

The Care Home as a Regulated Setting: dealing with a pandemic

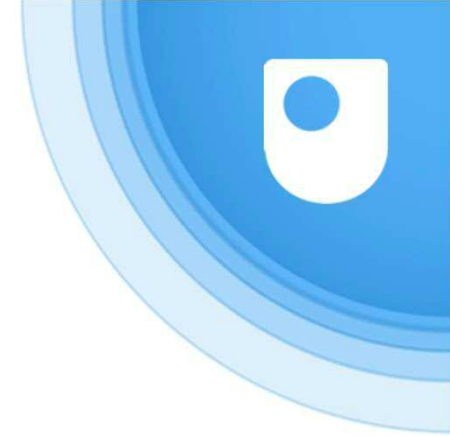
MICRA Webinar, Oct 27th 2020

COVID-19 and the Future of Residential Care

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Life-changing Learning
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Almost a century of legislation



RESIDENTIAL CARE HOMES

Public Health Act 1936

NATIONAL ASSISTANCE ACT 1948

RESIDENTIAL HOMES ACT 1980

REGISTERED HOMES ACT 1984

NURSING HOMES

**NURSING HOMES REGISTRATION
ACT 1927**

Public Health Act 1936

Mental Health Act 1959 (beginning of
regulation for mental nursing homes)

NURSING HOMES ACT 1963
NURSING HOMES ACT 1975

NHS AND COMMUNITY CARE ACT 1990

THE CARE STANDARDS ACT 2000

THE HEALTH AND SOCIAL CARE (Community Health and Standards) ACT 2003

HEALTH AND SOCIAL CARE ACT 2008
Regulated Activities Regulations, 2014

THE CARE ACT 2014

The Regulators



- **Local Authority based Registration and Inspection teams** (from 1984 to 1999)
- **Social Services Inspectorate (SSI)**
- **National Care Standards Commission (NCSC) (2002-2003)**
- **Commission for Social Care Inspection (CSCI)** created by the **Health and Social Care (Community Health and Standards) Act 2003**; launched in 2004 as a single inspectorate for social care in England.
- CSCI established a new system of **national minimum standards** for all residential and nursing homes, and domiciliary services (DoH,2003, third impression following consultation, 2006))
- **Care Quality Commission** operating since **April 2009** was set up as a single integrated regulator for England's health and adult social care services through the **Health and Social Care Act 2008**

National Minimum Standards (NMS)

Commission for Social Care Inspection – worked within the areas covered by the NMS

- Choice of care home (Standards 1-6)
- Health and personal care (Standards 7-11)
- Daily life and social activities (Standards 12-15)
- Complaints and protection (Standards 16-18)
- Environment (Standards 19-26)
- Staffing (Standards 27-30)
- Management and administration (Standards 31-38)

Influenced by 'Home Life' (1984) and 'A Better Home Life' (1996)

Care Quality Commission



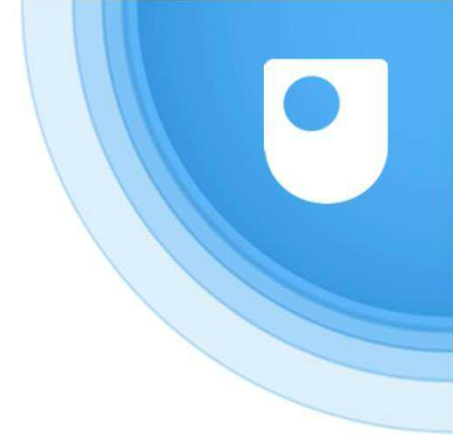
Registration and Inspection

Care Quality Commission - while topics found in the NMS are still addressed, they aim to maintain the following fundamental standards to which everyone has a right:

- Person-centred care
- Dignity and respect
- Consent
- Safety
- Safeguarding from abuse
- Food and drink
- Premises and equipment
- Complaints
- Good Governance
- Staffing
- Fit and Proper Staff
- Deprivation of Liberty Standards
- Display of Ratings

(see website CQC,2020 for details)

Inspection



The focus of inspection across all settings considers:

Are they safe?

Are they effective?

Are they caring?

Are they responsive to people's needs?

Are they well-led?

Each of these areas lead to different lines of inquiry. For example 'Are they effective?' considers how care, treatment and support achieves outcomes that maintain quality of life.

The state of health care and adult social care in England 2019/20 – issues raised

- From ONS Dec 2019 – 12th June (registered June 20th) deaths 93,475, 46%(29,393, increase than the same period previous year)
- Gaps in access to good quality care; Difficulties across country for those needing residential care with nursing – linked to workforce issues; recruitment of nurses; Services competing for staffing; using agency staff.
- Turnover rates for staff over 20% in all areas of employment; rising to over 30% for Care Workers & Registered nurses;
- Inequalities in care persist for people with dementia; people from black, Asian and other minority ethnic groups; people with disabilities;
- Inequalities also affects staff; they are low paid staff who have worked in different ways and shown resilience; they have been under unprecedented pressure. We have to demand support for care staff that is financial, relates to training and career progression.
- Care homes stopped visits from families and friends; residents lack of emotional support but staff innovative working alongside families.

CQC adopts a transitional service



Issues from 'The state of health care and adult social care in England, 2019/2020

Methods since March 2020

CQC develop a new data collection and digital monitoring tools – the **Emergency Support Framework (ESF)**

CQC inspectors have contacted more than 80% of the adult social care providers; 20,000 care homes to understand the impact of COVID-19, and offer support, advice and guidance.

Large number of calls from health and social care staff to national call centre – key issue – **Infection Prevention and Control (IPC)**; special programme of IPC inspections to 301 care homes carrying out good practice. CQC disseminates good practice.

CQC developing set of principles that enable innovation to develop and create new ways of doing things to keep people safe.

Call to public - webinars to help shape future regulation