

DUNDEE CITY COUNCIL

REPORT TO: SCRUTINY COMMITTEE - 19TH MAY 2010

REPORT ON: EAST PORT HOUSE - CARE COMMISSION INSPECTION REPORT

REPORT BY: DIRECTOR OF SOCIAL WORK

REPORT NO: 261 - 2010

1.0 PURPOSE OF REPORT

- 1.1** The purpose of this report is to summarise for the Committee the findings and gradings awarded by the Care Commission to East Port House, Offender Accommodation Service.

2.0 RECOMMENDATIONS

- 2.1** It is recommended that the Scrutiny Committee:
- i) notes the high grading awarded;
 - ii) notes the improved grading for one of the Quality Themes;
 - iii) instructs the Director of Social Work to monitor progress towards meeting the recommendations contained in the report.

3.0 FINANCIAL IMPLICATIONS

- 3.1** None

4.0 MAIN TEXT

- 4.1** The Scottish Commission for the Regulation of Care is responsible for the inspection and regulation of all registered care services in Scotland. The Commission ensures that care service providers meet the Scottish Government's National Care Standards and that in doing so they provide quality care services. Inspection reports are published on the Care Services Register on the Commission's website at www.carecommission.com.
- 4.2** East Port House is a 16 bed probation/parole service with bail beds, catering for men and women over the age of 16 years. The unit is managed by the Social Work Department and subject to registration and inspection by the Care Commission.
- 4.3** The most recent inspection on 18 November 2009 the Care Commission awarded East Port House the grades detailed below. The Care Commission carried out a low intensity inspection of the unit. These inspections are carried out where the Care commission is satisfied that the service is working hard to provide consistently high standards of care.

- | | |
|--|---------------|
| • Quality of Care and Support | 5 Very Good |
| • Quality of Environment | Not inspected |
| • Quality of Management and Leadership | Not inspected |
| • Quality of Staffing | 4 Good |

Whilst the grading of one of the Quality Themes was improved from good to very good, the overall grading remained good as a result of a wider audit of corporate recruitment policies.

4.4 There were no requirements placed on the unit.

4.5 There were four recommendations contained in the report which related to the wider audit of Dundee City Council's recruitment policies. The Safer Recruitment - Inspection Focus Area outcome as follows:

1. It is recommended that the provider ensure that a formal application process is followed for each period of employment.

2. It is recommended that the provider audits the procedures for the recording of staff skills and qualification records.

3. It is recommended that the provider ensure that a formal application process is followed for each period of employment.

4. It is recommended that the provider audits the procedures for the recording of staff skills and qualification records.

4.6 These recommendations are being taken forward on a corporate basis.

5.0 POLICY IMPLICATIONS

5.1 This report has been screened for any implications in respect of Sustainability, Strategic Environment Assessment, Anti-Poverty and Equality Impact Assessment and Risk Management.

5.2 There are no major issues.

6.0 CONSULTATION

6.1 This report has been subject to consultation with the Chief Executive, Depute Chief Executive (Support Services), Depute Chief Executive (Finance) and Head of Finance.

7.0 BACKGROUND PAPERS

7.1 The following Background Papers were relied upon in preparation of this Report:

- Committee Report 186-2008 - 'Care Commission - Introduction of New Grading System'.
- Committee Report 338-2009 - 'Registered Care Services'
- Committee Report 414-2009 - 'East Port House - Care Commission Inspection Report'.

ALAN BAIRD
Director of Social Work

Inspection report

East Port House Offender Accommodation Service

65 King Street
Dundee
DD1 2JY
01382 431442

Inspected by: Stephen Kennedy
(Care Commission officer)

Type of inspection: Announced

Inspection completed on: 18 November 2009

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Service provided by:

Dundee City Council

Service provider number:

SP2003004034

Care service number:

CS2005087263

Contact details for the Care Commission officer who inspected this service:

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Easy read summary of this inspection report

We grade all the Quality Statements for a service at each inspection. Each grade describes how well we think the service is doing based on what we inspected.

We can choose from six grades:



We gave the service these grades

Quality of Care and Support	 5	Very Good
Quality of Environment		N/A
Quality of Staffing	 4	Good
Quality of Management and Leadership		N/A

This inspection report and grades are our assessment of the quality of how the service is performing in the areas we examined during this inspection.

