

## Follow-up inspection visit to Aa Care Home of MTÜ Vahtra Hooldemaja

Advisers of the Chancellor of Justice visited MTÜ Vahtra Hooldemaja's Aa Care Home on 18 June 2021 to assess compliance with the recommendations of the Chancellor of Justice presented in the [summary of the inspection](#) on 8 May 2019.

As a positive, the space used to separate the residents of the care home has been changed and is now used as a warehouse. There is no reason to suspect that people's freedom of movement is being unduly restricted.

The living conditions of the residents have been improved: several corridors, sanitary facilities and people's bedrooms have been renovated and their furnishings have been renewed. However, the long corridors are dim and ascetic. Interior design elements could be used to furnish them to create cosiness. There are still several bedrooms in the care home that need renovation and whose furnishings need to be renovated. People live in a care home for a long time, so it is especially important that their living environment is as cosy and homely as possible, as this supports their wellbeing. The European Committee for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment (CPT) has also [emphasised](#) this.

The Chancellor of Justice reiterates the recommendation to prefer single or double bedrooms when accommodating people. A bedroom for residents who need significant assistance and have a severe compound disability [may be](#) at most for four people. When furnishing bedrooms, care must be taken to ensure that the dimensions of the room and the arrangement of the furniture allows comfortable access to the beds and that there is sufficient space for users of aids. The [minimum bedroom area](#) requirement must be considered when accommodating people in the rooms. This requirement has not always been met in the care home: for example, room 3 on the ground floor has an area of less than 18 m<sup>2</sup>, but it can accommodate three people. A bedroom with three beds must be at least 18 m<sup>2</sup> in size.

It was not possible to be satisfied with how privacy was ensured. It must be possible for individuals to carry out hygiene operations privately, both in the bedroom and in public toilets. It must be possible to use screens or curtains in the bedroom. Shared toilets must have partitions etc. that allow for privacy. The toilets on the care home's ground and first floors had two or three toilets next to each other and there was no possibility to lock the door. The importance of ensuring privacy is also emphasised in the [quality guide for general care services](#).

The hygiene facilities were clean, but the toilets on the ground and second floors did not have toilet seats. Broken equipment should always be repaired in hygiene facilities as soon as possible.

There was a smell of tobacco smoke in the rooms of the care home. Human health must not be compromised by polluted indoor air. Tobacco smoke is harmful to health and also endangers non-smokers. Smoking must be arranged in such a way that smoke does not spread to bedrooms.

Care plans were prepared for the residents of the care home. Subsection 21 (5) of the Social Welfare Act requires [care plans to be reviewed](#) and the person's condition evaluated at least once every six months. The care plans for several people were not properly reviewed. Regular review of care plans helps identify a person's health problem or deterioration of the person's health in a timely manner. Therefore, the Chancellor of Justice calls for more attention to be paid to the implementation of care plans.

It is positive that a monitoring sheet and a care sheet are used to monitor the daily care activities and needs of people with more needs. Retention of information on care procedures is important both for the exchange of information between employees and for the assessment of the need for and status of healthcare services. The care procedures' documentation page indicated that people were washed more often than before – usually the residents of the care home were washed once a week over the body.

The care home now employs more care workers and that is a positive thing. In addition to care workers, there are washers at work on weekdays to help people with washing. Two social workers also help, support and guide the residents of the care home. However, considering the large number of dependants, doubts remained as to whether there were enough staff in the care home to perform all the care and maintenance required according to the care plan (e.g. helping in a timely manner, exercising with people lying in bed, taking people with reduced mobility outdoors).

For people with a high need for care, diapers are usually changed twice a day according to the day plan of the care home, so it is sometimes necessary to wait a long time to change diapers. Care workers are overburdened. For example, in the evenings, at night and often at the weekend, only two care workers are responsible for the safety and wellbeing of the residents of the care home, which cannot be considered sufficient (119 people were cared for by two care workers the night after the Chancellor of Justice's visit). There is no employee calling system in the building and therefore it is all the more difficult for people housed on three floors to signal their need for assistance. The staff shortage is also evidenced by the case of 11 March 2021, when a resident of the care home became violent at night and early in the morning, injuring three dependants. The incident was discovered only during the morning tour because staff did not come to help the dependants after calls for help. First aid was not given to the victims until after 7 o'clock in the morning.

Shortage of personnel can increase the [risk of abuse](#) in the care home. If employees are overwhelmed, this can create an unfavourable working environment and stressful situations. During their time on the first floor of the building, the advisers of the Chancellor of Justice saw an employee interact with a dependant in an offensive and scolding tone. Professional communication with people cannot be grumpy, repulsive or negative. The residents of the care home must be treated in a dignified, balanced and helpful manner in all situations.

The number of employees affects the extent to which the residents of the care home can be offered meaningful leisure opportunities. It is good that the care home has a training corner with several exercise machines and that attempts have been made to find activities of interest for men, too. However, it was clear that a number of dependants were inactive. More attention should be paid to providing meaningful leisure opportunities. Regular daily activities help maintain health. People with reduced mobility enjoyed walking outdoors, but a solution should be found so that people with reduced mobility can go outside more often.

During the inspection, only six of the care workers were listed on the work schedule of the Aa Care Home in the [register of economic activities](#). The data in the register was updated on 11 August 2021 and now the data of 14 care workers have been entered in the register (including information on compliance with the preparation requirements). The service provider must ensure that correct information is reflected in the register (subsection 30 (5) of the [General Part](#)

[of the Economic Activities Code](#)) and that this information is submitted to the registrar as soon as possible and in a timely manner.

In several cases, a care worker without training requirements had more responsibilities than allowed by law. The assistant care worker is supervised by the care worker (subsection 22 (3) of the [Social Welfare Act](#)). However, based on the work schedules, it could be concluded that the assistant care worker is sometimes on a floor alone in the evenings and at night. This should not be the case, as the assistant care worker should always be directly supervised by the care worker. The *Riigikogu* has also seen the duties of an assistant care worker as such. The assistant care worker has not met the training requirements for a care worker; therefore, such work organisation affects the quality of the care-giving service.

The Chancellor of Justice calls for the care worker to have a sufficient number of trained care workers at work at all times so that procedures can be performed that meet the needs of all residents and assistance can be provided in a timely manner. Employees must be given the opportunity to receive the training required by law. The correct data must be reflected in the register of economic activities. The care home should have a system for calling employees. Care plans need to be updated in a timely manner. More attention needs to be given to compliance with health protection requirements and guaranteeing privacy.