

NOTICE 1329 OF 2007**DEPARTMENT OF SOCIAL DEVELOPMENT****PUBLICATION FOR COMMENT: DRAFT REGULATIONS UNDER THE
OLDER PERSONS ACT, 2006 RELATING TO CHAPTER 4 OF THE ACT**

The Minister of Social Development intends to make regulations in terms of section 34 of the Older Persons Act, 2006 (Act No. 13 of 2006).

Interested parties are invited to submit comments on the proposed draft regulations to the Director-General: Social Development, Private Bag X901, Pretoria, 0001, fax number (012) 3127547 or e-mail: Isabellas@socdev.gov.za (for attention: Ms Isabella Sekawana), within 30 days of the date of publication of this notice.

Copies of the draft regulations can be obtained from the Government Printer Pretoria, from Ms Isabella Sekawana Department of Social Development, 7th Floor, HSRC Building, 134 Pretorius Street, Pretoria, Tel: (012) 312-7352 or from the various provincial departments of Social Development. The draft regulations are also available on the Department of Social Development's website: www.dsd.gov.za.

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OLDER PERSONS ACT, 2006**REGULATIONS IN TERMS OF THE OLDER PERSONS ACT 13 of 2006****REGULATIONS RELATING TO CHAPTER 4 OF THE ACT**

The Minister of Social Development intends, in terms of section 34 of the Act, to make the regulations in the Schedule hereto relating to Chapter 4 of the Act.

SCHEDULE**DEFINITIONS**

1. In these Regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and unless the context otherwise indicates—

“applicant” means a person who is applying to provide a service referred to in section 1 of the Act;

“asset” means any immovable or movable property owned by the service provider bought with Government funds;

“financial year” means the period between the 1st of April to the 31st March every year;

“form” means a form prescribed in the Regulations;

“person” includes an organisation;

“service provider” means a person who is providing services referred to in section 1 of the Act;

“resident” means an older person residing in a residential facility;

“the Act” means the Older Persons Act, 2006 (Act No. 13 of 2006).

Registration of residential facilities

2. (1) A person who wishes to operate a residential facility must make an application in a form similar to Form 1 in Annexure A to these regulations to the Minister for the registration of such a facility.

(2) The Minister may -

- (a) after consideration of such application and such other information as he or she may request; and
- (b) if he or she is satisfied that the residential facility is managed and conducted in such a way that-
 - (i) the reception, care and support of older persons may be entrusted to or conferred on the residential facility;
 - (ii) the building complies with national and local authority building regulations whichever is applicable;
 - (iii) the building and the facilities are accessible as per national minimum norms and standards;
 - (iv) has medical care and recreational facilities;
 - (v) services referred to in section 17 of the Act are provided in a safe and secure environment; and
 - (vi) it complies with the minimum national norms and standards for residential facilities determined by the Minister from time to time ,

grant full registration and issue a registration certificate similar to Form 2 in Annexure A.

- (3) The Director General may grant a temporary registration containing the conditions imposed for a period of 12 months if the applicant does not comply with all the conditions for registration referred to in sub-regulation (2) and issue a temporary registration certificate in the form similar to Form 3 of Annexure A.
- (4) Once the applicant has complied with the conditions imposed by the Director General he or she must send a notice to the Minister, stating that the said conditions have been complied with, in the form similar to Form 4 of Annexure A.

Service Level Agreements Between The Residents And the Service Provider

- 3. The service level Agreement entered into between residents and service provider must contain at least the following information:
 - (1) with regard to accommodation:
 - (a) date of occupation;
 - (b) type of accommodation.

(2) Services to be provided including:

- (a) boarding and lodging which includes at least three nutritionally balanced meals per day, taking into account the health status of the resident;
- (b) nursing and (ensuring medical attention);
- (c) bed and bath linen;
- (d) laundry services;
- (e) cleaning services; and
- (f) security services.

(3) Financial provisions relating to-

- (a) payment for services rendered;
- (b) details of residents' assets, liabilities, income and expenditure;
- (c) the amount which may be deducted from the social assistance grant the resident receives, which deduction must not exceed 90 percent of the social assistance grant;
- (d) financial details of the residents and their families (must) be made available to the management board on request.

(4) General:

- (a) procedures during termination of agreement including responsibility of the resident and his or her family;
- (b) rules regulating the running of the residential facility;
- (c) procedure when a resident dies;
- (d) confidentiality;
- (e) cost of damage to assets of the facility by the resident;
- (f) grounds for discharged alternative care;
- (g) probation period of the resident in the facility.

Minimum norms and standards for admission of persons to residential facilities

4. (1) An older person who wishes to be admitted to a residential facility must apply in writing to the manager of a residential facility and must provide any report required by the manager.
- (2) The manager of a residential facility or a family member of the resident may assist the applicant to fill in application forms and such forms must be accompanied by the following-
- (a) the admission policy and house rules of such residential facility;
 - (b) information about the residential facility, levels of services provided and the services rendered by such facility.
 - (c) a copy of the service level agreement
- (3) Any person who admits persons in a residential facility must comply with the minimum norms and standards for admission of persons in residential facilities determined by the Minister from time to time by notice in the Gazette.

