



Department  
of Health &  
Social Care

*From Helen Whately MP  
Minister of State for Social Care*

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Our Ref: PFD – 1435838

Kaite Ainge  
Assistant Coroner  
Liverpool and Wirral Coroners Court  
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Liverpool  
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Sent via email:hmcoroner@liverpool.gov.uk

2 May 2024

Dear Ms Ainge,

Thank you for your Regulation 28 report to prevent future deaths dated 30 January 2023 about the death of Matthew Harter Dale. I am replying as Minister with responsibility for Adult Social Care.

Firstly, I would like to say how saddened I was to read of the circumstances of Mr Dales' Death, and I offer my sincere condolences to their family and loved ones. The circumstances your report describes are very concerning and I am grateful to you for bringing these matters to my attention. Please accept my sincere apologies for the significant delay in responding to this matter and I thank you for the additional time provided to the department to provide a response.

The report raises concerns over the complexity of managing care needs for individuals with complex and multifaceted needs, which is exacerbated by the involvement of multiple agencies.

In preparing this response, Departmental officials have made enquiries with NHS England and the Care Quality Commission (CQC). I am informed that the incident was reported to the CQC soon after it happened and was also considered for criminal prosecution although did not meet the criteria to proceed. Additionally, following multiple inspections and reviews the provider / service was rated as requires improvement and subsequently as inadequate and placed into special measures. The provider deregistered themselves and the location in August 2021.

Local authorities (LA) have a statutory duty to investigate safeguarding concerns under the Care Act 2014. Where an adult with care and support needs appears to be at risk of or

experiencing abuse or neglect and unable to protect themselves, then under section 42 of the Care Act, the local authority must carry out safeguarding enquiries.

Regulated providers too have a key role in safeguarding adults. All relevant professions are subject to employer checks and controls, and employers in the health and care sector must satisfy themselves regarding the skills and competence of their staff. Employers must also ensure that healthcare professionals are trained to appropriately assess patients. They should tailor each person's care plan to their individual needs. The CQC monitors providers for staff competency and effective safeguarding systems against abuse and neglect. They have also published guidance in regard to caring for people at risk of choking including setting out preventative measure for such incidents.

The Cheshire and Merseyside ICS held a rapid quality review in August 2023 to review this case and other choking/aspiration incident across the region with a view to sharing learning and developing best practice across health and care sectors. The outcomes of the review were presented, and learning implemented as a result, welcomed across the system.

More broadly, as the Minister responsible for Adult Social Care, I would like to assure you that social care workforce remains at the heart of our reform plans. Our reform programme will see the department invest in workforce training and career development.

On January 10th we published the Care Workforce Pathway: for the first time, there is a national career structure for the adult social care workforce, covering the breadth and complexity of care. The pathway articulates the values, behaviours, knowledge and skills that people working in care should have or be working towards.

We also published the specification of the new Level 2 Adult Social Care Certificate and announced £50 million of funding which will support up to 37,000 individuals in direct care roles to enrol by March 2025. Over time, this new qualification, in combination with the Care Workforce Pathway, will become the baseline level of knowledge and skills required to work in the care sector. The new qualification will include a module on Health, safety, and principles of basic life support. This module will require learners to "Understand procedures for responding to accidents, sudden illness and providing basic life support. It will remain the employer's statutory responsibility to determine workforce needs and provide the appropriate level of training when it comes to life support."

I hope this response is helpful and reassure you of the work ongoing in this sector. Thank you for bringing these concerns to my attention.

Yours sincerely,



**Helen Whately MP**

