

Politics, Burden, Calibration & Blame

Navigating risk in social care regulation



Post war social care

Expert-led
Welfare

Personalised
co-production

Universal
Services

Diversity
& Choice

Input &
Process

Outcomes
for people

Post war social care regulation

Compliance

Improvement

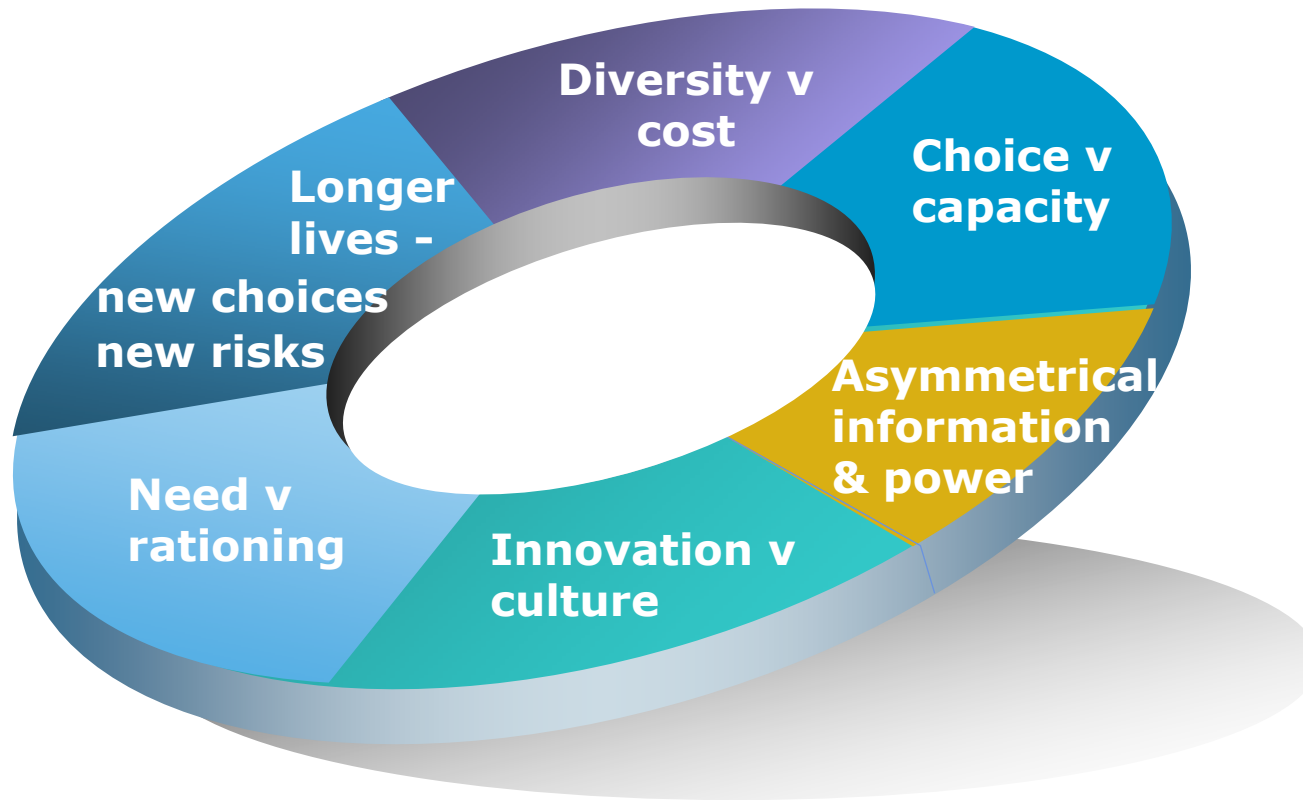
External
audit

QA/regulation
synergy

Input
rule book

Comply or
explain

Marketplace issues



The social care market is heavily regulated because customers are disadvantaged and disempowered by unequal power relationships with both providers and commissioners of services

