

**ADULTS AND HOUSING SCRUTINY COMMITTEE
3 SEPTEMBER 2019 MEETING**

QUALITY STANDARDS MONITORING OUTCOMES 2019-2020 (YEAR 7)

**AGREEMENT FOR THE PROVISION OF RESIDENTIAL CARE
FOR ADULTS AND OLDER PEOPLE AND OLDER PEOPLE WITH
MENTAL HEALTH PROBLEMS 2013-2021**

SUMMARY REPORT

Purpose of the Report

1. The purpose of this report is to inform Members of the outcome of the annual Quality Standards visits for 2019-2020.

Summary

2. There has been an overall increase in compliance this year in respect of homes achieving an A Grade. However, 5 previously 'C graded' homes have failed to improve their grading. The Contracts section will review the action plans submitted by the Providers and will continue to monitor the improvement plans and quality of performance.

Recommendation

3. It is recommended that: -
 - (a) The information provided in this report is reviewed and noted.

**SUZANNE JOYNER
DIRECTOR, CHILDREN AND ADULT SERVICES**

Background Papers

No background papers were used in the preparation of this report

Yvonne Hall, Service Manager: Extension 5869

S17 Crime and Disorder	This report supports the Council's Crime and Disorder responsibilities
Health and Well Being	This report supports performance improvement relating to improving the health and wellbeing of residents
Carbon Impact	This report supports the Council's sustainability responsibilities
Diversity	This report supports the promotion of diversity

Wards Affected	This report supports performance improvement across all Wards
Groups Affected	This report supports performance improvement which benefits all groups
Budget and Policy Framework	This report does not represent a change to the budget and policy framework
Key Decision	This is not a key decision
Urgent Decision	This is not an urgent decision
One Darlington: Perfectly Placed	This report contributes to the Sustainable Community Strategy (SCS) by involving Members in the scrutiny of performance relating to the delivery of key outcomes
Efficiency	Scrutiny of performance is integral to optimising outcomes.
Impact on Looked After Children and Care Leavers	This report has no impact on Looked After Children or Care Leavers.

MAIN REPORT

Information and Analysis

4. The current Agreement for the Provision of Residential Care for Adults and Older People with a Mental Health Problem (OPMH) commenced 1 April 2013 and is in place until 31 March 2021 as the Council has extended the Agreement for a further 2 years. This has been agreed by all the Providers.
5. The Agreement was negotiated with care home providers in 2012. A programme of meetings took place throughout 2012, which looked at the Agreement, Service Specification, Quality Standards, and Fee Levels. These were reviewed in consultation with providers and their comments and feedback were used during the development period.
6. The Contracts Section worked through the service outcomes within the Agreement to produce a set of quality standards. In addition to these standards, each care home has been independently assessed and allocated a grading which is based on environmental standards. In 2012, as part of the negotiations undertaken with providers, the number of quality standards and environmental grades were reviewed and consolidated into 10 quality standards and 3 environmental grades (listed below), which together provide a picture of the standard of care being provided in each home, and determine the fees received by the providers.

Quality Standards:

- Effective recruitment procedures
- Staff development requirements
- Social and leisure outcomes
- Plans of care requirements
- Nutrition
- Management of medication
- Safeguarding/Whistleblowing/DoLS
- Health and safety
- Monitoring and quality of service
- Clean and safe environment

Environmental grades:

Grading	Environmental Compliance Level	Number of Care Homes
Grade 1	100% compliance	7
Grade 2	75% – 99% compliance	9
Grade 3	55% - 74% compliance	1
Grade 4	Less than 55% compliance	1

7. The Quality Standards process, which forms part of the Agreement, requires two contracts officers to visit all contracted care homes for older people on an annual basis between April and June to monitor the care home against the agreed quality standards. These standards along with the home’s environmental grade determine the fee level for the coming year.
8. The level of quality compliance achieved by the Care Home is then graded A – C as outlined in the table below.

GRADING	QUALITY STANDARDS COMPLIANCE LEVEL
Grade A	All 10 standards fully met
Grade B	9 standards fully met
Grade C	8 standards or less fully met

9. During the consultation, providers were also asked to complete a questionnaire on their cost breakdown, and from the financial evaluation it was determined that the formula that had been applied in the previous agreement was still financially sound to reflect the true cost of care. The formula uses the relevant agreed indices from October of each year to review the cost of care in Older Peoples Residential Care.
10. The ‘National Living Wage’ is considered in the annual rate review.
11. The previous agreement did not place any financial penalty on a provider if they breached the agreement. This was reviewed and the Agreement now states “Where a Contractor is in breach of the Agreement and a suspension of new placements has been placed upon the Care Home during the year the Price payable will be reduced to that of quality standards Grade C from the date of the breach of Agreement letter, and this Price will remain until the breach of Agreement is resolved, and the Contractor has no restrictions on taking new admissions into the Care Home”.
12. The fee table now contains 12 permutations ranging from 1A to 4C. The numeric grade is based on the environmental standards set in 2006, with the letters A-C being the level of standards achieved. The current table of fees is seen below:

**RESIDENTIAL FEE RATES FOR 2019- 2020
APPLICABLE FROM 1 APRIL 2019 – 31 MARCH 2020**

GRADE	A	B	C
1	£551.00	£523.00	£496.00
2	£547.00	£520.00	£492.00
3	£523.00	£497.00	£471.00
4	£511.00	£485.00	£460.00

An additional £20 per bed per week will be paid for Older People with a Mental Health Problem

