

nationalcarestandards
adult placement services

revised September 2005

dignity —

privacy —

choice —

safety —

realising potential —

equality and diversity —





national **care** standards
adult placement services

dignity

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Introduction

national **care** standards
adult placement services

Introduction

Adult placement services

Adult placement services provide or arrange accommodation for vulnerable adults (aged 18 or over) in the homes of families or individuals, together with

- personal care;
- personal support; or
- counselling or other help, provided other than as part of a planned programme of care.

The adult placement services recruit people living in the community and approve them as adult placement carers. The adult placement carer takes you (as the vulnerable adult) into his or her home where you will be part of the household, and provides your support and care for an agreed fee. The service continues to make sure that both you and the adult placement carer receive support and help. The adult placement carers are self-employed.

The range of placements cover:

- long-term placements and short breaks which may:
 - be regular, one-off or emergency placements; and
 - last from a few hours to a few weeks;
- different levels of contact with your own family and adult placement carers (which may support your family's role or replace it);
- different care groups (people with learning disability, physical or sensory impairment, mental health problems or dementia);
- different age groups;
- paid-for services and services that rely on volunteers;
- placements provided by individual adult placement carers and by families;

- statutory, voluntary and private providers;
- stand-alone services and those with a range of services;
- short-break services set up to offer holiday cover for long-term placements; and
- rehabilitation and prevention.

The adult placement differs from a small residential home in:

- its family setting;
- the process for checking the whole family;
- your access to the whole house;
- the care ratio (rarely more than one adult placement carer for every two people);
- the matching process;
- the emphasis on community links; and
- the role of the adult placement service to support and guarantee the quality of the placements.

The adult placement carer is the person you go to stay with. The adult placement worker is the person who is employed by the service to arrange, supervise and support placements.

The national care standards

Scottish Ministers set up the National Care Standards Committee (NCSC) to develop national standards. The NCSC carried out this work with the help of a number of working groups. These groups included people who use services, their families and adult placement carers, along with staff, professional associations, regulators from health and social care, local authorities, health boards and independent providers. Many others were also involved in the consultation process.

As a result, the standards have been developed from the point of view of people who use the services. They describe what each individual person can expect from the service provider. They focus on the quality of life that the person using the service actually experiences.

The standards are grouped under headings which follow the person's journey through the service. These are as follows:

Before using the service (standards 1 to 6)

- 1 Informing and deciding
- 2 First meetings
- 3 Your legal rights
- 4 Your environment
- 5 Management and staffing arrangements
- 6 Support arrangements

Day-to-day life (standards 7 to 16)

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- 13 Keeping well
- 14 Private life
- 15 Daily life
- 16 Supporting communication

Leaving the adult placement service (standard 17)

- 17 Moving on

Using the national care standards

If you are thinking about starting an adult placement, you will want to refer to the standards to help you decide about it. If you are already in a placement, you may use the standards when discussing the service you receive with:

- the adult placement carer or adult placement worker;
- your social worker or care manager, if you have one; or
- someone acting on your behalf, for example, your carer, a relative or friend, your lawyer or other independent representative.

If things go wrong, you can refer to the standards to help you raise concerns or make a complaint. (See 'Expressing your views', standard 11.)

The adult placement service will use the standards to find out what is expected of them in offering support and care services. The standards make it clear that everything about the service should lead to you enjoying a good quality of life. They should guide the service over who to employ and how they should manage the service.

The adult placement carer will use the standards as a guide to the support and care you will expect. The standards will also show the adult placement carer what support he or she can expect from the adult placement service.

The principles behind the standards

The standards are based on a set of principles. The principles themselves are not care standards but reflect the recognised rights which you enjoy as a citizen. These principles are the result of all the contributions made by the NCSC, its working groups and everyone else who responded to the consultations on the standards as they were being written. They recognise that services must be accessible and suitable for everyone who needs them, including people from black and ethnic minority communities. They reflect the strong agreement that your experience of receiving services is very important and should be positive, and that you and your family have rights.

The main principles

The principles are dignity, privacy, choice, safety, realising potential and equality and diversity.

Dignity

Your right to:

- be treated with dignity and respect at all times; and
- enjoy a full range of social relationships.

Privacy

Your right to:

- have your privacy and property respected; and
- be free from unnecessary intrusion.

Choice

Your right to:

- make informed choices, while recognising the rights of other people to do the same; and
- know about the range of choices.

Safety

Your right to:

- feel safe and secure in all aspects of life, including health and wellbeing;
- enjoy safety but not be over-protected; and
- be free from exploitation and abuse.

