

DECISION-MAKER:	HEALTH OVERVIEW AND SCRUTINY PANEL		
SUBJECT:	CARE QUALITY COMMISSION: A NEW START: CONSULTATION ON THE WAY CQC REGULATES, INSPECTS AND MONITORS CARE		
DATE OF DECISION:	18 JULY 2013		
REPORT OF:	HEAD OF COMMUNITIES, IMPROVEMENT AND PARTNERSHIPS		
<u>CONTACT DETAILS</u>			
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STATEMENT OF CONFIDENTIALITY
None

BRIEF SUMMARY

Following the publication of the Care Quality Commission's Strategy for 2013 to 2016, 'Raising Standards, Putting People First' the commission are making significant changes to how they monitor, inspect and regulate care services. This report outlines the changes being made, highlighting the consultation that is currently underway. The deadline for comments and views is Monday 12th August 2013. This is the beginning of a series of consultations on detailed changes to how different types of services will be inspected, with changes being implemented over the next three years.

RECOMMENDATIONS:

- (i) That the Panel notes the principles underlying how the CQC proposes to inspect services and regulate all care services, and specifically how it intends to monitor and judge acute NHS trusts.
- (ii) That the Panel discuss the proposed changes to inspect all services and specifically acute NHS Trusts and consider if they wish to submit any comments to the CQC or to respond to the specific questions highlighted in Appendix x and x. It should be noted that the deadline for feedback in 12 August 2013.

REASONS FOR REPORT RECOMMENDATIONS

1. To highlight to the Panel key changes to how the CQC will monitor, inspect and regulate care services.
2. To give the Panel an opportunity to consider if they wish to respond to the consultation on how all services.

ALTERNATIVE OPTIONS CONSIDERED AND REJECTED

3. None.

DETAIL (Including consultation carried out)

4. In April this year the Care Quality Commission (CQC) published their new strategy, 'raising standards, putting people first'. This set out a clear purpose for the CQC – to make sure health and social care services provide people with safe, effective, compassionate, high-quality care and to encourage care services to improve. A copy of this strategy will be available in the Members' Room.
5. To deliver their purpose, the CQC are making significant changes to how they work and this consultation is the next step to making those changes. The consultation sets out the principles underlying how CQC will inspect all services and some more detailed proposals for how they will inspect NHS trusts and foundation trusts and independent acute hospitals. It also includes joint proposals between CQC and the Department of Health on changes to regulations that underpin their work, including some important new responsibilities for CQC set out in the Care Bill. The consultation, attached at Appendix 1, is the beginning of a series of consultations on detailed changes to how different types of services will be inspected, with changes being implemented at different times during the next three years. A timetable outlining when these changes will be introduced is included on page 5 of this document.
6. The CQC have developed these plans based on:
 - Recommendations from a report into the abuse of people with learning disabilities at Winterbourne View.
 - Robert Francis' report into failings at the Mid Staffordshire NHS Foundation Trust.
 - Independent reviews of the CCG's work – including Professor Keiran Walshe's evaluation and Deloitte's report on the work we carry out investigations.
 - Consultation feedback on their new strategy for 2013 – 2016, 'raising standards, putting people first'.
7. The consultation is divided into the following sections:
 - Section 2: An overview of how they will inspect and regulate all care services
 - Section 3: How they will inspect and regulate NHS and independent acute hospitals
 - Section 4: Changes to CQC's regulations
 - Draft equality impact assessments
 - Proposed model for intelligent monitoring and expert judgement in acute NHS trusts

A summary of the consultation questions are provided in Appendix 2, pages 35-36.
8. The consultation is accompanied by two equality impact assessments, attached at Appendix 2:

- A draft Equality and Human Rights Duties Impact Analysis – which gives more detail about the impact of the proposed changes on equality and human rights and how they will promote equality and human rights for people who use health and social care services.
- A draft Regulatory Impact Assessment – which outlines the costs and benefits to providers and people who use services.

Both of these impact assessments will be updated and published as final versions when they publish their response to this consultation.

9. The CQC also sets out a proposed model for intelligent monitoring and expert judgement in acute NHS trusts, attached at Appendix 3. This document focuses on the changes we are making to how we will monitor NHS acute services. It sets out our initial proposals for key indicators – which we call ‘tier one’ indicators – for NHS acute hospitals. We will monitor these indicators as part of our surveillance process to help us decide where and what to inspect. We want to test and develop these indicators with as wide a range of stakeholders as possible.
10. The Panel is invited to have an open discussion on the proposals within the CQC Strategy for 2013 to 2016 (Appendix 1) and the consultation documents (Appendices 2-x) and consider if they wish to submit any general comments to the CQC or respond to any of the specific questions in the consultation within the deadline of Monday 12 August 2013.

RESOURCE IMPLICATIONS

Capital/Revenue

11. None.

Property/Other

12. None.

LEGAL IMPLICATIONS

Statutory power to undertake proposals in the report:

13. None.

Other Legal Implications:

14. None.

POLICY FRAMEWORK IMPLICATIONS

15. None.

KEY DECISION? No

WARDS/COMMUNITIES AFFECTED:	
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SUPPORTING DOCUMENTATION

Appendices

1.	A new start: Consultation to the way CQC regulates, inspects and monitors care
2.	Proposed model for intelligent monitoring and expert judgement in acute NHS trusts
3.	Consultation impact assessments

Documents In Members' Rooms

1.	CQC strategy for 2013 to 2016, Raising standards, putting people first See link:- http://www.cqc.org.uk/sites/default/files/media/documents/20130503_cqc_strategy_2013_final_cm_tagged.pdf

Equality Impact Assessment

Do the implications/subject of the report require an Equality Impact Assessment (EIA) to be carried out.	No
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Other Background Documents

Equality Impact Assessment and Other Background documents available for inspection at:

Title of Background Paper(s)	Relevant Paragraph of the Access to Information Procedure Rules / Schedule 12A allowing document to be Exempt/Confidential (if applicable)
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1.		
2.		