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17 April 2015

Dear Rhian

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,

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive, flowing style.

Sarah Rochira

Older People's Commissioner for Wales

Care Council for Wales

Requirement for Action 5.1

Initial Conclusion – Partial

5.1. A national recruitment and leadership programme is developed and implemented to recruit and train future care home managers with the right skills and competencies. The programme should include accredited continuous professional development for current and future care home managers and should support them to be leaders of practice and champions of a positive care home culture.

Annual national reporting on the availability of skilled and competent care home managers in care homes across Wales, including the impact of vacancy levels upon older people's quality of life and care.

The Care Council's response to this requirement presents past, current and future actions, such as: the registration of care home managers, the development of the framework for care home managers professional development, and post qualifying consolidation programmes, as if they are in direct alignment with the Commissioner's Required Action.

However there is a lack of detail regarding actions that could, or are being taken by the Care Council to address the specific details of the Required Action in terms of the recruitment and availability of care home managers, and the impact that this has on older people's quality of life and care.

Instead, the lack of regulatory authority for the development, delivery and quality assurance of programmes for social care managers is referenced as a barrier to ensuring the delivery of high-quality appropriate learning for the social care sector. This will undoubtedly have an impact and is a situation that the Commissioner would want to change. It should not however, inhibit Care Council Wales from being a champion of care home managers and seeking other means to support care home managers to be leaders of practice through innovation, IT, and building ongoing relationships with the sector.

For these reasons, it is welcome that the Council will be exploring the possibility of communities of practice for care home managers to reduce reported isolation and disseminate best practice, but there is no evidence to indicate that this is a priority and is something that the Council will achieve in reality.

The Care Council is currently publishing annual profiles for the care home manager workforce that are used to inform future work within the Council and at strategic levels; but there is no assessment about the impact of care home manager vacancy levels upon older people's quality of life and care.

Requirement for Action 5.3

Initial Conclusion – Unacceptable

5.3 A standard set of mandatory skills and values based competencies are developed and implemented on a national basis, for the recruitment of care staff in care homes.
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Care Council for Wales's response to this requirement demonstrates a clear awareness of the role of skills and values in the development of the code of practice, and social care induction framework. However there is no assessment or evaluation about the effectiveness of these tools for social care practitioners or reference to the desired outcomes for older people. Given this insufficiency, the response should be improved by a willingness to examine whether current Care Council frameworks and online resources are commensurate with ensuring quality of life for residents and challenging the task based care culture that is described in 'A Place to Call Home'.

The response could also be improved by a commitment to develop the acuity tool, which is currently aimed at people thinking about joining the sector - in terms of its potential to be used by employers and care home managers as an aide for the recruitment of care staff in care homes.

The Care Council clearly states that, as part of the recruitment process, it has no authority to mandate the use of values based competencies and

mandatory skills. Whilst this is acknowledged, a more explicit statement about how CCfW is actively pursuing opportunities to ensure that these are embedded into social care practice, in care homes through its ongoing work, and in collaboration with commissioners and CSSIW would improve this response.

Furthermore, given CCfW's role to ensure that the social care workforce in Wales has the right skills and qualifications to work to a high professional standard, the Commissioner's expectation is that CCfW should be making a strategic business case for the inclusion of mandatory skills and value based competencies in Welsh Government's Regulation and Inspection of Social Care Bill, alongside pursuing this as good practice.

Requirement for Action 5.4

Initial Conclusion – Unacceptable

5.4 A national mandatory induction and on-going training programme for care staff is developed and implemented. This should be developed within a values framework and should include:

- The physical and emotional needs of older people, including older people living with dementia
- Adult safeguarding, emotional neglect and 'never events'
- How to raise concerns
- Good communication and alternative methods of communication for those living with dementia and / or sensory loss
- Supporting without disabling
- The rights and entitlements of older people
- Care, compassion, kindness, dignity and respect

The Care Council's response to this requirement simply lays out what is currently included in the Social Care Induction Framework, but does not respond to the Commissioner's required actions in respect to: the physical and emotional needs of older people, including older people living with dementia; adult safeguarding, emotional neglect and 'never events'; how to raise concerns; good communication and alternative methods of communication for those living with dementia and / or sensory loss;

supporting without disabling, the rights and entitlements of older people; care compassion, kindness, dignity and respect.

The response could be improved by assessing the shortfalls of the current social care induction framework against the Commissioner's Required Actions and developmental needs of the care home workforce of the 21st century. As the information outlined in the Social Care Induction Framework is insufficient to deliver the underpinning values of care, compassion, kindness, and dignity and respect; care home staff will not be trained in a way that ensures that quality of life is consistently focused upon.

Whilst it is recognised that CCfW has no authority to mandate a national induction and ongoing training programme for social care practitioners, the Commissioner's expectation is that CCfW should demonstrate sector leadership in its own right. An explicit statement about how CCfW is actively pursuing opportunities to contribute to the development of tools, systems and programmes that would enable the whole sector to move forward in promoting quality of life for residents would improve this response. Furthermore, the response would be strengthened by the inclusion of information outlining the steps that CCfW will consider, with others, to drive forward and embed a systematic and robust cultural transformation in the quality of life, and care of older people living in care homes in Wales.

Requirement for Action 6.11

Initial Conclusion – Partial

6.11 A national, competency based, training programme is developed, to ensure that they understand and reflect in their commissioning the needs of older people living in care homes, including the needs of people living with dementia.

The Care Council's response provides an honest assessment of work accomplished to-date: mapping key tasks and work roles to functions and National Occupational Standards and work to be achieved in collaboration with the National Commissioning Board and Association of Directors of Social Services. However the response has no timeline or milestones for the completion of this work, and it is unclear if a partnership agreement or clear commitment to collaborate has been made with regulators and commissioners. This is vital for the achievement of the Required Action as currently there is no evidence to indicate that this is a priority and is something that the Council will achieve in reality.