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17 April 2015

Dear Mr Davies

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

Conwy County Borough 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 appears to demonstrate some awareness of the role of advocates and refers to an agreement with Age Connects to provide Independent Advocacy services specifically for older people. However, the Local Authority does not indicate the specific type of service provided and under what circumstances the service would be called upon. In this regard, the response does not directly address the Requirement for Action.

Clarification is also needed with regard to the Local Authority stating that this service is available to full fee paying residents. This element of the response suggests that current provision does not meet the needs of self-funders.

The response could be improved through clarification about staff trained to understand mental capacity issues in terms of how this training has improved outcomes for older people.

Overall, the Local Authority demonstrates an understanding of the need for and range of available Independent Advocacy, provision, but further information is needed to provide assurances that the Local Authority will be able to achieve the Required Action in reality.

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 indicates that it has no specific policy relating to multi-disciplinary care and that specific needs are identified in individual Care Plans. However, the response also states that the Local authority operates a multi-disciplinary re-ablement service and that this is available to all older people regardless of tenure.

It is welcome that the Local Authority goes on to state that it is looking to make use of the One Conwy Partnership core Group for Older People to further support partnership working in this area.

The Local Authority could have made more explicit their link to the Local Health board when responding to this requirement; however, the response does state that action is required by Health Boards and that the Local Authority will contribute where appropriate.

The response would benefit from a brief analysis of current provision and of any action plans aimed at addressing gaps and shortfalls, which includes clear timelines, and accountable named officers.

Requirement for Action 3.2

Initial Conclusion – Unacceptable

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 limited understanding of the importance of dementia training and states that Dementia Awareness training is "available" to staff and not compulsory. There also appears to be some lack of understanding about the range and appropriateness of dementia training.

It is welcomed that the Local Authority is working with Ageing Well in Wales national and regional partnerships to develop Dementia Supportive Communities which will include training around understanding dementia. However, the response should be clear about how the Local Authority responds to the specific Requirement to ensure that the care home workforce is supported to enable people with dementia to live the best quality of life in care homes.

The response indicates that the Local Authority has not made an analysis of current dementia training offered and its significance to the care home sector. It is essential that the Local authority record figures with regard to the uptake of training.

However, 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 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 some understanding of the importance of befriending; however, this is limited to a befriending scheme run by the Red Cross. It is also a concern that monitoring uptake in care homes is incomplete.

It is welcome that the Local Authority indicates that it will be using Third Sector experience to develop a training programme; however, without further detail, to make an assessment about its relevance to older people would be difficult.

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 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 demonstrates a willingness to comply with the requirement of working to develop a National Improvement Service.

The response also refers to the Conwy Transformation and Modernisation Programme to which the Local Authority will look to improve existing monitoring tools.

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

The response does not refer to quality of life or to the voices of older people informing commissioning and contract monitoring; it only refers to Conwy Involvement Network which refers to a number of user groups and not residents specifically.

The Local Authority response also refers to the Age Connects Forum; however, the reference does not say how the relationship works in practice, or what outcomes are being met.

The Local Authority recognises the need for increasing the involvement of residential service users but its response only refers to Forums being reorganised and reviewed with no specific detail provided.

The response also refers to social work teams being organised on a local level in order to develop working relationships with care home managers to improve communication. While this is welcome, it does not refer to the Requirement for Action of listening to and acting upon older people's voices. The response would be improved with an analysis of current situation, action plan, timeline and accountable named officers to provide assurances that this Requirement will be achieved.

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. Instead, the response refers to factors that appear unconnected such as the Conwy Transformation Programme and the role of Section Managers in relation to the Third and Independent Sectors.

The Local Authority response also states that the information required should be available to the Director through the Recorded Client Care Plans, team leader's local knowledge, monitoring team feedback and CSSIW reports. However, it does not provide detail about whether the Director of Social Services will publish Annual Quality Statements or not. The Requirement for Action will need to be addressed directly for this response to comply with the Commissioner's Requirement for Action.