



# Position Paper

## **ANEC comments on AFNOR feasibility**

## **study on residential homes for older people**

**ANEC-SERV-2009-G-041**

## 1. Introduction

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In 2007-08 AFNOR carried out a feasibility study on residential home services for older people within the framework of the Second Programming Mandate M/371 addressed to CEN by the European Commission. The objective was to explore the possibility of European standardisation for Residential Homes for Older People. Following this work which finished in July 2008, the final report “Feasibility and opportunity to develop a standardisation work programme concerning residential homes for older people”<sup>1</sup> was published in May 2009.

The results of AFNOR’s study show that the provision of residential homes for older people is challenged by demographic changes such as an increasingly ageing population, a shift towards homecare, fragmented availability of services, varying availability and competence of the work force, and inconsistent quality of the services. AFNOR reported that European standardisation was perceived by most users and providers as a relevant means to meet those challenges, and recommendations were proposed by stakeholders.

## 2. Policy context and rationale for the study

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AFNOR observed that the proportion of the population of older and dependant European people is increasing rapidly. There is a higher incidence of disease and incapacity in older age groups: addressing multiple medical and social care needs is an issue for older people and thus for residential homes. Older people and their advocates need to be informed about the services delivered by establishments, so they can assess the quality of services provided and make confident choices. Different types of structures currently exist, proposing varied services, with variable quality levels, and this complicates the comparison of the services provided by these establishments for elderly persons and their families. Developing European standards on these services may be considered as a tool, in addition to the already existing national legislation concerned with these matters, to allow the enhanced protection of the rights of people all over Europe and to defend ethical principles, to avoid potential abuses from service providers and to ensure transparency on the quality of the services supplied, to develop professionalism in this field of activity, and finally, to promote cross-border circulation of persons in Europe.

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<sup>1</sup> <http://www.cen.eu/cenorm/sectors/business+development/value/project5residentialhomes.pdf>

## ANEC comments

ANEC supports the AFNOR conclusion and believes that standards for residential homes for older people would be of benefit to consumers. However, as identified in the report, ANEC considers that voluntary standards on their own are not sufficient to ensure high quality, safe services and therefore supports the establishment of a European horizontal legislative framework to cover the safety and quality of all services. Such a framework should also apply to more vulnerable consumers, such as children or disabled people. This framework should be underpinned by formal standards.

Whilst many older people are able to live rich and fulfilled lives into very advanced years, it is a sad fact that infirmity and incapacity are too often a characteristic of the last few years of anyone's natural life. ANEC recognises that whilst most older people would like to remain in their own homes or in homes of their close family for as long as possible, many older people reach the point where the professional care and support of a residential home is the most satisfactory option. ANEC acknowledges that for many older people, the more the responsibilities of the persons surrounding them increase and especially when criminal liability concerns need to be faced, a residential home is the best and sometimes the only option. Yet older people's declining capacity to care for themselves inevitably makes them vulnerable to exploitation. The wealth of older people has been associated with the emergence of a new growth industry to provide residential care, sometimes exploitive, to supply support services, with different levels of quality performance. ANEC thus supports the development of ambitious European standards for residential accommodation for older people to address a clear societal need.

## **3. Overview of the residential home sector, economic and social issues, policy and regulatory context**

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The report considers that this sector is under pressure considering far reaching demographic changes, the associated cost and the probability that there could be some lack of resources to face all the future needs. The market of residential homes for older people is part of the long-term care services sector and has historically been funded by the public sector. The issue of reducing fiscal deficits has brought some member states to introduce competitive elements in the provision of services and involve private service providers. Increasingly, residential care for older people is intertwined and integrated with home care and the general trend concerning consumers' preference for a place to live is to choose home care or family care. As the public sector decentralises



## ANEC comments on residential home services

and outsources more and more services in this sector, there is a need to reinforce transparent contractual relationships across many different services providers.

Standards defining residential homes services are variously set at national level with few pan-European initiatives before the current work on sheltered housing services, under CEN/PC 385.

