

In the matter of the

Complaints Commissioner Law (2006 Revision)

Sunrise Adult Training Centre: Does the government provide adequate day-care centre facilities and education for adults who are mentally and physically disabled?

Own Motion Investigation Report Number 10

Prepared by the Office of the Complaints Commissioner

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Office of the Complaints Commissioner

PO Box 2252
202 Piccadilly Centre
28 Elgin Avenue
Grand Cayman
KY1-1107
Telephone (345) 943-2220
Facsimile (345) 943-2221

Aim of the Office: To investigate in a fair and independent manner complaints against government to ascertain whether injustice has been caused by improper, unreasonable, or inadequate government administrative conduct, and to ascertain the inequitable or unreasonable nature or operation of any enactment or rule of law.

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1. Executive Summary

On 11 February 2008 the Office of the Complaints Commissioner launched an Own Motion investigation to examine whether the government of the Cayman Islands provided adequate day-care centre facilities and education for adults who are mentally and physically disabled.

The Commissioner determined that the vulnerability of those who are disabled, coupled with the concerns expressed by some parents of adults with disabilities who are cared for at the Sunrise Adult Training Centre, warranted an independent assessment of this question in the public interest, so that suggestions of a lack of adequate provision and action could be investigated and determined.

The Sunrise mission statement and the details of the contract for the provision of services between Sunrise and Cabinet as outlined in the Annual Budget Statement provide the framework for the investigation. The report of the Schools' Inspectorate on its review of Sunrise (January 2007) informed many issues under consideration. In considering these issues, the OCC took into account the progress made during the past year by Sunrise and the Ministry of Education, Training, Employment, Youth, Sports and Culture. As the Ministry had formed an advisory committee made up of many stakeholders, the work of that committee was also taken into account. Reference was made to the work of Beverley Beckles (1999), "Report and Recommendations for Upgrading Sunrise Training Centre and Other Matters Relating to Persons with Disabilities", commissioned by the Ministry of Education, Aviation and Planning (as it then was).

In coming to a conclusion on the question posed, the following topics were considered:

- a. Transportation by bus to and from Sunrise;
- b. Ownership/lease of Sunrise and ability to repair or renovate the building;
- c. Suitability of the physical layout of Sunrise;
- d. Health and safety for clients, trainees, and staff;
- e. Training programmes provided at Sunrise;
- f. Future demand and facilities; and
- g. The level of support for disabled adults within the Ministry.

Our investigation led us to the conclusion that the government does not provide adequate day-care centre facilities and education for adults who are mentally and physically disabled.

Background and history

The 2001 Annual Report of the Ministry of Community Development/Social Services, Women's Affairs, Youth and Sports provided this description:

The Sunrise Adult Training Centre (SATC) completed its 15th year of operation in November. The primary function of the programme is to equip adults with disabilities with skills to assist them in becoming responsible, productive and

fully functioning members of the community. Opportunities offered include life skills courses, prevocational training, supervised job placement, craft production and sales, academic upgrading, and computer assisted learning. ...

In 2001 the Legislative Assembly voted to support the recommendations of the Beverley Beckles Report ('99) on provisions for persons with disabilities.

Centralization and expansion of facilities are scheduled to start in 2002.

Eventually a full-service, purpose-built facility will be acquired to better meet the needs of differently abled adults in the Cayman Islands.

In March 2003 the government stated: "The Sunrise Adult Training Centre's focus on training and support for Adults with Disabilities throughout the Cayman Islands will be pursued with renewed enthusiasm in 2003."

In June 2003 Sunrise moved to its current location in West Bay. The building is a residential duplex with the dividing wall removed. The facility was thought to be suitable for 38 clients, according to the annual summary of activities presented by the Ministry of Community Development.

In January 2007 the Schools' Inspectorate reported:

The Centre currently serves clients between the ages of 16 and 51, many of whom were past students of the Lighthouse School. They have a very wide range of complex physical, mental, social, emotional and educational needs.

The number of clients has risen over the past few years to 46. There are 26 men and 20 women, including those on job placements. All but two clients are Caymanian. An additional 20 clients are on a waiting list, as the Centre is filled to capacity.

During our investigation, enrolment was 45 persons: 29 "day clients", 9 part-time trainees who attend when they are not at their part-time jobs, and 7 full-time trainees who attend on their days off. There are 4 outreach clients. The director states that the centre is operating well over capacity and yet the Ministry of Education has asked her team to accept 14 more adult clients who wish to enrol; a request (at least) implied from the contract with Cabinet.

The highest number of clients and trainees in attendance at any one time is 34 (4 of whom are in wheelchairs). Regularly working with clients in the centre are 9 or 10 staff members (support aides, instructors, and therapeutic aides), offering a ratio of 3.5 clients to 1 staff member on regular days. The Lighthouse School (renamed Lighthouse Development Centre) has approximately 55 students and a ratio of 2 students to 1 staff member.

The director of Sunrise is the only trained educator on staff. All senior staff and one other staff member have qualifications in other areas such as nursing, occupational therapy, and counselling.

The clients exhibit a great variety of impairments. Some have modest physical impairment with modest to severe mental impairment; others have major physical impairment (e.g., are blind or deaf) with nil to severe mental impairment; and others have severe physical impairment with modest to severe mental impairment. Several families have commented that clients' lack of progress in skill

development was in part due to the wide variety of disabilities and impairments affecting the clients in Sunrise.

Parents of disabled people suffer from “caregiver fatigue” and have a lifelong challenge. According to the director, “When you have a healthy child, the major stress is over by the time they reach 20 [years of age]. When you have someone with a disability, your troubles are just starting – as they get older, they are heavier, more difficult to deal with.”

Our investigation found that the clients and trainees of Sunrise were treated well by the staff. For the most part, we observed over the course of our visits that the clients and trainees were happy and smiling and displayed a simple joy in life while at the centre. There is no doubt that the director is particularly committed to those in her care and has a broad view on the remit of Sunrise.

However, the mission of Sunrise is significantly more than to serve as a community care and recreational centre. According to the mission statement:

Sunrise Adult Training Centre ... provides training, support and services for the empowerment, employment and independence of Adults with Disabilities through a team of dedicated and caring Staff. Sunrise Adult Training Centre advocates for the rights of, and promotes public acceptance of Adults with Disabilities as contributing members of society.

The training programme was criticised by the Schools’ Inspectorate in 2007 for not providing enough opportunities for learning. The OCC found that portions of the criticism were still valid a year later. The director, for her part, believes that the original placement of Sunrise within the Ministry of Community Development implied an emphasis on social services; however, the contract entered into with Cabinet places the emphasis on training.

Some details of the services to be provided by Sunrise and the amount budgeted are set out in the table below.

Fiscal Year	Sunrise enrolment	Budget
2005–06	30–40	\$788,351
2006–07	35–45	\$872,674
2007–08	45–60	\$1,129,491
2008–09 (proposed)	55	\$1,181,000

Investigation: Transportation

We found that some clients have to travel on the bus up to two hours each way to and from Sunrise, and when they arrive, there are only three toilets so the clients have to stand in line, in obvious discomfort. Time in transit restricts the time clients can spend in daily programmes; transit time also creates stress and upsets clients, with the result that it is harder to get them on task. In addition, we found that the sidewalk leading from the parking area to the entrance is not covered, so clients get wet when it is raining and often do not have a change of clothes. Because of mental handicaps and the clients’ lack of ability to handle particularly

uncomfortable situations, affected clients are more upset and less attentive in training, and lose the benefit of the day.

Sunrise has two buses (a standard bus with a capacity of 28 and a wheelchair-equipped bus), which provide door-to-door service on defined routes. One bus goes through West Bay and areas of George Town, and the other goes east to Northward Road. Both buses arrive at Sunrise by about 8:30 AM. Our observations of bus drivers in using the wheelchair loading device and moving and interacting with clients led to the conclusion that the drivers are competent and do a satisfactory job.

In the afternoon, clients must leave the centre by 2:30 PM to avoid delays that would result from higher traffic volume later in the day; time for training is thus even more restricted.

Investigation: Ownership/lease of building and renovation

Both parents and staff members made the point that the facilities were neither suitable nor safe, especially in case of fire. Minutes of the advisory committee meeting held in October 2007 state, “in the case of emergency, there is a large issue at Sunrise to get persons out of the building”. The assistant director noted that the wheelchair ramps were loose and dangerous, but she believed the terms of the lease prohibited the installation of permanent ones.

Sunrise Centre is used only during the day. It hosts between 20 and 34 disabled adults, four to six of whom are wheelchair-bound, each weekday. At the time of the OCC’s first inspection in February 2008, 10 or 12 staff members were reporting for work each day, but by April 2008 that number had increased to 15, with more about to begin employment. Clients and staff were literally tripping over each other because of the extremely crowded conditions, a result of the size of the facility, its fit-out, the number of people inside, and the space required for wheelchairs and equipment.

The OCC determined that the government on behalf of Sunrise leased the West Bay facility from 1 June 2003, and the current lease commenced 1 June 2006 for a term of three years. The lease terms provide that Sunrise can make improvements to the property at their expense, but the terms also contain a general restriction on the power to modify the exterior or interior of the building without the consent of the lessor, “such consent not to be unreasonably withheld”.

Our inspections identified a number of specific problems inside and outside the facility. Our general findings included the following: The building originally was a duplex and the dividing wall has been removed. The sunken living room on each side has been converted into an office area and computer training area (three computers) on one side and a television lounge on the other. The interior is divided into small rooms and offices, hallways, and storage areas. We estimate that there is approximately 4,000 square feet of space usable for client work. Of the three bathrooms for the clients, one has a rail and transfer bench beside the toilet but no special sink for wheel-up, and the other two are standard. The fourth

bathroom is for the staff and is also used for storage. There are three interior wheelchair ramps and two exterior ramps (all wooden).

We also found that Planning approval expired in May 2004 because plans were never submitted to the Building Control Unit for review or a permit for the changed use of the building; that there are no records of any inspections conducted in relation to the change of use; and a Certificate of Occupancy was never issued.

On 15 May 2008 the Chief Building Control Officer provided to the Chief Officer the life safety report on Sunrise. He wrote:

Owing to the nature of the deficiencies and the type of occupancy, these life safety concerns must be addressed **immediately** [emphasis in original]. Persons in charge of this facility will be given seven (7) business days from the date on this report to respond indicating how these life safety issues will be addressed. Failing a satisfactory agreement, we shall order the facility vacated until it is made safe.

Investigation: Suitability of the physical layout

The physical layout of Sunrise, it is alleged, is not sufficient to provide 45 to 60 disabled adults with the training programmes that are expected. Problems include overcrowding, inadequate toilet facilities, small rooms, narrow passages, and some unusable exterior grounds.

Our investigation revealed that when most clients are present at the centre the facility is too small to properly complete a training lesson. Of the three client computer stations, one was also used by staff for record keeping.

The director has written in her monthly reports to the Minister, beginning in December 2006, that the facility is at full capacity, there are more clients waiting to enter the programme, and there is no room for them. The reality of the situation is driven home as one visits the centre and observes clients crammed together as they move through hallways. Picture clients in specialised mobility apparatus unable to move forward without getting pinched between the storage lockers, a piece of recreational equipment, and four other clients attempting to make their way through the space to get to their activities.

A client's mother expressed concern that her son's safety is compromised when he attends the centre because of the overcrowding and improper facilities for handicapped persons. She said that her son has difficulty maneuvering the makeshift ramps in the centre. She noted that her son has had many accidents in the centre, several of which occurred as a direct result of the overcrowded conditions. She commented that clients passing in the halls cannot help but bump into each other, and that occasionally this results in a client getting angry and physically knocking another client to the floor.

Sunrise currently has no designated outdoor facilities that are accessible to the physically challenged clients (apart from a small cement pad adjoining the rear exit, which was added after our inspections commenced). There are several simple changes that could be made to improve the usability and appearance of the

exterior grounds, including installing a larger concrete slab that could be used for various activities, and building a shaded sitting area.

Director Gordon had hoped that the acquisition of a modular classroom (MCR) would provide some interim relief. There is room on the north side of the lot for both a concrete slab and an MCR, and the landlord has granted permission to put an MCR on the property. The evidence indicates that a corporate donor was willing to give an MCR to Sunrise in early 2008. The offer included the costs of purchase, shipment, installation, and equipping the MCR, which were estimated to be \$150,000. A definite offer was received, which was sent on to Ministry on 17 March; however, in April the Ministry formally rejected that offer and asked the donor to instead make a donation of money.

Investigation: Health and safety

The centre is in a very remote location and medical emergency services must travel a great distance to assist. The West Bay district clinic does not accept emergency cases, to the best of the Sunrise staff's knowledge. The West Bay fire station and RCIP office do serve the area in which Sunrise is located.

The director arranged a meeting with the Fire Inspector on 14 March 2007. He provided advice on where exit signs and fire detectors should be installed, the number of fire extinguishers required, and related matters such as the storage of paint. His recommendations were carried out. Staff were trained last year on the use of a heart defibrillator, but none is on site. There has not been a fire drill at the current location, and no disaster plan has been prepared.

When new clients are introduced into the centre, little if any background information or preparation is given to the staff. This has the potential to cause problems in that a client may react violently to a trigger that the staff should have been aware of. Another area of concern is the lack of a clearly stated client discipline procedure. The deputy director acknowledged that no incident log has been kept since September 2004.

The principal of Lighthouse stated that overcrowding or shortage of space "affects an instructor's ability to teach. It is a very important issue in terms of meeting the needs of students." Clearly this applies to Sunrise. When there are too many clients in a class at any time, the instructor has the stress of organising the clients, watching them, and interacting with one while another seeks attention. As there are no separate teaching rooms but rather many open rooms with people wandering in and out, it is difficult to manage the tone of the group. Staff must be always on watch – client safety is paramount – and that takes time and energy. Instructors may lack the energy to do more than the minimum in the lesson and may expend most of their energy on keeping the group settled and on task within a caring environment. The instructor may fall into a pattern of repeating lessons that are already known or may acquiesce to the clients' desire to watch television. Mental exhaustion affects interaction between colleagues and supervisors.

Investigation: Training programmes

Few students graduating from Lighthouse Development Centre at age 16 are capable of independent living, but if quality training is continued, some disabled adults may be capable of independent living by the time they are 25 to 35 years old. This is very important to aging caregiver parents and to the community as a whole. The likelihood that substitute caregivers can be found greatly increases if the disabled adult is more independent and has life skills and work. Sadly, some disabled adults will never have another caregiver once their parents die.

While occupational therapy and job placement are areas of strength, according to the Schools' Inspectorate report, parents have many concerns. Clients are not assessed for skill levels and their progress is not assessed regularly, clients spend too much time watching television, and Sunrise does not provide reports to family members on clients' development programmes or progress. The single occupational therapist, who also functions as the physical therapist, does not have time to see the clients as often as is necessary to enable them to make progress, nor does he have time to closely supervise his two untrained assistants or keep accurate records. In general the lack of complete and accurate records makes it impossible to assess the effectiveness of the training programmes.

The deputy director stated that Sunrise always planned to provide information regularly to parents but it never materialised. It would be appropriate, the director admits, to do an annual assessment and training plan for each client, but she states that there just never seems to be enough time to get this done. The director also noted that staff members were so focused on supervision that sometimes they did not focus on delivery of meaningful training.

Investigation: Future demand and facilities

Future demand can be predicted in part by studying the number and progress of students at the Lighthouse Development Centre. Director Gordon stated:

We can look at the children in the Lighthouse School and be able to predict which children will be able to be re-integrated and which ones will be coming here. It's not that hard to tell the ones that are not at a developmental level to be independent at the time when they are 16, which is when we take them. It doesn't mean that they will never be able to be independent; some of them will but it may take them until they are 30.

The National Assessment of Living Conditions report may well show that the disabled adult population is significantly higher than previously thought. The demand for services may increase in the years ahead as efforts are made to better promote the programmes already on offer for disabled adults.

In May 2007 the advisory committee suggested that the Ministry "Move the Sunrise Adult Training Centre to a larger central location so it can provide more extensive rehabilitation programmes ...". However, the Chief Officer believes that new construction should not be undertaken until major reforms in the approach to assisting disabled persons are implemented.

Plans for the better use of facilities or resources had not been discussed between the Ministry and the director as at 1 April 2008, but discussions are now under way. No plans have been made for making available services for disabled adults who live in the Sister Islands.

Investigation: Level of support for disabled adults within the Ministry

The Ministry has acknowledged the centre in statements of new policy initiatives and has established a foundation for the education of disabled people by providing a functioning education programme for youth at Lighthouse Development Centre.