Grades for this care service may change after this inspection due to other regulatory activity; for example, if we have to take enforcement action to improve the service, or if we investigate and agree with a complaint someone makes about the service.

What the service does well

East Port House provides a stable base for service users who are subject to Court proceedings. We found that the staff and manager are pro-active in supporting, advising and advocating for service users on a daily basis.

What the service could do better

The service should continue to build on their current good practice.

What the service has done since the last inspection

East Port House has recently appointed a new manager who continues to develop the positive ethos of the service.

Conclusion

East Port House provides an invaluable service to the residents and this is clearly evidence by the positive comments received from the Questionnaires received.

Who did this inspection

Lead Care Commission Officer

Stephen Kennedy

Other Care Commission Officers

Lay Assessor

Please read all of this report so that you can understand the full findings of this inspection.

About the Care Commission

We were set up in April 2002 to regulate and improve care services in Scotland.

Regulation involves:

- registering new services
- inspecting services
- investigating complaints
- taking enforcement action, when necessary, to improve care services.

We regulate around 15,000 services each year. Many are childminders, children's daycare services such as nurseries, and care home services. We regulate many other kinds of services, ranging from nurse agencies to independent healthcare such as hospices and private hospitals.

We regulate services for the very young right through to those for the very old. Our work can, therefore, affect the lives of most people in Scotland.

All our work is about improving the quality of care services.

We produce thousands of inspection reports every year; all are published on our website: www.carecommission.com. Reports include any complaints we investigate and improvements that we ask services to make.

The "Care services" area of our website also:

- allows you to search for information, such as reports, about the services we regulate
- has information for the people and organisations who provide care services
- has guidance on looking for and using care services in Scotland.

You can also get in touch with us if you would like more detailed information.

About the National Care Standards

The National Care Standards (NCS) set out the standards that people who use care services in Scotland should expect. The aim is to make sure that you receive the same high quality of service no matter where you live.

Different types of service have different National Care Standards. When we inspect a care service we take into account the National Care Standards that the service should provide.

The Scottish Government publishes copies of the National Care Standards online at: www.scotland.gov.uk

You can get printed copies free from:

Blackwells Bookshop
53-62 South Bridge Edinburgh
EH1 1YS
Telephone: 0131 662 8283
Email: Edinburgh@blackwells.co.uk

What is inspection?

Our inspectors, known as Care Commission Officers (CCOs), check care services regularly to make sure that they are meeting the needs of the people in their care.

One of the ways we check on services is to carry out inspections. We may turn up without telling the service's staff in advance. This is so we can see how good the care is on a normal day. We inspect some types of services more often than others.

When we inspect a service, typically we:

- talk to people who use the service, their carers and families, staff and managers
- talk to individuals and groups
- have a good look around and check what quality of care is being provided
- look at the activities happening on the day
- examine things like records and files, if we need to
- find out if people get choices, such as food, choosing a key worker and controlling their own spending money.

We also use lay assessors during some inspections. These are volunteers who have used care services or have helped to care for someone who has used care services.

We write out an inspection report after gathering the information. The report describes how things are and whether anything needs to change.

Our work must reflect the following laws and guidelines:

- the Regulation of Care (Scotland) Act 2001
- regulations made under this Act
- the National Care Standards, which set out standards of care that people should be able to expect to receive from a care service.

This means that when we register or inspect a service we make sure it meets the requirements of the 2001 Act. We also take into account the National Care Standards that apply to it.

If we find a service is not meeting these standards, the 2001 Act gives us powers that require the service to improve.

Recommendations, requirements and complaints

If we are concerned about some aspect of a service, or think it could do more to improve its service, we may make a requirement or recommendation.

- A recommendation is a statement that sets out actions the care service provider should take to improve or develop the quality of the service but where failure to do so will not directly result in enforcement.
- A requirement is a statement which sets out what is required of a care service to comply with the Act and Regulations or Orders made under the Act, or a condition of registration. Where there are breaches of the Regulations, Orders or conditions, a requirement must be made. Requirements are legally enforceable at the discretion of the Care Commission.

