

Public Questions

Nr	Agenda Item	Raised by	Question Raised	Answer
1	10	Mr John Dix	<p>In January the CQC gave Apthorp Care Home an inadequate rating identifying unsafe standards of care. I have investigated the monitoring that took place in the two years prior to the CQC report and it's clear that Barnet's monitoring systems are not fit for purpose. I have written to a number of committee members including the Chairman about my concerns yet I see no evidence that these failings are either acknowledged or being addressed. The full details of my concerns can be read here http://reasonablenewbarnet.blogspot.com/2019/07/who-cares.html. Until you have an adequate monitoring system in place care home residents are at risk.</p>	<p>The Care Quality Commission is the independent regulator and inspector of health and social care in England. The CQC is responsible for the registration and inspection of health and social care services; which in social care includes nursing homes, residential care homes, supported living and home care. CQC is the only organisation which can take enforcement action against providers if they have fallen short of the fundamental standards expected by CQC. A link to the fundamental standards can be found here.</p> <p>The role of the council's Care Quality team is to manage the contracts held with providers and engage with them to support care quality improvements. The need for improvements may be highlighted following CQC inspections, contract monitoring visits or safeguarding concerns. If significant issues are identified, then the council will undertake a risk assessment and may commence a provider concerns process. The provider concerns process involves CQC, NHS partners, the council and the provider itself. The process is used to manage & reduce risk, assess progress against an improvement plan and support the provider to achieve good standards. It may involve the suspension of new placements by the council. The council can also request the provider does not admit new self-funders but only CQC can enforce a suspension of all admissions.</p> <p>The Care Quality Team offers a range of support for providers in the provider concerns process, including</p>

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				<p>planning and best practice advice on areas of improvement (e.g. policies and procedures, risk assessment or care planning) as well as linking into health colleagues to provide support such as medication management. The council proactively offers training to Barnet care providers in areas such as safeguarding and, working with the CCG, training on enhanced health care in care homes (e.g. medicines management, ensuring an early response to any signs of deterioration in health).</p>
2	7	Ms Maria Christodoulou	<p>I note with some sense of reassurance the sentence in para 2.12 which states that ‘It remains the case that residential care would be the proposed option only if the person was exercising choice and in agreement with this approach.’ How will you guarantee that any current or future disabled resident wanting to live in their home or in supported living in the community, will be supported to do so and having their needs met without coercion, regardless of cost implications?</p>	<p>The Care Act 2014 sets out obligations that the Council will always follow when agreeing a care and support plan with a person; and there is no change to Barnet’s commitment to considering the individual’s choice, circumstances, views and preferences in each and every case. The council continues to comply with all its duties under the Care Act (2014), meeting eligible needs through a wide range of care and support options, including community options and residential and nursing care where appropriate.</p> <p>It should be noted that the final care and support plan is agreed between the individual and the council, and would be based on meeting the individual’s eligible needs and the agreed outcomes in the support plan. It remains the case that residential care would be the proposed option only if the person was exercising choice and in agreement with this approach.</p> <p>For those lacking mental capacity to make this decision,</p>

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				<p>a best interest process is always followed as prescribed by the Mental Capacity Act 2005, normally involving family members and if needed, the Court of Protection.</p> <p>The council does not have any legal power under the Care Act to require any person to enter residential or nursing care or indeed to accept a community based support plan.</p>
3	7	Ms Tirza Waisel	<p>Living in one's own home in the community meets psychological, emotional and social needs essential to the well-being of the great majority of us. How can the Council claim that these needs cease to be needs and are reduced to being mere preferences, if the cost of meeting them is greater than the Council is able or willing to pay - doesn't this view prove that such a policy is in fact driven by resource considerations?</p>	<p>When assessing eligible needs, the council uses the domains set out in the Care Act (2014) which include:</p> <ul style="list-style-type: none"> • Managing and maintaining nutrition • Maintaining personal hygiene • Managing toilet needs • Being appropriately clothed • Being able to make use of the adult's home safely • Maintaining a habitable home environment • Developing and maintaining family or other personal relationships • Accessing and engaging in work, training, education or volunteering • Making use of necessary facilities or services in the local community, including public transport, and recreational facilities or services • Carrying out any caring responsibilities the adult has for a child. <p>In circumstances where there are different care and support options that could meet eligible needs, the council is committed to considering personal choice,</p>

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