



Integration Joint Board
Finance, Performance and Quality Committee

09 April 2024

This Report relates to
Item 7 on the Agenda

Contract Monitoring: Care Homes

Paper presented by Peggy Taylor

For Noting and Discussion

Author:	Peggy Taylor, Contracts Manager (Peggy.taylor@dumgal.gov.uk)
Approved for Submission by:	David Rowland, Director of Strategic Planning and Transformation (david.rowland2@nhs.scot)
List of Background Papers:	Procurement of Care and Support Services Best Practice Guidance (https://www.gov.scot/publications/procurement-care-support-services-best-practice-guidance/) Procurement Reform (Scotland) Act 2014 (https://www.gov.scot/publications/procurement-reform-scotland-act-2014-statutory-guidance/pages/13/)
Appendices:	<ol style="list-style-type: none"> 1. Sample contract monitoring Self Assessment Questionnaire and list of Care Home provider partners 2. Contract Monitoring Report Care Homes 3. Joint Assurance Monitoring Visit Template for Care Homes

4. Sample RAG template for Care Homes

1. Introduction

- 1.1 On behalf of the Health and Social Care Partnership (HSCP) the Commissioning Team monitors contracts for all adult commissioned services.
- 1.2 This paper presents the findings of the contract monitoring of Care Home provider partners for the period 1 April 2022 – 31 March 2023.

2. Recommendations

- 2.1 **The IJB Finance, Performance and Quality Committee is asked to:**
- **Note** the outcome of recent contract monitoring of commissioned care homes
 - **Discuss** issues raised from recent contract monitoring and suggested actions

3. Background and Main Report

- 3.1 Contract Monitoring is a responsibility under the Procurement of Care and Support Services Best Practice Guidance and the Procurement Reform (Scotland) Act 2014. It is the process of collecting and analysing information from partners and from across the HSCP to determine if contracted services meet contractual requirements and reflect best value in terms of both price and quality of service. It also ensures that the HSCP meets its contractual obligations.
- 3.2 The HSCP commissions 153 different services from 98 provider partners. The cost of these services totals over £90m per annum which is approximately a quarter of the annual Integration Joint Board (IJB) budget.
- 3.3 Contracting and contract monitoring are aspects of the commissioning cycle that are concerned with
- technical aspects of contracts
 - the monitoring of the quality of what is provided under the terms of those contracts
 - ensuring that people's personal outcomes are being achieved
- 3.4 The Commissioning Team monitor adult health and social care commissioned services that have contracts with Dumfries and Galloway Council and NHS Dumfries and Galloway. These are delivered by third sector and independent sector partners and include:
- Day Care
 - Day Centres
 - Care and Support at Home
 - Care Homes
 - Carers Support
 - Short Breaks
 - Support services
- 3.5 The Commissioning Team currently conducts contract monitoring of 29 Care

Homes, 30 Care and Support at Home commissioned services and 49 third sector and non-registered commissioned services.

3.6 Contract Monitoring Reporting

3.7 Contract monitoring reporting in Dumfries and Galloway centres on the following three aims:

- To provide assurance to the Partnership that commissioned services are delivered in line with contractual obligations; that they provide best value; and that the Partnership is also meeting its contractual obligations (**compliance**)
- To support the management of risks that may impact on provider partners' ability to deliver the service and to deliver it to the required quality standards (**risk management**)
- To provide intelligence that supports the development of commissioning strategies, performance reporting and service improvement (**intelligence**)

3.8 In order to inform this provider partners are required to complete a self assessment questionnaire (SAQ) that reflects the terms of their contracts. These are analysed, scored and collated into contract monitoring reports.

3.9 Appendix 1 provides a sample self assessment questionnaire and sample templates used by Commissioning Officers in reviewing submissions, as well as a list of care home provider partners.

3.10 In addition, the Commissioning Team undertake monitoring meetings with provider partners to ensure the self assessment questionnaires reflect day to day practice and check records and files relating to contractual requirements. Combining this with information that the team collates from other sources, such as the Care Inspectorate and other areas of the HSCP helps to develop a wider understanding of provider partner's compliance and level of risk.

3.11 Appendix 2 provides an overview of the contract monitoring process and the results of the latest Care Home Contract Monitoring.

3.12 It has been agreed that the resulting reports are shared routinely with the Contract Management Group for approval before being presented to the HSCP Leadership Group and then the IJB Finance, Performance and Quality (IJBFPQ) Committee.

3.13 Care Home Contract Monitoring

3.14 'Light touch' monitoring of care homes and care and support at home partners commenced in August 2021 for the period 1 August 2020 to 31 July 2021 and the results were presented to IJBFPQ committee on 13 April 2023.

