

## **Terms of Reference – Care Quality Commission Inspection of Services Provided, directly or indirectly, by Manx Care**

### **1. Background**

Recommendation 3 of Sir Jonathan Michael's [Independent Review of the Isle of Man Health and Social Care System](#) called for health and social care services provided directly or indirectly by Manx Care to be inspected regularly by independent, external quality regulators, with a report to the Manx Care Board and to the Department of Health and Social Care (DHSC). It was also recommended that the inspections are determined against agreed defined standards that provide assurance yet require the enforcement of the recommendations and support a systematic approach to a continuous improvement.

Outlined below is a summary of the CQC inspection arrangements:-

### **2. Registration**

Under Paragraph 9 of Schedule 4 of the Health and Social Care Act 2008 the CQC can, at its discretion, provide advice or assistance to another public authority for the purpose of the exercise, by that authority, of that authority's functions. This advice and assistance does not allow CQC to regulate these services, and as such the services on the Isle of Man (IOM) will not be registered by CQC. CQC will also not have enforcement powers. This will remain the responsibility of the DHSC.

Where services are registered, it was agreed that CQC can access registration information on services via the DHSC Registration and Inspection (R&I) team. This allows CQC to have an up to date record of the type of care provided by each provider and location and details of appropriate staff contacts. A notification process, similar to the England process, is in place for all adult social care providers. The R&I team have provided this information.

### **3. Provider Information Returns**

CQC request provider information returns (PIRs) prior to inspections being undertaken. It was proposed that the returns are based on those CQC currently use, with the caveat that some data requests are not always suitable for providers on the Island, however there is an expectation that compliance with the PIR will increase over time. The provider information returns used during the inspections have been piloted and reviewed by providers on the Island.

### **4. Data sharing**

Prior to and during the inspections CQC staff access a range of data on the performance of the services. This includes looking at records of people using services the team can make judgements in relation to the person's journey through the service and standard of care given. CQC and the DHSC have developed a [Data Protection Impact Assessment](#) (DPIA) to support this work.

CQC does not store data shared by Manx Care as all data should be kept on the IOM.

## **5. Inspections and Inspection teams**

CQC identify teams of inspection staff from CQC's current workforce with the appropriate specialist knowledge for each area. Staff are fully briefed on the importance of understanding the unique circumstances that the IOM providers are working within. Inspections provide a baseline for Manx Care to identify what is working well at provider level and where more focus is needed.

## **6. Working with the Isle of Man's Registration and Inspection Team (R&I)**

CQC work in collaboration with the R&I team and members of the team will work alongside CQC inspectors during the inspection phase. The purpose of this is two- fold. Firstly, to support the team to broaden their regulatory oversight and secondly, for this round of inspections; CQC inspections of the Adult Social Care services covered under the Service Level Agreement (SLA) has replaced the business as usual inspections that the R&I team would have usually undertaken under the Regulation of Care Act (ROCA) for those services during 2022/2023.

## **7. Reporting**

Inspection reports are produced by CQC at provider level for acute care/secondary care and location level for other services. Reports go through an internal factual accuracy process with services and internal CQC quality assessment and once complete and the full report finalised they are then shared with the service, DHSC and the Manx Care Board. Reports cover CQC's findings against [the five key questions](#) detailed in the assessment frameworks. It was proposed at the baseline level these are used to identify and celebrate good practice and any areas for improvement. The DHSC are publishing all reports on their website.

## **8. Rating**

The first round of baseline inspections have not been rated but have included recommendations for improvement. The initial baseline reviews across Manx Care providers ensures that DHSC and Manx Care have a picture of the level of safety and quality of care across the providers. This enables providers to develop action plans and complete these actions prior to any possible repeat inspections that might be carried out following the conclusion of this initial baseline inspection.

## 9. Enforcement

As stated above CQC does not have enforcement powers for Manx Care providers on IOM. Any enforcement action taken as a result of inspection findings is the responsibility of the DHSC.

## 10. Complaints and Concerns

Individual complaints from people using services should be directed via the new Manx Care complaints process as normal. This process and the teams to which any individual concerns or complaints should be directed is [here](#) and further information is also available [here](#).

As part of the process the CQC inspection team has been in contact with people using services and their families. The DHSC have and will continue to encourage you to please use this opportunity to share your views of the service.

If you work in a service and have concerns about the quality of care being delivered, you can provide this information directly to DHSC who can escalate as appropriate. You can email [externalqualityregulation@gov.im](mailto:externalqualityregulation@gov.im) to do this, and any information will be treated confidentially.

## 11. Timing for Inspections per Sector (correct at 23 January 2022) are:

- The Adult Social Care inspection schedule ran from 25 April to 12 August 2022.
  - 9 x Adult Care Home
  - 27 x LD Adult Care Home
  - 7 x Other Social Care Service
- The Dental inspection schedule ran from 4 July to 15 July and 29 November 2022.
  - 13 x Dental Practices
- The General Practice inspection ran from 26 July to 8 November 2022.
  - 13 x GP Practices
- The Mental Health Sector inspection ran during the week commencing 1 August with the remaining section of the inspection being held week commencing 30 January 2023.
- The Acute (Hospital based services) and Community Services sector inspection schedule began on the 3rd October. The Well-led inspection was undertaken week commencing 24 October 2022.

The Well-led inspection was also undertaken by CQC of the Acute and Community Services, which is an assessment of; the leadership and governance at board and executive team level, the overall organisational vision and strategy, organisation-wide governance, management, improvement; and organisational culture and levels of engagement.

- The Hospice Care Sector inspection was carried out during week commencing 31 October 2022.