

Ensuring High Quality Care in Tower Hamlets

1. Introduction

In Tower Hamlets, we believe that quality care starts with what matters most to people, being able to live their lives the way they want, in the places they call home, and with the people they care about.

The care and support that residents receive play a crucial role in their wellbeing and ability to live a good life. That's why we are committed to ensuring that all care services in Tower Hamlets are:

- **Person-centred** – supporting people to achieve outcomes that matter to them and valuing them as experienced and equal partners.
- **Safe and empowering** – supporting people to feel secure and respected, with their rights upheld.

2. Our Commitment to High Quality Care

We take a robust approach to supporting care services in Tower Hamlets. This ensures our residents, carers, and their loved ones can access the best possible care whilst also minimising the risks of service interruptions or failures.

As a council, we have a legal duty under the Care Act to make sure good quality care services are available to meet the needs of our most vulnerable residents regardless of whether these are meeting an assessed need or privately arranged.

This includes:

- Monitoring the stability of the care market to identify risks early.
- Minimising disruption to service users if a provider ceases operations.
- Ensuring alternative care arrangements are in place where necessary.

3. Working in Partnership to Support the Care Market

We work proactively with Care Providers to identify and mitigate risks early, ensuring that any necessary improvements are made to maintain safe, high-quality services. We will always work collaboratively, recognising Care Providers as valued partners in creating a care system that:

- **Puts residents first** - maintaining the wellbeing, safety, dignity, and continuity of care for all service users.
- **Supports Providers to succeed** - creating an environment of trust, openness, and transparency as partners.
- **Maintains stability in the care market** - collaborating to understand market trends and challenges, such as financial pressures through to recruitment and retention and using this to knowledge to anticipate and address risks. Sharing appropriate information and collaborating with key stakeholders when necessary.

4. Our Tower Hamlets Approach

Our approach can differ for each provider based on the size of the organisation, level and type of services provided as well as the types of risks. We operate a

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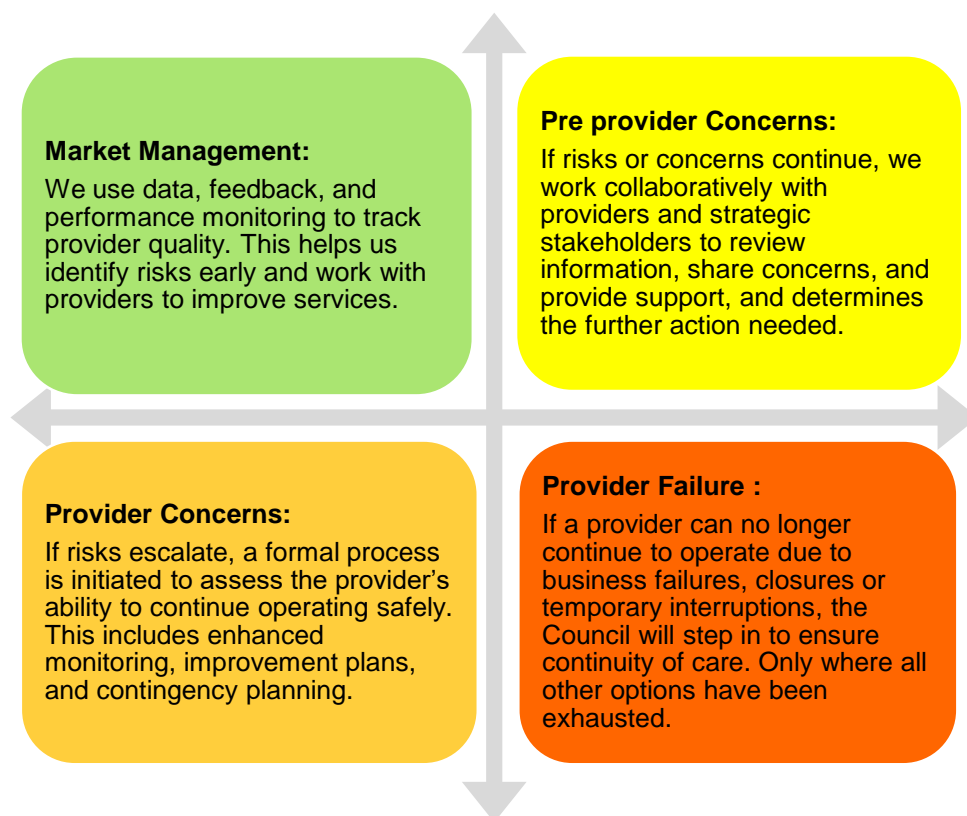
four-step approach to ensuring quality and responding to service failure, focused on early intervention, risk mitigation, and continuity of care.

