

EAST AYRSHIRE COUNCIL

SOCIAL WORK COMMITTEE: 26 JANUARY 2006

CONSULTATION PAPER – REGULATION OF ADULT PLACEMENT SERVICES BY THE CARE COMMISSION

Report by the Executive Director of Educational and Social Services

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to seek Social Work Committee endorsement of an East Ayrshire response to a Scottish Executive Consultation on the Regulation of Adult Placement Services by the Care Commission.

2. BACKGROUND

- 2.1 The Scottish Executive has issued a Consultation paper regarding the Registration of Adult Placements, for response by 3rd February 2006.
- 2.2 The Regulation of Care (Scotland) Act 2001 detailed how all care services were to be monitored and regulated by the Care Commission. Services have been subject to regulation on a phased basis, currently residential, day and care at home services all require to be registered with the Care Commission and inspected regularly.
- 2.3 The Care Commission plan to begin regulation of Adult Placement Services from 1st April 2006.
- 2.4 Adult Placement services recruit carers to provide a home for adults affected by disabilities. It is expected that the service user will share the carers home and is supported by the carer and their family.
- 2.5 All carers and members of their household undergo a rigorous assessment, which includes health and criminal record checks within the recruitment process.
- 2.6 In terms of each individual placement a process of careful matching is undertaken to ensure the service user, carer and family will all get on and the service user's needs will be met appropriately.

3. CURRENT SITUATION

- 3.1 In East Ayrshire, an Adult Placement service called Homestay Adult Placement Service has been established. This is managed by Cornerstone, an independent service provider.
- 3.2 They recruit, assess, approve and monitor carers in partnership with East and South Ayrshire Councils.
- 3.3 There are currently three adults from East Ayrshire living within family placements managed by Cornerstone.
- 3.4 There will be situations where East Ayrshire Council may wish to manage an Adult Placement directly. An example would be where someone has been cared for in a foster placement and wishes to remain with the family once they become an adult.

4. CONSULTATION RESPONSE

- 4.1 East Ayrshire's draft response to the Regulation of Adult Placement services by the Care Commission is attached at Appendix 1.
- 4.2 In summary the registration process will:
 - (I) Provide a timescale for organisations to become registered
 - (II) Require a limit to the maximum number of individuals who can be placed with any single Adult Placement carer at any one time.
- 4.3 The timescales and limits to numbers of people in placements proposed are welcomed as this will help to secure the position of Service Users in placements.
- 4.4 The full Consultation paper is available at the Members Information Point.

5. PERSONNEL IMPLICATIONS

- 5.1 No personnel implications at present.

6. FINANCIAL IMPLICATIONS

- 6.1 Adult placements provide a cost effective living option for adults who due to their support needs are unable to live independently. A typical cost is **£20,000.00** per annum.

7. POLICY/LEGAL IMPLICATIONS

7.1 There are no policy or legal implications at this time.

8. COMMUNITY PLANNING IMPLICATIONS

8.1 This report supports the Improving Health and Improving Opportunities themes of the Community Plan.

9. RECOMMENDATIONS

9.1 It is recommended that Committee:

- (i) agree the consultation response at Appendix 1 and;
- (ii) otherwise note the content of this report

John Mulgrew
Executive Director of Educational and Social Services

19 January 2006

LIST OF BACKGROUND PAPERS

1. Regulation of Adult Placement Services by the Care Commission – a Consultation Paper : November 2005.
2. Regulation of Care (Scotland) Act 2001.

For further information please contact:
Eddie Fraser, Senior Manager Community Care, telephone: 01563 554825

IMPLEMENTATION OFFICER: JACKIE DONNELLY

REGULATION OF ADULT PLACEMENT SERVICES BY THE CARE COMMISSION – CONSULTATION RESPONSES**Question 1**

Do you have any comments on the transitional registration arrangements for adult placement services proposed at paragraphs 6-10 of the Consultation Paper?

East Ayrshire Council welcomes the timescale for registration of pre-existing adult placement services.

