

Providing assurance on the quality and safety of services during the COVID-19 pandemic

May 2020

1. Statement of purpose

During the COVID-19 emergency, our priority is to continue to provide assurance to the public and Ministers that the services we inspect and regulate are doing all they can to promote the safety and well-being of people. We are guided by three key principles:

- we will focus our activity where it is needed most to ensure people receive safe care – this means concentrating on those areas where we see the risk to the quality of care is the highest and where we can make the biggest difference
- we will support providers by looking at how we can act flexibly and proportionately
- we will honour our duty of care to our colleagues in Care Inspectorate Wales (CIW)

To achieve this, we will adapt our approach to provide independent scrutiny while ensuring CIW will not put people using services, staff or its own staff at unreasonable risk and will work in line with national guidance. This will enable us to:

- fulfil CIW's statutory duties to monitor the safety and well-being of people using social care and childcare and play services, without adding unreasonable burdens to a system currently dealing with unprecedented challenges; and
- promote transparency about the response to COVID-19 and ensure that lessons can be learned quickly

2. Overview of our approach to assurance and monitoring

We are carrying out the following strands of oversight activity. These strands are likely to be undertaken simultaneously.

1. Understand and monitor impact of policy changes

- consider impact of new legal powers relating to childcare and social care introduced as part of the response on services and people
- monitor the use of new powers to open social care services exempt from registration under emergency COVID-19 legislation

2. Establish lines of communication to ensure the following intelligence and information (not an exhaustive list) is received regularly and collated within CIW

- regular liaison with Welsh Government policy officials
- regular meetings with the Deputy Minister for Health and Social Services
- regular liaison with the Older People's Commissioner for Wales and the Children's Commissioner for Wales
- input into COVID-19 meetings led by the Welsh Government
- daily situation reports from ECCW (Emergency Coordination Centre Wales)
- information received via correspondence and phone calls to CIW
- information from key partners and stakeholders
- information from media channels including social media
- collation of intelligence from check-in calls with providers
- collation of intelligence from discussions with local authorities
- weekly EPSO (European Partnership for Supervisory Organisation) calls to understand approaches of other inspectorates internationally

3. Analyse information gathered to assess risks and determine priorities

- identify specific problems and concerns in individual services/local authorities such as:
 - acute staffing shortfalls
 - clusters of COVID-19 infection and deaths
 - leadership concerns
 - emerging concerns about local capability and proportionality of response
 - existing non-compliance
 - providers who are not following Public Health Wales (PHW) / local health board (LHB) guidance in their response to COVID-19
- identify emerging themes across services/local authorities such as:
 - shortages of equipment
 - shortages of staffing
 - placement sufficiency
 - reduction in safeguarding referrals
- use the information to make risk-based recommendations for monitoring and/or inspection (weekly updates)

4. A more active monitoring approach if the analysis above suggests that it is required. This could include one or more of the following actions:

- informing providers / local authorities / health boards / Welsh Government of our concerns in writing and asking for a response

- seeking information virtually from specific services
- assurance meetings with local authority senior leaders
- inspection visits to services

3. How we will monitor

Regulated services

For services registered with us, our focus is on the safety of people and ensuring people's rights are upheld. We are also interested in the leadership of services including approaches to staff well-being, managing COVID-19 outbreaks and infection control.

We aim to work closely with commissioners and other organisations to reduce the burden on providers and to ensure support is co-ordinated.

A key part of the approach involves calling services to check-in and have open and honest conversations so we can support providers to resolve any issues and make decisions to help keep people safe.

Our check-in conversations will help us to understand and explore:

- the stresses and challenges for care providers and for the wider care system
- how services are using innovative ways to manage, so that we can share learning

We will use the information about services, from both existing and new sources, to decide whether / how frequently we need to check-in for a supportive conversation. We will also use our additional knowledge and experience of individual services to prioritise calls. We are available to offer support to all providers during this difficult period and we encourage them to call us if they would like advice.

A service where there are concerns or which is on our enforcement pathway will have more contact from their inspector, as we will continue to monitor and engage with the service until the emergency period is over. This approach means we are able to target our support and action most effectively.

We will also keep our Frequently Asked Questions up-to-date on our website (<https://careinspectorate.wales/coronavirus-covid-19-frequently-asked-questions-faqs>).

