



**SHARED LIVES**

**HULL**



**A kinder, stronger society built on sharing our lives and our homes.**

Page 4

## **1) Introduction**

Page 5

## **2) Registration**

Page 5

## **3) The Service**

3.1 Who can apply to be a shared lives carer?

3.2 How many people can a shared lives carer support?

3.3 Who might want to seek a shared lives placement?

3.4 Conflicts of interest.

Page 9

## **4) Key features of the scheme**

4.1 Monitoring and safeguarding by the Shared Lives Scheme

4.2 Matching a person who uses a Shared Lives Scheme with a Shared Lives carer

4.3 Shared Lives schemes approval and monitoring of carers' premises

4.4 The Code of Practice on the prevention and control of infection

4.5 Management of medicines in Shared Lives schemes

4.6 Shared lives schemes and Deprivation of Liberty

safeguards 4.7 Employment status of Shared Lives carers

4.8 Recruitment and approval of Shared lives carers

4.9 Disclosure and Barring service (DBS) checks

4.10 Support and monitoring of Shared Lives workers and carers

Page 15

## 5) Financial considerations

Page 16

## 6) Contracts and agreements

6.1 Shared Lives carer agreement

6.2 Shared Lives arrangement agreement

6.3 Failure to comply with scheme policy and procedures



Shared Lives is a service delivered by individuals and families within the community to adults in need of support in their day to day lives.

The service is based on the principle of sharing family life including the carers' home. It is commissioned by Hull City Council and is regulated by the Care Quality Commission (CQC)

In Shared Lives, a Shared Lives carer and someone who needs support get to know each other and, if they both feel that they will be able to form a long-term bond, they share family and community life. This can mean that the person becomes a regular daytime or overnight visitor to the Shared Lives carer's household, or it means that the person moves in with the Shared Lives carer.

## **The service can include:**

- Short or long term accommodation and support provided within the carers own home.
- Rehabilitative or transitional support
- Short breaks –a couple of weeks, over night or just for an evening or a day (e.g. if the service user usually lives with their own family or another Shared Lives carer)



Shared Lives schemes have to be registered with the CQC if they provide the regulated activity of personal care. Personal care is defined in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2010 as

(a) physical assistance given to a person in connection with -

- (i) eating or drinking (including the administration of parenteral nutrition),
- (ii) toileting (including in relation to the process of menstruation),
- (iii) washing or bathing,
- (iv) dressing,
- (v) oral care,
- (vi) the care of skin, hair and nails (with the exception of nail care provided by a chiropodist or podiatrist); or

(b) the prompting, together with supervision, of a person, in relation to the performance of any of the activities listed in paragraph (a), where that person is unable to make a decision for themselves in relation to performing such an activity without such prompting and supervision.

Hull City Council Shared Lives scheme is registered with the CQC for the regulated activity of 'personal care' but not the regulated activity 'accommodation for persons who require nursing or personal care'.

**This is because:**

The provider of the scheme is registered and not the owners or providers of the individual homes (the accommodation). The accommodation aspect of the service supplied by the shared lives carer is out of the scope of the regulations, and the homes where service users live are not 'regulated premises' that the CQC can inspect.

However, Hull City Council will inspect the accommodation prior to approving a shared lives carer and may do so periodically thereafter.

The Hull City Council Shared Lives scheme will recruit, train, assess and approve individuals or families to become shared lives carers.

### **3.1 Who can apply to be a shared lives carer?**

Anyone over the age of 18 can apply to become a shared lives carer. However, the Hull City Council Shares Lives scheme manager will need to be assured that potential carers are suitable and that they have the necessary skills, values and qualities to support vulnerable adults in their own home, and that the home itself is suitable. This will be explored during the assessment stage. Potential shared lives carers will also need to undertake an enhanced DBS check.

Family members such as parents, grandparents, aunts, uncles and siblings will not be approved to be Shared Lives carers. There are several reasons for this which are set out in the Shared Lives Plus guidance which states: Introducing a social care element into a family dynamic may be problematic.

For example, attending training, having to keep records, such as financial and medication may not be seen as part of normal family life and some family members may be reluctant to see this as a necessary part of their role. Some family members may find it difficult to be challenged on their approach to supporting their relative.

