

Ms Sophia Mirza

# Sophia Care Home

## Inspection report

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30 January 2017

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### Ratings

Overall rating for this service

Good ●

Is the service effective?

Good ●

# Summary of findings

## Overall summary

We carried out a comprehensive inspection of Sophia Care Home on 20 and 26 August 2015 at which a breach of legal requirements was found. This was because the provider had not submitted an application to a commissioning local authority requesting a Deprivation of Liberty Safeguarding (DoLS) application for a person who lived at the home. DoLS is part of the Mental Capacity Act (MCA) and requires that authorisations are applied for in relation to people who are under continuous supervision and are unsafe to leave the home unaccompanied where they do not have capacity to make safe choices about their care and support. After this inspection, the provider wrote to us to say what they would do to meet legal requirements in relation to this breach.

On 20 January 2017 we undertook a focused inspection to check that the provider had taken action in order to meet legal requirements.

This report only covers our findings in relation to the effective topic area. You can read the report from our last comprehensive inspection, by selecting the 'all reports' link for Sophia Care Home on our website at [www.cqc.org.uk](http://www.cqc.org.uk).

At our last inspection in August 2015 we rated the service good in the four topic areas safe, caring, responsive and well-led, and good as the overall rating. The service was rated requires improvement in the effective topic area.

Sophia Care Home is a care home registered for seven people with a learning disability situated in Kenton. At the time of our inspection there were seven people living at the home. The people who used the service had significant support needs because of their learning disabilities. The majority of people had additional needs such as autistic spectrum conditions, mental health conditions, and communication impairments.

The service has a registered manager. 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 of the Health and Social Care Act and associated Regulations about how the service is run.

At our focused inspection on the 30 January 2017, we found that the provider had taken action to ensure that legal requirements were met. We found that an application for a DoLS authorisation had been made for a person who required continuous supervision both within and outside the home. The home had an up to date policy and procedure in relation to The Mental Capacity Act and we saw that this had been used to assess people's capacity to make safe decisions about their care and support.

Training for staff members was up to date. Four staff members had received recent refresher training in relation to the MCA and DoLS and plans were in place to ensure that other staff members also received this training.

## 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. The home was meeting the requirements of the Mental Capacity Act (MCA). An application had been made for a Deprivation of Liberty Safeguards (DoLS) authorisation for one person who lived at the home.

Training for staff members was up to date. Recent refresher training on MCA and DoLS had been provided to some staff members and was planned for others.

# Sophia 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 checked 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.

Our inspection of Sophia Care Home took place on 30 January 2017 and was unannounced. This inspection was carried out by one inspector. At the time of our inspection there were seven people living at the home.

Before our inspection we reviewed information that we held about the service. This included reports and notifications that had been provided by the service and the local authority.

During our inspection we spoke with the registered manager, a support worker and one person who used the service. We looked at care documents for three people, training records for four staff members and other information maintained by the home.

# 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 so that they can receive care and treatment when this is in their best interests and legally authorised under the MCA. The authorisation procedures for this in care homes and hospitals are called the Deprivation of Liberty Safeguards (DoLS)

At our inspection of 20 and 26 August 2015 we found that the home had not made an application for a DoLS authorisation for a person who had been assessed as being unable to make safe decisions, and whose risk assessment indicated that they were unable to leave the home unaccompanied.

This was a breach of Regulation 11 of The Health and Social Care Act 2008 (Regulated Activities) 2014.

At this inspection we found that an application for a DoLS authorisation for the person had been made to the relevant local authority. At the time of our inspection the local authority had not undertaken an assessment of the application. However the registered manager showed us email correspondence which demonstrated that they had regularly made contact with the local authority regarding the progress of a best interest assessment in relation to the DoLS application made for this person.

We looked at the care plans for two people who had recently moved to the home. We saw that assessments in relation to their capacity to make decisions had been made. Both people had capacity to make decisions about their care and support and were able to leave the home unaccompanied. This meant that there was no requirement for the home to make a DoLS application to a local authority.

The home had an up to date policy and procedure in respect of the MCA and DoLS. The records that we viewed showed that this had been followed.

During our inspection we looked at records relating to staff training. Staff members had received mandatory training for health and social care workers. Staff members had achieved, or were working towards, a qualification in health and social care. We saw that four staff members had received recent refresher training in relation to MCA and DoLS. The registered manager told us that further training in MCA and DoLS was planned for all staff members and the email records that we viewed showed that this was being arranged.