

Anthony Eric Barnes

The Brambles

Inspection report

The Brambles 104 Station Road
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Tel: 01353722971

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20 September 2016

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Ratings

Overall rating for this service

Good ●

Is the service effective?

Good ●

Summary of findings

Overall summary

The Brambles is registered to provide accommodation and personal care for up to four people. At the time of this inspection there were four people living in the home who had a learning disability. Each person had their own bedroom in the bungalow. There was a communal kitchen, dining room and lounge for people and their visitors to use.

We carried out an announced inspection of this service on 4 February 2016. A breach of legal requirements was found. After the comprehensive inspection, the provider wrote to us to say what they would do to meet the legal requirements in relation to the principles of the Mental Capacity Act 2005 (MCA) and Deprivation of Liberty Safeguards (DoLS) were not always being followed. The provider sent us an action plan that stated that the required improvements would be completed by June 2016. We undertook this focused inspection on the 20 September 2016 to check they had followed their plan and to confirm that they now meet legal requirements. This report only covers our findings in relation to those topics. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for The Brambles on our website at www.cqc.org.uk"

The registered provider also manages the service which means there is no requirement to have a separate registered manager.

The CQC is required by law to monitor the Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards and to report on what we find. The provider was acting in accordance with the requirements of the MCA including the DoLS. The provider could demonstrate how they supported people to make decisions about their care and the principles of the MCA were being followed.

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.

Staff were acting in accordance with the Mental Capacity Act 2005 including the Deprivation of Liberty Safeguards.

The Brambles

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. We undertook an announced focused inspection of The Brambles on 20 September 2016. This inspection was done to check that improvements to meet the legal requirements planned by the provider after our 4 February 2016 inspection had been made. 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 some legal requirements.

The provider was given 24 hours' notice because the location was a small care home for younger adults who are often out during the day; we needed to be sure that someone would be in. The inspection was carried out by one inspector.

During our inspection we spoke with the provider who is also the manager. We also looked at training records and records associated with the MCA and DoLS.

Is the service effective?

Our findings

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 can only be deprived of their liberty to receive care and treatment when this is in their best interests and legally authorised under the MCA. The application procedures for this in care homes are called the Deprivation of Liberty Safeguards (DoLS).

At the previous inspection we found that the manager and staff were not aware of the requirements of the MCA and DoLS. No capacity assessments, best interest decisions or DoLS applications were in place.

At this inspection 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. The provider had attended DoLS training so that they were aware of the legal requirements. We found that where applicable, DoLS applications had been submitted to the local authority for processing. Information was available about people's capacity assessments and best interest decisions and the provider was in the process of incorporating them into people's care plans. All staff had completed MCA training and were aware of how they should promote people making their own choices when appropriate. For example, although one person could not verbally communicate they gestured to staff if they wished to remain in bed longer in the mornings. This was respected by staff who would return later in the morning to assist the person up when they were ready. This meant that people were only having decisions made on their behalf, or their liberty restricted, after staff had followed the correct legal procedures.