

# **A review into the quality of life and care of older people living in care homes in Wales**

## **Update on progress**

### **Introduction**

The Welsh Government is committed to improving the outcomes, wellbeing and quality of life for older people in care homes. Our legislative framework has a clear focus on improving the quality of life of all people living in Wales, this includes the framework for the transformation of social service provision in Wales through the Social Services and Well-being (Wales) Act 2014, the Well-being of Future Generations (Wales) Act 2015 and the Regulation and Inspection of Social Care (Wales) Act 2015.

The Care Home Steering Group has been established to provide leadership and ensure action is taken to address issues in relation to the care home sector, including the specific recommendations from the Commissioner's review. This group has multi-agency representation and involves all stakeholders who have a key role to play in relation to the care home sector.

There are a number of workstreams which support the work of the steering group. These include:

- Vision and New Models – Led by Welsh Government (WG) this workstream has focused on creating a vision for care homes in Wales.
- Market Analysis – Led by the National Commissioning Board (NCB), this workstream is designing a methodology to undertake a detailed market analysis of the sector which can be regularly updated and that can report at local authority, regional/local health board and at an all-Wales level.
- Integrated Planning and Commissioning – Led by the NCB, this workstream encompasses the planning and commissioning of long term placements in nursing homes and residential care homes, transition or interim placements to facilitate hospital discharge and choice of accommodation. This will include work on model contracts, guidance and standards.
- Workforce – Led by WG this workstream is focusing on actions in relation to recruitment, retention, training and development. It will also be used to inform workforce planning.
- Good Practice and Quality – Led by WG this workstream is focusing on identifying and sharing of good practice. It will also look at how we can raise awareness and improve information to the public.

- Fee Setting – will look to establish an agreed approach in relation to costs of care/fees (to be formally established in December).

There is also a regular meeting of lead policy officials within Welsh Government, who have responsibility for specific policy areas identified within the Commissioner's review. Formal quarterly updates will be provided to the Care Home Steering Group. Officials are also considering establishing a quality assurance group and are exploring the best way to involve older people, residents and their families in the work of the good practice workstream.

The following section provides a detailed update on progress in relation to specific recommendations within the Commissioner's review.

### **Action 1.2**

- The Social Services and Well-being (Wales) Act includes a statutory requirement for the provision of information, advice and assistance – and for this to be in a form that is accessible for the individual. There is currently a requirement for information to be made available to all individuals moving into residential care in Wales, this is for all people and would therefore include self funders. This requirement will be strengthened on a legal basis through the Regulation and Inspection of Social Care (Wales) Act. It is also the intention for an information pack to be produced and issued as part of the development of the regulations and codes of practice that will underpin this Act. This will be taken forward in the timescales set out for the respective legislation.
- Work to address recommendations within the Commissioner's review will be undertaken through the good practice workstream of the Care Home Steering Group. This will include working with people and their families, to test and ensure the welcome information pack meets their needs. This will be taken forward in the short term by the good practice work stream (anticipated date for delivery May 2016) and will be used to inform the development of work being taken forward under the Regulation and Inspection of Social Care (Wales) Act.
- We will work with key stakeholders such as Care Forum Wales and the Care Council for Wales to develop a framework setting out the core content that should be included in the information provided to all new residents in care homes and their families. This will be considered alongside the requirement in the Regulation and Inspection of Social Care (Wales) Act in terms of what should be in statutory regulations and codes of practice and what should be good practice guidance.

- It is our intention through this work to ensure people will be aware of the care and support they will receive whilst at the care home and what they should do and who they can talk to if they have any concerns.

