

nationalcarestandards
support services

revised march 2005

dignity —

privacy —

choice —

safety —

realising potential —

equality and diversity —



The logo features a large, stylized graphic of a hand with fingers curled, rendered in a light tan color with white outlines. The text 'national care standards support services' is overlaid on the hand. 'national' is in a light tan sans-serif font, 'care' is in a bold dark orange sans-serif font, 'standards' is in a light tan sans-serif font, and 'support services' is in a smaller light tan sans-serif font below 'standards'.

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Introduction

national **care** standards
support services

Introduction

Support services

Support services are all those services which currently come under the heading of 'day care'. They do not include care at home and housing support which are covered by separate standards. Day care services can be provided in a variety of settings, by staffed services or volunteer services. They range from services that are offered within a care home or centre to those provided directly in the community and not based in a centre. Carers see day care, wherever it is provided, as an important respite resource (breaks for carers).

Support services can help a wide range of people, from those who need support with very complicated needs to people who need time-limited support at different points in their lives.

The main goal of support services is to allow you to plan and achieve your preferred lifestyle. To achieve this, support services should:

- work with you to provide an appropriate level of care and support when you want it;
- provide the support that you need to help you develop; and
- provide the guidance, direction and assistance you need to help you work towards your personal goals in all aspects of your life.

These standards reflect an approach which makes sure you have control of your life and develop personal skills and independence, and makes sure that the provider shapes the service to meet your needs and preferences and, when appropriate, your carer's.

The traditional model of day care is a service that is usually provided between 9 am and 5 pm, Monday to Friday, and is based in a building. There are more and more examples of a person-centred approach which is in line with the policy of social inclusion, for example the growth in befriending services. This aims to encourage people who use support services to be active members of the community. by helping them to take part in a range of activities, including

paid employment, educational opportunities and leisure and recreational services. At the same time, more premises that are used for support services are being made available and accessible to the general public.

The principles set out by the Independent Living Movement have also influenced the standards for support services. These are:

- that all human life is of value;
- that anyone, whatever their impairment, is capable of exerting choices;
- that people who are disabled by society's reaction to physical, intellectual and sensory impairment and to emotional distress have the right to assert control over their lives; and
- that disabled people have the right to participate fully in society.

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 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 support service. These are as follows.

Before using the support service (standards 1 to 6)

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

Using the support service (standards 7 to 12)

- 7 Using the support service
- 8 Making choices
- 9 Supporting communication
- 10 Feeling safe and secure
- 11 Exercising rights and responsibilities
- 12 Expressing your views

Day-to-day life (standards 13 to 16)

- 13 Lifestyle – social, cultural and religious belief or faith
- 14 Daily life
- 15 Eating well – where the support service provides meals
- 16 Keeping well

Leaving the support service (standard 17)

- 17 Leaving the support service

Using the national care standards

If you are thinking about using a support service, you will want to refer to the standards to help you decide. If you already use a support service, you may use the standards when discussing the service you receive with:

- staff and managers;
- your social worker or care manager, if you have one; or
- someone acting on your behalf, for example, a family member, carer or 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 12).

Providers will use the standards to find out what is expected of them in offering support services. The standards make it clear that everything about the support service should lead to you enjoying a good quality of life. They should guide the provider about:

- any building requirements;
- who to employ; and
- how they should manage the support service.

The principles behind the standards

The standards are based on a set of principles. The principles themselves are not 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 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 to receive the time, the space and the facilities you need and want; and
- be free from intrusion as long as it is safe for you and everyone else.

Choice

Your right to:

- make informed choices, while recognising the rights of other people to do the same;
- know about the range of choices; and
- get help to fully understand all the options and choose the one that is right for you.

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 live in an environment which is free from bullying, harassment and discrimination; and
- be able to complain effectively without fear of victimisation.

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 support 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 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 support 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 at a cost of £7.95 a copy. 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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Before using the support service

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

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Before using the support service

Introduction to standards 1 to 6

The right to make informed choices is one of the main principles behind the national care standards. The support services you choose should offer real opportunities for personal development and help you to maintain your independence.