Levels of Care And Support Services in Residential Facilities

5. (1) Any person who provides a service to older persons must comply with the minimum norms and standards referred to in subsection (1).
- (2) Levels of care and support provided will vary according to the needs and means of older persons, be assessed on a regular basis and must comply with the Minimum Norms and Standards contained in Annexure B of these Regulations.
- (3) An older person may choose from the following levels:
- (a) basic care provides the most basic needs for survival such as primary health care and is provided to ensure that older persons are cared for;
 - (b) intermediate care in addition with the qualities referred to in (a) has additional services that are ancillary to health care such as podiatry, occupational therapy, physiotherapy and excursions, that require additional resources; and
 - (c) tertiary services are in addition to (a) and (b) more advanced and luxurious and are equivalent to those services provided in retirement and private homes and for which the beneficiaries are able to pay.
- (4) Any person who provides a service to older persons must comply with the minimum norms and standards referred to in subsection (1).

Minimum Service standards with which such residential facilities are to comply

6. The (service provider must comply with the minimum service standards determined by the Minister by notice in the Gazette from time to time in accordance with these regulations.

The Books, Accounts And Registers and the manner of keeping and dealing with books of account

7. (1) The service provider must ensure that proper books are kept and records in which a true and satisfactory account of all financial transactions of the residential facility are recorded.
- (2) Annual financial statements required shall be extracted, prepared and certified by the (external) auditor appointed by the service provider.
- (3) All moneys received must be deposited to the credit of the residential facility in its banking account and all disbursements must be by cheque signed by the persons appointed by the service provider or any other method approved by the signatories.
- (4) Daily records of all moneys received against the necessary vouchers, and all amounts paid out, must be properly accounted for.
- (5) All records referred to in sub regulation (4), together with the necessary vouchers, must within (4) 6 months of the of the end of the organizations financial year, be submitted by the manager for auditing, to an independent auditing firm appointed for this purpose by the service provider.
- (6) The service provider must, in respect of each financial year, cause to be drawn up annual financial statements which must be in conformity with generally accepted accounting principles reflecting a fair and true picture of the financial affairs of the residential facility and of its business as at the end of the financial year concerned and of the results of its operations for the financial year.
- (7) The auditor appointed in terms of sub regulation (5) must address his or her report to the service provider in accordance with generally accepted auditing standards.

Returns and reports to be furnished in connection with residential facilities

9. In addition to any returns or information that the Minister may require from time to time, every (service provider) manager of a residential facility must, within six months after the closing of a financial year, submit to the Minister a copy of audited financial statement of income and expenditure relating to that financial year.

Records to be kept by any person who cares for or accommodates any older or frail person in any place other than a residential facility

10. A person who cares for or accommodates an older or frail person must keep a comprehensive record of each older or frail person, which must contain the following information-
 - (a) the names and identity number of the older, frail or disabled older persons in that place;
 - (b) the residential address and contact numbers of the person before being accommodated;
 - (c) medical condition of the older or frail person;
 - (d) particulars of next of kin; and
 - (e) particulars of treatment of such older or frail person.

RESIDENTS' COMMITTEE

The Composition of A Residents' Committee

11. (1) A Residents' Committee consisting of a minimum of 5 members and a maximum of 12 members, must be established in every Residential facility.

(2) The Residents Committee referred to in subsection 1-

- (a) must consist of not less than two members representing the residents of the residential facility elected by the majority of the residents;
- (b) must consist of not less than two members representing the staff elected by residents; and
- (c) may consist of at least one person representing the local community nominated by the community where the residential facility is situated and appointed by the service provider.
- (d) the manager of the residential facility is an automatic ex officio member of the residents' committee

(3) The composition of members must ensure that the membership as a whole –

- (a) is broadly representative of the residents of the facility;
- (b) has thorough knowledge and understanding of the facility;
- (c) has commitment and interest to the issues and well being of older persons; and
- (d) is representative, on grounds such as, race, gender and disability.

(4) The manager of a residential facility must within 60 days after registration of the facility, make an announcement over the local radio in the languages mostly used in that area and in a newspaper circulating and mostly read in the area where a residential facility is situated or any other means of communication invite members of the community to nominate persons to serve on the residents committee.

(5) The manager must consider those nominations referred to in (1)(d) and appoint suitable community members to the residents committee.

Term of office and vacation of office of Members of Residents' Committee

12. (1) A member of the residents committee, except the manager, holds office for a period specified in the letter of appointment but not exceeding three years and may be reappointed upon expiry of that term of office but such member may not hold the same office for more than two consecutive terms.
- (2) If a member dies or vacates office, the residents committee, as the case may be, may appoint suitable persons referred to in section 2(2) of the Act as member and that person serves for the remaining portion of the predecessor's term of office.
- (3) Members of the residents committee, representing the local community, only receive reimbursement for travel and subsistence expenditure on pre-approved official business for the residential facility, as the case may be.
- (4) No member of the residents committee may use any of the assets, resources or staff of the residential facility for personal purposes.
- (5) Before a member is appointed to the residents committee, he or she must in writing indicate whether he or she has, directly or indirectly, any financial or other interest in the relevant residential facility.
- (6) A person is disqualified from being a member of a residents committee if he or she is –
- (a) not a South African citizen;
 - (b) declared insolvent;
 - (c) convicted of an offence and sentenced to imprisonment without the option of a fine;
 - (d) convicted of any offence of which dishonesty or violence is an element; or
 - (e) a relative of a member of the staff of the residential facility or a relative of the service provider.

