



HSCA Further Information  
Citygate  
Gallowgate  
Newcastle upon Tyne  
NE1 4PA

Telephone: 03000 616161  
Fax: 03000 616171

HM Coroner Louise Hunt  
HM Coroner's Court,  
Coroner's Court  
50 Newton Street  
Birmingham  
B4 6NE

21 December 2016

By Email to: [coroner@birmingham.gov.uk](mailto:coroner@birmingham.gov.uk)

Our Reference: [REDACTED]

Dear HM Coroner Louise Hunt

**Ref: Robert Davidson**  
**Re: Regulation 28 Report - Inquest touching on the death of Robert Arthur Davidson**

Thank you for sending the Care Quality Commission (CQC) a copy of the Regulation 28 Report issued following the Inquest touching on the death of Mr Robert Davidson. We are writing to you with our response to the matters of concern raised in relation to Aran Court Care Centre and Jubilee Gardens.

CQC received a notification from the registered manager of Aran Court Care Centre on 29 January 2016 notifying CQC of the death of Mr Robert Davidson on 27 January 2016, after he swallowed and choked on a vinyl disposable glove. As a consequence of receiving this information the CQC made further enquiries and gathered information about the incident including Mr. Davidson's care records. CQC carried out a focussed inspection on 09 March 2016. At this inspection we focused on how the people known to be at risk of choking were being supported. We carried out a further comprehensive inspection at Aran Court Care Centre on 14 November 2016 in line with our inspection scheduling frequency. At this inspection we looked to see if the provider had acted appropriately to address the

concerns raised during your inquest and were meeting the The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 ("The Regulations").

Aran Court Care Centre is a care home with nursing operated by Avery Homes RH Limited. The home has been registered to carry on the regulated activities of: accommodation for persons who require nursing or personal care, diagnostic and screening and treatment of disease, disorder or injury at the location of Aran Court Care Centre from 02 March 2015. Prior to this Aran Court Care Centre was operated by another provider.

**CQC's response to the specific concerns you have raised in the Regulation 28 Report are taken in turn and set out below:**

**1. Health care staff had not been trained on basic process as follows:**

- **Making 999 calls – to obtain an outside line caller's needed to first dial "9". The health care assistant (HCA) instructed to make the 999 call, did not know this so the call was unsuccessful. The registered nurse looking after the patient whilst he was choking had to make the 999 call resulting in her leaving the patient.**
- **When to start CPR. The RGN and HCA staff had received no training on the CPR and choking policy.**

**The concern is that staff was not trained in basic processes and therefore not able to deal with emergency situations.**

The registered provider is responsible for ensuring there are sufficient numbers of suitably, qualified, competent, skilled and experienced persons deployed and appropriately trained as is necessary to enable them to carry out their duties. (Regulation 18, the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014). The provider should have procedures to follow in an emergency and staff should be trained in these procedures. The CQC inspects a provider's compliance with the requirements of the Regulations during the course of an Inspection.

During the course of the CQC focused inspection of Aran Court Care Centre on 09 March 2016, we found systems in place to ensure that nurses had training in emergency first aid. Emergency First Aid at work training provides delegates with an extensive first aid skill set so that they can identify incidents and manage them appropriately, whether the patient is conscious or unconscious. The course is designed to include first aid priorities, managing incidents, basic life support (CPR), unconsciousness, control of bleeding, burns and scolds, recording and reporting First Aid Priorities.

A system had been put in place so that all staff received the training they needed and this ensured that there was always staff trained in first aid on each shift. Staff were able to give us a satisfactory explanation and told us about the actions they needed to take, and would take, in the event of a similar incident of choking.

At our inspection of the 14 November 2016 to Aran Court Care Centre, we observed that at the shift handover staff were reminded of the need to dial '9' for an outside line. Staff spoken with confirmed their understanding of how to make 999 calls and what action to take in the event of a medical emergency.

The CQC provider guidance requires that when members of staff are registered with a professional body, for example the Nursing and Midwifery Council (NMC), and this is a requirement of their role, providers must ensure that nurses are able to meet the requirements of the relevant professional regulator throughout their employment, such as requirements for continuing professional development. Where providers follow this guidance, registered nurses employed will have the up to date skills and knowledge required to meet service users' needs safely, including basic life support. During the 09 March 2016 inspection we looked at the system that had been put in place to ensure that nurses had the required training. At the inspection of 14 November 2016, we saw records that showed what training people had received and were scheduled to receive.

