

The Elms Care Centre Limited

The Elms Care Centre

Inspection report

108 Grenfell Avenue
Saltash
Cornwall
PL12 4JE

Tel: 01752846335

Date of inspection visit:
18 May 2017

Date of publication:
31 May 2017

Ratings

Overall rating for this service

Good ●

Is the service effective?

Good ●

Summary of findings

Overall summary

We carried out an unannounced comprehensive inspection of this service on 12, 13 and 19 May 2016. A breach of a legal requirement was found. This was because the provider had not followed the principles of the Mental Capacity Act 2005 to ensure people's human rights were protected when they did not have the mental capacity to make decisions for themselves. After the comprehensive inspection the provider submitted an action plan to tell us what they would do to meet the legal requirements in relation to the breach.

We undertook this focused inspection on 18 May 2017 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 The Elms Care Centre on our website at www.cqc.org.uk.

The service had a manager in place who was registered with the Commission. 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.

People's human rights were protected. People who did not have the mental capacity to make decisions were protected by legislative frameworks. People had care plans in place which provided staff with information about how to appropriately support people in their decision making. Staff had received training in relation to the Mental Capacity Act 2005 and had a good understanding of how it had an impact on the people they supported.

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 

We found action had been taken to ensure people's human rights were protected.

People who were unable to make decisions had care plans in place to help provide guidance and direction for staff.

Staff had received training and had a good understanding of the principles of the Mental Capacity Act 2005.

We improved our rating for 'effective' from requires improvement to good.

The Elms Care Centre

Detailed findings

Background to this inspection

We undertook an unannounced focused inspection of The Elms Care Centre on 18 May 2017. This inspection was done to check that improvements to meet legal requirements planned by the provider after our comprehensive inspection on 12, 13 and 19 May 2016 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 some legal requirements. The inspection team consisted of one adult social care inspector.

Before our inspection we reviewed the information we held about the service. We reviewed notifications of incidents the provider had sent us since the last inspection. A notification is information about important events, which the service is required to send us by law.

During our inspection of the care home we met and spoke with three members of care staff, one nurse, the registered manager and provider.

We looked at three people's care plans which related to their individual care, the providers training chart, and staffing handover records.

Is the service effective?

Our findings

At our last inspection on 12, 13 and 19 May 2016, we asked the provider to make improvements to how people's human rights were protected. This was because the provider had not followed the principles of the Mental Capacity Act 2005 to ensure people's human rights were protected when they did not have the mental capacity to make decisions for themselves. After the comprehensive inspection the provider submitted an action plan to tell us what they would do to meet the legal requirements in relation to the breach. During this inspection we looked to see if improvements had been made and found that action had been taken.

The Mental Capacity Act 2005 provides a legal framework for making specific 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 a person lacks mental capacity to take particular decisions, any made on their behalf must be in their best interests and the least restrictive available.

People, when required had received a mental capacity assessment. From these assessments, care plans had been created to provide guidance and direction to staff to help ensure they understood who had the cognitive ability to make certain decisions, making sure people's human rights were protected at all times.

People's care plans detailed when they were able to make simple decisions and provided information about how a person should be supported with more complex decisions. When a person was deemed not to have the mental capacity to make certain decisions, documentation showed the person would be supported in line with the principles of the act. For example, involving an independent advocate, their family or an external health professional.

Staff had received training and had a good understanding of how the Mental Capacity Act 2005 impacted on the people they supported. Staff, were able to explain to us who had mental capacity, how they were supported and what action they would take if they were concerned someone's mental capacity was diminishing.

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 Mental Capacity Act 2005. The application procedures for this in care homes and hospitals are called the Deprivation of Liberty Safeguards (DoLS). The registered manager had applied for DoLS applications on behalf of people and the detail of these were in people's care plans. Staff were able to tell us who was subject to a DoLS application and showed us their handover sheet which had been devised to discretely detail people's mental capacity, to help ensure people's human rights were known and protected at all times.