Sunrise receives a budget at a level that provides for facilities, programmes, and support services. Targets for the provision of programmes are set and the budget allotment is paid monthly. Sunrise is led by a long-serving and experienced director and has sufficient staff to train and care for its clients. The staff members are caring, and most clients are treated well and appear to be happy and loved. Sunrise has continued to accept new clients into the programme with the concurrence and encouragement of the Ministry.

The Chief Officer has visited Sunrise on occasion since May 2005, when Sunrise was returned to the Ministry's sphere of responsibility. The Chief Human Resource Officer has visited and assisted with the creation or revision of job descriptions and additions to the staff. Since July 2006 a Deputy Chief Officer (Research & Planning) has had primary responsibility for Sunrise. He had visited the centre once before our investigation commenced and has visited a few times recently.

The Ministry asked the Schools' Inspectorate to complete a review of Sunrise in January 2007. The review provided a baseline assessment and the knowledge necessary to plan and measure improvement. Information gained was used to justify the addition of staff members to Sunrise in 2007–08. Together the director and the Ministry have been attempting to foster an inclusive attitude towards the disabled – for example, by honouring Special Olympians at National Heroes Day in January 2008.

The Ministry also formed a committee in March 2007, titled "Planning the Future for Persons with Disabilities in the Cayman Islands". A subcommittee was formed which included representatives from Sunrise, the Lighthouse Development Centre, Public Health, and Children and Family Services, and it prepared a report in May 2007. In the words of the Chief Officer, "The motive behind the report on my part was to get the committee to a common position." A second subcommittee, which includes a representative of the Legal Department, was asked to study legislation affecting the disabled and offer recommendations for improvement. It began its work in January 2008 and is due to report in July 2008.

The Ministry is aware of some of the shortcomings of Sunrise and is cognisant of the difficulties faced by disabled adults and children. The Chief Officer has a vision for the way forward in the education and training of disabled persons, one which she has shared with the Minister and which he has endorsed as of April 2008. While acknowledging that the ABS for FY 2008–09 gives the impression of

“business as usual”, the Chief Officer states that changes are in progress and will be formalised “as a part of the overall plan which will emerge over the next few weeks [April 2008].”

A major element in the plan is described as a “seamless” education strategy based on client needs. According to the Chief Officer, “The focus will move from location and programme as they are now configured to clients and where they can be best served.” However, the Chief Officer did acknowledge that major changes such as those proposed do take time.

Analysis

The Ministry’s effort to engage in a comprehensive review is commendable. However, as the Chief Officer has warned, major change – a paradigm shift – takes a significant amount of time to plan. Thereafter a lot of time will elapse between when the implementation of change begins and its completion. This leaves the question of what will be done now and in the intervening years before the major reform is in place.

One cannot avoid addressing the major issues facing disabled adults enrolled at Sunrise arising out of the current state of facilities and programmes. We agree with the Chief Officer that change simply for change’s sake is not proper. But changes must be made now, as a matter of urgency, to improve conditions at Sunrise, and some of those changes must be to facilities.

The Chief Officer testified that after she took office in July 2005 one of her priorities was to ensure that all of the people served by her ministry were dealt with in safe facilities. Clearly, this objective was not met in the case of Sunrise.

The director testified that she did not agree with all of the findings of the Inspectors’ review on issues of management, but did, as she has subsequently acknowledged, agree that action on some of the recommendations was necessary. Unfortunately, the process of change has been quite slow.

The evidence of the Deputy Chief Officer (Research & Planning) led to the conclusion that he had not exercised much oversight or taken a close interest in the operations and clients at Sunrise. It would have been prudent to set out a timeline providing dates by which at least some of the major problems identified by the review had to be addressed. Thereafter, periodic visits to check on the progress made would have constituted good administration, evidence of acting on the review, and evidence of a concern for the disabled adults enrolled.

The issue of overcrowding at Sunrise was before the Ministry and was raised on a regular basis beginning in December 2006. One of the solutions now under discussion is the re-examination of the enrolment criteria. This could have taken place in early 2007. Currently clients and trainees at Sunrise suffer from a wide range of disabilities and levels of disability. Sunrise cannot meet the needs of each client or even most clients given this diversity. Those on the Sunrise waiting list may be suitable for programmes at Sunrise or other venues, but they do need to be trained and assisted according their needs and not be left on a waiting list.

Another solution now under discussion is better use of the facilities of Lighthouse Development Centre for clients who are enrolled at Sunrise.

Had these problems and solutions been discussed in 2007, disabled adults would have been one step closer to having provision made for their needs. Also, a discussion in 2007 would have started the process of increasing information exchange between units within the Ministry, and the Lighthouse principal and the director of Sunrise could have been engaged earlier with the responsible DCO in settling plans for approval by the Chief Officer, rather than only now beginning the dialogue. As of the end of March 2008, the Chief Officer had not even brought the principal and the director into the discussion of the new vision. However, this did occur in April and May 2008.

Chief Officer Martins wrote on 4 June 2008:

At this point we are about to organize a meeting with the Department of Education Services, Lighthouse School, Sunrise, Ministry of Health and Human Services and other technical staff who work with the clients across the spectrum to begin the larger dialogue on developing the strategy and implementation plan which would be client focused rather than facility based.

It remains, then, to move forward with improvements in assessing clients needs, settling on appropriate programmes and support services such as case management software, and offering these services in buildings that are safe for both clients and staff. While it is true that fixing the situation does not necessarily mean getting improved exterior grounds or a modular classroom, the dismissal of those suggestions was a questionable decision.

As for the strategy for disabled adults in the Sister Islands, we are left with the conclusion that it will not be forthcoming in the near future.

Recommendations

RECOMMENDATION #1

It is recommended that the director and the Ministry remedy problems in relation to the transportation of clients and trainees including scheduling and length of journey time and the need for a covered entrance area.

RECOMMENDATION #2

It is recommended that the director and the Ministry, as a matter of urgency, negotiate with and obtain permission from the landlord to make changes to the facility.

RECOMMENDATION #3

It is recommended that the director and the Ministry, as a matter of urgency, arrange repairs and alterations for the facility to ensure that it meets the standards required by the Cayman Islands Building Code with a view to ensuring the safety of the occupants.

RECOMMENDATION #4

It is recommended that the director and the Ministry address issues of overcrowding at Sunrise including admission criteria, space configuration, and use of other existing resources.

RECOMMENDATION #5

It is recommended that the director and the Ministry arrange for the grounds of Sunrise to be improved to allow for some programmes to be carried on outdoors.

RECOMMENDATION #6

It is recommended that the director and the Ministry take steps to alleviate the problems in the area of health and safety, including formalising disaster management plans, and staff training.

RECOMMENDATION #7

It is recommended that the director and the Ministry take steps to continue to improve management systems and procedures, including formalising the new-client intake process.

RECOMMENDATION #8

It is recommended that the Ministry establish a matrix of quality-control indicators to better ensure the delivery of quality training programmes to disabled adults.

RECOMMENDATION #9

It is recommended that client and trainee assessments be completed by Sunrise staff at regular intervals.

RECOMMENDATION #10

It is recommended that communication by Sunrise staff with parents/guardians about clients and trainees occur regularly and be documented.

RECOMMENDATION #11

It is recommended that the Ministry provide a plan for the way forward which addresses the shortfalls in the provision of education for disabled adults.

RECOMMENDATION #12

It is recommended that the Ministry provide bi-monthly reports to the Legislative Assembly on the progress made towards compliance with the above recommendations concerning the provision of education for disabled adults at Sunrise and elsewhere.

Office of the Complaints Commissioner
30 June 2008

2. Introduction

On 11 February 2008 the Office of the Complaints Commissioner (“OCC”) launched an Own Motion investigation to examine whether the government of the Cayman Islands provided adequate day-care centre facilities and education for adults who are mentally and physically disabled. (We use the term “day care” in its popular sense as opposed to its technical sense, which refers to professional health care at levels 3 and 4.)

The Commissioner determined that the vulnerability of those who are disabled, coupled with the concerns expressed by some parents of adults who have disabilities and who are cared for at the Sunrise Adult Training Centre (“Sunrise”), warranted an independent assessment of this question in the public interest, so that the suggestions of a lack of adequate provision and action could be investigated and determined.

The ministry responsible for this area is the Ministry of Education, Training, Employment, Youth, Sports and Culture (“the Ministry”). According to the Annual Budget Statement (2007–08, p. 260):

The ministry funds, develops, and monitors the implementation of policy, legislation and services in the areas of Education, Training, Employment, Youth, Sports and Culture, Libraries, Pensions and Human Rights. Departments/Units within its remit include: Education Department, Early Years Unit, Schools’ Inspectorate, Employment Relations Department, Public Library, National Pensions Office, Sunrise Training Centre, Youth Services Unit and the Sports Department. Statutory Authorities/Government owned companies include: the University College of the Cayman Islands, the National Gallery, the National Museum, and the Cayman National Cultural Foundation.

The mission statement of Sunrise and the details of the contract for the provision of services between Sunrise and Cabinet as outlined in the Annual Budget Statement provide the framework for the investigation. The report of the Education Standards and Assessment Unit (commonly known as the Schools’ Inspectorate) on its review of Sunrise (January 2007) informed many issues under consideration. In considering these issues, the OCC took into account the progress made during the past year by Sunrise and the Ministry. As the Ministry had formed an advisory committee made up of many stakeholders, the work of that committee, titled “Planning the Future for Persons with Disabilities in the Cayman Islands” (“the Committee”) was also taken into account. Reference was made to the work of Beverley Beckles (1999), “Report and Recommendations for Upgrading Sunrise Training Centre and Other Matters Relating to Persons with Disabilities” (“Beckles Report”), commissioned by the Ministry of Education, Aviation and Planning (as it then was).

In coming to a conclusion on the question posed, the following topics were considered:

- a. Transportation by bus to and from Sunrise;
- b. Ownership/lease of Sunrise and ability to repair or renovate the building;
- c. Suitability of the physical layout of Sunrise;
- d. Health and safety for clients, trainees, and staff;
- e. Training programmes provided at Sunrise;
- f. Future demand and facilities; and
- g. The level of support for disabled adults within the Ministry.

Our investigation led us to the conclusion that the government does not provide adequate day-care centre facilities and education for adults who are mentally and physically disabled. The primary responsibility for the delivery of quality programmes and day-to-day management of the centre rests with the Director of Sunrise. Responsibility for the remaining issues and for ensuring that facilities are safe rests equally with the Deputy Chief Officer responsible for Sunrise and the Director. Recommendations for improvement are stated in the concluding section under each topic and in the closing section.

3. Background

3.1 Hidden people

The late James M. Bodden, a Member of the Legislative Assembly and National Hero, described his experiences of three decades ago (as recounted by his daughter, Mrs Mary Trumbach, and edited for brevity and clarity) when visiting the homes of families with a handicapped child:

He described how he had seen mentally handicapped children obviously physically abused and chained to beds and tables like animals. He recounted one little boy in particular who was chained to a table leg with no clothes on and enough chain to reach a chamber pot and could go to the fridge to get something to eat but otherwise chained like an animal.

According to many of the people interviewed during this investigation, the situation described above was not an isolated incident, and some disabled adults continue to live under very poor conditions in these Islands. The director of Sunrise knows of some disabled adults whose families prevent them from going outside the house and some who appear to show signs of abuse.

The Beckles Report (at p. 5) discussed some of the problems of the disabled in the Caribbean:

What has been evident is that there is now a heightened concern about the situation of disabled persons with special attention being given to the question of poverty eradication within this group of citizens. Special attention is also being given to areas such as opportunities for training in order to assist disabled persons to be able to enjoy some measure of independent living. Studies by the United Nations and Specialised Agencies such as the International Labour Organisation have revealed that disabled persons are among the poorest groups in society.

Beckles defined disability “as any restriction or lack (resulting from an impairment) of ability to perform an activity in the manner or within the range considered normal for a human being”. The United Nations Convention on the Rights of Persons with Disabilities, at Article 1, states that “[p]ersons with disabilities include those who have long-term physical, mental, intellectual or sensory impairments which in interaction with various barriers may hinder their full and effective participation in society on an equal basis with others”. (Ratified and in force as at April 2008, www.un.org/disabilities).

3.2 History of the Sunrise Adult Training Centre

It is instructive to look at the history of the development of the Sunrise Adult Training Centre in three stages.

3.2.1 EARLY DAYS

According to one parent whose children were involved in the programme from the early days, Sunrise was started by a visiting pastor, Mr Shepherd of the Presbyterian Church in West Bay. He went around to the homes to encourage people to have outings for their handicapped family members. Then a programme of activities was started which was originally conducted in the church hall.

3.2.2 NEW PLAN 2001

The 2001 Annual Report of the Ministry of Community Development/Social Services, Women's Affairs, Youth and Sports provided this description (at p. 138).

The Sunrise Adult Training Centre (SATC) completed its 15th year of operation in November. The primary function of the programme is to equip adults with disabilities with skills to assist them in becoming responsible, productive and fully functioning members of the community. Opportunities offered include life skills courses, prevocational training, supervised job placement, craft production and sales, academic upgrading, and computer assisted learning.

Twenty-four persons, ages 17 to 46 years, were enrolled in 2001. Nine were employed in a variety of part-time jobs such as laundry helper, groundsman, cafeteria assistant, hotel housekeeper and janitor, with several others awaiting placement. Those employed continue to participate in the activities of the centre, returning for counselling and support, individual programme needs and to socialize when work schedules permit. Trainees attend the centre from Monday to Friday, 8:00 a.m. to 2:30 p.m. There are no residential options, though many would benefit from an opportunity to live in a supported independent living situation or in a group home. Families need respite-care facilities to give them an occasional break from the year-round stress of caring for a high-need family member. Among SATC's responsibilities is a duty to promote the development of such facilities.

In 2001 the Legislative Assembly voted to support the recommendations of the Beverley Beckles Report ('99) on provisions for persons with disabilities. Centralization and expansion of facilities are scheduled to start in 2002. Eventually a full-service, purpose-built facility will be acquired to better meet the needs of differently abled adults in the Cayman Islands.¹

3.2.3 SUNRISE IN WEST BAY 2003–2008

In March 2003 the government stated: "The Sunrise Adult Training Centre's focus on training and support for Adults with Disabilities throughout the Cayman Islands will be pursued with renewed enthusiasm in 2003" (Hansard 7 March 2003, at p. 8).

¹<http://www.gov.ky/pls/portal/docs/PAGE/CIGHOME/ANNUALREPORT/2001/AR1001.PDF>; see also Hansard 6 July 2001, p. 761, the tabling of the Beckles Report.

In June 2003 Sunrise moved to its current location in West Bay. The building is a residential duplex with the dividing wall removed. The external dimensions suggest that the building has 5,000 square feet of space, but the interior fit-out has significantly reduced the functional space.

The facility was thought to be suitable for 38 clients, according to the annual summary of activities presented by the Ministry of Community Development (Hansard 19 July 2004, p. 144).

In January 2007 the Schools' Inspectorate reported:

The Centre currently serves clients between the ages of 16 and 51, many of whom were past students of the Lighthouse School. They have a very wide range of complex physical, mental, social, emotional and educational needs.

The number of clients has risen over the past few years to 46. There are 26 men and 20 women, including those on job placements. All but two clients are Caymanian. An additional 20 clients are on a waiting list, as the Centre is filled to capacity.

During our investigation, enrolment was 45 persons: 29 "day clients", 9 part-time trainees who attend when they are not at their part-time jobs, and 7 full-time trainees who attend when they are on days off. (Trainees attend the centre when they are unemployed and often also when they are off work ill or on vacation.) There are four outreach clients. The director stated in February 2008 that the centre was operating well over capacity and yet the Ministry of Education had suggested that her team accept 14 more adult clients who wished to enrol. Chief Officer Martins gave evidence that no such request was made. The Deputy Chief Officer responsible for Sunrise was of the view that the centre had a capacity of 75 clients and trainees, which I find to be unrealistic. The Ministry's annual budget statement (discussed below) detailed outputs and targets for Sunrise in FY 2006–07 for 35 to 45 clients and FY 2007–08 for 45 to 60 clients.

Not all clients attend each day, and sometimes attendance is low. For example, in the centre, illnesses such as the common cold tend to spread quickly to the entire group, including staff. The director did note (and supported by her monthly reports to the Ministry) that there were periods during the year when a number of staff were off work ill and a full complement of clients were healthy and in attendance.