Standards in this section are grouped around those aspects of the support service that are offered from the start, which will help you to make a judgement about what your quality of life will be as a result of using the service.

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.

Management and staffing arrangements – your legal rights

You must be confident that the support service is managed properly and that all staff (including volunteers) receive the support and training they need to provide good quality support and care, in line with relevant legislation and guidelines.

Support arrangements

You will want to know that the support service 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 provider will discuss your needs with you before offering you a place in the support service. You can also expect that your personal plan will change as your needs for support change.

Your environment

Some support services are based in centres but they can be provided in a wide range of premises. These can be owned or leased by the provider or hired by the provider for people to use the support services, for example, church halls. Some premises are owned or leased by the provider in partnership with other agencies and are used by people using the support services and other members of the public. You can expect that any premises used by the support service will meet the appropriate standards and can accommodate you and any equipment you need.

First meetings

Being able to meet staff from the support service and to visit the service and spend some time talking to other people who use it will be essential to making a positive choice about using the service. You may sometimes want your relatives, carers, friends or representatives to be involved as part of helping you to decide. You can expect that providers will respect your need to have enough time to make a decision.

Informing and deciding

Standard 1

You have all the information you need to help you decide about using the support service.

- 1 You have detailed information about the support service in plain English or in a language or format that you can easily understand. The information covers:
 - the aims of the support service;
 - who it is for;
 - the kind of support service it provides;
 - the cultural needs it caters for;
 - the basic cost of the support service and the likely charge to you;
 - your rights and responsibilities as someone who uses the support service;
 - insurance cover for you and your belongings;
 - policies and procedures for managing risk and recording and reporting accidents and incidents;
 - policies and procedures for the possession of unauthorised alcohol or unauthorised and or illegal drugs while using the support service;
 - arrangements that need to be made if the support service closes or there is a change of ownership;
 - the complaints procedure and how to use it;
 - any policies about personal belongings;
 - any restrictions on smoking and alcohol;
 - arrangements with local health and social work services; and
 - the most recent Care Commission inspection report.
- 2 Your family, carer or representative's need for information, advice and support will be respected and responded to.

Management and staffing arrangements

Standard 2

You experience good quality support and care. This is provided by management and staff whose professional training and expertise allows them to meet your needs. The service operates in line with all applicable legal requirements.

- 1 You can be assured that the support service has policies and procedures which cover all legal requirements applicable to the type of service it is providing. These can include:
 - staffing and training;
 - administration of medication;
 - health and safety;
 - ‘whistle-blowing’;
 - environmental health;
 - fire safety;
 - managing risk; and
 - proper record-keeping, including recording accidents, incidents and complaints.
- 2 You can be confident that staff know how to put these policies and procedures into practice. They have regular training to review this and to learn about new guidance.
- 3 You can be confident that the staff providing your support and care have the knowledge and skills gained from the experience of working with people whose needs are similar to yours. If they are new staff, they are being helped to get this experience as part of a planned training programme.
- 4 You can be confident that all the staff use methods that reflect up-to-date knowledge and best-practice guidance, and that the management are continuously striving to improve practice.

- 5 You know that the support service's staff, managers and volunteers are all recruited and selected through a process which includes:
 - taking up references;
 - criminal records checks where required; and
 - cross-reference to the registers of the Scottish Social Services Council, United Kingdom Central Council for Nurses, Midwives and Health Visitors (UKCC), or other professional organisations, where appropriate.
- 6 You can be confident that any volunteers who work in the support service are familiar with its policies and procedures. They receive all the relevant training to help them put these into practice.
- 7 You can be confident that at all times the number and skills mix of staff will be sufficient to meet your support and care needs. The staffing arrangements are agreed between the Care Commission and the provider.
- 8 You know that the service has a staff development strategy and an effective yearly training plan for all its staff.
- 9 You can be confident that the manager takes an active approach to managing risk which results in safe systems of work, safe practices, safe premises and an awareness of danger and liability, and that these areas will be discussed with you in relation to your personal plan.
- 10 You know that the support service has a written policy and procedures on the conditions under which restraint is used, and that staff are fully trained and supported in the use of restraint.¹ If it is necessary to restrain you on certain occasions this will be written into your personal plan and records kept of any incidents involving your restraint. You can expect to be supported after any episode of restraint.