Grounds for Removal from office of members of residents' committee

13. (1) The residents' committee may at any time, by resolution, remove a member of the residents committee –
- (a) if the member has repeatedly failed to perform his or her functions efficiently;
 - (b) for misconduct;

- (c) if he or she is of unsound mind;
 - (d) if he or she becomes insolvent; or
 - (e) if he or she is convicted of an offence which involves dishonesty.
- (2) A member of the residents committee vacates office when -
- (a) he or she resigns by notice in writing to the residents' committee ;
 - (b) he or she is discharged in terms of sub regulation (1); or
 - (c) he or she is absent from three consecutive meetings of the residents committee without the chairperson's permission, unless the residents committee has condoned the absence on good reasons advanced by the member.

Meetings of residents committee

14. (1) The first meeting of the residents committee is held at the residential facility within 60 days of the establishment of the residential facility, at which meeting a chairperson and vice chairperson must be appointed by all the members present and thereafter meetings will be held quarterly at the residential facility and at such times as the residents' committee determines.
- (2) The chairperson may at any time call a special meeting of the residents committee or on a request by at least 3 members of the committee.
- (3) All members must be notified in writing of every meeting of the residents committee.
- (4) A quorum is formed by 50% plus one, of the members at any meeting of the residents committee.
- (5) Subject to sub regulation (4), a decision of the majority of the members present at a meeting of the residents committee constitutes a decision of the residents committee and, in the event of an equality of votes in any matter, the person chairing the relevant meeting has a casting vote in addition to a deliberative vote.
- (6) No decision taken by the residents committee or an act performed under its authority, is invalid merely by reason of -
- (a) a vacancy on the residents committee; or

- (b) the fact that any person not entitled to do so, sat as a member of the residents committee at the time that decision was taken.
- (7) If the chairperson and vice chairperson are for any reason unable to act, the members of the residents committee must designate any other member to act as a chairperson.

Minutes of residents committee's meetings

- (1) A residents committee must keep minutes of its meetings and circulate copies of the minutes to its members and the service provider.
- (2) The minutes, when signed at the next meeting by the person who chairs that meeting, are, in the absence of proof of error therein, regarded as a true and correct record of the proceedings and are *prima facie* evidence of those proceedings before a court of law, any tribunal or a commission of enquiry.

Penalties

- 14. Any person who contravenes or fails to comply with these Regulations is guilty of an offence and liable on conviction to a fine or to imprisonment not exceeding one year or to both such fine and such imprisonment.

Short title and commencement

- 15. These Regulations are called the Older Persons Regulations, 2007 and will come into operation on the date of publication.

ANNEXURE A
FORM 1
APPLICATION FOR REGISTRATION
OF RESIDENTIAL FACILITY
[Section 18(2) and Regulation 2(1)]

DEPARTMENT OF SOCIAL DEVELOPMENT
OLDER PERSONS ACT, 2006 (ACT NO. 13 OF 2006)

(where applicant is an organisation)

A. _____ *(full name of organisation)*
 herein represented by _____ *(full names and surname)*,
 In his or her capacity as _____ duly authorised in
 terms of resolution no _____ dated _____ *(attach a certified copy of the*
resolution)

OR

(where the applicant is an individual)

B. _____ *(full name if individual applicant)*
 makes an application for registration of residential facility terms of section 18(1) of the Older Persons
 Act, 2006 (Act No. 13 of 2006)

SECTION A *(Details of Organisation and Residential facility)*

Name of Organisation:	
Company Registration No:	
Date of Registration:	
NPO No:	
Name of residential facility:	
Previous Registration no. of residential facility:	<i>(only if applicable)</i>
Capacity of residential facility	
Date of establishment	
Number of residents of facility	

No of staff of facility: (Attach list)			
Physical address of facility:			
Postal address of facility:			
Telephone No		Fax	
Email address of facility			

SECTION B

(Details of individual applicant)

Name and Surname					
Preferred Name					
ID No			Date of birth		
Age		Nationality		Sex	

Physical address					
Postal address					
E-mail address:					
Telephone No		Fax		Cell	

EDUCATION (Attach copies of relevant certificates)

School, College or University	Standard / Qualifications	Date

Other training (Attach copies of relevant certificates)

Course / Qualification	Institution	Date

CONVICTIONS FOR CRIMINAL OFFENCES	Y	N	Details	

SECTION C*(Declaration and attachments)***Declaration**

I declare that the above information is true and correct. I understand that any misrepresentation or omission of pertinent information may be considered as sufficient grounds for withdrawal of registration.

Signature of applicant_____
Place_____
Date

Full Name: _____

Capacity: _____

Copies submitted:

- ☐ ID (individual applicants only)
- ☐ Certificate of qualifications (individual applicants only)
- ☐ List of older persons under my/our care
- ☐ Certificate of Health inspector
- ☐ Copy of building plans (where facility is new and not previously registered)
- ☐ Report from the Department of Social Development
- ☐ Report from the Department of Health
- ☐ Report from the Department of Local Government
- ☐ House rules
- ☐ Business plans detailing mix of sub economic and economic determination of subsidy
- ☐ Other *(please specify)* _____

SECTION D*(For office use)*

Application Number	Registration details			Signature
	Full registration	Y	N	_____ MINISTER DATE:
	Or			
	Temporary registration	Y	N	

Registration Certificate No.	
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FORM 2
REGISTRATION CERTIFICATE
OF RESIDENTIAL FACILITY
[Section 18(3)(a) and Regulation 2(2)]

DEPARTMENT OF SOCIAL DEVELOPMENT
OLDER PERSONS ACT, 2006 (ACT NO. 13 OF 2006)

Registration Certificate No. _____

Issued to (*name of residential facility*) _____

It is hereby certified that the abovementioned residential facility for older persons situated at (*physical address*) _____

has been registered in terms of section 18 of the Older Persons Act, 2006 (Act No. 13 of 2006).

