

For information  
27 June 2017

**LEGISLATIVE COUNCIL**

**PANEL ON WELFARE SERVICES  
PANEL ON HEALTH SERVICES**

**JOINT SUBCOMMITTEE ON LONG-TERM CARE POLICY**

**Service Quality of Private Residential Care Homes**

**PURPOSE**

This paper briefs Members on various measures of the Government to strengthen the monitoring of residential care homes for the elderly (RCHEs) and residential care homes for persons with disabilities (RCHDs) and to enhance their service quality as well as the work progress.

**OVERVIEW**

2. As at end-May 2017, there were 732 RCHEs (including 547 private homes) issued with licences under the Residential Care Homes (Elderly Persons) Ordinance providing a total of around 72 000 residential care places; whereas there were 308 RCHDs (including 67 private homes) issued with licences or certificates of exemption under the Residential Care Homes (Persons with Disabilities) Ordinance providing a total of around 17 000 residential care places.

**IMPROVEMENT MEASURES AND WORK PROGRESS**

3. Having consolidated the past experience and considered the views and suggestions put forward by different stakeholders, the Government has been progressively implementing measures to strengthen the monitoring of residential care homes and enhance their service quality. These improvement measures mainly cover seven areas, including (1) strengthening inspection strategy and inspection back-up; (2) dedicated handling and follow-up of complaints; (3) reviewing the legislation and codes of practice and formulating care-related guidelines; (4) enhancing monitoring and quality/skills of home operators/managers/staff; (5) stepping up law enforcement and increasing transparency; (6) enhancing support for rectification works in respect of RCHDs; and (7) strengthening district support network and increasing boarding places in special schools. Details and progress of these improvement measures are set out at **Annex**.

## **ADVICE SOUGHT**

4. Members are invited to note the content of this paper.

Labour and Welfare Bureau  
Social Welfare Department  
June 2017

**Measures to Strengthen the Monitoring of  
Residential Care Homes for the Elderly and  
Residential Care Homes for Persons with Disabilities and  
Enhance their Service Quality and  
Work Progress**

	<b>Improvement Measures</b>	<b>Work Progress</b>
<b>(A) Strengthening inspection strategy and inspection back-up</b>		
(1)	Set up a dedicated team to formulate strategies and action plans for monitoring residential care homes with serious irregularities or poor track records, and to take sanctions and prosecution actions against non-compliant homes	<ul style="list-style-type: none"><li>● With the creation of a supernumerary post of Assistant Director of Social Welfare approved by the Finance Committee of the Legislative Council on 21 April 2017, the Social Welfare Department (SWD) set up the Licensing and Regulation Branch on 2 May 2017, comprising dedicated sections including the Risk Management and Complaints Section, Quality Service Section and Target Monitoring and Prosecution Section established earlier, to carry out the relevant areas of work.</li><li>● On top of the normal inspection mechanism, the dedicated team will, having regard to the nature and items of non-compliance of individual homes, formulate individualised, concrete and targeted strategies and action plans. This includes strategically conducting surprise inspections through a small team approach or by a multi-disciplinary inspectorate team. With reference to the irregularities of individual homes identified, the dedicated team will conduct surprise inspections flexibly at different times during office and non-office hours to closely monitor whether the homes have continuously complied with existing regulations and taken timely remedial measures.</li></ul>

