

# Cleeve Hill Healthcare Limited

# Gloucestershire Link Homecare

## Inspection report

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## Ratings

### Overall rating for this service

Good



Is the service effective?

Requires improvement



## Overall summary

We carried out an unannounced comprehensive inspection of this service on 23 March 2015 at which a breach of legal requirements was found. This was because the registered person did not have suitable arrangements for establishing and acting in accordance with the best interests of the person using the service.

After the comprehensive inspection, the provider wrote to us to say what they would do to meet legal requirements in relation to the breach. We undertook a focused inspection on 13 August 2015 to check that they had followed their plan and to confirm that they now met legal requirements.

This report only covers our findings in relation to this topic. You can read the report from our last comprehensive inspection by selecting the 'all reports' link for 'Gloucestershire Link Homecare' on our website at [www.cqc.org.uk](http://www.cqc.org.uk).

Gloucestershire Link Homecare had a registered manager. Like registered providers, they are 'registered persons'. Registered persons have legal responsibility for meeting the requirements in the Health and Social Care Act 2008 and associated Regulations about how the service is run.

At our focused inspection on 23 August 2015 we found the provider had followed the action plan which they had told us would be completed by 30 June 2015 and legal requirements had been met. People's capacity to make decisions about their care and support was being assessed whether they were able to make certain decisions, at a certain time. When people are assessed as not having the capacity to make a decision, a best interest decision is made involving people who know the person well and other professionals, where relevant. There was evidence this process was being followed.

# Summary of findings

## The five questions we ask about services and what we found

We always ask the following five questions of services.

### Is the service effective?

We found that action had been taken to improve the management of the service. Mental Capacity assessments had been completed where people lacked the capacity to make decisions about their care and support. Staff were supported to gain better insight into mental capacity through training, discussions and mentoring.

This meant the provider was now meeting legal requirements. While improvements had been made we have not revised the rating for this key question. To improve the rating to 'Good' would require a longer term track record of consistent good practice. We will review our rating for effective at the next comprehensive inspection.

**Requires improvement**



# Gloucestershire Link Homecare

## Detailed findings

### Background to this inspection

We carried out this inspection under Section 60 of the Health and Social Care Act 2008 as part of our regulatory functions. This inspection was planned to check whether the provider is meeting the legal requirements and regulations associated with the Health and Social Care Act 2008, to look at the overall quality of the service, and to provide a rating for the service under the Care Act 2014.

We undertook a focused inspection of Gloucestershire Link Homecare on 13 August 2015. This inspection was completed to check that improvements to meet legal requirements planned by the provider after our comprehensive inspection on 23 March 2015 had been made. We inspected the service against one of the five questions we ask about services: is the service effective?

This is because the service was not meeting legal requirements in relation to that question. The inspection was undertaken by one inspector and was announced. The provider was given 48 hours' notice because the location provides a domiciliary care service and we needed to make sure they would be there.

Before our inspection we reviewed the information we held about the service. This included the provider's action plan, which set out the action they would take to meet legal requirements and examples of the new records they planned to use.

During the visit we spoke with the registered manager and reviewed the care records for three people who use the service. We looked at mental capacity assessments and records to evidence any meetings held in people's best interests.

# Is the service effective?

## Our findings

At our comprehensive inspection of Gloucestershire Link Homecare on 23 March 2015 we found the registered person did not have suitable arrangements in place for establishing, and acting in accordance with, the best interests of the service user. Where people lacked the capacity to make decisions about their care and support there was no evidence of how this had been assessed or how decisions had been made in their best interests. This was a breach of Regulation 11 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

At our focused inspection on 13 August 2015 we found the provider had followed the action plan they had written to meet shortfalls in relation to the requirements of Regulation 11 described above. They had forwarded documents to us which had been designed to complete mental capacity assessments and to evidence best interests meetings. People had been assessed in line with the Mental Capacity Act (MCA) 2005 where they were unable to make decisions about their care and support. One person had appointed a lasting power of attorney (LPA) and there was evidence this had been verified. A LPA

had the legal authority to make decisions on behalf of a person, unable to make decisions for themselves, in their best interests. The LPA had been involved in discussions about the care and support of the person they represented. The registered manager said she worked closely with family, friends, health and social care professionals and held meetings to ensure people's best interests had been considered. Best interest's records evidenced consideration of people's past history, preferences and lifestyle choices when making decisions on their behalf. The registered manager described the process for reviewing mental capacity assessments and best interest's decisions. New records had been developed.

People were supported by staff who had the opportunity to revisit their understanding of the MCA by completing training and being mentored by the registered manager when carrying out assessments. The registered manager said they made sure mental capacity was discussed at team meetings and individual meetings with staff. Quality assurance audits included checks on people's care records and MCA assessments to make sure they were being carried out consistently and correctly.