This certificate is valid with effect from _____ (*dd/mm/yyyy*).

NB. This certificate is in terms of section 18(7) of the Older Persons Act, 2006 not transferable.

MINISTER

DATE:

(OFFICIAL E STAMP)

FORM 3
TEMPORARY REGISTRATION CERTIFICATE
OF RESIDENTIAL FACILITY
[Section 18(3)(b) and Regulation 2(3)]

DEPARTMENT OF SOCIAL DEVELOPMENT
OLDER PERSONS ACT, 2006 (ACT NO. 13 OF 2006)

Registration Certificate No. _____

Issued to (*name of residential facility*) _____

It is hereby certified that the abovementioned residential facility for older persons situated at (*physical address*) _____

has been registered in terms of section 18 of the Older Persons Act, 2006 (Act No. 13 of 2006), subject to the following conditions:

Conditions: _____

This certificate is valid for a period of _____ with effect from _____
(*dd/mm/yyyy*) to _____ (*dd/mm/yyyy*).

NB. This certificate is in terms of section 18(7) of the Older Persons Act, 2006 not transferable.

DIRECTOR GENERAL
DATE:

(OFFICIAL E STAMP)

FORM 4
NOTICE OF COMPLIANCE WITH CONDITIONS
(SPECIFIED IN THE TEMPORARY REGISTRATION CERTIFICATE)
[Section 18(3)(b) and Regulation 2(4)]

DEPARTMENT OF SOCIAL DEVELOPMENT
OLDER PERSONS ACT, 2006 (ACT NO. 13 OF 2006)

The Director General
Department of Social Development

Take notice that I/We,

_____ (*name of organisation or full name of the applicant*), with:

Company or NPO registration number _____ (*in respect of organisation*) OR
identity number _____ (*in respect of individual applicant*) have complied
with all the conditions specified the Temporary Registration Certificate No. _____ for registration
of residential facility. The said conditions were as follows:

Therefore, you are kindly requested to reconsider my application in terms of section 18(3)(b) of the Act.

The details of the residential facility are as follows:

Name of residential facility: _____

Physical address: _____

Postal address: _____

Tel. No. _____ (B) Fax No. _____

Cell No. _____ (*applicant*) E-mail address _____

Attached is a list of older persons admitted to the abovementioned residential facility.

APPLICANT'S SIGNATURE

Full Name: _____

Capacity: _____

Date: _____

MINIMUM NORMS AND STANDARDS FOR RESIDENTIAL FACILITIES

FUNCTIONAL AREA	NORM	STANDARD
<p>10. DELIVERY OF SERVICES</p> <p>Physical environment determined by the type of service delivered.</p>	<p>dd) Building and facilities are accessible to the residents</p> <p>ee) Nurses Station</p>	<p>A – independent B- assisted living</p> <ul style="list-style-type: none"> ▪ Accommodation category A (independent living) & B(assisted living) residents: <p>Single room floor space at least 9m² Double room floor space at least 16m². Ward type accommodation at least 7,5m² per resident – except head of bed all sides 0,6m from walls and Unobstructed space between beds of 1,2m.</p> ▪ Accommodation category C (frail care) Residents. <p>Maximum of 4 beds per room. Floor area not less than 7,5m² per bed.</p> ▪ Doors sufficiently wide enough to accommodate wheelchairs, beds trolleys and tri-pods ▪ No stairs / ramps at unreasonable steepness ▪ Lifts in multi story buildings must be bed size lifts to accommodate beds and trolleys. ▪ Toilets, baths and showers to be wheelchair/ tri-pod accessible ▪ Non-slippery flooring ▪ Emergency routes appropriate, clearly identified, visible during night time and all emergency exists accessible by wheelchair, trolleys and tri-pods. ▪ Per floor in a multi level building / central and accessible to all residents ▪ Nurse Call System ▪ Counter and work surfaces ▪ Telephone for internal and external

	ff) Nurses rest room and toilets	<p>communication</p> <ul style="list-style-type: none"> ▪ Wash hand basin with regulating taps ▪ Lock-up facility for all medication and scheduled drugs. ▪ Lockers for all nursing staff. ▪ Wash hand basin for the prevention of cross infection.
	gg) Examination Room / Treatment room facility	<p>Screened-off cubicles for privacy.</p> <p>Well-ventilated, heated area.</p> <p>Non-slip and non-shining flooring.</p> <p>Painted in light coloured, washable paint.</p> <p>Storage facility for various stock items.</p> <p>Wash hand basin with controlled taps where applicable.</p> <p>Equipped for the management of general and emergency situations medical situations.</p>
	hh) Passages / Staircases / Ramps / Steps	<p>Outside passages covered for protection against elements</p> <p>Corridors a least 1,8m wide and provided with hand railing along the length of at least one wall.</p> <p>All corridors, staircases, flight of steps and ramps must have a non-slip floor surface and adequately lit and fitted with effective handrails.</p> <p>All steps must not be higher than 130mm or narrower than 355mm.</p>
	ii) Bathrooms and Toilet facilities	<p>Bathroom facilities must be provided in the ratio of one [1] bath or shower to at least every eight [8] residents.</p> <p>bathroom facilities for residents in the case of open plan facilities designed to be used for more than one person.</p> <p>Constant supply of hot and cold water to all baths and showers.</p> <p>Bath positioned in such a way that</p>

