

Review of compliance

Scarborough & District MENCAP Scarborough & District Mencap	
Region:	Yorkshire & Humberside
Location address:	Brookleigh 60 Valley Road Scarborough North Yorkshire YO11 2JE
Type of service:	Domiciliary care service Supported living service
Date of Publication:	April 2012
Overview of the service:	Scarborough and District Mencap offers support and care to children and adults with a learning disability. Care is offered to people in their own homes and in the community.

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

Our current overall judgement

Scarborough & District Mencap was meeting all the essential standards of quality and safety.

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 because concerns were identified in relation to:

- Outcome 01 - Respecting and involving people who use services
- Outcome 04 - Care and welfare of people who use services
- Outcome 07 - Safeguarding people who use services from abuse
- Outcome 13 - Staffing

How we carried out this review

We reviewed all the information we hold about this provider, carried out a visit on 16 February 2012, observed how people were being cared for, looked at records of people who use services, talked to staff and reviewed information from stakeholders.

What people told us

We did not speak with people using the service during this inspection. The local authority investigated concerns under safeguarding procedures and spoke with people as part of this. They spoke with us about their findings and said people were pleased with the level of care they received.

What we found about the standards we reviewed and how well Scarborough & District Mencap was meeting them

Outcome 01: People should be treated with respect, involved in discussions about their care and treatment and able to influence how the service is run

People can express their views, so far as they are able to do so, and are involved in making decisions about their care and support. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

Outcome 04: People should get safe and appropriate care that meets their needs and supports their rights

People experience effective, safe and appropriate care and support that meets their needs

and protects their rights. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

Outcome 07: People should be protected from abuse and staff should respect their human rights

People are protected from abuse, the risk of abuse and their human rights are protected. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

Outcome 13: There should be enough members of staff to keep people safe and meet their health and welfare needs

People receive the staffing ratios they required to be cared for safely and to meet their needs. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

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.

A **minor concern** means that people who use services are safe but are not always experiencing the outcomes relating to this essential standard.

A **moderate concern** means that people who use services are safe but are not always experiencing the outcomes relating to this essential standard and there is an impact on their health and wellbeing because of this.

A **major concern** means that people who use services are not experiencing the outcomes relating to this essential standard and are not protected from unsafe or inappropriate care, treatment and support.

Where we identify compliance, no further action is taken. Where we have concerns, the most appropriate action is taken to ensure that the necessary improvements are made. Where there are a number of concerns, we may look at them together to decide the level of action to take.

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

Outcome 01: Respecting and involving people who use services

What the outcome says

This is what people who use services should expect.

People who use services:

- * Understand the care, treatment and support choices available to them.
- * Can express their views, so far as they are able to do so, and are involved in making decisions about their care, treatment and support.
- * Have their privacy, dignity and independence respected.
- * Have their views and experiences taken into account in the way the service is provided and delivered.

What we found

Our judgement

The provider is compliant with Outcome 01: Respecting and involving people who use services

Our findings

What people who use the service experienced and told us

People using the service did not make comment to us about this outcome area. Members of staff from the local authority spoke with people and their relatives in relation to this outcome area. They confirmed that consent was gained before any activity was carried out with a person.

Other evidence

We looked at this outcome area after anonymous concerns were raised. We found that the records indicated people were consulted over their care. Staff told us that they always consulted with people about their care and staff were observed interacting positively with people on the day of the visit.

Our judgement

People can express their views, so far as they are able to do so, and are involved in making decisions about their care and support. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

Outcome 04: Care and welfare of people who use services

What the outcome says

This is what people who use services should expect.

People who use services:

* Experience effective, safe and appropriate care, treatment and support that meets their needs and protects their rights.

What we found

Our judgement

The provider is compliant with Outcome 04: Care and welfare of people who use services

Our findings

What people who use the service experienced and told us

People did not make comment to us about this outcome area. People spoke with members of staff from the local authority and confirmed that their care needs were met and that they received responsive and flexible care.

Other evidence

We looked at this outcome area after anonymous concerns were raised.