### **Action 2.1**

- The Social Services and Well-being (Wales) Act focuses on the care and support needs of people with the aim of improving wellbeing, with a clear emphasis on prevention and early intervention. There is a requirement for local authorities and local health boards to undertake a joint assessment of the needs of their population and to ensure care and support is in place to meet these needs. The National Outcomes Framework will be used to measure progress in relation to the Act and this is in relation to all people who need care and support, including people in care homes.
- The Regulation and Inspection of Social Care (Wales) Act will establish the framework within which care homes must operate. This will include standards of care for integrated and co-ordinated physical care including sensory deficits, oral health, dietary wellbeing, physical exercise, mental health and social interaction and preventative care. We will be working with Public Health Wales on this.
- There is a range of work being taken forward through the national plan for primary care. This includes identifying and meeting the needs of all people, including those who live in care homes to sustain and improve their health and wellbeing. Delivery against the national plan will be monitored and made publicly available so people can see the progress being made. The timescale for this work is still being developed. We will ensure that the updates are available to the internal policy leads team responsible for taking the recommendations of the Commissioners report forward, and the Care Home Steering Group for consideration; we would encourage the Commissioner to publish this information on her own website.
- The intention is to ensure there is a sustained focus and improvement in relation to the physical health and mental well-being of older people in care homes.

### **Action 2.3**

- The care home good practice workstream will undertake a mapping of existing work and good practice and ensure that this is shared and implemented. The aim is to ensure that good practice becomes standardised practice. The work stream will link to the Expert Advice Group on falls, as part of the Ageing Well in Wales Programme. This work will be taken forward by the good practice workstream (anticipated date for delivery May 2016).

- The Welsh Government is working with partners to develop an approach to falls prevention interventions in a number of settings, including care homes. This includes osteoporosis risk assessments as part of the GP enhanced services for care homes specification (it is envisaged falls management will be considered as part of this process), and initiatives through the 1,000 lives programme. This indicates the significant role for public health and primary care in relation to falls prevention.
- The focus will be to reduce immobility and loss of muscle strength/balance to minimise the risk of a fall. As well as assessment of an individual's cognitive ability, physical ability, level of independence, and falls history, the care plan for an individual in a care home must include a robust assessment of the environment. Individual and organisational plans must also be tailored to the needs of specific individuals and promote increased strength and balance activities as part of daily living.

#### **Action 2.4**

- As stated in response to action 1.2 work will be undertaken in relation to good practice guidance. This will be undertaken to ensure it is appropriate for the needs of all people, including those with dementia and sensory loss. Good practice guidance will be developed and issued to ensure good practice becomes standardised practice.
- In relation to the care home environment (including aids to daily living), further work will undertaken by the good practice work stream to identify existing good practice (anticipated date for delivery May 2016). This can then be incorporated in to the work being taken forward on model contracts, guidance and standards as part of the work on commissioning by the National Commissioning Board. This will consider how to ensure the requirements in relation to sensory impairment and dementia are best incorporated in the commissioning framework and to ensure providers meet the requirements specified. This work on model contracts, guidance and standards will be taken forward in the next 6-12 months (anticipated date for delivery October 2016).
- There is a requirement in the Regulation and Inspection of Social Care (Wales) Act to produce standards for care homes. The work of the good practice work stream and the National Commissioning Board will help inform this work. Once these standards have been developed, we will examine the most effective means of implementation which will include the provision of equipment, staff development requirements, and support from professionals with appropriate expertise. In relation to the design of the physical environment, we will draw on the knowledge and expertise of organisations, such as the RNIB and Action on Hearing Loss, at the

planning stage, to maximise the opportunities to improve the quality of life for people with dementia or sensory loss.

### **Action 3.1**

- The workforce workstream will be considering issues in relation to the workforce, including training and development across the NHS and other sectors.
- Rather than developing new training provision, Welsh Government will map what already exists and also consider existing research. The intent behind this work is to address variations in quality of and access to training by setting out a framework using evidence based approaches and enables signposting to the appropriate training provision.
- The Care Council for Wales has undertaken an in-depth survey to find out more about the characteristics, motivation and views of a workforce that makes up the largest proportion of care workers in Wales. They have also commissioned a learning framework and resource for social care workers working with those affected by dementia. Welsh Government will work with the Care Council and Care Forum Wales to determine whether there could be agreed outcomes for training the workforce that would standardise qualifications from the most suited perspective, i.e. what competencies people leave the course with rather than how they get to those competencies.
- The Minister has announced that the Government intends to register all domiciliary and adult residential care workers by 2020 and 2022 respectively. This registration will be supported by a significant development programme for those workers prior to those dates.