### ANEC comments

ANEC supports the main conclusions of the study. ANEC acknowledges this is a fast developing sector, responding to a genuine consumer need, itself arising from strong demographic and social change factors. Consumers need protection in a context where variable service, sometimes apparently poor, and scope for consumer exploitation go hand in hand. ANEC is already supporting the only European initiative to create formal standards for the social care sector, the above-mentioned CEN/PC 385 which commenced work in October 2008. This initiative is showing how a European approach can provide an answer to some problems traditionally answered at national level.

ANEC considers that the sector needs improvement by cultural upgrading, effective innovation and useful diversification. ANEC believes that in order for residential/home care services for vulnerable consumers to be progressively designed as part of a new and integrated EU welfare system, the Open Method of Coordination<sup>2</sup> may prove to be a useful tool for relevant policies to be coordinated in the EU. Furthermore, we strongly believe that in addition to such an approach, a European horizontal legislative framework should be established to cover the safety and quality of all services, including residential home services, as already mentioned above.

## **4. Needs and recommendations concerning European standardisation**

The report presents concrete recommendations for European standardisation matters made by stakeholders, and identifies wide ranging concerns among stakeholders about

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<sup>2</sup> The open method of coordination is a relatively new intergovernmental means of governance in the EU, based on the voluntary cooperation of its member states. The method rests on soft law mechanisms such as guidelines and indicators, benchmarking and sharing of best practice and its effectiveness relies on a form of peer pressure. Generally, the method works in stages: first the Council agrees on policy goals which the member states then transpose as guidelines into national and regional policies. The specific benchmarks and indicators to measure best practice are then agreed upon. Finally, results are monitored and evaluated (source: wikipedia)

the lack of human resources in the field of residential homes and the need to have fully competent staff. The report emphasises the need to clarify the contractual situation and to confer more transparency to the relation between providers and users – for example, the need for tools to support guidelines on geriatric assessment, on information to be provided to users, on a code of ethics and conduct, all of which could be helped by European standardisation.

Many stakeholders would like the long-term care issue to be addressed holistically at the European level. Most of them (services providers and user representatives) have acknowledged the importance of sharing good practices and having a European strategy for addressing their needs. Among many reasons why European standardisation should be conducted in the field of residential homes, they have pointed out issues arising from the mobility of workers and cross-border services in the residential homes for older persons sector. Moreover, it is perceived as positive that countries share their best practices and help each other to obtain a better quality of care.

However, the report acknowledges that European standardisation would have to take into account some elements that could make harmonisation more difficult - different life styles and economic levels in the European countries; very different material conditions and cultural backgrounds; the specificities of every region (rural / city) or cultural background (languages, family models, management of home care, etc.).

The recommendations put forward by stakeholders for the Residential Homes for Older People services sector cover:

1. Terminology and classification
2. Process of service provided to older people
3. Characteristics of the service
4. Training and competence
5. Guidelines on social life and life environment in residential homes for older people
6. Standardisation documents about means (guidelines documents to support the implementation of a good quality service)

### **ANEC comments**

ANEC believes that it is in the consumer interest that the above issues are further considered for possible standardisation (see further under point 5). The work under CEN/PC 385 is already pointing to approaches for addressing the complexity of social care standards and a range of solutions is already under discussion.

Considering that social care services tend to be bundles of discrete services, and that different providers of residential care offer very different ranges of services, ANEC believes that standardisation may help disaggregate and re-package the bundles as appropriate for a sufficiently holistic approach through prior EU-wide consensual agreement on comprehensive Terminology and Classification that would cover issues from 1 to 4. Any work on Terminology and Classification should as far as possible be developed so as to apply also to home services for older people<sup>3</sup>, to ensure consistency.

ANEC believes that though an essential core of accommodation provision – providing accommodation and little else – can always be found, in this sector a minimalist approach is not appropriate, and social support must address the many ancillary services such as those relating to mental health and wellbeing, as well as physical needs.