On the 10 November 2016 we inspected Jubilee Gardens. All staff had received first aid training commensurate with their role and all of the staff spoken with knew how to respond to medical emergency, including how to make emergency 999 calls.

2. **The two HCA's had no experience or basic training before starting work as HCA's. They had limited understanding of conditions and processes. Consideration needs to be given as to whether there should be mandatory training or minimum standards, which are objectively assessed, to ensure HCAs have the necessary knowledge and understanding to undertake the role.**

The Care Certificate was developed jointly by Skills for Care, Health Education England and Skills for Health, and introduced on 01 April 2015. These Care Certificate standards apply across both social care and health, and link to the national occupational standards. The Care Certificate is designed for new HCA staff, it also offers opportunities for existing staff to refresh or improve their knowledge. The new standards encapsulated in the Care Certificate should ensure that the health and social care workers have the required values, behaviours, competences and skills to provide high quality, compassionate care.

The Care Certificate clearly sets out the learning outcomes that should be achieved whether this is through training or alternative learning and development activities. There is a clear requirement for providers to demonstrate that staff has

been assessed in the workplace with regard to their competence and safety to practice.

For example:

- Standard 11 of the Care certificate covers basic life support. The expectation is that the learner will be able to carry out basic life support and complete practical basic life support training that meets the UK Resuscitation council guidelines.
- Standard 13 of the Care Certificate requires the learner to understand procedures for responding to accidents and sudden illness, including the procedures to be followed if an accident or sudden illness should occur.

CQC refers to the Care Certificate in the 'Guidance for providers on meeting the regulations. The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014'. The guidance states, "That providers must have an induction programme that prepares staff for their role. It is expected that providers that employ healthcare assistants and social care staff support workers, should follow the Care Certificate standards to make sure new staff are supported, skilled and assessed as competent to carry out their roles". CQC therefore on inspection looks to see if the provider's induction incorporates the Care Certificate standards. If as an organisation the provider chooses on staff inductions to ask staff to complete something other than the Care Certificate or not complete all of the outcomes in the Care Certificate, they will need to demonstrate to CQC how the induction meets the needs of the staff they employ and the needs of the people they support.

At the Inspection of Aran Court Care Centre on 14 November 2016 we checked to see that the induction training provided to new staff followed the Care Certificate standards and we were able to see that it did. In addition information provided by the provider in the provider information return (PIR) showed that to date nine new staff had completed the Care Certificate induction standards training.

At the inspection of Jubilee Gardens on 10 November 2016, we saw that new staff complete induction training that incorporated the Care Certificate standards. The provider's PIR also reflected that some new staff has completed the Care Certificate induction standards.

- 3. The deceased PICA behaviour was not highlighted or identified on his transfer between care homes. Some process or direction from the governing body needs to be provided to care homes to ensure essential information is provided and highlighted when patients are transferred.**

CQC expects that providers should actively work with others, both internal and external, to make sure the care and treatment remains safe for people using the service. When people move between services or providers, Regulation 12(2) (The Regulations) requires providers to undertake appropriate risk assessments to make sure service users' safety is not compromised. This includes when they move between or to other bodies who may not be registered with CQC. At the inspection on 14 November 2016 at Aran Court Care Centre, we looked at Avery Homes RH Limited admission assessment document. This is the provider's transfer document. Whilst we did not look specifically at Mr Davidson's transfer document, we saw that if this admission document was completed appropriately and with sufficient detail, the information needed to ensure that where people were known to be at risk would be captured. This would enable the provider to take appropriate steps to minimise this risk.

At the inspection of Jubilee Gardens on 10 November 2016, we reviewed the provider's revised handover document, which is called a passport and if this document was completed appropriately then the known risk to a person would be recorded so that plans could be put in place to minimise these risk.

Should you require any further information please do not hesitate to contact me on Tel: [REDACTED]

Yours Sincerely,



[REDACTED]  
Head of Inspection  
Adult Social Care Directorate

[REDACTED]