Virtuous cycle of regulation

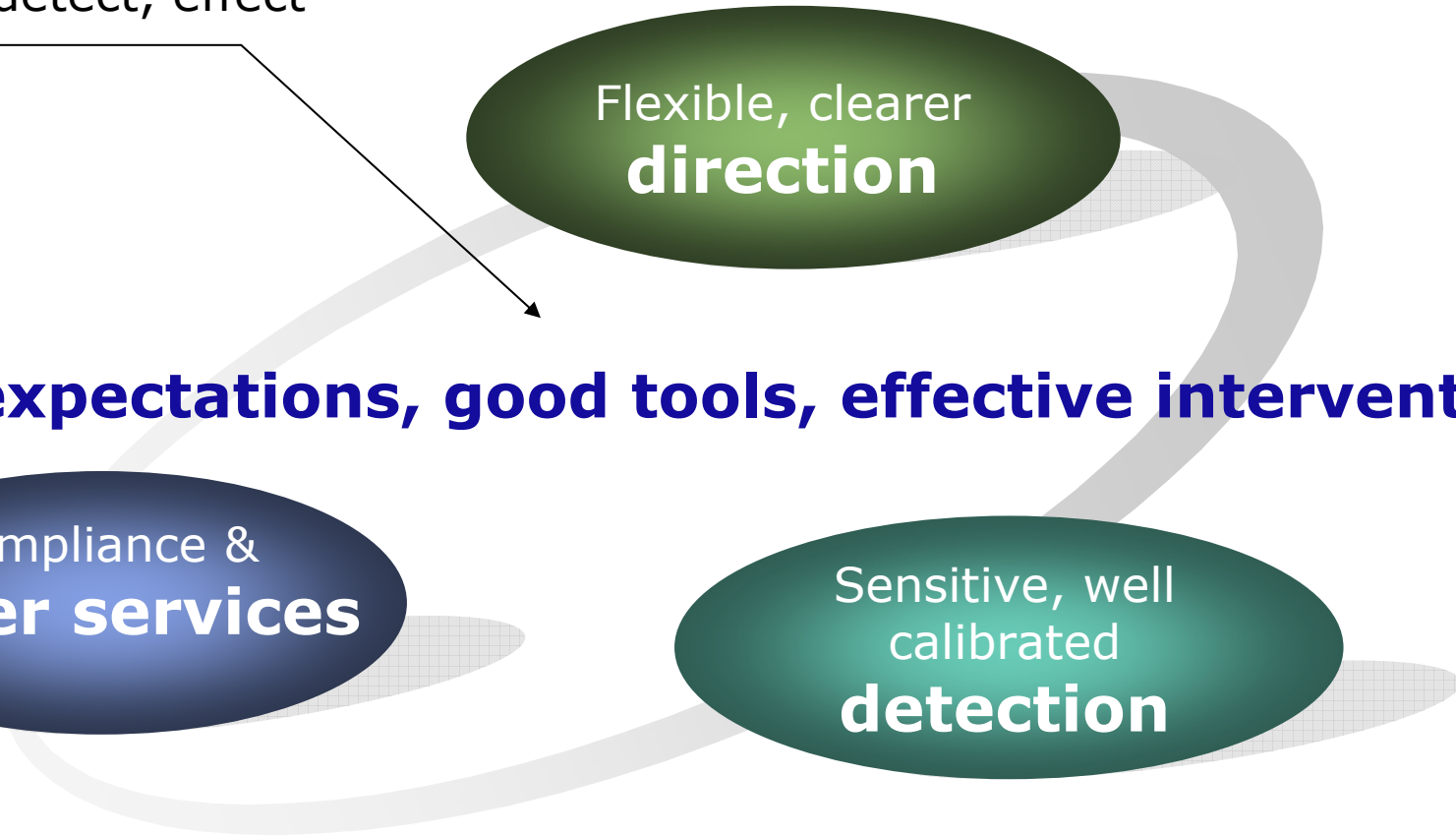
Direct, detect, effect

Flexible, clearer
direction

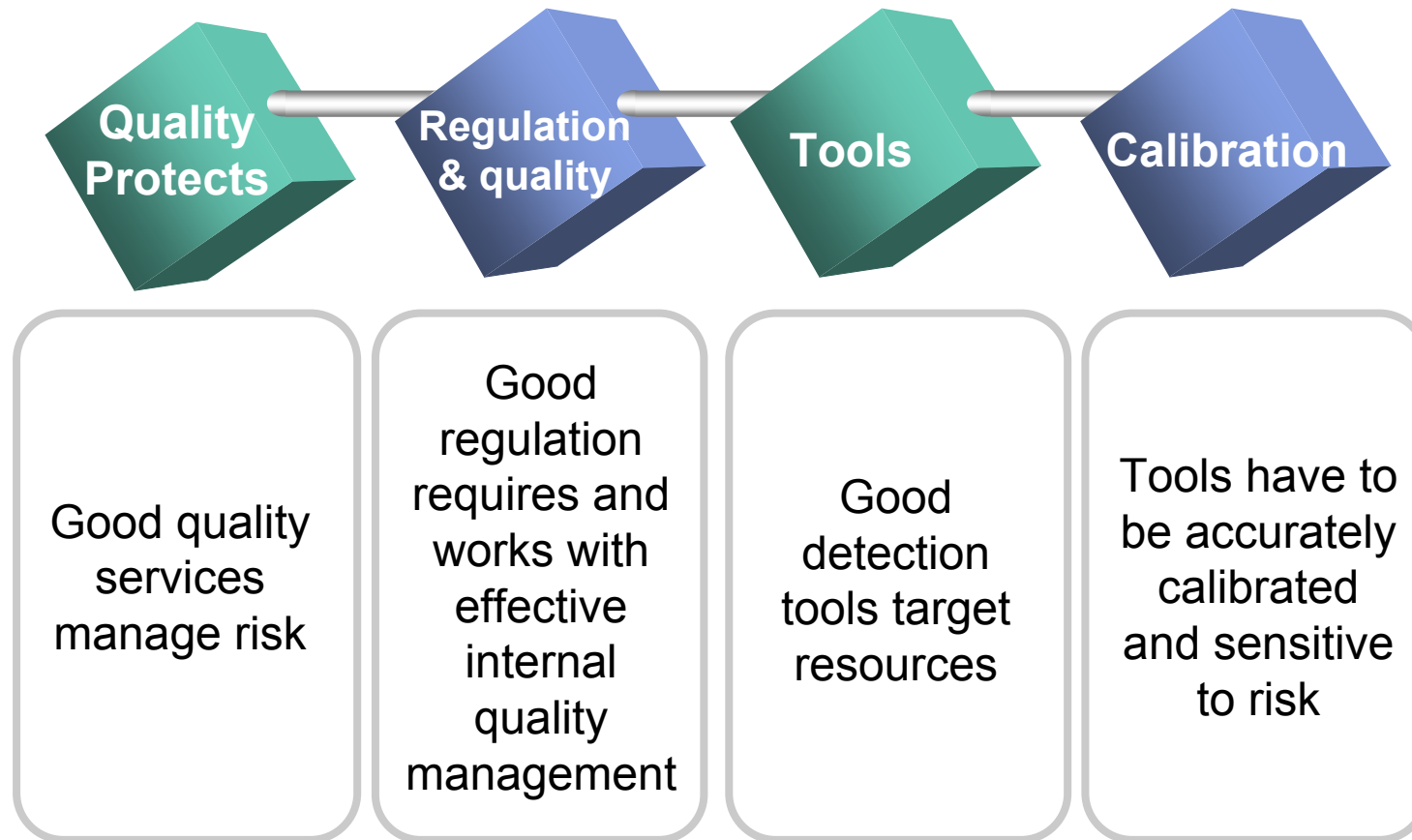
Clear expectations, good tools, effective intervention

Compliance &
Better services

Sensitive, well
calibrated
detection



Good regulation needs good tools



Proportionate practice

Evaluate quality

Use inspection tools and information from customers and internal quality assurance to evaluate service, management & outcomes for people

Set regulatory regime

Apply 'rules' to set inspection regime & frequency

Keep gathering information & keep assessment under review

Focus on dangerous services & remove them from the market

Inform the Market

Let the public know – use market forces as a lever to drive up quality

Quality Protects

But is this a functional, free market of equal players?

Poor calibration of policy & tools

Risk
aversion

Undetected
risk

Harm &
detriment

Waste &
burden

Stifled
innovation

**Poor regulation, poor services
poor outcomes for people**

Social care regulation has been asked to pull off the trick of introducing modern, proportionate, outcome and customer-focused regulation at the same time as meeting demanding new financial targets

There is an important new emphasis on self-assessment

If policy and methodological calibration is wrong, society's most disadvantaged people will suffer detriment and harm

People are living longer. Individuals, families and society are having to deal with new levels of long-term chronic illness, dementia and disability

Social care regulation lives at the meeting point of public policy, personal and cultural beliefs, and financial realities

Who gets the blame when people come to harm?

