

Consultation on guidance about compliance with the Health and Social Care Act 2008 (Registration Requirements) Regulations 2009

Tell us your views

The questions in this booklet are about the guidance about compliance and the related impact assessments.

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General questions about the guidance

- 1) What do you think about the layout and design of the guidance – is it easy to follow and understand?

Yes

Comments:

The layout and design is user friendly, though very exhaustive

- 2) Is the guidance written in language that is easy to understand?

Yes

- 3) Does the guidance provide enough information on meeting the needs of individuals – including race, age, disability, gender, sexual orientation, religion and belief?

Yes

Part B, Section 1: Involvement and information

- 4) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

Yes

Comments:

The standards in this section pertain to respecting autonomy, consent and fees, all of which should be fundamental to health and social care ethics. Dignity, autonomy and person centred care have always been key standards that the British Geriatrics Society have advocated e.g. Standards one and two of the NSF for older people (DoH 2001). The CQC registration requirements will therefore legislate these basic human ethics.

- 5) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Comments:

Yes, though many of the standards will have to be tailored to the specific care provider facility and /or process of care.

- 6) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?

NO

Part B, Section 2: Personalised care, treatment and support

- 7) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

NO, please refer to Q8.

- 8) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

With reference to outcome 5 (meeting nutritional needs), the guidance mainly reflects 'natural' nutrition; there needs to be separate and detailed guidance on artificial hydration and nutrition, both of which have significantly different standards of safety and quality (including ethical considerations). This is perhaps beyond the scope of this 'generic' guidance. If so, then the Regulation 12 (2) [page 38], referring to 'parenteral' nutrition should be removed.

- 9) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?

Please refer to Q 8 e.g. facilities like acute hospitals providing artificial nutrition would need to have separate standards and guidance.

Part B, Section 3: Safeguarding and safety

- 10) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

Yes

This section and the relevant regulations are particularly important for vulnerable older people

- 11) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Yes

- 12) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?

Yes, these sections and regulations should also offer some guidance and protection to the service providers who may also be equally vulnerable to abuse from service users.

Part B, Section 4: Suitability of staffing

- 13) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

Yes

- 14) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Yes

- 15) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?

Yes, the guidance will have to be tailored according to the type of service provider. Secondly, there should be some generic guidance on two highly potential problems with this regulation i.e. problems with recruitment in terms of adequate numbers of suitably qualified staff and regulating 'locum' staff, which does not fall under the remit of CQC.

Part B, Section 5: Quality and management

- 16) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

Yes

- 17) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Yes

- 18) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?
There is an opportunity in this section to record 'abuse of service providers' as well; this may inform the DoH of the extent of the problem.

Part B, Section 6: Suitability of management

- 19) Does this section clearly describe what providers are expected to do to comply with the registration requirements?

Yes

- 20) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Yes, one should expect all these standards to be maintained by all carers at all levels

- 21) We want this guidance to apply to all health and social care providers. Are there additional areas that the guidance needs to include?

No

Part C: Specific guidance about compliance

- 22) We have developed guidance for specific services in Part C in addition to the generic guidance (Part B). Does this guidance cover the services you provide, use or are interested in?

Yes, as a Society we are interested in all the different services, as they would be all be used by older adults.

- 23) Does the guidance in Part C clearly describe what providers are expected to do to comply with the registration requirements?

Yes

- 24) The guidance about compliance aims to reflect the essential standards of safety and quality; this means including the right things at the right level. Have we done this?

Yes

Impact assessment

- 25) Does the impact assessment accurately represent the cost of implementing the guidance to providers of regulated activities and others?

Difficult to say as there are a lot of assumptions in the modelling

- 26) Does the impact assessment accurately reflect all the benefits associated with implementing this guidance for providers of regulated activities and people who use services?

Yes

Equality impact assessment

- 27) Are there any proposals contained in the guidance about compliance that might have an adverse impact on race, disability, gender (including gender reassignment), sexual orientation, religion or belief, or age equality for you or for people who use services?

None obvious