



**REPORT TO: HEALTH AND SOCIAL CARE INTEGRATION JOINT BOARD –
30 OCTOBER 2018**

REPORT ON: HELENSLEA CARE HOME

REPORT BY: CHIEF OFFICER

REPORT NO: DIJB55-2018

1.0 PURPOSE OF REPORT

1.1 This report confirms the decision to move to terminate the National Care Home Contract agreement between Dundee City Council and Bertinaley Care who are the owners of Helenslea House Residential Care Home. The report sets out in detail, the grounds for the decision, the actions taken and the subsequent closure of the care home on 13 September 2018.

2.0 RECOMMENDATIONS

2.1 It is recommended that the Integration Joint Board (IJB) note the report for information.

3.0 FINANCIAL IMPLICATIONS

None.

4.0 MAIN TEXT

4.1 Helenslea House is a residential care home for older people with a capacity to support up to 28 people. Helenslea House is based at 14 Fairfield Rd, Dundee DD5 1PL. The care home was run by an independent company Bertinaley Care who had two other homes in Scotland and one care home in England.

4.2 There had been periods of difficulty at Helenslea House for a number of years and concerns regarding the quality of care. A Care Inspectorate report in November 2017 highlighted quality of care issues which resulted in a number of requirements and recommendations being issued. Following discussion, the owner of Helenslea House agreed to temporarily cease admissions to Helenslea House in December 2017 while improvement actions were progressed. A further Care Inspectorate report in March 2018, retained the weak grades. Dundee Health and Social Care Partnership did not place any new residents in Helenslea House in 2018. At the time of closure there were only 14 places occupied in the Helenslea House (13 Dundee citizens and 1 from Perth and Kinross).

4.3 Since June 2018 there had been an ongoing dialogue about the company between the three Scottish partnerships with care homes in their area. All three partnerships had embargoes on admissions or a voluntary agreement not to place any new residents to the care homes in 2018. Given the consistent presentation of concerns across all care homes, consideration was given to whether or not the service would be sustainable in the longer term.

4.4 Early in August 2018 concerns again escalated, including evidence of matters of a serious nature. Visiting health professionals raised concerns regarding the quality of care for residents and there had been a lack of stable management and occasions where the service was understaffed.

- 4.5 As a result of the concerns identified in August 2018, Dundee Health and Social Care Partnership staff visited the care home both during the day and in the evenings to ensure there were sufficient staff numbers and that residents were safe. During the visits, further issues were identified and the organisation were asked to address the issues.
- 4.7 This information was provided to the Care Inspectorate and two unannounced visits were made to the care home by the Care Inspectorate in August. Feedback following the inspection was provided, however due to the closure of the home the grades awarded to the home were not made public.
- 4.8 The issues with Helenslea House were considered at both an individual level (Adult Support and Protection Case Conferences) and at an organisation level under the Adult Support and Protection procedures. Five Large Scale Investigation meetings took place, with regular sharing of information between organisations. Improvement actions plans/additional scrutiny were agreed as part of this process.
- 4.9 Taking into account the risks identified a decision was made to terminate the contract with the company. The owner was advised of this decision verbally on 10 August 2018. Formal notification was served to the owner and his legal agent on 23 August 2018. The owner's agent disputed the grounds for termination and at the time of closure there remained ongoing communication between the partnership/Dundee City Council and the owner's agent.
- 4.10 The process of termination includes a 13 week notice period. The termination of the contract does not mean that a care home must close. This decision can only be made voluntarily by the care provider or through enforcement action by a regulatory body such as the Care Inspectorate. Where residents wish to remain in a care home, an individual placement agreement would be arranged and all relevant monitoring and review processes will be adhered to. Where residents or their representatives indicate that they wished to seek alternative arrangements, staff would assist to facilitate this.
- 4.11 Dundee Health and Social Care Partnership staff met and telephoned residents, families and legal proxies to confirm the termination of the contract with Bertinaley Care. Prepared Question and Answer sheets and a briefing script were prepared for staff who telephoned guardians/families and who made face to face contact with residents. This included confirmation to families that the company had indicated that they would continue to provide a service. All except one of the residents expressed their wish to move to another care home during the initial conversation, with all residents confirming this position shortly after. All residents of Helenslea House moved to another care home within two weeks of making the decision to move with the last resident leaving on 13 September 2018. The vast majority of residents moved to their first choice care home.
- 4.12 The staff worked hard to ensure that resident's and their families were provided with information which enabled them to make an informed choice, to ensure that families and residents were fully involved in the planning for their future care and that the move to new home was supported and viewed as a positive change. In order to aid the residents who previously resided at Helenslea House, their active workers are making regular contact with their new care home to ascertain if any additional supports are required and that residents have settled in their new home. Care reviews are planned and a formal meeting is arranged in October to review all of the residents' circumstances. This will allow the appropriate interventions to be undertaken timeously.
- 4.13 On 13 September 2018, the date the last residents moved out of Helenslea House, Bertinaley Care was placed in administration and the care home was closed.

5.0 POLICY IMPLICATIONS

This report has been screened for any policy implications in respect of Equality Impact Assessment and Risk Management. There are no major issues.

6.0 RISK ASSESSMENT

Risk 1 Description	Decisions which involve vulnerable people moving home at short notice can have a negative impact on their health and wellbeing.
Risk Category	Health and Wellbeing
Inherent Risk Level	Likelihood 4 x Impact 4 = 16
Mitigating Actions (including timescales and resources)	<ul style="list-style-type: none"> • Where possible residents and their families or guardians are fully involved in choosing alternative accommodation. • Individual regular contact following the move. • Review of needs to ensure any action required is implemented. •
Residual Risk Level	Likelihood 2 x Impact 4 = 8
Planned Risk Level	Likelihood 2 x Impact 4 = 8
Approval recommendation	No further action.

7.0 CONSULTATIONS

The Chief Finance Officer and the Clerk were consulted in the preparation of this report.

8.0 DIRECTIONS

The Integration Joint Board requires a mechanism to action its strategic commissioning plans and this is provided for in sections 26 to 28 of the Public Bodies (Joint Working)(Scotland) Act 2014. This mechanism takes the form of binding directions from the Integration Joint Board to one or both of Dundee City Council and NHS Tayside.

There are no directions required for this report.

Direction Required to Dundee City Council, NHS Tayside or Both	Direction to:	
	1. No Direction Required	x
	2. Dundee City Council	
	3. NHS Tayside	
	4. Dundee City Council and NHS Tayside	

9.0 BACKGROUND PAPERS

None.

David Lynch, Chief Officer

DATE: 8 October 2018

Diane McCulloch
Head of Health and Community Care

