

Email update from the Care Quality Commission

10 February 2015

Ref. no: EC189

Dear colleague

### **CQC: Important changes and new guidance for April 2015**

I am writing to update you on important changes coming into effect on 1 April 2015 and to tell you about guidance we are developing to help you to prepare for those changes.

#### **Today we have published:**

- Guidance for providers on meeting the regulations (the Fundamental Standards)
  - Bar guidance for a small number of regulations we are still consulting on
- Enforcement Policy
- Enforcement Decision tree
- Memorandum of Understanding with the Health and Safety Executive

#### **Early next month we will publish:**

- Guidance on the new Fit and Proper Person Requirement for Directors and Duty of Candour regulations (except for NHS bodies – their guidance and approach came into effect in November 2014)
- Guidance on the requirement to display ratings

#### **Later in March we will publish:**

- Enforcement Handbook
- The final Guidance for provider on regulations (the Fundamental Standards)
  - Including guidance on all the regulations

More information on each of these pieces of guidance can be found below.

### **Guidance for providers on meeting regulations (the Fundamental Standards), and Enforcement Policy and decision tree**

From 1 April 2015, new regulations (the Fundamental Standards) will come into effect. They will set the standards below which care must not fall, and which providers must demonstrate how they will meet as part of registration.

The standards sit alongside the five questions we ask and rate against when we inspect; are services safe, caring, effective, responsive to people's needs, and well-led? These questions help our inspectors identify good care.

When our inspection teams identify poor care, they will determine whether there is a breach in the new regulations and if so, what action to take.

Following a public consultation last year, we have developed guidance on meeting the Fundamental Standards and how we will use our enforcement powers. The guidance and enforcement policy will help to ensure that providers, people who use services, the public and other stakeholders are clear about our expectations and judgements, the action we will take to ensure that we protect people from poor care and our role in encouraging improvement in care quality.

This guidance will replace our current *Guidance about compliance, Essential standards of quality and safety* from 1 April 2015.

The final version of our *Guidance for providers on meeting the regulations* will publish at the end of March. At this time we will also publish updated versions of our provider handbooks (or for some services the first edition of their handbook) to ensure they are aligned with the changes coming into effect on 1 April.

These changes will also be reflected in provider handbooks which are publishing after 1 April, which includes our Urgent Care and Independent Doctors handbooks.

### **Memorandum of Understanding with the Health and Safety Executive**

We have also published our Memorandum of Understanding with the Health and Safety Executive and local authorities in England, to reflect changes in how safety incidents will be acted upon. From April, we will begin to be responsible for deciding whether regulatory action is needed for health and safety incidents that involve people who are cared for by services that we regulate.

### **Guidance on Fit and Proper Person and Duty of Candour, and the requirement to display ratings**

The new Fit and Proper Person Requirement for Directors and Duty of Candour regulations (and associated guidance) came into effect for NHS bodies (NHS trusts, NHS foundation trusts and special health authorities) in November 2014. Guidance on this for all other sectors will publish next month.

We are also currently consulting on our guidance for providers on the requirement to display ratings (except for those services we are not rating, such as dentists) which also comes into effect from 1 April 2015; and on minor changes to the regulations brought over from the *Guidance about compliance*. This consultation closes on 25 February and the final guidance will be available in early March.

### **Questions and how to learn more**

- We will write to you again at each stage of this process to alert you when guidance is available.
- You can find out more information on the guidance and changes coming on our **website** [here](#).
- From the middle of March we will be running a series of **live Q&A sessions** on the new guidance through our online community. If you're not already a member of the community, please [sign-up here to](#) find out more details on how to join those sessions.
- We also want to know **your thoughts on how we can best present this information**. We will be running a forum discussion to get your feedback through our online community later this month.
- If you can't find an answer to your question on our website you can contact our national contact centre at [enquiries@cqc.org.uk](mailto:enquiries@cqc.org.uk)

Yours sincerely

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