¹ 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 locking of doors or video surveillance); or medication (using sedative or tranquillising drugs for the symptomatic treatment of restless or agitated behaviour).

- 11 If your medicines are being organised for you, you can be sure that the staff who are doing this are knowledgeable and trained to do so, following up-to-date best practice guidance. The staff are fully aware of the provider's systems for giving medication. They know how to store and administer your medication safely and in the way that suits you best.
- 12 You can be sure that, whether or not you are organising your own medication, the staff are 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 know that whenever staff are involved in any financial transaction, it will be carefully recorded. This will be in a way that can be checked by the Care Commission.

Your legal rights

Standard 3

You have a written agreement which clearly defines the support service that will be provided to meet your needs. It sets out the terms and conditions for receiving the support service and arrangements for changing or ending the contract.

- 1** You will have a copy of this written agreement in a language and format you can understand.
- 2** You can ask for, and be given, a full list of the support service's policies and procedures.
- 3** You can ask for, and be given, confirmation that the support service complies with all relevant legislation and guidance, such as that relating to fire, health and safety procedures and risk management, whether in a building or community-based service.
- 4** You or your representative will be able to inspect certificates and permits.

Support arrangements

Standard 4

You will have a planned introduction to the support service based on your personal plan. You will be involved in developing your personal plan with trained staff.

- 1 You can be confident that the support service has a prompt and effective system for responding to requests for service which includes a procedure for responding to emergency requests.
- 2 You have a named member of staff who is responsible for your care and support.
- 3 You are involved in planning and agreeing your personal plan.
- 4 Your personal plan reflects your hopes, needs and choices.
- 5 Within the first four weeks of being with the support service, you will be given every opportunity to discuss your needs with staff, who will help with any difficulties.
- 6 Your personal plan is reviewed regularly and whenever you or the support service manager asks.
- 7 Your personal plan includes information and decisions about:
 - what you prefer to be called;
 - your social, cultural, spiritual and health needs and how these are to be met;
 - any specialist equipment you need and how this will be provided;
 - any communication needs and how these will be met;
 - what communication arrangements need to be put in place if your first language is not English;
 - who should be involved in your personal plan reviews;
 - what food and drink you prefer and any special dietary needs;

- your health needs and how these will be met, including:
 - arrangements for taking medication; and
 - any measures of restraint which staff may have to use for your own safety or for the safety of others;
 - an independent person to contact if you want to make a complaint or raise a concern;
 - leisure interests; and
 - decisions on potential risks.
- 8 You have a copy of your personal plan.

Your environment

[These standards apply when the support service is offered in premises belonging to the provider or where the premises are leased by the provider (individually or in partnership with other agencies) to provide support services.]

Standard 5

You can be confident that the building is accessible and designed so that it provides a safe, open and pleasant environment which strikes a balance between private, group and public space.

- 1 You can be confident that the grounds and the outside of the building are well maintained and are not identifiable in a way that stigmatises you as a user of support services.
- 2 You know that the design of the building and its fittings help you to maintain and increase your independence.
- 3 You can expect that the premises are kept clean, hygienic and free from offensive smells and intrusive sounds. They will comply with current fire regulations, health and safety requirements and environmental health regulations.
- 4 You can be confident that the staff make sure that you know what to do if there is a fire.
- 5 You can ask for, and be given, evidence that the provider has the necessary insurance for employees and public liability, and has building and contents insurance. The provider will make sure you are helped to make suitable arrangements for your personal belongings if this is not covered by the provider's insurance.
- 6 You will have access to secure storage facilities.
- 7 If you are a smoker, you will know if you can smoke on the premises and, if so, whereabouts.
- 8 You can be confident that there will be a range of appropriate recreational and craft equipment inside the building. Where possible, the grounds around the building will be used for outdoor activities.

