

TO: EXECUTIVE  
16 DECEMBER 2014

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**OVERVIEW AND SCRUTINY REPORT ON “A REVIEW OF THE COUNCIL’S ROLE IN REGULATED ADULT SOCIAL CARE SERVICES”**  
**Director of Adult Social Care, Health and Housing**

**1 PURPOSE OF REPORT**

- 1.1 To determine the Executive’s response to the recommendations in the report by the Adult Social Care and Housing Overview and Scrutiny Panel’s Working Group on “A Review of the Council’s Role in Regulated Adult Social Care Services”.

**2 RECOMMENDATIONS**

- 2.1 That the following recommendations of the Working Group on “A Review of the Council’s role in Regulated Adult Social Care Services” are accepted:

- 2.1.1 **Recommendation 6.3** Checks be made to ensure that local care providers adopt and implement a missing person’s procedure which includes up to date contact details and reflects the outcome of the Thames Valley Police’s review of missing persons’ guidance on the procedure to be followed in the event of the unexpected absence of a person receiving care in order to safeguard vulnerable adults.
- 2.1.2 **Recommendation 6.4** Validation Guidelines be expanded to include a section explaining how benchmarks are identified and giving information regarding the service aspects that the Council measures performance against.

- 2.2 That the following recommendation is partially accepted:

- 2.2.1 **Recommendation 6.2** The Quality Assurance Framework be expanded to include collection of the views of people who self-fund their care.

- 2.3 That the following recommendation is not accepted:

- 2.3.1 **Recommendation 6.1** The plan for the emergency evacuation of care / nursing home premises that is practiced regularly be reconsidered with a view to introducing a more practical emergency response procedure reflecting residents’ disabilities and conditions as far as possible within safety requirements.

**3 REASONS FOR RECOMMENDATIONS**

- 3.1 The Overview and Scrutiny Working Group has spent considerable time on the review of a very complex subject, which involves a range of agencies. The complexities have resulted in some level of misunderstanding of the range of legislation, and of the responsibilities of the various regulatory bodies involved in services, and therefore in the powers available to the Council to implement the some of the recommendations.

#### **4 ALTERNATIVE OPTIONS CONSIDERED**

4.1 Not applicable.

#### **5 SUPPORTING INFORMATION**

5.1 The recommendations from the report, and reasons for the responses are set out below:-

5.2 Recommendation 6.3 Checks be made to ensure that local care providers adopt and implement a missing person's procedure which includes up to date contact details and reflects the outcome of the Thames Valley Police's review of missing persons' guidance on the procedure to be followed in the event of the unexpected absence of a person receiving care in order to safeguard vulnerable adults.

**5.2.1** Agreed. A Missing Person's procedure is already a CQC requirement and will be subject of inspection. Compliance with TVP guidance will not be checked by CQC, as this is local guidance but it will be added to the Bracknell Forest Quality Assurance Framework.

5.3 Recommendation 6.4 Validation Guidelines be expanded to include a section explaining how benchmarks are identified and giving information regarding the service aspects that the Council measures performance against.

**5.3.1** Agreed. This would give further clarification and information for providers, which would be helpful.

5.4 Recommendation 6.2 The Quality Assurance Framework be expanded to include collection of the views of people who self-fund their care.

**5.4.1** Partially agreed. The collection of the views of people who fund their own support in care homes is currently reflected in the Quality Assurance Framework, although this clearly depends on the willingness and capacity of people to contribute. In relation to the views of people who purchase domiciliary support, at this time the Department has no way of knowing the identity of people concerned in order to canvass their views. Agencies could only provide this information with the permission of the people concerned (data protection requirement) but there is no right to request this of agencies, nor an expectation on them to respond. With the implementation of the Care Act, the Department may be aware of a greater number of people funding their own support, in which case their views will be sought.

5.5 Recommendation 6.1 The reference in the Self-Assessment to having a plan in place for emergency evacuation of care / nursing home premises that is practiced regularly be reconsidered and re-worded to introduce a more practical emergency response procedure if this is permissible within regulations.

**5.5.1** Not agreed. The Fire Service inspects Residential Care Homes and Nursing Homes, and will determine the requirements around procedures in the event of fire, and it is not within the Council's remit to make recommendations outside of this.

5.6 The Executive Member would like to thank the Lead Member, Councillor Harrison and the Working Group on a thorough piece of work looking at the Council's role in regulated Adult Social Care Services.

## **6 ADVICE RECEIVED FROM STATUTORY AND OTHER OFFICERS**

### Borough Solicitor

6.1 The legal issues are addressed within the body of the report.

### Borough Treasurer

6.2 There are no direct financial implications for the Council within this report.

### Equalities Impact Assessment

6.3 N/A

### Strategic Risk Management Issues

6.4 N/A

## **7 CONSULTATION**

### Principal Groups Consulted

7.1 None

### Method of Consultation

7.2 None

### Representations Received

7.3 None

### Background Papers

“A Review of the Council’s role in Regulated Adult Social Care Services” by a Working Group of the Adult Social Care and Housing Overview and Scrutiny Panel.

### Contact for further information

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