		<p>residents have adequate access and effective handgrips.</p> <p>emergency bells or a communication systems to be in place.</p> <p>At least one [1] wash hand basin with constant hot and cold water supply must be provided in each bathroom complex.</p> <p>Walls and ceiling of the bathroom complex must be painted with light coloured durable, washable paint.</p> <p>Floors must be covered with a non-slip surface.</p> <p>Wash hand basin and a towel rail adjacent to the washbasin must be provided in every room or ward - rims of the basin must be 830mm above floor level. Constant supply of hot and cold water must be supplied to all washbasins.</p>
	Wash hand basins	
	toilets	<p>One [1] toilet for at least every eight [8] residents of every sex.</p> <p>Of the toilets at least one for every 24 residents must have:</p> <ul style="list-style-type: none"> A floor area of not less than 2,9m² A minimum width of 1,6m A door with a width not less than 800mm <p>Space between door and toilet</p> <p>Height of the toilet pans may not be less than 460mm and more than 480mm from the floor.</p> <p>Effective support rails must be provided in the toilets</p> <p>A urinal must be provided in the toilet complex where a facility is developed to be used by more than one male resident.</p>
	jj) Sluice Rooms	<p>A sluice room must have a minimum floor area of 7,5m² and a minimum width of 2,5m.</p> <p>Must be well ventilated.</p> <p>Be equipped with impervious shelves</p> <p>Be provided with a constant supply of hot</p>

		<p>and cold water.</p> <p>Be equipped with a combination slop hopper sink with a wash facility for bedpans / urinals</p> <p>Be equipped with an impervious receptacle of adequate capacity with a close-fitting lid for soiled dressings.</p> <p>Sluice rooms must be reasonably accessible from bedrooms and frail care rooms.</p> <p>Separate toilet facilities for male and female visitors.</p>
	kk) Toilet facilities for visitors	<p>Wash hand basin supplied with constant hot and cold water.</p>
	ll) Kitchen	<p>Kitchen must have a minimum floor area of 16m² for at least 32 residents. The floor area must be calculated at 0,5m² per resident .</p> <p>Washing-up area separate from the food preparation area.</p> <p>Wash hand basin for staff hand washing.</p> <p>Adequate and constant hot and cold water supply to all basins.</p> <p>Impervious, easy to clean work surfaces in all areas.</p> <p>A safe source of power for cooking purposes.</p> <p>A suitable means for the effective Extraction of heat fumes and gases.</p> <p>Smooth and even wall surfaces.</p> <p>A facility to maintain perishable foods At a temperature below 10°C.</p> <p>Sufficient suitable storage space for Crockery, cutlery and kitchen utensils.</p>
	Service Kitchen	<p>The frail care must be provided with a service kitchen for the preparation of beverages and the heating up of food only.</p> <p>Must be equipped with a basin for the wash-up of cutlery and crockery.</p> <p>Must be equipped with a separate wash hand basin for staff to prevent cross infection.</p>

	mm) Laundry and Ironing area	<p>Must be provided with constant hot and cold water supply.</p> <p>Well-ventilated laundry area.</p> <p>Adequately sized according to number of residents.</p> <p>Adequately equipped for washing, drying and ironing.</p> <p>Adequate arrangements for the separate receiving and disinfection / washing of soiled and infected linen and clothing.</p> <p>Separate storage area for the clean linen. Shelving must be of an impervious material.</p> <p>Walls and ceiling must be painted with durable, washable and light-coloured paint.</p> <p>If an outside contractor is used for laundry purposes it must be done in an approved laundry.</p>
	nn) Dining Room	<p>A dining area with a minimum floor area of 1,5m² per resident with adequate passages and aisles in the dining area. Approved, suitable and safe artificial heating system in the dining areas. Non-slip floors.</p>
	oo) Recreation Area / Lounges / Sun Porches	<p>Floor area of not less than 1,5m² per resident.</p> <p>This area must be designed and situated in such a way that it can also be used for occupational therapy</p>
	pp) Storage facilities	<p>Adequate (separate) storage facilities for linen, furniture, suitcases, household cleaning agents, tools, medicines, and corrosive and other harmful substances. (In terms of relevant legislation)</p> <p>Must have a suitable, furnished administrative office on the premises.</p>