It should also be borne in mind that the person living with a close family member will not be eligible for Housing Benefit which has implications for the funding of the Shared Lives arrangement.

There could be occasions when it is necessary, for whatever reason, to end the Shared Lives arrangement and this could result in the very significant risk of an individual's most important family relationships being affected or put under pressure.

## 3.2 How many people can a shared lives carer support?

Previous regulations limited the number of people who could be supported at the same time by a carer to three. The current regulations do not place a limit, but Hull City Council feels it is good practice to place no more than three people with a carer at any one time, as to do so would run counter to the underpinning philosophy of shared lives as being 'family life' and not a small residential care home.

- The Fire Safety Code prepared specifically for Shared Lives carers is based on the assumption that carers provide care for no more than three people.
- Public Liability insurance products arranged specifically for Shared Lives carers are limited to three people.
- The Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006 do not apply to scheme carers providing accommodation for three people or fewer.
- There are simplified tax arrangements and tax concessions for Shared Lives carers who provide care for between one and three adults.

Shared Lives carers cannot provide personal care independently of the Shared Lives scheme unless they are registered themselves with CQC for the regulated activity of personal care and for the regulated activity of accommodation for persons who require nursing or personal care and with OFSTED, if they are providing care for children. Doing so without being appropriately registered may leave them open to prosecution.

### **3.3 Who might want to seek a shared lives placement?**

The service is available to adults aged 18 and over who need ongoing support and people will be matched with a potential carer based on shared interests and values and upon the experience and skills of the carer to meet the specific needs of the individual. Following placement, the Shared Lives worker will monitor the placement, offering or arranging any support necessary and carrying out periodic reviews.

### **3.4 Conflicts of interest**

The Manager will ensure that any potential conflict of interests identified during the referral or matching process is investigated. Where a conflict of interest is identified, the matching process will end and a record of the decision not to continue with a match will be made.

Potential or actual conflicts of interest are very complex situations for scheme workers, Shared Lives Carers or for any professional. A conflict of interest may occur when a Shared Lives Carer's relationship with a service user is compromised or might be compromised. This may happen for a number of reasons such as the Carer/s having a dual role i.e. currently working with the service user in a different capacity.

When faced with a potential or actual conflict of interest, it is important that Shared Lives Carers and workers consider, even if they feel that they can manage the potential conflict or feel that there are no significant issues, the perception that others (service users, colleagues, the community, employers etc.) may have when/if a conflict of interest comes to light.

It is important, therefore, that workers and carers are proactive in discussing any potential/actual conflicts of interests with the Scheme Manager and or employers/other professionals where relevant and that all possible outcomes and interpretations of actions and situations can be explored.



Regulations require that: “the registered person must take proper steps to ensure that each service user is protected against the risks of receiving care or treatment that is inappropriate or unsafe, by means of the planning and delivery of care in such a way as to reflect published research evidence and guidance issued by the appropriate professional and expert bodies as to good practice

To this end, the Hull City Council Shared Lives scheme has adopted the following as part of this policy.

#### **4.1 Monitoring and safeguarding by the Shared Lives Scheme**

Hull City Council, as the registered provider of the Shared Lives scheme is legally responsible for the quality and safety of care in every Shared Lives arrangement. Shared Lives workers and other Hull City Council officers will monitor care and safeguard those receiving care.

#### **4.2 Matching a person who uses a Shared Lives Scheme with a Shared Lives carer**

Shared Lives arrangements are formed using a matching process. The process involves participants getting to know each other at their own pace, before making any long term commitment to sharing a home.

Shared Lives arrangements only succeed where the Shared Lives carer is able to meet the identified needs of the person placed with them and the person gets on well with the carer and other people living in the house, and vice-versa. The matching process will take account of:

- The person’s assessed needs and wishes.
- The skills, knowledge and experience of the Shared Lives carer.
- The personal interests of the person and the Shared Lives carer.
- The location of the Shared Lives carer’s home.
- The facilities and accommodation the Shared Lives carer can offer.
- The cultures and/or faiths that are important to the person and the Shared Lives carer.

