

Review of compliance

<p>Avocet Trust Avocet Trust Domiciliary Care Service</p>	
Region:	Yorkshire & Humberside
Location address:	Clarence House 60-62 Clarence Street Hull East Riding of Yorkshire HU9 1DN
Type of service:	Domiciliary care service Supported living service
Date of Publication:	August 2012
Overview of the service:	Avocet Domiciliary Care Agency is registered to provide personal care for people in the community.

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

Our current overall judgement

Avocet Trust Domiciliary Care Service 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 as part of our routine schedule of planned reviews.

How we carried out this review

We reviewed all the information we hold about this provider, carried out a visit on 18 July 2012, looked at records of people who use services and talked to staff.

What people told us

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

What we found about the standards we reviewed and how well Avocet Trust Domiciliary Care Service 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.

The provider was meeting this standard.

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

People experienced care, treatment and support that met their needs and protected their rights.

The provider was meeting this standard.

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

People who used the service were protected from the risk of abuse, because the provider had taken reasonable steps to identify the possibility of abuse and prevent abuse from happening.

The provider was meeting this standard.

Outcome 14: Staff should be properly trained and supervised, and have the chance to develop and improve their skills

People were cared for by staff who were supported to deliver care and treatment safely and to an appropriate standard.

The provider was meeting this standard.

Outcome 17: People should have their complaints listened to and acted on properly

There was an effective complaints system available. Comments and complaints people made were responded to appropriately.

The provider was meeting this 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.

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

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

Other evidence

We looked at the care files which belonged to the people who used the service. We saw these were comprehensive and contained information about how the person preferred to be cared for and how they liked to spend their day. Due to people having complex needs there was detailed information about their preferred method of communication and any non-verbal signs staff should look out for.

We also saw evidence of the involvement of advocates when required. We saw assessments had been undertaken when the person had difficulty making an informed choice or decision. We also saw evidence of meetings about the best course of action to take to ensure the person's rights and dignity were respected.

Before people received any care or treatment their consent was sought and the provider acted in accordance with their wishes.

Our judgement

Before people received any care or treatment they were asked for their consent and the provider acted in accordance with their wishes.

The provider was meeting this 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

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

Other evidence

We looked at the care files which belonged to the people who used the service. These contained basic information about next of kin, GP, religion and marital status. The care files also contained assessments, which had been completed by the placing authority, health care professionals and senior staff. From these assessments a care plan had been formulated.

The care plans contained risk assessments, which informed the staff how to support people to keep them safe from harm. There was detailed risk assessments describing what staff should do to support the person if their behaviour put themselves and others at risk.

Due to people's limited communication there were details of what non-verbal signs staff should look out for to make sure the person was happy with the care they received.

There was a record of health care professional contact and a detailed health action plan.

People's needs were assessed and care and treatment was planned and delivered in

line with their individual care plan.

Our judgement

People experienced care, treatment and support that met their needs and protected their rights.

The provider was meeting this 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

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

Other evidence

There were no safeguarding investigations being undertaken by the local authority safeguarding team at the time of the inspection.

We saw records which confirmed staff had received training about how to protect vulnerable adults from abuse.

The provider had identified safeguarding adults as mandatory training so this was updated on a regular basis.

Where people were unable to make informed choices about their care we saw that health care professionals and advocates had been involved in meetings which determined what course of action was in the person's best interest.

The provider had identified training about the Mental Capacity Act 2005 (MCA) and the use of Deprivation of Liberty Safeguards (DoLS) as mandatory for the staff so this was regularly updated.

People who used the service were protected from the risk of abuse, because the

provider had taken reasonable steps to identify the possibility of abuse and prevent abuse from happening.

Our judgement

People who used the service were protected from the risk of abuse, because the provider had taken reasonable steps to identify the possibility of abuse and prevent abuse from happening.

The provider was meeting this standard.

Outcome 14: Supporting workers

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 competent staff.

What we found

Our judgement

The provider is compliant with Outcome 14: Supporting workers

Our findings

What people who use the service experienced and told us

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

Other evidence

We saw there was a training plan in place which ensured all staff had training updated regularly. The provider had identified certain training as mandatory for all staff which included, amongst other topics, health and safety, moving and handling, fire training, basic food hygiene and first aid. Other training was available for staff about how to restrain someone safely so they didn't harm themselves or others.

We saw there was a system in place which alerted the manager when staff were due to attend refresher training.

We saw that staff received regular supervision which gave them the opportunity to discuss any problems or development needs they had. Staff also received annual appraisals which monitored what training they had received and what training they needed.

Newly employed staff undertook a six month probationary period during which time they had regular meetings with the manager to monitor progress. At the end of the probationary period they were expected to undertake further training to NVQ level.

We were told that bank staff who were used to cover for any sickness or annual leave

had to achieve the same level of training as the regular, permanent staff. This ensured all staff were trained to the same level and protected the people who used the service.

We were also told it was company policy that if a member of staff did not attend the required training they were stopped from working in certain environments. For example, if a staff member had not updated their training about how to support someone who may have epilepsy they were not able to work with any one who may have this need. This ensured all staff had the necessary skills to care for people who used the service.

Staff received appropriate professional development.

Our judgement

People were cared for by staff who were supported to deliver care and treatment safely and to an appropriate standard.

The provider was meeting this standard.

Outcome 17: Complaints

What the outcome says

This is what people should expect.

People who use services or others acting on their behalf:

- * Are sure that their comments and complaints are listened to and acted on effectively.
- * Know that they will not be discriminated against for making a complaint.

What we found

Our judgement

The provider is compliant with Outcome 17: Complaints

Our findings

What people who use the service experienced and told us

We used a number of different methods to help us understand the experiences of people who used the service, because the people who used the service had complex needs which meant they were not able to tell us their experiences.

Other evidence

Information about how to make complaints was provided to people who used the service in the 'Statement of Purpose' and 'The Service User Guide'. This information was also available in easy read format which used text appropriate for the person's needs.

We saw there was a record of all complaints received, a record of action taken and a record of the satisfaction of the complainant with the outcome. There was information available to people about what they should do and who they could contact if they were not happy with the internal investigation.

People's complaints were fully investigated and resolved where possible to their satisfaction.

Our judgement

There was an effective complaints system available. Comments and complaints people made were responded to appropriately.

The provider was meeting this 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.

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

Document purpose	Review of compliance report
Author	Care Quality Commission
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Care Quality Commission

Website	www.cqc.org.uk
Telephone	03000 616161
Email address	enquiries@cqc.org.uk
Postal address	Care Quality Commission Citygate Gallowgate Newcastle upon Tyne NE1 4PA