Specific concerns about care homes

CIW's experience and evidence indicates care homes are unusually high-risk environments during the current outbreak. Specific concerns include:

- environmental issues in some care homes including shared bathroom facilities

- a higher likelihood of existing poor physical health with immune systems and respiratory health
- people who lack capacity to conform to social distancing guidance
- a higher likelihood of poor mental health, which can be further affected by isolation, withdrawal of visits and lack of activity
- staff shortages and deteriorating morale can affect the ability of the service to care for people

Monitoring activity in adult and children's services

Monitoring activities include:

- regular check-in telephone calls to providers. Information captured on a survey and stored in our online records management system (CaSSI). Themes are then collated and analysed.
- daily analysis of notifications relating to COVID-19. Follow-up with providers where necessary (for example, high numbers) with responses recorded in CaSSI.
- daily analysis of deaths reported in care homes. Follow-up with providers where necessary (for example, high numbers) with responses recorded in CaSSI.
- weekly contact with local authority commissioning teams to share intelligence about providers
- follow-up all outstanding non-compliance by letter seeking progress update
- all concerns received are considered and followed up as necessary

The intelligence collated as part of our monitoring activities is analysed and triangulated to identify services under pressure. These are considered by senior managers in line with the process set out in internal guidance.

Monitoring activity in Childcare and Play services

Monitoring activities include:

- monitoring concerns received and following up with services as necessary
- monitoring notifications of COVID-19 outbreaks and following up with services
- oversight of notifications of relaxation of the National Minimum Standards (NMS) including increase in numbers and following up with services
- monthly meeting with local authority childcare lead officers
- monthly meeting with stakeholder representatives through 'Cwlwm'
- follow-up all outstanding non-compliance by letter seeking progress update
- check-in calls with services still operating prioritised according to date of last inspection or where we have concerns
- taking appropriate enforcement action where required

Inspection visits

Where our monitoring activity identifies people may be at high risk we may need to carry out an inspection visit. This will only happen where our off-site monitoring activity, including engagement with the provider, has failed to provide sufficient evidence to satisfy us that people are safe or where we have received concerns which can only be properly considered on-site. In carrying out an inspection, we will:

- keep time on site to the minimum we need to assess the situation and gather the necessary information
- provide Personal Protective Equipment (PPE) for inspectors in line with PHW guidelines
- seek volunteers from staff without caring responsibilities / underlying health conditions
- where necessary, carry out visits with a public protection officer from either PHW or the local authority

Where we need to take action, we will follow our securing improvement and enforcement process (<https://careinspectorate.wales/sites/default/files/2020-01/200121-securing-improvement-enforcement-policy-en.pdf>).

For local authorities we are interested in how safeguarding is being managed and people's rights are being upheld. We will also monitor leadership of services including approaches to supporting the social care sector, managing COVID-19 outbreaks and infection control. Our activities include:

- writing to all local authorities seeking assurance about safeguarding
- regular contact with heads of service / directors
- liaison with Healthcare Inspectorate Wales (HIW), Estyn and Audit Wales regarding emerging concerns
- regular discussion with Welsh Government policy officials to share intelligence

We will continue our enhanced assurance activity of local authorities of concern. This may include frequent structured engagement with senior leaders, enhanced monitoring and assurance reviews and joint regulators conversations.

4. Our approach to registration

We have adapted our registration processes to enable us to continue to progress registration applications and variations. We are prioritising work which will create greater capacity for the social care and childcare and play sectors.

5. Other activity to support our response to COVID-19

We are continuing to provide a single point of contact for providers and members of the public.

We issued a joint statement with HIW to encourage people to share any concerns with us.

Our information team is collating and analysing data to inform monitoring activity as well as national planning and policy making.

Regular, clear communication with key stakeholders is essential during the pandemic. We will do this in a number of ways:

- share correspondence and information with providers on behalf of the Welsh Government and PHW
- contribute to the weekly bulletin co-ordinated by ADSS Cymru for local authorities and RISCA (Regulation and Inspection of Social Care (Wales) Act 2016) registered providers
- keep the CIW website including FAQs and useful resources up-to-date
- share regular updates with representative organisations