Realising potential

Your right to have the opportunity to:

- achieve all you can;
- make full use of the resources that are available to you; and
- make the most of your life.

Equality and diversity

Your right to:

- live an independent life, rich in purpose, meaning and personal fulfilment;
- be valued for your ethnic background, language, culture, and faith;
- be treated equally and to be cared for in an environment which is free from bullying, harassment and discrimination; and
- be able to complain effectively without fear of victimisation.

The rights apply just as much when you are on a short break as when you are staying there more permanently. A separate set of standards covers all types of short breaks. You and your family may also want to refer to them.

The Scottish Commission for the Regulation of Care

The Regulation of Care (Scotland) Act 2001 ('the Act') set up the Care Commission, which registers and inspects all the services regulated under the Act, taking account of the national care standards issued by Scottish Ministers. The Care Commission has its headquarters in Dundee, with regional offices across the country. It will assess applications from people who want to provide adult placement services. It will inspect the services to make sure that they are meeting the regulations and in doing so will take account of the national care standards. You can find out more about the Care Commission and what it does from its website (www.carecommission.com).

The Care Commission registers and inspects adult placement services, not individual placement providers. This contrasts with what happens in England, where individual providers are registered as small care homes. The different approach in Scotland recognises the responsibilities of the adult placement service. Where the adult placement has three adults living in it at the same time, it may also have to be licensed as a house in Multiple Occupation under the Civic Government (Scotland) Act 1982 (Licensing of Homes in Multiple Occupation) Order 2000.

The Scottish Social Services Council

The Act created the Scottish Social Services Council ('the Council') which was established on 1 October 2001. It also has its headquarters in Dundee. The Council has the duty of promoting high standards of conduct and practice among social services workers, and in their education and training. To deliver its overall aims of protecting service users and carers and securing the confidence of the public in social services, the Council has been given five main tasks. These are: to establish registers of key groups of social services staff; to publish codes of practice for all social services staff and their employers; to regulate the conduct of registered workers; to regulate the training and education of the workforce; to undertake the functions of the National Training Organisation for the Personal Social Services. The Council has issued codes of practice for social service workers and employers of social service workers. These describe the standards of conduct and practice within which they should work. The codes are available from the Council website (www.sssc.uk.com).

How standards and regulations work together

The Act gives Scottish Ministers the power to publish standards which the Care Commission must take into account when making its decisions. It also gives Scottish Ministers the power to make regulations imposing requirements in relation to adult placement services.

The standards will be taken into account by the Care Commission in making any decision about applications for registration (including varying or removing a condition that may have been imposed on the registration of the service). All providers must provide a statement of function and purpose when they are applying to register their service. On the basis of that statement, the Care Commission will determine which standards will apply to the service that the provider is offering.

The standards will be used to monitor the quality of services and their compliance with the Act and the regulations. If, at inspection, or at other times, for example, as a result of the Care Commission looking into a complaint, there are concerns about the service, the Care Commission will

take the standards into account in any decision on whether to take enforcement action and what action to take.

If the standards were not being fully met, the Care Commission would note this in the inspection report and require the service manager to address this. The Care Commission could impose an additional condition on the service's registration if the provider persistently, substantially or seriously failed to meet the standards or breached a regulation. If the provider does not then meet the condition, the Care Commission could issue an improvement notice detailing the required improvement to be made and the timescale for this. Alternatively, the Care Commission could move straight to an improvement notice. The Care Commission would move to cancel the registration of any service if the improvement notice does not achieve the desired result. In extreme cases (i.e. where there is serious risk to a person's life, health or wellbeing) the Care Commission could take immediate steps to cancel the registration of any service without issuing an improvement notice.

Regulations are mandatory. In some cases not meeting a regulation will be an offence. This means a provider may be subject to prosecution. Not meeting or breaching any regulation is a serious matter.

Decisions by the Care Commission on what to do when standards or regulations are not met will take into account all the relevant circumstances and be proportionate.

You can get information on these regulations from the *Regulation of Care (Scotland) Act 2001*, which is available from the Stationery Office Bookshop. You can also see the Act on-line (see Annex B for the address).

You can also see the Scottish Statutory Instruments for the Regulation of Care Regulations 2002 on-line (see Annex B for the address).

Comments

If you would like to comment on these standards you can visit our website and send a message through our mailbox:

www.scotland.gov.uk/health/standardsandsponsorship

You can also contact us at:

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1-6

Before using the service (standards 1 to 6)

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- 2 First meetings
- 3 Your legal rights
- 4 Your environment
- 5 Management and staffing arrangements
- 6 Support arrangements

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Before using the service

Introduction to standards 1 to 6

Adult placement services are a form of care in the community which is still developing in Scotland. By arranging for you to stay with another person or family, adult placement provides a unique setting for individual support and development, and a basis for contact with the community. You lead your life in the adult placement carer's home as part of the household.

