

Sienna Care Limited

# Kingswood House

## Inspection report

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### Ratings

Overall rating for this service

Good



Is the service effective?

Good



### Overall summary

We carried out an unannounced comprehensive inspection of this service on 16 April 2015. A breach of legal requirements was found.

After the comprehensive inspection, the provider wrote to us to say what they would do to meet legal requirements and ensure people's liberty was not deprived without proper authorisation.

We undertook this focused inspection to check that they had followed their plan and to confirm that they now met the legal requirements.

This report only covers our findings in relation to those requirements. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for Kingswood House on our website at [www.cqc.org.uk](http://www.cqc.org.uk).

During this inspection on 11 August 2015, we found that improvements had been made. Appropriate arrangements were now in place to identify potential areas where someone's liberty might be at risk of being deprived. Applications had also been made, as is legally required; to seek authorisation to restrict some people's liberty in order to protect them and keep them safe.

# 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 effectiveness of the service.

We had previously found that the home acted in line with legislation and guidance, in terms of seeking people's consent and assessing their capacity to make decisions about their care and support.

During this inspection we found that appropriate actions had also been taken to ensure people's liberty was not restricted without proper authorisation.

**Good**



# Kingswood House

## 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.

This was an unannounced focused inspection of Kingswood House which we undertook on 11 August 2015.

The inspection was carried out to check that improvements to meet legal requirements planned by the provider after our comprehensive inspection on 16 April 2015 had been made. It was undertaken by one inspector.

During the inspection we focused on one of the five questions we ask about services: is the service effective? This is because the service was not previously meeting a legal requirement in relation to the 'effective' domain.

During the inspection we spoke with the registered manager and provider. We also looked at records to corroborate our findings, and to check that the required improvements had been made.

# Is the service effective?

## Our findings

Following our last inspection on 16 April 2015, we reported that staff had been able to demonstrate some awareness in relation to the Mental Capacity Act 2005 (MCA) and Deprivation of Liberty Safeguards (DoLS); to ensure people who cannot make decisions for themselves are protected. The registered manager for example, had talked to us about the need to assess people's capacity to make decisions. She also knew about the process for making 'best interest' decisions, where someone had been assessed as lacking capacity. Records provided evidence that these processes had been followed.

However, we noted during that inspection that external doors were being kept locked. This meant that people could not leave the building without staff assistance. Some people living in the home at that time had been assessed as lacking capacity, so this was a potential area where their liberty was being deprived. Under DoLS arrangements, providers are legally required to submit applications to a "Supervisory Body", where it is identified that someone's freedom may need to be restricted, if they require more care and protection than others. The registered manager confirmed that no DoLS applications had been made for anyone living in the home at that time. This was a breach of Regulation 13 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

During this inspection, we found improvements had been made, and the service was no longer in breach of this regulation. The provider showed us that they had put together some clear information for staff about the locally agreed processes for applying for DoLS, where required. The registered manager explained that they had identified people currently living in the home whose liberty was potentially being deprived; in order to protect them and keep them safe. They understood that this did not apply to everyone living in the home, because some people had capacity to make their own decisions. However, in the case of people who had been assessed as lacking capacity, the registered manager was now clear that an application to the local authority was required, to ensure arrangements in place to keep people safe, were in their best interests.

We saw that DoLS applications had been submitted electronically to the local authority, as required. The local authority had also confirmed receipt of the applications. Completed applications that we looked at covered areas such as keeping the external doors locked and the use of bed rails and wheelchair lap belts.

Other records showed that staff working in the home had completed, or were in the process of updating, training regarding the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards. These improvements showed that systems were now in place to ensure people were not unlawfully deprived of their liberty.