During the matching process and prior to a placement being made, the shared lives scheme workers will make clear to both the person and the prospective carer that making a placement requires the consent of all parties and that if either of them does not wish to go ahead with more introductory visits or with making a longer-term arrangement, the matching process will be halted.

Neither party is under any obligation to agree to any arrangement unless they want to.

### **4.3 Shared Lives schemes approval and monitoring of carers' premises**

Good practice requires that placements are only made in suitable premises and these are monitored at regular intervals.

Checks will include:

- Health and safety checklists which include security and fire safety.
- Public liability insurance.
- Household insurance.
- Evidence that the person using the scheme will not be at risk of being left without accommodation (for example, in relation to tenancies and mortgages).
- Suitability of accommodation to the individual needs of the person receiving the care. For example, suitable access, a reasonably sized bedroom, suitable bathroom facilities, shared use of the family home, opportunities for privacy and personalisation of their private space.

## **4.4 The Code of Practice on the prevention and control of infection**

It is the registered provider of the Shared Lives scheme that is regulated, not individual Shared Lives carers' homes. So the Code of Practice applies to the Hull City Council Shared Lives scheme in its work with Shared lives carers.

Hull City Council therefore needs to ensure that the following takes place:

- Provision and maintenance of a clean and appropriate environment.
- Provision of suitable accurate information on infections for people using the service and their visitors. This might include simple hygiene tips and information about how to control infection, and who to contact with concerns about prevention and control of infection.
- Provision of suitable accurate information on infections to other care professionals concerned with providing further support or nursing/medical care. This would be applicable where the Shared Lives carer takes an active role in liaising with or contacting healthcare professionals on behalf of people using the service.
- Provision of policies that will help to prevent and control infections. Hull City Council will make available its policies and practice guidance on the control of infection to all Shared Lives carers.

## **4.5 Management of medicines in Shared Lives schemes**

Shared Lives carers provide normal household arrangements for the management of medicines but Hull City Council will make available its policy on medication management in order to make sure that people who need support to take their medicines are helped in a manner that is safe and suits them best.

The policy includes guidance on the following:

- Storage of medicines.
- Recording the ordering and administration of medicines.
- Supporting the person to look after his/her own medicines if appropriate.

# Key Features

... continued

## Shared Lives - Hull

- Full information about when and how to give medicines if the person cannot self administer. This is particularly important for non-prescribed medicines (homely remedies) which shouldn't be administered without the guidance of a healthcare professional. This is because there may be interactions between prescribed medicines and homely remedies. It is also vitally important if the person requires the administration of medication by a non-oral route or is non-compliant. In these situations, the Hull City Council medication policy must be adhered to.
- Hull City Council, together with partners will also make available appropriate training.



**A kinder, stronger society built on sharing our lives and our homes.**

### **4.6 Shared lives schemes and Deprivation of Liberty safeguards**

Unlike care homes and hospitals, Shared Lives schemes cannot apply to the local authority to deprive someone of their liberty under the Mental Capacity Act 2005.

If such a deprivation is necessary, the Shared Lives provider would need to approach the Court of Protection for an order on a 'best interests' welfare matter. The Court of Protection order would provide a legal basis for the deprivation of liberty.

### **4.7 Employment status of Shared Lives carers**

Shared Lives carers are recognised by HMRC as being self-employed.

### **4.8 Recruitment and approval of Shared lives carers**

There are established and accepted practice identified and included in guidance from Shared Lives Plus. This includes a pre-arrangement assessment process that includes:

- Demonstration of carers' skills.
- Knowledge and abilities to support people using the scheme.
- Assessment of provision of a safe and suitable homely environment.
- Completion of pre-placement learning and assessment programmes.
- The use of a Shared Lives Panel that reviews evidence of capability, values and safety and makes recommendations that are taken into account when making decisions to approve carers.
- Carers' handbook that includes some of the scheme's policies and procedures relevant to Shared Lives carers and the general role and responsibilities of carers and others.
- Carers' agreements that are contractual agreements between the Shared Lives carer and the scheme. The agreements identify the carer's responsibilities, what services are to be provided and how.

The Hull City Council Shared Lives scheme will operate within the Shared Lives Plus guidance.

