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17 April 2015

Dear Mr James

**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**

## **Carmarthenshire Council**

### **Requirement for Action 1.6**

#### **Initial Conclusion - Partial**

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 provides a summary of current provision stating that people have access to independent advocacy, but provides no analysis or evaluation of current advocacy services in relation to outcomes to older people.

The response does however indicate some detail of existing provision, including access to the Alzheimer's Society which provides an independent advocacy service for people living with dementia. The Local Authority also indicates that IMCA services, for people subject to DOLs, is commissioned from Mental Health Matters Wales.

The Local Authority states that it ensures that independent advocates are available for residents, stating that Age Cymru Sir Gar offers an advocate service which is confidential and based around the individual. The response also states that advocacy is always offered to resident as part of the care home closure protocol.

However, there appears to be no action plan or any identification of gaps and shortfalls in provision specifically relating to the Requirement. The response would be improved with an implementation plan, timeline and accountable named officers to provide assurances that this Requirement will be achieved.

## **Requirement for Action 2.2**

### **Initial Conclusion - Acceptable**

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 awareness of the range of multi-disciplinary care and specialist services currently available. The response states that older people receive full support following a period of significant ill health, for example following a fall or stroke, to enable them to maximise their independence and quality of life.

The response indicates that the Local Authority is able to do this through two residential units with 20 beds that provide opportunities for older people to recover after illness or trauma and receive therapeutic support to regain their independence before returning home. However, there is no detail about the provision of re-ablement services within care homes for older people for whom this is their permanent home.

While the Local Authority states that flexi-beds are also available throughout the County which also offer opportunity for rehabilitation, the lack of clarity about rehabilitation services for all residents means that the response falls short of providing assurances that the Local Authority will achieve the Requirement for Action in reality.

## **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. The response states that all staff working in care homes understand the physical and emotional needs of older people living with dementia and assumptions about capacity are no longer made. The response refers to specialist training which has been commissioned from the Alzheimer's Society for those providing direct care.

Dementia training (non-specific) is also provided as one element of the QCF qualifications required by social care staff. The Local Authority also states that Health Board Dementia leads have been established to provide training and support to all Care Homes

In addition, the response indicates that four local authority care homes are taking part in a national programme to promote quality of life and dignity for older residents and have been awarded funding by the Burdett Trust for Nursing and Age Cymru Grant Programme.

It is indicated that the care homes will use the award to run and develop a dignity programme for its residents, particularly for those who have a dementia. It is unclear how this is included as a specific element of supervision and performance assessment. In order to ensure compliance, the Local Authority needs to clarify this point.

## **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.

Whilst the Local Authority's response identifies befriending as important to maintaining friendships and community links and considers the importance of faith-based, cultural, spiritual/religious relationships, it states that there are no specific befriending schemes for people who live in residential homes.

The Local Authority care homes do however provide and encourage a range of activities to promote the wellbeing of the residents from within the care home and in the wider community, this includes faith and social based support. Furthermore, supporting friendship groups are recognised and supported within the Care home Closure Protocol for Local Authority care homes.

The response does not address gaps and short falls. It would be improved with an implementation plan, timeline and accountable named officers to provide assurances that this Requirement will be achieved.

## **Requirement for Action 5.6**

### **Initial Conclusion – Partial**

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 does not demonstrate a willingness to comply with the requirement; rather, the response states that care homes that want and need to improve the quality of life and care of older people have access to specialist advice, resources and support that leads to improved care and reduced risk.

The response indicates that the Local Authority has developed joint working arrangements with a range of partner agencies including CSSIW, Community Nurses, Care Home Support and Nurse Assessors, CPN's, Police etc, along with internal teams, to ensure a coordinated and swift response to areas of concern, actually reducing the numbers entering into "Escalating Concern" or facing a suspension of placements.

Further clarity is required about whether the Local Authority intends to comply with this requirement, or not.

## **Requirement for Action 6.2**

### **Initial Conclusion – Partial**

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 some understanding of the importance of listening to the voices of older people and ensuring that the issues raised are acted upon.

The response states that Commissioners, providers and inspectors have a thorough understanding of the day to day quality of life of older people living in care homes. Older people's views about their care and quality of life are captured and shared on a regular basis and used to drive continuous improvement.

Use of 'My Home Life' is referenced as being used as a tool to improve the quality of life in care homes. This has underpinned learning events with both the local authority care home staff and those from the independent sector. However, specific evidence is not provided with regard to using older people's voices as a driver for change.

The response refers to Individual Care Planning as a principle means of identifying individual preferences of the resident. This is continually reviewed and is used for continuous improvement of the service. The response would be improved with an analysis of current practice and options to address shortfalls and gaps and named accountable officers to provide assurances that these actions are and will continue to improve outcomes for older people.

## **Requirement for Action 6.7**

### **Initial Conclusion – Unacceptable**

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 does not commit to, or refer directly to producing Annual Quality Statements. Rather the response discusses current practice stating that older people have access to relevant and meaningful information about the quality of life and care provided by or within individual care homes and there is a greater openness and transparency in respect of the quality of care homes across Wales and the care they provide.

Current practice refers to Directors of Social Services reporting annually on the services provided by their Departments. The Local Authority also identifies that a joint approach with the CSSIW will be required to avoid duplication and "confusion."

While this dialogue is welcome, it does not clarify whether the local Authority is committed to producing an Annual Quality statement. Further clarity is required about whether the Local Authority intends to comply with the Requirement for Action or not.