

Stones Holdings Limited

Stepping Stones Red Marley

Inspection report

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28 March 2017

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Ratings

Overall rating for this service

Good ●

Is the service effective?

Good ●

Summary of findings

Overall summary

The inspection took place on the 28 March 2017 and was unannounced. We previously inspected the service on 21 and 25 August 2015 where we found a breach of regulation 13 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 in relation to a lack of applications for legal authorisation to deprive people of their liberty.

Stepping Stones Red Marley is a care home with nursing for 19 people with mental health conditions and learning disabilities.

People's rights were now protected by the use of the Deprivation of Liberty Safeguards (DoLS). Applications had been made for three people for legal authorisation to deprive them of their liberty.

At the time of our inspection visit Stepping Stones Red Marley had a registered manager in post. 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.

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.

People's rights were now protected by the use of the Deprivation of Liberty Safeguards (DoLS).

Stepping Stones Red Marley

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.

This inspection took place on 28 March 2017 and was unannounced. Our inspection was carried out by one inspector. We carried out the inspection to check if a breach of regulations found at our previous inspection had been met. We spoke with the deputy clinical manager and the administrator. We examined documents relating to people who used the service. Following the inspection we spoke with the registered manager on the telephone.

Is the service effective?

Our findings

At our inspection of 21 and 25 August 2015 we found although there was an understanding and correct use of the Mental Capacity Act 2005, the associated Deprivation of Liberty Safeguards (DoLS) had not been used correctly to uphold people's rights. 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 and hospitals are called the Deprivation of Liberty Safeguards (DoLS).

One person had a support plan which addressed the fact they were "at risk of leaving the premises unattended" and "can become distressed and has a history of leaving the house. This may be due to his confused state or an active attempt to leave by walking over to the main gates and sometimes climbing over them". The person's support plan described how they would need supervision when they were confused or agitated due to a risk of leaving the premises. No application had been made for authorisation to deprive this person of their liberty. At the time of our inspection visit there had been no assessments of any of the people using the service relating to restrictions on their liberty. This was in breach of regulation 13 of the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014.

The provider wrote to us and told us the improvements they were going to make to ensure people's rights were protected by the use of the Deprivation of Liberty Safeguards (DoLS). They told us these would be completed by 16 October 2015.

At this inspection we found applications had been submitted to deprive three people of their liberty. One of these had been approved. We checked this approval and there were no conditions associated with it which we needed to check. Assessments of two other people had been made and although one person had an urgent authorisation granted this had expired and a response was awaited from the authority concerned. We discussed with the deputy clinical manager about contacting the relevant authorities to find out what was happening with the two applications. People using the service had their rights protected by the correct use of the Deprivation of Liberty Safeguards (DoLS).