	<b>Improvement Measures</b>	<b>Work Progress</b>
(2)	Require residential care homes to submit at regular intervals relief staff records with clear information on the staffing situation and duty roster to facilitate inspection and checking by SWD	<ul style="list-style-type: none"> <li>SWD issued a letter to all residential care homes for the elderly (RCHEs) and residential care homes for persons with disabilities (RCHDs) in December 2016, requesting all homes to strictly follow the requirement for submission of a “Staff List” to SWD once every three months, regardless of whether there is any change to the staff employed. The list shall cover all staff (including relief staff) employed to perform work at the homes whose employment contracts with the homes are still in effect. Moreover, the homes are required to submit at regular intervals a “Staff Duty Roster” to SWD for enhanced monitoring of staffing arrangements and duty attendance of the homes.</li> </ul>
(3)	Engage, in contract terms, retired disciplined service officers with rich investigation experience and skills to assist the inspection teams in carrying out inspections at residential care homes and strictly enforcing the law	<ul style="list-style-type: none"> <li>The retired disciplined service officers employed in contract terms by SWD have assumed duty since February 2017. Their main duties are to assist designated inspectors in conducting inspections at residential care homes, investigating suspected cases of non-compliance, collecting evidence and taking prosecution actions. SWD will review the effectiveness of the arrangement having regard to actual operational needs and practical work experience.</li> </ul>
(4)	Require residential care homes to install closed-circuit television (CCTV) at public areas of the homes to strengthen the monitoring of service provision	<ul style="list-style-type: none"> <li>SWD has discussed the concrete arrangements with the sector and individual homes through different means. Subject to the compliance of the Guidance on CCTV Surveillance and Use of Drones issued by the Office of the Privacy Commissioner for Personal Data, homes are required to install CCTV systems in public areas designated for residents’ daily activities, interview rooms, etc., so as to facilitate the viewing of CCTV footage as and when required for collecting information, step up supervision of the daily operation of the homes by the management staff and investigation by the licensing offices. The response of the homes is generally positive, though some hold different views.</li> </ul>

	Improvement Measures	Work Progress
<b>(B) Dedicated handling and follow-up of complaints</b>		
(5)	Set up a designated team to handle complaints against residential care homes, and to disseminate information on improvement measures and good practices gathered from inspections or complaint investigations to the homes for continuous enhancement of service quality	<ul style="list-style-type: none"> <li>SWD has established the Risk Management and Complaints Section to carry out the relevant work. The inspectorate team of SWD will follow up on each complaint case, including making contact with the complainants, conducting on-site investigation at the homes, interviewing with residents and their family members, enquiring with the home staff and collecting relevant information, etc. If the homes are found to have contravened requirements during investigation, depending on the nature and severity of the irregularities, SWD will issue advisory letters, warning letters or written directions on the remedial measures to be taken, and step up inspections and monitoring of these homes to ensure their implementation of the required improvement measures. If the homes persistently fail to make improvements, SWD will consider instigating prosecution action under the relevant legislation.</li> </ul>
<b>(C) Reviewing the legislation and codes of practice and formulating care-related guidelines</b>		
(6)	Review the RCHE and RCHD legislation in 2017. Before then and in the meantime, the Codes of Practice for RCHEs and RCHDs will be thoroughly reviewed and improvement areas will be identified	<ul style="list-style-type: none"> <li>SWD set up a working group in June 2017 comprising Legislative Council members, non-governmental organisations (NGOs) and the private sector operating RCHEs and RCHDs, members of the Elderly Commission and Rehabilitation Advisory Committee, academics, independent members, service users/carers, as well as representatives from the Hong Kong Council of Social Service and the Labour and Welfare Bureau, etc. The working group is to make concrete recommendations on amendments to the legislation and codes of practice.</li> </ul>
(7)	Having regard to service needs, formulate guidelines on care-related subjects from time to time to facilitate the provision of proper care by residential care homes for residents	<ul style="list-style-type: none"> <li>SWD issues circular memoranda and care-related guidelines to homes from time to time, covering subjects including the handling of drugs, bathing skills, proper use of restraints, care and nursing arrangements for residents with special care needs, prevention and handling of suspected cases of residents being bullied or sexually harassed, etc.</li> </ul>

	<b>Improvement Measures</b>	<b>Work Progress</b>
		<ul style="list-style-type: none"> <li>• Moreover, SWD regularly organises workshops for home staff with a view to enhancing their work ethics as well as improving the service quality on care-related matters.</li> </ul>
<b>(D) Enhancing monitoring and quality/skills of home operators/managers/staff</b>		
(8)	Examine the introduction of professional qualification requirements for newly recruited home managers and require home managers to complete a dedicated training programme on the management of homes	<ul style="list-style-type: none"> <li>• SWD, in collaboration with the relevant organisations (including the Qualifications Framework (QF) Secretariat and the Hong Kong Council for Accreditation of Academic and Vocational Qualifications (HKCAAVQ)), has formulated a framework of a training programme on management, covering such topics as understanding the relevant legislation and codes of practice, formulation and implementation of the Service Quality Standards (SQSs), management of human resources and provision of quality consumer service, etc., with a view to upgrading the ability and skills of home managers in the management of homes. SWD will make arrangements for all managers of RCHEs and RCHDs to enrol in the programme.</li> <li>• In the long run, SWD will consider introducing relevant professional qualification requirements (e.g. social workers, nurses, doctors, physiotherapists and occupational therapists, etc.) for newly recruited home managers and requiring them to complete a QF Level 4<sup>1</sup> training programme for home managers.</li> </ul>