3.15 Regular Joint Assurance Monitoring Visits to care homes plus additional follow up visits have been conducted by Commissioning Officers in collaboration with the Care Home Tactical Team (CHTT). Detailed reports of the visits are issued to the Collaborative Care Home Support Team (CCHST). A copy of the Joint Assurance Monitoring Visit template is provided as Appendix 3.

3.16 Joint Assurance and Contract Monitoring RAG spreadsheets have been jointly developed by Commissioning Officers and the CHTT and are maintained for each

care home to help provide early indication of issues affecting care homes, allowing the Partnership to engage earlier to identify and offer supports. Reports from Joint Assurance Monitoring Visits and RAG reports are shared with CCHST. A copy of the RAG template is provided as Appendix 4.

- 3.17 Full contract monitoring of care and support at home provider partners recommenced in May 2023 for the period 1 April 2022 to 31 March 2023 and the results were presented to the IJBFPQ Committee on 9 January 2024.
- 3.18 Full contract monitoring of care homes recommenced in July 2023 for the period 1 April 2022 to 31 March 2023. This paper presents the findings of that monitoring exercise.
- 3.19 A total of 29 contracts have been monitored. These are all registered commissioned care home provider partners. 26 of the care homes are on the National Care Home Contract (NCHC), 2 are on the National Care Homes for Adults with Learning Disabilities and Autism (CHALD) Framework and 1 is a specialist residential care home.
- 3.20 Analysis of contract monitoring returns and reports from Joint Assurance Monitoring Visits were completed by Commissioning Officers in January 2024. The results are presented in Appendix 2.
- 3.21 Any concerning risks identified from contract monitoring and requiring action were escalated to the Contracts Manager in the first instance and then to the Commissioning Liaison Manager for further action in conjunction with operational and social work colleagues where applicable.
- 3.22 Any concerning risks identified through Joint Assurance Monitoring Visits or RAG findings, were shared with CCHST and appropriate supports put in place by CHTT and Partnership colleagues to help address. Where serious concerns were identified either through the above or as a result of Care Inspectorate inspections, the CCHST would consider invoking a suspension of placements to the care home. Improvement plans would be put in place and the care home supported by the Partnership.
- 3.23 The following table gives a summary of the findings. The table in 3.24 below describes some of the issues identified and actions being taken to address.

Compliance	<ul style="list-style-type: none"> • 48% of care homes reported 6 monthly reviews for people who use the service are up to date or supplied evidence of why not achieved and action being taken • 34.5% reported mandatory training is up to date • 34% of care homes up to date with Adult Support and Protection Training • 97% reported maintaining communication with service users and staff to encourage feedback • 81.5% reported taking action from feedback received • 65.5% reported staff supervisions are up to date
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<p>Risk Management</p>	<p>Risk scores resulting from contract monitoring show that there are 17 services showing no significant risks, 5 providers for whom moderate risks have been identified and 7 are high risk. Risk concerns have been escalated and action taken or is ongoing. Detail regarding these risks is presented in Appendix 2.</p>																
<table border="1"> <thead> <tr> <th colspan="2" data-bbox="480 353 1182 387"> <p>Risk Score Results</p> </th> </tr> <tr> <th colspan="2" data-bbox="480 392 1182 425"> <p>Note: the higher the risk score the lower the risk</p> </th> </tr> <tr> <th data-bbox="480 430 847 501"> <p>Risk score achieved</p> </th> <th data-bbox="850 430 1182 501"> <p>Number of provider partners</p> </th> </tr> </thead> <tbody> <tr> <td data-bbox="480 506 847 539"> <p>100%</p> </td> <td data-bbox="850 506 1182 539"> <p>1</p> </td> </tr> <tr> <td data-bbox="480 544 847 577"> <p>99% - 75%</p> </td> <td data-bbox="850 544 1182 577"> <p>16</p> </td> </tr> <tr> <td data-bbox="480 582 847 616"> <p>74% - 61%</p> </td> <td data-bbox="850 582 1182 616"> <p>5</p> </td> </tr> <tr> <td data-bbox="480 620 847 654"> <p>60% and below</p> </td> <td data-bbox="850 620 1182 654"> <p>7</p> </td> </tr> <tr> <td data-bbox="480 658 847 689"> <p></p> </td> <td data-bbox="850 658 1182 689"> <p>29</p> </td> </tr> </tbody> </table>		<p>Risk Score Results</p>		<p>Note: the higher the risk score the lower the risk</p>		<p>Risk score achieved</p>	<p>Number of provider partners</p>	<p>100%</p>	<p>1</p>	<p>99% - 75%</p>	<p>16</p>	<p>74% - 61%</p>	<p>5</p>	<p>60% and below</p>	<p>7</p>	<p></p>	<p>29</p>
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<p>Intelligence</p>	<ul style="list-style-type: none"> • 48% of care homes experienced changes to senior and/or local management • 14% reported changes in organisational structure • 27% of staff leaving services left for a new job out with the Health and Social Care Sector • 14% of services reported concerns regarding sustainability of their service 																