	<p>qq) Administrative office</p> <p>rr) Proper and adequate ventilation / heating / cooling / lighting</p> <p>ss) Secure and safe environment</p> <p>tt) Therapeutic environment</p>	<ul style="list-style-type: none"> ▪ Cross ventilation ▪ Lighting, not glazing ▪ Safe heating and cooling system in the frail care, rooms, wards and the dining areas. ▪ Absence of offensive odours, through the effective management of physical environment, soiled linen, bedding and personal effects. ▪ Security in accordance with local conditions ▪ Windows must be adequately protected or guarded to ensure the safety of residents. ▪ Emergency exits and routes practical and clearly identified and visible at night. ▪ Controlled access to facility ▪ Support railings both sides of corridors ▪ Non-slip and non-shining flooring surfaces. All carpets, mats and other loose coverings must be suitably and safely secured to the floors. ▪ Security of personal effects of staff and residents ▪ Security and control over medication ▪ Existence of emergency and disaster plan ▪ Fire-fighting equipment in accordance with Occupation, Health and Safety Act 85, of 1993 – Fire protection certificate issued by Fire Dept ▪ Appropriate 24-hour communication system (internal and external) ▪ Programmes for prevention of injuries and infections [Service Delivery] ▪ Access to an area to undertake private discussions and interviews. ▪ A bed with mattress, chair and private and safe and lockable cupboard for each resident ▪ Care equipment, e g crutches, wheel chairs, bedpans etc.
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	uu) Functional and sufficient furniture and equipment	<ul style="list-style-type: none"> ▪ Catering equipment available ▪ Laundry equipment available ▪ Maintenance equipment ▪ Adequate clean Bed Linen Blankets Pillows and towelling, per bed. ▪ Furniture and equipment for staff requirements Change room facility with lockers ▪ Staff Rest room
FUNCTIONAL AREA	NORM	STANDARD
	vv) Physical layout of grounds and buildings promotes mobility, social interaction and areas of service delivery	<ul style="list-style-type: none"> ▪ Appropriate medical emergency equipment ▪ Office facilities <p>Surrounding should be suitable from a health point of view Avoid low-lying cold areas. Avoid presence of factory / train Smoke.</p> <p>Slope of terrain: The terrain should be as level as possible. Sloping grounds</p> <ul style="list-style-type: none"> ▪ Sanitation ▪ Clean drinkable water ▪ Cooking and catering facilities ▪ Laundry facilities /washing facilities ▪ Nursing facilities ▪ Recreational facilities / areas ▪ Fencing ▪ Areas for care of persons with mental incapacity where necessary <p>Secure environment appropriate for the needs of the individual, particularly those with mental incapacity.</p> <ul style="list-style-type: none"> ▪ Store facilities ▪ Grounds are wheelchair / tri-pod accessible ▪ Supply of electricity o alternate power source ▪ Designated smoking area
10.1 Legal Status for service delivery	g) Service providers are registered	<ul style="list-style-type: none"> ▪ Registration certificate of residential facility and service providers to be publicly displayed

	h) Admission policy in accordance with statutory requirements	<ul style="list-style-type: none"> ▪ Implementation of departmentally approved assessment instrument DQ 98 ▪ Completed standardised background report from Social Worker when necessary ▪ Contract between organisation / recipient / representative [Service Level Agreement] ▪ Admission policy and code of conduct to be in line with policy, [SA Policy for Older Persons] principles and the South African Declaration on the Rights and Responsibilities of Older Persons ▪ Information on the organisation and services rendered provided ▪ Information accessible to all
10.2 Capacity building	k) Support for caregivers, including family l) Effective and accessible volunteer programmes m) An informed and supportive community	<ul style="list-style-type: none"> • An outreach programme • Information sharing • Special events, projects etc • Measure the response e.g donations, visits, volunteers
FUNCTIONAL AREA	NORM	STANDARD
1.3 Residential care	c) Comfortable clean, healthy, and satisfied residents d) Optimal mobility	<ul style="list-style-type: none"> • Individualised care management plan • Adherence to approved health, nursing and pharmaceutical administration acts, policies and procedures • Nutrition and hydration according to dietary requirement • Socialisation through social and functional activities • Residents are out of bed where

	of residents during active hours	possible <ul style="list-style-type: none"> Residents are appropriately dressed, presentable and clean
	<p>d) Provisioning in the basic nutritional needs to promote healthy ageing</p> <p>e) Facilitate the provisioning of affordable, safe and accessible accommodation, housing & assisted living</p> <p>f) Older Persons maintain their independence through the provisioning of : Day care services Home care services Short term residential placement and care services Emergency Care Services</p>	<ul style="list-style-type: none"> Retard the onset of frailty and illness through providing in the basic nutritional needs. Prevention of malnutrition through information regarding balanced diets and needs Provisioning of daily nutritional needs through food security programmes Drinking water available Programmes to promote optimal independent living Affordable accommodation by means of rates' concessions Housing that is ageing and culture sensitive Strategy on welfare housing that will secure and increase housing stock of older persons Accessibility of community care and support services Programmes to enable and support families and spouses/partners to provide care and support Directory of community care and support service Home care services to address the needs of older persons living at home The availability of (subsidized) beds and services to address the needs of persons requiring short term residential placement and care Health and social monitoring system to Promote efficient family care giving Register of accredited carers per community Contract between service providers and carers Social relief

1.5 Health and social welfare services	d) Optimal healthy ageing and self-actualisation through the provisioning of affordable accessible and appropriate health and social welfare services	<ul style="list-style-type: none"> • Accessible primary health care services • Accessible and affordable curative care, i.e. hospitals and day hospitals • Accessible social welfare services • Accessibility of multi-purpose services • Accessible psycho-geriatric services
2.6 Transport (home-based care ?)	c) Facilitate the development of an affordable, appropriate and safe transport system to Promote the accessibility of services and the optimal Independent functioning of Older persons	<ul style="list-style-type: none"> • Concessions to promote the accessibility of public transport • Older person-friendly and safe transport system/programmes • Transport available to access services
2.7 Support to carers	b) Enabled and motivated carers	<ul style="list-style-type: none"> • Programmes to train, develop and support carers • Respite care programmes • Information and referral systems to support cares • Accessibility of health and social welfare services for cares
2.8 Provisioning of assistive devices	a) Lending depots	<ul style="list-style-type: none"> • Accessibility of lending depots • Assistive devices are available • Assistive devices are properly maintained • Training programmes in the correct use of assistive devices • Directory / data bank of lending depots

