

Dear Ms Rushbrooke

RE: Freedom of Information Request

Reference: FOI.16.MERT267

21 April 2017

Thank you for your request under the *Freedom of Information Act 2000* (the Act). This response is provided on behalf of NHS Merton Clinical Commissioning Group (CCG).

You asked a follow-on question from FOI.16.MERT238:

Thank you for the response that states as follows:

The CCG expects that all its providers will meet legislative and statutory requirements, and enables self-reporting and works with the relevant overseeing authorities to ensure that legislative and statutory minimum standards are being maintained. Though the CCG contract specifies monitoring, the CCG also gains assurance of compliance in relation to policies and systems in place.

1. How is compliance of the MCA 2005 in care homes monitored by the CCGs?

The CCG does not have responsibility for monitoring care homes. Care homes are monitored by the Care Quality Commission (CQC). The CQC can choose to share its monitoring and inspection reports with the relevant CCG.

2. Where can this monitoring results be accessed by the service users?

The CQC publishes inspection reports on its website. Details about this can be found here:

<http://www.cqc.org.uk/content/publications>

3. How are service users to know if a care home is complying with its internal policy?

The CCG is unable to answer this question under the Freedom of Information Act as it is not asking for information held, but rather for speculation. The CCG does not hold any information to enable it to answer this question.

The Information Commissioner's Office has published guidance for members of the public who wish to find out information from public authorities. This can be found on their website here:

<https://ico.org.uk/for-the-public/official-information/>

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SE1 7NT

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If you remain dissatisfied, you can ask us to review our decision by making a written request for an internal review. In order to assist with the review, you should include your address, a description of the original request and the reasons why you are dissatisfied. Please send this to:

Email

NELCSU.foi@nhs.net

Postal Address

NEL CSU
1 Lower Marsh
Waterloo
London
SE1 7NT

Website Address

www.nelcsu.nhs.uk

The review will be handled by more senior staff who were not involved in the original decision. Although this will not apply to Section 36 claimed exemptions in accordance with Department of Health Directive, your request will still be reviewed. We aim to complete all internal reviews within 20 working days. If you then wish to appeal you should contact the Information Commissioner for an independent review at the following address:

Telephone

01625 545745

Postal Address

The Information Commissioner
Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Website Address

www.ico.gov.uk

Feedback

Your feedback is welcome to help us improve the service we provide. Please send comments or suggestions to our address.

Yours sincerely

Freedom of Information Team

NEL CSU