At the beginning of 2000 there were about 80 family-based placement services in Scotland. Of these, 30 provided care for adults, two-thirds of which provided only short breaks and the other third provided short- and long-term placements. The review *The same as you?* showed adult placements to be an example of good practice, cost effective and worthy of development. The number and range of services is increasing.

Adult placement services depend on how willing people are to open their doors to others. They are services that have to be carefully developed. As new ways of providing best practice for adult placements emerge, standards will also change and develop.

As you think about using an adult placement, whether it is for a short break or longer period, choices should be available to help you make the right decision.

Informing and deciding

You must have proper information to help you reach a decision. You can expect it to be up-to-date and reliable, in a format and language that you can easily understand and keep.

First meetings

Being able to visit the home which may become your adult placement and spend some time in it, talking to the adult placement carer and his or her family, is essential to making a positive choice about using the service. You may sometimes want your family, friends or representatives to be able to visit as part of helping you to decide. You can expect that the adult placement service will respect your need to have enough time to make a decision.

Your legal rights

You must be confident that the service is managed properly and that your adult placement carer is receiving the support and training she or he needs to provide good-quality care, in line with relevant legislation and guidelines.

Your environment

You can expect that the placement will meet the standards and that it will accommodate you and any equipment you need in a way which supports your right to privacy, dignity and independence.

Management and staffing arrangements

The standards in this section reflect the importance of knowing that the people who work for the adult placement service have all the necessary experience, skills and training to meet your needs. If they are to provide you with the best possible service, they must be familiar with all the current good practice guidance. They must be able to put the guidance into practice.

The adult placement carer must receive support and training from the adult placement worker.

Support arrangements

You will want to know that the placement can meet your particular needs as well as giving you the opportunity to maintain or develop your interests. Personal plans take account of this, and describe the way you will receive the individual support and care that you need. You can expect that the adult placement service provider will discuss your needs with you before offering you a place.

You can also expect that your personal plan will change as your needs for support change. You can expect to be able to discuss your needs with the adult placement worker and adult placement carer before moving in.

Informing and deciding

Standard 1

You have all the information you need about the adult placement service and the role of your adult placement carer to help you decide about using the service.

- 1 You have an introductory pack which clearly explains about the service. Everything is written in plain English or in a language and format that is suitable for you. It should include:
 - the aims of the adult placement service;
 - how to use the service;
 - the role of the adult placement carer;
 - what is available in the adult placement service;
 - how quality is monitored for the adult placement service;
 - the process of recruiting people to take part in the adult placement service;
 - contact names and phone numbers;
 - the complaints procedure;
 - policies and procedures for managing risk and recording and reporting accidents and incidents;
 - the most recent Care Commission inspection report about the service; and
 - arrangements that need to be made if the service closes or if the adult placement carer is unable to continue to provide the placement.

First meetings

Standard 2

You have the opportunity to visit and to meet the adult placement carer and her or his family in their home before you choose the adult placement.

- 1 You can visit the placement at least once to help you reach a decision in your own time about using the service.
- 2 If you want, your carer, family members, friends or representative (for example, an independent advocate) may be involved in these visits.

Your legal rights

Standard 3

You are clear about your rights in using the service.

- 1 You can be confident that the adult placement service is run in line with all applicable legal requirements.
- 2 You receive an adult placement agreement which clearly defines the service that will be provided. The agreement states:
 - your rights and responsibilities;
 - your right to confidentiality, how information will be handled and how your confidentiality will be protected;
 - where you will stay and who you will stay with;
 - what your adult placement carer is expected to provide for you;
 - placement charges, the services that are included in the charges and those which you are expected to pay for from your own money; and
 - your right to know if the service will be suitable for you.
- 3 You have a copy of this written agreement in a language and format you can understand.
- 4 You can ask for, and be given, copies of the service's policies and procedures.
- 5 You can ask for, and be given, confirmation that the service meets with all the applicable legislation and guidance relating to fire, health and safety procedures, and risk management.
- 6 You can be confident that your adult placement carer has a written, signed agreement which defines the roles, responsibilities and requirements of both the service and herself or himself.
- 7 You can be confident that your adult placement carer has public liability insurance and appropriate car insurance.

Your environment

Standard 4

You stay in a clean, comfortable and homely environment, which is secure and accessible.

