



Mr David Waggett
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17 April 2015

Dear Mr Waggett

Formal written notice issued under the Commissioner for Older People (Wales) Act 2006: Additional Information Required

I would like to take this opportunity to thank you again for providing a timely response to my Requirements for Action, which were published alongside the findings of my Care Home Review.

I have now had an opportunity to review all of the responses from the bodies subject to my Review and I enclose my evaluation of your response.

If you raised specific questions with me about my Requirements for Action, please find attached my response to these.

In analysing the responses received, I was looking for assurance, through the information provided and action in hand or planned, that my Requirements for Action will be implemented and the intended outcome will be delivered.

As you will see from my analysis, I have clearly set out whether each element of your response is 'acceptable', 'partial' (further information needed) or 'unacceptable'. Acceptable means that my assurance levels based in the information provided are sufficient, partial and unacceptable means that I require further information to be assured that the

Requirement for Action will be implemented and its intended outcome delivered.

Where I have concluded that an element of your response is either partial or unacceptable, I require further information or a revised approach in order to be satisfied that your organisation is already complying with the Requirement for Action or is committed to taking the action necessary to deliver the required change. This information should be provided to me by **Friday 15 May 2015**, in line with the timescales specified in the Commissioner for Older People (Wales) Act 2006. If you are unclear about any aspect of your response, in particular what would provide the level of assurance that I am looking for, or have any detailed questions regarding the Requirements for Action, you are welcome to contact me.

I am obliged by the Commissioner for Older People (Wales) Act 2006 to keep a register of responses to my Requirements for Action and therefore all of the responses from the bodies subject to my Review will be published on my website together with the analysis of each response. I will also be publishing an overall commentary on whether I consider, based on the further information I receive, that the change I expect to see on behalf of older people will be delivered. In addition to this information being published on my website, I will also be making a formal public statement, both in respect of an overview of action underway and action intended by individual bodies subject to the Review.

If you require any further information, please contact my Director of Wellbeing and Empowerment, Daisy Cole, on 08442 640670.

Yours sincerely



Sarah Rochira
Older People's Commissioner for Wales

Blaenau Gwent County Borough Council

Requirement for Action 1.6

Initial Conclusion - Unacceptable

1.6 Older people are offered independent advocacy in the following circumstances:

- when an older person is at risk of, or experiencing, physical, emotional, financial or sexual abuse.
- when a care home is closing or an older person is moving because their care needs have changed.
- when an older person needs support to help them leave hospital.

For those with fluctuating capacity or communication difficulties, this should be non-instructed advocacy.

When a care home is in escalating concerns, residents must have access to non-instructed advocacy.

The Local Authority's response to this requirement appears to demonstrate a lack of awareness about the role of advocates. The response refers only to the Statement of Purpose (as per National Minimum Standards). Given the Social Services & Wellbeing Act, Regulation and Inspection of Social Services Bill, and the Commissioner's Review, all of which emphasise the importance of voice and control, the Local Authority will need to go further and not only make services available, but proactively offer advocacy services to residents in care homes in line with the Commissioner's Requirement.

The response demonstrates an understanding regarding the impact of not providing independent advocacy, but the response is vague and does not commit to any proposed actions.

Actions to address the provision of independent advocacy services must be taken in line with legislative requirements to avoid potential breach of human rights. A revised response that recognises the Local Authority's

statutory responsibilities, analyses current services and has a clear action plan with nominated accountable officer is required.

Requirement for Action 2.2

Initial Conclusion - Partial

2.2 Older people in care homes have access to specialist services and, where appropriate, multidisciplinary care that is designed to support rehabilitation after a period of ill health.

The Local Authority's response to this requirement appears to demonstrate an understanding of the need to provide appropriate support and gives a clear indication of current provision with specific examples of CPN, Frailty Community Resources, dental and chiropody services that engage with their Care Homes.

However, the Local Authority approach seems more reactive than proactive. The Local Authority talks about future plans to re-organise the responsibility of the Social Worker in order to ensure continuity of care but there is no further detail about this - clarification and timelines are therefore required.

The response would also benefit from an analysis of the current situation and clear actions to provide assurances that older people in all care homes across Blaenau Gwent, and not only Local Authority run care homes such as Cwrt Mytton, are able to access specialist services, enabling people to recover following illness.

Requirement for Action 3.2

Initial Conclusion - Partial

3.2 All care home employees undertake basic dementia training as part of their induction and all care staff and care home managers undertake further dementia training on an on-going basis as part of their skills and competency development, with this a specific element of supervision

and performance assessment.