<sup>1</sup> The Government launched QF in 2008 to provide a platform to encourage and facilitate lifelong learning, with a view to enhancing the capability and competitiveness of the workforce in Hong Kong. QF is a seven-level hierarchy covering qualifications in the academic, vocational and continuing education sectors.

	<b>Improvement Measures</b>	<b>Work Progress</b>
(9)	Give consideration to requiring RCHE and RCHD operators to conduct background checks (e.g. sexual offence conviction records) in respect of their home managers and staff	<ul style="list-style-type: none"> <li>• SWD issued letters in April 2017 requesting RCHDs to actively consider applying the Sexual Conviction Record Check Scheme to newly recruited and renewed home managers as well as home staff. In May 2017, representatives of the Security Bureau and Hong Kong Police Force were invited to brief private RCHD operators on the implementation procedures for the scheme. The responses from the homes were generally positive.</li> </ul>
(10)	Consider the applicant's track record of operating or taking part in the management of a home when deciding whether to issue a licence	<ul style="list-style-type: none"> <li>• SWD has adopted a more stringent mechanism. To ensure that an applicant for home licence is a fit and proper person to operate or take part in the management of a home, SWD, when deciding whether to issue a licence, will consider whether the applicant has a record of his/her licence in respect of another home being revoked or his/her application for renewal of licence turned down due to serious non-compliance or poor track record of performance, etc.</li> </ul>
(11)	Devise tailor-made training programmes for the sector to enhance the capability of home staff. SWD will, through training, help managers of private homes understand and implement SQSs <sup>2</sup> in the homes	<ul style="list-style-type: none"> <li>• SWD has been collaborating with the Department of Health (DH) since 2008 to provide training programmes for RCHE staff. Topics include drug safety, infection control, fall prevention, dementia care, prevention of elder abuse, handling of accidents and management of work stress, etc. From 2008 to end-March 2017, about 14 700 RCHE staff attended the training workshops.</li> <li>• To enhance the management skills of operators and home managers of RCHEs and to promote good corporate governance, SWD, in collaboration with the QF Secretariat and the Hong Kong Association of Gerontology, organised a seminar on RCHE management in October 2015 with around 260 participants from the elderly residential care</li> </ul>

<sup>2</sup> SWD has developed the SQSs to define the level of standards, in terms of management and service provision, that service units are expected to attain. There are 16 SQSs, each of which is elaborated by a set of criteria and assessment indicators. They are generic descriptions of the basic requirements so as to enable service operators to devise appropriate methods tailor-made for a certain service type or a particular service unit in meeting the SQS requirements. These standards are generally applicable to subsidised service units only. SWD will, through training and provision of support on service consultation, help and encourage operators and managers of private homes implement the standards in the homes.

	Improvement Measures	Work Progress
		<p>sector. SWD organised another management training workshop in February 2016 covering topics on crisis management and work ethics. Around 300 RCHE operators and management staff attended the workshop.</p> <ul style="list-style-type: none"> <li>• For RCHDs, SWD, in collaboration with DH and relevant professionals, has been organising training programmes for RCHD staff. Topics include infection control, management of psychotropic drugs and understanding the social, recreational and developmental needs of persons with disabilities, etc. Infection control officers and relevant staff of RCHDs have been briefed on infection control, principles in handling psychotropic drugs, hygiene and health care issues. About 800 RCHD staff participated in these training programmes each year.</li> <li>• To tie in with the implementation of the licensing system for RCHEs and RCHDs and to enhance the caring skills of home staff, SWD invites training institutes to organise a series of health worker training courses applicable to RCHEs and RCHDs in accordance with the relevant requirements. At present, 38 training institutes have been approved by SWD for organising 73 training courses applicable to RCHEs, whereas 23 training institutes have been approved by SWD for organising 74 training courses applicable to RCHDs.</li> <li>• SWD has recently revamped the assessment requirements for Health Worker Training Courses and developed them into QF Level 3 Specification of Competency Standards-based courses. In future, all Health Worker Training Courses must be accredited by HKCAAVQ (except for the courses provided by self-accrediting training colleges/institutions) as a pre-requisite for SWD's approval.</li> <li>• SWD has rolled out a two-year Quality Improvement Project for RCHEs since November 2016, whereby the Hong Kong Association of Gerontology has been selected to provide training for RCHE operators, managers and staff through classroom learning and</li> </ul>