- 1 You have your own room which is in good repair and reflects your own choices and tastes. The room is suitable for sitting in as well as sleeping in.
- 2 You can be confident that the adult placement worker makes sure that you stay in a clean, comfortable and homely environment, which is secure and accessible.
- 3 You receive information about what to do if there is a fire or other emergency in your adult placement carer's home.

Management and staffing arrangements

Standard 5

You experience good quality support and care in the adult placement service. This is provided by management and staff whose professional training and expertise enables them to meet your needs. The service operates in line with all applicable legal requirements and best-practice guidelines.

- 1 You can be confident that your adult placement carer is well supported by the service.
- 2 You can be confident that adult placement service staff use methods that reflect up-to-date knowledge and best practice guidance, and that the management are continuously striving to improve practice.
- 3 You know that adult placement service staff and adult placement carers are all recruited and selected through a process which includes:
 - taking up references;
 - criminal records checks; and
 - cross-reference to the registers of the Scottish Social Services Council, Nursing and Midwifery Council (NMC) or other professional organisations, where appropriate.
- 4 You know that your adult placement carer has been assessed by the service and then approved.
- 5 You know that your adult placement carer has had a formal introduction to the service and is actively encouraged to take part in training.
- 6 You know that your adult placement carer is supported at all times by a skilled and experienced professional worker in the adult placement service who has the time to support him or her.

- 7 You know that your adult placement carer has:
- access to a support group in which she or he can share experience and get support;
 - clear written information about the fees she or he will receive and the payment procedures involved;
 - a handbook about the service that gives her or him guidance about what to do in different situations. The handbook will be regularly reviewed.
- 8 You know that your adult placement service has a written agreement with the purchaser of the service, setting out the terms and conditions of the service. This is the basis of your adult placement agreement.
- 9 You know that the service has a staff development strategy and an effective yearly training plan for all its staff.
- 10 You can be confident that when your adult placement carer is receiving training, the adult placement service still takes care of your needs.
- 11 You are confident that your adult placement carer will not use restraint at all unless it is permitted by law and even then, restraint will not be used until other interventions have failed. If you are ever restrained, this will be recorded and you can expect to be supported after any episode of restraint.
- 12 You can be sure that, whether or not you are organising your own medication, the adult placement carer is trained to check this. They will, with your agreement, get advice from your GP if there are any concerns about your condition or the medication.
- 13 You can be confident that the adult placement service has policies and procedures on financial transactions and can check that your adult placement carer carries out these policies and procedures. This will be in a way that can be checked by the Care Commission.

- 14 You are confident that the adult placement service knows your food choices and preferences, including ethnic, cultural and faith ones and checks with your adult placement carer to make sure that:
- any special dietary needs (for example, if you have diabetes or poor kidney function) are recorded in your personal plan;
 - your meals reflect your preferences and needs and are varied and planned, taking account of your comments;
 - your meals are nutritionally balanced for your dietary needs, taking account, if necessary, of expert dietetic or medical advice. They always contain fresh fruit and vegetables;
 - you can have snacks and hot and cold drinks as well as your meals;
 - your meals are well prepared and well presented. All food handling follows good food hygiene practices;
 - if you need any help at mealtimes (for example, a liquidised diet, adapted cutlery or crockery), your adult placement carer will arrange this for you; and
 - your adult placement carer will look out for anything that may affect your ability to eat or drink, such as your dental health. If there are concerns, she or he will support you (if you want) to get advice and help.
- 15 You can be confident that the adult placement service makes sure that the adult placement carers know and abide by its policies and procedures.

Support arrangements

Standard 6

You can be confident before starting the placement that the service will meet your support and care needs and personal preferences. The adult placement worker will develop with you a personal plan that details your needs and preferences and sets out how they will be met, in a way that you find acceptable.

1 Your personal plan will include:

- what you prefer to be called;
- personal preferences as to food and drink, and any special dietary needs;
- social, cultural and spiritual preferences;
- leisure interests;
- any special furniture, equipment and adaptations you may need;
- who should be involved in reviewing your care;
- any special communication needs you may have;
- what communication arrangements need to be put in place if your first language is not English;
- your individual health needs and how these should be met (where appropriate, they take account of your ethnic and cultural background);
- when, and in what circumstances, your family, carer, friends and representatives will be contacted;
- your arrangements for taking any medication, including any need to contact professionals;
- an independent person to contact if you want to make a complaint or raise a concern; and
- any measures of restraint which staff may have to use for your own safety or for the safety of others.

