



# A guide for local councillors

Working with the Care Quality Commission

September 2011

# Introduction

This is a guide for local councillors who want to know more about how they can work with the Care Quality Commission (CQC). We are the independent regulator of health and adult social care services in England. This guide tells you more about CQC and what we do. It explains what information you can share with us from your constituents, to help us check on services.

The guide has been written by CQC with support from the Centre for Public Scrutiny, and some local authority officers and councillors working together. We would like to use more of the information local councillors hold about people's views and experiences of their care. We are especially interested to hear about people's experiences of social care services as well as healthcare. If you are involved in health or social care scrutiny, you can also read our guide *A guide for overview and scrutiny committees for health and social care: How your committee can work with the Care Quality Commission* at [www.cqc.org.uk/localvoices](http://www.cqc.org.uk/localvoices)

## About the Care Quality Commission

We are the independent regulator of healthcare and adult social care services in England. We check whether care services meet essential standards of quality and safety, and we also protect the interests of vulnerable people, including those whose rights are restricted under the Mental Health Act. Find out more about us at [www.cqc.org.uk](http://www.cqc.org.uk)

### Which services do we check?

We check on these types of services:

- Providers of medical treatment to people of all ages, including treatment provided in hospitals, by ambulance services and by mental health services.
- Providers of care homes for people over 18 who need help to maintain their independence and wellbeing. This includes nursing homes. Care homes can provide residential care for the following:
  - People with long- or short-term health conditions
  - Disabled people and people with learning disabilities
  - Older people
  - People with drug or alcohol problems.
- Agencies that provide care, treatment and support to people living in their own homes to help them maintain their independence and wellbeing.
- Providers of services for people whose rights are restricted under the Mental Health Act.
- We started to register and check on dental services (in the community) and independent ambulance services from April 2011. We will register and check on GP

out-of-hours services from April 2012. Subject to Parliament, we will register other primary medical services, including GP services and walk-in centres from April 2013.

## What do we check?

The Health and Social Care Act 2008 requires providers of all regulated care services to meet government standards of quality and safety – the standards the government says anyone should expect whenever or wherever they receive care. These standards cover things like cleanliness, dignity, safety and staffing.

We register providers if they meet the standards, we check whether or not they continue to do so and we take action if standards aren't being met. Our assessments are based on people's experiences of care and the impact it has on their health and wellbeing. We put the views and experiences of people who use services at the centre of our work. We also look at whether or not the right systems and processes are in place.

You can read our guidance about the essential standards and full details of the outcomes we look for at [www.cqcguidanceaboutcompliance.org.uk](http://www.cqcguidanceaboutcompliance.org.uk) and at [www.cqc.org.uk/\\_db/\\_documents/Quick\\_guide\\_to\\_the\\_essential\\_standards.doc](http://www.cqc.org.uk/_db/_documents/Quick_guide_to_the_essential_standards.doc)

We have also produced guides for the public explaining what you can expect from your care which can be found at:

[www.cqc.org.uk/usingcareservices/essentialstandardsqualityandsafety.cfm](http://www.cqc.org.uk/usingcareservices/essentialstandardsqualityandsafety.cfm)

## What are the standards of care?

**You can expect any of the health or social care services we check on to meet the following essential standards:**

**You can expect to be involved and told what's happening at every stage of your care**

- You will always be involved in discussions about your care and treatment, and your privacy and dignity will be respected by all staff.
- You will be given opportunities, encouragement and support to help you live as independently as possible.
- Before you receive any examination, care treatment or support you will be asked whether or not you agree to it.

**You can expect care, treatment and support that meets your needs**

- Your personal needs will be assessed to make sure you get safe and appropriate care that supports your rights.
- You get the treatment that you and your health or care professional agree will make a difference to your health and wellbeing.
- You will get the food and drink you need to meet your dietary needs.
- If you have more than one care provider, or if you are moved between services, you will get coordinated care.

**You can also expect your needs to be met in relation to:**

- Your cultural background and the language you speak
- Your sex (gender)
- Your disability
- Your age
- Your sexual orientation (whether you are a lesbian, gay, bisexual or heterosexual person)
- Your religion or belief
- Your gender identity, if you are a transsexual person
- Your needs if you are pregnant or have recently had a baby.

**You can expect to be safe**

- You will be protected from abuse or the risk of abuse, and staff will respect your human rights.
- You will get the medicines you need, when you need them, and in a safe way.
- You will be cared for in a safe and accessible place.
- You will not be harmed by unsafe or unsuitable equipment.
- You will be cared for in a clean environment where you are protected from infection.

**You can expect to be cared for by qualified staff with the right skills to do their jobs properly**

- Your health and welfare needs are met by staff who have the knowledge, skills and experience needed.
- There will always be enough members of staff available to keep you safe and meet your needs.
- You will be looked after by staff who are well managed and have the chance to develop and improve their skills.

**You can expect your care provider to routinely check the quality of its services**

- Your care provider will monitor the quality of its services to make sure you are safe.
- Your personal records, including medical records, will be accurate and kept safe and confidential.
- You, or someone acting on your behalf, can complain and will be listened to. Your complaint will be acted upon properly.

# Tell us about people's care

We want you to share information with us about people's views and experiences of local health and social care services. As individual councillors, you may have access to information and feedback from people who use services in your area. If an issue relates to a local provider of services, this should be raised with the provider in the first instance, and also with the commissioner of the service where necessary. It is helpful if you can also share any concerns you have about local care with us, as we may be able to use the information to help us check on services. It will help us if you can:

- Share any information with us if you think it helps us check on the essential standards shown above.
- Share information with us about any of the services we check on – care homes, domiciliary care services, health services, dentists, independent healthcare services, GP out-of-hours services, and so on.