First meetings

Standard 6

You can meet staff and management and visit the support service before starting to use it.

- 1 Where the support service is based at a centre, you will have the opportunity to visit and meet staff and other people who use support services at least once to help you reach a decision about using the support service.
- 2 If the support service is based in the community, you will have the opportunity to meet people from the service or to use the support service for a limited period until you and others who are involved in your personal plan agree that it will meet your needs.
- 3 If you want, your carer or representative will be involved in the meetings or visits.

7-12

Using the support service

- 7 Using the support service
- 8 Making choices
- 9 Supporting communication
- 10 Feeling safe and secure
- 11 Exercising your rights
- 12 Expressing your views

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Using the support service

Introduction to standards 7 to 12

People take time to settle into a new environment. You can expect the manager and staff to be sensitive to your feelings and worries during this period. They will respect the fact that you have choices about how your personal plan will be put into practice and how your support and care needs may change.

Choices and 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. But being able to communicate is an essential part of taking part in daily life and you should be able to choose to get help to do so. You have the right to make decisions about your life, helped and supported by the support service.

Feeling safe and secure

You have the right to feel safe and secure when using the support service. You also 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 wellbeing of staff and other people who use support services.

Exercising your rights – expressing your views

The support service staff must always respect and promote your rights. They must make sure that you can express your views about the quality of the service and your experience of it, and take your comments, concerns and complaints seriously. They are your way of contributing to and influencing how the services are delivered.

Using the support service

Standard 7

When you first start to use the support service, you are welcomed and encouraged by staff who are expecting you and have made arrangements to introduce you to the support service.

- 1** You have a named member of staff who will co-ordinate arrangements to provide for your needs, as set out in your personal plan.
- 2** You can discuss your needs at all reasonable times with your named worker.
- 3** You can reconsider your decision to use the support service and can speak to the staff or your representative, who will discuss the choices that are available to you.

Making choices

Standard 8

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

- 1 You have the help of skilled staff in achieving the goals that are set out in your personal plan.
- 2 You have control over reviews and other meetings about your welfare. You have support to do this if you want it.
- 3 You have access to advice to understand all the information you receive, as well as the effect of each available choice.
- 4 You can choose the activities you wish to be involved in, with support from the staff if you need it.
- 5 You have time to consider your choices without pressure.
- 6 You can come and go as you please as long as there are arrangements for your safety and wellbeing, in line with your personal plan.
- 7 If you want, you have access to trained, independent representatives to help you make choices.
- 8 You can be assisted by staff to get expert advice on welfare rights to help you increase the resources available to you and which you need to help you carry out your choices.
- 9 If you employ your own personal assistant, that person will continue to do the tasks you want them to while you are receiving the support service.
- 10 You can take part in managing the support service with staff. This may include contributing to:
 - the daily running of the support service;
 - recruiting and selecting staff;
 - choosing supplies and suppliers;
 - planning activities;
 - monitoring the quality of care; and
 - developing plans for the support service.
- 11 You can be confident that the manager and staff will tell you if there is anything about managing the service that you cannot take part in and discuss the reasons with you.

Supporting communication

Standard 9

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 and you will always have communication support if you need it.
- 2 You can be confident that staff can help you to use specialist equipment.
- 3 You are supported by your named worker or trained communication support workers, including trained interpreters.
- 4 You can be confident that staff will ask people who know about your communication needs to give them advice and information about these, especially when you are being introduced to a new setting.
- 5 You can communicate at the speed and in the style you want to.
- 6 You can prepare for important events and have time to communicate your feelings, views and answers.

Feeling safe and secure

Standard 10

You take responsibility for your own actions, secure in the knowledge that the support service has proper systems in place to protect your interests.

