

Review of compliance

Mrs Paula Woolgar Tusker House	
Region:	South East
Location address:	57 Pine Avenue Hastings East Sussex TN34 3PP
Type of service:	Care home service without nursing
Date of Publication:	November 2011
Overview of the service:	<p>Tusker House is a care home service that provides accommodation and personal care to older people who have dementia. The service is registered for 72 people.</p> <p>The home is located in a residential area in Hastings and is adapted for people who use wheelchairs. Accommodation is, in the majority, provided in single bedrooms.</p>

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

Our current overall judgement

Tusker House was not meeting one or more essential standards. Improvements are needed.

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 Tusker House had made improvements 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 08 - Cleanliness and infection control
- Outcome 09 - Management of medicines
- Outcome 13 - Staffing
- Outcome 14 - Supporting staff
- Outcome 16 - Assessing and monitoring the quality of service provision
- Outcome 22 - Requirements where the service provider is an individual or partnership

How we carried out this review

We reviewed all the information we hold about this provider, carried out a visit on 27 September 2011, checked the provider's records, observed how people were being cared for, talked to staff and talked to people who use services.

What people told us

During our visit a planned residents meeting was held. People were asked by the manager for their views on the menus, the activities and the general standards of the home. People said that they were happy with the care they were receiving and that they had no complaints. One person said "The staff are good, the food is good, the home is good".

People were offered the opportunity to have a say about what meals were included on the menu and some suggestions were made. One person asked for condiments to be placed on all the dining tables rather than having to ask for these. The manager said she would arrange this. People were also asked for their views of the social activities provided in the home and for suggestions of things they might like to do. One person asked for a music quiz and the manager said this would be arranged. People's comments about the activities included:

"The music for health is excellent".

"I think the activities are very good" and
"I enjoy doing my model making, I wasn't doing that before".

We received feedback from some relatives who told us that the care provided was of a good standard. People said they felt safe in the home and knew who they could talk to if they had a concern about their care.

People told us that they had not had to wait an unreasonable amount of time for their personal care that morning and that they were satisfied that there were enough staff to meet their needs.

What we found about the standards we reviewed and how well Tusker House 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 were involved in the planning of their care and had a say in how the service was being run.

Overall, we found that Tusker House was meeting this essential standard.

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

People experienced safe and appropriate care and support that met their needs.

Overall, we found that Tusker House was meeting this essential standard.

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

People were protected from abuse or risk of abuse, and their rights were respected.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 08: People should be cared for in a clean environment and protected from the risk of infection

People that use the service were protected from the risks of infection in the home.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 09: People should be given the medicines they need when they need them, and in a safe way

People were helped to take the medication they needed in a safe way.

Overall, we found that Tusker House 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 had their health and welfare needs met by sufficient numbers of appropriate staff.

Overall, we found that Tusker House was meeting this essential standard.

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

People that use the service were supported by staff who had received training and support to carry out their roles.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 16: The service should have quality checking systems to manage risks and assure the health, welfare and safety of people who receive care

People using the service benefited from safe, quality care due to improved decision making and regular reviewing of quality of the service provided.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 22: Services must be provided by people who are honest, reliable and trustworthy. They must also have the right skills, experience and qualifications to do the job

People receive a service that is provided by an appropriate person, but they would further benefit from the provider of the service undertaking training in care planning and risk assessment.

Overall, we found that Tusker House was meeting this essential standard but, to maintain this, we have suggested that some improvements are made.

Actions we have asked the service to take

We have asked the provider to send us a report within 14 days of them receiving this report, setting out the action they will take to improve. We will check to make sure that the improvements have been made.

Where we have concerns we have a range of enforcement powers we can use to protect the safety and welfare of people who use this service. When we propose to take enforcement action, our decision is open to challenge by a registered person through a variety of internal and external appeal processes. We will publish a further report on any action we have taken.

Other information

In a previous review, we found that improvements were needed for the following essential standards:

- Outcome 10: People should be cared for in safe and accessible surroundings that

support their health and welfare

In a previous review, we suggested that some improvements were made for the following essential standards:

- Outcome 05: Food and drink should meet people's individual dietary needs

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

During our visit a planned residents meeting was held. People were asked for their views on the menus, the activities and the general standards of the home. People said that they were happy with the care they were receiving and that they had no complaints. One person said "The staff are good, the food is good, the home is good".

People were offered the opportunity to have a say about what meals were included on the menu and some suggestions were made. One person asked for condiments to be placed on all the dining tables rather than having to ask for these. The manager said she would arrange this.