Records revealed, and the director confirmed, that the highest number of clients and trainees in attendance at any one time is 34 (4 of whom are in wheelchairs). Regularly working with clients in the centre are 9 or 10 staff members (support aides, instructors, and therapeutic aides). This can be stated as a ratio of 3.5 clients to 1 staff member on regular days. By contrast, according to the Chief Officer, the ratio at the Lighthouse School is 2 school-aged children to 1 staff member. In 2006–07, 58 children were registered at the Lighthouse School, and 54 were registered in 2007–08.

The director is the only trained educator. All senior staff and one other staff member have qualifications in other areas such as nursing, occupational therapy, and counselling. Other members of staff have at least a high school education, and one is currently working on her General Equivalency Diploma. Most of the staff members have been at the centre for less than 5 years, though some have worked there for more than 10 years.

The clients and trainees exhibit a great variety of impairments. Some have modest physical impairment with modest to severe mental impairment; others have major physical impairment (e.g., are blind or deaf) with nil to severe mental impairment; and others have severe physical impairment (are spastic or immobile or have cerebral palsy) with modest to severe mental impairment. Director Gordon noted that the admission or enrolment criteria are applied as follows: primary diagnoses are physical and/or mental disability. Disabled persons cannot be admitted to Sunrise if their mental disability is such that it would lead them to do harm to themselves or others. Clients with extreme needs must be accompanied by a private caregiver. This is an extraordinarily wide policy for any centre dealing with disabled adults, let alone one as small as Sunrise.

Several families have commented on the fact that their respective family member in Sunrise had not progressed in his or her skills. They suggested that this was in part due to the wide variety of disabilities and impairments affecting the clients in Sunrise. The client(s) whose impairment is not as pronounced mimic the ones who have severe mental disabilities. The result is poor social and communication skills.

Parents rarely take part in the parent-teacher group Sunrise Caring Association. The director explains this on the basis of “caregiver fatigue”. Parents of disabled people have a lifelong challenge. “When you have a healthy child, the major stress is over by the time they reach 20 [years of age]. When you have someone with a disability, your troubles are just starting – as they get older, they are heavier, more difficult to deal with.” She elaborated that some families in Cayman have disabled 40- and 50-year-old adults whom they have had to care for on their own, and as the family members are now aging themselves, caregiving is increasingly difficult. When asked what happens when the caregivers pass away or are incapacitated, the director explained that the family tries to identify another family member to take over. Sometimes this works well, and sometimes it doesn’t work at all.

3.3 Treated well

The Schools’ Inspectorate found in January 2007 (at p. 9):

Some staff take special care of the clients to ensure that they are clean and well fed. The Centre ensures that clients get their medication and are provided with healthy meals. The morning devotional time provides a positive start to the day.

Staff have very good relationships with the clients particularly the ones they teach directly.

Our investigation found that the clients and trainees of Sunrise were treated well by the staff. For the most part, we observed over the course of our visits that the clients and trainees were happy and smiling and displayed a simple joy in life while at the centre. There is no doubt that the director is particularly committed to those in her care and has a broad view on the remit of Sunrise. In consequence relaxed admission criteria were used.

3.4 Mission statement

The mission of Sunrise is significantly more than to serve as a community care and recreational centre. According to the mission statement:

Sunrise Adult Training Centre is a government agency in the Cayman Islands that provides training, support and services for the empowerment, employment and independence of Adults with Disabilities through a team of dedicated and caring Staff. Sunrise Adult Training Centre advocates for the rights of, and promotes public acceptance of Adults with Disabilities as contributing members of society.

In regard to the first sentence of the mission statement, the Schools' Inspectorate found (at p. 9):

In some cases, clients are not being treated as adults and many opportunities for learning are missed. For example, in the mornings, they sit and listen for their names during registration instead of having to check in as they would have to do in the workplace. They spend a great deal of time playing games or colouring and not doing meaningful work or developing specific skills. Some sessions are taught like regular school, with clients sitting down at tables with worksheets that mean very little to them and are not helpful to their level of development.

There is no training in communication skills for the hearing impaired, the blind or visually impaired or those with autism. The programmes do not allow for proper integration and inclusion. The environment is safe, however, and staff are vigilant and some offer support when they see the need, for example, helping a client with personal care or hygiene.

As described below at part 9, the OCC found that portions of the criticism levelled at the training programme were still valid a year later.

However, the same sentence of the mission statement can be read with a different emphasis, an emphasis more consistent with social services. Our interviews with the director revealed her preference for the latter emphasis, one that she developed over the years, one that she feels was consistent with the placement of Sunrise during the period 2001–05 within the Ministry of Community Development (now titled Health and Human Services), and one that is close to her heart. Sunrise was the responsibility of the Ministry of Education before and after the period 2001–05.

It is instructive to note that the contract entered into with Cabinet places an emphasis on training as the primary output (for example, at SRC1 of the Ministry's annual budget statement 2006–07 and SRC1 of the Ministry's annual budget statement for 2008–09), with the other outputs seen as supporting training.

3.5 Contract to provide services

The Annual Budget Statement places into law the services to be provided by government entities and the amounts to be paid to entities to provide those services. The Ministry of Education, Training, Employment, Youth, Sports and Culture receives funds from Cabinet for the various outputs to be provided by the Sunrise Adult Training Centre and passes those funds to Sunrise on the basis of monthly reports of outputs being completed.

According to the Annual Budget Statement (2007–08, p. 261) the Ministry must provide

programmes for individuals with physical and mental disabilities including vocational training, job development and placement, life skills and training, functional literacy and basic skills classes, computer assisted learning, and monitoring of medical, dental, vision and hearing of participants, through services provided by the Sunrise Training Centre and Lighthouse School.

Some details of the services to be provided by Sunrise and the amount budgeted are set out in the table below.

Fiscal Year	Sunrise enrolment	Budget
2005–06	30–40	\$788,351
2006–07	35–45	\$872,674
2007–08	45–60	\$1,129,491
2008–09 (proposed)	55	\$1,181,000

Each year the details of the number of outputs and the amount budgeted for each output (listed as SRCs; see list below) are reviewed. An additional output was added in 2007–08, providing a budget item in the amount of \$49,617 for policy advice to the Ministry pertaining to the provision of care for adults with disabilities. The proposed budget for 2008–09 submitted by the Ministry contains no increase except for an additional amount to cover the increase in the cost of staff health-care insurance.

The following SRCs refer to detailed outputs and targets for Sunrise in FY 2006–07 (for 35–45 clients). The amount budgeted for FY 2007–08 (for 45–60 clients) is stated within brackets. The list of SRCs also demonstrates that amounts budgeted for the provision of an output can change while the overall budget remains constant.

SRC1 states an allocation of \$743,698 (\$445,303) towards training for adults with disabilities. The programmes for adults with disabilities include life

skills, vocational skills, physical development, functional literacy, computer skills, and communication based on individual needs.

SRC2 of the budget statement states that it allocated \$31,836 (\$142,676) towards improving education and training for adults with disabilities. Broadly, the amount covered services to support the production and sale of craft items that are suitable for retail sale, including those produced by clients.

SRC3 of the budget statement states that it allocated \$22,258 (\$78,516) to facilitate and maintain vocational placements for adults with disabilities.

SRC4 of the budget statement states that it allocated \$47,857 (\$153,208) for transportation for Sunrise Centre clients.

SRC5 of the budget statement states that it allocated \$27,025 (\$260,171) for promotion of health and fitness for Sunrise Centre clients.

The total amount due to be paid to Sunrise for services rendered in FY 2006–07 was \$872,674, and in fact \$866,514 was paid on the basis that satisfactory outputs were provided.

The Chief Officer stated on 28 March 2008 that while the 2008–09 outputs appear to reflect business as usual, progress was starting to be made on significant policy and practice change which will be formalised “as a part of the overall plan which will emerge over the next few weeks”. These points will be discussed below in part 11.

3.6 Timeline of events

The following chronological list of events is instructive.

- *2 August 1999* MLA Heather Bodden moved Private Member’s Motion No. 18/99, consideration for the protection and assistance of the physically challenged – passed (Hansard p. 805).
- *12 September 1999* Ministry of Education, Aviation and Planning (as it then was) received Beckles Report (Report and Recommendations for Upgrading Sunrise Training Centre and Other Matters Relating to Persons with Disabilities).
- *2001* Sunrise transferred from the Ministry of Education to Ministry of Community Development/Social Services, Women’s Affairs, Youth and Sports.
- *2 April 2001* (Hansard p. 298) Statement of Minister for Community Development/Social Services, Women’s Affairs, Youth and Sports, Hon. Edna Moyle, about the approved budget in 2000 for the Project Development Document for the proposed new Sunrise Centre (estimated cost \$1.2–1.8 m).
- *6 July 2001* Beckles Report tabled in Legislative Assembly.

- 2002 Sunrise director and deputy visited Cayman Brac and met with District Commissioner Kenny Ryan regarding the needs of disabled persons.
- 7 March 2003 (Hansard p. 8) The Throne Speech announced that the Sunrise Adult Training Centre's focus on training and support for adults with disabilities throughout the Cayman Islands would be pursued with renewed enthusiasm in 2003.
- 14 May 2003 Central Planning Authority permission to use West Bay duplex as Sunrise Adult Training Centre granted for 1 year.
- 1 June 2003 Sunrise relocated to West Bay duplex.
- May 2004 CPA permission lapsed. No Certificate of Occupancy granted (there is still no CO).
- 2004 Ministry's annual review noted that it held a retreat to discuss the redevelopment of Sunrise, and developed a new Mission Statement and a strategic plan for the next year (Hansard 19 July 2004, p. 144).
- March 2005 One new bus delivered to Sunrise.
- May 2005 Election. Sunrise transferred back into the Ministry of Education.
- September 2005 Second new bus delivered to Sunrise.
- March 2006 Sunrise director submitted FY 07-08 budget request.
- June 2006 Lease of duplex renewed for 3 years. No CO; Building Code improvements not done.
- July 2006 Deputy Chief Officer Stran Bodden visited Sunrise.
- September 2006 Sunrise director began monthly warnings to Ministry about overcrowding.
- 9 November 2006 (Hansard p. 421) Hon Alden McLaughlin said, in response to a parliamentary question from Mr Osborne V. Bodden, "Further discussions are also ongoing with the Schools' Inspectorate, the National Curriculum and Sunrise Centre. I am keen to ensure that all students are exposed to technical and vocational education, that the merits of TVET [Technical Vocational Educational Training] are accentuated and that is not viewed as the poor relation of education."
- December 2006 Brent Holt provided report "Providing for Children of the Cayman Islands with Special Educational Needs: Recommendations for Effective Systems of Learning Support".
- December 2006 Sunrise director's monthly report contained warning plea about overcrowding.
- December 2006 Ministry of Education asked Schools' Inspectorate to do review.
- January 2007 Schools' Inspectorate review done.

- *February 2007* Director submitted FY 07–08 budget to Ministry.
- *8 March 2007* Director received copy of Schools' Inspectorate review.
- *23 March 2007* Director met with Schools' Inspector Smythe.
- *26 March 2007* Committee on Disabled Adults formed.
- *14 March 2007* Fire Inspector carried out a review of Sunrise and made suggestions to the Director.
- *5 April 2007* First meeting of Committee on Disabled Adults.
- *May 2007* Committee issued report, "Planning the Future for Persons with Disabilities in the Cayman Islands".
- *June 2007* Three people graduated from Lighthouse School (now Development Centre) and were sent to Sunrise.
- *September 2007* Carla (Bodden) MacVicar confirmed as Principal; ASDAN officially in use at Lighthouse School (now Development Centre)
- *October 2007* ASDAN presentation to Sunrise staff.
- *November 2007* Cabinet ministers' retreat to set overall government policy.
- *14 December 2007* Legal subcommittee formed, with Mr Holt as chair.
- *January 2008* First meeting of legal subcommittee.
- *January 2008* Lighthouse Development Centre likely to send five graduates to Sunrise in June 2008 for supervision of job coach (all five employed).
- *11 February 2008* OCC investigation commenced.
- *1 April 2008* Ms Huggins and Mr Holt visited Sunrise and Lighthouse School and provided report.
- *4 April 2008* Last OCC inspection visit.
- *20 April 2008* Mr Holt issued report "Developmental Services for Persons with Disabilities".
- *30 April 2008* Gathering of evidence complete.
- *15 May 2008* Building Control Unit issued letter to Chief Officer of Ministry deeming Sunrise unsafe and giving seven days to address safety concerns.
- *27 May 2008* Chief Nursing Officer Brown reported on the health needs of the clientele of the centre and the qualifications of the staff to address said needs.
- *30 May 2008* Draft report written, consultation commenced.
- *4 June 2008* Chief Officer of Ministry provided evidence of recent measures to improve Sunrise.

4. Description of Investigation

4.1 Interviews

On 11 February 2008 the OCC launched an Own Motion investigation under section 11(1) of the Complaints Commissioner Law (2006 R). The investigation would serve to answer the question:

Does the government provide adequate day-care centre facilities and education for adults who are mentally and physically disabled?

Through the course of this investigation many people were interviewed, including:

- Chief Officer from the Ministry of Education, Training, Employment, Youth, Sports, Culture and International Services Policy (ETEYSC&IFSP) Mrs L. Angela Martins
- Deputy Chief Officer Mr Stran Bodden of the same Ministry
- Principal of the Lighthouse School (Development Centre), Ms Carla (Bodden) MacVicar
- Head of Student Services Mr Brent Holt
- Former Chief Education Officer Ms Nyda Flatley
- Fire Chief Mr Dennon Bodden
- Director of Planning Mr Kenneth Ebanks
- Schools Inspector Ms Pachent Smythe
- Sunrise Director Ms Roberta Gordon
- Thirteen parents of disabled adults
- The majority of Sunrise staff
- Private caregivers
- One client of Sunrise

4.2 Documents gathered

OCC Analysts visited Sunrise and gathered documents such as schedules, assessment recordings, incident reports, and attendance records. They took photographs of the interior and exterior of the building, prepared a floor-plan sketch, and made observations, specifically noting matters which raised questions of suitability and safety.

From the Ministry the OCC acquired ASDAN information, documents relating to and arising from “Planning the Future for Persons with Disabilities in the Cayman Islands” (e.g., Terms of Reference, minutes, and related letters), Ministry papers, and communications related to Sunrise. These included items such as budgetary papers. Relevant provisions of the Cayman Islands Building Code were obtained from the Planning Department.

4.3 Reports

We also gathered reports including the report of a subcommittee of “Planning the Future for Persons with Disabilities in the Cayman Islands” (May 2007), the

Beckles Report, the review of Sunrise by the Schools' Inspectorate, and the Holt Report (2006), "Providing for Children of the Cayman Islands with Special Educational Needs: Recommendations for Effective Systems of Learning Support". Reports were generated by the Ministry in the course of our investigation and were provided, including "Report on visit by Brent Holt, head of Special Needs, and Kimberly Huggins, Research Analyst, to Sunrise Adult Training Centre & Lighthouse School on Tuesday, April 1st, 2008", by Ms Huggins, dated 1 April 2008, and "Developmental Services for Persons with Disabilities" by Mr Holt, dated 20 April 2008.

5. Investigation: Transportation to and from Sunrise

5.1 Cabinet contract

SRC4 of the budget statement for FY 2006–07 allocated \$47,857 for transportation for clients of Sunrise, while \$153,208 was budgeted in FY 2007–08. These funds were used to provide transportation for clients and trainees to and from the centre, job sites, and appointments (e.g., medical). For FY 2006–07 the target was 48 to 52 trips to the centre per week. Each month a report was submitted by the director of Sunrise to the Ministry stating the delivery of services. For example, in July 2006 the monthly report stated that 50 trips per week were made.

These funds were also used to provide transportation for Sunrise clients to and from field trips and special events. For FY 2006–07 the target was two to eight field trips per week. In July 2006 the director reported that there were eight field trips per week.

Funds could also be used to provide transportation for Sunrise clients to and from Special Olympics meetings and their homes. For FY 2006–07 the target was four to six return trips per week to Special Olympics training. In July 2006 the director reported that there were no trips to Special Olympics as that programme did not operate in during July.

The director reported that Sunrise met the target of providing transportation services in a safe and timely manner on a well-maintained bus driven by trained and licensed drivers 100 per cent of the time.

5.2 Inspectorate

The Schools' Inspectorate observed (at p. 4): "Clients are brought in each day by parents or caregivers, or are collected by bus. They come from across the island; some from as far as East End. The buses also transport those who are on job placements."

