Official reply: 07 April 2017

**NATIONAL ASSEMBLY**

**FOR WRITTEN REPLY**

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**341. Mrs C Dudley (ACDP) to ask the Minister of Social Development:**

(1) Whether she has been informed that two frail care facilities in the Eastern Cape could close by [31 December](x-apple-data-detectors://11/) 2017 due to the provincial department of Social Development not accepting Life Healthcare Group tender; if not, why not; if so, what are the relevant details;

(2) in light of the fact that Life Healthcare Group have been providing suitable services, would she request that the department negotiate to requote at a reduced price; if not, why not; if so,

(3) (a) to whom should the next of kin and family members of the disabled persons, some of whom have been in a ward of state and have been at Life Healthcare Group for 20 years, who have not received any official advice about the closures address their concerns of pending hardship and tragedy, (b) are there suitable alternative residences secured for those who will have to move and (c) will they be closer so that family can visit;

(4) will the department (a) advise where resident patients are to be transferred before they are moved so that concerned family can check them out, (b) guarantee that facilities meet satisfactory (i) health and hygiene and (ii) other standards and (c) provide satisfactory transport to move resident patients? **NW391E**

**Reply:**

(1) The Department is not aware of closing down of any Frail Care Centre.

All movements that relate to what has just befallen our country in Gauteng has been temporarily suspended more particularly in frail care centers and mental health institutions. The Department advised MECs not to continue with this up until an amicable solution is found. While other Departments address issues of financial challenges, the Department of Social Development does its best to provide care and support.

The Department however is aware that the contract between Eastern Cape Frail Care (Pty) Limited and the Department of Social Development, Eastern Cape has come to an end on 31 December 2016. It was agreed that the service provider continues rendering the service on a month-to-month interim arrangement until 31 March 2017.

The Eastern Cape Provincial Office of the Department advertised a call for proposals on 19 October 2016 in accordance with the National NPO Financing Guidelines and closed the advert on 21 November 2016. Six NPOs responded to the call and none qualified. The Department then re-advertised for new proposals on 23 January 2017 which closed on 17 February 2017. Only one NPO responded to this call, the same NPO which was disqualified in the previous evaluation process. The Department has re-advertised and called for proposals for the third time in the local media to ensure transparency and fairness in the process.

(2) The protection of the rights of Older Persons and Persons with Disabilities is paramount in the Department’s approach to handle the situation. The Department is currently working on a contingency plan. Prescripts of the Policy on Financial Awards, PFMA and National Treasury Regulations will be adhered to. If there is a need to negotiate with the current service provider, viz. Eastern Cape Frail Care (Pty) Limited, the Department will do so.

(3)(a) The Department has an obligation under section 16 of the Older Persons Act 13 of 2006 to inform the residents and families within 30 days of a proposed transfer or discharge. On 14 November 2016 a meeting was held with service offices, requesting them to visit the next of kin of all residents, to notify and prepare them for the possible transfer of residents as prescribed in Section 16 of the Older Persons Act, 2006. On 16 November 2016, the service offices started visiting families. 128 families were visited in the Nelson Mandela Metro; of which 87 families signed the notifications for relocations of residents to suitable alternative facilities, 30 families refused to sign the notifications, 3 families indicated that they wanted to take the beneficiaries home, 8 families were untraceable and 21 beneficiaries had been abandoned with no family. 1 family was visited in the O.R Tambo Metro, and the family signed the notification. 10 families were visited in the Sarah Baartman Metro, all of whom signed the notification. 8 families were visited in the Buffalo City Metro, all of whom signed the notification. The Department is still tracing families in the Chris Hani and Amathole Districts. On 18 November 2016, the social workers notified the residents of the centres regarding possible relocation. On 1 December 2016 and 4 December 2016, the Department also conducted group sessions with families at Uitenhage and Ibhayi building respectively to clarify concerns of the families, and to inform them that the Department would continue to provide the services to the beneficiaries. The Department of Health conducted Health Assessment to all beneficiaries in preparation for the possible re-location.

(b) Alternate accommodation is not necessary for now as the same service provider is still continuing with rendering the service. Once suitable NPOs have been identified to take over the service, accommodation will be provided by the NPOs.

(c & d) The Department does not have a plan to move beneficiaries far from their homes. The Department would like families to continue visiting their older persons in residential facilities. This promotes the rights of older persons to keep contact with their families.

(4) (a) Yes, next of kin will be advised of the transfer before residents are moved. The Older Persons Act, 2006 further mandates that Older Persons must be prepared accordingly, i.e. psychologically and as the need determines.

(b)(i) Yes, The Department will choose only those NPOs which meet the Norms and Standards of the Older Persons Act, 2006 and relevant pieces of Legislative Frameworks that impact on older persons who reside in residential care facilities, e.g. National Health Act, 2004, National Environmental Management Act, 1998 etc. to relocate beneficiaries.

(ii) Furthermore NPOs must be registered as residential facilities in terms of the Older Persons Act No 13 of 2006.

(c) Yes, proper arrangements to transport residents will be conducted in consultation with the Department of Health.