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10 August 2015

Dear Mr Matthews

### **Care Home Review: Analysis of your final response**

I am writing to thank you for providing a final response to my Requirements for Action, which I have now had an opportunity to analyse.

In analysing the response 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 outcomes will be delivered for older people.

Your response clearly demonstrates a commitment to delivering the change required that I outlined in my Care Home Review and clearly details action you have in place or will take to deliver the intended outcomes.

I am particularly pleased that your organisation has used the constructive feedback that I provided earlier in the year to improve your response, and all of your responses to my Requirements for Action have now been analysed as 'acceptable'. It is good to see that the Local Authority is working with the Health Board within some Requirements for Action, and I also welcome your proactive approach to working with providers.

Your organisation has proposed the proactive development of new services or processes which have the potential to progress as best practice. For example, I welcome that you have described your approach to all of your provision of care as 'what matters to the person' (Requirement for Action 6.2).

I am therefore satisfied that your organisation is already complying with my Requirements of Action or is committed to taking the action necessary to deliver the required change. However, I would also expect to see the development of clear review and evaluation procedures to provide assurance at a senior level in your organisation that the required outcomes will be delivered.

Please find attached a detailed analysis of the additional information you have provided in response to my request.

As you are aware, 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.

As I have already advised, I will be publishing an overall commentary on whether I consider that the change I expect to see on behalf of older people will be delivered across Wales and I intend to make a formal public statement in respect of this and action intended by individual bodies subject to the review. These statements will be made on 11 August.

It is not my intention to seek detailed updates on all of the action you have in hand, because of the level of assurance and commitment you have shown in securing these outcomes. It is therefore my intention to undertake a follow up review in 18 months' time at which stage I will be looking for tangible evidence that these outcomes have been consistently delivered across the care homes in your area (your action has been completed). I will, at a later stage, provide you with information on the scope and approach that I will adopt.

However, there are a number areas for which I will require interim updates and assurance and I will write separately to you in respect of what these are and how I will require this to be provided.

I look forward to continuing to work with you to ensure that older people living in care homes in Wales have the best possible quality of life and receive the highest standards of care.

Yours sincerely

A handwritten signature in black ink that reads "Sarah Rochira". The signature is written in a cursive style with a long, sweeping tail on the final letter.

**Sarah Rochira**  
**Older People's Commissioner for Wales**

## **Monmouthshire County Council**

The Local Authority states that it has sought assurances, and gathered evidence from its residential and nursing home providers that they either currently comply or are willing to comply with the Requirements for Action contained within my Review report, 'A Place to Call Home?'. I welcome this proactive approach to working with providers to ensure that the outcomes for older people that are outlined in my report are achieved.

### **Requirement for Action 1.6**

#### **Final Conclusion - Acceptable**

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 for Action include a number of positive commitments that have the potential to ensure that older people are able to secure their rights and have their concerns addressed through the use of independent advocacy, in situations where they are potentially vulnerable.

The Local Authority states that while most providers include details of the provision of advocacy within their literature, there are some that need to make this clearer. It is crucial that if older people are able to access advocacy in the situations outlined within the Requirement for Action, then they must be aware, able and comfortable to access the services.

Therefore, I am pleased to note that the Local Authority has committed to using conversations with residents, through the monitoring officers during their visits, to understand the awareness of availability of advocacy.

I raised a concern in relation to the Local Authority's initial response, that there was no explicit commitment for the provision of advocacy in the situations outlined in the Requirement for Action, and that it appeared that advocacy would most likely be offered only in crisis situations. Therefore, it is good to see that the response from the Local Authority states that advocacy is made available when safeguarding issues arise, during escalating concerns and also cites a range of additional situations where advocacy has been used by older people. The response does outline that it is currently clarifying the responsibilities associated with arranging advocacy when a resident is leaving hospital. I must note here that I fully expect independent advocacy to be offered when an individual needs support to leave hospital by either the Local Authority or the Health Board following upcoming discussions in the Care Home Provider's Forum.

Finally, I welcome that the Local Authority states that new provider contracts for use from October 2015 will reinforce compliance with the Requirement for Action. This has the potential (from October 2015), for older people to have access to independent advocacy in situations where they may be vulnerable, and receive the support they need to have their voice heard and concerns addressed.

