functions under the Care Standards Act 2000,

The way in which CSIW exercised those functions.

5. This is CSIW's fourth Annual Report and there has been development in the range of information it covers - for instance – there is a new analysis by local authority and local health board areas in addition to the usual CSIW regions.

6. The report provides information to a range of audiences including the public, policy makers, commissioners and regulated services themselves. The Report is available to the Committee and can also be accessed by clicking on the following link: <http://www.csiw.wales.gov.uk/fe/default.asp?n1=5>

7. The CSIW Annual Report will also be discussed at Plenary on 21st November.

General Themes and Findings

8. CSIW regulates over 6,000 settings and agencies, using the regulations and national minimum standards set by the National Assembly for Wales and the Welsh Assembly Government. There are six key elements to CSIW's work:

- Registration – to decide who can provide services,
- Inspection – to inspect those services and publish reports,
- Complaints – to investigate and deal with complaints,
- Compliance – to support compliance with the regulations,
- Enforcement – to make sure that the Care Standards Act, and the associated regulations are met,
- Contributing to policy development – CSIW's statutory Annual Report is a key element of this.

9. The Executive Summary and Overview of the report indicates that there are good quality services across Wales with evidence of improvements in a number of sectors. Many providers and their staff are working hard to meet the requirements. However the report also highlights that there remain concerns and a lack of consistency in a number of key services.

10. Specifically the report highlights that the main improvements have been in Children's day care services. Childminders now largely meet the requirements of the regulations and the report indicates that this is a substantial achievement. There were also positive findings across the full range of Under 8's settings. CSIW is responding with a reduction of approximately 1,000 inspections to childminders in 2005- 06.

11. The report indicates that across adult services and other children's services there were however recurring themes that need attention. These centred on weaknesses in the Statement of Purpose which is a key legally required document setting out the aims, objectives and facilities and services provided, and also Care Planning, Staffing issues and Record keeping.

12. Particular concerns were identified in residential services for both children and adults. Although some improvements were identified in the report the significant weaknesses identified in Children's Homes last year have remained for 05-06. These included – statements of purpose, care planning and risk assessment, management oversight and quality assurance, suitability of staff and staffing levels. Staff training and supervision, policy and procedural framework for child protection and record keeping also needed attention.

13. Similarly, while there was some evidence of good practice, the improvements identified in care homes last year have not been sustained. Many of these relate to basic care practices. This included core areas such as care planning, risk assessment and management of medication. Also, statements of purpose and record keeping still required improvement. Although for single bed ratios the standards were largely met, there remained concerns about other key aspects of premises. Improvements in management qualifications were also offset by concerns around recruitment and proper vetting of

staff, general staff training and support and staffing levels.

14. The report also includes information on other service areas such as adoption and fostering, schools and also covers the relatively new areas of regulation of domiciliary care and adult placements. Generally there had been improvement in these services.

15. The report looks at the pattern and trends of services. It paints a picture of considerable diversity in Wales. It is also clear that the overwhelming majority of services continue to be provided by the independent sector. For example, 86% of care homes and 73% of children's homes are provided by the independent sector. Children's homes' places remain focused in rural areas of Wales. Although there appears to be a slight loss in care home places this should be more than compensated for, by new applications received which were awaiting determination. Taking these into account the overall picture would be one of growth for the care home sector. For children's day care services there has been a growth this year in childminding, full day care and out of school care.

16. The report also describes the extensive changes in CSIW's approach to regulation and outlines how the reform was piloted in four key areas during 2005-06. The changes centred on:

- a proportionate approach to inspection with intensity determined by the needs of the setting
- service users experiences underpinning the inspection
- a reduction of any unnecessary burden on providers including a new self assessment process
- increasing the range of methods - including a substantially increased unannounced element to inspections
- closer dovetailing of the work of CSIW and other regulators and inspectorates.

