

L.N. 323 of 2019

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

**Social Regulatory Standards on Day Centre 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 Day Centre Services for Persons with Disability Regulations, 2019. Citation.
2. These regulations by means of the Schedule, elevate the Social Regulatory Standards on Day Centres Services for Persons with Disability, to the status of subsidiary legislation under the Social Care Standards Authority Act. Scope.
Cap. 582.
3. In these regulations, unless the context otherwise requires: Interpretation.

"challenging behaviour" means behaviour exhibited by clients that is caused by intrinsic or extrinsic factors and has the potential to cause physical or psychological harm to the clients themselves or other persons around them;

"civil rights" means rights conferred on persons by the laws of Malta;

"client" means a person with disability aged eighteen (18) or over who enters into an agreement with a service provider to make use of services offered by the day centre. Clients may nominate person/s to be kept informed about the clients' personal affairs and take decisions or act on the clients' behalf. With the exception of client personal financial transactions, such persons cannot be part of the management or staff of the service provider. Clients may also be assigned a guardian by the Guardian Board in which case certain decisions are taken by the guardian, according to the provisions of Title IIIA of Part II of Book Second of the Code of Organization and Civil Procedure. Cap. 12.

"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;

"day centre" means a premises that has been purposely built, or adapted to provide planned care and support for persons with disability during the day time;

"day centre services" means services that support and safeguard the well-being of persons with disability outside of their residence and during the day. These services focus and are adapted to meet the client's needs, abilities and preferences;

"holistic assessment" means the process in which staff identifies the needs and aspirations of the clients 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 programme" means a document that is planned and developed with the direct participation of the clients and includes a holistic assessment of the clients that specifies how the clients' needs and aspirations are going to be met as well as the resources required by the clients whilst using the day centre service;

"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 day service should operate;

"prospective client" means a person with disability aged eighteen (18) or over who is considering whether to enter into an

agreement with a service provider to use the day service and make use of services offered by the service provider;

"quality indicator" means a statement that sets out the requirements to achieve compliance with a standard;

"SCSA" means Social Care Standards Authority as established by virtue of article 5 of the Social Care Standards Authority Act; Cap. 582.

"service provider" means a person who, or organisation that operates a day centre and provides associated services to persons with disability;

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

SCHEDULE

(Regulation 2)

STANDARD 1: CLIENTS' RIGHTS

STANDARD STATEMENT:

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

QUALITY INDICATORS:

1. The service provider makes sure that the clients' privacy is respected and that they are not subjected to unnecessary intrusion.
2. The service provider makes sure that clients are treated equally with respect and dignity.
3. The service provider supports clients to express themselves.

STANDARD 2: PERSONAL SUPPORT PROGRAMME

STANDARD STATEMENT:

This standard promotes the development, implementation and review of the personal support programme with individual clients to establish the care and support required and set objectives to

meet the clients' needs and aspirations.

QUALITY INDICATORS:

1. The service provider draws up the personal support programme upon a holistic assessment of the clients and with the direct participation of the clients.
2. The service provider makes sure that the staff supports and empowers clients to achieve objectives identified in the personal support programme.
3. The service provider makes sure that the personal support programme is reviewed regularly and updated as the clients' requirements change.

STANDARD 3: PARTICIPATION AND DECISION MAKING**STANDARD STATEMENT:**

This standard promotes active participation of clients in receiving day centre services and advocates and respects client's decisions and feedback.

QUALITY INDICATORS:

1. The service provider assists the prospective clients in taking a decision on whether to use the day centre service or not.
2. The service provider makes sure that the clients are given enough time when they need to take a decision.
3. The service provider respects the decisions taken by the clients and actively supports the clients when taking decisions.
4. The service provider encourages the clients to actively take part in planning and participating in social and leisure activities.
5. The service provider makes sure that the clients have the opportunity to review and give feedback on the day centre services.
6. The service provider deals promptly and effectively with situations causing concerns and complaints.
7. The service provider respects the choices of the clients 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 clients.

QUALITY INDICATORS:

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

STANDARD 5: SERVICE PROVISION**STANDARD STATEMENT:**

This standard promotes formal client access and use of services that meet the needs and wishes of the clients.

QUALITY INDICATORS:

1. The service provider and clients enter into a written agreement covering the conditions and costs of the services and care offered.
2. The service provider offers services in key areas to the clients.

STANDARD 6: 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 clients.
 2. The service provider implements transparent recruitment strategies and plans for the continuous development of staff.
-