B 2498

L.N. 341 of 2019

SOCIAL CARE STANDARDS AUTHORITY ACT (CAP. 582)

Social Regulatory Standards for Residential Services offered to Individuals with Problems Related to Substance Abuse and other Dependencies, 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:-

Citation.

1. The title of these regulations is the Social Regulatory Standards for Residential Services offered to Individuals with Problems Related to Substance Abuse and other Dependencies 2019.

Scope.

2. These regulations by means of the Schedule, elevate the Social Regulatory Standards for Residential Services offered to Individuals with Problems Related to Substance Abuse and other Dependencies, to the status of subsidiary legislation under the Social Care Standards Authority Act.

Cap. 582.

Interpretation.

3. In these regulations, unless the context otherwise requires:

"Agency" means the entity providing a service;

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

Cap. 582.

"challenging behaviour" means behaviour exhibited by individuals that is triggered by intrinsic or extrinsic factors and has the potential to endanger the quality of life of the individuals themselves or other persons around them;

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

"competent person" means a person who has the appropriate theoretical and/or practical knowledge and/or experience which render him capable and/or authorised to undertake specific activities. This is done in line with national legislation, standards or directives issued by the applicable authorities;

"Director/Manager of the residential facility" means the person having the responsibility for the residential facility;

"dependent persons" means persons who require special support from their legal parents/tutors;

"holistic assessment" means the process in which staff identifies the needs and aspirations of the individuals 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;

"independent representative" means a person, who is independent from any aspect of the service and from any agency involved in the provision of service, working in the name of the person availing of the service or in his interest. The representative carries out such work after having been formally appointed to do so by the individual in whose name the representative is acting or (if the individual is not in a position to do so) as stipulated by law;

"individuals" means persons having problems related to substance abuse and/or other dependencies who enter into an agreement with a service provider to avail of the services offered by the residential facility;

"key worker" means a worker responsible for co-ordinating the individuals' action plan;

"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 individuals with problems related to substance abuse and/or other dependencies;

"multidisciplinary team" means a team made up of a number of professionals from a range of disciplines working together to deliver comprehensive care that addresses the needs of individuals availing of the service;

"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 individual that specifies how the

individual’s needs and aspirations are going to be met and also includes the resources required by the individual whilst living in the residential facility;

"policies and procedures" means documents released by management that regulate how the residential facility should operate;

"prospective residents" means individuals who are considering whether to enter into an agreement with a service provider in order to avail of services offered by the service provider;

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

"relapse" means a return to substance abuse or other addictive habits after an attempt to stop. Individuals may be provoked by or exposed to situations and other risk factors that may increase the chances of them to return to such habits. Relapse indicates the need for more or different treatment;

"residential facility" means an accommodation which provides personal care and support service to individuals who have problems related to substance abuse and/or other dependencies;

"risk management" means a systematic approach to the management of risk to reduce loss of life, financial loss, loss of workers’ availability and to improve safety and reputation;

"risk profile" means a list of risks and/or dangers;

"service provider" means a person who, or organisation that provides and operates a residential facility and associated services to individuals who are seeking help for their problems related to substance abuse and/or other dependencies;

"staff" means a person engaged by the service provider wherein one of the person’s responsibilities is to provide individual support and care, irrespective of whether or how the person is compensated;

"therapeutic communities" means a common form of residential treatment for substance use disorders which focus largely on the recovery of individuals by seeing the individual more holistically including working on aspects of his lifestyle and behaviour and not solely abstinence from substance use;

"treatment card" means a document that keeps an account of the administration of medication in the residential service based on the doctor's/specialist's prescription. This is also used when staff provides information regarding the condition of the individual availing of the service. This includes the medication administered, how and when an individual should take the medication, frequency of uptake, the possibility of any side effects and which cases should be referred back to the doctor.

SCHEDULE
(Regulation 2)

Standard 1: Developing a holistic Person-Centred Support Plan

Standard Statement:

A personal support plan shall reflect the individuals' needs, goals, aspirations and preferences whilst indicating the course of action to be followed to fulfil such plan.

Quality Indicators:

1. The service provider ensures that an individualised personal support plan is devised upon a holistic assessment of the individuals.

2. The service provider and staff support and understand the individuals' needs, goals and aspirations and empowers them to achieve these.

3. The service provider ensures that the personal support plan reflects the changing needs of the individuals and is thus reviewed and updated in a regular manner.

Standard 2: Exercising Rights in a Therapeutic and Empowering Environment

Standard Statement:

Individuals are treated with respect and are ensured a holistic and dignified approach to care. The service provider encourages individuals' autonomy in decisions pertaining to the care provided.

Quality Indicators:

1. The service provider and all staff respect the dignity and individuality of all including safeguarding the right to lead the social, cultural and religious lifestyle endorsed, in conformity with the rules of the service.

2. The service provider promotes active participation of the individuals and encourages them to exercise personal choice and realise their full potential.

3. The service provider ensures that any information that individuals might find useful is provided to them in a complete, timely and unconditional manner.

4. The service provider is aware of the individuals' dietary requirements and food choices.

Standard 3: Safeguarding the individuals' safety and security

Standard Statement:

The environment shall enhance the quality of life of all individuals availing of the service and be a pleasant place to live in. All necessary measures are taken to avoid unwanted risks without invading the privacy of individuals.

Quality Indicators:

1. The service provider ensures that the residential facility is safe, welcoming, accessible and well maintained.

2. The service provider promotes systems that ensure overall safety and security of all staff and individuals availing of the service.

3. The service provider respects the individuals' privacy, personal aspirations and needs.

4. The service provider deals effectively and in a timely manner whenever the individuals, or their representative, express concern or submit a complaint.

5. The service provider ensures that the individuals' health condition and needs are well known by management and staff.

Standard 4: Ensuring effective and respectful procedures

Standard Statement:

Prospective residents are supported to decide whether the service fits their needs or not. The individuals are supported to have a smooth transition both upon entering the service as well as when they move out.

Quality Indicators:

1. The service provider ensures that information about what the service will offer is duly given to prospective residents prior to admission.

2. The service provider and the individuals who wish to avail of the service enter into a written agreement which sets put the terms and conditions for receiving the service.

3. The service provider together with the staff support individuals to prepare themselves for moving on in a planned manner after their discharge from the service.

Standard 5: Promoting an effective system for the safekeeping of documentation and information dissemination

Standard Statement:

The service provider abides with data protection measures when it comes to using, processing, retaining and disseminating confidential information about individuals availing of the service.

Quality Indicators:

1. The service provider keeps a record of important documentation and other relevant information relating to the individuals availing of the service.

2. The service provider ensures safe keeping and sharing of information pertaining to the individuals in line with respective laws and regulations.

Standard 6: Establishing and maintaining external relations

Standard Statement:

The service provider shall ensure comprehensiveness and

continuity of care by being proactive towards maintaining positive collaborative relationships with persons close to the individuals as well as different professionals who can provide the necessary care.

Quality Indicators:

1. The service provider communicates with significant persons close to the individuals and retains such contact if it is in the best interest of the same individuals.

2. The service provider collaborates with third parties including professionals and support bodies so as to enhance the therapeutic experience of the individuals availing of the service.

Standard 7: Service Quality Management

Standard Statement:

The management and staff are accountable to deliver quality support and care in the most respectful and transparent manner.

Quality Indicators:

1. The service provider ensures professional and ethical practice that is safe and appropriate to the emerging needs of the individuals availing of the service.

2. The service provider implements transparent recruitment strategies and plans for the continuous development of its staff.

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