5.3 Allegations

It is alleged that some clients have to ride the bus for as much as two hours each way between their homes and Sunrise. In some cases clients have been injured entering or leaving the bus, it is alleged, owing to lack of supervision or assistance by drivers/wardens. Time in transit restricts the time clients can spend in daily programmes; transit time also creates stress and upsets clients, with the result that it is harder to get them on task. Sunrise does not have a rain canopy over the sidewalk to the entrance adjacent to the bus drop-off point, and it is alleged that clients get wet coming into the centre and have to stay in wet clothes during their time there.

Some disabled adults living in East End and North Side cannot attend Sunrise because they have no access to transportation. It is a very long journey to Sunrise from East End and North Side, and the Sunrise bus does not travel to those locations.

5.4 Investigation evidence and findings

The OCC interviewed the bus drivers employed by Sunrise, some of the other employees, and some of the clients and their parents about issues of transportation. It is correct to state that clients can travel to Sunrise by private transportation or transportation provided by Maple House to its residents who are clients. (Four clients from Maple House are wheelchair-bound.) Sunrise has two buses, which provide door-to-door service on defined routes. One bus goes through West Bay and areas of George Town, and the other goes east to Northward Road and one-half mile north to the home of a client. The standard bus (capacity 28) was acquired in March 2005 and the wheelchair-equipped bus (chair lift and locks on floor) was acquired in September 2005. Neither has a toilet.

The standard bus goes on a collection circuit, first picking up the bus warden in the Scranton area. The first client is picked up at 6:45 AM and then the bus continues east, collecting nine people. For safety reasons the bus only stops and collects clients on the left side of the road. It usually arrives at Sunrise by 8:30 AM since the new highway opened (in sections) in late 2007 and early 2008. The wheelchair bus collects 15 to 18 people and arrives by 8:30 AM. According to the director, the wheelchair bus then leaves to collect one or two other clients within the West Bay area.

5.4.1 LONG JOURNEY

It is alleged that some clients have to ride the bus for as much as two hours each way between their homes and Sunrise. We found that travel time on the bus on the eastern route was very long in 2006 and 2007, before and during the eastern road works. Witnesses recount how clients would disembark the bus and rush to the toilet facilities. As Sunrise has only three toilets, the clients had to wait in line, in obvious discomfort.

Clients are allowed to request the bus driver to stop for a bathroom break, and the driver will find a suitable public toilet to stop at. Rarely do clients wet themselves. But owing to physical limitations, some adults are required to wear diapers for the journey to and from Sunrise.

Time spent waiting for toilets and settling into the centre cuts into the time available for training programmes. In addition, clients must leave the centre by 2:30 PM to avoid delays that would result from higher traffic volume later in the day; time for training is thus even more restricted.

There is also a question of lack of respect for the client; no other government transport requires students to endure such a journey. For example, high school students from East End spend approximately half as much time in transit, and when they get off the bus they have adequate toilet facilities.

5.4.2 CLIENT INJURIES AND THE BUS

Clients have been injured entering or leaving the bus, it is alleged, owing to lack of supervision or assistance by drivers/wardens. In recent history, one client broke a bone in a foot during a mishap attempting to board a bus. Drivers are instructed to let clients board the bus unaided as part of encouraging them to be independent.

Our observations of bus drivers in using the wheelchair loading device and moving and interacting with clients led to the conclusion that the drivers are competent and do a satisfactory job.

5.4.3 UNCOVERED ENTRANCE AREA

People arriving at Sunrise during a rainfall will get wet when they walk from their vehicle to the entrance unless they use an umbrella, because the sidewalk along the drive is not covered. The wheelchair-bound clients who arrive on the Sunrise bus are well cared for by the drivers, who attempt to keep the clients dry under large golf umbrellas. However, clients walking from the bus or from private vehicles can and do get wet. It is alleged that when clients get wet they have to sit in wet clothes (if dry clothing is not available) while in the centre. Because of mental handicaps and the clients' lack of ability to handle particularly uncomfortable situations, affected clients are more upset and less attentive in training, and lose the benefit of the day. Evidence was not gathered on the question of whether clients have to sit in wet clothes all day; however, the situation seems to reflect a certain lack of concern for the clients' comfort – a lack of humaneness. In contrast, fully abled students at John Gray High School disembark from vehicles onto a covered sidewalk that leads into the building.

5.4.4 POTENTIAL CLIENTS CANNOT TRAVEL TO SUNRISE

Some clients cannot attend Sunrise (assuming the facility could accommodate more people) because it is so far from East End and North Side and the Sunrise bus does not travel to those locations. Over the years the director has suggested a

central location for the facility for this reason (and for many additional reasons). The Lighthouse Development Centre also has a bus, which travels a route similar to that of the Sunrise bus. A private omnibus could be contracted to provide regular service for clients who live outside of the zones currently served by the two institutions' buses. Using a private omnibus would allow potential clients living in East End or North Side to be transported to Sunrise, and the bus could also collect other clients at the eastern edge of the current routes. The private bus could travel from the eastern districts without stopping for additional passengers, and the Sunrise bus would have a shorter journey with fewer pickups. Such an arrangement would permit the staggering of arrival times, better access to toilets, and an opportunity to start programmes earlier in the day.

5.5 Sub-conclusions and recommendation

Do these findings lead to the conclusion that the government provides adequate day-care centre facilities and education for adults who are mentally and physically disabled? Clearly, the need to improve conditions surrounding the transportation of clients and trainees (providing express van service, a covered entrance area, and staggered arrival times) leads to a negative answer.

As will be discussed in part 11, the Ministry is not in favour of changes which may be seen as offering only interim solutions to problems, but rather wishes to embark on a full re-examination of the way disabled adults are protected, cared for, and trained. Given the time required for major initiatives to progress through the development, planning, resource acquisition, and implementation stages, it is improper to ignore current problems and to fail to take interim measures. Scheduling transportation is a challenging task, and resources must be committed to improving the transportation situation.

RECOMMENDATION #1

It is recommended that the director and the Ministry remedy problems in relation to the transportation of clients and trainees including scheduling and length of journey time and the need for a covered entrance area.

6. Investigation: Ownership/Lease of Building and Renovation

6.1 Cabinet contract

The first output listed for Sunrise in the Annual Budget Statements for FY 2006–07, 2007–08, and (proposed) 2008–09 is the provision of training programmes for adults with disabilities at the Sunrise Centre. The statements require the provision of services to 35–45 clients in 2006–07, 45–60 clients in 2007–08, and 55 clients in 2008–09. The programmes were and are to be delivered at Sunrise Centre and community locations as arranged.

6.2 Inspectorate

The Schools' Inspectorate reported (at p. 9):

The [Sunrise] Centre is accommodated in a regular house that has been rearranged to provide a gym, therapy room, life skills area and two kitchens. ... There is no space big enough to accommodate clients comfortably for an activity. The rooms are very small and limit the number of clients that therapists can work with at any given time. The garage has been converted into a workshop for the art and craft production.

Parents and carers were all unhappy with the standard of the physical facility.

6.3 Allegations

Many staff members and parents of clients made the point that the facilities were neither suitable nor safe, especially in case of fire. Minutes of the committee meeting held in October 2007 (at p. 2) state, "in the case of emergency, there is a large issue at Sunrise to get persons out of the building". Assistant Director Bonnie Binns stated, "I get scared about what if a fire was to break out what would happen because it's too crowded." She also noted that the wheelchair ramps were loose and dangerous, but she believed the terms of the lease prohibited the installation of permanent ones.

6.4 Investigation evidence

Sunrise Adult Training Centre is used only during the day. It hosts between 20 and 34 disabled adults each (half or whole) weekday. Six of them are wheelchair-bound, of whom four to six attend each day. At the time of the OCC's first inspection in February 2008, 10 or 12 staff members were reporting for work each day, but by April 2008 that number had increased to 15, with more about to begin employment. We observed that clients and staff were literally tripping over each other because of the extremely crowded conditions, a result of the size of the facility, its fit-out, the number of people inside, and the space required for wheelchairs and equipment.

The OCC determined that the building occupied by Sunrise was occupied under a lease arrangement and obtained a copy of the lease. The facility is located in West Bay at block 9A parcel 273, 181 Powery Road. The government on behalf of Sunrise leased the facility from 1 June 2003, and the current lease commenced 1

June 2006 for a term of three years. The lease provides (at paragraph 5.2) that the lessee has the option to extend its occupancy for an additional two years.

The lease terms (at paragraph 3.11 and appendix 3 to the lease) provide that Sunrise can make improvements to the property at their expense.

Appendix Three: Proposed improvements to be undertaken by the Lessee.

1. The installation of concrete and/or wooden ramps to enable wheelchair access to the Premises at the following areas:-
 - i) the two entrance doors to the front of the Premises
 - ii) the entrance to the Premises within the garage
 - iii) the rear entrance door.
2. The installation of safety railings in the two reception areas within the Premises.
3. The installation of safety bars in each bathroom.
4. The removal of the partition mirror, which currently divides the two units (to be replaced at the end of the term).
5. The treatment of all glazed bathroom and shower doors to satisfy current safety regulations.

The lease contains (at paragraph 3.10) a general restriction on the power to modify the exterior or interior of the building without the consent of the lessor, "such consent not to be unreasonably withheld".

Our original and subsequent inspections of the exterior found the following conditions.

- Outdoor seating is limited.
- There is a low-hanging metal awning over a window near a door, which posed a threat that a person could hit it and cut his or her head.
- The back door did not have a wheelchair ramp, though one had been installed by the time of our final visit in April 2008, but the doorway is 2 feet 10 inches wide, too narrow for a wheelchair exit.
- On a wooden deck adjoining the back door, boards were lifting up and nails were not pounded down flush with the surface. By April 2008 this entire area had been replaced with a concrete surface, providing two wheelchair ramps, one to each side of the concreted area. A temporary canopy had also been erected to protect clients/staff from rain/sun.
- The grounds are not level and are unsuitable for many disabled clients who have balance and walking difficulties.
- An exterior yard light on a pole had bare electric wires at a level accessible to a person who was curious, although by April 2008 the light and wires had been replaced by a new external light, securely fixed to the wall, with cabling secured to the wall within protective sheathing.

- There was general lack of care on the grounds: the cement pad for A/C air handler still had a wood frame around it; there was an active wasp nest on the building. In April 2008 the wooden frame had been removed and there were no active wasp nests visible.

The interior was correctly described by the Inspectorate. The building originally was a duplex and the dividing wall has been removed. The sunken living room on each side has been converted into an office area and computer training area (three computers) on one side and a television lounge on the other. The exterior of the building reveals an interior area of 5,000 square feet, but the interior is divided into small rooms and offices, hallways, and storage areas. We estimate that there is approximately 4,000 square feet of space usable for client work. There are three bathrooms for the clients. One bathroom has a rail and transfer bench beside the toilet but no special sink for wheel-up, and the other two bathrooms are standard. The fourth bathroom is for the staff and is also used for storage. There are three interior wheelchair ramps and two exterior ramps (all wooden). While there was no wheelchair ramp at the rear exit in February 2008, one is now in place.

We obtained evidence from the Planning Department Building Control Unit as follows.

In regards to the Sunrise Adult Training Center on 9A/273, please note the following:

1. Planning (CPA) permission was granted on 14 May, 03 to change a duplex into a training facility for adults with disabilities. This permission was for a period of (5) five years only, subject to:
 - a. The premises shall be inspected by all relevant Government Agencies.
 - b. Unless specifically addressed otherwise in writing by the CPA, the development shall be carried out in strict accordance with approved plans.
 - c. You shall obtain a Final Certificate (of Fitness for Occupancy) prior to occupying the building.
 - d. ... this approval is in effect for (1) year only and will expire if you do not start construction ...

The CPA approval letter did not specifically state the requirement to obtain a building permit, but this is part of the application, plan review, inspection, and CO process.

2. Plans were never submitted to the Building Control Unit (BCU) for review or a permit. Therefore after (1) year Planning approval expired. The applicant did not reapply, but needs to.
3. There are no records indicating that any inspections were conducted by BCU for this change of use.
4. There are no records indicating that any of the outside agencies (Fire, DEH, WAC or NRA) conducted any inspections.

5. Based on available information, it does not appear that a Certificate of Occupancy was ever issued prior to staff and students occupying the building.
6. There were only a Site Plan and a Floor Plan in the file. No Electrical, Plumbing or Structural details were submitted. The Floor Plan indicates a total area of 5,177 SF including the garage/workshop ... Based on these plans and your observations [above] ... the following items need to be addressed per the Cayman Islands Building Code (CIBC). There may be more items depending on what is actually existing, but a site visit would be required:
 - a. When the occupational use of a building is changed the entire building must be brought up to comply with code requirements for the new use.
 - b. Location of the (2) two existing egress (entry) doors are less than one half the longest diagonal of the building. At least one additional exit door, remotely located, will be required per Section 1004.1.4 CIBC.
 - c. The floor surface on both sides of a door shall be at the same elevation. The landing on each side of the door shall extend at least the width of the door (i.e. 36" door = 36" landing min.) per Section 1012.1.3 CIBC. There are exceptions allowed for a residential dwelling unit that do not apply. This former duplex would need to be modified accordingly.
 - d. Need information on width of existing exit doors and locking devices to check compliance with code.
 - e. Provide handicap parking space with access aisle along with accessible route up and into building entrances per Sections 1103 & 1104 CIBC and ANSI A117.1. Providing a van accessible parking space would be more beneficial if students are transported via van. Any H/C ramps to have no more than a 1 on 12 pitch.
 - f. All doors throughout the facility's common areas need to be 36" wide (32" clear opening) per ANSI A117.1.
 - g. At least (2) two of the (4) four bathrooms need to be modified to allow sufficient clear floor area and access to fixtures. The route to and from H/C restrooms to provide adequate maneuvering room. Refer to Chapter 11 CIBC and ANSI A117.1 for requirements. All fixtures in these restrooms to be H/C accessible type (water closet, lavatory & tub).
7. Provide Exit signs and emergency backup lighting.
8. Submit complete Electrical plans, details, calculations and panel schedules. Being a former duplex, this building likely has (2) two separate services. With both halves now being open to each other, the electrical needs to be combined into one to prevent hazards. GFCI protection required in bathrooms, Kitchen counters and on exterior locations, etc. per NEC. Other improvements may be required.
9. Submit complete Plumbing plans and details.
10. If the students that attend this facility are not able to exit the building without assistance from staff, additional protective measures may be required.

It is possible for Sunrise to contact the Planning Department and seek guidance on submitting an "after-the-fact" application for planning permission. Once

submitted, the Building Control Unit would be able to send out the relevant inspectors for a site visit.

The Chief Officer testified that she had relied on Lands and Survey to state whether it was appropriate to renew the lease.

On 15 May 2008 the Chief Building Control Officer, Emerson Piercy, provided to the Chief Officer the life safety report on Sunrise. He wrote:

Owing to the nature of the deficiencies and the type of occupancy, these life safety concerns must be addressed **immediately** [emphasis in original]. Persons in charge of this facility will be given seven (7) business days from the date on this report to respond indicating how these life safety issues will be addressed. Failing a satisfactory agreement, we shall order the facility vacated until it is made safe.

6.5. Findings

The building which Sunrise occupies is not permitted by law to be used as a training centre and it has not been inspected and approved by agencies tasked with ensuring the safety of the occupants of buildings.

6.6 Sub-conclusions and recommendations

Do these findings lead to the conclusion that the government provided adequate day-care centre facilities and education for adults who are mentally and physically disabled? The government facility has not been properly licensed and modified to address safety concerns, some of which are obvious even to the untrained eye. The findings support a negative answer.

RECOMMENDATION #2

It is recommended that the director and the Ministry, as a matter of urgency, negotiate with and obtain permission from the landlord to make changes to the facility.

RECOMMENDATION #3

It is recommended that the director and the Ministry, as a matter of urgency, arrange repairs and alterations for the facility to ensure that it meets the standards required by the Cayman Islands Building Code with a view to ensuring the safety of the occupants.

7. Investigation: Suitability of the Physical Layout of Sunrise

7.1 Cabinet contract

The contract with Cabinet seen in the Annual Budget Statements specified that Sunrise was to provide training programmes for disabled adults which were to include life skills, vocational skills, physical development, functional literacy, computer skills, and communication. Other outputs are to be provided and they can be broadly labeled therapy, according to the director, as they include things which support the main output. These include occupational and physical therapy and activities of daily living (i.e., hygiene and housekeeping) and crafts.

