Suppliment tal-Gazzetta tal-Gvern ta' Malta Nru. 20,708, 28 ta' Settembru, 2021
Taqsima B

A.L. 375 tal-2021

ATT DWAR L-AWTORITÀ TA' STANDARDS TA' ĦARSIEN SOĊJALI
(KAP. 582)

Regolamenti tal-2021 dwar Standards Soċjali Regolatorji għal Servizzi Residenzjali għal Persuni li jgħixu bid-Dimenzja fid-Djar tal-Anzjani

BIS-SAĦĦA tas-setgħat mogħtija bl-artikolu 30(5) tal-Att dwar l-Awtorità ta' Standards ta' Ħarsien Soċjali, il-Ministru għall-Anzjani u l-Anzjanità Attiva, għamel dawn ir-regolamenti li ġejjin:

Titolu.

1. It-titolu ta' dawn ir-regolamenti hu r-Regolamenti tal-2021 dwar Standards Soċjali Regolatorji għal Servizzi Residenzjali għal Persuni li jgħixu bid-Dimenzja fid-Djar tal-Anzjani.

Skop.

Kap. 582.

2. (1) Dawn ir-regolamenti, permezz tal-Iskeda, jelevaw l-Istandards Soċjali Regolatorji għal Servizzi Residenzjali għal Persuni li jgħixu bid-Dimenzja fid-Djar tal-Anzjani, għal status ta' liġi sussidjarja taħt l-Att dwar l-Awtorità ta' Standards ta' Ħarsien Soċjali.

L.S. 582.15.

(2) Dawn ir-Regolamenti dwar Standards Soċjali Regolatorji għal Servizzi Residenzjali għal Persuni li jgħixu bid-Dimenzja fid-Djar tal-Anzjani għandhom japplikaw b'mod konġunt flimkien mal-Regolamenti dwar Standards Soċjali Regolatorji għal Servizzi Residenzjali għall-Anzjani.

Tifsir.

3. F'dawn ir-regolamenti, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra:

Kap. 582.

"Att" tfisser l-Att dwar l-Awtorità ta' Standards ta' Ħarsien Soċjali ;

Kap. 582.

"l-Awtorità" tfisser l-Awtorità ta' Standards ta' Ħarsien Soċjali (SCSA) kif stabbilita permezz tal-artikolu 5 tal-Att dwar l-Awtorità ta' Standards ta' Ħarsien Soċjali;

"dar ta' kura residenzjali" tfisser akkomodazzjoni li tipprovdi kura personali u servizzi ta' appoġġ lill-persuni li qed jgħixu bid-dimenzja;

"imġiba diffiċli" tfisser imġiba b'tali intensità frekwenza, jew tul ta' żmien esebita mir-residenti li skattat minn fatturi intrinsiċi jew estrinsiċi, li għandha l-potenzjal li tikkawża ħsara

fiżika, emozzjonali u, jew psikoloġika lir-residenti stess jew lil persuni oħra madwarhom. Din l-imġiba x'aktarx tillimita jew timpedixxi l-aċċess għal ċerti servizzi jew faċilitajiet mingħajr appoġġ adegwat;

"indikatur ta' kwalità" tfisser stqarrija li tistabbilixxi r-rekwiżiti sabiex tinkiseb il-konformità ma' standard;

"indikatur ta' prestazzjoni" tfisser deskrittur attiv ta' x'għandhom jagħmlu l-provdituri tas-servizz sabiex jassiguraw ir-riżultati tas-servizz li jsostnu l-indikaturi ta' kwalità;

"maniġment" tfisser persuni li jaġixxu f'isem il-provditur tas-servizz biex jipprovdu tmexxija lill-istaff u jissorveljaw u jikkontrollaw il-funzjonament xieraq tas-servizzi offruti lir-residenti;

"persuna kompetenti" tfisser persuna jew entità li għandha l-għarfien teoretiku u, jew prattiku xieraq u, jew l-esperjenza li jagħmluha kapaċi u, jew awtorizzata sabiex timplimenta attivitajiet speċifiċi, skont il-leġiżlazzjoni nazzjonali, l-istandards jew id-direttivi maħruġa mill-awtoritajiet applikabbli;

"persuna li tgħix bid-dimenzja" tfisser persuna dijanjostikata bid-dimenzja minn persuna kompetenti. Il-persuna tista' tesperjenza indeboliment konjittiv, ostakoli lingwistiċi jew diffikultajiet fil-komunikazzjoni minħabba l-progressjoni tad-dimenzja, li twassal għall-ħtieġa ta' kura ħolistika u fit-tul f'dar ta' kura residenzjali;

"pjan ta' kura personali" tfisser dokument li huwa bbażat fuq il-valutazzjoni ħolistika tar-resident li jispeċifika kif il-ħtiġijiet u l-aspirazzjonijiet tar-resident se jintlaħqu. Dan id-dokument għandu jinkludi wkoll ir-riżorsi meħtieġa sabiex jintlaħqu l-ħtiġijiet kontinwi u fit-tul tar-resident;