Current Market Position

13. There are currently 18 care homes signed up to the Agreement. The occupancy levels across all 18 homes are currently at 84% a 1 % increase on last year's average but has remained below 85% for the last 2 years.
14. The current availability of beds within Darlington shows a slight increase in the overall number of beds from 877 to 879. This is due to providers re configuring their availability. As reported last year there continues to be a shortfall within the availability of nursing beds, and more specifically within nursing OPMH.
15. There is a new provider who is opening a care home in Middleton St George in what was a previous care home operated by Orchard Care and was known as St Georges. This home had previously gone into administration and closed completely in June of 2018. The new provider is Prestige Care and the home they are opening will be 83 beds for both EMI residential and EMI Nursing. They are currently undertaking an accreditation process with the Council and will be graded at level 1B, with a view to opening in the summer of 2019. They will be known as Auguste Care Home, (named after the name of the lady first diagnosed with Alzheimer's Disease – Auguste Deter).
16. Last year there was an increase in the number of homes achieving an A Grade with 11/18 homes achieving an A Grade, compared to 9/19 the previous year. Each home is given both verbal and written feedback from these visits, and they are required to produce an action plan that details how they will meet the standards in the future. In addition, there continues to be a programme of Contracts Officers, visiting any new care home manager/regional manager for one to one sessions regarding how the quality standards process works, and to ensure their full understanding of the standards and how they could be met. Managers are also encouraged to contact the team should they have any queries. The homes are however ultimately responsible for ensuring they meet the quality standards, and full compliance maximises their income stream from the Local Authority.

Quality Standards Results 2019/20 - (Ref Chart QS 1)

- 12 Care Homes gained 10 standards
 - 1 Care Home gained 9 standards
 - 1 Care Home gained 8 standards
 - 1 Care Home gained 7 standards
 - 2 Care Homes gained 6 standards
 - 1 Care Home gained 5 standards
17. The results of the quality standards for 2019 – 2020 demonstrates an improvement in the number of homes who have achieved an A Grade, with 12/18, (67%) achieving an A Grade compared to 11/18, (61%) last year. 4 homes have achieved less than 8 standards which is an improvement on last year (5). Individual Quality Standard outcomes have been detailed in **Appendix 1 & 2** of this report.

18. Overall all the homes have maintained the same grade as last year, except for 1 home which has increased their grading from a B Grade to an A Grade.

Grade	Year 15 -16	Year 16 -17	Year 17 - 18	Year 18 - 19	Year 19-20
A	9/21	12/19	9/19	11/18	12/18
B	6/21	2/19	5/19	2/18	1/18
C	4/21	5/19	5/19	5/18	5/18

19. Of the 11 homes that were an A grade last year– all the homes maintained their A Grades, and 1 home has improved their rating from a B to an A Grade.
20. Of the 2 homes that were a B Grade last year, 1 home has improved their rating to an A Grade, 1 home has stayed the same.
21. Of the 5 homes that were a C Grade last year, all 5 have remained the same. 3/5 have improved on the number of standards they failed, however disappointedly 2/5 have increased the number of standards failed. 1 home (No 17) failed 4 this year compared to 3 last year and 1 (No 8) home has failed 5 this year compared to 3 last year.
22. Both homes have experienced changes to the senior management team over the last year. Of significant interest is that last year a new manager was appointed to No 8, who has since left and is now managing No 17.
23. Home 8’s performance is also notably worse this year as they have only achieved 5 standards, (3 of which are the same standards they failed last year) compared to 7 in 2018/19, 10 in 2107/18, 9 in 2016/17 and 9 in 2015/16. Their CQC rating from May 2017 is overall ‘Good’ with a ‘Requires Improvement’ in well led.
24. Home 17’s performance has also declined as they only achieved 6 standards (3 of which are the same standards they failed last year) compared to 7 in 2018/19, 9 in 2017/18, 10 in 2016/17, and 8 in 2015/16. Their CQC rating from November 2018 is overall ‘Good’ with an ‘Outstanding’ in Responsive
25. 1 Home (No 9) has consistently achieved a C Grade over the last 5 years, and their performance is only slightly improved this year as they have achieved 6 standards compared to 5 in 2018/19, 7 in 2017/18, 7 in 2016/17, and 8 in 2015/16. This home’s Care Quality Commission (CQC) rating remains at ‘Requires Improvement’ from a visit undertaken in January 2019.
26. **Appendix 3** shows the outcomes for all 18 homes over that past 6 years. It also shows where care home ownership has changed, and where there have been management changes.

Conclusion

27. The overall change in compliance from last year is encouraging in respect of the increase in homes achieving an A Grade and that 11 homes maintained their A Grade. However, it is disappointing to note that 5 previously ‘C’ graded homes have not improved their grading, and their performance year on year has remained poor or has deteriorated.

- Home 11 have failed 2 standards again this year, an improvement on their position last year when they failed 3 of the standards but have still not improved enough to increase their financial position as they remain a C Grade.
 - Home 6 have failed 3 standards this year, an improvement on their position last year when they failed 5 of the standards but have still not improved enough to increase their financial position as they remain a C grade.
 - Home 9 have failed 4 standards this year, a slight improvement on their position last year where they failed 5.
 - Home 8 has failed 5 standards this year, compared to 3 last year, which is a deterioration from last year.
 - Home 17 have failed 4 compared to 3 last year, which is also a deterioration from last year.
28. Contract Officers continue to report that where there have been changes in management, resulting in multiple managers being in a home in any one year, or where there have been significant gaps between managers, standards slip very rapidly, and it is disappointing to see this given the level of support provided by the Contracts Team, to all 5 C Graded homes we have not seen any significant improvement.
29. Written feedback will be given to providers, together with the outcome of the visits, and action plans will be required from each home to address all the shortfalls, which will be reviewed and monitored by the contracts section.