### **Action 4.1**

- We will develop a 'National Statement of Entitlement'. Importantly this will include what care is available to a resident. They will be entitled to the same care as anyone who is a patient in a GP practice, including access to public health screening services; the care available to a resident through the enhanced service for care homes; and the access to the range of wider primary care and community services (such as dental services, eye testing services, social services). The care available to people living in care homes will be communicated clearly and included as an information insert in the welcome information pack.

- The review of the GMS enhanced service with GPC Wales and NHS Wales will include our response to the detailed recommendations of the Commissioner's review. It is anticipated the revised enhanced service provision for care homes will be applied from April 2016. The outcomes of the enhanced service will be reviewed and reported on annually. We will also consider how the Quality Operating Framework could be used for this purpose.
- The GMS service will, it is proposed, offer new holistic admissions assessment of residents' mental and physical health to be provided within 28 days of admission. The health board, through primary care clusters and primary care teams, will ensure the needs of people in residential care are provided for. For example, dental services, eye testing services, community nursing, outreach services and specialist nursing (for example, tissue viability nursing). The health board and the GP contractor will also consider how they can support staff training and improve the skill mix in care homes.
- As part of this holistic admissions assessment, it is envisaged that falls management, the provision of palliative care, mental health support, together with speech and language therapy and physiotherapy will be considered. The enhanced service review also includes proposals for a comprehensive annual review, together with at least one medication review. Regular communication between the GP practice and the care home will be integral to the quality and continuity of care.
- End of life care will be a feature of the review. It is intended GPs will have a register of patients who are considered to be in their final 12 months of life. This will enable a plan to be prepared to set out the care, treatment and support to enable the individual to end their life in their preferred place. Care homes will have access to specialist palliative care teams.

#### **Action 4.5**

- The Regulation and Inspection of Social Care (Wales) Act was amended during stage 2 to ensure that the Care and Social Services Inspectorate Wales must set out how they will engage the public in inspections in their work. This amendment was brought forward to respond directly to stakeholder comments including the Older People's Commissioner and also a recommendation from the Health and Social Care Committee. An additional amendment was made to add Community Health Councils to the list of relevant authorities who must co-operate with each other in the exercise of their functions.
- The Minister for Health and Social Services published a Green Paper on 6 July for consultation until 20 November 2015. We have received

over 100 responses and officials are reviewing these. A consultation response will be published to address the responses received. One of the issues under discussion is the future role of Community Health Councils and whether the existing model is fit for purpose within a more integrated system. The Green Paper provides an opportunity to address the perceived deficits in the current system, and to achieve a better, more joined up approach. This provides a further opportunity to debate the role of CHCs in relation to the quality of care provision.

- Welsh Government is in discussion with Community Health Councils to explore what contribution their volunteers could make to bring a lay perspective to the inspection of care homes.

## **Action 5.2**

- The Commissioner's review makes reference to the level of staff needed to provide good quality and safe care. This is a complex issue as it is not just about the level of support needed by the individual but is also dependent on the skills and values of care staff. There are clear lessons to be learned from the "Delivering Safe Care, Compassionate Care" report.
- The workforce work stream is considering issues in relation to staffing. This will be used to inform the work of the National Commissioning Board and ensure the commissioning standards/guidance developed encompass the need to have the right level and quality of staff to deliver high quality care and support.
- Cwm Taf University Health Board is working on a national dependency workload tool for the care home sector which is being supported by the University of South Wales on behalf of Welsh Government. This work is particularly focussed on how the acuity tool that is in current use will apply to the care sector.
- Having the appropriate level and quality of staff is essential to safeguarding and ensuring the rights of older people are met. There are new care and support standards within the Regulation and Inspection of Social Care (Wales) Act. These will make explicit reference to the appropriate levels of staffing to provide the physical and emotional needs of older people. The work undertaken by the workforce work stream, the National Commissioning Board and Cwm Taf UHB will all be used to inform the standards within this Act.