7.2 Inspectorate

The Schools' Inspectorate reported (at p. 9):

This accommodation is too small and hinders the types of activities that are needed for the clients' personal development and training. There is no space big enough to accommodate clients comfortably for an activity. The rooms are very small and limit the number of clients that therapists can work with at any given time. The garage has been converted into a workshop for the art and craft production. ... There is a small open area that is used for most group activities such as recreational games, assemblies and lunch. There is also a small living room, which is used as a waiting area, for music sessions or for watching television. The outdoor area is unkempt and is rarely used.

7.3 Allegations

The physical layout of Sunrise, it is alleged, is not sufficient to provide 45 to 60 disabled adults with the training programmes that are expected. Problems include overcrowding, inadequate toilet facilities, small rooms, narrow passages, and some unusable exterior grounds.

7.4 Investigation evidence

The investigation revealed that when most clients are present at the centre the facility is too small to properly complete a training lesson. There are three client computer stations, one of which was also used by some staff for record keeping. The computer in the director's office was made available to clients when it was not inconvenient.

7.4.1 OVERCROWDING

The director wrote the following in her monthly report to the Ministry in December 2006:

We continue to be at full capacity of the existing programme resources (46 adults in programme). Six community referrals have been placed on a waiting list pending the current initiative being undertaken at the Ministry level to resolve these problems. In addition there are 5 young people due to come to us from Lighthouse School in September **and we have no room for them** [emphasis in original].

The director wrote in her monthly report of March 2007:

We continue to be at full capacity of the existing programme resources. Seven community referrals remain on a waiting list pending the current initiatives being undertaken at the Ministry level to resolve these problems. In addition there are 5 young people due to come to us from Lighthouse School, one from Alternative Education Programme and one from JGHS in September 2007 bringing **the total to 14 in need of service – and we have no room for them** [emphasis in the original].

Members of the staff agree that when staff and clients are in Sunrise the facility is very crowded. People are continually bumping into one another. Some clients cannot cope with the aggravation of close quarters or with being bumped by another client – for example, one who is attempting to navigate his metal walker frame down a narrow hallway.

The reality of the situation is driven home as one visits the centre and observes clients crammed together as they move through hallways. Picture clients in specialised mobility apparatus unable to move forward without getting pinched between the storage lockers, a piece of recreational equipment, and four other clients attempting to make their way through the space to get to their activities.

A client's mother expressed concern that her son's safety is compromised when he attends the centre because of the overcrowding and improper facilities for handicapped persons. She said that her son has difficulty maneuvering the makeshift ramps in the centre. She noted that since her son started attending Sunrise he has had many accidents in the centre, several of which occurred as a direct result of the overcrowded conditions. She commented that clients passing in the halls cannot help but bump into each other, and that occasionally this results in a client getting angry and physically knocking another client to the floor.

7.4.2 TOILET FACILITIES AND PROGRAMMES

The lack of toilet facilities has a direct impact on the execution of training programmes. Some clients arrive after a bus journey of between one and two hours. They stand in line to use the three toilets. It takes time to complete this process and to settle the clients down afterwards. Programmes do not commence until almost an hour later.

7.4.3 SPACE CONFIGURATION AND PROGRAMMES

The director's monthly report for September 2007 again emphasised the problems arising from the current location and the number of clients. She wrote: "The graduates from the Lighthouse School joined us bringing the total number of clients in wheelchairs to 6. Because of limited space we are not able to accommodate all of these young people at the same time so 2 are only coming part-time."

In the same report, the director outlined the problems arising from the space configuration.

[Scheduling problems] are caused by the complexity of our client base compounded by the lack of space within the building. Because the building is actually a residence that we have adapted, the rooms are small and the layout is not convenient for many of the groups. This is compounded by the return of workers who lost their jobs over the summer or who are off on sick leave from work but who attend the Centre because there is not supervision for them at home. Space and programme options had to be found for them as well. The new clients were admitted based on projections that assumed these workers would be at work. We are now significantly overcrowded ... This is impacting the whole programme and no one else can be admitted until the situation improves. ... Occupational Therapy Department moved into a larger space to accommodate the new clients who will require considerably more therapy than our older clients have.

7.4.4 EXTERIOR GROUNDS AND MODULAR CLASSROOM

Sunrise currently has no designated outdoor facilities that are accessible to the physically challenged clients (apart from the small cement pad adjoining the rear exit, which was added after our inspections commenced). At present clients who have a reasonable degree of mobility and coordination are required to use the rough, uneven, and patched concrete parking area in front of the centre for their recreation area. The potential for injury is high. The centre has several very nice pieces of wooden yard furniture that are currently inaccessible to most clients because both walkway access and walking surfaces are inappropriate.

In January 2007, the Inspectorate (at p. 9) recommended that management "Improve the appearance of the facility and make more use of the outside areas."

Triple C School, when it was located on Hospital Road, chose to use its exterior grounds for programmes. It constructed a concrete slab which incorporated a sheltered area consisting of a roof over one-third of the slab. This area was used during reasonably good weather for many purposes: for play, band practice, and sports instruction and as a general meeting and social area for students during free time.

Better use of the exterior grounds at Sunrise might include:

1. Installing a larger concrete slab (to be situated to the left (north) of the main building in what is currently a grassed area):
 - a. Uses:
 - i. Basketball (one of the clients' favorite activities)
 - ii. Outdoor recreation therapy
 - iii. Walking with assistive apparatus

- iv. With addition of tables and benches, outdoor eating, crafts, and classroom activities (may not be appropriate for some clients, given the over-stimulation of being outdoors)
 - v. Socialising
2. Building a shaded sitting area. The existing outdoor furniture could be slightly modified and set up on a concrete slab connected to the main building by a proper walkway, thereby making it accessible for all clients.

Director Gordon was somewhat hopeful that the acquisition of a modular classroom (MCR) would provide some interim relief. Many other institutions are using MCRs, including George Hicks and John Grey schools and the Sports Department. There is room on the north side of the lot for both a concrete slab and an MCR, and the director has obtained the landlord's permission to put an MCR on the property. It could house the Occupational and Physical Therapy programme, leaving more room in the centre. Sunrise would be able to enrol clients from the waiting list – these would be from West Bay, owing to current load and route of the buses.

The evidence indicates that a corporate donor was willing to give a modular classroom to Sunrise in early 2008. The offer included the costs of purchase, shipment, installation, and equipping the MCR, which were estimated to be \$150,000. Documents show that the director had requested permission to finalise and accept the donation on 14 January 2008, and the Ministry did not respond. A definite offer was received, which she sent on to Ministry on 17 March, followed by reminders on 19 March and 31 March. In April 2008 the Ministry formally rejected that offer and asked the donor to instead make a donation of money.

The director is of the opinion that failing to accept the offer of the modular classroom was not a good decision. It would have been a tangible improvement for an interim period, during the time required for the new plan for seamless education to be finalised and implemented.

The Chief Officer believes that the suggested cash donation would contribute to the broader programme and vision. She does not believe in “quick fixes” or interim measures just for the sake of being seen to be doing something, and accepting an MCR would fall into that category. She fears that without a fundamental readjustment of training programmes for disabled persons, accepting the MCR would do little more than serve to continue to warehouse disabled adults.

7.5. Findings

Sunrise is overcrowded and the facility is not satisfactory for the use to which it is being put. Its space is configured, as a result of the building's original construction as a residential duplex with sunken living rooms, in a manner which cannot properly support the training programmes and ancillary outputs. In addition to the safety concerns discussed earlier, the centre has inadequate toilet

facilities, small rooms, and narrow passages. The grounds surrounding the centre are poorly maintained and equipped and represent a missed opportunity for use in client development. The problems arising from space configuration and the number of clients and trainees inevitably raise the issues of the inclusive enrolment criteria and the lack of other facilities for disabled adults.

7.6 Sub-conclusions and recommendations

Do these findings lead to the conclusion that the government provided adequate day-care centre facilities and education for adults who are mentally and physically disabled? No.

It is appropriate to move forward with some interim measures to protect the welfare of the clients and trainees at Sunrise and to assist the staff of Sunrise in meeting its targets.

RECOMMENDATION #4

It is recommended that the director and the Ministry address issues of overcrowding at Sunrise including admission criteria, space configuration, and use of other existing resources.

RECOMMENDATION #5

It is recommended that the director and the Ministry arrange for the grounds of Sunrise to be improved to allow for some programmes to be carried on outdoors.

8. Investigation: Health and Safety

8.1 Cabinet contract

The contract with Cabinet to provide services for disabled adult clients implies that the services will be provided in a safe environment for clients. The Public Service Management Law, 2005 (Personnel Regulations, 2006, regulation 48) requires the government to provide a safe working environment for employees.

8.2 Inspectorate

The Schools' Inspectorate reported (at p. 3):

The [Sunrise] Centre is located on Powery Road, West Bay, which is some distance from the health centre, fire service, and police station. In the event of an emergency, it would take some time before help could reach them.

And (at p. 5):

Communication is not well developed at any level, and this affects relationships among staff. For example, when a member of staff was absent, no plans were made for her clients; some staff refused to share the responsibility and others felt they had too much to do. There are some planned occasions when all the staff meet, but not enough time is given to discussing issues pertaining to the training programme, the curriculum, and methods for teaching and training clients in prevocational programmes and preparing them for work placements.

8.3 Allegations

Beyond the issues of proper electrical wiring, exits, and related safety inspections are questions about the presence of safety equipment (fire extinguishers, alarms, lifting devices, defibrillators), the existence of safety procedures (fire drills or disaster management plan), new client intake process, client discipline, and staff security (report procedure and penalty). Related issues include staff stress, staff training, and the manner in which the centre is managed.

8.4 Investigation evidence and findings

The OCC interviewed staff and parents of clients and visited the centre. The centre is in a very remote location and medical emergency services must travel a great distance to assist. The West Bay district clinic does not accept emergency cases, to the best of the Sunrise staff's knowledge. The West Bay fire station, RCIP office, and ambulance services do serve the area in which Sunrise is located. In April 2008 the Ministry embarked on discussions with the Ministry of Health and Human Services to formalise medical services for clients at the West Bay Clinic.

8.4.1 SAFETY EQUIPMENT

The director arranged a meeting with the Fire Inspector on 14 March 2007. He provided advice on where exit signs and fire detectors should be installed, the number of fire extinguishers required, and related matters such as the storage of

paint. The recommended equipment was installed and paint was securely stored inside a locked shed within the grounds by the time of our visit on 4 April 2008. (He also notified the Building Control Unit of the state of the facility.) Staff were trained last year on the use of a heart defibrillator, but none is on site. Lifting equipment to move radically physically disabled clients does not exist, and the staff is not required to move these clients. Each severely physically disabled client must bring his or her own caregiver to assist in moving the client and feeding and personal hygiene. The crowded conditions at Sunrise might preclude the storage or use of lifting equipment.

8.4.2 SAFETY DRILLS AND DISASTER MANAGEMENT PLAN

There has not been a fire drill at the current location. In 2006 the government established the Disaster Management Unit led by Dr Carby. In 2007 all departments were required to consider safety and continuation of services in the event of a disaster (e.g., hurricane or earthquake) by making written plans. The management of Sunrise did not complete this task and states that it was overloaded owing to the demands of client care and that it needed additional help from the Ministry. The Chief Officer notes that Dr Carby met with the heads of departments in the Ministry on two occasions and that the Deputy Chief Officer responsible for Sunrise was to coordinate finalisation of the each department's plan.

8.4.3 NEW-CLIENT INTAKE PROCESS

Staff noted that clients are introduced into the centre, but little if any background information or preparation is given to the staff. For example, staff are not warned (and no one knows) if anything, such as the colour of clothing worn by another client or staff member, might trigger a violent or uncooperative reaction in the new client. Clients referred from Community Service workers have come to Sunrise without any documented information. Similarly, according to Sunrise management, Lighthouse School gave them "very little" background information on clients who were transferred to Sunrise. The principal of Lighthouse disputes this contention and stated that packets of information are provided in a meeting between representatives of both institutions. Director Gordon stated again that there is a "lack of information flow from the Lighthouse School – historically information provided has been few and far between".

8.4.4 CLIENT DISCIPLINE

Staff members and management of Sunrise agree that certain aspects of the job and working conditions are very stressful and have an impact on job performance. One area of concern is the lack of a clearly stated client discipline procedure.

Staff members are not confident that issues of client discipline are properly or consistently addressed, especially in cases of serious misconduct such as assault and battery. The deputy director acknowledged that no incident log has been kept since September 2004. The administrators explained that punishment of clients is an extremely complex proposition. When a client acts improperly, he or she is

punished in accordance with his ability to understand. For example, a day's suspension may be a suitable punishment for a client who understands right and wrong and the nature of the violation, but it is not appropriate for a client who does not understand those things. Also, conditions in the client's home may be so bad as to constitute mitigating circumstances, or the effect of a suspension might be negatively compounded if the client has to remain home alone with a relative who is suspected of having abusive tendencies.

8.4.5 ADDITIONAL REASONS FOR STAFF STRESS

Because of overcrowding and mental exhaustion, one can understand how some staff members feel stress and cannot properly execute their teaching responsibilities. The principal of the Lighthouse Development Centre, Carla (Bodden) MacVicar, stated that overcrowding or shortage of space "affects an instructor's ability to teach. It is a very important issue in terms of meeting the needs of students." Clearly this applies to Sunrise. When there are too many clients in a class at any time, the teacher has extra challenges beyond presenting the lesson. The instructor has the stress of organising clients, watching them, and interacting with one while another seeks attention. As there are no separate teaching rooms but rather many open rooms with people wandering in and out, it is difficult to manage the tone of the group. Often the need arises for a teacher to assist another staff member with a situation. The director requires the staff to be always on watch – the safety of clients is very important – and to lock away any dangerous object. Always watching clients takes time and energy. It can be a highly demanding work environment. Instructors can quickly wear down. They may lack the energy to do more than the minimum in the lesson and may expend most of their energy on keeping the group settled and on task within a caring environment. The instructor may fall into a pattern of repeating lessons that the clients already know, as it takes less energy on everyone's part, or may acquiesce to the clients' desire to watch television. Mental exhaustion affects interaction between colleagues and supervisors. It also makes administrative duties a double chore, which is compounded by the lack of appropriate assessment tools or standard record pro formas.

8.4.6 TRAINING FOR STAFF

Staff training can lead to a competent and confident team. The Beckles Report (1999) made recommendations regarding the professional qualifications needed to work with developmentally and physically challenged adults.

The Schools' Inspectorate observed (at p. 5) that:

The untrained staff have not received enough professional development to equip them with the skills and knowledge necessary to do their work well. This has created huge gaps in the life-skills, academic and computer-assisted-learning programmes. Staff that are trained are not effectively deployed to support clients outside of their assigned area. At present, some staff do not see themselves as accountable to anyone and are not performing as well as they should.

As new clients arrive (and inevitably a new matrix of physical and mental problems is presented), the staff must be trained on how to properly work with each new client. If they are not, the client may be physically or emotionally injured and the instructor experiences guilt and anxiety.

The director noted that she had received very little in the way of continuing professional development training and only recently has been able to travel to conferences that offer training. While she appreciated the gesture, the training did not apply to her work in the centre, primarily because of Sunrise's resource limitations and complex mix of clients. The Ministry reported her training as follows: "... attended the World Congress and Exposition on Disabilities on December 1–3, 2005 and November 17–19, 2006. During 07/08 thus far [20 February 2008] she has attended training for IRIS [software], output budgeting, budget preparation and a part of the all strategic development sessions held by the Ministry for its HODs."

One staff member asked for training in 2007 so the director appointed him the training coordinator. Some training has occurred recently. The Ministry sought to have the training of those staff members trained as nurses upgraded in April 2008, but the initial review of qualifications to be conducted by the Chief Nursing Officer of the Health Services Authority was postponed until 27 May 2008 and then completed only partially.

8.4.7 LED AND MANAGED

The Schools' Inspectorate made the following observations (at p. 5):

The deputy director does not have a job description, so there is no clear line of responsibility. However, she does what she sees is necessary and has focused on the accounts, medical and transportation issues and the daily care of the facility. She also works with individual clients, when time allows. Her background in nursing allows her to deal with minor medical issues and she offers one-to-one counselling when appropriate. For example, she dealt effectively with a client who was very disturbed and uncooperative, by sitting him comfortably in her office, where she could keep an eye on him and offer assistance as needed. ...

The director has ideas about how the Centre should be run, but at present, there is no clear direction. There are no systems or structures for monitoring or evaluating the work that is done by staff or clients. Neither the staff nor clients are clear about daily routines. This has adversely affected the day-to-day running of the Centre and the quality of training and development that clients receive. Much time is wasted each morning in getting clients started on their programmes.

