

Ian Trenholm
Chief Executive Officer
Care Quality Commission

29th January 2024

Dear Ian

Re: Inspection regime impact

I'm writing to you to express deep concerns from our members about the stress caused by visits by your teams. What worries me is that when we have asked members to register their concerns with CQC they are often reluctant to do so because of the 'repercussions', which may follow their complaint! This does not create a path to trust and confidence between the sector and its regulator.

At a time when we are struggling with recruitment of care staff and Registered Managers are at a premium, I felt compelled to raise this with you on behalf of our membership. As you will be aware many of the smaller providers may opt to close their services following challenging and often unsupportive inspection, leaving them under extreme pressure and low esteem. I am completely aware that the safety of those we support is paramount in yours and our role and that remains critical in any and all support provided to our membership. However, the culture in CQC remains hostile at the ground level and so your assurances are often futile.

With the recent press coverage of Ofsted inspections and the way in which they have responded to the criticism of their inspectors, I would urge you to consider what action you feel might be appropriate in the case of CQC, which fulfils the same functions in health and social care and cases the same levels of stress and pressure to the point where staff will have to take time off to recover or leave the sector completely.

Further to the apology offered by Ofsted in relation to the role they played in Ruth Perrys suicide, we consider the similarities that the Care sector faces when being inspected by the Care Quality Commission are not dissimilar. Data clearly reveals that it is getting hard and harder to recruit good Home Managers in view of the ongoing pressures that they face in their role in particular the stress of CQC inspections. Ofsted have acknowledged that they need to have more empathy when inspecting and to consider the mental health of the school leader who may be in distress during an inspection and to have the option to pause the inspection. The inspection process, and reporting requirements that Ofsted work with are similar to the systems followed within the CQC.

Ofsted have announced a major review of how it handles safeguarding concerns and is training their staff in mental health as a preventative measure, enabling recognition of extreme pressures. We believe it is disappointing that it has taken the death of a good school leader for Ofsted to acknowledge this.

Our members contact us on a daily basis to raise concerns about their inspector conduct at inspection.

Just one example of this came to us on Saturday 27th January 2024:

'so my service was inspected under the new system last week, 4 people arrived at 9.05 and left at 5.30 and I still had to send so much evidence by email. My advice to everyone is be very very prepared, as they are only looking at one area they have so much time to really deep dive, after running 2 nursing homes for 8 years and have been rated Good in all areas I am more than sure that they are looked at (safe) will be marked as required improvement. No matter what feedback they get, for me its time to get out as the inspection this week as affected me more than even an outbreak of Covid did in my homes and we all know how that left us.'

Indeed, the document that we collaborated with the CQC, "How to Have a Good Inspection", is neither acknowledged by your inspectors nor is it followed. In view of the recent announcements from Ofsted, we consider the following questions need an urgent response:

1. What training does CQC offer inspectors in relation to recognising triggers which may cause concern about the mental health of the Manager during the inspection, and the consequences that their actions may have on the Home Manager when carrying out an inspection? How, if at all, do they risk assess this?
2. What redress is there for the Home Manager who feels that they need to raise concerns during their inspection about the conduct of the inspector/inspection and to possible pause the inspection? How is this enabled?
3. The Single Assessment Framework places additional pressures on Home Managers pre, during and post inspection in relation to documentation, analysis, and application. We are aware that the CQC IT systems are creating problems for services post inspection and despite data being provided the IT systems are not working as effectively, thereby adding further pressures onto Home Managers, what outcomes have been established as a consequence of this to help and protect Home Managers and their mental health?
4. It is important that you introduce an independent appeals process for, factual accuracy, ratings reviews, and complaints about the conduct of individual inspectors, assessors, and their managers. It is inconceivable that this remains an 'in-house' process. We believe that the factual accuracy, ratings review and complaints system and process currently in place is deliberately designed to make it all but impossible to challenge or have a fair appeal. This lack of an independent judicator that can call CQC to account means providers, RMs, employees have no recourse to complain about their treatment by CQC and so significantly adds to the feeling of being isolated and helpless in the face of an aggressive and potentially, deeply unpleasant regulator inspecting the service.

As the organisation that support small and medium sized providers, we would encourage CQC to adopt a similar approach to Ofsted as a matter of urgency. It is critical to recognise that such inspections create additional burdens and stresses on an already stressed Home Managers dealing with day-to-day challenges faced by the sector which are well documented and often acknowledged in your own annual report. Words are cheap, action speak louder than words. Mental Health awareness is vital, and necessary for all of us who work in such an already difficult and pressurised sector.

We are happy to elaborate on any of the points raised and would welcome you to attend a meeting with our Board, who are small and medium sized care providers, and/or our membership. Our



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membership does not have departments internally to support managers and often the burden of responsibility will rest with the Manager and staff in the service. The information we have presented in this note is following direct contact with our membership. We have many more examples of comments raised about the way an inspection is conducted and the manner in which the provider/Manager is left feeling.

I look forward to your considered response and working with you and your teams to ensure that those who are committed to delivering care and support to the most vulnerable members of our society are not themselves faced with wellbeing issues.

Your Sincerely

Nadra Ahmed CBE

Ian Turner

Executive Co-Chairmen
For and on behalf of National Care Association

Cc: Kate Terroni – Interim Deputy Chief Inspector
James Bullion - Interim Chief Inspector of Social Care and Integrated Health
Allison Murray – Link Inspector for NCA