## **Action 5.6**

- With regard to the Commissioner's recommendation to ensure there is a national approach to improving care homes where there are significant issues or risks, initial discussions have been held. Welsh Government is committed to working with the Commissioner and other key stakeholders to consider the best way to take this recommendation forward. This work will take place during the next 3 – 6 months (anticipated delivery date May 2016). The good practice workstream will also consider whether there are specific areas of improvement that need to be addressed.

## **Action 5.7**

- The Regulation and Inspection of Social Care (Wales) Act provides for the further development of regulation of the workforce. In November 2015 a timetable was set out for the development and registration of domiciliary and adult residential workers by 2020 and 2022 respectively. This registration will help ensure that staff have the right skills and experience to provide good quality care and support and that older people will be safeguarded from harm or neglect.

## **Action 5.8**

- The Commissioner's review highlights evidence that indicates the terms and conditions of staff in the care sector have an impact on the quality of care and support they provide and the outcome of this.
- The Welsh Government has already begun work that will enable us to better understand the issues around the terms and conditions of the workforce. There will be a Written Statement in January 2016, published alongside the consultation document. The research will be published in February 2016 and will provide evidence for the development of policy proposals to improve the recruitment and retention of home care workers.
- Following the UK government's announcement of the "national living wage" policy, Welsh Government is also developing an assessment of the impact that the policy will have on the sector in Wales, this will be made available during 2016.
- The workforce workstream of the care home steering group is focusing on action to improve recruitment retention, training and qualifications for registered managers, nurses and direct care staff. A guide to good/exemplar terms and conditions for staff will be developed within 6-12 months (anticipated delivery date November 2016). The output of this work will be used to inform the work being taken forward by the

National Commissioning Board and ensure the commissioning guidance reflects the need for good staffing and employment practice.

- These measures will bring greater understanding of the effect of terms and conditions in the sector and ensure workforce planning and commissioning guidance reflect the need for the appropriate level and skills of staff to deliver good quality care.

### **Action 6.1**

- A well-being statement and National Outcomes Framework have been developed under the Social Services and Well-being (Wales) Act. This provides a framework with a clear focus on outcomes and improving wellbeing of all people.
- We need to ensure that there is a consistent approach across the entire social care sector, and consider how we could use best standardised annual reporting arrangements for service providers. These annual reports are likely to include an element of reporting against the quality standards and outcomes for service users.
- Given the aims of introducing standardised annual reporting include increasing transparency and accessibility of this information to citizens, it is expected that this would also lead to a wider public awareness of the quality of services that should be expected. This expectation will be reinforced by the National Statement of Entitlement (Action 4.1)
- Technical groups looking at these issues will be established early in the New Year. The Older People's Commissioner will be invited to be involved in this work and invitations will be extended to other stakeholders with an interest.
- Recommendation 28 of the Health and Social Care Committee Stage 1 report refers to placing a duty on the Care and Social Services Inspectorate Wales to review local authority and health board commissioning of social care services against quality of life outcomes. As a result of this recommendation, an amendment was brought forward at stage 2 linking commissioning of social services functions to the inspection process, however we are unable to extend this amendment to include local health boards (LHBs) as CSSIW's powers under this Act do not extend to LHBs.

### **Action 6.4 and 6.5**

- The inspectorate landscape is complex. This was acknowledged in the review of Healthcare Inspectorate Wales (HIW) that was commissioned and published in January 2015 and reinforced the issues raised in the Commissioners' review.