- 2 You will receive a copy of your personal plan to keep. The adult placement carer also receives a copy.
- 3 Your personal plan will be reviewed with you. In long-term placements, the plan will be reviewed at least once a year, or sooner if you want, or if your needs change.
- 4 Your family, carer, friends and representatives can be involved in developing your personal plans and in your reviews, unless you tell the adult placement worker that you do not want them to be.

7-16

Day-to-day life (standards 7 to 16)

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Day-to-day life

Introduction to standards 7 to 16

Starting to use the service – making choices

You can expect that the adult placement worker and adult placement carer will be sensitive to your feelings and any worries you may have during this period. They will respect the fact that you still have choices about how your accommodation is provided, and how your support and care needs are met.

You have the right to make decisions about your life and care in the placement. For a few people, however, individual circumstances will limit this opportunity. If you lack the capacity to take a decision, you will come under the provisions of *The Adults with Incapacity (Scotland) Act 2000*. Where relevant, you may be safeguarded by the provisions of *The Mental Health (Scotland) Act 1984*.

Feeling safe and secure

You can feel safe and secure during your stay. You have the right to choose the risks you want to take, as long as there is a sensible balance between your individual needs and preferences, and the safety of other people.

Exercising your rights – expressing your views

Your adult placement worker and adult placement carer must always respect and actively promote your rights. You keep your rights and you also have a responsibility not to infringe the rights of others. The adult placement service must take your and your family's comments, concerns and complaints about the quality of the service and your experience of it seriously. They are your way of contributing to, and influencing how, the service is run.

Lifestyle – social, cultural and religious belief or faith

The standards in this section make it clear that when you are on the placement you can continue to live your life in line with your own social, cultural or religious beliefs or faith.

Keeping well

Keeping healthy or regaining your health are important to your wellbeing and quality of life. You have a right to have your health needs met and to have support in using the full range of healthcare services. You also have a right to have your medication arranged efficiently and safely.

Private life and daily life

In the adult placement, you continue to have the right to a private life. You continue to be part of the community and to enjoy normal daily life as part of the household.

Supporting communication

People may use different languages or methods of communication for a variety of reasons. As a result, they may have difficulty in making themselves understood. However, being able to communicate is an essential part of playing an active part in daily life and you should get help to do so if you need it.

Starting to use the service

Standard 7

You can be confident that the adult placement service works with you to choose the best possible adult placement carer for you.

- 1 Wherever possible, you will be able to help choose your adult placement carer. If this is not possible, the reasons will be explained to you in a way that you can understand.
- 2 You will live only with people who have been carefully assessed as being compatible with you.
- 3 Your specific needs will be dealt with and, when necessary, you will be able to get specialist professional support, information and advice.
- 4 If you have to use the adult placement service because of an emergency, your adult placement carer will be given all the information he or she needs to make sure that you and other members of the household are safe. The placement will be reviewed within three working days.

Making choices

Standard 8

You can make choices in all areas of your personal and social life.

- 1 You have the right to make your own decisions and choices.
- 2 You have the freedom to carry out your choices with the clear understanding of what might happen to you and others as a result.
- 3 You have access to trained, independent advocates (representatives) to help you make your choices.
- 4 Your adult placement service has a procedure for involving you in all decisions that affect your life.
- 5 You have information and effective communication from the adult placement service, so that you can be involved in all decisions and make informed choices personally, or with the support of an independent advocate (representative).
- 6 You have whatever support you need to manage your finances, and legal and personal affairs, with practical help if you need it. Your adult placement carer will support you in handling your own money.

Feeling safe and secure

Standard 9

You feel safe and secure, and can choose the risks you want to take when you know what is involved.

- 1 You have caring and competent people to support you.
- 2 Your adult placement carer has regular contact with her or his worker or manager, who is there to provide support and monitoring. The adult placement carer has access to emergency duty services and out-of-hours support.
- 3 You can be confident that your adult placement service makes a general risk assessment of the house and then an individual risk assessment before your placement.
- 4 You can be confident the risk assessment offers a sensible balance between your needs and preferences and the needs of the adult placement carer and other family members and is reviewed whenever necessary during your placement.
- 5 You are supported to take calculated risks on the basis of the risk assessment.
- 6 Any accidents or incidents are recorded and, if necessary, fully investigated. Your adult placement worker (and your family, carer or representative if you want them to be) are kept fully informed of any accident or incident that happens during your placement.

Exercising your rights

Standard 10

You keep your rights and responsibilities as an individual.

