

CQC Consultation – ‘Our next phase of regulation’

Provider-level assessments – holding Groups to account

The CQC Consultation proposes wide-ranging reforms: some of which impact on all regulated services, alongside specific proposals on the regulatory approach for primary medical services and adult social care.

This bulletin addresses:

Part 1.3 of the Consultation - ‘**Provider-level assessment and rating**’

Impacts on: **all providers of health and adult social care**

Key points:

In [our first bulletin](#), we discussed the ways in which the consultation proposals will widen accountability and see intermediate and/or ultimate parent companies being registered. Following on from this, CQC also proposes to carry out assessments of services at the level of the highest entity of the group which is registered. This is in addition to present system of inspections of individual services.

The aim is to provide more visibility about the way in which different services within a group are connected and this is part of the move to enable CQC to hold groups to account more effectively.

In addition to assessment, resulting in a narrative report, at provider level (which seems like it will be a given), the consultation adds that CQC is also considering introducing provider-level ratings across whole groups for “some or all sectors”. The prospect of entire groups being labelled ‘Inadequate’ or ‘Requires improvement’ would surely have far reaching consequences in terms of the reactions of potential service users, commissioners, lenders and investors.

It is unknown, and is likely to be the subject of a further consultation in Winter 2017/18, precisely how the group-level assessments will work. However, it is clear that a ‘well-led’ assessment will be at the heart of it. The consultation indicates that CQC is exploring a number of possible options for how to assess at a provider level, which could result in:

- a new group-level assessment framework leading to a report (and possibly a single overall group-level rating of quality and safety);
- a group-level assessment (and possible rating) just against the existing ‘well-led’ framework;
- group-level assessments of all five key questions (including bespoke frameworks for safe, effective, caring, and responsive). This could lead to five group-level ratings (one for each key question) which could then be aggregated into a single overall rating;
- a group-level assessment against the existing ‘well-led’ framework, coupled with aggregation of location ratings for the other key questions. Again, this could lead to five group-level ratings which could then be aggregated into a single overall rating

In the event ratings (as opposed to simply narrative reports) at group level are introduced, these could have dramatic consequences for the independent sector. If a system of aggregated ratings is used, much could turn on the precise rules of aggregation which can, at times, appear somewhat arbitrary.

Current Position

- Only the entity directly providing services is assessed
- Parent companies and groups are neither assessed nor given a rating

Consultation Proposals

- Additional assessment at the level of the highest entity in the group which is registered
- Possible introduction of group-level ratings for some or all sectors
- A number of group-level assessment and rating options being explored and comments invited

Points for providers to consider

- What issues would inspection and assessment of the highest entity in the group present for us?
- Would the highest entity in the group be ready and have all required available information in the event of an inspection and assessment?
- Are group-level assessments and ratings a good idea and on what basis should they be scored?

There is a lot of detail in the Consultation and not a lot of time to respond – the consultation closes on 8 August 2017. It is important that providers study the proposals closely and make sure their voice is heard on what is being proposed. Bevan Brittan is hosting a consultation event with CQC on 26 July 2017 (in London) – [click here](#) to register for the event; the event will have a particular focus on the adult social care sector, but all providers are welcome to attend.

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