

OPCAT COVID-19 report

Report on inspections of mental health
facilities under the Crimes of Torture Act
1989

15 June 2020

Peter Boshier
Chief Ombudsman
National Preventive Mechanism

Office of the Ombudsman
Tari o te Kaitiaki Mana Tangata

Contents

Introduction	1
COVID-19 pandemic	1
New Zealand alert level system	1
COVID-19 OPCAT inspections	2
Executive summary	3
Inspection methodology	3
Key observations	4
Health and safety	4
Cleaning and personal protective equipment	4
Access to hygiene and sanitation necessities	5
Access to drinking water	5
Time out of room	5
Physical distancing	5
COVID-19 preparedness and response	5
Planning for suspected or confirmed cases	6
Contact with the outside world	6
Visitors during Alert Level 4 and 3	6
Access to communication tools	7
Whānau experience	7
Dignity and respect	7
Relationship between staff and service users	8
Activities programmes	8
Service users' understanding of COVID-19 information	8
Protective measures	9
Visibility of complaints process	9
District Inspectors	9
Staffing	9
Staffing levels	10
Staff wellbeing	10
Summary of recommendations	10
Acknowledgements	11
Appendix 1. New Zealand COVID-19 Alert Level system	12
Alert Level 1 — Prepare	12
Risk assessment	12
Range of measures that can be applied locally or nationally	12
Alert Level 2 — Reduce	12

Risk assessment	12
Range of measures that can be applied locally or nationally	13
Alert Level 3 — Restrict	13
Risk assessment	13
Range of measures that can be applied locally or nationally	14
Alert Level 4 — Lockdown	14
Risk assessment	14
Range of measures that can be applied locally or nationally	14
Appendix 2. Criteria for OPCAT COVID-19 inspections	16
Criteria	16
Health and safety	16
Contact with the outside world	17
Dignity and respect	17
Protective measures	17
Staffing	17

The Facilities had been able to maintain safe staffing levels during COVID-19. Facilities should ensure that future emergency response planning accounts for the possibility that staff numbers may be limited and occupancy levels may not be as low. Facilities also need to include planning around how to best support staff.

Staffing levels

The Team observed that all Facilities had sufficient staff to interact with the service users and keep them safe. For a number of the Facilities, maintaining adequate staffing levels during Alert Levels 4 and 3 had been challenging due to vacancies or meeting individual staff vulnerabilities and personal situations. However, because none of the Facilities were at capacity over this period, they had been able to maintain safe staffing levels. None of the staff spoken to expressed concerns about the staffing levels at the time of inspection.

Staff wellbeing

Staff spoken to said they felt safe and supported through Alert Level 4 and 3. Most staff said that they felt well-informed by their Facility's management and leadership teams. At one Facility, the small number of staff my Inspectors spoke with said that during Alert Level 4 there had been a lack of information from management about COVID-19, but that this had been resolved in Alert Level 3.

Summary of recommendations

I did not make any recommendations for improvements at the two Facilities in the Canterbury District Health Board region.

I made recommendations to three Facilities in the Capital and Coast District Health Board region.

I made the following recommendations to one Facility:

- Further increase the frequency of cleaning of the Facility;
- Allow service users privacy when contacting their family and whanau; and
- that complaints information be made available and accessible to service users, specifically:
 - District Health Board complaint forms;
 - information on the District Health Board complaints process; and
 - information and contact details for the District Inspectors.

I made a recommendation to one Facility that complaints information be made available and accessible to service users. Specifically District Health Board complaint forms; information on the District Health Board complaints process; and information and contact details for the District Inspectors.

I made a recommendation to one Facility to enable service users to independently access drinking water.

The Facilities have accepted all of my recommendations.

Acknowledgements

I am grateful to facility staff for supporting my Inspectors in conducting their inspections. I appreciate that this is a difficult time, and am heartened by the helpful approach taken by management and staff. I also acknowledge the work that would have been involved in collating the information sought by my Inspectors.

Also, thank you to the various service users and whānau who have discussed difficult and personal information with my Teams.

Finally, I would like to thank my Inspectors and supporting staff for the work undertaken during this challenging period.

Peter Boshier
Chief Ombudsman
National Preventive Mechanism