



GOVERNMENT OF MALTA

Government response to the consultation on Respite Services for Persons with Disability

10th December 2018

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Annex A: List of respondents (<i>optional</i>)	Error! Bookmark not defined.

Executive Summary

Introduction and overview

1. A brief introduction about the subject

The Guidelines on the Respite Services for Persons with Disability was launched for public consultation.

This document is one of the three official documents to be published as part of the Social Regulatory Standards on the Respite Services for Persons with Disability.

The other two documents include the:

- 1. Subsidiary Legislation which gives enforcement power to the Authority*
- 2. Easy-Read Version for Service Users and the General Public*

2. The public consultation date. Include the objective and purpose of the public consultation

On the 10th December 2018, during a press conference, The Social Care Standards Authority, presided by the CEO Mr. Matthew Vella together with the Parliamentary Secretary Mr. Anthony Agius Decelis, launched a public consultation on the Guidelines on the Respite Services for Persons with Disability.

The purpose of the public consultation was to welcome feedback from the general public and stakeholders.

3. This consultation sought views on:

- Overall general text as presented in the draft guidelines*

Responses to the consultation and process used to seek stakeholder views

This document is the Government Response to this consultation and sets out the Government's decisions on these matters.

4. The closing date of the public consultation. Which methods were used to receive the feedback The total amount of responses. From whom you received the feedback

The public consultation period closed on the 31st December 2018.

The document which used for consultation was available online, and responses were received electronically through the SCSA online platform.

The general public could also make contact with the SCSA by phone.

The SCSA received 5 replies which included feedback, comments and suggestions.

A list of the respondents can be found under (Annex A)

5. Include (if any) meetings with stakeholders and list who the stakeholders were

The Regulation and Standard Office contacted two services; HILA Homes and Dar il-Kaptan. The aim of such meetings were conducted to gather feedback and information prior finalization process of documents which will be eventually launched for public consultation proces.

Summary of responses and decisions

The following is a summary of the consultation responses received. We would like to thank all those who took the time to respond to the consultation and participate in stakeholder meetings around the consultation exercise.

6. Statistics

- Total feedback received: **5**
- Total feedback received by individuals: **0**
- Total feedback received by organisations: **5**
- Total feedback received through email: **5**
- Total feedback received through online form: **0**
- Total feedback received by post: **0**

7. Summary of feedback received

Themes:

- The document does not address situation of profound intellectual disabilities
- The document does not address some of the clients inabilities to make informed decisions
- Query regarding the right to single rooms
- Staff ratios
- Query regarding staff supporting clients to continue accessing courses, education in community and

other learning opportunities whilst using Respite Services

- Query regarding accessible transport
- Query regarding issuing a written agreement whether for short or long stay
- Query regarding the definition of client
- Suggestion for further clarification that parents, carers and curators shall not form part of the management and/or staff of the service provider
- Query on the definition of Respite Service
- Query regarding intimate relationships when using the service
- Query regarding bed and room allocation
- Concern regarding the expectation that all staff to adapt to all means of communication, which seems to indirectly indicate that this require highly trained staff in relation to different means of communication
- Concern regarding the fact that the performance indicators should be in line with what the service provider can actually provide
- Query regarding who will review the personal support plan
- Query what the guidelines are intended to indicate by educational or training opportunities in Respite Services
- Query regarding who are the 'trusted individuals'
- Query regarding the statement that indicates that clients have control on who enters their room and at what time this may occur
- Query regarding in what way the clients are expected to be involved in the evaluation of their own risk
- Suggestion regarding that the statement indicating that clients can lock their own room, but staff can still open the door in case of an emergency, should be considered in context of the security and safety standards of the residence
- Concern regarding CCTV cameras in bedrooms
- Query regarding clients given the opportunity to prepare, administer and keep their medicine
- Query regarding the fact that parents/guardians/carers are not mentioned and seem not to be involved in anything that has to do with their children's respite service
- Query regarding maximum duration that a person can ask for respite services
- Query whether the guidelines are legally binding
- Query regarding the statement under 'Realizing Potential' – what is meant by resources available to them?
- Query regarding who will decide whether something is permissible and on what grounds
- Query regarding of reviewing of personal support plans
- Query regarding who will handling complaints
- Suggestion – parents/carers/guardians should be involved in the personal programme
- Query whether the, clients, carers, parent and guardians should also join the multidisciplinary team during assessments
- Concern regarding reviewing the services provided to the clients
- Query on whether the clients can decide who has the right to know and access their personal things
- Rewording of the sentence – 'do not create discomfort, inconvenience or risk or entail disrespect for others'
- Query regarding the visiting processes of prospective clients
- Query on prospective clients discussing with other clients using the respite, for feedback etc – issues related to data protection act
- CCTV Cameras
- Query regarding the terminology – 'challenging behaviour)
- Query on clients using the telephone in private
- Query where details about clients who are given the support needed to be able to exit or enter the residence at any time are included in the PSP
- Query regarding the reviewing process of the PSP
- Query on educational opportunities within the community, whether Respite clients can still benefit from such opportunities
- Clients should be provided support, guidance and understanding when reflecting upon their choices

