

## **Lords Oral Question – Complaints against care homes, care home evictions, and care home visiting bans – 10 March 2022**

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This briefing includes:

1. Suggested Interventions
2. Background
3. The importance of personalised care
4. Complaints about care provision

### **1. Suggested Interventions**

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- *My Lords, Alzheimer's Society regularly hears from carers who are hesitant to make complaints to care providers because they fear this affecting the care their loved ones with dementia receive, or other repercussions such as a ban on visits or the removal of care. What assessment has the Government made of the number of people a) evicted from care homes following a complaint being raised about their care, or b) told by a care provider that their needs can no longer be met following a complaint being raised about their care.*
- *My Lords, it's vital that regulators provide support and reassurance to people making complaints about care to ensure they feel protected through the process, and comforted that appropriate action may be taken. Can the Minister confirm whether the Care Quality Commission monitors the number of care home evictions that occur after complaints are raised?*
- *My Lords, the provision of high-quality, personalised care in residential care settings is likely to reduce the chance of complaints being raised in the first place. Can the Minister provide an update on the steps the Government is taking to provide this kind of care, and how the delivery of its white paper will engage those who draw on care to ensure they are getting the care they want and need?*

### **2. Background**

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**There are currently an estimated 900,000 people living with dementia in the UK, a number which is set to rise to 1.6m by 2040.**<sup>1</sup> It's also estimated that 70% of care home residents and 60% of home care recipients are people with dementia.<sup>2</sup>

### **3. The importance of personalised care**

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**It is vital that people living with dementia get high-quality, personalised care.** As emphasised in Alzheimer's Society's *Stabilise, Energise, Realise* report, this care must offer **choice and control, respond to changing needs, actively seek feedback, and encourage and support people to maintain their independence.**<sup>3</sup> It should also support individuals with choosing and setting their own goals.

Too often, this just isn't the case, people with dementia only really offered choice over where they live, if over anything at all. It's therefore vital that the delivery of the Government's Adult Social Care White Paper **remains focussed on the delivery of this kind of personalised care, which could help prevent people from needing to raise complaints in the first place.** A particularly useful step for the

<sup>1</sup> Wittenberg, Raphael et al. Projections of older people with dementia and costs of dementia care in the United Kingdom, 2019-2040. 2019. Care Policy and Evaluation Centre, London School of Economics and Political Science. [https://www.alzheimers.org.uk/sites/default/files/2019-11/cpec\\_report\\_november\\_2019.pdf](https://www.alzheimers.org.uk/sites/default/files/2019-11/cpec_report_november_2019.pdf).

<sup>2</sup> Alzheimer's Society. Dementia UK: Update. 2014. [https://www.alzheimers.org.uk/sites/default/files/migrate/downloads/dementia\\_uk\\_update.pdf](https://www.alzheimers.org.uk/sites/default/files/migrate/downloads/dementia_uk_update.pdf).

<sup>3</sup> Alzheimer's Society. Stabilise, Energise, Realise: a long term plan for social care. 2021. <https://www.alzheimers.org.uk/sites/default/files/2021-08/stabilise-energise-realise-report.pdf>.

workforce would be for **all social care staff to receive Tier 2 training in the Dementia Training Standards framework**, which would help ensure they are empowered to deliver excellent personalised care to people with dementia. Skills for Care have found that just 44% of care staff have any training on dementia.

#### 4. Complaints about care provision

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Unfortunately, **many family members of people with dementia have told us that they're hesitant to make complaints to providers due to the fear of this affecting the care their loved one with dementia receives**. As well as outright evictions from care settings, **we also have evidence of some care providers essentially issuing de facto evictions by giving notice to families that they can no longer care for their loved one after a complaint is raised**.

This hesitancy to raise complaints is often heightened by the difficulties many people face in securing a place in a residential care home in the first place, meaning people end up feeling stuck with the care provision they have even if it is inadequate or not meeting their needs.

There are a number of steps that could be taken to improve the complaints process for people affected by dementia:

- **Better support and protection for people making complaints.** Regulators must ensure they're offering support throughout the complaints process, as well as reassurance that making a complaint won't have a negative impact on a person's care. It's clear this isn't happening currently.
- **Clear processes in place to support and encourage whistleblowing when needed.** Regulators must ensure there are measures in place to identify safeguarding issues early on, with straightforward processes for making complaints. It would also be useful for individual care complaints processes to be informed by/adopt learnings from protections afforded to whistleblowers.
- **Awareness-raising of the right to complain.** A survey of carers of people living with dementia undertaken by Tide found that 75% of respondents said that nobody from the council had told them they had the right to challenge decisions made about their support.<sup>4</sup> 50% of respondents said they felt it was difficult to challenge decisions, with several commenting that this meant they gave up on doing so. People must be informed of their rights and provided with information on processes.
- **Improved consultation with people living with dementia and their carers.** The Care Quality Commission and other regulators must actively engage with people affected by dementia on the quality of services, gathering data on what matters most to those drawing on support.
- **Regulators to consider individual cases.** At present, the Care Quality Commission doesn't address individual complaints, and can dismiss people on this basis, meaning people feel their complaints are swept under the rug. It would be useful if regulators did more to investigate individual cases to help people feel like their complaints will be taken seriously and actioned, particularly as the process of engaging with the Ombudsman can also be difficult. Again, providing better quality care to start with would also help prevent complaints from needing to be made.

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<sup>4</sup> Alzheimer's Society and Tide. Submission to EHRC Inquiry into challenging decisions about adult social care. <https://www.tide.uk.net/tide-members-respond-to-inquiry-into-challenging-decisions-about-adult-social-care>.