- 1 Your adult placement worker and adult placement carer treat you politely at all times and always respect your individuality.
- 2 You are called by your preferred name or title at all times.
- 3 Your placement agreement explains your rights and responsibilities, and you know what is expected of you and what you can expect of others.
- 4 You have the right to confidentiality, and your placement agreement explains how information about you will be handled and how your confidentiality will be protected.
- 5 Your adult placement carer will have guidance from the adult placement service on what information they should record and how confidentiality should be maintained.

Expressing your views

Standard 11

You are encouraged and supported to make your views known on any aspects of the adult placement service at any time.

- 1 You can freely discuss any concerns you have with your adult placement carer or worker, or the management of the adult placement service.
- 2 You know how to make a complaint or comment about the service. You are also aware of the procedure for making complaints directly to the Care Commission.
- 3 You can be confident that the adult placement service deals with concerns and complaints quickly and sympathetically, and provides full information about what will happen as a result of the complaint.
- 4 You are encouraged and supported to have other people to help you express your views. If you want to use an independent and confidential advocacy service, the adult placement worker will have information about any service that would help you in this way.
- 5 If you have an independent representative, staff will listen to what he or she has to say on your behalf, as if you were expressing the views yourself.
- 6 If you belong to an advocacy group, staff will take seriously suggestions or proposals that come from the group.
- 7 You can play a part in the Care Commission's inspection of your service.
- 8 You know that the adult placement service will make available a copy of each Care Commission inspection report about the service so that you and your representative can look through it.

Lifestyle – social, cultural and religious belief or faith

Standard 12

Your social, cultural and religious belief or faith are respected. You are able to live your life in keeping with these beliefs.

- 1 Your adult placement carer will be properly informed about the implications of your social, cultural and religious belief or faith for you.
- 2 You are given the opportunity and support you may need to practise your beliefs, including keeping in touch with your faith community.
- 3 Your holy days and festivals, birthdays and personal anniversaries are recognised and ways are found to make sure you can observe these as you choose.

Keeping well

Standard 13

You are confident that the adult placement service knows your healthcare needs and arrangements are in place to meet them in a way that suits you best.

- 1 You continue to be registered with your usual GP and dentist. If you are on a longer placement and this is not possible, your adult placement carer will help you to register as quickly as possible with a new GP and dentist of your choice from those providing services in the area of the placement.
- 2 If you have been receiving community healthcare services (for example, physiotherapy, chiropody or advice on your diet) and still need them, you will continue to receive them in the adult placement. Otherwise, the placement worker will help to make new arrangements for you.
- 3 The adult placement service will find out about any continuing healthcare needs that you may have and, with your agreement, tell your adult placement carer about them.
- 4 You can expect the adult placement worker and adult placement carer to be aware of issues around the assessment and management of any symptoms you may have, including pain, and how to access any specialist services.
- 5 During your stay, you will be supported (if you need it) to get help or advice from your GP, dentist, specialist or community care services. You will also be supported to follow any advice from them, if you need it.

- 6 If you need help with taking your medication, you can be confident that the adult placement service has policies and procedures in place for this to be done safely and in the way that suits you best. These will include making sure your adult placement carer:
- knows and abides by the adult placement service's policies and procedures to make sure that best practice guidance is followed and that records are kept if she or he helps you to take medication;
 - knows whether or not you are taking medication;
 - knows if you can choose to manage your own medication or if there are specific legal provisions applying to you that prevent this;
 - knows that, even where the law allows medication to be given without consent, it will not be given to you in a disguised form unless you have refused and your health is at risk. If this happens it will be recorded;
 - provides you with a safe place to keep your own medication. If you need it, you will also have special storage somewhere else (for example, in a fridge) that is accessible to you;
 - helps you with ordering and collecting your prescriptions if you want or need it;
 - arranges for your medication (for instance, an injection) to be given in a way that recognises and respects your privacy and dignity; and
 - helps you to get advice about your medication or any changes you are experiencing from the appropriate member of the primary care team if you need and want this.

Private life

Standard 14

You have the right to a private life.

- 1 You are treated as an individual with unique needs.
- 2 Your adult placement carer will respect your privacy and dignity.
- 3 Your adult placement carer accepts your sexuality and recognises that your legitimate sexual needs and preferences are important to you.
- 4 You can discuss your needs in confidence and privacy with your adult placement carer or your adult placement worker.
- 5 You can expect that intimate physical care or treatment will be carried out sensitively and in private, in a way that maintains your dignity.

Daily life

Standard 15

You make choices and decisions about day-to-day aspects of your life and about how you spend your time.

