

Health and Social Services Committee

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Date: Wednesday 3 November

Venue: Committee Room 3, National Assembly for Wales

Title: Care Standard Inspectorate for Wales Annual Report 2003-04

Purpose

1. To present to the Committee the CSIW Annual Report 2003-04 which provides an overview of trends and the quality of care services in Wales.
2. To provide an opportunity to consider the reports findings.

Summary and Recommendations

3. To note and comment on the CSIW Annual Report 2003-04. The Annual Report was published on 13 October 2004.

Background

The CSIW Annual Report 2003-04

4. CSIW has published its second Annual Report covering the period 2003-04. The Care Standards Act 2000 placed a general duty on the Assembly to encourage improvements in the quality of services and to make information about these services available to the public.
5. More recently the Health and Social Care Act 2003 placed a new duty on the National Assembly for Wales to produce a report from the period 2004-05 and beyond to include:
 - CSIW's findings in the course of exercising its functions under the Care Standards Act
 - Information on the way in which CSIW has exercised those functions.

Although the report 2003-04 does not fall within the new legislative requirements, it does lay the foundation for meeting the wider requirements for all subsequent years.

6. The Report is available to the Committee and can also be accessed by clicking on the attached link <http://www.wales.gov.uk/subisocialpolicystandards/content/publications/annual-report-0304-e.pdf>

The report was published bi-lingually on 13th October. The report provides information to a range of audiences including the public, policy makers, commissioners and regulated services themselves.

7. The CSIW Annual Report will also be discussed in Plenary on 16 November.

General Themes and Findings

8. CSIW regulates approximately 7,000 settings and agencies. There are four key elements to CSIW's work:

Registration – to decide who can provide services,

Inspection – to inspect those services and publish reports,

Complaints – to investigate and deal with complaints,

Enforcement – to make sure that the Care Standards Act, and the associated regulations and national minimum standards are met.

9. The Annual Report indicates that providers and CSIW have developed a more rounded understanding of the regulations and standards and how they can be used to improve the quality of services. CSIW identified many examples of good practice. However the Report also identified significant areas of concern that services need to address. These related to fundamental care practices such as service user plans not being in place, inadequate support and supervision arrangements for staff and concerns about the meeting of individual service user needs in some instances.

10. These areas of concern were also highlighted in the increasing number of complaints that CSIW investigated during the year. Most complaints can normally be fully dealt with by the registered service. However where complaints are complex or have failed to be resolved within the service then CSIW will investigate.

11. In addition to complaints, CSIW is also one of the key statutory agencies involved in child and adult abuse investigations and again CSIW saw a rise in this activity.

12. In terms of enforcement, CSIW endeavours to work with providers to improve the quality of practice

however, in a small number of cases, it was necessary to take action. Most enforcement action related to care homes and the primary action was the issue of pre-prosecution notices advising providers that if they do not comply with a specified requirement that the Assembly will need to start proceedings against them. A significant number of variations to conditions of registration were also imposed by CSIW on providers of care homes. Across all services CSIW cancelled the registration of six services and prosecuted in one case. Also seven services were refused registration.

13. Overall the report highlights that this year was one of consolidation, refinement and significant change. For some services, such as care homes there was very little change in regulatory policy. The focus was more on consolidation and refinement with some limited changes to the regulations and also small changes to the national minimum standards specifically for small care homes for older people.

14. For other services such as children's day services there were more significant changes including revised timescales for meeting qualification requirements and changes in the fitness tests for those people applying to become a registered person who do not directly care for children. More emphasis was also placed on establishing the suitability of the person in day to day charge of the setting.

15. There was however also significant change with expansion in the scope of regulation. This required extensive planning and preparation from both CSIW and provider agencies. The following areas were brought into regulation for the first time:

- Independent fostering agencies,
- Public sector fostering,
- Adoption services,
- Residential family centres,
- Domiciliary care agencies,
- Nurses agencies (previously under local authority arrangements).

16. A major focus of CSIW's work this year was to strengthen relationships with other key stakeholders and ensure that there was an increased awareness of the regulations and the role of CSIW. To this end, CSIW developed a range of protocols defining its relationship with other statutory bodies, met on a regular basis with organisations representing the interests of service providers and managers, and supported events for service users and their representative organisations.

17. During the year CSIW met its inspection target in 99% of cases across all regulated services. For a number of services, such as care homes and children's homes, this meant that at least 2 visits had been made during the year, one announced and one unannounced. For other services such as Under 8's (e.g. child-minders) this meant the required one visit had been carried out.

18. A summary of service-specific findings which give an overview of the nature and quality of services in Wales are attached at Annexe 1. This includes details on the trends in the sector. For instance, it indicates that although a number of new applications were received during the year this did not make up

for the loss of capacity in care homes.

Conclusion

19. The Annual Report for 2003-04 provides the foundation for future reports required under the Health and Social Care Act. It begins to draw out trends in regulated services and looks at the quality of individual services. The report aims to assist service providers in evaluating their own services and provides information to assist policy makers in strategic planning.