People were also asked for their views of the social activities provided in the home and for suggestions of things they might like to do. One person asked for a music quiz and the manager said this would be arranged. There was also a discussion about a planned vegetable garden and the vegetables they would like to grow.

Other evidence

We saw that people's care plans had been updated to include information about their preferences for their daily routines, for example when they preferred to get up and go to bed and whether they preferred a male or female carer to help them with their personal

care. The care plans also showed that people had been asked whether they preferred a shower or a bath and how often they would like this. There had also been information added about people's religious and cultural needs and what their social interests and hobbies were.

Training for staff in equality and diversity had been included in the training programme to be completed by March 2012. A new policy had been written to help staff understand their responsibilities until they could attend the training. Most staff had completed a National Vocational Qualification (NVQ) and the common induction standards which covered areas of equality and diversity.

Our judgement

People were involved in the planning of their care and had a say in how the service was being run.

Overall, we found that Tusker House 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 told us that they were happy with the care they were receiving. We received feedback from some relatives who told us that the care provided was of a good standard.

People told us that they enjoyed the activities that were being provided. Comments included:

"The music for health is excellent".

"I think the activities are very good" and

"I enjoy doing my model making, I wasn't doing that before".

Other evidence

The needs of the people that use the service had been reviewed since we last visited and their care plans had been updated. The care plans now included more detailed information about how the staff should meet people's needs. There was clear guidance for staff on how people communicate and any extra help they may need. The care plan records showed that people were being helped to have regular baths and showers and, in most instances, this reflected the choices they had made about this in their care plan.

The activities programme had been reviewed and there were more personalised activities for people. We saw that where a person had been asked about their hobbies, in their care plan, they had been offered opportunities to carry these on. The activities

coordinator told us that the activities had improved and that now more people were coming out of their rooms to join in. They told us that they were booked to attend some further training to help them plan the activities and that this included reminiscence sessions and exercise for older people. We saw evidence that this training had been booked.

A weekend activities coordinator had been recruited and had worked for several weeks, but had since resigned. The manager told us that she was recruiting to fill the post again. The records of activities had improved since our last visit and gave more information about how people were spending their time.

Our judgement

People experienced safe and appropriate care and support that met their needs.

Overall, we found that Tusker House 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 said they were happy with the service and felt safe in the home. They knew who they could talk to if they had a concern about their care.

Other evidence

The whistleblowing policy had been updated and staff had signed to say that they had read and understood this. Staff we spoke with understood how to report any concerns about abuse.

Systems for monitoring the quality of the service had been introduced since our last inspection and we saw that where there were shortfalls these had been identified by the manager and action taken to put things right.

We received information from the local authority that told us that the provider of the service had worked in a positive way with them to make improvements to the service over recent months.

Our judgement

People were protected from abuse or risk of abuse, and their rights were respected.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 08: Cleanliness and infection control

What the outcome says

Providers of services comply with the requirements of regulation 12, with regard to the Code of Practice for health and adult social care on the prevention and control of infections and related guidance.

What we found

Our judgement

The provider is compliant with Outcome 08: Cleanliness and infection control

Our findings

What people who use the service experienced and told us

We did not speak with people using the service about this outcome at this inspection.

Other evidence

At our last visit not all the staff knew how to deal with urine spills on the carpet. Since then a new procedure had been written for staff to follow. We asked several staff members if they knew what the procedure was and they were able to describe this to us. The home looked clean and hygienic during our visit and there were no offensive odours in any areas.

Our judgement

People that use the service were protected from the risks of infection in the home.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 09: Management of medicines

What the outcome says

This is what people who use services should expect.

People who use services:

- * Will have their medicines at the times they need them, and in a safe way.
- * Wherever possible will have information about the medicine being prescribed made available to them or others acting on their behalf.

What we found

Our judgement

The provider is compliant with Outcome 09: Management of medicines

Our findings

What people who use the service experienced and told us

We did not speak with people using the service about this outcome at this inspection.

Other evidence

We saw that new guidance had been written to tell staff when they should help people take their medication that was prescribed to be taken 'as required'. There were no gaps in the medication records and handwritten entries had been checked and signed by two staff members to reduce the risk of errors.

Medication had been dated to show when it had been opened so that staff would know when it needed to be used by. Medication that had been unused was being regularly returned to the chemist.

Our judgement

People were helped to take the medication they needed in a safe way.

Overall, we found that Tusker House 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 told us that they had not had to wait an unreasonable amount of time for their personal care that morning. They said that they were satisfied that there were enough staff on duty to meet their needs.