- Suggestion- more clarification regarding information on possible options that are possible for them once the clients use the respite service
- Query on who enters the client's room and at what time when clients share a room
- Suggestion regarding introducing advisory services– In case of disagreement with another person including a member of staff, clients are given the necessary support
- Query regarding how much clients have access to information about them when they decide to contest such information

8. Your assessment and the Government's decision (list the Government's decisions).

- Included the phrase '*to continue accessing*' in (Standard 2, Quality Indicator 2, Performance Indicator 2.2)

The staff supports the clients to continue accessing courses, education in the community and other learning opportunities. If the clients need one-to-one support in order to attain these objectives, this should be provided.

- Included the '*offered*' and removed '*mandatory*' in (Standard 5, Quality Indicator 1, Performance Indicator 1.5)

Accessible transport is offered to the clients who wish to attend their day-to-day outdoor activities.

- Redefined the definition of 'Respite Services'
- Redefined what is meant by 'educational or training' opportunities (Standard 2, Quality Indicator 1, Performance Indicator 1.1.8)
- Regarding 'Evaluation of their own risk' – to be included in MOPP
- Regarding the issue of 'clients can lock the door to their room, but staff can still open the door in case of an emergency'
- The term 'to look after them' – changed to 'to provide them with assistance'
- With regards to CCTV cameras, we stated should also be allowed in leisure areas
- Instead of 'the staff', - '**The management**' reports concerns to the medical professionals involved in the treatment of the clients.
- Information regarding the support clients are given to be able to exist or enter the home– to be included in MOPP
- Management and staff helping the clients to identify and celebrate special events – to be included in MOPP
- Regarding regular reviewing of PSP – to be included in MOPP
- Suggestion regarding education clients about their choice - – to be included in PSP
- Suggestion for further elaboration regarding options that are possible for clients using respite service – to be included in MOPP
- Further elaboration regarding who enters the clients room to be indicated in MOPP
- Regarding clients contesting information which is kept about them – Refer to Data Protection Legislations

Implementation

9. When you intend to implement the decisions

Prior final launch which is planned for end-February 2019.

Contact Details

If you have any questions regarding this response, please contact: feedback.scsa@gov.mt

DETAILED OVERVIEW OF RESPONSES AND THE GOVERNMENT'S RESPONSE

The following section provide a brief summary of the initial proposals and the responses received, before setting out the final decision that has been made. (*Standard text*)

Question 1 : *insert the question (only if your Ministry decided to list a set of questions for the public to leave their feedback)*

N/A

Consultation Proposal

1.1 *During the launch of the draft regulatory guidelines for Respite Services for persons with disability, the SCSA opened a public consultation process aimed at giving the general public the opportunity to submit any feedback on the guidelines in question. This also aimed at empowering the service users to contribute equally in this exercise furthering the notion of service user involvement and participation.*

Post-consultation analysis / Final decision

1.2 *During the post-consultation period, the necessary and relevant amendments were done accordingly following a thorough analysis of all feedback gathered.*

Annex A: List of Repondents

Organisations	Dar il - Kaptan – Ms. Mangion Frida
Organisations	Dar tal – Providenza
Organisations	CRPD – Ms. Pleaven Lorraine
Organisations	Aġenzija Sapport – Mr. Cini

	Joseph
Organisations	MFOPD