- 1 If your personal plan says that you should have the opportunities for education, training and work, the adult placement worker and adult placement carer will help you in this. If you have serious disabilities, you will have one-to-one support to help you to be included in these opportunities.
- 2 If you have serious disabilities, the adult placement worker and adult placement carer will help you to get involved in activities that will benefit you, while still giving you a choice.
- 3 Your adult placement worker supports your adult placement carer to make sure you:
 - can use local services such as hairdressers, shops and banks;
 - have access to information about local events, facilities and activities; and
 - are supported to develop new relationships if you want.
- 4 When you are on a longer placement, your adult placement worker makes sure you have the opportunity to take short breaks away if you want.

Supporting communication

Standard 16

You have help to use services, aids and equipment for communication, if your first language is not English or if you have any other communication needs.

- 1 Your communication needs are regularly assessed and reviewed.
- 2 You can communicate in the way that most suits your special needs and strengths. If you need it, your adult placement carer can help you to use specialist communication equipment.
- 3 You have help to keep in touch with your family, carer and friends during your placement, if you and your family, carer and friends want to.

17

Leaving the adult placement service (standard 17)

17 Moving on

national**care**standards
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Leaving the adult placement service

Introduction to standard 17

The adult placement may be part of an accepted routine of short breaks from living with your family or on your own. It may be a stepping stone to greater independence somewhere else. If so, the support and care you receive during your stay should prepare you for moving on.

Moving on

Standard 17

You are involved in planning for your future from the time you start the placement, and this is part of your personal plan.

- 1 If you are moving on, you are supported to move on at a time that is right for you.
- 2 If there are unforeseen circumstances which mean you have to move earlier than you had planned, the adult placement service will make sure that the move involves as little risk and disruption to yourself as possible.
- 3 You are involved in assessing the possible risk for yourself or for other people if you move.
- 4 The information that you take with you will be complete and will have been put together with your involvement and agreement.
- 5 The adult placement worker will prepare other people in your placement for when you leave and make sure that the move goes smoothly for everyone.
- 6 You are supported to keep up friendships you have made.
- 7 You can visit the place you are moving to and, depending on the type of accommodation, meet the other people and staff in the same way as you did before starting your placement.
- 8 Unless you are moving on from a short break, your accommodation will be kept for you for an agreed period of time.

Annex A

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Annex A

Glossary

Adult placement agreement

A written agreement between you and the service, setting out the terms and conditions and rights and responsibilities of everyone involved.

Adult placement carer

The adult placement carer is the person you go to stay with in the placement. The adult placement carer is recruited and approved by the adult placement service to provide support and care in his or her own home.

Adult placement worker

The worker is employed by the adult placement service to arrange, supervise and support your placement with the adult placement carer.

Advocate

Someone who helps you to say what it is you need and to make your own decisions, and who acts as your representative.

Assessment

The process of deciding what a person needs in relation to their health, personal and social care, and what services must be put in place to meet these needs. An assessment is undertaken with the person, his or her relatives or representatives, and relevant professionals.

Carer

A person who looks after family, partners or friends in need of help because they are ill, frail or have a disability. The care they provide is unpaid.

Complaints process

Clear procedures that help you or others using the service to complain about any aspect of the service.

Intervention

Action intended to benefit the person receiving a service.

NMC

Nursing and Midwifery Council. This organisation was set up by Parliament to ensure nurses, midwives and health visitors provide high standards of care to their patients and clients. To achieve its aims, the NMC maintains a register of qualified nurses, midwives and health visitors, sets of standards for education, practice and conduct, provides advice for nurses, midwives and health visitors and considers allegations of misconduct or unfitness to practice. Website: www.nmc-uk.org

Personal care

Help with day-to-day physical tasks and needs of the person cared for, including helping them to remember to do things such as eating and washing.

Personal plan

A plan of how the support and care service will be provided, primarily agreed between the person using the service (and/or their representative) and the service provider.

Primary care team

GPs and other health professionals who provide healthcare in the community.

Provider

The owner or manager of a service.

Representative

A person acting on behalf of a person using the service, who may be a relative or friend.

Restraint

Control to prevent a person from harming themselves or other people by the use of:

- physical means (actual or threatened laying on of hands on a person to stop them carrying out a particular action);
- mechanical means (for example, wrapping someone in a sleeping bag or strapping them in a chair);
- environmental means (for example, electronic locks or video surveillance); or
- medication (using sedative or tranquillising drugs for the symptomatic treatment of restless or agitated behaviour).

Risk management

A systematic approach to the management of risk, to reduce physical injury or loss of life, financial loss, loss of staff availability, safety, or loss of reputation.

