

## **Inspection of Haraka Home**

On 25 February 2015 advisers to the Chancellor of Justice paid an unannounced visit to Haraka Home to inspect the provision of 24-hour special care services to clients with multiple disabilities. A GP took part in the inspection as an expert.

The Chancellor of Justice had not visited the nursing home before.

Haraka Home has the capacity to provide 24-hour special care services to 27 people in total, 20 of whom are people with profound multiple disabilities. At the time of the inspection, 19 clients were being provided with services meant for people with profound multiple disabilities and six clients were receiving 24-hour special care. Clients were divided between three accommodation units (two in one building and one in a separate building). Clients with profound multiple disabilities and other clients in 24-hour special care were together in each unit.

During the inspection, advisers to the Chancellor of Justice visited the premises where 24-hour special care services are provided, and talked to the home's manager and activity instructors. The advisers also examined the documents kept in the home and they were particularly interested in the existence of the activity plans of clients and the principles of their preparation/updating. The advisers paid special attention to the guaranteeing of a safe environment for the provision of 24-hour special care services, human dignity and the restriction of the clients' fundamental right to freedom.

As a result of the inspection visit the Chancellor of Justice made the following recommendations to Haraka Home to guarantee the fundamental rights and freedoms of clients:

- take account of the recommendations made by the expert to improve the quality of services even further;
- guarantee that video surveillance of clients is in compliance with the requirements arising from the Personal Data Protection Act and the principles of processing personal data;
- guarantee that the consent to video surveillance obtained from the clients or their legal representatives complies with all of the requirements and personal data processing principles set forth in the Personal Data Protection Act;
- ascertain in each case whether the court has granted the client's legal representative the right to decide on the granting of consent to video surveillance on behalf of the client;
- introduce a system in the nursing home which guarantees that the need for and scope of the implementation of video surveillance is considered in each specific case where the client (or their legal representative) has not given their written consent for the use of video surveillance in their room. This decision should be made in a format that can be reproduced in writing every time and in respect of every client to guarantee that the decision is transparent and can be inspected.
- The decision to implement video surveillance should be effective only during a specific period of time and reviewed after the expiry of the period;
- guarantee the security of clients better than before, incl. guaranteeing that the gates are closed.

The Chancellor of Justice requests that Haraka Home send information about compliance with the above recommendations by 20 May 2015.