

OP13 De-approval of a Shared Lives Carer**1. Policy statement**

- 1.1 Shared Lives South West is regulated by the Care Quality Commission and is responsible for the safety and wellbeing of the people receiving care within the scheme. Where there are concerns about the ability of any Shared Lives Carer to support the scheme in meeting those requirements, the organisation will consider whether a Shared Lives Carer should be deapproved.
- 1.2 Whilst Shared Lives Carers are self-employed, deapproval will effectively remove their ability to have future Shared Lives placements and may affect their ability to obtain other care work. For this reason, Shared Lives South West must approach deapproval with care and ensure a fair, transparent, and robust process.

**2. Reason for de-approval**

- 2.1 Deapproval is likely to be a last resort, taken after all reasonable alternatives have been explored.
- 2.2 Deapproval may occur for reasons including, but not limited to:
  - There is substantiated evidence that the Carer has mistreated, neglected, or abused a person they support, or failed to prevent harm where reasonably expected, including situations where someone has been removed from the household due to safeguarding concerns.
  - The Carer is unable or unwilling to follow safe and appropriate care practices, including not engaging with support or training.
  - The Carer has seriously or repeatedly breached their agreement or responsibilities, including safeguarding, confidentiality, cooperation with reviews, or causing a breakdown in the working relationship with Shared Lives South West.
  - A person in the household is no longer considered safe to be around people supported, and the Carer is unwilling or unable to take reasonable steps to reduce the risk.
  - The Carer has received a caution, conviction, or disclosure that raises concerns about their suitability to continue in the role.
  - There is no longer a reasonable likelihood of suitable placements based on the Carer's skills, household situation, or preferences.

**3. Deapproval Process**

- 3.1 Concerns that may warrant deapproval should be presented to a Registered Manager for initial consideration.

- 3.2 The Registered Manager will determine whether further investigation or clarification is required and will consult with another Registered Manager to ensure a consistent and fair approach.
- 3.3 If deapproval is being considered, the Registered Manager must notify the Carer in writing that they are under consideration for deapproval. This initial letter will confirm that a formal process is underway and that a full report and meeting invitation will follow.
- 3.4 The Registered Manager will then prepare a written Deapproval Report setting out the concerns and supporting evidence. This will be submitted to the Chief Executive, who will review it to confirm that it is complete and appropriate to proceed.
- 3.5 The Chief Executive will appoint a Deapproval Chair who is suitably experienced, impartial, and available. This may include a member of the Leadership Team, a member of the Carer Approval Panel, or a Trustee. The appointed Chair must not have been previously involved in the concerns under consideration and must be capable of leading a fair and robust process.
- 3.6 A note taker will also be assigned, who will not take part in the decision-making process.
- 3.7 Once the Chair is confirmed, the Chief Executive will write to the Carer with:
  - A copy of the Deapproval Report and any supporting documents,
  - The date, time, and location of the meeting (giving at least 10 working days' notice),
  - The names of the individuals attending in formal roles,
  - The Carer's right to submit a written response or additional evidence ahead of the meeting,
  - Their right to be accompanied to the meeting by a friend, advocate, or representative.
- 3.8 If the Carer is unable to attend on the proposed date, they may propose an alternative within five working days. Shared Lives South West will take reasonable steps to agree a mutually acceptable date.
- 3.9 During the meeting, the Chair will explain the purpose and process, summarise the concerns, and allow the Registered Manager to clarify the rationale behind the deapproval recommendation. The Carer will have the opportunity to respond, present their perspective, submit further evidence, and request that relevant witnesses be heard.
- 3.10 If new or substantial information is raised during the meeting, the Chair may adjourn the meeting to allow time for consideration or further clarification.

- 3.11 Following the meeting, the Chair will consider all available evidence and reach a decision. The outcome will be confirmed in writing without unreasonable delay, and will include:
- The decision and reasons
  - A summary of key evidence considered
  - A copy of the meeting notes
  - Information about the Carer's right of appeal and how to request one
- 3.12 Shared Lives South West will work with relevant local authorities or commissioners to ensure that no person supported is left in an unregulated setting while the deapproval process is ongoing.

#### **4. Appeal Process**

- 4.1 The Carer has the right to appeal the decision. Appeals must be made in writing to the Chief Executive within 10 working days of receiving the outcome letter, clearly stating the grounds for appeal.
- 4.2 The Chief Executive will appoint an Appeal Chair who is suitably experienced, impartial, and available. This may include a member of the Leadership Team, a member of the Carer Approval Panel, or a Trustee. The appointed Chair must not have been previously involved in the deapproval decision and must be capable of leading a fair and robust process.
- 4.3 The role of the appeal is not to re-hear the entire case, but to consider whether:
- The correct procedure was not followed,
  - Evidence was not properly understood or considered,
  - Or the evidence was factually inaccurate.
- 4.4 The Appeal Chair will review all documents relating to the deapproval and may arrange a meeting with the Carer and relevant staff. The Carer may be accompanied to this meeting and will be given reasonable time to prepare.
- 4.5 A note taker will record the meeting and the notes will be reviewed by the Appeal Chair before being shared with the Carer for accuracy.
- 4.6 The Appeal Chair will consider the matter carefully and confirm the outcome in writing without unreasonable delay. The outcome of the appeal is final.

#### **5. Support to Shared Lives Carers during deapproval**

- 5.1 Shared Lives South West recognises that the deapproval process may have a significant emotional and professional impact on the Carer.

- 5.2 Carers may receive support from their Coordinator or a Carer Supporter, if appropriate.
- 5.3 Where a Carer is a member of Shared Lives Plus, they may also access independent support through them:

<https://sharedlivesplus.org.uk/what-to-do-if-you-face-de-approval/>

## **6. Barring referrals to DBS**

- 6.1 Depending on the nature of the deapproval, Shared Lives South West may be legally required to make a barring referral to the Disclosure and Barring Service (DBS).
- 6.2 A referral must be made if the Carer:
- Has harmed or placed at risk of harm a person they support (action or inaction),
  - Meets the harm test or has been cautioned/convicted of a relevant offence,
  - Would have been deapproved had they not resigned, retired, or left beforehand.

- 6.3 Shared Lives South West will follow current DBS guidance:

<https://www.gov.uk/guidance/making-barring-referrals-to-the-dbs>

## **7. Deapproval of Support Carers**

- 7.1 Support Carers are expected to uphold the same values, safeguarding responsibilities, and quality of care as Shared Lives Carers.
- 7.2 Where concerns arise, Shared Lives South West will follow the same principles and process set out in this policy for the deapproval of Shared Lives Carers.
- 7.3 In addition to the grounds for deapproval listed above, if a main Carer no longer wishes to work with a Support Carer and the issue cannot be resolved through support or mediation, Shared Lives South West will consider whether deapproval is appropriate. This decision will take into account the reasons for the breakdown and the impact on the ongoing suitability of the Support Carer within the scheme.

## **8. Review**

- 8.1 This policy will be reviewed every two years, or earlier if required.

## **9. Responsibilities**

- 9.1 The Registered Manager has overall responsibility for the implementation of this policy.