The Local Authority's response to this requirement appears to demonstrate an awareness and understanding of the importance of dementia training and states that all Local Authority care home employees receive basic dementia training. This is also accompanied by Positive Response Training.

The response goes on to state that senior staff receive Dementia Care Matters training which is also welcome.

But the response tends to focus its answer around Local Authority run care homes rather than responding in relation to all of the care home placements that it commissions. It states that they will "reiterate the importance of training to independent providers." The Local Authority should take steps to ensure that all care home staff undertake basic awareness training and that all Care Home Managers undertake further dementia training on an on-going basis as part of its procurement and contracts management responsibilities.

The response also indicates that current funding is insufficient to meet training needs but does not indicate how this will be addressed in order to meet the Requirement for Action. For example, how much of a priority is dementia care given in current SCOWP arrangements and is the Local Authority willing to prioritise this given demographic trends?

Requirement for Action 3.3

Initial Conclusion – Partial

3.3 Active steps should be taken to encourage the use of befriending schemes within care homes, including intergenerational projects, and support residents to retain existing friendships. This must include ensuring continued access to faith based support and to specific cultural communities.

The Local Authority's response to this requirement appears to demonstrate an understanding of the importance of befriending, providing details of befriending schemes that are currently in care homes.

However, the response is lacking in detail on whether active steps are taken to encourage residents and providers to use these schemes.

In addition, there is no reference made to befriending/intergenerational work and no indication as to how the Local Authority might go about implementing projects with, for example, local schools, community groups, ensuring access to specific cultural communities.

Further detail is therefore needed on whether the current befriending schemes fully meet the Required Action to support care homes to include intergenerational projects, support care home residents to retain existing friendships, and ensure continued access to faith based support and to specific cultural communities.

Requirement for Action 5.6

Initial Conclusion – Acceptable

5.6 A National Improvement Service is established to improve care homes where Local Authorities, Health Boards and CSSIW have identified significant and/or on-going risk factors concerning the quality of life or care provided to residents and/or potential breaches of their human rights.

The national improvement team should utilise the skills of experienced Care Home Managers, as well as other practitioners, to provide intensive and transformational support to drive up the standards of quality of life and care for residents as well as to prevent and mitigate future safeguarding risks.

This service should also develop a range of resources and training materials to assist care homes that wish to improve in self-development and on-going improvement.

The Local Authority response acknowledges and welcomes the implementation of a National Improvement Service and identifies an understanding of need.

Requirement for Action 6.2

Initial Conclusion – Unacceptable

6.2 Care home providers, commissioners and CSSIW should develop informal and systematic ways in which to ensure they better understand the quality of life of older people, through listening to them directly (outside of formal complaints) and ensuring issues they raise are acted upon.

Annual reporting should be undertaken of how on-going feedback from older people has been used to drive continuous improvement (see action 6.10).

The Local Authority's response to this requirement appears to demonstrate an understanding of the importance of listening to the voices of older people and talks about the joint monitoring currently undertaken with health in Nursing Homes. However, there is no further detail on whether this monitoring captures 'quality of life' and how the voices of older people inform this process and lead to continued improvement.

The response talks about returns to the Complex Care Team around on-going issues within the Care Home which illustrates a focus on quality of care rather than on quality of life and residents' wellbeing.

More information is therefore required in order to meet this Requirement for Action with regard to ensuring that older people's voices are used to fundamentally influence and change the ways in which services are provided.

In addition, there is no mention of annual reporting. The Required Actions are not addressed directly, and there is little direct reference to Quality of

Life or of an understanding of its importance in supporting quality of care outcomes.

Requirement for Action 6.7

Initial Conclusion – Acceptable

6.7 Annual Quality Statements are published by the Director of Social Services in respect of the quality of life and care of older people living in commissioned and Local Authority run care homes. This should include:

- the availability of Independent Advocacy in care homes
- quality of life and care of older people, including specific reference to older people living with dementia and/or sensory loss
- how the human rights of older people are upheld in care homes across the Local Authority
- the views of older people, advocates and lay assessors about the quality of life and care provided in care homes
- geographic location of care homes

Further details of reporting requirements should be included as part of the Regulation and Inspection Bill.

The Local Authority's response to this requirement indicates that the Local Authority will ensure that an Annual Quality Statement will be included within their existing Quality Assurance Report.