"provditur tas-servizz għal persuni li jgħixu bid-dimenzja" tfisser persuna jew organizzazzjoni li tipprovdi u topera dar ta' kura residenzjali u servizzi assoċjati fit-tul lill-persuni li qed jgħixu bid-dimenzja. Il-provditur tas-servizz għandu jissodisfa l-obbligi kuntrattwali fis-seħħ li jistgħu japplikaw għalihom;

"rappreżentant maħtur legalment" tfisser persuna li tista' tiġi nominata mir-resident biex tinżamm infurmata dwar l-affarijiet personali tar-resident u tieħu deċiżjonijiet jew taġixxi f'isem ir-resident. Tali persuni ma jistgħux ikunu parti mill-maniġment jew l-istaff tal-provditur tas-servizz. Ir-residenti jistgħu wkoll jiġu assenjati kustodju mill-Bord dwar il-Kustodja. F'dan il-każ, ċerti deċiżjonijiet għandhom jittieħdu mill-kustodju skont il-Kodiċi Ċivili; Kap. 16.

"resident" tfisser persuna li tgħix bid-dimenzja li tidħol fi ftehim ma' provditur ta' servizz sabiex tagħmel użu mis-servizzi offruti u tgħix f'dar ta' kura residenzjali;

"staff" tfisser persuna mqabbda mill-provditur tas-servizz għal persuni li jgħixu bid-dimenzja, fejn waħda mir-responsabbiltajiet tal-persuna hija li tipprovdi appoġġ u ħarsien individwali jew fi grupp. Membri tal-istaff jistgħu jassumu wkoll dmirijiet amministrattivi simultanjament mar-rwoli tagħhom ta' ħarsien. Membri tal-istaff li jaħdmu fl-amministrazzjoni ta' organizzazzjoni jew ta' ċentru għandhom jissorveljaw l-ippjanar u l-implimentazzjoni ta' pjanijiet u azzjonijiet organizzattivi u l-infurzar ta' regoli u proċeduri.

SKEDA
(Regolament 2)

Standard 1: Rappreżentanza Legali

Stqarrija tal-Istandard:

Dan l-Istandard jassigura li persuni li jgħixu bid-dimenzja li joqogħdu f'dar ta' kura residenzjali għall-anzjani għandhom rappreżentant maħtur legalment li jista' jkun involut fil-kura tagħhom u li jippromwovi l-interessi tagħhom.

Indikatur ta' Kwalità:

Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jassigura li kull persuna li tgħix bid-dimenzja għandha rappreżentant maħtur legalment u li din il-persuna għandha tkun involuta fl-aspetti kollha tal-kura għall-imsemmija persuna li tgħix bid-dimenzja.

Standard 2: Is-Saħħa Personali u l-Kura Medika tar-Residenti

Stqarrija tal-Istandard:

Dan l-Istandard jassigura li l-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu fis-seħħ salvagwardji addizzjonali sabiex jipproteġu s-saħħa tar-residenti.

Indikaturi ta' Kwalità:

1. Ir-residenti għandhom ikunu appoġġjati sabiex jieklu u jixorbu b'mod sigur.

2. Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jissorvelja l-ħtiġijiet tas-saħħa tar-residenti u jassigura li jkunu jistgħu jaċċessaw il-kura tas-saħħa b'mod adegwat u konvenjenti.

3. Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jassigura li l-medikazzjoni għall-immaniġġjar ta' mġiba diffiċli hija użata b'mod responsabbli.

Standard 3: L-Ambjent Fiżiku

Stqarrija tal-Istandard:

Dan l-Istandard jippromwovi drittijiet li jassiguraw illi l-ambjent huwa akkoljenti, li jilqa', familjari, pjaċevoli u li jaqdi l-ħtiġijiet tar-residenti.

Indikaturi ta' Kwalità:

1. Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jassigura li s-sit u t-tqassim tad-dar ta' kura residenzjali u l-ispazji esterni kollha tagħha għandhom ikunu xierqa għal persuni li jgħixu bid-dimenzja.

2. Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jassigura li hemm fis-seħħ adattamenti li jippermettu lir-residenti jorjentaw ruħhom u jinnavigaw fl-ambjent tagħhom.

Standard 4: Immaniġġjar ta' Kwalità

Stqarrija tal-Istandard:

Dan l-Istandard jippromwovi drittijiet li jassiguraw li l-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jkun responsabbli sabiex jagħti servizz ta' kwalità u appoġġ ibbażati fuq il-kompetenza u t-titjib kontinwu.

Indikatur ta' Kwalità:

Il-provditur tas-servizz għal persuni li jgħixu bid-dimenzja fid-djar tal-anzjani għandu jassigura li d-dar ta' kura residenzjali hija mmexxija minn persuna kompetenti u li jimpjega staff li huwa mħarreġ b'mod adegwat sabiex jaħdem ma' persuni li jgħixu bid-dimenzja.