	Improvement Measures	Work Progress
		<p>on-site coaching with a view to facilitating day-to-day home operation and enhancing management quality. So far, over 200 RCHEs have participated in the first and second phases of the six-phase project. The management and staff of the homes generally find the project useful for reviewing their routine working procedures and homes facilities, etc. for service quality enhancement.</p> <ul style="list-style-type: none"> <li>• SWD launched a 15-month Training and Consultation Programme on RCHD Management in July 2016. Under the programme, the Hong Kong Productivity Council organised various training courses and workshops on management, staff supervision, etc. for RCHD operators and home managers, and provided individual homes with professional consultation on home management.</li> <li>• To provide more focused support for improving the management quality of private RCHDs through training and service consultation, SWD plans to roll out a Quality Improvement Project for RCHDs by end-2017 to assist RCHD operators and home managers in implementing SQSs. The standards include requiring RCHDs to set out clearly their staffing structure, home management, fee charging and service details, etc., and formulate a fair, just and open mechanism for complaint handling. The objective is, through strengthening the regulation of management of homes, to effectively promote the development of a framework by private RCHDs for enhancing accountability and transparency, with a view to continuous improvement of service.</li> <li>• SWD will make arrangements for managers of RCHEs and RCHDs to enrol in the Home Manager Training Programme to be launched later, the contents of which would include helping private RCHEs and RCHDs implement SQSs.</li> </ul>
<b>(E) Stepping up law enforcement and increasing transparency</b>		
(12)	Revamp the criteria and arrangements for issuing	<ul style="list-style-type: none"> <li>• SWD has been regulating RCHEs and RCHDs according to the relevant ordinances and codes of</li> </ul>

	Improvement Measures	Work Progress
	<p>warnings to RCHEs and RCHDs with a view to making the entire monitoring mechanism open and binding. The proposals include making public the warning records of non-compliant RCHEs and RCHDs where practicable</p>	<p>practice. If homes fail to fully comply with the requirements, depending on the nature and severity of the inadequacies/irregularities involved, licensing offices will issue written advice or warnings to the homes requesting them to make improvements or rectifications as soon as possible.</p> <ul style="list-style-type: none"> <li>● SWD is reviewing the regulation strategies, including the arrangements for issuing written advice or warnings.</li> <li>● As regards making public the warning records of residential care homes, having sought legal advice, SWD is now formulating concrete implementation details and carrying out relevant preparatory work.</li> </ul>
(13)	<p>Develop a dedicated website on long-term care services for the elderly</p>	<ul style="list-style-type: none"> <li>● SWD completed and launched the Elderly Information Website (<a href="http://www.elderlyinfo.swd.gov.hk">www.elderlyinfo.swd.gov.hk</a>) on 13 February 2017, offering one-stop service information on over 700 RCHEs in the whole territory for better transparency. The website provides functions to search and compare different RCHEs. It also provides information on RCHEs in respect of services, fees, licensing, staffing, facilities, service performance (including records of conviction), accreditation and participation in the Service Quality Group (SQG) Scheme, etc.</li> <li>● SWD is developing a similar dedicated website for RCHDs to facilitate the public's access to information on individual RCHDs.</li> </ul>
(14)	<p>Further extend the SQG Scheme to all residential care homes, enabling wider participation of community stakeholders in the Scheme</p>	<ul style="list-style-type: none"> <li>● Since 2004, SWD has been progressively implementing the Pilot Scheme on SQG for RCHEs in certain homes. Members of SQG, comprising district personalities, healthcare personnel or other professionals, service users and representatives of local concern groups, etc., conduct visits to homes to make suggestions on their facilities and services and collect views from residents, their relatives and staff.</li> <li>● Starting from April 2016, the SQG Scheme has been extended to the whole territory with all types of RCHEs and all licensed RCHDs covered.</li> </ul>

