



Jersey Care
Commission

Discussion Paper

November 22

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DISCUSSION PAPER

Addressing challenges and risks in social care

Introduction

Adult social care plays a vital role in keeping people well, either in their own homes or in residential care settings. People in Jersey expect to receive safe and effective social care, both now and for future generations. The aim of the Jersey Care Model is to keep Islanders living healthy and independent lives for as long as possible. When people require health and care services, these are designed around the need of the individual and, where clinically appropriate, delivered in the community.

The Care Commission's role as an independent regulator is to provide the people of Jersey with assurance about the quality and reliability of health and social care services, through regular inspections and effective regulation of the sector. We achieve our mandate by carrying out inspections. In 2022 we carried out over 120 inspections.

Throughout 2022 the Commission established that the quality and safety of care delivered in care homes and in the community is generally good. We have also identified examples of providers delivering exceptional care. In addition to our inspection programme, we initiated other activities to enable and encourage regular and routine dialogue with the sector. We have held engagement events and carried out a survey, to increase our understanding of the continuing viability of the social care sector in Jersey.

As the independent regulator it is our duty to identify from regulatory activities overall trends in respect of the quality and safety of care services and to highlight risks in social care provision, in particular any immediate risks that are impacting on care providers and those receiving services. Throughout 2022, the Commission has routinely heard concerns raised by providers about staff recruitment and retention. This led us to develop a specific survey to acquire focused information on workforce challenges.

Emerging from the COVID19 pandemic, the Commission has evidence that the adult social care sector is experiencing significant challenges and risks which, without a mitigating plan in place, will adversely impact on outcomes and the quality of care Islanders receive.

There are three specific matters currently impacting on the care sector which pose continuing risks:

1. care staff vacancy rates are increasing
2. demand on local care services is intensifying
3. care providers are reporting that workforce shortages are having an adverse impact on the care sector's capacity and capability.



Addressing workforce shortages is vital to ensuring that those in need of care and support can access safe and effective health and care services. This requires a robust and urgent response and a sustainable longer-term plan to assure the future of adult social care services.

The purpose of this report is to stimulate thought and debate on the level of current risk and to recommend a single strategic plan to mitigate risks.

Executive Summary

The supply of care staff is failing to keep pace with demand and posing a potentially catastrophic risk to Jersey's care services. If not addressed, the Commission will be unable to provide sufficient assurance of the future stability of the social care sector.

The Commission has concluded from its work that action is urgently required and is providing the opportunity for the Government to consider the leadership and policy support required to tackle the immediate threats, as well as presenting possible longer-term solutions for consideration.

The Commission identifies the current risks as:

1. deepening recruitment and retention pressures, across the whole adult social care sector
2. care providers with insufficient numbers of experienced staff, handing back care contracts because they cannot manage the workforce shortages and growing demand for services (an example is one recent care provider having to cancel 300 hours of care per week at short notice)
3. workforce shortages resulting in providers often working in 'firefighting mode' and therefore reducing their ability to invest in creative models of care
4. increased demand and complexity of care requirements on home care providers
5. insufficient staff with the necessary skills and experience to fill vacancies
6. an increasing need for the Commission to support providers, who are struggling to meet their statutory requirements, with a limit the role the Commission can play to support the sector
7. deepening cost pressures
8. a lack of data to ensure that demand and capacity is fully understood; with good quality information to predict future requirements
9. no clear strategy to understand the future requirements and challenges of the care sector.

Without positive intervention, the current and worsening situation means that the Commission cannot discount the real possibility of a future care system failure.



There is a growing concern that if a care provider, for whatever reason and at short notice, is unable to continue operating, the care sector in Jersey does not have capacity to pick up the shortfall.

The Commission's view is that the Government should consider how it can assist and support the care sector to deliver sustainable services taking into account the increasingly aging local community by:

- supporting and enabling a sustainable and committed workforce to deliver high quality services
- promoting diversity and choice of provision for those with complex care needs
- ensuring market sustainability
- ensuring appropriate mechanisms to underwrite market failure if the risks are realised.

Workforce Demand

The population of Jersey is ageing. People are living longer, and many older people are developing illnesses associated with the ageing process. This gives rise to increased complexity in the extent and type of support required to assist older people who have long term health and social care needs. If Jersey aims to continue to support a vibrant social care sector delivering a wide range of sustainable high-quality care, it will require a diverse and highly trained care workforce.

A recent research report undertaken by the Nuffield Trust estimates that an additional 490,000 jobs in adult social care in England will be needed by 2035 to meet long-term demand. These numbers do not include the other countries in the UK (United Kingdom), equivalent roles associated with children/young people's care, or the existing challenges associated with recruitment and retention into pre-existing jobs. It is the Commission's view that it is likely that an equivalent challenge exists in Jersey.

During August - September 2022, the Commission carried out a sector wide survey of 120 care providers and adult social care managers. The purpose was to ascertain the challenges the sector is facing, focusing on recruitment and retention. A sample of 32 respondents indicated that social care providers have vacancy rates of between 10-30%, with higher turnover rates than is typical for the sector.

The survey results showed that vacancy rates in Jersey are broadly in line with the UK national average. Of particular concern is the inevitability that care providers are competing against each other to attract and maintain a skilled workforce. The inability of care managers to retain staff results in reliance on a continual cycle of recruitment. This constant churn of employees means that both providers and care receivers have to adapt to new and unfamiliar staff. Many care providers are reporting they are in 'firefighting' mode, without the time or capacity to look at creative ways of working or putting in place longer term plans.



The Commission has several examples of where providers are reporting that to manage their workforce risks, they are obliged to restrict care hours provision and capacity. The Commission is aware of examples of a shortage of 'care hours' provision in particular settings, limiting the provision for those requiring complex care.

