



HEALTH, SOCIAL CARE AND WELLBEING SCRUTINY COMMITTEE – 8TH SEPTEMBER 2015

**SUBJECT: 'IN SEARCH OF ACCOUNTABILITY' – A REVIEW OF THE NEGLECT OF
OLDER PEOPLE LIVING IN CARE HOMES INVESTIGATED AS
OPERATION JASMINE**

REPORT BY: CORPORATE DIRECTOR SOCIAL SERVICES

1. PURPOSE OF REPORT

- 1.1 On the 14th July 2015 Dr. Margaret Flynn published 'In Search of Accountability' – A review of the neglect of older people living in care homes investigated as Operation Jasmine. This report summarises the key recommendations of the review, explains how the relevant recommendations will be implemented within Caerphilly CBC and gives an overview of the other initiatives being undertaken to ensure quality of care in care homes.

2. SUMMARY

- 2.1 On the 13th May 2014 Scrutiny Committee received a report explaining that Welsh Government had commissioned Dr. Margaret Flynn to undertake a thematic review of the issues surrounding Operation Jasmine. The purpose of the review was, through a report to Welsh Ministers, to;
- Set out the experiences of those people and their families in residential care homes in Gwent that came to be known as Operation Jasmine.
 - Set out the key events.
 - Consider and set out actions that have been undertaken by the various parties involved in the interim.
 - Set out key lessons for the future alongside recommendations regarding policy or legislation, regulation and operational practice, for the various parties involved.
- 2.2 On the 14th July 2015 Dr. Flynn published her review. An executive Summary of the review is attached as Appendix 1 of this report. The full report (326 pages) can be found at <http://gov.wales/docs/dhss/publications/150714ojreporten.pdf>.

3. LINKS TO STRATEGY

- 3.1 The lessons learned to date from Operation Jasmine has been a major factor in the ongoing developments in relation to our work for the Protection Of Vulnerable Adults, contract monitoring, care management reviews and focus on improving the quality of care.

4. THE REPORT

- 4.1 As explained in the May 2014 report Operation Jasmine was a Gwent Police investigation into abuse, neglect and deaths in care homes in Gwent. Operation Jasmine was launched in October 2005.
- 4.2 As part of her Review Dr. Flynn undertook a series of two day events, one event per agency. The two day event for Caerphilly County Borough Council was held on the 27th & 28th May 2014. This was followed up by further two day events for the other agencies involved e.g. Gwent Police, Aneurin Bevan University Health Board and the Care & Social Services Inspectorate for Wales.
- 4.3 Dr. Flynn's review sets out in great detail the events surrounding Operation Jasmine and her report places a strong emphasis on the experiences and feelings of the relatives of the residents accommodated at the Care Homes concerned. The report also provides overview chronologies (1995-2015) in respect of all the key agencies. From a Local Authority perspective the work of Caerphilly CBC, Blaenau Gwent CBC and Torfaen CBC was considered. The findings relating to Caerphilly CBC can be found at pages 133 – 142 of the main report (Appendix 2 of this report).
- 4.4 As part of the two day workshop Dr Flynn was also keen to hear about the authority's journey of improvement in terms of ensuring good quality care and actions taken where issues of concern are raised. These are also referenced at pages 133 – 142 of the main report (appendix 2 of this report).
- 4.5 As would be expected with a report of this nature, Dr. Flynn's review makes a series of recommendations. In total there are twelve recommendations covering a whole number of different agencies. These can be found on pages 10-12 of the Executive Summary (Appendix 1). Eight of the twelve recommendations relate to non-devolved matters and responsibility for delivery of these issues lies with Welsh Government. One specific recommendation relates to local authorities and that is,

3. **Safeguarding Adults Boards** should ensure that the **Protection of Vulnerable Adults** (POVA) process:¹⁰

- (i) defines more narrowly and more specifically its functions
 - (ii) strengthens protective outcomes for individuals where there is an allegation or evidence that harm has occurred, by ensuring that either a care assessment or a review of that individual's care plan is undertaken. The outcome of the process should be specific action rather than simply a determination of, for example, *institutional abuse*
 - (iii) ensures that the NHS is accountable for fulfilling its lead responsibility for investigating such major and potentially lethal conditions as deep pressure ulcers in the residential and nursing care sector
- 4.6 The delivery of this recommendation will be overseen by the Gwent Wide Adult Safeguarding Board, currently chaired by the Corporate Director Social Services, Caerphilly CBC. Welsh Government have indicated that they will be writing to key partners in the Autumn of 2015 to ensure adequate progress has been made.
- 4.7 Whilst 'In Search of Accountability' is a very important step in improving the quality of care home in Wales, members may also be interested in a number of other initiatives in place to ensure a sustainable, good quality care home sector in Wales:
- Welsh Government have a care home steering group overseeing a strategic analysis of care homes in Wales, including a vision for the future, workforce issues, good practice and the cost of care / fees. Caerphilly CBC is represented on all these groups.

- The National Commissioning Board for Wales is looking at a market analysis for Wales. This includes the number and location of beds, vacancy rates and future models of demand. This group is currently chaired by the Corporate Director Social Services.
- The Gwent Wide Adult Safeguarding Board has made Residential Care one of its three strategic priorities.
- The Older People's Commissioner For Wales has published her own review of care Homes called 'A Place to Call Home?'. Appendix 3 of this report is the Commissioner's letter to Caerphilly CBC with regard to our response to her review.

5. EQUALITIES IMPLICATIONS

- 5.1 An equalities impact assessment hasn't been completed at this time as this report is for information only.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no direct financial implications arising from this report.

7. PERSONNEL IMPLICATIONS

- 7.1 There are no direct personnel implications arising from this report.

8. CONSULTATIONS

- 8.1 All comments from consultations are reflected in the main body of the report.

9. RECOMMENDATIONS

- 9.1 Members are asked to note the content of this report.

10. REASONS FOR THE RECOMMENDATIONS

- 10.1 This is a major review and its outcome will potentially impact across Wales. This report is intended to give Members an initial awareness that the review is taking place.

11. STATUTORY POWER

- 11.1 Local Government Act 2000.

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 Social Services Senior Management Team
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Appendices:

Appendix 1 - 'In Search of Accountability' – Executive Summary

Appendix 2 – Local authorities and adult protection (pages 133- 142 of the full 'In Search of Accountability' report).

Appendix 3 - Older People's Commissioner for Wales – Analysis of Caerphilly CBC Response to 'A Place to Call Home'.