## How to share your information with CQC

You can share information with CQC in three ways:

1. Through our website, where there is an online feedback form that you can use at [www.cqc.org.uk](http://www.cqc.org.uk)
2. Through our enquiries contact centre at 03000 616161 or
3. By email [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

### Top tips about the information you share with CQC

1. If in doubt, share your information with us. If you have concerns about any care provided, then it is likely that your information will help us check on services.
2. Try to name the health or adult social care service or services you are describing in all your comments or reports.
3. Provide the evidence for your conclusions and comments and any dates whenever possible, and explain what sort of evidence you have (it may be a small number of concerning stories or a meeting with many more people).
4. Try to match your information to our CQC essential standards of quality and safety. You can relate your information to as many standards as you like.
5. Please let us know whether you are giving us information that is positive or negative about how care is provided. Both positive and negative comments about a service are important in helping us judge whether a service continues to meet our standards.

## What to do if you are concerned about someone's safety

We want people who use care services to be safe, especially if they are in vulnerable circumstances, and may find it difficult to speak for themselves. If you have urgent concerns about the wellbeing of a child or vulnerable adult, you should contact your local authority children's or adult social care department. This might be evidence of abuse, neglect and acts of omission including ignoring medical or physical care needs or discriminatory abuse.

CQC does not deal with these individual cases of safeguarding, but we work closely with local authority safeguarding staff and can use the information in our judgements about services. We can follow up a service where concerns have been raised, and this may lead us to take enforcement action against the service if we find it does not meet essential standards of quality and safety.

**If you share information with your local safeguarding team, we hope you will also let us know by ringing our contact centre on 03000 616161 – in case we also need to act swiftly. Please remember that you can share urgent concerns with us at any time.**

## What we do with your information

Your information becomes part of our 'quality and risk profile', which we hold for every health and adult social care organisation. You can look up the profiles of any service provider on our website. The information you share with us will help us spot problems or concerns in local services that we need to act upon.

We match your information with our essential standards of quality and safety if we can, and decide whether it is positive or negative. Then we weigh up whether it is clear and whether it is about people's experience of care. For example, does it tell us something that has an impact on a person using the service and does it represent the views of someone using the service (or groups of people using the service)?

## How we carry out our checks

Under new proposals, we will inspect all adult social care, independent healthcare services, and most NHS hospitals at least once a year. (By NHS hospitals we mean all NHS acute hospitals and all NHS ambulance trusts. We inspect at least one type of service in all other trusts). We will inspect dental services at least once every two years. We focus on checking services more frequently where there are concerns that people may be getting poor care.

We identify these concerns by sharing information with a wide variety of organisations, by listening to the public, local groups, care staff and whistleblowers, and by monitoring data. Our profile of each service is updated whenever new information arrives. This helps our inspectors to decide where there is a risk that people could be experiencing poor care. Feedback from people who use services is very important to us. We treat it as seriously as we do other forms of information.

When we decide that there is a risk of poor care, we assess whether or not the service is failing to meet one or more of the essential standards. We review the information we hold. We may visit the service to observe how care is delivered, talk to the people who use the service and to staff, and to check the provider's records if necessary.

If we judge that a service is not meeting essential standards we use our powers to require improvements. We follow up to make sure the improvements are made and we hold services to account if they don't do so. If we judge that people's health, wellbeing and safety are at risk we take swift action to protect them.

Once we have reviewed a service we publish our findings as quickly as possible. Our information can help people choose a service or tell them about standards of care at a local service. We update our website when there are changes to report about checks, improvements or concerns.

## What we do if a service doesn't meet the essential standards

If standards aren't being met, we require improvements within a set timescale. The service must then send us an action plan telling us how it will make these improvements.

If the service does not improve, or we have serious concerns about the health and safety of people who use it, we have a range of enforcement powers. These include fines, warnings, restrictions to the way the service is provided, suspension or cancellation of its licence to operate, and prosecution of those providing the service.

When we propose to use our enforcement powers, the service has 28 days to challenge us before we can make our decision public. If we believe there is a serious, immediate threat to people's health and safety, we can act immediately to restrict, suspend or stop the service from being provided and we can make our decision public as soon as we do so.

## CQC and health and social care scrutiny committees

Your council's health/social care scrutiny committee chair and lead officer (if you have one) will have regular contact with a local CQC manager or inspector. You can read *A guide for overview and scrutiny committees for health and social care: How your committee can work with the Care Quality Commission* on [www.cqc.org.uk/localvoices](http://www.cqc.org.uk/localvoices)

## Where to go for more information

- Visit our website at [www.cqc.org.uk](http://www.cqc.org.uk)
- Read our guides about the standards you can expect from your hospital, care home or care provided at home:
  - What standards to expect from the regulation of your NHS hospital*
  - What standards to expect from the regulation of agencies that provide care in your own home*
  - What standards to expect from the regulation of your care home*Available at [www.cqc.org.uk/usingcareservices/essentialstandardsqualityandsafety.cfm](http://www.cqc.org.uk/usingcareservices/essentialstandardsqualityandsafety.cfm)
- Read our full guidance for service providers at [www.cqcguidanceaboutcompliance.org.uk](http://www.cqcguidanceaboutcompliance.org.uk)
- For information about the development of HealthWatch England, please go to: [www.cqc.org.uk/aboutcqc/whatwedo/improvinghealthandsocialcare/healthwatch.cfm](http://www.cqc.org.uk/aboutcqc/whatwedo/improvinghealthandsocialcare/healthwatch.cfm)
- You can get involved in HealthWatch England developments by sending an email to [healthwatch@nunwood.com](mailto:healthwatch@nunwood.com)

### How to contact us

Phone: 03000 616161

Email: [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

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