3.24 Issues and Planned Actions

3.25 Some common issues raised by provider partners, the reasons for these and planned action(s) are provided below.

<p>Issues</p>	<p>Reasons/Planned Action(s)</p>
<p>48% of care homes experienced changes to senior and/or local management</p>	<p>Reflects wider national situation due to longstanding recruitment and retention issues in Health and social care in conjunction with sector pressures, including ongoing effects of COVID-19.</p>
<p>14% reported changes in organisational structure</p>	<p>The HSCP developed a partnership workforce plan, working with provider partners to help address these challenges.</p>
<p>34.5% reported staff supervisions are not up to date</p>	<p>Provider partners cite changes to management, staff sickness absence and recruitment and retention issues leading to staffing shortages as key reasons.</p>
<p>52% of care homes reported 6 monthly reviews for people who use the service are not up to date</p>	<p>A rolling schedule of Joint Assurance Monitoring Visits and follow up visits to care homes continues as well as ongoing RAG monitoring. Any concerning risks identified through Joint Assurance Monitoring Visits or RAG findings, are shared with CCHST and appropriate supports put</p>
<p>27% of staff leaving services left for a new job out with the Health and Social Care Sector</p>	

	<p>in place by CHTT and Partnership colleagues to help address.</p> <p>Scottish Care have established links with D&G Chamber of commerce. Current initiative is to encourage parents to return to work. Chamber of Commerce attended Care Home Managers meeting, asked for input on training requirements, they will consider how they can support with softer skills training e.g. IT, communication skills. Scottish Care are also working with partners to arrange a recruitment fare.</p> <p>Some care home services have commenced international recruitment. Wider discussions are taking place in the health and social care sector regarding regulatory and legislative compliance in relation to international recruitment and the roles and responsibilities of statutory agencies such as the Care Inspectorate and funders of commissioned services, such as HSCPs, are not yet clarified.</p> <p>Scottish Care has also provided support, such as 'bounce back better' to support managers in HSC to manage challenges better. 8 care home managers/team leaders/supervisors completed Scottish Care's Managing People Programme in 2023. Care Home Tactical Team and Scottish Care team in early discussions to organise further leadership development days for care home managers and team leaders. Provisional dates Jun 2024.</p> <p>Scottish Care have been working closely with local Developing the Young Workforce (DYW), attending Work Ready Days and careers events in secondary schools promoting careers in social care. Scottish Care Development Officer also presented at DYW co-ordinator meetings.</p>	
<p>65.5% reported mandatory training is not up to date</p> <p>66% of care homes are not up to date with Adult Support and Protection Training</p>	<p>Provider partners cite staff and management turnover as a key reason affecting their ability to keep training up to date.</p> <p>Scottish Care plan to establish a community of practice for Care Home Managers. Initial remit to review and develop 'best practice' continuity plans, going forward plan for this to be a skill sharing forum to include shared training opportunities which hopefully will enable</p>	

	<p>providers to share costs through pooling resources. A similar community of practice for Care Home Activity Organisers is also being planned and the IDEAS team will be consulted to avoid duplication.</p> <p>A rolling schedule of Joint Assurance Monitoring Visits and follow up visits to care homes continues as well as ongoing RAG monitoring. Any concerning risks identified through Joint Assurance Monitoring Visits or RAG findings, are shared with CCHST and appropriate supports put in place by CHTT and Partnership colleagues to help address.</p> <p>Where necessary, suspension of placements have been put in place by CCHST and improvement plans developed by Partnership colleagues in conjunction with provider partners to support improvements.</p> <p>In addition to Joint Assurance Monitoring Visits, the CHTT and Partnership colleagues support care homes through support visits (announced and unannounced), MEG (Medical e-Governance) Inspections and Audits for infection prevention and control and through the provision of staff training.</p> <p>Despite challenges, provider partners provided examples of new ways of working or innovations they have introduced to help meet the outcomes for people they provide care and support for, including Digital Care Planning. Some of these examples are provided at the end of this report.</p>	
<p>14% of services reported concerns regarding sustainability of their service</p>	<p>Individual meetings between Commissioning, Divisional Manager Community Beds and Supported Living, operational social work colleagues and provider partners have been taking place to determine challenges faced by provider partners and identify supports, including block bed arrangements with some care homes.</p> <p>Quarterly Relationship Meetings are held with the Care Inspectorate with Partnership representation from Commissioning, CHTT, Divisional Manager Community Beds and Supported Living, Community Health and Social Care Directorate, operational social work colleagues which focus on issues affecting care homes in D&G and identify supports.</p>	

The Right Care Right Place Programme includes developments that include new ways of using care home placements flexibly. This diversification, along with plans to commission more long term care are anticipated to help sustainability.