Other evidence

The rota for the day showed that eight care staff were due to be on duty for the morning shift, but there were only seven on duty as one had called in sick. This shortage had not been covered by another staff member, but staff said that they were managing to meet everyone's needs and the manager was seen to help some people who use the service.

Everyone had been helped to wash and dress and most were in the lounge when we arrived at 10.30am. During our visit we did not see anyone waiting for help when they asked for it.

Our judgement

People had their health and welfare needs met by sufficient numbers of appropriate staff.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 14: Supporting staff

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 staff

Our findings

What people who use the service experienced and told us

We did not speak with people using the service about this outcome at this inspection.

Other evidence

The training records showed that staff had completed training in moving and handling since our last inspection. All kitchen staff had either completed their food hygiene course or were working toward this. One cook was booked to attend a nutrition course.

The manager told us that they had reviewed how many staff had completed training in dementia and found that 12 had achieved this. The staff that had not yet completed their dementia workbook were being helped by the manager through a series of workshops.

The rota showed that there was a qualified first aider on every shift. The training programme showed that courses had been booked in safeguarding people from abuse and infection control for November and December 2011. Senior staff were booked to attend training in supervising staff, appraisals and staff development. Staff supervision sessions were taking place more often so that the manager could monitor staff performance and any training needs they had.

We saw that new staff were completing an induction that met the standards of the national training organisation. Staff that had already completed their induction had either gone on to achieve the National Vocational Qualification (NVQ) or were working toward this award.

Our judgement

People that use the service were supported by staff who had received training and support to carry out their roles.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 16: Assessing and monitoring the quality of service provision

What the outcome says

This is what people who use services should expect.

People who use services:

* Benefit from safe quality care, treatment and support, due to effective decision making and the management of risks to their health, welfare and safety.

What we found

Our judgement

The provider is compliant with Outcome 16: Assessing and monitoring the quality of service provision

Our findings

What people who use the service experienced and told us

We saw that people were asked their views of the service through residents meetings and people said that they were happy with their care.

Other evidence

Since our last inspection the manager had introduced a number of systems for monitoring the quality of the service provided. This included monthly audits of people's care plans, records of falls and accidents, health and safety audits and checks of people's nutritional well being. Where shortfalls had been found the records showed that action had been taken to put things right.

The provider of the service had submitted a detailed action plan for improvements to the Commission following our last visit. We reviewed the action plan as part of our visit to the service and found that the majority of the improvements had been made.

Our judgement

People using the service benefited from safe, quality care due to improved decision making and regular reviewing of quality of the service provided.

Overall, we found that Tusker House was meeting this essential standard.

Outcome 22:

Requirements where the service provider is an individual or partnership

What the outcome says

This is what people who use services should expect.

People who use services:

* Have their needs met by the service because it is provided by an appropriate person.

What we found

Our judgement

There are minor concerns with Outcome 22: Requirements where the service provider is an individual or partnership

Our findings

What people who use the service experienced and told us

We did not speak with people using the service about this outcome at this inspection.

Other evidence

The provider of the service had not yet been able to access training in care planning and risk assessment, but since our last visit had completed a training course in quality monitoring and dealing with complaints. One senior carer had completed a care planning and risk assessment course and the manager told us that they would continue to look for an appropriate course before March 2012.

Our judgement

People receive a service that is provided by an appropriate person, but they would further benefit from the provider of the service undertaking training in care planning and risk assessment.

Overall, we found that Tusker House was meeting this essential standard but, to maintain this, we have suggested that some improvements are made.

Action we have asked the provider to take

Improvement actions

The table below shows where improvements should be made so that the service provider **maintains** compliance with the essential standards of quality and safety.

Regulated activity	Regulation	Outcome
Accommodation for persons who require nursing or personal care	Regulation 4 HSCA 2008 (Regulated Activities) Regulations 2010	Outcome 22: Requirements where the service provider is an individual or partnership
	<p>Why we have concerns:</p> <p>People receive a service that is provided by an appropriate person, but they would further benefit from the provider of the service undertaking training in care planning and risk assessment.</p> <p>Overall, we found that Tusker House was meeting this essential standard but, to maintain this, we have suggested that some improvements are made.</p>	

The provider must send CQC a report about how they are going to maintain compliance with these essential standards.

This report is requested under regulation 10(3) of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010.

The provider's report should be sent to us within 14 days of the date that the final review of compliance report is sent to them.

CQC should be informed in writing when these improvement actions are complete.

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

Document purpose	Review of compliance report
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