

Ark Home Healthcare Limited

Ark Home Healthcare

Inspection report

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Ratings

Overall rating for this service

Requires improvement



Is the service effective?

Requires improvement



Overall summary

We carried out an unannounced inspection of this service on 28 January 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 people's consent to care and treatment.

We undertook this focused inspection 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 those requirements. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for Ark Home Healthcare on our website at www.cqc.org.uk

Ark Home Healthcare is a domiciliary care agency which provides personal care to people living in their own homes in Leeds and surrounding areas. Ark Home Healthcare provides assistance and support to people to help them maintain and improve their independence.

At the time of our inspection the service did not have a registered manager; however, the manager had submitted an application to register with the Care Quality Commission (CQC). 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 2008 and associated Regulations about how the service is run.

Staff told us they have received safeguarding training which included the Mental Capacity Act (2005). The manager told us all staff would be completing the care certificate training and this was due to commence at the beginning of August 2015. The first module would include the Mental Capacity Act (2005). The CQC is required by law

Summary of findings

to monitor the operation of the Mental Capacity Act (2005) and to report on what we find. We found the Mental Capacity Act (2005) legislation was taken into account when providing care to people.

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?

The service was effective in meeting people's needs.

People were asked to give consent to their care, treatment and support and the Mental Capacity Act (2005) legislation was taken into account when providing care to people.

While improvements has been made we have not revised the rating for this key question; to improve the rating to 'Good' we would require a longer term track record of consistent and sustained good practice.

We will review our rating for safe at the next comprehensive inspection.

Requires improvement



Ark Home Healthcare

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 unannounced focused inspection of Ark Home Healthcare on 28 July 2015. This inspection was done to check that improvements to meet legal requirements planned by the provider after our inspection on 28 January 2015 had been made.

The inspection was undertaken by an adult social care inspector.

The team 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 people's consent to care and treatment.

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 the legal requirements.

During our inspection we spoke with six people who used the service, two relatives, the manager and four staff. We looked at the four people's care plans.

Is the service effective?

Our findings

At our comprehensive inspection of Ark Home Healthcare on 28 January 2015, we found it was not clear in the care plans we looked at if the rights of people who lacked the mental capacity to make decisions were respected.

This was a breach of Regulation 18 (Consent to care and treatment); Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, which corresponds to Regulation 11 (Need to consent); Health and Social Care Act 2008 (Regulated Activities) Regulation 2014.

At our focused inspection 28 July 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. However, while improvements had been made we have not revised the rating for this key question; to improve the rating to 'Good' we would require a longer term track record of consistent and sustained good practice.

Staff we spoke with understood their obligations with respect to people's choices. Staff were clear when people had the mental capacity to make their own decisions, this would be respected.

The manager and staff members we spoke with told us people's care and support plans did not include an assessment of people's mental capacity needs due to everyone they supported was able to make decisions. People we spoke with told us they were able to choose how they wanted their care to be delivered and how they wanted to spend their time. One person said, "In the main they are ok and I can make choice about my dinner." Another person said, "The carers always ask what I would

like and what I want for lunch but they know because they have been coming for so long." A third person said, "They ask me what I want at teatime as I have my main meal then. They take me shopping on a Friday and I can choose. Everything is alright." Other comments included, "You tell them if you need anything and they will do it. I am happy with them" and "I can choose what I want but I make my own lunch."

Relatives we spoke with told us, "We can make decisions about [name of relative] care" and "[Name of relative] is able to make choices, he can definitely make choices. We have really good carers."

Staff we spoke with said they always offered choice to people when they were in their home. One staff member said, "I always ask what people want and everyone can make decisions but sometimes I prompt." Another staff member said, "I always give people choice and say what would you like."

The staff we spoke with told us they had completed safeguarding training which included the Mental Capacity Act (2005). One staff member said, "I have had safeguarding training a couple of times and I am aware of the Mental Capacity Act." Another staff member said, "I have done training in the Mental Capacity Act." The manager told us the Mental Capacity Act was included in the safeguarding training. The training records we looked at showed six staff members were not due for refresher training until later in the year. We noted that 29 members of staff training were due refresher training. The manager told us each staff member would be completing the care certificate training programme and the first section of the programme included the Mental Capacity Act. This was due to start the first week in August 2015 and would take six weeks.