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17 April 2015

Dear Mr Williams

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.

It is clear from your response that you have given this considerable thought and focussed strongly on the outcomes that I am seeking to secure on behalf of older people.

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

Gwynedd County 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 an awareness of the role of independent advocates and briefly refers to the range of services and providers in the area. This includes reference to Independent Advocacy services commissioned from the North Wales Independent Advocacy and Advice Association.

It is welcomed that the Local Authority appears to have identified some shortfalls and gaps and that it plans to address these, in part, by having all residential care homes develop and review information to residents about Independent Advocacy including the development of posters and pamphlets in order to raise awareness. The Local Authority also recognises a need to develop guidelines and to ensure that they utilise feedback from people who have accessed Independent Advocacy services.

It is welcome that the response also indicates that the Local Authority's Commissioning and Contracts Unit will monitor and review the use made of Independent Advocacy and to monitor standards of service provision. It is also welcome that the Local Authority recognises a need to map current provision and that care home managers and staff will receive training on effective use of Independent Advocacy in homes.

It is also welcomed that the Local Authority aims to ensure that Independent Advocacy is offered in the situations described in the required actions. However, the response would be improved with an implementation plan, timeline and accountable named officers and 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 and understanding of the range of multi-disciplinary care and specialist services currently available. The Local Authority states that Intermediate Enablement and Care Units have already been established in residential care homes in all 3 areas in Gwynedd.

The response also highlights the use of short-term care units providing older people with an opportunity to either avoid going into hospital or to consolidate and re-develop skills following a period in hospital.

The Local Authority's response also highlights an understanding for the need for collaborative working, citing on-going work with Ysbyty Gwynedd for which a seven-day work plan has been introduced in the hospital with a Social Worker and Care Assessor, facilitating the process for older people leaving hospital at weekends.

In terms of action plans, the Local Authority indicates that it recognises the need to ensure that all members of staff in the units work in accordance with enablement principles with the focus on specific outcomes for the individual.

The Local Authority also identifies a need to review the seven-day working plan in terms of widening the practice.

Timelines and leads are identified in the response.

Requirement for Action 3.2

Initial Conclusion - Acceptable

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 response to this requirement appears to demonstrate an awareness and understanding of the importance of dementia training and states that the Local Authority has already impressed upon care home managers (internal) that the emphasis of all homes should be on emotional support / service rather than on tasks.

The response states that care home staff already receive Training on 3 levels – Dementia Awareness (basic), Dementia Level 2 and Dementia Level 3. The local Authority also goes on to say that Registered Managers, Assistant Managers and Senior Assistants have been designated as Dementia Leaders within the homes, all having received training to Level 3.

The Local Authority cites direct work with both Professor Bob Woods (Bangor University) and David Sheard in order to learn from research and identify good practice.

Requirement for Action 3.3

Initial Conclusion – Acceptable

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, stating that current practice is focused on a person-centred approach and thus concentrates not only on needs but on the history, interests and contacts of residents.

The response goes on to state that a number of the homes have a close relationship with external organisations such as schools, chapels, and churches within communities.

The response addresses the key points of the Requirements and provides evidence of promoting and encouraging diverse arrangements around religious/spiritual belief, language preference, and maintaining contacts outside of the care home.

The response also highlights plans of action which include an audit of the standard of Plans within homes ensuring that they all follow Person-centred Plans. There is also indication that the Local Authority plans to have homes develop closer relationships with organisations and movements within the community.

The response also states that the Local Authority is looking into the possibility of facilitating visits from friends and family members who live far away by offering overnight accommodation (a number of the homes include separate flats that are no longer used) or by helping with accommodation arrangements.

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.

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 an understanding of the importance of listening to the voices of older people and ensuring that the issues raised are acted upon and states that a Residents and Friends Committee has been encouraged in all the Council's internal care homes with the aim of "giving residents, families and friends from the local community an opportunity to express an opinion about the care provided in individual homes and to suggest ideas regarding the developments they would like to see for the future."

The Local Authority indicates that there will be future roll-out and that there are proposed actions to address gaps/shortfalls based upon a review of the success of these "Committees" and to learn from the review.

The response states that the review recommendations will be shared, but does not however state with whom.

The response could be improved through the Local Authority providing an assessment and evaluation of proposals and implementations with a specific focus on improving the outcomes for older people.

Requirement for Action 6.7

Initial Conclusion – Partial

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 which consists of the Director of Social Services publishing an Annual Report. This is submitted to the full Council and is available to the public in hard copy form or on the internet.

With regard to Action Plans, The Local Authority states that an Annual Report including a Quality Statement in accordance with the Requirement for Action, could be published by the Director of Social Services according to the same timetable and following the same process as the Annual Report.

Rather than clearly comply with the requirement, the response indicates that the Local Authority will consider publishing the above report as an appendix to the Annual Report. The response could be improved through a statement clarifying whether the Local Authority will comply with the requirement of publishing an AQS, or not.