2.9 Social and economic independence	<p>n) Optimal independent functioning and self fulfilment / actualisation</p> <p>o) Economically active older persons</p> <p>p) Socialisation</p> <p>d) Healthy and active ageing</p>	<ul style="list-style-type: none"> • Programmes to promote preparation and provisioning for old age • Poverty relief programmes to promote the financial sustainability of families • Programmes for the development of life skills • Enrichment programmes to acquire and transfer skills and culture • Programmes to utilise older persons' skills and expertise • Programmes for life-long training and education • Programmes to promote optimal self-actualisation <ul style="list-style-type: none"> • Job-creation programmes to supplement old age grants • Community-based directories of job creation programmes • Strategy to eliminate compulsory retirement age • Programmes to promote continuous learning and development • Skills transfer programmes • Reality orientation programmes <p>Promotion of independent living by means of active ageing, healthy ageing and self-actualisation</p> <ul style="list-style-type: none"> • Promotion of participation of older persons in sport, recreation, leisure and arts and cultural activities • Life skills development <p>Health promotion</p>
1.11 Volunteerism	<p>q) Active corps of volunteers</p> <p>r) Active corps of older volunteers</p>	<ul style="list-style-type: none"> • Establish and maintain a volunteer programme • Register for volunteers • Training programme for volunteers to have a working knowledge of relevant legislation and policy <ul style="list-style-type: none"> • Establish and maintain a senior volunteer programme
1.12 Provision of food	s) Hygienic food preparation and serving facilities	<ul style="list-style-type: none"> • Suitable premises and facilities for the preparation and storage of foodstuffs • Sufficient and appropriate crockery

[illegible]

	<p>service</p> <p>d) Adherence to statutory requirements</p>	<p>Code of Conduct of Caregivers All Professionals should be Registered with their applicable Registration body</p> <ul style="list-style-type: none"> • All applicable Acts and regulations available and updated • Knowledge of applicable legislation (residential committee and staff) • Training programme to ensure working knowledge • Constitution [In line with Constitution of SA and all other relevant Acts] to be approved by relevant authorities and should promote accountability and transparency
<p>2.3 Functional management</p> <p>2.3.1 Financial management</p>	<p>e) Accountability of management</p>	<ul style="list-style-type: none"> • Meet requirements as stipulated in the Regulations for the Older Persons act • Recognised and acceptable financial management practices are adhered to • Annual budget is approved in accordance with the organisation's constitution • The budget and monthly financial statements are accessible for Developmental Quality Assurance audits and investigations • Financial statements are submitted at meetings of the service provider/board, at least every two months • The official responsible for the financial management is adequately trained and qualified • Financial policy and delegation are approved by the service provider • The payment of accounts and receipt of income is done in accordance with financial policy • All external and internal audit reports must be submitted to the service provider and must be reflected in the minutes of the board meeting • Monthly minuted Operational meetings / communications with staff •

2.3.2 Asset management	f) Effective utilisation and maintenance of assets	<ul style="list-style-type: none"> • Adhere to prescriptions to assets management in the Older Persons Act • Preventative maintenance programme approved by service provider • Updated Asset Register available • Asset register to differentiate between government assets and assets acquired through other means • Assets are comprehensively insured • Regular inspections performed and reported at meetings of the service provider • Evaluation procedures in place
2.4 Human resource management	g) Well trained, skilled motivated and dedicated staff	<ul style="list-style-type: none"> • Human resource policy approved by service provider to ensure best practices exist • Staff recruitment policy approved by service provider • Relevant Acts and Regulations, Policies and Procedures must be available and adhered to • Signed copies of: <ul style="list-style-type: none"> - Job description to be kept in each staff member's file - Contract of employment which includes acknowledgement of the rights of older persons and their rights as recipients of service • Personal file of each staff member • Staff records e.g. leave / sick leave, family responsibility leave up to date • Training programmes for staff implemented • Induction programme in place • Evaluation programme in place • Grievance procedure available • Disciplinary code available
2.8 Nursing administration	a) Provision of acceptable standards for continuous care	<ul style="list-style-type: none"> • Act, Policies and procedures known to and accessible by all members of nursing staff, including indications of quality of care to be maintained
		<ul style="list-style-type: none"> • Appropriate deployment and utilisation of staff, including adequate supervision from trained professionals • Continuous professional development programme supervision and maintenance of registers and

		documentation in accordance with legislation
3. RIGHTS AND RESPONSIBILITIES OF OLDER PERSONS	a) Older persons are treated with dignity and respect	<ul style="list-style-type: none"> • Declaration on the rights of older persons signed, explained and displayed • Participation in the planning and management of services • Programmes to promote and maintain the status of older persons
	b) Protection against abuse, neglect, ill-treatment and exploitation	<ul style="list-style-type: none"> • Register on abuse • A national toll free help line 0800 60 10 11 • Establishment of protocols on abuse • Protocols for the placement of people in safe environment • Training programmes for carers to deal effectively with abuse • Training programmes for survivors to deal effectively with abuse (survivors empowerment programme) • Community "Care Ring" or visiting programme • Personal safety and security awareness programmes • Places of safety / halfway houses • Recipients / family adhere to the spirit and letter of the admission contract • Recipients / family respect the social, cultural and religious beliefs of their fellow recipients of service / residents
	c) Older persons and /or their family are active participants in the delivery of services	<ul style="list-style-type: none"> • Recipients and / or their family remain active and self-reliant as far as possible • Recipients / family freely participate in all programmes • Recipients/ family do not engage in practices that may endanger and / or disturb the lives, health and well-being of others
	d) A caring community	<ul style="list-style-type: none"> • Active participation in the promotion and maintenance of the rights of older persons • Promotion of awareness in national and provincial programmes of interest to older persons • All programmes are older person