While some providers feel obliged to restrict their capacity in the current climate, the Commission believes that capacity needs to grow, not shrink, to sufficiently meet current and future demand.

If the factors impacting on the workforce are not addressed there is a risk of increased destabilisation of the care sector, care needs not being met and at worse, a system wide failure where people cannot access the right care at the right time and in the right place.

It is the Commission's view that there is an urgent need to model current minimum and maximum requirements of care hours and identify realistic staffing provision and growth projections. There is also a gap in access to up-to-date data, reporting on occupancy rates and unmet care needs. This data would allow the Government to be fully appraised of the level of risk and to continually plan to address staffing shortages and unmet needs.

Complexity and Demand

As the population ages, complexity of care is key. The proportion of people experiencing complex mental health conditions and older people with complex needs is predicted to continue to increase; at the same time the availability of registered nurses and care staff is decreasing. The impact is a growing risk in the likelihood of reduced quality of care, increased pressure on the existing workforce and reduced levels of safety in care settings. This in turn increases the likelihood of adverse incidents, accidents, safeguarding concerns and investigations.

During inspections of care homes, managers are consistently reporting to the Commission that many residents have long term physical and complex mental health conditions. The Commission is concerned about several registered providers who are at increasing risk of breaching regulations and care standards, as increased complexity and dependence requires higher levels of experienced staff and management support. Worryingly, there is an emerging gap between demand and the number of experienced staff available to fill vacancies, whilst at the same time care providers are experiencing increased complexity.

The available supply of experienced care staff willing to work in the care sector at all levels is challenging, due to competition from higher paid roles in alternative sectors. This is compounded by a high level of burn out following a global pandemic (where staff in this sector are still subject to public health restrictions e.g., mask wearing). This is impacting not just on front-line staff, but also people with the necessary experience and qualifications to fill managerial roles, which increases the risk of provider failure.



The quality and safety of provision of secondary care/acute care is determined by the social care market's ability to respond to the demands placed on it. The increasing pressures in the community to reduce, delay and avoid unnecessary hospital admissions will require the system that has traditionally been used to deliver social care provision, increasingly being relied upon as the alternative delivery method of caring for people with complex, chronic co-morbidities.

Without the adequate community infrastructure in place, the system will experience more frequent delayed discharges, delayed transfers of care and at worse, an increased risk of whole systems failure.

Inflationary pressures (which includes wages, travel, food, and energy costs) are also leading to an increased risk within this sector, with many providers reporting this having a knock-on effect on their ability to continue operating.

It is the Commission's view that if the present trend continues, both Care Homes and the Home Care sector are vulnerable to provider exit, or system failure, as there is not sufficient capacity to realistically deliver and continue to provide for the current and increasing demand for complex care in the community.

Jersey is not well insulated against the sudden failure or collapse of a care provider and the system lacks resilience to address the gap caused by a failing provider.

If, as predicted, demand continues to increase, the system needs to be adequately supported to deliver safe care, to enable the hospital to discharge people safely, and the community to be able to provide appropriate and safe levels of care for those in need.



Conclusion

The Commission, by producing this report, is stimulating thought and debate on the level of current risk. It is also urging the Government to consider how it supports the social care market, which is required to continue to deliver a wide range of sustainable high-quality care services within the community.

As an independent regulator it is our role to identify from regulatory activities' trends in health and / or social care and issues that care providers and Islanders are facing. Throughout 2022, the Commission has routinely heard concerns raised by providers about staffing levels, recruitment, and retention.

There is evidence that the adult social care sector is experiencing significant challenges and risks which, without a mitigating plan in place, will adversely impact on outcomes and the quality of care that Islanders receive.

The situation is a consequence of the facts that:

- 1) care vacancy rates are increasing
- 2) demands on local care services are intensifying
- 3) care providers are reporting that workforce shortages are resulting in a decrease in the care market's capacity and capability to respond to growing demands.

Addressing workforce shortages is a vital step in making sure that people in need can access safe and effective health and social care services. This requires a robust, and urgent response as well as a sustainable longer-term plan to assure the future of adult social care services in Jersey.

Some care providers are finding it challenging to comply with current quality and safety standards. The social care sector is vulnerable to sudden provider exit or failure. Jersey is not insulated against these shocks.

The difficulties are not unique to one part of the care sector as there are inter-dependent risks to the entire care sector which if unaddressed have the potential to lead to major failings, including significant Island wide reputational, cost, and potential system failures.

The Government is urged to consider and put in place a plan to ensure that Jersey has a social care system which has:

- robust adult social care leadership
- diversity and choice of provision
- capacity for market growth and sustainability
- a system / plan to underwrite the risk of market failure
- a skilled workforce which can deliver high quality services.



Jersey Care Commission's Recommendations:

1. Consider a single point of contact to provide effective leadership to act proactively and strengthen relationships between the Government of Jersey and all social care providers.
2. Carry out a modelling exercise to identify demand projections of volume and complexity, to establish current and likely future domiciliary care and care home capacity requirements in Jersey, taking in to account staffing projections on a small Island.
3. Consider the development of a market oversight team with commissioning responsibilities, who can fully understand and support the care sector and, where necessary, provide development support, to reduce the risk of service failure. In particular, ensure support to those who provide highly specialised services, where a sudden or unplanned exit could present a very real challenge ensuring continuity of care.
4. Review all Government of Jersey policies which impact on recruitment of overseas workers and address issues which hamper recruitment into the sector.
5. The Government of Jersey should consider how best to facilitate appropriate training and development assisting providers to retain staff and to encourage recruitment into the sector.
6. The Government of Jersey should, when reviewing housing support, take account of the needs of people working in the private care sector.
7. Consider policies and Government budgets, which may support small businesses such as care providers in coping against inflationary cost pressures.