Clarification would be welcomed as to whether it is expected each adult placement is required to display a copy of the relevant registration certificate or if it is the service provider organisation?

Question 2

Do you have any comments on disapplying the requirements in the Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002 proposed at paragraph 11 of the Consultation Paper?

East Ayrshire Council have the following comments with respect to the proposed disapplying of requirements in the Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002.

- **Regulation 4 (1) (d) – It would seem necessary for adult placements to have appropriate procedures for the control of infection and management of clinical waste given the potential for people with complex health needs being supported in this way.**
- **Regulation 19 (3) (h) – Unless there are other safeguards in place via the Adults with Incapacity Scotland Act 2000 or relevant Mental Health legislation it would seem appropriate to have a formal recording system in place for monitoring the service users money or valuables.**
- **Regulation 19 (3) (j) – In order to protect the adult placement provider, family and the service user, it would seem appropriate that a record was retained detailing medication stored in their property.**

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- **Regulation 19 (3) (k) – To protect the service user and adult placement it would seem necessary to record instances where medication has been administered without consent.**
- **Regulation 20 – If Regulation (19) (3) (k) is to remain then Regulation 20 will also.**
- **Regulation 26 – Would not apply to Adult Placement Services.**

Question 3

Do you have a view on the proposal in paragraph 12 to limit the maximum number of vulnerable adults who could be placed with an adult placement carer? What should that maximum number be?

It is helpful to limit the maximum number of individuals who can be placed within an adult placement at any one time. At the point of approval it would be useful for the relevant panel to agree a figure based on individual circumstances and capacity to provide a service. As part of the registration and monitoring process the Care Commission could then review this decision and agree or otherwise maximum number agreed.

It would be helpful for this maximum number to apply across all Adult Placement Providers to prevent Carers potentially accepting placements from a variety of providers.

It would be preferable that a maximum of two individuals be placed within one placement to ensure each person accesses the support they require.

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Question 4

Are you aware of any other changes which may be needed in the Regulation of Care (Requirements as to Care Services) (Scotland) Regulations 2002 to regulate adult placement services?

No additional comments.

Question 5

Are you aware of any changes which may be needed in the Regulation of Care (Applications and Provision of Advice) (Scotland) Order 2002 to regulate adult placement services?

As in Question 3, it would be helpful if the Care Commission could assist in the overview of adult placements where there is registration with a number of providers. There are obvious risks associated when no single organisation has the complete detail of individuals placed within one household.

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Question 6

Are you aware of any changes which may be needed in the Regulation of Care (Registration and Registers) (Scotland) Regulations 2002 to regulate adult placement services?

No additional comments

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Question 7

Do you have any other comments on the proposals set out in the Consultation Paper?

No additional comments

REGULATION OF ADULT PLACEMENT SERVICES BY THE CARE COMMISSION – RESPONDEE INFORMATION

Please complete this form and send it with your response to ensure we handle it appropriately:

Name: ALISON FINDLAY

Postal Address:
 Dept of Educational and Social Services
 Civic Centre
 John Dickie Street
 Kilmarnock.

1 Are you responding as: (please tick one box)

- (a) an individual
 (go to 2a/b)
- (b) **on behalf of** a group
 (go to 3)
- or organisation

2 Individuals:

- a. Can we publish your response in the Scottish Executive's library and on the website?
- Yes (go to **b** below)
- No, not at all
- b. We will issue your response unless you have told us not to. What should we release? **Please tick one** of the following boxes
- Yes, make my response and name and address available
- Yes, make my response and name available, but not my address
- Yes, make my response available, but not my name or address

3 On behalf of groups or organisations:

The group's name and address as respondees **will be** issued in the library and on the website. Can we make your response available?

- Yes
- No

4 SHARING RESPONSES/FUTURE ENGAGEMENT

We will share your response with other SE colleagues who are addressing the issues you discuss. They may wish to contact you, but we need your permission to allow this to happen.

Can the Scottish Executive contact you again about this consultation response?

**REGULATION OF ADULT PLACEMENT SERVICES BY THE CARE
COMMISSION – RESPONDEE INFORMATION**

Yes

No