	Improvement Measures	Work Progress
		<ul style="list-style-type: none"> <li>● In March 2017, the SQG Scheme was further extended to cover all RCHDs issued with certificates of exemption (CoEs).</li> <li>● Currently, there are 231 RCHEs and 49 RCHDs participating in the SQG Scheme.</li> <li>● SWD held a briefing session in May 2017 for 21 parents who newly joined the SQG and district personalities newly participated to understand the work of the group.</li> </ul>
<b>(F) Enhancing support for rectification works in respect of RCHDs</b>		
(15)	Encourage and assist RCHDs operating with CoEs to expedite the implementation of necessary rectification works	<ul style="list-style-type: none"> <li>● SWD has implemented various facilitating measures to encourage and assist RCHDs operating with CoEs to expedite the implementation of necessary rectification works, so that all RCHDs will meet the licensing requirements within the coming three years. Such measures include: <ul style="list-style-type: none"> <li>(a) providing these RCHDs with subsidy under the Lotteries Fund (LF) to carry out improvement works;</li> <li>(b) implementing the Financial Assistance Scheme (FAS) for Private RCHDs, which is funded by LF, to increase the grant to 90% of the recognised cost of the improvement works;</li> <li>(c) streamlining the workflow of engaging authorised persons for the provision of technical support;</li> <li>(d) preparing document templates to expedite the application process; and</li> <li>(e) implementing a special project to provide additional technical support for RCHDs having difficulties in taking forward rectification works.</li> </ul> </li> <li>● As at end-May 2017, there were 198 subvented and self-financing RCHDs operating with CoEs. SWD will continue to maintain close liaison with the NGOs operating these RCHDs and follow up on the progress of the improvement works. As for the 44 private RCHDs operating with CoEs, 35 of them have applied for the FAS for Private RCHDs. SWD</li> </ul>

	Improvement Measures	Work Progress
		will process the applications as soon as possible and continue to discuss with RCHDs the plans to expedite the improvement works. Meanwhile, some RCHDs are considering carrying out the improvement works at their own expenses in order to meet the licensing requirements.
<b>(G) Strengthening district support network and increasing boarding places in special schools</b>		
(16)	Step up the establishment of a district support network to provide needy disabled residents with casework support, and collaborate with cross-disciplinary professional teams (including organisations and welfare units serving persons with disabilities) in providing disabled residents with support and rehabilitation training	<ul style="list-style-type: none"> <li>To strengthen rehabilitation support for residents of private RCHDs, SWD has collaborated with the district support network, which includes District Support Centres for Persons with Disabilities, Integrated Community Centres for Mental Wellness, Home Care Service Teams for Persons with Severe Disabilities and Integrated Family Service Centres, etc., to provide needy residents with casework support. Caring visits and activities are also promoted to give residents more opportunities for social and rehabilitation training.</li> </ul>
(17)	Increase the supply of boarding places in special schools.  [Under the purview of the Education Bureau (EDB)]	<ul style="list-style-type: none"> <li>At present, boarding service is provided in 21 special schools of various types in the whole territory. EDB has been closely monitoring the supply and demand of boarding places in special schools and exploring feasible ways to increase the supply with reference to the actual demand. In this connection, EDB has made optimal use of the space available in the boarding sections of schools for children with moderate intellectual disability (MoID), where relevant ordinances and regulations permit, for provision of additional boarding places. EDB will continue to increase the supply of boarding places of this type of school through conversion, addition, reprovisioning and building new schools, etc., including the proposed construction of a new school for children with intellectual disability with boarding section in Tung Chung. The proposed school will provide 60 boarding places for children with MoID and severe intellectual disability. Subject to funding</li> </ul>

	<b>Improvement Measures</b>	<b>Work Progress</b>
		approval of the Legislative Council and timely completion of all construction projects, the number of boarding places for children with MoID is expected to increase from around 320 at present to around 400.

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