

Johnathan Peter Basil Trevarthen

Gloscare

Inspection report

23 Carmarthen Street
Gloucester
Gloucestershire
GL1 4SX

Tel: 01452522335

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18 January 2017

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Ratings

Overall rating for this service

Good ●

Is the service effective?

Good ●

Summary of findings

Overall summary

This was an announced inspection which took place on the 18 January 2017. Gloscare provides accommodation for two people with a learning disability. Each person had a bedroom which they had personalised. They also had access to a shared bathroom as well as living and dining areas.

There was a registered manager in post. A registered manager is a person who has registered with the Care Quality Commission (CQC) to manage the service. 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.

We carried out an announced comprehensive inspection of this service on 2 December 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 in relation to the breach.

We undertook this focused inspection to check that they had followed their plan and to confirm they now met legal requirements in relation to a breach of regulation 13. This report only covers our findings in relation to this requirement. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for Gloscare on our website at www.cqc.org.uk

At the comprehensive inspection of this service on 2 December 2015 a breach of legal requirements was found. After this comprehensive inspection, we asked the provider to take action to:

- ensure that people who had been deprived of their liberty had the appropriate authorisations in place.

At this inspection we found action had been taken to submit the appropriate authorisation to the supervisory body for people who were unable to make decisions about their care and support and whose liberty had been restricted. There was evidence that wherever possible the least restrictive solution was found.

The five questions we ask about services and what we found

We always ask the following five questions of services.

Is the service effective?

Good ●

The service was effective. We found action had been taken to ensure the service was effective. The appropriate authorisation had been submitted for a person who was unable to make decisions about their care and support and who had been deprived of their liberty to keep them safe. Wherever possible the least restrictive solution was found.

Gloscare

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 an announced focused inspection of Gloscare on 18 January 2017. This inspection was done to check that improvements to meet legal requirements planned by the provider after our comprehensive inspection on 2 December 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 some legal requirements.

The inspection was undertaken by one inspector and was announced. We gave the service notice of the inspection because it is small and the manager and people are often out of the home. We needed to be sure they were in. Prior to the inspection we reviewed information we had about the service including notifications. A notification is a report about important events which the service is required to send us by law.

As part of this inspection we spoke with the registered manager and looked at information relating to a deprivation of liberty application on behalf of a person living at the home.

Is the service effective?

Our findings

At our inspection of 2 December 2015 we found a person who had been deprived of their liberty did not have the appropriate authorisation in place. This meant the provider was not acting within the Mental Capacity Act 2005 Deprivation of Liberty Safeguards (MCA DoLS). The provider sent us an action plan telling us what they intended to do.

At our focused inspection on 18 January 2017 we found the provider had taken action to address this issue.

The Mental Capacity Act 2005 (MCA) provides a legal framework for making particular decisions on behalf of people who may lack the mental capacity to do so for themselves. The Act requires that as far as possible people make their own decisions and are helped to do so when needed. When they lack mental capacity to take particular decisions, any made on their behalf must be in their best interests and as least restrictive as possible. People who lack mental capacity to consent to arrangements for necessary care or treatment can only be deprived of their liberty when this is in their best interests and legally authorised under the MCA. The procedures for this in care homes are called the Deprivation of Liberty Safeguards (DoLS). We checked whether the service was working within the principles of the MCA and whether any conditions on authorisations to deprive a person of their liberty were being met.

A person, who was unable to make decisions about their care and support, had been deprived of their liberty in their best interests to keep them safe. The appropriate application had been submitted to the supervisory body (the local authority) requesting a standard authorisation to deprive a person of their liberty. There was evidence the least restrictive solution had been sought to keep people safe. For example, to enable people to have freedom of access to their home and garden. They required support from staff when going out into their local community and they were encouraged to express when they wished to go out and about. Letters from the supervisory body confirmed receipt of the standard authorisation and stated they would appoint an Independent Mental Capacity Advocate (IMCA) as part of the assessment process in due course. Advocates help people to express their views, so they can be heard and are independent of services. They can be lay advocates or statutory advocates such as Independent Mental Capacity Advocates (IMCAs). The registered manager was aware of their responsibility to inform CQC of the outcome of this authorisation.