		sensitive and specific
4. DATA INFORMATION SYSTEM	a) Reliable and valid data	<ul style="list-style-type: none"> • Directory of services • Directory of service providers • Situation analysis • Demographic profiles • Reliable baseline information
	b) Informed public	<ul style="list-style-type: none"> • Directories of services & service providers
5. INDIVIDUALISED CARE PLAN FOR HOME AND RESIDENTIAL CARE	a) Individualised care plan for each older person for whom direct care is provided	<ul style="list-style-type: none"> • A personal record of each older person • A record of the name and details of the immediate family or responsible person to be consulted in cases of emergency or health care decision making • An assessment document completed within 48 hours of admission to the service, to be reviewed monthly or more frequently, if indicated. • A care plan to be updated in conjunction with the assessment document • Relevant records and documentation in accordance with legislative requirement. •
	b) Active Aging in Residential Facility	<ul style="list-style-type: none"> ▪ Reality Orientation Programmes Regular opportunities for socialisation through social and functional activities ▪ Regular programmes appropriate for the needs and limitations for the persons being cared for • All persons to be out of bed at least twice per day and appropriately dressed for part of each day • Participation in organised activities, including but not limited to reading, radio and TV, religious and cultural activities. • Programmes to promote active and meaningful participation with family and community life and peer group

	c) Provision of specific care	<p>activities</p> <ul style="list-style-type: none"> • Personal Hygiene needs • Nutritional and fluid requirements and assistance • Mobility and Transfers • Night time special requirements • Bathing • Toilet needs • Medication management, administration and regular review • Prevention of pressure sores, including mobilisation, turning, pressure care • Access to immunisation according to recommended guidelines <ul style="list-style-type: none"> • Available basic care plan for each client/resident including information relating to: <ul style="list-style-type: none"> - Personal hygiene needs - Nutritional and fluid requirements and assistance - Mobility and transfers - Night time special requirements - Bathing - Toilet needs - Medication management, administration and regular review - Prevention of pressure sores, including mobilisation, turning, pressure care - Access to immunisations according to recommended guidelines
		<ul style="list-style-type: none"> • Available plans and information relating to: <ul style="list-style-type: none"> - Chronic disease management - Incontinence management, including appropriate aids and appliances, including commodes, incontinence pads and catheters - Wound care management - Attention to sensory defects e.g. vision, hearing speech - Palliative care, recognising

Provision of Specific Care	<p>c) Access to supplementary health care</p> <p>A] 24 Hour Care Services to frail older persons and persons who need</p> <p>B] Care and Supervision services to older persons suffering from dementia and related diseases</p> <p>d) Rehabilitation and Habilitation Services</p> <p>e) Public Education on issues of ageing, including dementia</p> <p>f) Have a program for Counselling services to residents and family members who need these services</p> <p>g) Implementation and monitoring of outreach programmes</p> <p>h) Provision of beds for the temporary accommodation of older persons at risk</p>	<p>the need for respect of the choices and dignity of the terminally ill person</p> <ul style="list-style-type: none"> • Access to additional services where appropriate and available ▪ Basic care ▪ Intake and output ▪ Orientation programme ▪ Separate facility (room) ▪ Supervision continuous and observation ▪ Conducive friendly environment ▪ Safe environment ▪ Free movement within specific secured area ▪ Specific medication monitoring ▪ Adjusted recreation activities eg. Colouring books ▪ Provision of assistive devices ▪ Physiotherapy and occupational services when applicable ▪ Educating staff ▪ Educating communities and relatives ▪ When applicable ▪ At least one outreach programme Meet the requirements for registration as a service for community based services according to the Act. ▪ Subsidizes beds for older persons at risk • As for permanent residents
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Health and Safety	i) Respite Care services	Regular programmes appropriate for the needs and limitations for the persons being cared for.
	j) Sport and recreational activities..	All persons to be out of bed and appropriately dressed for part of each day Participation in organised activities, including but not limited to reading, radio and TV, religious and cultural activities.
	k) Cleaning Services	<ul style="list-style-type: none"> • Programme for normal and deep cleaning to be in place
	l) Infection Control	Adhere to applicable regulations, Policies and Procedures regarding Infection Control.
	m) Medical Waste management Waste Management	<p>According to local government regulations</p> <ul style="list-style-type: none"> • Operational control of the service • Hygiene management of all areas And pest control • Accessibility of emergency services Telephone number of emergency services prominently displayed • Proof of arrangements with emergency services with regard to management of emergencies • Emergency plan approved by relevant authorities • Access control • Safety officers appointed • Evaluation procedures for OH&S in place • Proof of arrangement with doctors on call, local hospital, ambulance service, contact numbers for support services S.A.P.S and nearest family member

		<ul style="list-style-type: none">• Fire fighting equipment available, optimally placed and annually inspected and reported on.• Staff trained in the effective use of the fire fighting equipment OH&S
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