The development and progress of clients are not clearly documented. ...

Staff are not well managed and this has led to inconsistencies in their performance and a lack of focus. The senior staff are unsure of their roles. They have limited knowledge and understanding about how to plan, organize and work effectively with the clients. ...

Director Gordon stated that she did not agree with all of this criticism but does concede that there is room for improvement in many areas. She regrets not replying to the Inspectorate's report. The Ministry did not meet with her to discuss the report. In April 2008, she received copies of the report for distribution among staff members with a view to engaging all staff in developing improvements in administration and programmes. It is her evidence that the Ministry did not specifically tell her which problems arising from the Inspectorate's report should be addressed and in what priority. The Chief Officer testified that a director receiving such a report should not have to be told to begin drawing up plans to address any valid criticism. The Deputy Chief Officer of the Ministry stated that action items were suggested and support was given on issues of management, including human resources and administration. Also, some staff has been added. Some issues were obvious and were within the director's remit to prioritise and act upon.

8.5. Sub-conclusions and recommendations

Sunrise is in an isolated location and does not have ready access to medical support services. It lacks some necessary safety equipment. Administrative procedures are absent or incomplete. There are no hazard management plans, the client intake process is incomplete, incidents of client discipline are not documented, and staff concerns in this area have not been addressed. Staff members do not always perform at a satisfactory level owing to many factors including the stressful work environment, lack of training, and some management problems. Some action has been undertaken to improve management and systems.

Do these findings lead to the conclusion that the government provided adequate day-care centre facilities and education for adults who are mentally and physically disabled? The findings suggest a negative answer.

RECOMMENDATION #6

It is recommended that the director and the Ministry take steps to alleviate the problems in the area of health and safety, including formalising disaster management plans, and staff training.

RECOMMENDATION #7

It is recommended that the director and the Ministry take steps to continue to improve management systems and procedures, including formalising the new-client intake process.

9. Investigation: Training Programmes at Sunrise

9.1 Cabinet contract

It is clear that Cabinet must provide for the training of the disabled. Few students graduating from Lighthouse Development Centre at age 16 are capable of independent living, but if quality training is continued, some disabled adults may be capable of independent living by the time they are 25 to 35 years old. This is very important to aging caregiver parents and to the community as a whole. The likelihood that substitute caregivers can be found greatly increases if the disabled adult is more independent and has life skills and work. Sadly, some disabled adults will never have another caregiver once their parents die.

As noted earlier, the detailed outputs and targets for Sunrise in FY 2006–07 (for 35–45 clients) and FY 2007–08 (for 45–60 clients) require the provision of: (SRC1) programmes for adults with disabilities including life skills, vocational skills, physical development, functional literacy, computer skills, and communication, based on individual needs; (SRC2) services to support the production and sale of craft items that are suitable for retail sale, including those produced by clients; (SRC3) vocational placements for adults with disabilities; (SRC4) transportation for clients and trainees; and (SRC5) promotion of health and fitness for Sunrise clients.

The agreement stipulates that 8 to 10 training courses should be provided and clients should receive 10 to 20 hours of training per week.

The monthly reports submitted by the director to the Ministry note the results. For the months of September 2006 through November 2007 there were 46 to 48 clients in the programme each month and the daily attendance was at least 30 clients. Sufficient courses were provided.

The Annual Plan and Estimates for FY 2008–09 (at p. 179), “Training and Support for Adults with Disabilities” (\$1.18 m for 55 clients), states:

Description

- Provide Training Programmes for Adults with Disabilities to promote individual growth and independence including Life Skills, Functional Literacy, Computer Skills, Communication, Arts and Crafts and Vocational Training and Placement
- The provision of therapeutic services to promote the health and fitness of clients including the evaluation of performance skills, the development of treatment and fitness plans as well as the coordination and monitoring of health care.

9.2 Inspectorate

The Schools' Inspectorate reported (at p. 3):

The [Sunrise] Centre is located on Powery Road, West Bay ... The location does not readily support the teaching and learning of specific independent living skills such as taking the bus and shopping, since it is so far away from the town.

And (at p. 6):

There is no written documentation about the programmes or curriculum that the Centre follows. However, the job placement coordinator has developed a useful information booklet that highlights basic information about the Centre and about the job placement programme. ...

The job placement programme is an area of strength. It is well organized, and is monitored and evaluated. Its aim is to get clients into full-time employment. Companies are given an employment information booklet that informs them of the mission of the Centre, the nature and needs of the clients and gives other basic useful information. The job coach initially visits placements for at least six weeks, meeting with supervisors and the workers and discussing the Trainee Evaluation Form. After this time, visits are not as frequent, but he maintains contact with the trainees and supervisors.

The coach is now developing an electronic data base of information about clients with a view to making it available to all staff. Clients are selected for job placements on the basis of their performance on the Microcomputer Evaluation of Career programme and their assessment by staff. There are some concerns about this programme because it does not assess some basic skills. However, at present there is no other system of identifying and assessing clients' needs, and although there is a list of their areas of difficulties, not all staff understand and know what each client can actually do. The coach is working on a different system that might be more effective in identifying needs so that they can be prepared for job placement through pre-vocational and structured life-skills programmes.

There are a few clients at the Centre who have not been selected for job placements. They follow the routine of the Centre but get very little pre-vocational work. The job coach and life-skills staff need to collaborate more in order to prepare the clients properly.

Eleven clients are in job placements. They work in areas such as the Ritz Carlton laundry and warehouse, cleaning tables at Kentucky Fried Chicken, potting plants at the West Indian Nursery, and carrying out maintenance duties at Polar Bear Air Conditioning. Some of the clients work part-time, starting their day at the Centre and then leaving for work. Those who work full-time are transported by the Centre's bus, by parents or they take public transport. The job coach has established very good relationships with clients, co-workers and employers.

And (at p. 7)

Occupational therapy is another area of strength. ...

The life-skills programme provides clients with experiences in laundry work, home economics, craft work and general household cleaning. However, clients have not been properly assessed to determine their capabilities and there is no set curriculum or programme of study. This has led to much inconsistency in both the content and quality of the training and what the clients learn. The programme is not monitored and the course is taught by untrained staff who are given very little support. Some staff use their own previous work experiences to plan activities for lessons, but there is no proper structure for this. Clients are therefore not always being taught the skills that would help them to develop the level of independence of which they are capable. In some cases their skills do not improve beyond what they acquired at the Lighthouse School. ...

The computer assisted sessions are helpful to some clients in that they keep them on task for a while and enable them to have fun playing games. However, the work is not challenging or helpful and they easily become bored. They are not taught basic skills and staff are unaware of their individual needs. The software is very limited and not age appropriate. It does not offer clients any help for their development. For example, one client stopped working on a picture identification and matching activity because she said that she had already done it. Another remarked that the work was "simple and stupid" because he was asked to colour pictures that had the beginning sound of the letters shown; it was an alphabet recognition activity for kindergarten-age children. Basic components of computer programmes and activities such as Microsoft Word are not taught even when clients are capable of learning such skills. ...

The craft production workshop has some positive features. Clients have the opportunity to work on projects which they can then sell; the idea is a very good one.

The work is done in a converted garage and staff have a schedule for the clients. The craft work is taught by a specialist and an aide, but some other staff members also teach aspects of the course. Because there is no structure to the programme and it is not well monitored, there is some confusion over who should be working with which clients and what exactly should they be doing. Much time is wasted and production is therefore slow.

There were quite a number of finished products on display, but most of the work has been done by the staff rather than clients, because of safety reasons, for example, the cutting of wood with specialized saws. The staff do give more able clients an opportunity to handle some tools, but there are few resources or purpose-built machines to help them develop independence. Sometimes less able clients are paired with more able ones, which slows the training and production of both groups.

9.3 Allegations

Parents of clients at Sunrise expressed concern that clients were not assessed for skill level and were not given individual training programmes, and that therefore

families were not able to get information about their family member who is a client.

They also expressed the view that quality programmes were not delivered. Some parents hold the view that for too much of the day clients are left to do little more than watch television. One disabled adult was sent to the United States immediately after hurricane Ivan and was there until January 2005. He went to a school specifically for people with needs similar to his but not mixed with the severely disabled. Each student had one-on-one instruction. He came back to Cayman greatly improved – for example, he was able to spell and write his own name. However, since he returned to Sunrise the family has seen considerable regression and has felt that the centre is “doing nothing” to train or help their son develop his full potential.

9.4 Investigation evidence and findings

9.4.1 REPORTING TO PARENTS

Parents state that Sunrise does not provide reports on the client’s individual plan for development or on progress that is being made. In one case a family member testified that they had specifically requested information on the courses and activities in which the client was participating so that they could work with the client at home. Even after subsequent requests, however, they were never given the information, and they commented that when they pressed for the information, Sunrise management became defensive.

The deputy director stated that Sunrise always planned to provide information regularly to parents but it never materialised.

It would be appropriate, the director admits, to do an annual assessment and training plan for each client, but she states that there just never seems to be enough time to get this done.

The director stated that in the autumn of 2007 she began researching the details of a software-based programme on offer from educators in the UK called Award Scheme Development and Accreditation Network (ASDAN). This programme would facilitate formal individual care plans and training for clients and would ease the administrative burden of reporting to parents. The director stated that the Ministry indicated in 2007, “We will be proceeding with the ASDAN project” and told her that materials were being purchased and they would get back to Sunrise management very soon on training the staff. ASDAN is used by the Lighthouse Development Centre.

According to its own promotional publication, “ASDAN is a charitable organisation managed by teaching professionals and is particularly well-known for innovative curriculum development in the areas of personal, social and work-related learning.” It designed learning programmes for learners with moderate, severe, complex, profound, or multiple learning difficulties working below the

National Curriculum Level 1/Entry 1. “The programmes provide a coherent framework for accrediting what you [special schools or training centres] already do. They provide enrichment and additional learning opportunities for promoting the development of the learner.”

Some programmes are age- and/or learning level-specific, while others have a more general application. For example, the programme “‘Towards Independence’ presents a framework of activities through which personal, social, and independence skills can be developed and accredited.”

There are over 50 modules to choose from [grouped in themes] – for example:

- Creative: pottery and ceramics; ... and sound, rhythm, and music
- Independent Living Skills: using transport; everyday living; and working toward self-sufficiency

Certain core elements lie at the heart of all ASDAN programmes and qualifications, which are designed to:

- Encourage student-centred learning
- Challenge students to achieve
- Enable students to learn through experience
- Encourage a wide range of skill development
- Reward success

ASDAN provides each student with a portfolio of certificates indicating what they have learned and can do.

The ASDAN programme “Towards Independence” would be appropriate for some clients at Sunrise, according to Lighthouse School Principal Carla MacVicar.

The programme has been developed for the adult learner (16+).

“Towards Independence” presents a framework of activities through which personal, social and independence skills can be developed and accredited for those with moderate/severe (SLD) and profound [and multiple] learning difficulties (PMLD) functioning between P/Milestone Levels 1–8 [below National Curriculum Level 1/Entry 1].

The director is optimistic that the significant shortcomings in client management and reporting can be rectified. It is likely that ASDAN will be used at Sunrise, and staff training must be undertaken. The Annual Plan and Estimates for FY 2008–09 set out the targets for the delivery of programmes at Sunrise.

Quality

- Training will conform to ASDAN Guidelines and will reflect needs established by individual assessment of clients.
- Programme materials to include a combination of in-house and commercially produced resources.
- All training will be developed and supervised by qualified staff.
- All evaluations and assessments will be done by qualified staff.
- All treatment and fitness plans will be developed and supervised by qualified staff.

9.4.2 DELIVERY OF TRAINING PROGRAMMES

Our investigation found no significant improvement one year after the Inspectorate's review. If anything, programmes appeared slightly less organised and less documented than last year. The need for more emphasis on planning and administration is now beyond question.

The success of the output to delivery training programmes is stated in the following terms in the director's report to the Ministry of November 2007: "Little change since last month. We are still struggling to implement the schedule. The client group is extremely complex and staff absences continued high due to illness but we continued to provide at least 20 hours per week per client in full time attendance." In our interview the director noted that staff members were so focused on supervision that sometimes they did not focus on delivery of meaningful training.

The job placement unit (Adult Protective Services Worker) has abandoned the Microcomputer Evaluation of Career programme as it was deemed to be ineffective. Therefore there were structured evaluations ("skills assessment document and chart") for only five clients, all conducted before 2007). Three more clients were added for supervision, but one client refuses to cooperate and has quit his job and continually leaves the centre. Five more employed clients are expected from the Lighthouse Development Centre in summer 2008. Adaptive living specialists have not received written instructions on required areas of training from the Adult Protective Service Worker, and instructions, requests, and communication seem to be ad hoc. The centre's location hinders the job placement programme.

The occupational therapist ("OT") is qualified, and last year served as a volunteer. Now Sunrise has one OT and no volunteer OT. He admitted that he is not able to see the clients as often as is necessary to allow the client to make progress. He is not able to give sustained individual attention in the sessions they have, as multiple clients (two to four) are together in a single 45-minute session. (The schedule provides for OT and physical therapy Monday to Thursday, 9:30 AM–12 noon and 1–2:30 PM. The bus leaves at 2:30 PM. (Friday is "fun day" and features

recreation/outing trips.) Other OTs in the employment of the government are not willing or have not been made available to assist him. Physical therapy is also done by the OT. He states that he is confident in his ability, but some of the parents clearly are not. He is stretched, and his record-keeping suffers. He is unable to closely supervise his two (untrained) assistants.

For clients to have the greatest benefit from training programmes, they must have continued improvement in physical capacity through a good occupational and physical therapy programme. A client cannot learn to write or use a computer when his arm muscles are not functioning and he is not comfortable.

In terms of records, the therapist has to rely on his memory in making plans, noting client progress, and proving that he has done a proper job. Unfortunately, the administrators relied on the OT to keep client records and were under the impression that he had up-to-date records. Forms exist, including "Occupational Therapy Section – Sunrise Adult Training Centre" on client AB's file (unfortunately not updated since 2006) and the equivalent of the Lighthouse School Student Report Form for Independent Living (found in the file of client MH from May 2000). We are not in a position to find that the therapy programme is not functioning, but the lack of records recording the progress of each client makes it impossible for the therapist to substantiate that progress is being made. Without records he cannot state what was done and demonstrate progress or defend against parents' allegation that clients are backsliding in their skills.

The craft programme also lacked records, and there was no evidence of improvement since the comments of the Inspectorate in January 2007. According to the manager of the craft shop which sells Sunrise crafts, tourists love to buy the items made by the clients when they are available. She noted that too often stock is not provided by the centre and therefore the shop does not have items from Sunrise clients for sale. The crafts instructor stated that she did not get information from the craft shop, which led us to question the effectiveness of communication and the management of that programme.

The life-skills programme has not changed for the better. One instructor has documentation in the form of a note describing the activity done but no measure of progress. The sessions lacked structure. One instructor admits that the programme lacks resources for new modules, and that the course is boring for some clients. Another emphasised that Sunrise is supposed to be a training centre and not a care home. She feels it has lost direction and purpose. From her point of view, there are many clients who cannot be trained and are beyond hope of getting into a work placement or independent living. She believes that Sunrise has become a community social centre taking in all disabled people, which is contrary to its name and remit. One instructor said she was relegated to duties similar to child-minding.

Transfer of learning does potentially take place during the field trips and outings, but one instructor observed that the clients need to have more training in the centre so there are more things to practise while on a field trip. The skill learned can then be used in different contexts and the client learns to apply the skill in more than one environment.

The client computer stations are limited but the potential for training is high. The director stated that training on computers is an area in which most clients can get some learning benefit (as long as the client can understand cause and effect). The computer desks are not wheelchair-accessible and are too small for people with physical challenges. And, inevitably, the discussion must return to the state of the facilities.

We found it unusual that the director felt that she had not been instructed or required to take specific actions to improve the programmes after the comments of the Inspectorate. The Ministry continued to draw down funds under its contract with Cabinet while it knew that the programmes at Sunrise were not meeting the Inspectorate's approval, and yet no specific targets for improvement were issued.

9.5. Sub-conclusions and recommendations

The documentation and records are so limited and incomplete that there is no way to measure whether Sunrise is meeting its stated goals. The allegations against the centre of poor communication with parents and lack of regular client assessment are acknowledged. The allegations that the training programmes are ineffective are impossible to deny because of the lack of records, and thus the parents' evidence that their family member is not progressing or is regressing can be accepted as accurate. It is improper administration to have programmes in a training centre with no records and analysis to assist in client development or demonstrate to the Ministry the work done. Sunrise must provide not just training but quality training.