The response includes a date for the introduction of new provider contracts, and also includes an accountable individual who will be responsible for the completion of these actions. This approach should enable the Local Authority to monitor the changes made to the provision and quality of services.

## **Requirement for Action 2.2**

### **Final 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.
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The response to this Requirement for Action provides a succinct explanation of how the Local Authority has worked with the Health Board to provide a proactive and integrated service of multi-disciplinary and reablement care. For example, I welcome that the front-line 'START' (short term assessment and reablement) teams include social workers, therapists and district nurses to enable older people to access the right professional without an unnecessary admission to hospital.

I welcome that the response states that care home providers have confirmed that the service has been beneficial to residents, and that the Local Authority commits to continued review of its performance and improvements via the Directorate Management Team. This service has the potential to provide older people with the full support that they need, following a period of ill health, to enable them to maximise their independence and quality of life. However, the response could have been strengthened by the inclusion of an insight into whether there are currently any areas for improvement in the service.

### **Requirement for Action 3.2**

#### **Final Conclusion - Acceptable**

<p>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.</p>
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The Local Authority response to this Requirement for Action states that appropriate dementia training arrangements are already in place, and in addition to this an in-house programme of Dementia Care Matters has been implemented and one home in particular has invested heavily in Dementia Care Matters training. Therefore, I welcome the positive statement that demonstrates that dementia training is being prioritised by the Local Authority and is being provided as per the Requirement for Action. This should ensure that all staff working in care homes understand the physical and emotional needs of older people living with dementia.

The response states that through its own assurance processes, they have identified that the effectiveness of dementia training has not always been validated through supervision or one to one procedures in care homes. It is good to see that there are now action plans in place to remedy this, and I am pleased to see this honest awareness of where the performance assessment process may not have been fully used to ensure that dementia training has been effective.

The Local Authority plans to monitor the compliance against this Requirement for Action through monitoring visits and care home self-assessment, and I welcome that a positive impact for residents as a result of this training will form part of this monitoring. This should ensure that the Local Authority is able to identify and address any future shortfalls in the quality of dementia training.

### **Requirement for Action 3.3**

#### **Final 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 for Action was previously determined to be acceptable. Therefore, no further analysis has been undertaken.

### **Requirement for Action 5.6**

#### **Final 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's response to this Requirement for Action was previously determined to be acceptable. Therefore, no further analysis has been undertaken.

## **Requirement for Action 6.2**

### **Final Conclusion – Acceptable**

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 for Action clearly describes that listening to the individual and the achievement of meaningful outcomes is the central feature of all of its care and support provision. I strongly welcome that the Local Authority has described its approach to all of its provision of care as 'what matters to the person', and that it is fully committed to using residents feedback to improve services.

The response includes details of a number of actions that the Local Authority is taking to improve how it listens to the experiences of older

people to drive improvement. For example, it is developing a new quality assurance framework which has talking with older service users to understand the quality of service from their perspective as a fundamental feature.

Whilst this is welcome, I must note that this appears to be a formal approach to listening to the voices of older people and the value of informal communication and relationships to truly understand day to day quality of life should not be overlooked. However, I do welcome the introduction of an innovative way to collate real time feedback from older people through the use of a 'Professional Feedback App'. The response states that this enables the Local Authority to act more quickly and proactively when listening to older people shows that quality is deteriorating.

The response describes how some providers have identified the need to increase their efforts in this area, and that the Authority will be using self-assessments to collate evidence that discussions with residents to actually lead to service improvements. I welcome this recognition of shortfall by some providers and the commitment to improve. If improvement is not reached by these providers, there is a risk that issues are not addressed before they become significant, impactful and costly to remedy and opportunities to make small changes that can make a significant difference to the quality of life are missed. However, the response would have been strengthened by the inclusion of a more definite improvement plan and timeline for when I can expect to see improved outcomes from this approach.

## **Requirement for Action 6.7**

### **Final 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 for Action was previously determined to be acceptable. Therefore, no further analysis has been undertaken.