A rainbow colored swirly logo

Description automatically generated **Promise Care Services Ltd**

**COMPLIANCE PRINCIPLES**

**Scope**

* **Policy Statement**
* Compliance Statement
* **The Policy**
* Regulation of Adult Health and Social Care
* **Related Policies**
* **Related Guidance**
* **Training Statement**

# Policy Statement

This organisation is aware of the governance requirements that are in Regulation 17 of the Fundamental Standards 2014 which are the basis required by the company to gain, maintain, and improve its required regulatory conformance.

The company is aware of the importance of its staff and their contribution in terms of their conduct, regardless of their role to meet the regulatory requirements and the compliance framework. Staff understand the context of compliance, its legislative and regulatory framework and their role and contribution to that framework.

# Compliance Statement

As an organisation, we are committed to fulfilling our obligations to provide safe and effective care following the Health and Social Care Act 2008, the Fundamental Standards 2014, and the Five Key Domains of safe, effective, caring, responsive, and well-led service.

We will ensure our service is **Safe,** by ensuring our systems and processes are continually monitored and evaluated to promote a culture of continuous improvement. Our management team will follow safer recruitment principles to ensure we employ the very best people, who possess the skills, experience, and competence necessary to deliver safe and person-centred care. People will be kept safe because staff will be trained to the highest standards and will be managed and supported to deliver safe care through robust safeguarding and whistleblowing procedures. We will provide a safe and comfortable environment for people to live in, supported by stringent health and safety and environmental management.

We will ensure our service is **Effective** because people will be in control of their care and support. We are a listening organisation, so care and support plans will be tailored to the needs and aspirations of each individual, by working to realistic and attainable outcomes. We will continuously check that outcomes are being met through our quality monitoring systems and will use the evidence gathered to ensure our service is fit for purpose and meeting people’s needs.

Our staff are selected and trained to the highest standards to ensure they possess all the personal and professional qualities needed to deliver a **Caring service**. To ensure these standards are maintained our staff are encouraged to embark on a career based on the principles of continuous professional development and sharing best practice. We will provide an environment where staff and customers feel cared for and, where this is not the case, swift corrective action is taken.

Our infrastructure is well established and, through robust management systems, care-planning tools, professional well-trained staff, and effective operating procedures, the service is **Responsive** to people’s changing needs. We constantly engage, observe, and listen to ensure that the service constantly evolves with the people that use it. We ensure that our customers have a platform to raise any issues with us, without fear of recrimination or bias, and will always act swiftly to rectify any problems.

Our management team is committed to maintaining the highest level of corporate governance. We will always operate openly and transparently and will ensure we support our managers and staff to deliver the very best standards of care possible. We will never compromise on quality and encourage a culture of learning and self-improvement to ensure that our service is outstanding and our organisation is **Well Led**

# The Policy

This policy sets out for all staff the procedures that are in place to ensure compliance with all required legislation, regulations, and good practice. This policy needs to be read in conjunction with other relevant policies.

# Regulation of Adult Health and Social Care

For staff at all levels in the organisation, it is important to understand the regulations that are worked to on a day-to-day basis, and that those regulations underpin daily good practice. It is the daily practice and interaction with service users that evidence compliance with such regulations. Government legislation and the regulatory framework is the structure upon which all service delivery is benchmarked.

Set out below is a non-exhaustive list of the main relevant regulators, demonstrating the complex and varied types of regulation currently in force.

Please note: Local authority (LA) or NHS contracts that are in place for service users each have a service specification, which should be viewed as a regulatory framework for the business to meet and should be monitored as to performance in meeting those contractual obligations.

# *Health and Safety Executive (HSE)*

The HSE is the National Regulator for Health and Safety in the workplace. It works in partnership with co-regulators in LAs to inspect, investigate and, when necessary, take enforcement action.

On 1 April 2015, a memorandum of understanding (MoU) was introduced. The MoU reflects the changes in enforcement powers granted to the Care Quality Commission (CQC) by the Regulated Activities Regulations 2014. It replaces the 2012 liaison agreement between CQC and the HSE that applied to healthcare only.

The purpose of the MoU is to help ensure that there is effective, coordinated, comprehensive regulation for patients, service users, workers, and members of the public. The MoU outlines the respective responsibilities of CQC, HSE, and LA when dealing with health and safety incidents in the health and adult care sectors. The MoU is one of the measures taken by the government to close the regulatory gap identified by the Francis report into failings at Mid Staffordshire NHS Foundation Trust.