17. The report also focuses on CSIW's performance, that is, how CSIW met its own objectives and targets during 2005-06. Regulatory responsibilities were met in the key areas of registration, inspection, complaints and safeguarding and enforcement. CSIW also introduced a new inspection reporting method during the year and although it did not completely meet the benchmark it set itself during the year, there was an improvement on previous years and this upward trend shows signs of continuing. Inspection reports continue to be available from CSIW regional offices and can be accessed via the internet.

18. It is noted in the report that registration continues to be a significant aspect of CSIW's work. 1263 new applications from services were received last year. CSIW also carried out additional monitoring visits to a number of services where there were concerns during the year.

19. The report makes it clear that CSIW continues its important safeguarding and protection function with a continuing increase witnessed in both child and adult protection work. This may be the result a greater awareness of CSIW's role.

20. The report indicates that during the year CSIW dealt with a significant number of complex complaints but overall the number of complaints CSIW investigated reduced from last year. This picture corresponded with the principles included in 'Listening and Learning' where providers are expected to resolve the more straightforward complaints directly with service users.

21. Providers are responsible for the quality of services that they offer. However, where there is a failure in meeting the regulations, CSIW places requirements on providers. CSIW then offers support to achieve compliance and check that this has taken place. In some cases CSIW also has wider discussions with the corporate management of an organisation and discussions with commissioners and other inspectorates to ensure the necessary changes take place. However where these measures are not adequate CSIW will initiate formal enforcement actions. CSIW were involved in a limited number of such actions in 2005-06. A number of these were very complex and high profile.

22. CSIW has committed resources to strengthening its relationship with other key stakeholders during the year. This has included developing and finalising protocols with partner agencies such as the Children's Commissioner for Wales and Social Services Inspectorate. CSIW also piloted simultaneous inspections with Estyn in respect of children's day care services and schools.

23. The report in its Executive Summary and Overview analyses the implications of the findings. It notes that the system of regulation has enabled significant improvements to be made during the last four years but that there remain important concerns that require attention. However, the report warns against seeing regulation and tougher enforcement as being the cornerstone of the response to concerns about the consistency of the quality of care. It points out that although inspection and enforcement are important functions that these alone can not raise the quality of care to the standards required by the Welsh Assembly Government.

24. The analysis indicates that relying purely on enforcement could risk significant destabilisation of services across Wales at this time and have a detrimental effect on service users. It would also not of itself bring about the changes needed.

25. The report proposes a strategy which requires a re-balancing of the role of the provider, commissioner including care management and regulation.

26. The report reinforces that providers have the primary duty of care and strong leadership and management is key to high standards of service delivery. Providers need to ensure that quality is developed 'from within'.

27. The report also highlights that there is a need for stronger emphasis on commissioning but this needs to focus on commissioning for quality as well as shape and distribution.

28. Combined with this it also suggests there is a need for a public debate about the place of enforcement and the benefits of a more graded range of enforcement tools which would allow for flexible and timely enforcement action.

29. Finally, the report recognises that the new strategic context outlined in 'Fulfilled lives – Supportive Communities' lies at the heart of the change needed in social care and seeks to make a significant contribution to that consultation.

Conclusion

30. The Annual Report for 2005-06 provides a comprehensive overview of the performance of individual services across Wales. The report seeks to assist service providers in evaluating their own services and the executive summary and overview draws out the main themes which need to be taken forward by strategic planners, policy developers and commissioners.

31. The report also describes what has already been achieved in the reform of regulation which is key to meeting the commitments in 'Making the Connections'. It makes it clear that this work must maintain its momentum to ensure that services are regulated according to need and to ensure that service users' experiences inform the activity of regulation.

Cross Cutting Themes

32. The CSIW Annual Report is also being considered by Education, Lifelong learning and Skills Committee. The Minister for Education, Lifelong learning and Skills has specific responsibility for Day Care Services for Children Under 8. In light of her responsibilities for education she also has an interest in the schools and colleges reported upon in the CSIW Annual Report.

Action for Subject Committee

33. The Health & Social Services Committee are invited to note the publication of this report and to be aware that there will be further opportunity to consider the wider implications of the report at Plenary on 21st November.

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