CQC fundamental standards

Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 (Part 3)

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Background:
- Regulations replace the Essential Standards – the changes based on recommendations from Mid Staffs
- Identify clear standards of care in relation to the regulated activities undertaken in the trust
- Identify standards that care MUST NOT fall below
- In place from 1 April 2015 – annual declaration with compliance is required

These regulations MUST be considered across all services – these form the basis of the key lines of enquiry (KLOEs) that are considered within the CQC visits.

Regulation 5 – Fit and proper persons – Directors
Regulation 9 – Person Centred Care – examples of content:
- Appropriate care that meets the needs of the patient / collaboration with patient
- Personalised care that reflects the preferences of the patient / reasonable adjustments

Regulation 10 – Dignity and respect – examples of content:
- Maintain the privacy of the patient / effective communication / care and compassion
- Support autonomy / independence / involvement / same sex accommodation

Regulation 11 – Need for Consent – examples of content:
- Care and treatment only provided with the consent of the relevant person
- 16 or over and those with lack of capacity must act in accordance with Mental Capacity Act, 2005

Regulation 12 – Safer care and treatment – examples of content:
- Assess the risks to the health and safety of users / all reasonably practicable mitigations
- Appropriate skills, qualifications, competence and experience / training
- Control of Infection / medical devices / medicines management

Regulation 13 – Safeguarding service users from abuse and improper treatment – examples of content:
- Must protect by having - systems in place to prevent / systems in place to investigate
- No discrimination / no control or restraint unless to prevent harm / DoLS / do not degrade or disregard

Regulation 14 – Meeting nutritional / hydration needs – examples of content:
- Sufficient to sustain life and good health / follows cultural and religious needs / Provide support to eat and drink

Regulation 15 – Premises and equipment – examples of content:
- Must be clean / secure / suitable for purpose / properly used / properly maintained
- Appropriately located / Maintain standards of hygiene appropriate to requirements

Regulation 16 – Receiving and acting on complaints – examples of content:
- Systems in place to identify, receive, record, handle and respond to complaints
- Investigate and take proportionate action / provide information to CQC in 28 days if requested

Regulation 17 – Good governance – examples of content:
- Monitor quality/safety of services including the experience of users; assess, monitor and mitigate risks for health, safety and wellbeing
- Maintain contemporaneous records of care and treatment / provide information to CQC in 28 days if requested

Regulation 18 – Staffing – examples of content:
- Sufficient numbers of qualified / competent / skilled / experienced staff who are:
- Given appropriate support, training, development, supervision and appraisal / enabled to gain further qualifications / continue to meet professional standards required for their role

Regulation 19 – Fit and proper persons employed – examples of content:
- Employment checks / qualifications / maintenance of registration / good character

Regulation 20 – Duty of candour – See Duty of Candour fact sheet

Regulation 20a – Requirement to display performance assessment – Display of ratings once received

Regulation 21 – Offences – failure to comply with regulations 11, 16 & 17; failure to comply with 12, 13 & 14 when this failure results in harm or loss to the patient; regulation 20 – failure to apply Duty of candour

Regulation 22 – Offences – penalties – include financial, regulatory and criminal penalties

Regulation 23 – Fixed penalty offences

Part 4 Regulations - A further 10 regulations that relate directly to the trust registration requirements with the CQC.

Correct at June 2015