Complaints: We have a complaints procedure for dealing with any complaint about a registered care service (or about us). Anyone can raise a concern with us - people using the service, their family and friends, carers and staff.

We investigate all complaints. Depending on how complex it is, a complaint may be:

- upheld - where we agree there is a problem to be resolved
- not upheld - where we don't find a problem
- partially upheld - where we agree with some elements of the complaint but not all of them.

How we decided what to inspect

Why we have different levels of inspection

We target our inspections. This means we spend less time with services we are satisfied are working hard to provide consistently high standards of care. We call these low-intensity inspections. Services where there is more concern receive more intense inspections. We call these medium or high intensity inspections.

How we decide the level of inspection

When planning an inspection, our inspectors, or Care Commission Officers (CCOs) carefully assess how intensively each service needs to be inspected. They do this by considering issues such as:

- complaints
- changes to how the service provides care
- any notifications the service has given us, such as the absence of a manager
- what action the service has taken in response to requirements we have made.

The CCO will also consider how the service responded to situations and issues: for example how it deals with complaints, or notifies us about incidents such as the death of someone using the service.

Our inspections take account of:

- areas of care that we are particularly interested in (these are called Inspection Focus Areas)
- the National Care Standards that the service should be providing
- recommendations and requirements that we made in earlier inspections
- any complaints and other regulatory activity, such as enforcement actions we have taken to improve the service.

What is grading?

We grade each service under Quality Themes which for most services are:

- **Quality of Care and support:** how the service meets the needs of each individual in its care
- **Quality of environment:** the environment within the service (for example, is the service clean, is it set out well, is it easy to access by people who use wheelchairs?);
- **Quality of staffing:** the quality of the care staff, including their qualifications and training
- **Quality of management and leadership:** how the service is managed and how it develops to meet the needs of the people it cares for
- **Quality of information:** this is how the service looks after information and manages record keeping safely.

Each of the Quality Themes has a number of Quality Statements in it, which we grade.

We grade each heading as follows:

6	5	4	3	2	1
excellent	very good	good	adequate	weak	unsatisfactory

We do not give one overall grade.

How grading works.

Services assess themselves using guidance that we given them. Our inspectors take this into account when they inspect and grade the service. We have the final say on grading.

The Quality Themes for this service type are explained in section 2 The Inspection.

About the service we inspected

East Port House is a 16 bed probation / parole service with bail beds which caters for men and women over the age of 16 years. The unit is managed by Dundee City Council on behalf of several Local Authorities and provides a service to people with wide ranging needs across a wide geographical area.

East Port House registered by the Care Commission on the 5th December 2005 to provide accommodation to people within the criminal justice sector. At the time of the inspection the service had 6 clients. Currently the service has some 17.8 whole time equivalent staff.

The Offender Accommodation Service is managed by a Manager within the Unit with overall responsibility being the responsibility of the Head of Service at Dundee City Council.

Based on the findings of this inspection this service has been awarded the following grades:

Quality of Care and Support	5 - Very Good
Quality of Environment	N/A
Quality of Staffing	4 - Good
Quality of Management and Leadership	N/A

This inspection report and grades are our assessment of the quality of how the service is performing in the areas we examined during this inspection.

Grades for this care service may change after this inspection due to other regulatory activity; for example, if we have to take enforcement action to improve the service, or if we investigate and agree with a complaint someone makes about the service.

You can use the "Care services" area of our website (www.carecommission.com) to find the most up-to-date grades for this service.

How we inspected this service

What level of inspection did we make this service

In this service we carried out a low intensity inspection. We carry out these inspections when we are satisfied that services are working hard to provide consistently high standards of care.

What activities did we undertake during the inspection

During the inspection evidence was gathered from a number of sources including:

Consultation with service users,

A review of policies, procedures, records and other documentation including the following:

Information brochure

Personal planning documentation

Supervision records

Staff training records

Staff meeting minutes

Service user/relatives and staff questionnaires

Service Audits

The insurance certificate,

The certificate of registration,

The staffing schedule

The self assessment

Discussion took place with managers and staff.

Some areas of the environment and equipment were also examined.

Inspection Focus Areas (IFAs)

Each year we identify an area, or areas, we want to focus on during our inspections. We still inspect all the normal areas of a care service; these are extra checks we make for a specific reason.

