

12 May 2022

Our Ref: RFI 43511

Dear

**Freedom of Information Act 2000
In Relation to Guidance issued to Trust Controlled Residential Homes.**

I am writing to confirm that the South Eastern Health & Social Care Trust (the Trust) has now completed its search for information relating to the above which was received on 14 March 2022. Please accept my apologies for the delay in responding to your request. Thank you for your understanding and forbearance of this matter.

A response to each of the questions raised has been provided by the Nursing, Primary Care & Elderly Directorate and is attached in Appendix A.

If you are unhappy as to how this request has been handled, you have the right to seek a review within the Trust in the first instance. You should write to the Information Governance Department, Lough House, Ards Community Hospital (informationgovernance@setrust.hscni.net) within two months of the date of this response and your complaint will be considered and a response provided, within 20 working days of receipt.

If, after receiving a response, you remain unhappy, you can refer your complaint to the Information Commissioner at The Information Commissioner's Office –Northern Ireland, 3rd Floor, 14 Cromac Place, Belfast, BT7 2JB. It is important to note that if you refer any matter to the Information Commissioner, you will need to show evidence of having gone through the Trust's internal review procedure to try to resolve the matter with the Trust in the first instance.

If you have any queries about this letter, please do not hesitate to contact me. Please remember to quote the reference number above in any future communications.

Yours sincerely

Caroline Degans
Information Governance Officer

Q1. Any guidance or instructions issued to residential homes within the control of the Trust regarding the report and management of accidents concerning residents within the home.

A1. Accidents concerning residents in residential homes within the control of the Trust are reported and managed through the Trust Policy and Procedures for the reporting and management of Adverse Incidents SET/H&S(05)2020 - Please refer to **Attachment 1**

Q2. Any guidance or instructions to residents' homes within the Trust as to any follow up action required after an accident or incident within the residential home which has led to physical injury to the resident.

A2. Guidance or instructions to residents' homes within the Trust as to any follow up action required after an accident or incident is in accordance with Prevention and Management of Patient/Residents/Clients Falls in Adult Care Settings SETPtCtCare (01)2022 – Please refer to **Attachment 2(a)** and Prevention of falls within Residential Facilities – Please refer to **Attachment 2(b)**

All Residential care homes comply with Residential Care home Minimum standards, and are required to hold a suite of policies / procedures.

Q3. Any guidance or instructions regarding communications for the residential home with regard to communication with the hospital, care facility and next of kin when a resident requires medical treatment after an accident or incident in their residential home.

A3. Communication with the hospital, care facility and the next of kin when a resident requires medical treatment after an accident or incident in their residential home is in accordance to Residential Care Homes Minimum Standards Version 1:1 August 2021- Please refer to **Attachment 3**

Standard 8: '*Residents Records and Reporting Arrangements Pg. 25 and 26 Records are kept in accordance with professional and legislative requirements on each resident's situation, actions taken by staff and reports made to others.*'

Q4. Any guidance or instructions to residential homes within the Trust regarding the use of physical intervention by care givers as to when this is, and is not acceptable. Please also let me know of any instructions or guidance when physical interventions such as restraint and physical force may be used. I would also appreciate either a hard copy or link to any supporting legislation, particularly with regard to elder otherwise abuse.

A4. All Trust and independent registered providers are required to hold a suite of policies / procedures in accordance with Minimum standards for Residential homes. Residential Care home Minimum Standards Version 1:1 August 2021 Standard 5 Needs Assessment Pg.20-21, Standard 6 Care Plan Pg.22-23 and Standard 10 Responding to Residents Behaviour Pg.28 and29 – Please refer to **Attachment 3**

Guidance or instructions regarding the use of physical intervention by care givers in residential homes within the Trust is outlined in the Trust policy, Management of Violence and Aggression (including the use of restraint)SET/PtCtCare9122)2020 – Please refer to **Attachment 4**

Use of restraint in residential facilities is underpinned by Article 5 of the Human Rights <https://www.health-ni.gov.uk/articles/human-rights-act-1998> – Please refer to link below for further detail.

[The Human Rights Act 1998 | Department of Health](#)

Forms of restraint used within residential homes should be identified in each individual facilities 'Statement of Purpose'.

References

In terms of Legislation and Procedures in relation to Adult Safeguarding, please refer to the following:

Adult Safeguarding Prevention and Protection in Partnership DHSSPS (2015) – Please refer to **Attachment 5(a)**

Adult Safeguarding and Adult Protection SETPtCtCare (21) 2021- Please refer to **Attachment 5(b)**

Mental Capacity Act; Northern Ireland 2016 – Please refer to link below for further detail.

[Mental Capacity Act \(Northern Ireland\) 2016](#)