

APPENDIX B

ACS response to Providers placed in Special Measures V5 (03/12/2015)

This document should be read in conjunction with the ACS Provider Business Failure Procedure

Context

In April 2015 the CQC special measures framework came into force.

[CQC Guide to special measures: Adult Social Care](#)

There are two routes into special measures:

If a service is rated inadequate overall it will be placed straight in special measures.

If a service is rated inadequate for one of the five key questions it will usually have six months to improve. We [CQC] will inspect it again within six months of the report being published. If the quality of care is inadequate in any key question at the second inspection special measures will be imposed.

CQC Guide to special measures: Adult Social Care

Scope

This procedure covers all providers in Suffolk registered with CQC regardless of whether SCC uses the service or not.

This procedure does not include out of county providers. Where SCC are using out of county providers who are placed in special measures, the contracts team will liaise with the host authority and follow the procedure of the host authority.

Preventing Providers being placed into Special Measures

ACS will monitor services to identify providers at risk of being placed into special measures, through the use of:

- Information collated from a number of sources including CQC, customer and service reviews, and information including complaints and concerns.
- Environmental Health warning notices
- CCG concerns
- Practitioner concerns arising from reviews and contact with people using the service and their families and/or representatives.
- Fire Officer Inspections.

This and other information will be shared within ACS and with external partners through the Information Sharing arrangements as set out in the Provider Business Failure Procedure.

When a provider is identified as being at risk of going into special measures the Provider Support Team will contact the service and discuss their improvement plan, making recommendations and offering appropriate support; which could include advice and support around:

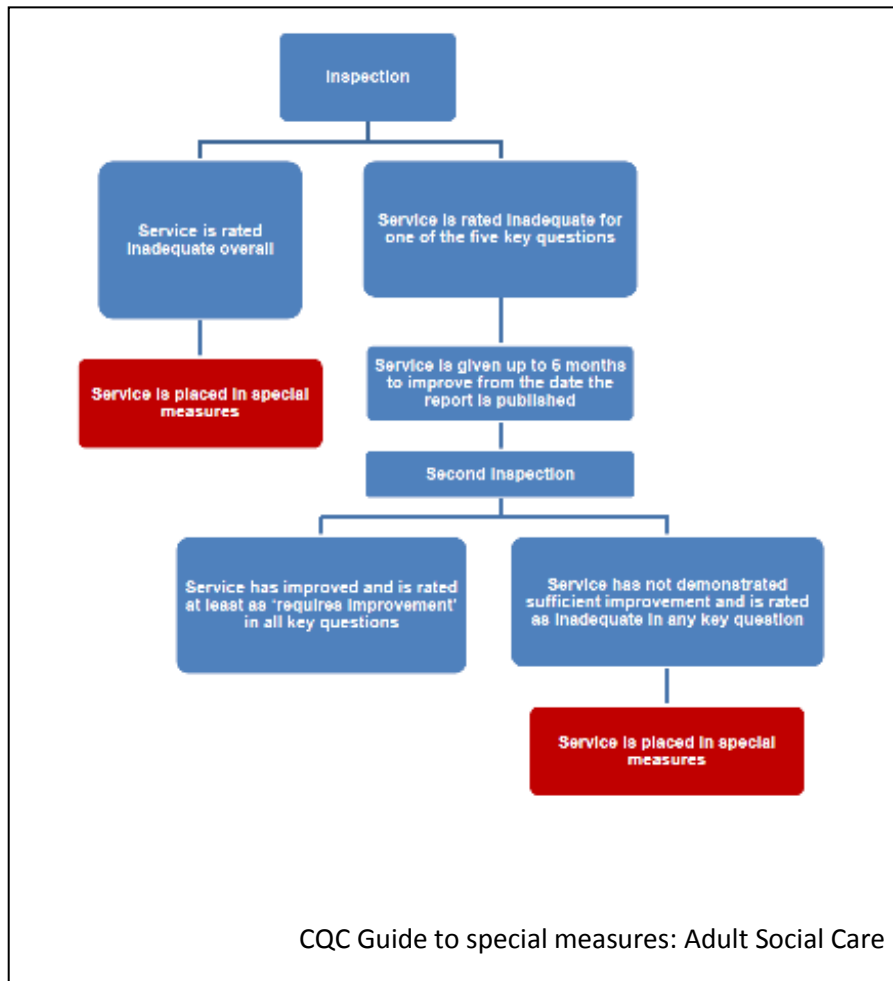
- Care planning
- Moving and handling

- Health and safety
- Personalisation
- Training
- Coaching for service managers
- Clinical support from the CCG

The ACS Contracts team will consider the information and other intelligence about the service and will risk assess the accreditation status of the service.

Placement in special Measures

There are 2 routes in which services may be placed in special measures:



How ACS will respond to providers being placed in Special Measures

As outlined above it is expected that ACS will have prior knowledge that a service may be placed in special measures and have already commenced work with the service. If this intervention is not successful and the service is placed in special measures ACS will respond by following the ACS Provider Failure Procedure.

The Council is committed to not placing people in services that have already been rated as ‘inadequate’, until such time as there is sufficient evidence to demonstrate that their action plan is

sustainable and already delivering quantifiable improvement. This Council is committed to ensuring that people using services identified as 'inadequate' are properly safeguarded.

Routes out of Special Measures

The flow chart below shows the CQC process for providers coming out of special measures.

If the service remains inadequate in one or more of the five areas, the dedicated team meetings will continue and contingency plans for the service closing will to be reviewed to ensure they are up to date. ACS contracts team will seek legal advice and consider the options in relation to the ACS contract with the provider. These options include but are not limited to, issuing a notice of contract breach letter, issuing a notice of to remedy – requiring the provider to comply with the breaches by a set date, serving notice on the contract, immediately terminating the contract.

If the service is taken out of special measures the dedicated ACS team will meet to consider if it is appropriate to end the role of the dedicated ACS team, if there are any final actions for the dedicated ACS team and to agree to on-going monitoring of the service. The team will also reflect on the process, identify any lessons learnt and make changes to this procedure if required.