For 2009/10 we will focus on:

- Meaningful activity for all adult services
- How care services assess the health of people with learning disabilities
- Involving parents for children's services
- Medication for looked after children for residential accommodation for children
- How care services make sure they have safe recruitment procedures for staff for all services except childminders.

You can find out more about these from our website www.carecommission.com.

Fire safety issues

The Care Commission no longer reports on matters of fire safety as part of its regulatory function. Where significant fire safety issues become apparent, we will alert the relevant Fire and Rescue service to their existence in order that it may act as it considers appropriate. Care service providers can find more information about their legal responsibilities in this area at: www.infoscotland.com/firelaw

The annual return

We use annual returns (ARs) to:

- make sure we have up-to-date, accurate information about care services; and
- decide how we will inspect services.

By law every registered care service must send us an annual return and provide us with the information we have requested. The relevant law is the Regulation of Care Act (Scotland) 2001, Section 25(1). These forms must be returned to us between 6 January and 28 February 2009.

Annual Return Received

Yes - Electronic

Comments on Self Assessment

We received a fully completed self assessment document from the service. We were satisfied with the way the service had completed this and with the relevant information they had given us for each of the headings that we graded during this inspection.

Taking the views of people using the care service into account

Four Care Commission Questionnaires were returned and all respondents were very positive about the service they received from East Port House. Unfortunately there were no service users wishing to speak to the Inspectors during the visit.

Taking carers' views into account

Due to the nature of this service the views of carers were not available as part of this inspection visit.

Quality Theme 1: Quality of Care and Support

Grade awarded for this theme: 5 - Very Good

Statement 1

We ensure that service users and carers participate in assessing and improving the quality of the care and support provided by the service.

Service Strengths

Since the last inspection East Port House continue to provide very good opportunities for service users to participate in assessing and improving the care provided.

The service users are invited to the morning meetings where their views and comments are discussed. Regular meetings with their key worker also ensured that they are fully involved with their plan of support. The service had developed regular questionnaires for service users to enable them to comment on the service provided. Evidence sampled showed very good feedback from service users quoting comments received on the care, staffing, environment and staffing.

The regular newsletter does ask for comments and gives feedback on issues raised however no major issues had been received.

Evidence also showed very good specific outcomes for service users with an identified interest or hobby with the staff supporting them to pursue this.

Areas for Improvement

We found that although there were good outcomes for service users the evidence to support this, although available, was not readily identifiable. As an area of development the management team may wish to address this.

Grade awarded for this statement

5 - Very Good

Number of Requirements

0

Number of Recommendations

0

Statement 2

We enable service users to make individual choices and ensure that every service user can be supported to achieve their potential.

Service Strengths

This statement also includes the Care Commission's Inspection focus area "Meaningful Activity" which promotes the use of activity within care settings to encourage healthy lifestyles and choices. We acknowledge that the service users within East Port House do maintain a high degree of autonomy with regards to choice although there was clear evidence to show that the staff offered advice, information and support in relation to this statement.

Areas for Improvement

Although it was noted that the morning meetings could have been better recorded the manager had identified this and had taken steps to address this issue. The service should continue with the positive steps in relation to supporting service users achieve their potential.

Grade awarded for this statement

5 - Very Good

Number of Requirements

0

Number of Recommendations

0

Quality Theme 3: Quality of Staffing

Grade awarded for this theme: 4 - Good

Statement 1

We ensure that service users and carers participate in assessing and improving the quality of staffing in the service.

Service Strengths

Since the last inspection East Port House have developed a service user forum to discuss the attributes of the staff who would be employed in the service. The service users discussed qualifications, job specifications and personalities that they would wish to be considered during the recruitment of any new staff. The service has also reviewed their questionnaires for service users to include sections specific to staffing.

In addition we found that the senior management team were keen to ensure that service users could comment on staff approach and availability. We discussed with the manager an instance where a concern by service users in relation to staffing levels was addressed appropriately.

East Port House operate a key worker system to support individuals however, all staff will offer advice and guidance when appropriate.

Each floor has a suggestion book that are used to identify individual issues and these are then discussed at the monthly staff meeting.

