

Fosse Court Residential Care Home

Summary

Fosse Court was a 22 bedded residential care home, registered with the Care Quality Commission (CQC) and under contract with Leicester City Council and other councils to provide residential care placements. The home also provided NHS funded care via Continuing Health Care placements.

A serious safeguarding allegation of mistreatment by staff of residents was received by CQC on 27th June 2014. CQC informed Leicester City Council (LCC) of the concerns the same day and a safeguarding investigation commenced. Due to the nature of concerns, Leicestershire Police took the investigative lead over the weekend of 28 / 29th June 2014.

Multi-agency activity commenced with a safeguarding conference on Monday 30th June at which it was agreed that CQC and the LCC would undertake an unannounced visit on the 1st July 2014. The police advised that they would be arresting and interviewing 6 members of staff on the 1st July 2014.

The unannounced visit by CQC and the Local Authority on the 1st July 2014 identified a further range of care quality and safeguarding concerns, in addition to the initial allegations.

A number of staff arrests were made and 4 staff are currently bailed following questioning.

In the following days, LCC provided its own staff to the home setting to ensure that care levels were adequate, that care practices were being observed and to minimise the risks of the situation

In light of the concerns and the apparent unsustainability of the home, given staffing losses and difficulties in swiftly transforming the situation, LCC took a decision on 2nd July 2014 to terminate the contract with Fosse Court. CQC took the decision that they would take formal action to deregister the home. Social work and health staff commenced the process of re-assessment and finding alternative placements for the residents they funded and for a self-funder, so that swift moves out of the home could be made.

On 8th July, the home owner notified LCC and CQC of his intention to cease providing residential care at 5pm on 9th July 2014. This necessitated the moves of all residents over the following 24 hour period. A meeting was held with relatives on 8th July 2014, attended by LCC, CQC and the home owner.

All residents successfully moved to a new home by 5:10pm on 9th July 2014.

Residents Impact

Clearly this was a distressing time for the residents and their relatives. Agencies worked closely to ensure that their immediate needs were being met and to secure alternative placements for them. It should be acknowledged that the timescales were challenging and maintaining effective communication with all of those affected was a significant task.

However all residents were able to move to a home that would meet their needs, in some cases as an interim measure. The destination homes were as follows:

Home	Number of residents transferred
Rushey Mead	1
Abbey House*	4
Satya Nivas	1
Preston Lodge*	4
Vishram Ghar	3
Moved to Luton (at family request)	1
Aarons Court	2
Thurn Court*	1
Aberry House (Health Funded)	1
Family moving independently	1
County Funded Clients	2

* denotes council owned home

All residents were reviewed within the first week of their move and where there are interim arrangements, people will be supported to move onto a home of their preference over the next few weeks.

Contracting with Care Homes

The City Council only contracts with homes that are registered with CQC. Their registration process with CQC is designed to ensure the provider has a suitably skilled registered manager and that the owner has passed a 'fitness to provide' assessment.

In granting a home a contract with Leicester City Council (LCC), it is expected that the home will provide a service that complies with all aspects of that contract. This includes having appropriately trained and knowledgeable staff undertaking relevant tasks, including management.

Inspection Regimes

CQC are responsible for inspection of care homes. A process of unannounced compliance visits is undertaken. An inspection visit had been completed in April 2014, published in May 2014. This had identified some compliance issues with medication management. It had not identified some of the concerns that were observed after CQC and LCC visited the home as a result of the specific safeguarding alert.

LCC operates a Quality Assurance Framework, as previously described to Scrutiny. Part of this initiative was to ensure that all staff in city homes were issued with cards describing how to alert the Council or CQC to any concerns that they may have. It was this information that had been used by a whistleblower. To this end, the steps taken by LCC, to try and ensure that people with concerns are able to raise them easily, were beneficial in highlighting a concern.

It should be noted that inspection and quality assurance processes will not in themselves prevent wilful acts of mistreatment, which was the basis of this safeguarding case.

Safeguarding Learning

The Local Safeguarding Adults Board, whilst not yet a statutory requirement, already operates an Adult Review and Learning Sub-Group to the board. This group arranges for reviews of serious safeguarding issues, whether within a single agency or across multiple agencies. A review and learning framework is in place, with a range of methodologies available depending on the presenting issues. Given the nature of the concerns and the number of organisations that had contact with the care home, the Review and Learning Group have received a request to conduct a formal learning process, so that any opportunities to improve arrangements and minimise the risk of this type of issues arising can be understood and action plans

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developed. All actions are overseen by the safeguarding board arrangements, which has an independent Chair in place.

The timing of a review will be agreed with Leicestershire Police, in light of the potential for criminal prosecutions.