**4.10 Support and monitoring of Shared Lives workers and carers** Shared Lives carers will be offered regular support and monitoring. This will include:

- Ongoing learning which ensures that carers further their development in order to meet the individual needs of the people they support and care for.
- Monitoring which ensures that people are being cared for in a safe and secure environment where their identified needs are met and there is progress towards meeting their individual desired outcomes.
- Regular reviews which ensure that:
  - The ongoing development needs of carers are met
  - Carers are clear about their lines of accountability
  - Carers receive support in carrying out their responsibilities and can talk through with their Shared Lives scheme worker any issues about their role or about the people they care for and support including any additional, specialist advice and support required to meet the assessed needs of the person using the scheme
- Where enough carers would welcome it, shared lives scheme workers will facilitate regular carer group meetings to enable information to be shared and peer support to take place.
- Shared Lives carers have regular opportunities to take breaks from their caring responsibilities.

Shared Lives carers are not employed by the scheme and are not paid by the hour. However, they do receive payment for the support provided. Payment for Shared Lives longer term arrangements are made up of up to three elements which are:

- A payment for assessed care and support needs which is paid by Hull City Council or by someone self-funding. This payment is made directly to the Shared Lives carer.
- A payment for accommodation which is usually paid for by housing benefit or, if the person living in Shared Lives is ineligible they will need to pay this themselves
- A payment for food, utilities, household bills etc, which is paid for by the person living in the Shared Lives arrangement from their benefits or other income. It is important to note if the shared lives person is away from home, for example if they are on holiday, in respite care or for any other planned absence, this element of the shared lives payment will not be made. This is because this element of the payment is made to reimburse carers for the additional costs they incur, which will not be incurred by someone who is absent.

Where accommodation is provided, this is normally arranged under a licence agreement.

The care and support is chargeable under the Fairer Charging regulations and Hull City Council will undertake a financial assessment of anyone wishing to use the scheme to determine whether they are able to contribute to the cost of their care.

## **6.1 Shared Lives carer agreement:**

A Shared Lives carer agreement is an agreement entered into between the registered manager of the Shared Lives Scheme (acting on behalf of Hull City Council) and a Shared Lives carer for the provision, by that carer, of personal care to a person using the service together with accommodation in the carer's home. This agreement is the contract between the Shared Lives carer and the registered person carrying on the Shared Lives Scheme.

## **6.2 Shared Lives arrangement agreement:**

A Shared Lives arrangement agreement is made in relation to each individual placement. It is an agreement between the person using the service, the Shared Lives carer, the registered manager and anyone involved in commissioning the service. The agreement incorporates the responsibilities and expectations of all those involved and includes details of the plan of care of the person using the service.

## **6.3 Failure to comply with scheme policy and procedures**

This policy and the accompanying procedures and guidance have been written to reflect best practice, as identified by Shared Lives plus and to reflect the requirements placed on the scheme by the CQC. Together, these requirements aim to ensure the best possible support for individuals placed by the shared lives scheme and the best balance between the promotion of their basic rights, freedom and autonomy and protection from harm or the risk of harm. As such, the Hull City Council Shared Lives scheme does require Shared Lives carers to adhere to the policy, procedures and guidance as far as reasonably possibly and to alert the shared lives scheme worker at the earliest opportunity if they are, or are likely to experience difficulty in complying.



If shared lives carers do not comply with the policy, procedures and guidance, the scheme worker will first discuss the issue with the carer and attempt to negotiate a way forward. If further breaches occur, the scheme's concerns will be given in writing to the carer and the scheme worker will provide any necessary support to enable the carer to improve.

If improvement does not occur, a panel consisting of the shared lives scheme manager and senior managers of Hull City Council Adult Social Care will meet to consider next steps. This could include suspending or ending the placement or de-approving the carer.

If serious breaches occur which have put the person placed at risk of harm, or have caused harm, the carer will be referred to the Hull City Council Safeguarding Adults team. In the most serious cases, where someone has suffered harm due to the actions or neglect of the carer, the matter will be referred to the police who will decide whether to pursue a criminal prosecution.



If you would like to get in touch with the Shared Lives Team you can by the following ways:



01482 318 700



[hullsharedlivescheme@hullcc.gov.uk](mailto:hullsharedlivescheme@hullcc.gov.uk)