Areas for Improvement

The service should continue to develop the very good practice in relation to this quality statement.

Grade awarded for this statement

5 - Very Good

Number of Requirements

0

Number of Recommendations

0

Statement 2

We are confident that our staff have been recruited, and inducted, in a safe and robust manner to protect service users and staff.

Service Strengths

A separate audit of the service's safer recruitment policies and procedures has been carried out by the Care Commission and found to be satisfactory.

Generally the provider had taken time to prepare for the visit and files were well organised and presented.

The staff selection procedure was comprehensive and covered a range of issues such as application procedures, checking of fitness and the interview selection process.

There were good systems in place to manage situations where Disclosure Scotland Checks raised issues.

The audit of 100 files indicated that practice within the service ensured that an application form was completed, appropriate references and checks were requested and the aims and values of the service were explained.

There was evidence of very good processes in relation to assessing the medical fitness of prospective employees and the checking of references, particularly from the last employer.

Areas for Improvement

The provider does not currently undertake three yearly Disclosure Checks for all employees but is planning to systematically introduce this over a period of time. In some of the files examined, although it was recorded that a Disclosure Scotland check had been completed, it was unclear whether the Disclosure Scotland check required further action. The provider advised in these circumstances the information was considered by a recruitment panel and a decision was made in relation to the suitability of the applicant.

In some of the files examined there were no Disclosure checks for ancillary staff. The provider advised they had sought guidance from Enhanced Disclosure Scotland who indicated these were not necessary. However, the decision to obtain Enhanced Disclosure rest with the employing authority who should consider this in relation to the protection of vulnerable adults and children. There was also no evidence of risk assessments for those employees who had not had a Disclosure check.

There were some examples where staff had not completed additional application(s) forms when moving to other posts within the organisation notably from permanent contracts to supply posts. (See recommendation 1).

The organisation could improve consistency in their practice in relation to evidencing staff skills. For example some files contained photocopies of qualifications whilst others did not.

There was some evidence that staff skills had been identified for those who had transferred within the organisation. However, the information held was not consistent and in some cases there was no information.

(See recommendation 2)

In some of the files examined identification information such as utility bills and passport information had been unnecessarily retained.

Grade awarded for this statement

4 - Good

Number of Requirements

0

Number of Recommendations

0

Recommendations

1.

It is recommended that the provider ensure that a formal application process is followed for each period of employment.
Scottish Social Services Council Code of Practice - Employer make sure people are suitable to enter the workplace - 1.1.

National Care Standards Care Homes for Older People Standard 5.5
Management and Staffing Arrangements

National Care Standards Care at Home Standard 4.3 Management and Staffing

National Care Standards Housing Support Services Standard 3.5 Management
and Staffing Arrangements

National Care Standards Early Education and Childcare up to the age of 16
Standard 12.1 Confidence in Staff

2.

It is recommended that the provider audits the procedures for the recording of staff skills and qualification records.
Scottish Social Services Council Code of Practice - Employer make sure people are suitable to enter the workplace - 1.1.

National Care Standards Care Homes for Older People Standard 5.5
Management and Staffing Arrangements

National Care Standards Care at Home Standard 4.3 Management and Staffing

National Care Standards Housing Support Services Standard 3.5 Management
and Staffing Arrangements

National Care Standards Early Education and Childcare up to the age of 16
Standard 12.1 Confidence in Staff

Safer Recruitment - Inspection Focus Area (IFA) outcome

The requirements and/or recommendations below reflect our view of the providers performance in meeting its legal responsibilities when recruiting staff and its compliance with best practice. This is as a result of an audit of the providers recruitment files.

Recommendation

3.

It is recommended that the provider ensure that a formal application process is followed for each period of employment.

Scottish Social Services Council Code of Practice - Employer make sure people are suitable to enter the workplace -

1.1 National Care Standards Early Education and Childcare up to the age of 16
Standard 12.1 Confidence in Staff.

Recommendation

4.

It is recommended that the provider audits the procedures for the recording of staff skills and qualification records.

Scottish Social Services Council Code of Practice - Employer make sure people are suitable to enter the workplace.

