

Review of compliance

Graham Philip Saunders & Robert Mark Saunders The Yachtsman Rest Home

Region:	North West
Location address:	41-42 Laidleys Walk Fleetwood Lancashire FY7 7JL
Type of service:	Care home service without nursing
Date of Publication:	February 2013
Overview of the service:	The Yachtsman Rest Home is registered to provide personal care for up to 32 people. They support mainly older people or people with dementia. Accommodation is on three floors with a passenger lift for access between the floors. There are two lounges and dining rooms and a smaller quiet lounge plus a large garden for people to enjoy. The home is situated close to shops, buses, the beach and the local facilities of

	Fleetwood.
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Summary of our findings for the essential standards of quality and safety

Our current overall judgement

The Yachtsman Rest Home was meeting all the essential standards of quality and safety inspected.

The summary below describes why we carried out this review, what we found and any action required.

Why we carried out this review

We carried out this review to check whether The Yachtsman Rest Home had taken action in relation to:

Outcome 02 - Consent to care and treatment

How we carried out this review

We reviewed all the information we hold about this provider.

What people told us

This was a desktop review undertaken following new information received from the registered provider. Consequently we did not speak with people living at the home.

What we found about the standards we reviewed and how well The Yachtsman Rest Home was meeting them

Outcome 02: Before people are given any examination, care, treatment or support, they should be asked if they agree to it

Before people received any care or treatment they were asked for their consent and the provider acted in accordance with their wishes. Where people did not have the capacity to consent, the provider acted in accordance with legal requirements

Other information

Please see previous reports for more information about previous reviews.

**What we found
for each essential standard of quality
and safety we reviewed**

The following pages detail our findings and our regulatory judgement for each essential standard and outcome that we reviewed, linked to specific regulated activities where appropriate.

We will have reached one of the following judgements for each essential standard.

Compliant means that people who use services are experiencing the outcomes relating to the essential standard.

Where we judge that a provider is non-compliant with a standard, we make a judgement about whether the impact on people who use the service (or others) is minor, moderate or major:

A minor impact means that people who use the service experienced poor care that had an impact on their health, safety or welfare or there was a risk of this happening. The impact was not significant and the matter could be managed or resolved quickly.

A moderate impact means that people who use the service experienced poor care that had a significant effect on their health, safety or welfare or there was a risk of this happening. The matter may need to be resolved quickly.

A major impact means that people who use the service experienced poor care that had a serious current or long term impact on their health, safety and welfare, or there was a risk of this happening. The matter needs to be resolved quickly.

Where we identify compliance, no further action is taken. Where we have concerns, the most appropriate action is taken to ensure that the necessary changes are made.

More information about each of the outcomes can be found in the *Guidance about compliance: Essential standards of quality and safety*

Outcome 02: Consent to care and treatment

What the outcome says

This is what people who use services should expect.

People who use services:

- * Where they are able, give valid consent to the examination, care, treatment and support they receive.
- * Understand and know how to change any decisions about examination, care, treatment and support that has been previously agreed.
- * Can be confident that their human rights are respected and taken into account.

What we found

Our judgement

The provider is compliant with Outcome 02: Consent to care and treatment

Our findings

What people who use the service experienced and told us

As this was a desktop review, we did not visit the service or speak with people using the service.

Other evidence

The Care Quality Commission completed a routine inspection at The Yachtsman rest home in March 2011. As part of that inspection we looked at the consent to care and treatment in respect people living at the home.

On that inspection the manager said where possible service users were encouraged to make decisions regarding consent to the treatment and care provided, including consent to sharing information with other agencies. She said staff actively listened to people living in the home and where appropriate, their representatives, and acted on any preferences and choices where possible.

Where a person had not capacity to make a particular decision, staff involved relevant professionals using best interests meetings to decide on capacity regarding the issue. However on that inspection there was no evidence of routine involvement in planning care. We have since seen evidence that people and their relatives have been involved in making decisions about their care.

On the March 2011 inspection staff had not received training on the mental capacity act and deprivation of liberties. After that inspection, staff received training on the mental capacity act and deprivation of liberties and gained knowledge and information in this area.

Our judgement

Before people received any care or treatment they were asked for their consent and the provider acted in accordance with their wishes. Where people did not have the capacity to consent, the provider acted in accordance with legal requirements

What is a review of compliance?

By law, providers of certain adult social care and health care services have a legal responsibility to make sure they are meeting essential standards of quality and safety. These are the standards everyone should be able to expect when they receive care.

The Care Quality Commission (CQC) has written guidance about what people who use services should experience when providers are meeting essential standards, called *Guidance about compliance: Essential standards of quality and safety*.

CQC licenses services if they meet essential standards and will constantly monitor whether they continue to do so. We formally review services when we receive information that is of concern and as a result decide we need to check whether a service is still meeting one or more of the essential standards. We also formally review them at least every two years to check whether a service is meeting all of the essential standards in each of their locations. Our reviews include checking all available information and intelligence we hold about a provider. We may seek further information by contacting people who use services, public representative groups and organisations such as other regulators. We may also ask for further information from the provider and carry out a visit with direct observations of care.

Where we judge that providers are not meeting essential standards, we may set compliance actions or take enforcement action:

Compliance actions: These are actions a provider must take so that they **achieve** compliance with the essential standards. We ask them to send us a report that says what they will do to make sure they comply. We monitor the implementation of action plans in these reports and, if necessary, take further action to make sure that essential standards are met.

Enforcement action: These are actions we take using the criminal and/or civil procedures in the Health and Social Care Act 2008 and relevant regulations. These enforcement powers are set out in the law and mean that we can take swift, targeted action where services are failing people.

Information for the reader

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