- 1 A sensible balance is offered to you in everyday events and activities, between the reasonable risks you want to take and the safety and wellbeing of the staff and other people using the support service.
- 2 You are fully involved in your own risk assessment, as are any other people you may want to be involved, such as your carer, a family member or independent representative. You receive a copy of your risk assessment report.
- 3 You can discuss risks with staff. You receive guidance and support to use the support service safely, for example, while cooking or using equipment such as garden tools.
- 4 You can be confident that staff record and investigate any accidents or incidents, including any episodes of restraint, telling relatives, carers or other representatives if you want them to.
- 5 You can be confident that the support service is free from bullying, harassment, and any other form of abuse.
- 6 You can be confident that staff will not use restraint for your own or other people's safety unless it is permitted by law and even then restraint will not be used until other interventions have failed (unless it is legally required).
- 7 If your behaviour makes it difficult for you to benefit from the support service, there will be specialist support to understand and, if possible, to help you change your behaviour.

Exercising your rights

Standard 11

You keep your rights as an individual.

- 1 You can be confident that staff will call you by your preferred name or title, treat you politely at all times and always respect your individuality.
- 2 If you need help, your request will be dealt with as soon as possible.
- 3 You can see for yourself that records are kept confidential and access to them will only be permitted in controlled circumstances.
- 4 You will be told why any information cannot be kept confidential and who has the right to look at it.
- 5 You can be sure that your confidential records are held securely.
- 6 You have the right to receive a copy of any information held about you in the provider's files, provided that this does not breach third party or legislative guidelines.
- 7 You will have your rights and responsibilities within the support service explained to you in a way that you understand.

Expressing your views

Standard 12

You are encouraged and helped to make your views known on any aspects of the support service.

- 1 You can freely discuss any concerns you have with your named worker or any member of the support service management.
- 2 You know how to make a complaint or comment about the support service. You are also aware of the procedure for making formal complaints directly to the Care Commission.
- 3 You can be confident that the support service provider deals with concerns and complaints quickly and sympathetically, and provides full information about what will happen as a result of the complaint.
- 4 If you have an independent representative, staff will listen to what she or he has to say on your behalf, as if you were expressing the views yourself.
- 5 If you belong to an advocacy group, staff will take seriously suggestions or proposals that come from the group.
- 6 You can play a part in the Care Commission's inspection of your support service. The support service provider will make available a copy of each inspection report about the support service so that you and your representative can look through it.
- 7 You are supported and represented if there is a conflict with another individual, including staff members or volunteers.
- 8 You have the opportunity to take part in meetings about how the support service is run and how it might be changed and improved.

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Day-to-day life

- 13 Lifestyle – social, cultural and religious belief or faith
- 14 Daily life
- 15 Eating well – where the support service provides meals
- 16 Keeping well

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Day-to-day life

The standards in this section focus on the ways in which the support service promotes your general health and wellbeing. They are an important means of making sure that your quality of life is maintained or improved and that you feel part of the everyday activities that are going on around you.

Lifestyle – social, cultural and religious belief or faith

The standards in this section make it clear that you can continue to live your life in keeping with your own social, cultural or religious belief or faith when you are using the support service.

Daily life

You have a right to be treated as an individual with unique needs, and to be free from unwanted public attention or intrusion when you are using the support service.

Eating well and keeping healthy

Nutrition is important for your health and wellbeing. If the support service provides food, you should have a good, varied diet. You should have choices in food and have any special needs catered for. How the food is prepared and served and where you choose to eat it are important to your enjoyment of it.

Staff will know enough about your healthcare needs to offer you any support you may require while you are using the service.

Lifestyle – social, cultural and religious belief or faith

Standard 13

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

- 1** You can be confident that staff make sure they are properly informed about the implications of your social, cultural and religious belief or faith for you and other people using the support service.
- 2** You are given the opportunity and support you may need to practise your beliefs, including keeping in touch with your faith community.
- 3** The social events, entertainment and activities provided by the support service will be organised so that you can join in if you want to.
- 4** Your sexuality is accepted and your legitimate sexual needs and preferences are viewed as being important to you.