Do these findings lead to the conclusion that the government provided adequate day-care centre facilities and education for adults who are mentally and physically disabled? No.

RECOMMENDATION #8

It is recommended that Ministry establish a matrix of quality-control indicators to better ensure the delivery of quality training programmes to disabled adults.

RECOMMENDATION #9

It is recommended that client and trainee assessments be completed by Sunrise staff at regular intervals.

RECOMMENDATION #10

It is recommended that communication by Sunrise staff with parents/guardians about clients and trainees occur regularly and be documented.

10. Investigation: Future Demand and Facilities

10.1 Cabinet contract

The proposed contract with Cabinet submitted for Sunrise by the Ministry for FY 2008–09 (tabled in the Legislative Assembly for debate in April 2008) offers to provide services for up to 55 clients and trainees.

10.2 Inspectorate

The Schools' Inspectorate reported in January 2007 (at p 4): "An additional 20 clients are on a waiting list, as the Centre is filled to capacity."

10.3 Allegations

Our investigation raised the question of the plan for the way forward.

10.4 Investigation evidence

The highest number of clients and trainees in attendance at Sunrise at any one time in early 2008 is 34 (four of whom are in wheelchairs). Regularly working with clients in the centre are nine or ten staff members (support aides, instructors, and therapeutic aides). Some trainees are employed full-time and only occasionally attend the centre. Support is given by the Adult Protective Services Worker to trainees in the workplace as needed.

As quoted above, the director of Sunrise wrote in her monthly report of March 2007 that there was not sufficient room for programmes and no additional clients could be accepted.

The Deputy Chief Officer responsible for Sunrise was of the view that the centre had a capacity of 75 clients and trainees.

Future demand can be predicted in part by studying the number and progress of students at the Lighthouse School. Director Gordon stated:

We can look at the children in the Lighthouse School and be able to predict which children will be able to be re-integrated and which ones will be coming here. It's not that hard to tell the ones that are not at a developmental level to be independent at the time when they are 16, which is when we take them. It doesn't mean that they will never be able to be independent; some of them will but it may take them until they are 30.

In June 2007 the Lighthouse School (now Development Centre) referred three graduates to Sunrise, and in June 2008 another five are to be sent there to be under the supervision of the Adult Protective Services Worker.

The National Assessment of Living Conditions, undertaken by the Ministry of Health and Human Services, has been completed and a draft report is in circulation for comment. From some of the comments in the "Executive Summary of the Draft Cayman Islands National Assessment of Living Conditions

2006/2007” (Kairi Consultants Ltd, April 2008, p. 19), one can assume that the final report may show that the disabled adult population is significantly higher than previously thought and that the demand for services may increase in the years ahead as efforts are made to better promote the programmes already on offer for disabled adults.

In support of the proposed budget for FY 2008–09 the director prepared, as usual, a document for submission to the Ministry titled “Budget 2008/09 Annual Budget Statement for Sunrise”. Under the heading “Strategic Ownership Goals” (at p. 6) she wrote, “Construction of a central purpose-built facility to meet international standards that will better serve the needs of all Adults with Disabilities in Grand Cayman.” She also wrote “Develop group homes and/or supported independent living residences for adults with disabilities in Cayman Islands within their home districts.” Director Gordon observed that approximately one-half of the clients live in West Bay, and their needs could be met in part by using the existing facility as a general community facility.

She has stated these goals annually for the past six years in various documents.

In May 2007 the Committee Report (at p. 9) suggested that the Ministry “Move the Sunrise Adult Training Centre to a larger central location so it can provide more extensive rehabilitation programmes ...”.

The Chief Officer does not support the construction of new buildings at this time. While she had not shared her vision with the principal of Lighthouse and the director of Sunrise as of 1 April 2008, she indicated that a whole new approach to assisting disabled persons was on the drawing board. Rather than looking at the capacity of facilities, all the resources had to be considered as available to any client to meet the client’s individual needs. (Her vision is reported below.) For example, the Ministry’s research analyst, Ms Huggins, and Mr Holt visited both Sunrise and Lighthouse on 1 April 2008 and reported that the facilities at Lighthouse were not fully utilised. During their visit (at p. 4), “all therapy rooms and the gym were empty. We felt that the clients from Sunrise could utilize these rooms while they were not being used by Lighthouse students and it would just be a matter of rescheduling to share the facilities.”

It should be noted that major reforms can take years to write, crystallise, and implement. As at 2 April 2008, the plan for the way forward was still on the drawing board. The Chief Officer wrote,

Please be clear that we are committed to the work we now have fully underway to take a client focused approach to the changes which will determine what capital works requirements are necessary, not the other way around. Ultimately all this work will be presented to the Minister with the relevant policy positions for his approval as is required. I have his blessing to go forward as I am doing, a result of my regular briefing process with him.

The needs of the disabled in the Sister Islands have been documented. Director Gordon noted that she and the deputy director visited Cayman Brac on 14 March 2002. They met with then District Commissioner Mr Kenny Ryan, then Deputy Commissioner (now District Commissioner) Mr Ernie Scott, and Assistant Ms Wanda Tatum and created a list of 27 people with disabilities who need help. A few disabled adults were in homes provided by Children and Family Services, a few resided at the Kirkconnell Community Care Centre, and the rest were shut-ins in their homes. There are no settled plans to attempt to assist potential clients in the Sister Islands. Recently the Chief Officer stated that she has not forgotten about the need to make some provision for the Sister Islands, and this will be taken into account in the plans now being formulated in the Ministry.

It may be appropriate to consider some initial outreach. For example, as the other issues are being addressed, it may be possible to send a staff member to the Brac to establish communications and then to provide remote services such as contacting potential employers. Perhaps a monthly visit would permit appointments to meet disabled persons to assess skill levels, or to undertake a client-specific programme to improve skills to make that client suitable for employment (say, with the supervision of a parent, health-care aide, or retired teacher.)

10.5. Findings

The demand for services offered by Sunrise continues to grow and in future may be significantly higher than currently anticipated. It is not appropriate to increase the number of clients and trainees at Sunrise. The mission statement and enrolment criteria must be revisited, and incremental changes must be made. Disabled adults not suited for the programmes and/or the (repaired) facilities at Sunrise must be properly assisted elsewhere. The director, through the Ministry, has submitted a statement of future goals that include building another facility, which does not have the support of the Chief Officer. A new plan is in the early stages of development, but may take years to implement.

10.6 Sub-conclusions and recommendation

Do these findings lead to the conclusion that the government provided adequate day-care centre facilities and education for adults who are mentally and physically disabled? No.

The budget submission tends to show that the plan for FY 2008–09 is business as usual.

Plans for the better use of facilities or resources had not been discussed between the Ministry and the director as at 1 April 2008, although the pace of discussion is now rapid. No plans have been made for making available services for disabled adults who live in the Sister Islands.

RECOMMENDATION #11

It is recommended that the Ministry provide a plan for the way forward which addresses the shortfalls in the provision of education for disabled adults.

11. Investigation: Level of Support for Disabled Adults within the Ministry of Education

According to the Annual Budget Statement 2007–08 (at p. 261), the Ministry is required to provide

programmes for individuals with physical and mental disabilities including vocational training, job development and placement, life skills and training, functional literacy and basic skills classes, computer assisted learning, and monitoring of medical, dental, vision and hearing of participants, through services provided by the Sunrise Training Centre and Lighthouse School.

In the course of our investigation we gathered information on the level of support within the Ministry for adults who are mentally and physically disabled. The level of activity concerning Sunrise greatly increased after the commencement of our investigation, including reviews of the facility in May 2008.

Director Gordon pointed to the Beckles Report, tabled in the Legislative Assembly in July 2001, as an important event in the growth of government support for disabled adults. Beckles recommended (recommendation 1 at p. 15) the immediate relocation of the centre into suitable, safe, and comfortable accommodation in a central location. The action taken resulted in Sunrise being moved to its current location in West Bay in June 2003. Considering the anticipated number of clients and the planned improvements to the building, the facility was arguably going to be suitable, safe, and comfortable, but it was not centrally located.

In 2004 the Ministry of Community Development, Women's Affairs, Youth and Sports, while it had responsibility for Sunrise, held a retreat to discuss the centre's redevelopment. It created a new mission statement and a strategic plan for the next year (Hansard 19 July 2004, p. 144).

The Ministry of Education, Training, Employment, Youth, Sports and Culture, which now has responsibility for Sunrise, has acknowledged the centre in statements of new policy initiatives. For example, on 9 November 2006 (Hansard, p. 421) the Minister, Hon Alden McLaughlin, said in response to a parliamentary question from Mr Osborne V. Bodden:

Further discussions are also ongoing with the Schools' Inspectorate, the National Curriculum and Sunrise Centre. I am keen to ensure that all students are exposed to technical and vocational education, that the merits of TVET [technical vocational education training] are accentuated and that it is not viewed as the poor relation of education.

The Ministry has established a foundation for the education of disabled people by providing a functioning education programme for youth at Lighthouse Development Centre.

The Ministry supports disabled adults in many other ways. Sunrise has been and continues to be given a budget at a level that provides for facilities, programmes, and support services. Targets for the provision of programmes are set and the budget allotment is paid monthly. Sunrise is led by a long-serving and experienced director and has sufficient staff to train and care for its clients. The staff members are caring, and most clients are treated well and appear to be happy and loved. Sunrise has continued to accept new clients into the programme with the concurrence and encouragement of the Ministry.

The Chief Officer has visited Sunrise on occasion since May 2005, when Sunrise was returned to the Ministry's sphere of responsibility. The Chief Human Resource Officer has visited and assisted with the creation or revision of job descriptions and additions to the staff. Since July 2006 a Deputy Chief Officer has had primary responsibility for Sunrise, and he had visited the centre once prior to the commencement of our investigation. He has visited a few times recently.

The Ministry asked the Schools' Inspectorate to complete a review of Sunrise in January 2007. The review provided a baseline assessment and the knowledge necessary to plan and measure improvement. Information gained was used to justify the addition of staff members to Sunrise in 2007–08.

The director described the challenge facing Sunrise and Ministry: "Clients are really in need but the community does not look at the handicapped as a priority. They are not a priority for anyone." Together the director and the Ministry have been attempting to foster an inclusive attitude towards the disabled – for example, by honouring Special Olympians at National Heroes Day in January 2008.

The Ministry addressed a practical problem in arranging the drafting of a standard legal guardianship form for parents of the disabled to use. The Ministry also formed a committee in March 2007, titled "Planning the Future for Persons with Disabilities in the Cayman Islands". It discussed the circumstances of the disabled and their needs. A subcommittee was formed which included representatives from Sunrise, the Lighthouse Development Centre, Public Health, and Children and Family Services, and it prepared a report in May 2007. In the words of the Chief Officer, "The motive behind the report on my part was to get the committee to a common position." A second subcommittee, which includes a representative of

the Legal Department, was asked to study legislation affecting the disabled and offer recommendations for improvement. It began its work in January 2008 and is due to report in July 2008. The Chief Officer reports a problem in meeting this deadline: "Those same people who agreed to serve on the legal committee now say they don't have any time. They're too busy!" Fortunately the subcommittee met on three occasions in May 2008.

These efforts were made even though the Ministry was very busy planning several new schools and new approaches to delivery of education – for, among others, those with special educational needs. The Holt Report (2006), "Providing for Children of the Cayman Islands with Special Educational Needs: Recommendations for Effective Systems of Learning Support", stated that there are inadequate staff resources throughout the SEN sector in childhood education. SEN facilities and resources are seriously lacking on the Brac. Lighthouse School needed additional equipment in its new facility. Some of these concerns have been addressed. Mr Holt is now Head of Student Services, Department of Education, reporting to the Chief Education Officer, who in turn reports to the Ministry.

The Ministry is aware of some of the shortcomings of Sunrise and is cognisant of the difficulties faced by disabled adults and children. The Chief Officer explained the process of change:

I had to understand the issues myself. That's the first thing. I had to have a dialogue with [the] Minister to envision a new future and to get his buy-in on that thinking. I listened to stakeholders, parents, at Lighthouse and at Sunrise on what their various issues were. I experienced a lot of frustration with a few of those parents because they had clear agendas for unilateral service in one direction when my obligation must be to all persons with disabilities. And I say that with no reservation.

She articulated her obligation:

What my obligation is, if I take it seriously, is to try and get some clarity on the size and scope of the problem and then to identify in the short term how do we maximize existing resources, where the gaps are and then how do we plan to meet those gaps.

The Chief Officer has a vision for the way forward in the education and training of disabled persons, one which she has shared with the Minister and which he has endorsed as of April 2008. The Chief Officer stated, "The Ministry is not simply waiting on the work of the committee and indeed there are a number of things underway which will affect clients of Sunrise and which will have significant impacts on how we deliver services to persons with disabilities of all ages." For example, in April 2008 a request for a review of the certification of the nurses at Sunrise was made to the Chief Executive Officer of the Health Services Authority and it was conducted in part on 27 May 2008. Discussions are in progress to

develop a protocol for emergency medical care, and on 27 May 2008 the Ministry received a liability waiver document which had been developed by the Legal Department. Steps have been taken to develop client case-management practices, including meetings between the director and the Chief Officer on 16 April and 27 May 2008. Beyond that, interagency discussions on a joined-up client case-management programme are in the works. The idea has been floated of creating the position of a superintendent of special needs education, whose remit would include students and clients now at Lighthouse and Sunrise. While acknowledging that the ABS for FY 2008–09 gives the impression of “business as usual”, the Chief Officer states that changes are in progress and will be formalised “as a part of the overall plan which will emerge over the next few weeks [April 2008].” The ABS for FY 2009–10 will reflect the changed program, it is promised.

A major element in the plan is described as a “seamless” education strategy which is based on client needs. (Some of the credit for the strategy is given to educational psychologist Brent Holt. As a consultant in Cayman in 2006 he looked at the question “Are the children who come out of Lighthouse having a seamless transition to adult services?”)

The Chief Officer explained:

The premise is that we will not look at simply moving people from one location to another simply because of age but rather we are assessing resources in mainstream schools for disabled young people, resources at what is now called Lighthouse School (with next budget year it will be renamed Lighthouse Developmental Centre) and resources at Sunrise. The focus will move from location and programme as they are now configured to clients and where they can be best served. It follows that we will use resources to best serve clients rather than warehouse clients necessarily because of age.

She explained later:

An entity like Sunrise can be treated, in my view, from two perspectives. You can simply treat it as a day-care sort of a place where you put persons with disabilities, full stop. And they go there every day and they get some food and a little bit of stimulation and that’s it. Or because of the nature of this ministry, I spent quite a lot of time visioning with the Minister a different perspective: that we take it from the perspective of the continuum of educational-type services we provide to persons as an obligation under Education, and therefore look at, not Sunrise, but the continuum of services to persons with disabilities from early years through to adulthood and in that context look at how we serve the adult population.

However, the Chief Officer did make the point that major changes such as those proposed do take time.

So in the period since I’ve been here [commencing July 2005], I think it’s fair for me to capture quite realistically that on the one hand I sought to ensure we

continued reasonable day-to-day service. I didn't come here to turn the world upside down. Because there are three things ... in that it is not just the strategic alignment of services. It's not just a matter of having clear strategic policy and protocol but it is a paradigm shift to move people from doing what they always did to a new direction.

And regrettably the first two are the easiest things to do. It is the third that requires the changing of people's perspective about doing things differently. So I've spent a lot of time looking at what are the resources we have at Lighthouse, what are the resources at Sunrise, wanting to get a better handle on what is the range of clients and where do those clients segregate – I use the word ... *segregate* in terms of a needs kind of service basis.

She continued later:

We've got the early intervention program feeding well into [mainstream education facilities] and that is why the next step is looking at the school-age [clients] at Lighthouse, the adults at Sunrise – not as silos, but as a continuum strategy of service. The Developmental Centre will end up with a satellite facility.

So continuum of service, but not a service that we offer as a school and you close it down in the summer and you go home and you have a good time. You offer full-time service because that's the nature of what people need. But more than that, refocus how we look at services to persons with disabilities ... We have an extremely well-equipped Lighthouse facility right now. But we're seeing a demand at Sunrise to buy similar equipment. So we're now starting to build the same equipment in two locations, but we're not looking at the clients and the clients' needs and how we serve the clients and how do we bring clients to where service can best be provided rather than say we're going to keep doing what we always did.

At 1 April 2008, some of this information was yet to be shared with Director Roberta Gordon and Principal Carla MacVicar.