L.N. 375 of 2021

SOCIAL CARE STANDARDS AUTHORITY ACT (CAP. 582)

Social Regulatory Standards for Residential Services for Persons Living with Dementia in Homes for Senior Citizens Regulations, 2021

IN EXERCISE of the powers conferred by article 30(5) of the Social Care Standards Authority Act, the Minister for Senior Citizens and Active Ageing, has made the following regulations: -

Citation.

1. The title of these regulations is the Social Regulatory Standards for Residential Services for Persons living with Dementia in Homes for Senior Citizens Regulations, 2021.

Scope.

2. (1) These regulations by means of the Schedule, elevate the Social Regulatory Standards for Residential Services for Persons Living with Dementia in Homes for Senior Citizens, to the status of subsidiary legislation under the Social Care Standards Authority Act.

Cap. 582.

(2) These Social Regulatory Standards for Residential Services for Persons Living with Dementia in Homes for Senior Citizens Regulations shall apply in conjunction with the Social Regulatory Standards for Residential Services for Senior Citizens Regulations.

S.L. 582.15.

Interpretation.

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

Cap. 582.

"Act" means the Social Care Standards Authority Act;

Cap. 582.

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

"challenging behaviour" means behaviour of such an intensity, frequency, or duration exhibited by residents that is triggered by intrinsic or extrinsic factors, that has the potential to cause physical, emotional and, or psychological harm to the residents themselves or other persons around them. This behaviour is likely to limit or deny access to certain services or facilities without adequate support;

"competent person" means a person or entity who has the appropriate theoretical and, or practical knowledge and, or experience which render him capable and, or authorised to implement specific activities, in accordance with national

legislation, standards or directives issued by the applicable authorities;

"legally appointed representative" means a person that may be nominated by the resident to be kept informed about the resident's personal affairs and take decisions or act on the resident's behalf. Such persons cannot be part of the management or staff of the service provider. The residents may also be assigned a guardian by the Guardianship Board. In this case certain decisions shall be taken by the guardian in accordance to the Civil Code; Cap. 16.

"management" means persons who act on behalf of the service provider to provide leadership to staff and to supervise and control the proper functioning of services offered to the residents;

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

"personal care 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. This document shall also include the resources required to meet the resident's continuous and long-term needs;

"person living with dementia" means a person diagnosed with dementia by a competent person. The person may experience cognitive impairment, language barriers or communication difficulties due to progression in dementia, which necessitates holistic care managed on a long-term basis in a residential care home;

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

"resident" means a person living with dementia who enters into an agreement with a service provider to live in and make use of services offered by a residential care home;

"residential care home" means an accommodation which provides personal care and support services to persons who are living with dementia;

"service provider for persons living with dementia" means a person or an organisation that provides and operates a residential care home and associated services to persons who are

living with dementia on a long-term basis. The service provider shall fulfil any contractual obligations in force that may apply to them;

"staff" means a person engaged by the service provider for persons living with dementia, wherein one of the person's responsibilities is to provide individual and group support and care. Staff members may also assume administrative duties simultaneously with their caring roles. Staff members working in the administration of an organisation or a centre shall supervise the planning and implementation of organisational plans and actions and the enforcement of rules and procedures.

SCHEDULE
(Regulation 2)

Standard 1: Legal Representation

Standard Statement:

This standard aims to ensure that persons living with dementia residing in a residential care home for senior citizens have a legally appointed representative who can be involved in their care and who promotes their interests.

Quality Indicator:

The service provider for persons living with dementia in homes for senior citizens shall ensure that each person living with dementia has a legally appointed representative and that this person shall be involved in all aspects of care for the said person living with dementia.

Standard 2: Residents' Personal Health and Medical Care

Standard Statement:

This standard ensures that the service provider for persons living with dementia in homes for senior citizens has in place additional safeguards to protect the health of residents.

Quality Indicators:

1. The residents shall be supported to eat and drink in a safe manner.

2. The service provider for persons living with dementia in

homes for senior citizens shall supervise residents' health needs and ensure that they are able to access healthcare adequately and conveniently.

3. The service provider for persons living with dementia in homes for senior citizens shall ensure that medication to manage challenging behaviour is used responsibly.

Standard 3: Physical Environment

Standard Statement:

This standard promotes rights that ensure that the environment is engaging, welcoming, familiar, pleasant and conducive towards the needs of the residents.

Quality Indicators:

1. The service provider for persons living with dementia in homes for senior citizens shall ensure that the location and the layout of the residential care home and all its external grounds shall be appropriate for persons living with dementia.

2. The service provider for persons living with dementia in homes for senior citizens shall ensure that adaptations are in place which allow residents to orient and navigate in their environment.

Standard 4: Service Quality Management

Standard Statement:

This standard promotes rights that ensure that the service provider for persons living with dementia in homes for senior citizens shall be accountable to deliver quality service and support based on competency and continuous improvement.

Quality Indicator:

The service provider for persons living with dementia in homes for senior citizens shall ensure that the residential care home is managed by a competent person who employs staff who are adequately trained to work with persons living with dementia.

VERŻJONI ELETTRONIKA

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