

GUIDANCE NOTES FOR USE OF LETTERS TO DIRECTORS OF LOCAL AUTHORITIES AND CARE QUALITY COMMISSION

Standard letters have been written where several safeguarding issues have arisen regarding service users whose 'ordinary residence' is in another local authority, but have been placed in residential / nursing homes in County Durham. In these circumstances the originating local authority retains funding responsibility and social work / care co-ordination responsibility for their service user/s.

As the host authority Durham County Council will invoke safeguarding investigations where appropriate. In circumstances where concerns arise about the quality and suitability of the placement for service users from other local authorities, the team manager would endeavour to engage with the local authority that retains responsibility for the service user. Should concerns arise that the originating local authority has not responded to issues regarding their service user/s then the standard letters to the local authority and to the Care Quality Commission may be used if appropriate. The letters should be signed by the team manager.

The letters have been specifically written due to concerns that have arisen in learning disability establishments in County Durham.

ORDINARY RESIDENCE

Guidance on ordinary residence is provided under Local Authority Circular (93)7 for people who require personal social services under the National Assistance Act 1948.

SCOTLAND / WALES

In circumstances where the originating local authority is in Scotland or Wales please refer to the appropriate inspectorate:

Scotland: Scottish Care for Regulation of Care.

Wales: Care and Social Services Inspectorate Wales.

STANDARD LETTER TO DIRECTORS OF LOCAL AUTHORITIES

Dear.....,

Re: (name of service user and establishment)

We are currently investigating safeguarding concerns regarding (name of service user) and (name of establishment). Following a number of safeguarding investigations in relation to (name of service user and/or establishment) we have concerns in respect of the quality and suitability of the placement.

As host authority for (name of service user), we have endeavoured to engage with (name of local authority) regarding a number of safeguarding matters which have raised significant cumulative concerns about the placement. We would request that (name of local authority) give serious consideration to investigating the quality and suitability of the placement for (name of service user).

(Name of local authority) have social work / case work responsibility for (name of service user) whose ordinary residence under Local Authority Circular (93)7 is (area of local authority). (LAC (93)7 defines ordinary residence for people who require personal social services under the National Assistance Act 1948).

We would be obliged if you could advise of the actions (name of local authority) plan to take in response to the concerns regarding (name of service user) and (name of establishment). We have notified the Care Quality Commission of our concerns regarding (name of establishment).

Yours sincerely,

STANDARD LETTER TO CQC

Dear.....,

Re: (name of establishment)

We are currently investigating safeguarding concerns regarding (name of establishment). There been a number of safeguarding investigations in relation to the establishment and a service user whose ordinary residence under LAC (93)7 is (name of local authority). (If more than one list them)

Durham County Council have endeavoured to engage with (name of local authority/ ies) regarding the quality and suitability of the placement for their service user (s). We have requested that (name of local authority/ ies) investigate this further. We have advised (name of local authority/ ies) that we will be notifying the Care Quality Commission of our concerns regarding (name of establishment). The following concerns have been noted regarding (name of establishment):

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We would welcome comments from the Care Quality Commission regarding the issues raised.

Yours sincerely,