- An integrated system of health and social care inspection is being considered as part of the consultation on the Green Paper which closed on 20 November 2015. Officials are considering the responses received. The legislative time table meant it would not have been possible to include such a proposal within the Regulation and Inspection of Social Care (Wales) Act without compromising the time that needs to be spent consulting on this proposal as part of the Green Paper.
- This could be taken forward in a future Health Quality Bill which could set out a clear rationale for the way forward. This is however a long term strategy. In the short term CSSIW and HIW will continue to share intelligence and take action together where there are serious concerns in relation to nursing home care which is commissioned by NHS Wales
- The National Commissioning Board will develop guidance to ensure a consistent approach to integrated commissioning by health and social care. This will be used to inform any work taken forward under the Regulation and Inspection of Social Care (Wales) Act and any future Health Quality Bill.

#### **Action 6.6**

- There is a requirement in the Regulation and Inspection of Social Care (Wales) Act for an annual report to be prepared and annual reports from all providers. The format of the report is to be laid out in regulations.
- The Fundamentals of Care Standards were developed and published in 2003 and the Fundamentals of Care Audit has been completed in Wales each year since 2009. For the first time in 2014 an audit was piloted in community settings whereas previously the audit was conducted in hospital. The intention was that the community settings would include residents in care homes and the intention is to build on this in the future as the new monitoring framework is developed.
- The NHS standards for health care were reviewed in 2014/15 and the new Health and Care Standards were launched on 1 April 2015. These new standards incorporate the 2003 Fundamentals of Care standards. A new monitoring regime for the revised Health and Care Standards is being devised that will form part of the performance monitoring of NHS Wales alongside the NHS Wales Outcomes Framework.
- As 2015 is an interim year in the move towards the new monitoring framework, the Fundamentals of Care audit tool has been used this year to gather patients' views on their experience of receiving care, and this element of the national audit will be reported to Welsh Government. The data will be collected during October and November as in previous years and reported in 2016.

- In the future, the outcome of specific care metrics, such as falls, pressure ulcer prevention, etc. will be reported through the NHS Outcome Framework and new Health and Care Standards monitoring arrangements. These data will be gathered at frequent and regular intervals through the year so will give trend data through the year rather than one point in time. This would replace the staff self reported data in the annual Fundamentals of Care audit.

### **Action 7.1**

- There is a requirement in the Regulation and Inspection of Social Care (Wales) Act for local authorities to prepare an annual market stability report which will look at the future supply and demand. There will also be a national approach and report on the market prepared by regulators.
- The National Commissioning Board is currently undertaking a market analysis exercise with regard to residential and nursing home provision across Wales. The market analysis will provide a detailed picture of current provision as well as identifying any significant gaps. This work will be taken forward in the next 3-6 months (anticipated delivery date May 2016). This will enable local authorities and local health boards to work alongside national and local providers to determine the type of provision needed in the medium term and to identify areas where alternative models of service delivery may be appropriate.
- Welsh Government is committed to working with the Commissioner and other key stakeholders to consider the best way to take this recommendation forward. This work will take place during the next 6 – 12 months (anticipated delivery date November 2016).

### **Action 7.2**

- This requirement for action will be built into work already in hand through the Integrated Medium Term Planning (IMTP) process. These plans were most recently commissioned in October 2015, prior to which the education section was updated to make clear the requirement for health boards/trusts to liaise with independent, private sector and local authority organisations when compiling education commissioning numbers.
- As part of this process the Workforce and Education Development Service (WEDS) have regular discussions with all health boards and trusts to consider the basis for numbers provided and they also consider national programmes which may have an impact on the overall numbers.

- All health boards and trusts will be required to provide a refresh of their plans for 2016/17 and the Welsh Government will take this opportunity to further update guidance in relation to workforce planning for the residential and nursing care sector.
- The workforce workstream will also be considering issues in relation to workforce planning, recruitment, training and development. This work will be undertaken during the next 6-12 months (anticipated delivery date November 2016).