Annex B

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adult placement services

Annex B

Useful reference material

Legal

The Adults with Incapacity (Scotland) Act 2000

Under this Act anything that is done on behalf of an adult with incapacity will have to:

- benefit him or her;
- take account of the person's wishes and those of his or her nearest relative, adult placement carer, guardian or attorney; and
- achieve the desired purpose without unduly limiting the person's freedom.

The Data Protection Act 1998

The Act covers how information about living, identifiable people is used. All organisations that hold or process personal data must comply.

The Disability Discrimination Act 1995

This wide-ranging Act, which came into force in 1996, makes it illegal to discriminate against disabled people in employment, access to goods, services, transport and education.

Fire Precautions (Workplace) Regulations 1997 (as amended)

The Regulations place a responsibility on employers for carrying out risk assessments in relation to premises. The risk assessment is a means of providing fire precautions for the safety of people using the premises.

The Health and Safety at Work etc Act 1974

The Act is the basic piece of health and safety law that covers everyone who is affected by work activity. It places the burden of legal responsibility for health and safety at work with the employer.

The Human Rights Act 1998

The Act incorporates the European Convention on Human Rights into Scots and English law in relation to the acts of public bodies. Its purpose is to protect human rights and to maintain and promote the ideals and values of a democratic society. The Articles of Convention include:

- freedom of thought, conscience and religion;
- freedom of expression;
- freedom of assembly and association;
- the right to have respect for private and family life; and
- the right to marry.

The Mental Health (Scotland) Act 1984

Currently under review, the Act provides for the compulsory detention and treatment of people with a mental disorder.

The Misuse of Drugs Act 1971

The Act is the main law for drug control in the UK. It prohibits the possession, supply and manufacture of medicinal and other products except where these have been made legal by the Misuse of Drugs Regulations 1985. The legislation is concerned with controlled drugs and puts these into five separate schedules. Anyone who is responsible for storing or administering controlled drugs should be aware of the content of the Misuse of Drugs Regulations 1985 and the Misuse of Drugs (Safe Custody) Regulations 1973.

The Public Interest Disclosure Act 1998

The Act protects workers who ‘blow the whistle’ about wrongdoing. It mainly takes the form of amendments to the Employment Rights Act 1996, and makes provision about the kinds of disclosures which may be protected; the circumstances in which such disclosures are protected; and the persons who may be protected.

The Race Relations Act 1976

The Act makes racial discrimination illegal in employment, service delivery, training and other areas.

The Race Relations (Amendment) Act 2000

The Act makes racial discrimination illegal in public activities that were not previously covered. It puts a general duty on public organisations to promote race equality.

The Regulation of Care (Scotland) Act 2001

The Act establishes a new system of care service regulation including the registration and inspection of care services which takes account of national care standards. The Act also creates two new national, independent bodies, the Scottish Commission for the Regulation of Care, to regulate care services, and the Scottish Social Services Council, to regulate the social service workforce and to promote and regulate its education and training.

You can visit these websites for information:

- Regulation of Care (Scotland) Act 2001
www.scotland-legislation.hms.gov.uk/legislation/scotland/acts2001/20010008.htm
- Regulation of Care (Scotland) Act 2001 Statutory Instruments
www.scotland-legislation.hms.gov.uk/legislation/scotland/s-200201.htm

The Rehabilitation of Offenders Act 1974

The Act enables some criminal convictions to become 'spent' or ignored, after a rehabilitation period. The rehabilitation period is a set length of time from the date of conviction.

The Sex Discrimination Act 1975

The Sex Discrimination Act 1975 makes it unlawful to discriminate on grounds of sex or marital status in recruitment, promotion and training. The Act also covers education, the provision of housing, goods and services and advertising.

Policy

Aiming for Excellence: Modernising Social Work Services in Scotland 1999

The White Paper sets out the proposals to strengthen the protection of children and vulnerable adults and to make sure high-quality services are provided. The Scottish Commission for the Regulation of Care is an independent regulator set up for this purpose.

The Way Forward For Care

The Scottish Executive Policy Position Paper of July 2000 develops the proposals set out in Aiming for Excellence. It includes proposals for regulating independent healthcare.

Our National Health 2000

The health plan aims to improve Scotland's health and close the health gap between rich and poor, restoring the NHS as a national service and improving care and standards.

Renewing Mental Health Law 2001

The Scottish Executive's proposals for changes to existing legislation arising from its consideration of the Review of the Mental Health (Scotland) Act 1984.

The same as you? 2000

A review of services for people with learning disabilities published by the Scottish Executive (2000).

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