The service holds a detailed care plan in which each individual is centrally important. Staff said they looked at files regularly to check on changes to care requirements. Risk assessments are in place and kept up to date. This is particularly important as some of the adults and children display challenging behaviour which staff must handle safely. Staff spoke knowledgeably about each person they cared for and demonstrated they had a good understanding of people's changing needs. Many of the staff have worked for the agency for many years and have worked with people over an extended period of time, building up working relationships with families and other support networks. Newer staff said they spent long periods of time shadowing more experienced members of staff until they were confident they could care for a person unsupervised. (Some people however, required more than one to one staffing at all times.) The manager stated that changing needs were discussed in staff meetings so that people received the correct care at all times.

Our judgement

People experience effective, safe and appropriate care and support that meets their needs and protects their rights. Overall, we found that Scarborough and District

Mencap was meeting this essential standard.

Outcome 07: Safeguarding people who use services from abuse

What the outcome says

This is what people who use services should expect.

People who use services:

* Are protected from abuse, or the risk of abuse, and their human rights are respected and upheld.

What we found

Our judgement

The provider is compliant with Outcome 07: Safeguarding people who use services from abuse

Our findings

What people who use the service experienced and told us

People did not make comment to us about this outcome area. People spoke with members of staff from the local authority and did not express any concerns about their safety.

Other evidence

We looked at this outcome area after anonymous concerns were raised. Staff all have enhanced CRB checks to ensure those who are known to be unsuitable do not work with vulnerable people. The service keeps a record of incidents, complaints and concerns. We looked at these records. All incidents were recorded and thoroughly followed up to ensure people are kept safe. The manager understands that since the introduction of the Health and Social Care Act 2008 he must inform CQC of any safeguarding incidents along with other specified notifications and has done so since the responsive inspection. This ensures CQC are kept up to date about any incidents and can take appropriate action to make sure people are kept safe. Most staff had received safeguarding training either externally, or from the safeguarding champion employed by the service. They have also received specific training, for example in autism. In addition to this, all staff are completing NVQ 2 or 3, which contains abuse awareness training. Staff said they had received conflict resolution training and the manager and deputy who missed last year's update are booked onto the next course to be held in March. Records confirmed this. The manager said that staff who need specialist training to test bloods had received this from the diabetic nurse.

Our judgement

People are protected from abuse, the risk of abuse and their human rights are protected. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

Outcome 13: Staffing

What the outcome says

This is what people who use services should expect.

People who use services:

* Are safe and their health and welfare needs are met by sufficient numbers of appropriate staff.

What we found

Our judgement

The provider is compliant with Outcome 13: Staffing

Our findings

What people who use the service experienced and told us

People did not make comment to us about this outcome area. People and their relatives spoke with members of staff from the local authority and stated they were satisfied that people had the staffing ratios they needed at all times.

Other evidence

We looked at this outcome area after anonymous concerns were raised.

We spoke to the manager and deputy about staffing ratios. Each person has staffing requirements laid out in a care plan. Some people need one to one or two to one staffing. We looked at daily notes and these clearly recorded that people were receiving the ratios they needed at all times. We spoke to staff and they said they would always work with the ratios laid out in the care plan. We spoke to commissioners from the local authority who after their own investigation into these matters were satisfied that people received the ratios of staff they required.

Our judgement

People receive the staffing ratios they required to be cared for safely and to meet their needs. Overall, we found that Scarborough and District Mencap was meeting this essential standard.

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.

When making our judgements about whether services are meeting essential standards, we decide whether we need to take further regulatory action. This might include discussions with the provider about how they could improve. We only use this approach where issues can be resolved quickly, easily and where there is no immediate risk of serious harm to people.

Where we have concerns that providers are not meeting essential standards, or where we judge that they are not going to keep meeting them, we may also set improvement actions or compliance actions, or take enforcement action:

Improvement actions: These are actions a provider should take so that they **maintain** continuous compliance with essential standards. Where a provider is complying with essential standards, but we are concerned that they will not be able to maintain this, we ask them to send us a report describing the improvements they will make to enable them to do so.

Compliance actions: These are actions a provider must take so that they **achieve** compliance with the essential standards. Where a provider is not meeting the essential standards but people are not at immediate risk of serious harm, 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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