1.1 National Care Standards Early Education and Childcare up to the age of 16
Standard 12.1 Confidence in Staff

Other Information

Complaints

Enforcements

Additional Information

Action Plan

Failure to submit an appropriate action plan within the required timescale, including any agreed extension, where requirements and recommendations have been made, will result in the Care Commission re-grading the Quality Statement within the Management and Leadership Theme as unsatisfactory (1). This will result in the Quality Theme for Management and Leadership being re-graded as Unsatisfactory (1).

Summary of Grades

Quality of Care and Support - 5 - Very Good	
Statement 1	5 - Very Good
Statement 2	5 - Very Good
Quality of Environment - Not Assessed	
Quality of Staffing - 4 - Good	
Statement 1	5 - Very Good
Statement 2	4 - Good
Quality of Management and Leadership - Not Assessed	

Inspection and Grading History

Date	Type	Gradings
19 Jan 2009	Announced	Care and support 5 - Very Good Environment 5 - Very Good Staffing 4 - Good Management and Leadership 4 - Good

Terms we use in our report and what they mean

Action Plan - When we inspect a service, or investigate a complaint and the inspection report highlights an area for improvement; either through recommendations or requirements, the action plan sets out the actions the service will take in response.

Best practice statements/guidelines - This describes practices that have been shown to work best and to be achievable in specific areas of care. They are intended to guide practice and promote a consistent and cohesive approach to care.

Care Service - A service that provides care and is registered with us.

Complaints - We have a complaints procedure for dealing with any complaint about a registered care service or about us. Anyone can raise a concern with us - people using the service, their family and friends, carers and staff.

We investigate all complaints which can have more than one outcome. Depending on how complex the complaint is, the outcomes can be:

- upheld - where we agree there is a problem to be resolved
- not upheld - where we don't find a problem
- partially upheld - where we agree with some elements of the complaint but not all of them.

Enforcement - To protect people who use care services, the Regulation of Care (Scotland) Act 2001 gives the Care Commission powers to enforce the law. This means we can vary or impose new conditions of registration, which may restrict how a service operates. We can also serve an improvement notice on a service provider to make them improve their service within a set timescale. If they do not make these improvements we could issue a cancellation notice and cancel their registration.

Disclosure Scotland- Disclosure Scotland provides an accurate and responsive disclosure service to enhance security, public safety and protect the vulnerable in society. There are three types or levels of disclosure (i.e. criminal record check) available from Disclosure Scotland; basic, standard and enhanced. An enhanced check is required for people whose work regularly involves caring for, training, supervising or being in sole charge of children or adults at risk; or to register for child minding, day care and to act as foster parents or carers.

Participation - This describes processes that allow individuals and groups to develop and agree programmes, policy and procedures.

Personal Plan - This is a plan of how support and care will be provided. The plan is agreed between the person using the service (or their representative, or both of them) and the service provider. It is sometimes called a care plan mostly by local authorities or health boards when they commission care for people.

How you can use this report

Our inspection reports give care services detailed information about what they are doing well and not so well. We want them to use our reports to improve the services they provide if they need to.

Care services should share our inspection reports with the people who use their service, their families and carers. They can do this in many ways, for example by discussing with them what they plan to do next or by making sure our report is easily available.

People who use care services, their relatives and carers

We encourage you to read this report and hope that you find the information helpful when making a decision on whether or not to use the care service we have inspected. If you, or a family member or friend, are already using a care service, it is important that you know we have inspected that service and what we found. You may find it helpful to read previous inspection reports about his service.

The Care Commission

We use the information we gather from all our inspections to report to Scottish Ministers on how well Scotland's care services are performing. This information helps us to influence important changes they may make about how care services are provided.

Reader Information

This inspection report is published by the Care Commission. It is for use by the general public. You can get more copies of this report and others by downloading it from our website www.carecommission.com or by telephoning 0845 603 0890.

Translations and alternative formats

This publication is available in other formats and other languages on request.

Tha am foillseachadh seo ri fhaighinn ann an cruthannan is cànan eile ma nithear iarrtas.

অনুরোধসাপেক্ষে এই প্রকাশনাটি অন্য ফরম্যাট এবং অন্যান্য ভাষায় পাওয়া যায়।

ہے بایتسد یم وونابز رگید روا دولکش رگید رپ شرازگ تعاشا ہی

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