Daily life

Standard 14

You have a right to your privacy when using the support service, and to make choices about how much personal information you want to share and to make choices about how you spend your time.

- 1 You can be confident that staff will respect your right to privacy and dignity when they help you with all intimate activities.
- 2 You will be helped with intimate physical care and treatment sensitively and in private, in a way which maintains your dignity.
- 3 You can discuss your needs in confidence and privacy with a member of staff if you want to.
- 4 You can be confident that personal information will not be displayed on notice boards.
- 5 You can be confident that staff will not speak publicly about you unless you agree beforehand.
- 6 You can choose what activities you want to be involved in and receive support to take part in them.
- 7 You can be confident that staff will support you to take part in activities in the local community as a member of the community and not as a 'service user'.
- 8 You are consulted about organised visits to the support services by professionals or members of the public.
- 9 If you go on trips with other people who use support services, you will be consulted about travelling in a group so that you do not feel awkward about being in a group.
- 10 You can be confident that staff who go with you to events, appointments and so on will not wear uniforms or identify themselves as being different from you.
- 11 You will not have to travel in cars or minibuses belonging to the support service which advertise the support service in a way that singles you out for unwanted attention.

Eating well – where the support service provides meals

Standard 15

Your meals are varied and nutritious. They reflect your food preferences and any special dietary needs. They are well prepared and cooked, and attractively presented.

- 1 You can be confident that catering and other staff get to know your food choices and any ethnic, cultural, faith or other preferences you have. Any special dietary needs (for example, if you have diabetes or poor kidney function) are recorded in your personal plan.
- 2 You are offered a menu that reflects your preferences. The menu varies regularly according to your comments and will always contain fresh fruit and vegetables.
- 3 You can help prepare meals and snacks with support and encouragement from the staff if you need it.
- 4 You can have snacks and hot and cold drinks whenever you like.
- 5 You enjoy meals that are well presented. All food handling follows good food-hygiene practices.
- 6 If you need any help at mealtimes (for example, adapted cutlery or crockery, a liquidised diet, or help from a staff member), staff will arrange this for you.
- 7 If you want them to, staff will regularly review anything that may affect your ability to eat or drink, such as your dental health, and will arrange for you to get appropriate advice.
- 8 If you cannot keep a check for yourself on the amount of food and drink you take, staff can do this for you. If there are concerns, staff will explain them to you or your representative. With your agreement, staff will take any action needed, such as seeking advice from a dietician or your GP.

Keeping well

Standard 16

You can be confident that the staff know enough about your healthcare needs that might have to be met while you are using the service. They arrange to meet them in a way that suits you best.

- 1 If you feel unwell you should get help from staff who can contact your doctor or other healthcare professional if you want them to.
- 2 You can be confident that staff tell you about preventive healthcare such as screening, immunisation and regular check ups. Staff support you in taking part in these.
- 3 If you need to take medication, staff know this and there are arrangements in place for you to take your medication safely and in the way that suits you best.
- 4 You can get help from the staff with ordering and collecting your prescriptions if you want or need it.
- 5 If you are on medication that someone else needs to administer (for example, an injection), the staff will do this in a way that recognises and respects your dignity and privacy, as set out in your personal plan.
- 6 If you have any questions about your medication which the staff cannot answer, they will help you to get the advice from your community pharmacist, GP or another member of the primary care team.

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Leaving the support service

17 Leaving the support service

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support services

Leaving the support service

Introduction to standard 17

People leave support services for different reasons. The principles which underpinned the support and care you received when using the support service will guide the process of supporting you to move on.

Leaving the support service should be a positive experience. You must be able to take your time to decide what will happen next. The support service staff must support you during this time.

Leaving the support service

Standard 17

You are fully involved in planning and discussing the change.