## **5. Recommendations for future European standardisation work**

AFNOR concludes by observing the concern of all stakeholders for improvement of the quality of services in residential homes. The report confirms that most stakeholders see European standardisation as a desirable approach to meeting the concerns of stakeholders for improving the quality of such services. On the basis of the conclusions of the study and the stakeholder recommendations, the report recommends to the European Commission and CEN three actions and the associated steps to be taken to implement them. Those recommended actions are:

1. The implementation of a multi-stakeholders group
2. The elaboration of European standards<sup>4</sup> within a CEN Technical Committee dedicated to long-term care
3. Communication in order to promote the role of European standardisation in social services sector.

AFNOR recommends that any implementation of those recommendations would have to be coordinated with DG Employment under the Open Method of Coordination. Moreover, some coordination is also needed with the recommendations from the feasibility study on Home Services<sup>5</sup>, as those services, as far as they concern elderly care, should also be treated in the proposed CEN TC on Long-term Care. Moreover, the

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<sup>3</sup> See AFNOR feasibility study on home services (Project No 4), July 2008 <http://www.cen.eu/cenorm/sectors/business+development/value/project4homeservices.pdf>

<sup>4</sup> Development of European Standards on terminology and Classification, on the Process of long term care, on Training and Competence, and on Tools and Guidelines.

<sup>5</sup> See footnote 3

conclusions of the feasibility study on smart houses services for elderly and disabled people<sup>6</sup>, the conclusions of the CHESSE feasibility study<sup>7</sup> regarding the recommendations on complaints and redress systems, and the work of CEN/PC 385 Sheltered Housing, should be taken into account.

### ANEC comments

Given the complexity and variety of residential home services, ANEC supports the recommendation to develop a European terminology and classification standard in this area as a necessary prerequisite for other initiatives on quality and safety. ANEC believes such work should be developed so as to also be applicable to home services or smart house services for elderly persons. Consequently any such work should take into account not only the other feasibility studies, but also existing standards, guidelines, regulations or other measures, whether at the national or European level. A preliminary step should, therefore, be a thorough scoping study.

ANEC supports the recommendation that a new CEN Technical Committee should be established to work towards standardisation in the field of long term care, covering both home services and residential home services, and closely co-ordinating with the existing committee CEN/PC 385 Sheltered Housing Services.

Following the development of the above-mentioned terminology and classification standard, ANEC would support the development of a set of standards on the quality and safety of residential home services. Such standards should set ambitious requirements based on best practice (including requirements for safety, training and qualifications of staff, service delivery, complaints and redress systems, use and hygiene of equipment/premises, information provision and contracts, 'after-sales' services, confidentiality and privacy issues, and sustainability/social responsibility matters).

Moreover, ANEC stresses the need for CEN to put in place an effective strategy to ensure the balanced involvement of all relevant stakeholder groups in the development of any standards in this field, and in particular to ensure the involvement of organisations representing older people. With a view to this, it should be considered whether stakeholder consultation in this field could take the procedures and methodology on stakeholder representation developed in ISO/TMB/Working Group Social Responsibility as a starting point.

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<sup>6</sup> NEN/SN/UNI/SIST feasibility study on Smart House Services for Elderly and Disabled People (Project No 11), September 2008

<http://www.cen.eu/cenorm/sectors/business+development/value/project11smarthouseservices.pdf>

<sup>7</sup> CHESSE: CEN Horizontal European Service Standardisation Strategy,

<http://www.cen.eu/cenorm/sectors/business+development/value/chesss/index.asp>



## **ANEC comments on residential home services**

Finally, as residential care may also be considered under the umbrella of 'services of general interest', ANEC supports the conclusion that work should be closely coordinated with the European Commission (DG Employment and Social Affairs and DG SANCO), as well as with the national authorities, where possible.



## Acknowledgements

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## APPENDIX – About ANEC

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### About ANEC

ANEC is the European Consumer voice in standardisation, representing and defending consumer interests in standardisation and certification, and in policy and legislation related to standardisation. Our aim is a high level of consumer protection. ANEC was set up in 1995 as an international non-profit association under Belgian law. It represents consumer organisations from the European Union Member States and the European Free Trade Association (EFTA) countries. Our General Assembly is composed of one national member per country, nominated jointly by the national consumer organisations in their country.

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