

Wagh Limited Fenwick House

Inspection report

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Bedford
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Ratings

Is the service effective?

Requires improvement



Overall summary

We carried out an unannounced comprehensive inspection of this service on 30 October and 11 November 2014. At which a breach of legal requirements was found. This was because the front door was kept locked. There were no Deprivation of Liberty Safeguards (DoLS) applications made to the Statutory Body to deprive people who did not have capacity of their liberty in their best interest. This was a breach of Regulation 18 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, which corresponds to Regulation 11 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

Following the inspection the provider sent us an action plan detailing the improvements they were going to make and stated that improvements would be achieved by 1 July 2015.

This report only covers our findings in relation to the outstanding breach of regulation. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for Fenwick House on our website at www.cqc.org.uk

This inspection was unannounced and took place on 2 July 2015.

We found that improvements had been made. People whose liberty was being deprived; best interest decisions assessments had been carried out and applications had been made to the statutory body to deprive them of their liberty in their best interest.

While an improvement had been made we have not revised the rating for this key question. We will review our rating for effective at the next comprehensive inspection.

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 action had been taken to improve the effectiveness of the service.

The provider had taken the appropriate action to deprive people of their liberty in their best interest.

Arrangements had been made for staff to be provided with training in the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards (DoLS).

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

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

Requires improvement



Fenwick 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.

We undertook a focused inspection of Fenwick House on 2 July 2015. This inspection was carried out to check that improvements had been made to meet legal requirements planned by the provider after our inspection on 30 October and 11 November 2014.

The service was only inspected against one of the five questions we ask about services; is the service effective? This is because the service was not meeting legal requirements relating to the effective domain.

The inspection was unannounced and the inspection team consisted of one inspector.

Before our inspection we reviewed the information we held about the service. This included the provider's action plan, which detailed the action they intended to take to meet legal requirements.

During our inspection we observed how staff interacted with people. We spoke with four people who used the service, two care staff, the deputy manager and the manager.

We reviewed four people care records and records relating to staff training.

Is the service effective?

Our findings

During our inspection on 30 October and 11 November 2014 we found that the front door was kept locked and the key was only accessible to staff. People's liberty was being deprived; however, there was no evidence that the provider had applied for Best Interest Assessments (BIA) to assess people's capacity and restrict their liberty in their best interest.

This was in breach of Regulation 18 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, which corresponds to Regulation 11 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. The provider sent us an action plan to demonstrate how they were going to improve on the compliance action that had been made.

At this inspection we found the provider had followed the action plan they had written to address the breach in relation to the requirements of Regulation 18 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010, which corresponds to Regulation 11 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

People who we spoke with that had capacity told us that they were free to enter and leave the premises whenever they wished. One person said, "The door is kept locked for our safety; however, I tell staff when I want to go out and they open the door for me, without a problem." Another person said, "I am unsteady on my feet, so if I want to go

out the staff take me in a wheelchair." The person commented further and said, "I am a very private person and like to be independent, all the staff know and respect this." We observed that people were free to move around areas of the home.

The manager told us that there were four people living at the service who had been assessed as not having capacity and therefore, not able to go out unless they were accompanied by a member of staff. The front door continued to be kept locked. We saw evidence that applications had been made to the statutory body to deprive those people of their liberty in their best interest. We found that the manager understood the need to assess people's capacity to make decisions. We saw evidence that staff had completed, or were in the process of undertaking e-learning training in the Mental Capacity Act 2005 and the Deprivation of Liberty Safeguards (DoLS). We saw the training consisted of a written assessment.

Staff demonstrated their knowledge in relation to the Mental Capacity (MCA) Act 2005 and Deprivation of Liberty Safeguards (DoLS); to ensure people who cannot make decisions for themselves were protected. They were aware of the people who had capacity to make decisions. One staff member said, "We always give people choices and ask them what they like and give them options." Throughout the inspection we observed staff seeking people's consent before assisting them with personal care. Staff showed that they understood people's needs well; and encouraged people to make their own choices and decisions, as far as possible.