# *Care Quality Commission (CQC)*

The CQC is the national regulator of health and social care, including care provided by the NHS, LAs, independent providers, and voluntary or charitable organisations in registered settings. It registers and licenses care services and inspects and takes enforcement action where necessary.

# *Monitor*

Monitor is the national regulator for the health sector. It protects and promotes the interests of people who use health services, licenses providers of health, regulates prices, enables integrated care, and supports service continuity.

# *Medicines and Health Care Product Regulatory Agency (MHRA)*

The MRHA is the government agency responsible for ensuring that medicines and medical devices work and are acceptably safe. It is an executive agency in the Department of Health and Social Care. It regulates medicines, medical devices, and equipment within the NHS or used in healthcare settings. It looks after blood and blood products. It issues Medical devices alerts.

# *National Institute for Health and Care Excellence (NICE)*

NICE social care guidelines and quality standards identify good practice. As an organisation, we reflect these guidelines and statements in many of our policies to improve the quality of the health and care services that we deliver and to support the following national aims of NICE:

* Support the provision of care that has been shown to work and to be cost-effective.
* Ensure a more consistent approach to social care provision across the country.
* Support the development of joined up working between agencies and professionals.
* Help the social care sector demonstrate its importance, as a key partner in the provision of care.
* Raise the profile of social care.

# *Quality Monitoring and Audits*

To foster an ethos of continuous improvement in this organisation’s compliance plan, monitoring and auditing take place regularly. This organisation monitors performance and audits conformance. Both monitoring and auditing are set within the compliance regulatory framework and provide evidence to inspectors and other regulators or quality assessors, e.g. ISO9001, of our ability to meet compliance.

# *Professional Bodies*

These are the regulatory bodies, the aim of which is to ensure that proper standards are maintained by health and social care professionals in their day-to-day work and to act when they are not. To practice in the UK, professionals are required to register with the relevant body. All bodies fulfil similar functions for different professions across the UK.

This organisation has robust recruitment and selection policies and procedures that comply with Regulation 21 of the Health and Social Care Act 2008. As part of this, the organisation ensures that, where appropriate to the post, a check of the registers takes place, and that all staff are up to date with the requirements of such registers, e.g. the Nursing and Midwifery Council for the registration of nurses. The recruitment of non-care staff also follows the required robust procedures.

This organisation also recognises its responsibility under compliance to inform the regulator when the person running the provision, or a health and social care worker, is no longer fit to work in a regulated activity. This includes, where necessary, reporting to the DBS.

# *Codes of Conduct*

This organisation promotes the Code of Conduct for health and social care workers issued by Skills for Health and Skills for Care at recruitment and throughout the career of the staff member.

# *Health and Care Professions Council (HCPC)*

The HCPC regulates healthcare professionals. This organisation, as part of its safeguarding procedures, checks any private healthcare professional it contracts against its register and encourages its residents to do so if employing them independently.

# Related Policies

All Organisation Policies

# Related Guidance

HSE:

[www.hse.gov.uk](about:blank)

Care Quality Commission (CQC):

[www.cqc.org.uk](about:blank)

Medicines and Health Care Product Regulatory Agency (MHRA) is the government agency responsible for are ensuring that medicines and medical devices work and are acceptably safe:

[http://www.mhra.gov.uk](about:blank)

National Institute for Health and Care Excellence (NICE):

[https://www.nice.org.uk/guidance/published?type=sc](about:blank)

The Code of Conduct issued by Skills for Health and Skills for Care for health and social care workers:

[http://www.skillsforcare.org.uk](about:blank)

Health and Care Professions Council (HCPC):

[www.hcpc-uk.org](about:blank)

Nursing and Midwifery Council:

[https://www.nmc.org.uk/](about:blank)

# Training Statement

All staff, during induction, are made aware of the organisation’s policies and procedures, all of which are used for training updates. All policies and procedures are reviewed and amended where necessary, and staff are made aware of any changes. Observations are undertaken to check skills and competencies. Various methods of training are used, including one to one, online, workbook, group meetings, and individual supervisions.

Date Reviewed: May 2023

Person responsible for updating this policy: **IFEYINWA ODOEMENAM**

Next Review Date: May 2024