

Lifeways Community Care Limited

Gypsy Corner (Registered Care Home)

Inspection report

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Ratings

Is the service effective?

Requires improvement



Overall summary

We carried out an unannounced comprehensive inspection of this service on 4 and 5 March 2015 at which a breach of legal requirements was found. This was because a service user was being deprived of their liberty for the purpose of receiving care without lawful authority.

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 10 July 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 'Gypsy Corner (Registered Care Home)' on our website at www.cqc.org.uk.

Gypsy Corner provides accommodation and personal care for up to four adults with a learning disability, an autism spectrum disorder, an acquired brain injury and/or a physical disability. Three people were living at the home when we visited and they had a range of support

needs including help with communication, personal care, moving about and support if they became confused or anxious. Staff support was provided at the home at all times and some people required the support of one or more staff when away from the home.

There was a registered manager in post. A registered manager is a person who has registered with the Care Quality Commission 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 and associated Regulations about how the service is run.

At our focused inspection on 10 July 2015 we found the provider had followed the action plan which they had told us would be completed by 30 March 2015 and legal requirements had been met. Where necessary, applications to deprive people of their liberty had been submitted to the local authority as required by law. The restrictions were regularly reviewed by the registered manager to make sure they were necessary and proportionate.

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. Where necessary, applications to deprive people of their liberty had been submitted to the local authority as required by law. The registered manager had reviewed the restrictions in place for each person to make sure they were proportionate and the least restrictive option possible.

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 safe at the next comprehensive inspection.

Requires improvement



Gypsy Corner (Registered Care Home)

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 Gypsy Corner (Registered Care Home) on 10 July 2015. This inspection was completed to check that improvements to meet legal requirements planned by the provider after our comprehensive inspection on 4 and 5 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. The inspection was announced. We gave 12 hours' notice to ensure the registered manager was available during the inspection.

Before our inspection we reviewed the information we held about the home. This included the provider's action plan, which set out the action they would take to meet legal requirements, and notifications submitted by the provider. Providers tell us about important events relating to the service they provide using a notification.

During the visit we spoke with the registered manager and reviewed the applications that had been submitted to the local authority to deprive people of their liberty. We also looked at mental capacity assessments that had been produce for each person relating to existing restrictions placed on them.

Is the service effective?

Our findings

At our comprehensive inspection of Gypsy Corner (Registered Care Home) on 4 and 5 March 2015 we found applications to legally deprive people of their liberty had not been submitted to the local authority as required by the Mental Capacity Act 2005 (MCA). This was a breach of Regulation 13 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010.

At our focused inspection on 10 July 2015 we found the provider had followed the action plan they had written to meet shortfalls in relation to the requirements of Regulation 13 described above.

People were protected from unlawful restrictions and the service was meeting the requirements of the Deprivation of Liberty Safeguards (DoLS). The DoLS provide a lawful way to deprive someone of their liberty, provided it is in their own best interests or is necessary to keep them from harm.

People living at the home received constant supervision and would not be free to leave the home unaccompanied. They were unable to consent to these restrictions so applications to the local authority to deprive them of their liberty had been made and responses were awaited by the registered manager. Whilst a decision was awaited from the local authority, the information submitted in the DoLS application was reviewed monthly to make sure the restrictions were still appropriate.

People's right to make decisions was being respected. The registered manager had reviewed the restrictions in place for each person to make sure they were necessary, proportionate and the least restrictive option for the person concerned. She had recorded the decision making process to show how people's capacity to make a decision had been assessed, how they had been supported to make a decision, who had been involved in making the decision in their best interests and how the decisions had been made.