

L.N. 18 of 2019

**SOCIAL CARE STANDARDS AUTHORITY ACT
(CAP. 582)**

**Social Regulatory Standards on Residential Services for Persons
with Disability Regulations, 2019**

IN EXERCISE of the powers conferred by article 30(5) of the Social Care Standards Authority Act, the Minister for the Family, Children's Rights and Social Solidarity, has made the following regulations:-

1. The title of these regulations is the Social Regulatory Standards on Residential Services for Persons with Disability Regulations 2019. Citation.
2. These regulations by means of the Schedule, elevate the Social Regulatory Standards on Residential Services for Persons with Disability, to the status of subsidiary legislation under the Social Care Standards Authority Act. Scope.
3. In these regulations, unless the context otherwise requires: Interpretation.
 - "Challenging behaviour" means behaviour exhibited by residents that is triggered by intrinsic or extrinsic factors and has the potential to cause physical or psychological harm to the residents themselves or other persons around them;
 - "Civil rights" means rights conferred on persons by the laws of Malta;
 - "Competent person" means a person who is recognised as capable and/or authorised to undertake specific activities in line with applicable national legislation, standards or directives issued by the applicable authorities;
 - "Holistic assessment" means the process in which staff identifies the needs and aspirations of the residents in relation to their health, personal, emotional, spiritual and psychological care, protection and social networking, family support and what services should be delivered to satisfy these needs and aspirations;
 - "Management" means a person or persons who act on behalf of the service provider to provide leadership to staff and

to oversee and control the proper functioning of the services offered to persons with disability;

"Performance indicator" means an active descriptor of what service providers need to do to ensure service outputs that support the quality indicators;

"Personal support plan" means a document that is based on a holistic assessment of the resident that specifies how the resident's needs and aspirations are going to be met and also includes the resources required by the resident whilst living in the residence;

"Person with disability" means a person who has prolonged physical, mental, intellectual or sensory problems that when these relate with various obstacles can interfere from fully and effectively participating in society on equal basis as others, as defined in Article 1 of the United Nations Convention on the Rights of Persons with Disabilities;

"Policies and procedures" means documents released by management that regulate how the residence should operate;

"Prospective resident" means a person with disability aged eighteen (18) or over who is considering whether to enter into an agreement with a service provider to live in the residence and make use of services offered by the service provider;

"Residence" means a premises that has been purposely built, or adapted to accommodate persons with disability on a long term basis;

"Resident" means a person with disability aged eighteen (18) or over who enters into an agreement with a service provider to live in and make use of services offered by the residence. Residents may nominate person/s to be kept informed about the residents' personal affairs and take decisions or act on the residents' behalf. With the exception of resident personal financial transactions, such persons cannot be part of the management or staff of the service provider;

"SCSA" means Social Care Standards Authority as established by virtue of article 5 of the Social Care Standards Authority Act;

"Service Provider" means a person who, or organisation that provides and operates a residence and associated services to persons with disability on a long term basis;

"Staff" means a person engaged by the service provider wherein one of the person's responsibilities is to provide resident support or care, irrespective of whether or how the person is compensated;

"Quality Indicator" means a statement that sets out the requirements to achieve compliance with a standard.

SCHEDULE (Regulation 2)

Standard 1: Residents' Rights

Standard Statement:

This standard promotes rights that assure dignity and respect whilst preventing discrimination.

Quality Indicators :

1. The service provider supports the residents to maintain relationships and develop new relationships.
2. The service provider ensures that the residents' privacy is respected and the residents are not subjected to unnecessary intrusion.
3. The service provider ensures that the residents are treated equally, with respect and dignity.
4. The service provider supports residents to express themselves.

Standard 2: Personal Support Plan

Standard Statement:

This standard promotes the development, implementation and review of the personal support plan with individual residents, to establish the care and support required and set objectives to meet the residents' needs and aspirations.

Quality Indicators:

1. The service provider draws up the personal support plan upon a holistic assessment of the residents and with the involvement of the residents. All decisions taken are recorded in the plan.

2. The service provider ensures that the staff supports and empowers residents to achieve objectives identified in the personal support plan.

3. The service provider ensures that the personal support plan is reviewed regularly and updated as the residents' requirements change.

Standard 3: Participation and Decision Making

Standard Statement:

This standard promotes active participation of residents in the residence and community, advocates and respects resident's decisions and feedback.

Quality Indicators:

1. The service provider ensures that the residents are given enough time when they need to take a decision.

2. The service provider respects the decisions taken by the residents and actively supports the residents when taking decisions.

3. The service provider encourages the residents to actively take part in planning and participating in social and leisure activities.

4. The service provider ensures that the residents have the opportunity to review and give feedback on the residential services.

5. The service provider deals promptly and effectively with situations causing concerns and complaints.

6. The service provider assists the prospective residents in taking a decision on whether to live in the residence or not.

7. The service provider will respect the choices of the residents regarding nutrition and eating routines.

Standard 4: Protection and Safeguarding

Standard Statement:

This standard promotes the physical, emotional and mental well being as well as the safety of the residents.

Quality Indicators:

1. The service provider ensures that competent persons carry out an evaluation of hazards and risks within the residence.
2. The service provider ensures the safety of the residents by undertaking individualised risk assessments.
3. The service provider ensures that the residents' personal belongings are held securely.
4. The service provider ensures that the residents are protected and safeguarded from harassment, abuse and discrimination.
5. The service provider ensures that the residents' private space is respected.
6. The service provider ensures that the residents are provided with a nutritionally balanced diet according to their dietary and health requirements.
7. The service provider ensures that the residents are supported in taking care of their holistic well-being.
8. The service provider supports and where necessary assists the residents to receive the medication they require in a safe manner.

Standard 5: Information on Service Provision**Standard Statement:**

This standard promotes information to access and use services as well as the identification of alternative services to meet the needs and aspirations of the residents.

Quality Indicators:

1. The service provider will offer services in key areas to the residents.
2. The service provider gives the residents accurate information regarding the physical environment and the organisational setup of the residence.
3. The service provider has alternative plans in place in case the services do not match the needs of the residents.

4. The service provider ensures that the residents are informed on all available services and activities.

Standard 6: Service Agreement and Related Documentation

Standard Statement:

This standard promotes the formal conditions of service provision including the financial aspects and the rights and responsibilities of the residents through a written agreement.

Quality Indicators:

1. The service provider is bound to draw up a written agreement with the residents covering the conditions of the services and care offered.
2. The service provider ensures that prospective residents are given a comprehensive document regarding all financial costs of living in the residence.
3. The service provider ensures that the prospective residents are given a comprehensive document regarding their rights and responsibilities of living in the residence.

Standard 7: Service Quality Management

Standard Statement:

This standard promotes service management based on continuous improvement of service operations and staff development.

Quality Indicators:

1. The service provider implements management strategies to continuously improve service delivery to the residents.
2. The service provider implements transparent recruitment strategies and plans for the continuous development of staff.