20. The Annual Report also sets out CSIW's plan to review the way in which it undertakes regulation – to strengthen service user and carer involvement, streamline processes and link the intensity of regulation to the needs of service users in individual settings.

Recommendation

21. The Health & Social Services Committee are invited to note the publication of this report.

Contact: Rob Pickford, Chief Executive, CSIW

ANNEX 1

SERVICE SPECIFIC FINDINGS

Services for Adults

Care homes During the year CSIW identified changes in the number of care homes, in the number of places available and variations within individual homes.

There has been an overall net reduction in capacity this year. There was a reduction of care homes available – a loss of 76 homes (5% reduction), but a lesser loss in the overall number of places available – a loss of 377 places (1% reduction over last six months of the reporting period). The loss showed regional variation, three of CSIW's regions in particular were effected - North West, South East and Cardiff. This covers the local authority areas of Isle of Anglesey, Gwynedd, Conwy, Caerphilly, Cardiff, Blaenau Gwent, Monmouthshire, Torfaen and Newport.

Included in the above was a reduction in the number of small homes (three places and under) across Wales – 68 homes but the loss related purely to younger adults with there being a growth in older people provision and mixed groupings. A number of such settings de-registered to provide alternative models of care such as supported housing.

There were also a number of new applications for registration (102) although this did not make up for the overall loss it will redress the loss in some CSIW regions. This adds to the picture of a changeable sector.

There were also changes within individual care settings. CSIW received an increase in the number of applications from providers to change conditions of registration such as numbers of places and the services user category that they were registered for.

The report contains an analysis of findings on the number and nature of requirements issued to care homes. Although CSIW identified examples of good practice, significant concerns about fundamental care practices were also raised. These included:

- Meeting personal and health needs including service user plans, medication practices and risk assessment,
- Supporting staff including staff numbers and skills and training and staff supervision,
- Policies and procedures including record keeping,
- Quality control arrangements,
- Premises including fire safety.

These requirements were also identified in the increasing number of complaints that CSIW dealt with (16% increase on last year). CSIW also investigated a number of adult protection concerns and from a sample, identified that there appeared to be a relationship between abuse and the complexity of need and type of setting. The level of adult abuse investigations that CSIW had involvement in was significant.

A number of adult placement schemes continued to be inspected under the Care Homes (Wales) Regulations awaiting the commencement of the regulation of adult placement schemes.

Nurses Agencies These agencies became regulated by CSIW in December 2003. At the end of the reporting period CSIW regulated 36 such services and were beginning to prioritise inspections for 2004/05.

Domiciliary Care CSIW was heavily involved in preparing for the regulation of domiciliary care which came into force on 1 March 2004. This entailed setting up a national provider liaison group, holding a national conference and conducting regional roadshows. 30,000 posters and leaflets were distributed to ensure the requirements of regulation and the implications were widely publicised.

Services for Children

Children's Day Care Services In addition to the regulations there are six different sets of national minimum standards relating to children's day care. The overall number of these services remained steady across Wales during the year but with significant regional variation. At the end of the reporting

period there were 4292 settings, a reduction of 66 on the previous year. The greatest percentage fall was in CSIW's South East region (Monmouthshire, Blaenau Gwent, Caerphilly, Torfaen, Newport) Cardiff and South West (Swansea, Neath/Port Talbot, Bridgend) regions - each having seen a drop of 6%. Mid Wales (Powys) showed a small drop of 1%. Three regions showed no significant change and Vale and Valleys region (Vale of Glamorgan, Rhondda Cynon Taf, Merthyr Tydfil) had a 10% increase in registered settings.

CSIW received an increase in registration applications – 730 during 2003-04 almost twice as many as in the previous year.

There were found to be examples of good quality care across Wales. However from the CSIW sample analysis of requirements made in inspection reports a number of areas of concern were identified relating to:

- Statement of Purposes,
- Ensuring the suitability of staff employed,
- Supervision and support for staff,
- Risk assessment and safety,
- Child protection – policies and training,
- Records, policies and procedures,
- Medication.

Children's Residential Services CSIW found an increase in provision across Wales. 38% of all places in children's homes are located in the North West (Gwynedd, Conwy, Isle of Anglesey), Mid Wales (Powys) and West Wales (Ceredigion, Pembrokeshire, Carmarthenshire) CSIW regions. There is a significant concentration in the less populated parts of the country.

CSIW found examples of good quality services in Wales. Complaints about children's homes were small in number and CSIW took only limited enforcement action. There were however a number of areas of concern identified from analysing a sample of requirements in inspection reports. These included problems with:

- Statements of purpose,
- Individual plans for children,
- Arrangements to support staff,
- Staff development and training,
- Staff recruitment and retention,
- Performance management.

Private and Voluntary Health Care This sector is made up of a diverse range of specialist and often complex services, ranging from large acute hospitals to small mental health settings for detained patients under the Mental Health Act. At the end of the year CSIW regulated 46 places including an increase of 4

PVH settings during the year.