This applies to regulated Care Providers, accommodation-based services, day services, and statutory information and advice services operating within Tower Hamlets. It also extends to working with host local authorities when services are delivered outside Tower Hamlets to ensure continuity of care.

Our principles

- **Putting People First** – We make sure service users are at the heart of all decisions, listening to their voices and shaping care around their needs.
- **Keeping People Safe** – We work with Care Providers, regulators, and other partners to ensure quality care, prevent failures, and act when needed.
- **Strong Partnerships** – We share information and collaborate with key organisations (CQC, ADASS, ICB) to maintain high standards and improve care services
- **Acting When Needed** – We monitor risks, support providers to improve, and act quickly if a crime or serious concern arises.

Our Four-Step Approach to Managing Provider Quality



Our process provides clear guidance on how the Council will respond to Provider concerns and service failure.

5. Provider Concerns: Provider Involvement and Responsibilities

Whilst it is always our intention to be collaborative, there will be cases where concerns about management being complicit in the issues under investigation will

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require a different approach. As such decisions regarding provider involvement will be made based on individual circumstances. In some cases, it will be necessary to seek advice from the police, CQC, or other relevant authorities before making this decision.

Care Providers that have a service located in our borough that is used by other authorities, are required to ensure:

- Information is shared annually on the number and details of placements made by us and other authorities.
- They are aware of the requirement to report and support investigations into safeguarding concerns.
- Work collaboratively with us to deliver improvement plans in the event of concerns being identified, responding positively to improvement measures identified by the Authority.

6. Legal Framework and Council Responsibilities

While Care Providers may fail, experience service interruptions due to unforeseen events, or choose to close, the Council's duty to ensure the safety and well-being of residents remains.

Section 48 of the Care Act 2014 places a legal duty on local authorities to temporarily intervene to ensure continuity of care if a regulated provider is unable to provide a regulated activity due to business or provider failure.

This temporary duty applies when:

- The provider is a registered care provider.
- The provider cannot continue delivering a regulated activity.
- The inability to deliver care is due to business failure.

If a Care Provider is still able to operate despite business failure, the duty will not be triggered. The Act states that the local authority must intervene for as long as necessary to meet the care and support needs of individuals affected by provider failure. However, the council is not required to continue the exact same services and has discretion over how care needs are met.

7. Relationship with other Safeguarding and Regulatory Processes

The Provider Concerns Process will not replace individual safeguarding inquiries, the Patient Safety Incident Response Framework (PSIRF) in the NHS, or any Care Quality Commission (CQC) regulatory action. While these processes may run concurrently, the Provider Concerns Process will usually take precedence over both Section 42 safeguarding inquiries and PSIRF investigations. In all cases, efforts will be made to reduce duplication of work and ensure coordinated action between agencies. If a crime is suspected or a criminal investigation is underway, the police will be consulted to ensure that proceeding with our processes do not interfere with legal proceedings.

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We retain the lead safeguarding role for all concerns in the borough. However, the responsible commissioning body still has a duty of care and will be expected to cooperate fully in addressing risks and ensuring service users remain safe.

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Managing Provider Quality process