- 1 If you want, your carer or representative (or both) will be involved in these discussions.
- 2 You are involved in assessing the possible risk for yourself or others if you leave the support service.
- 3 If you are moving to a new support service, you will be helped to meet other people who use support services and staff in the new support service beforehand.
- 4 You can be confident that staff will make sure you have the opportunity to keep up friendships.
- 5 If you have to leave because the support service can no longer provide for your needs or has to close, the move will involve the smallest amount of risk and disruption.
- 6 Your records will be complete and up to date, and will have been put together with your involvement and agreement.
- 7 You can have independent support (e.g. a citizen advocate) and family support to help you move to a new support service.
- 8 If you are a young person moving to an adult support service, staff in your old support service will help you to be supported through the move by a named worker from the new support service and have regular contact with that person.
- 9 If you are asked to leave because the support service can no longer meet your needs or because your behaviour makes it impossible for the support service to help you, the situation will be properly explained to you and you will be told about any action you may take to appeal against the decision.

Annex A

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Annex A

Glossary

Advocate or Advocacy

A person independent of any aspect of the service or of any of the statutory agencies involved in purchasing or providing the service, who acts on behalf of, and in the interests of the person using the service who feels unable to represent herself or himself when dealing with professionals. The advocate helps the person to express herself or himself.

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, her or his 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 the person using the service or others to comment or complain about any aspect of the service.

Format

Information presented in a layout that is suitable for you. This could be in easy-read language, braille, on tape or on disk.

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

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

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 locking of doors or video surveillance); or
- medication (using sedative or tranquilising drugs for the symptomatic treatment of restless or agitated behaviour).

Risk management

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

UKCC

United Kingdom Central Council for Nurses, Midwives and Health Visitors. The UKCC was replaced by the Nursing and Midwifery Council in April 2002.

Whistle-blowing

The disclosure by an employee (or professional) of confidential information which relates to some danger, fraud or other illegal or unethical conduct connected with the workplace, be it of the employer or of his fellow employees. (Lord Barrie QC 1995)

Annex B

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

The Children (Scotland) Act 1995

The Act puts children first. Each child has the right to:

- be treated as an individual;
- form and express views on matters affecting her or him; and
- be protected from all forms of abuse, neglect or exploitation.

Parents and local authorities have rights and responsibilities in achieving the balance of care.

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.

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 drugs 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 Police Act 1997

Part V of the Police Act 1997 was implemented in April 2002. This provides for the Scottish Criminal Record Office to issue criminal record information certificates to individuals and organisations.

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

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.

Other useful references

Learning Disability Quality Indicators, Scottish Health Advisory Service, 2000.

Older People's Quality Indicators, Scottish Health Advisory Service, 2000.

Responding to Challenge, Social Work Services Inspectorate, 1995.

Involving Disabled People In Services, Social Work Services Inspectorate, 1996.

Time Well Spent – Day Services for People with Mental Illness, Social Work Services Inspectorate, 1995.

Moving into the Mainstream: Inspection of Services for Adults with Learning Disabilities, Social Services Inspectorate, 1998.

Independent Advocacy, a guide for Commissioners: a guide for health boards, NHS Trusts, local authorities and anyone involved with advocacy, Scottish Executive, 2000.

The Commissioning Maze: commissioning community care services, Accounts Commission for Scotland, 1997.

The Same As You? Scottish Executive, 2000.

Outcomes of Social Care for Disabled People and Carers, University of York, 1991.

Assessment Systems and Community Care, Department of Health, Social Services Inspectorate, 1991.

Signposts for success in commissioning and providing health services for people with learning disabilities, NHS Executive, 1998.

Generic Standards, Clinical Standards Board for Scotland, January 2001.

Challenging and Inappropriate Sexual Behaviour In People with Learning Disabilities, Scottish Office, 1998.

New Directions: Day Services for People with Learning Disabilities in the 1990s, University of Exeter, 1999.

Essence of Care, Department of Health, 2001.

Restraint of Residents with Mental Impairment in Care Homes and Hospitals, The Mental Welfare Commission.

If you don't ask you don't get, Scottish Executive, 2001.

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