



Mr Paul Orders  
Chief Executive  
Cardiff County Council  
County Hall  
Atlantic Wharf  
Cardiff Bay  
CF10 4UW

Cambrian Buildings  
Mount Stuart Square  
Cardiff CF10 5FL

Adeiladau Cambrian  
Sqwâr Mount Stuart  
Caerdydd CF10 5FL

17 April 2015

Dear Mr Orders

**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.

Overall I am disappointed by your response as it suggests a lack of focus on the outcomes I am seeking to secure on behalf of older people and in many instances provides me with little information in respect of tangible action you have in hand or are proposing to take to deliver these outcomes.

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**

## **Cardiff County Council**

### **Requirement for Action 1.6**

#### **Initial Conclusion - Unacceptable**

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 a lack of detail and substance regarding the role of advocates. The response simply states that the Local Authority is proactive in the introduction and utilisation of advocacy services for individuals, which includes Independent Medical Capacity Advocates (IMCA) and we will continue to work in partnership with advocacy agencies.

There are no details or specific examples provided in terms of outcomes for older people, and there are no details regarding shortfalls or gaps and no actions plan is outlined. 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 - Unacceptable**

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 a lack of awareness of the range of multi-disciplinary care and specialist services currently available. The Council states that it will continue to work in partnership with the University Health Board to ensure that individuals have on-going access to specialist services and multi-disciplinary care to enable individuals to be rehabilitated within care homes and to maximise their independence and quality of life. This will be monitored through review process and by encouraging service user and family carer feedback.

However, the response provides little detail about individual services and/or actual working practices and outcomes for older people.

The response also offers no information on gaps, shortfalls, and no analysis of current services. 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 3.2**

### **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 provides an overview of current provision, but no analysis of shortfalls or gaps in service delivery, instead stating that it will scrutinise relevant staff training levels when undertaking performance monitoring at homes to ensure compliance with the new training levels through the induction and on-going training process.

The response does not appear to demonstrate an understanding of what dementia training is available, why it is important or how it should be applied.

The response would be improved with a clear analysis of training available and how the Local Authority intends to work with the care home sector to provide assurances that this required action will be achieved in reality. In addition, there is little evidence of how current training is translated into practice and how care staff are enabled to support people living with dementia.

### **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, stating that it will work with providers both through the Cardiff nursing and Residential Provider Association as well as with individual care homes to develop and implement befriending schemes within care homes. However, it does not describe what those schemes are or could be and how they will be implemented.

The response also indicates that the Council is currently developing and expanding its commissioning arrangements with 3<sup>rd</sup> sector organisations

and that it will ensure that this work stream is taken forward in that work programme.

There is some reference to spirituality and faith in the Council's response as it states that through the on-going case management and review processes, the Council will ensure that individuals have their needs properly met in the care home environment which will include access to faith based support and the retention of friendships prior to admission.

The Council also indicates that older people are supported to retain their existing friendships and have meaningful social contact, both within and outside the care home. However, the Local Authority has not articulated a clear understanding about the range and impact of befriending schemes for older people.

Whilst the response provides a positive overview that indicates some good practice there is insufficient analysis of the current situation in terms of gaps and shortfalls, and there is no action plan or named accountable officer to provide assurance that the Local Authority will achieve this Requirement for Action in reality.

## **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. The response also indicates that the Local Authority will go above and beyond the requirement, stating that it will work in partnership with Welsh Government, the University Health Board, CSSIW and Care home providers to develop a National Improvement Service where all agencies have identified significant and/or on-going risk factors concerning the quality of life and care provided to individuals.

The Local Authority supports progression and believes that Welsh Government funding for a National Improvement team is essential as this is an efficient way to share good policy and practice across Wales for the benefit of older people in care homes.

The Local Authority's response states that it will ensure that existing systems to address poor performance through the Escalating Concerns process are streamlined to run within the new arrangements.

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

However, this response is somewhat vague and generic simply choosing to reword the Requirement for Action and does not provide assurances that the local authority will achieve this Requirement in reality.

There is no reference to quality of life for residents and the response provides no detail about how the Local Authority intends to use the findings of the Review to improve the lives of older people in care homes.

The response has no evidence of how peoples' feedback will be used to influence change.

## **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 demonstrates a commitment to publishing Annual Quality statements. However, despite this initial commitment, the response does not address how the specific reporting requirement will be met.

In addition, the response states that the Local Authority no longer have any Local Authority run care homes perhaps indicating a lack of understanding in relation to this requirement which applies to all residents living in Cardiff care homes and commissioned placements in other localities.

Further detail is required to provide assurance that the Local Authority will achieve this requirement in reality.