Have I had all this level of discussion with Roberta and Carla? No. I've been looking strategically across ministries with [Chief Officer of Health and Human Services] Mrs Montoya. I've had meetings with [Chief Education Officer] Mrs Wahler, [Deputy Chief Officer] Stran Bodden, [and] Brent Holt, who is the head of special educational needs. I've listened to all the things the committee members have said in and out of meetings. But where we are is we've got to get the strategy right first. I've got to ensure that the work across ministries is not superficial but rather that we're ready for July 1 because we are doing something.

It leads to this point, according to the Chief Officer:

We're now turning our attention to look not at Sunrise but at persons who are never likely to get into mainstream [education]. What level of services do we need to have in place? How do we provide that? But how do we ensure that you access the services that are best for you, that you're not sitting down somewhere [outside where the services are offered]?

Let me say that I commend and respect the staff at Sunrise ... So I'm not suggesting I want to be critical of them. But I also recognise that we just can't keep doing what we did because we've always done it. We have to do things differently and we are very keen to engage our stakeholder groups, but our stakeholder groups have to also respect that we cannot focus on one side of the continuum, to focus on the whole thing.

And this will affect the way things are done at Lighthouse.

We have to change a lot of things we do at Lighthouse very differently. But the future of the facility – I'm less interested in Lighthouse as a programme. I'm interested in the resource the facility presents and how we maximise the resource for clients who are best served by placement within that resource.

And so therefore changing Lighthouse School to a developmental centre means that in June [a disabled 16-year-old student] will not be banished to Sunrise in September [just] because you are 16. But we are right now looking at what are the services those who are at 15, 16 need. And in my humble view many of those services that many of them need are right at Lighthouse right now. I mean, it has an independent living environment. It has tons and tons of therapeutic service provision there. So instead of continuing what has always been the case, come June [2008] we are not graduating clients to Sunrise. And rather, clients at Sunrise should come back to Lighthouse because the resources are there for them.

The next step is to engage the leadership of Sunrise and Lighthouse.

I've now got to get the folks on the ground to buy in and that's ... And I'm asking them to do things very differently, very *very* differently. In fact, there will no longer be two programmes. It will be service to clients ... But to be fair to them, they weren't in the same ministry before I got here, so things developed separately. All of that is moving to convergence on client focus as opposed to programme focus.

It might mean redeploying staff between the two facilities, if the clients' needs demand it. Occupational, physical, and speech therapists would be better utilised, as would buses and bus drivers. A process will commence which will group clients based on the types of needs of the clients, and it will be extended to those on waiting lists. Educational goals will be set that are realistic for the specific client, and the most severely disabled will not be included. They will be cared for within an overall interagency framework.

Meetings did take place in mid-April and late May 2008 wherein this information was shared and the director's support for the new vision was confirmed.

The next step is not change for change's sake, according to the Chief Officer.

I do not want to leave any job where I do things to make stuff look good, and you can do that easily. You can do that very easily. I can put some pretty equipment

down at Sunrise and put three modulars [mobile classroom buildings] down there and everybody that's on a waiting list can go in. Did I really make a difference for those people? Respectfully, I don't think so. It looks good, it made people feel good, but that's not why we're here. We are here to deliver services to clients as an obligation. We're here to deliver quality services to clients along the continuum of care and, in this instance, those with disabilities.

And the Chief Officer acknowledges that a strategy must be developed to include those who live in the Sister Islands.

12. Analysis of the Provision of Day-Care Centre Facilities and Education for Disabled Adults in Grand Cayman

While one of the recommendations in the Beckles Report (tabled July 2001) led to the relocation of Sunrise to a new facility in West Bay in 2003, another one of the recommendations (at p. 15) continues to be of great importance:

a comprehensive review and reorganization of this Centre should be undertaken as soon as possible to clearly determine its purpose and to redesign accordingly. It is only after the mission is clearly defined that programmes/services, staffing, equipment, can be determined.

Now, nine years after the Beckles report was first read by the Ministry of Education, Aviation and Planning (as it then was), the government and, specifically, the current leadership in the Ministry of Education are engaged in a comprehensive review and are planning to attempt to reorganise and refocus the provision of services for disabled persons, some of which will be provided at Sunrise.

The Ministry's effort to engage in a comprehensive review is commendable. However, as the Chief Officer has warned, major change – a paradigm shift – takes a significant amount of time to plan. Thereafter a lot of time will elapse between when the implementation of change begins and its completion.

The review and period of planning for major change may be met with skepticism by many of the families of the clients of Sunrise. Director Gordon articulated some of her feelings:

It's so frustrating because last time we had a major move by the parents, who went to the Governor and went to Mr Truman [Bodden, MLA], they said Okay, we're going to get a consultant. That was in '99. So now, what we're being told again is ... we can't do anything until we look at the whole thing regarding long-term planning. I agree, we have to do long-term planning. It's not been properly

done [over the years]. We start, we stop, we start, we stop, but you know, we could drown while they're building the boat.

It is recalled that the duplex which houses Sunrise was intended as a temporary facility while the new facility was to have been built in a central location.

This leaves the question of what will be done now and in the intervening years before the major reform is in place. One cannot avoid addressing the major issues facing disabled adults enrolled at Sunrise arising out of the current state of facilities and programmes. We agree with the Chief Officer that cosmetic changes, or change for change's sake, are not proper. But changes must be made now, as a matter of urgency, to improve conditions at Sunrise, and some of those changes must be to facilities.

In January 2007 the Schools' Inspectorate formally documented for the Ministry and the director many of the shortcomings in the programmes and facilities and the resultant failure to assist disabled adults. The Inspectorate recommendations stated (at p. 9):

In order to improve the work of the Centre the management needs to:

- Provide clear direction for the work of the Centre
- Clearly define all roles and devise a system that will hold all staff accountable
- Regularly monitor and evaluate the work of the staff and document this
- Develop systems and structures that will ensure that clients receive effective, worthwhile, individual training and support
- Ensure that each client receives a baseline evaluation
- Develop individualised programmes for clients so that the skills being taught enable them to become increasingly independent
- Devise a way of carefully monitoring and documenting the progress of each client
- Develop better systems of communication at all levels within the Centre
- Expand the range of exercise and therapy resources
- Improve the appearance of the facility and make more use of the outside areas.

Some of the recommendations can be characterised as focused on the facility rather than the individual adults. Others clearly mesh with the new vision of a client-focused approach. Of course, making the facilities safe and improving the delivery of the programmes will inevitably improve the opportunity for the needs of the individual client to be met.

The Ministry is concerned for the safety of the clients. The Chief Officer testified that after she took office in July 2005 one of her priorities was to ensure that all of the people served by her ministry were dealt with in safe facilities. Clearly, this objective was not met in the case of Sunrise. Safety issues were obvious to us when our inspections took place in early 2008. As late as 15 May 2008, the Building Control Unit had threatened to close the centre because of safety concerns.

The director testified that she did not agree with all of the findings of the Inspectors' review on issues of management, but did, as she has subsequently acknowledged, agree that action on some of the recommendations was necessary. For example, documented monitoring of the progress of each client was necessary. Unfortunately, the process of change has been quite slow. The Schools' Inspector delivered her report and met with the director in March 2007. It was not until April 2008 that the director arranged for the review to be shared with the staff for the purpose of discussing with them the way forward. This was not done earlier because "I was never instructed to do so and since we [Chief Officer, Deputy Chief Officer, and director] haven't met to discuss it I don't think it is really appropriate." In the face of such a critical review by the Inspectorate, one would expect timely action to address internal management issues.

The evidence of Deputy Chief Officer (with oversight of Sunrise) Stran Bodden led to the conclusion that he had not exercised much oversight or taken a close interest in the operations and clients at Sunrise. While he was busy with many other projects, it would have been prudent to set out a timeline providing dates by which at least some of the major problems identified by the review had to be addressed. Thereafter, periodic visits to check on the progress made would have constituted good administration, evidence of acting on the review, and evidence of a concern for the disabled adults enrolled. Before our investigation commenced, his only visit to Sunrise had been in July 2006. One of problems that closer oversight would have addressed was the opinion of the Chief Officer that "It appeared that management had been left to their own devices." Not surprisingly, the testimony of management was that they felt that they had not had the attention and support of the Ministry.

The issue of overcrowding at Sunrise was before the Ministry and was raised on a regular basis beginning in December 2006. One of the solutions now under discussion is the re-examination of the enrolment criteria. This could have taken place in early 2007. Currently clients and trainees at Sunrise suffer from a wide range of disabilities and levels of disability. Sunrise cannot meet the needs of each client or even most clients, given this diversity. The director acknowledges that mentally disabled clients need to be dealt with differently and possibly at a different venue. Mr Holt suggests (2008, p. 5) that "the Work [Job Placement] Programme currently housed at The Sunrise ... be more centrally located to George Town". This would allow the current job supervisor to help students at Lighthouse find job placements. Some adults at Sunrise "might be appropriate for

integration into ASDAN's Transition Challenge programme currently managed at the Lighthouse School, and eventually into the more advanced 'Towards Independence' and 'Workright' schemes". At Sunrise the staff-to-student ratio is approximately 1:3.5; the ratio at Lighthouse is 1:2.

Those on the Sunrise waiting list may be suitable for programmes at Sunrise or other venues, but they do need to be trained and assisted according to their needs and not be left on a waiting list.

Another solution now under discussion is better use of the facilities of Lighthouse Development Centre for clients who were enrolled at Sunrise. Ms Huggins, the recently appointed research analyst to Sunrise Adult Training Centre and Lighthouse School, observed in her visit to Lighthouse on 1 April 2008 (at p. 4) that "all therapy rooms and the gym were empty. We felt that the clients from Sunrise could utilize these rooms while they were not being used by Lighthouse students and it would just be a matter of rescheduling to share the facilities." This could have been completed in early 2007.

Had these problems and solutions been discussed in 2007, disabled adults would have been one step closer to having provision made for their needs. Also, a discussion in 2007 would have started the process of increasing information exchange between units within the Ministry, and Principal MacVicar and Director Gordon could have been engaged earlier with DCO Bodden in settling plans for approval by the Chief Officer, rather than only now beginning the dialogue. As of the end of March 2008, the Chief Officer had not even brought the principal and the director into the discussion of the new vision.

Ms Huggins wrote of her visit to Sunrise on 1 April 2008 (at p. 3):

Upon arrival with Mr Holt, I saw that most of the clients were in the front living room watching television. Upon our departure, two hours later, the clients were still in the front living room watching television. There seemed to be little to no activities being conducted in that two-hour period of time.

It remains, then, to move forward with improvements in assessing clients' needs, settling on appropriate programmes and support services such as case management software, and offering these services in buildings that are safe for both clients and staff. While it is true that fixing the situation does not necessarily mean getting improved exterior grounds or a modular classroom, the dismissal of those suggestions was not a good decision.

As for the strategy for disabled adults in the Sister Islands, we are left with the conclusion that it will not be forthcoming in the near future.

Chief Officer Martins wrote on 4 June 2008:

At this point we are about to organize a meeting with the Department of Education Services, Lighthouse School, Sunrise, Ministry of Health and Human Services and other technical staff who work with the clients across the spectrum to begin the larger dialogue on developing the strategy and implementation plan which would be client focused rather than facility based.

RECOMMENDATION #12

It is recommended that the Ministry provide bi-monthly reports to the Legislative Assembly on the progress made towards compliance with the above recommendations concerning the provision of education for disabled adults at Sunrise and elsewhere.

13. Summary of Conclusions and Recommendations

In coming to a conclusion on the question posed, the following topics were considered:

- a. Transportation by bus to and from Sunrise;
- b. Ownership/lease of Sunrise and ability to repair or renovate the building;
- c. Suitability of the physical layout of Sunrise;
- d. Health and safety for clients, trainees, and staff;
- e. Training programmes provided at Sunrise;
- f. Future demand and facilities; and
- g. The level of support for disabled adults within the Ministry of Education.

Our investigation led us to the conclusion that the government does not provide adequate day-care centre facilities and education for adults who are mentally and physically disabled.

Specific conclusions and recommendations

TRANSPORTATION

We found that some clients have to travel on the bus up to two hours each way to and from Sunrise, and when they arrive, there are only three toilets so the clients have to stand in line, in obvious discomfort. We found that the sidewalk leading from the parking area to the entrance is not covered, so clients get wet when it is raining and may suffer if they do not have a change of clothes.

RECOMMENDATION #1

It is recommended that the director and the Ministry remedy problems in relation to the transportation of clients and trainees including scheduling and length of journey time and the need for a covered entrance area.

PHYSICAL FACILITY

Both parents and caregivers are unhappy with the standard of the physical facility, which is neither suitable nor safe for physically disabled clients. The facility is extremely crowded, and, having been designed as a residential duplex, it would require major alterations to bring it into compliance. It is not permitted by law to be used as a training centre, and it has not been inspected and approved by the appropriate agencies, and in fact a Certificate of Occupancy has apparently never been issued.

RECOMMENDATION #2

It is recommended that the director and the Ministry, as a matter of urgency, negotiate with and obtain permission from the landlord to make changes to the facility.

RECOMMENDATION #3

It is recommended that the director and the Ministry, as a matter of urgency, arrange repairs and alterations for the facility to ensure that it meets the standards required by the Cayman Islands Building Code with a view to ensuring the safety of the occupants.

SUITABILITY OF PHYSICAL LAYOUT

Problems alleged and found to be factual include overcrowding, inadequate toilet facilities, small rooms, narrow passages, and some unusable exterior grounds. The overcrowding and small size of hallways and common areas compromise the safety of clients. The fact that there are only three toilets results in long delays in the training schedule, particularly in the morning when clients arrive after a long bus journey. No designated outdoor facilities are accessible to the physically challenged clients, and there is high potential for injury in the existing “recreation area” (the parking area in front of the Centre). A modular classroom was to have been donated in early 2008 but the donation was rejected by the Ministry in April.

RECOMMENDATION #4

It is recommended that the director and the Ministry address issues of overcrowding at Sunrise including admission criteria, space configuration, and use of other existing resources.

RECOMMENDATION #5

It is recommended that the director and the Ministry arrange for the grounds of Sunrise to be improved to allow for some programmes to be carried on outdoors.

HEALTH AND SAFETY

Beyond problems with electrical wiring, exits, and safety inspections are questions about the presence of safety equipment, the existence of safety procedures, the handling of new-client intake and client discipline, and staff security. Related issues include staff stress, staff training, and management concerns. The director acknowledges that there is room for improvement in all these areas.

RECOMMENDATION #6

It is recommended that the director and the Ministry take steps to alleviate the problems in the area of health and safety, including formalising disaster management plans, and staff training.

RECOMMENDATION #7

It is recommended that the director and the Ministry take steps to continue to improve management systems and procedures, including formalising the new-client intake process.

TRAINING PROGRAMMES

While occupational therapy and job placement are areas of strength, according to the Schools' Inspectorate report, parents have many concerns. Clients are not assessed for skill levels and their progress is not assessed regularly, clients spend too much time watching television, and Sunrise does not provide reports to family members on clients' development programmes or progress. The single occupational therapist, who also functions as the physical therapist, does not have time to see the clients as often as is necessary to enable them to make progress, nor does he have time to closely supervise his two untrained assistants or keep accurate records. In general the lack of complete and accurate records makes it impossible to assess the effectiveness of the training programmes.

RECOMMENDATION #8

It is recommended that the Ministry establish a matrix of quality-control indicators to better ensure the delivery of quality training programmes to disabled adults.

RECOMMENDATION #9

It is recommended that client and trainee assessments be completed by Sunrise staff at regular intervals.

RECOMMENDATION #10

It is recommended that communication by Sunrise staff with parents/guardians about clients and trainees occur regularly and be documented.

FUTURE DEMAND AND FACILITIES

There is evidence that the demand for services may increase in the years ahead as efforts are made to better promote the programmes already on offer for disabled adults. The budget submission tends to show that the plan for FY 2008–09 is business as usual. Plans for the better use of facilities or resources had not been discussed between the Ministry and the director as at 1 April 2008. No plans have been made for making available services for disabled adults who live in the Sister Islands.

RECOMMENDATION #11

It is recommended that the Ministry provide a plan for the way forward which addresses the shortfalls in the provision of education for disabled adults.

RECOMMENDATION #12

It is recommended that the Ministry provide bi-monthly reports to the Legislative Assembly on the progress made towards compliance with the above recommendations concerning the provision of education for disabled adults at Sunrise and elsewhere.

Office of the Complaints Commissioner
30 June 2008