The Health and Social Care Partnership provides a number of 'non-financial supports' to provider partners, particularly smaller independent homes who do not have the infrastructure of a national organisation. Work is underway to build on these and explore wider possibilities.

Scotland Excel provide Company Watch reports for care home services when changes in financial information have been identified. This information is received by Commissioning and shared with Finance, Procurement and Operational colleagues and included as part of the care home RAG monitoring shared monthly with CCHST.

Discussions to take place at CMG and HSCPLG to consider options for gaining assurances on the financial position of care homes on an ongoing basis. Wider discussions are also taking place through the Practice Network, which is a forum for sharing information and best practice between HSCPs.

3.26 Future Planned Contract Monitoring

3.27 Contract monitoring of third sector commissioned services for the period 1 April 2022 to 31 March 2023 is currently being concluded. It is expected that these findings will be presented to IJBFPQ committee in July 2024.

3.28 Contract monitoring of care and support at home and care home commissioned services for the period 1 April 2023 to 31 March 2024 will commence in April 2024. It is expected that these findings will be presented to IJBFPQ committee in October 2024.

3.29 Contract monitoring of third sector commissioned services for the period 1 April 2023 to 31 March 2024 will commence in May 2024. It is expected that these findings will be presented to IJBFPQ committee in January 2025.

3.30 Development work is ongoing to streamline contract monitoring recording and documentation to improve efficiency. This includes consultation with provider partners to pilot a new contract monitoring return with functionality for improved data capture and reporting of results.

4. **Conclusions**

<p>4.1</p> <p>4.2</p> <p>4.3</p> <p>4.4</p> <p>4.5</p> <p>4.6</p>	<p>Results from recent contract monitoring of care home provider partners has helped identify risks and challenges facing partners and the impact this has had on their ability to meet contractual obligations.</p> <p>Contract monitoring of care home provider partners has provided information and assurance to the Partnership and identified areas for improvement to inform our Partnership support response.</p> <p>Findings indicate cause for some concern due to the increase in the number of care homes in the high risk category, which has increased from 7% of care homes monitored in the 2020-21 period to 24% of care homes monitored in the 2022-23 period.</p> <p>During and subsequent to the contract monitoring process, communication with care home provider partners has been ongoing in order to support improvement, share information and provide contractual advice and support.</p> <p>Ongoing Joint Assurance Monitoring Visits to care homes and RAG monitoring have provided information and assurance to CCHST and identified areas for improvement to inform our Partnership support response.</p> <p>Discussions have taken place at CMG to identify any additional supports that can be offered and to agree next steps to support care home provider partners, prior to sharing with HSCLG for input.</p>
<p>5.</p> <p>5.1</p>	<p>Resource Implications</p> <p>The work described in this paper is delivered within existing resources.</p>
<p>6.</p> <p>6.1</p>	<p>Impact on Integration Joint Board Outcomes, Priorities and Policy</p> <p>Ensuring that robust procedures are in place for contract monitoring and reporting of commissioned services will provide assurance to the Partnership that services are being delivered against contracts. It will help ensure that people of Dumfries and Galloway have access to appropriate care and support is in line with the Partnership outcomes.</p>
<p>7.</p> <p>7.1</p> <p>7.2</p>	<p>Legal and Risk Implications</p> <p>Contract Monitoring supports the management of risks that may impact on service provider partner's ability to deliver the service to the required quality standards.</p> <p>It should be noted that the intelligence gathered through contract monitoring is shared with the Care Home Tactical Team, the Community Beds and Supported Living Division and Finance colleagues to ensure risks are identified and appropriately managed.</p>
<p>8.</p> <p>8.1</p>	<p>Consultation</p> <p>Appendix 2 sets out the details of the consultation and engagement work undertaken in relation to this contract monitoring. The Contract Management Group and HSCPLG will consider this report prior to sharing with the IJBFPQ Committee.</p>

9. Equality Impact Assessment

9.1 An Equality Impact Assessment (EQIA) is not required at this time but may be undertaken if required as work progresses.

10. Glossary

10.1 All acronyms must be set out in full the first time they appear in a paper with the acronym following in brackets.

EQIA	Equalities Impact Assessment
IJB	Integration Joint Board
IJBFPQ	Integration Joint Board Finance, Performance and Quality Committee
CMG	Contract Management Group
CHTT	Care Home Tactical Team
CCHST	Collaborative Care Home Support Team
DGC	Dumfries and Galloway Council
HSCP	Health and Social Care Partnership
HSCPLG	Health and Social Care Partnership Leadership Group
MEG	Medical e-Governance
SAQ	Self Assessment Questionnaire