

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

Name of Registered Establishment or Agency: Rose Martha Court	FTC Ref: FTC/NH/11107/2016-17/01
Address of Registered Establishment or Agency: 30 Westbourne Avenue, Ballymena, BT43 5LW	
Name of Registered Person: Mr Nadarajah (Logan) Logeswaran	Issue Date: 21 October 2016
Regulation not complied with: The Nursing Homes Regulations (Northern Ireland) 2005 Regulation 10 - (1) The registered provider and the registered manager shall, having regard to the size of the nursing home, the statement of purpose, and the number and needs of the patients, carry on or manage the nursing home (as the case may be) with sufficient care, competence and skill.	
Specific failings to comply with regulations: Following an unannounced inspection on 13 October 2016, RQIA was unable to validate that effective quality monitoring/ governance systems had been implemented, which had the potential to place patients at risk of harm. Serious concerns regarding the lack of management and oversight were evidenced in relation to: <ul style="list-style-type: none">• The registered manager failed to recognise or take appropriate action when presented with evidence regarding the conduct of a registered nurse in relation to the management of medicines. This lack of oversight and governance had the potential to cause harm to patients.• The registered manager failed to take appropriate action to ensure that all nursing staff working in the home were on the 'live' register of the Nursing and Midwifery Council (NMC), which resulted in a nurse working for at least six days when their registration had lapsed. The registered manager failed to recognise or respond appropriately to the breach in professional conduct.• The wound care audit file was inaccurate and RQIA was not assured that the registered manager was aware of the number and/or type of wounds in the home.	

- A review of incident and accident records from 1 September to 12 October 2016 evidenced that RQIA had not been notified of accidents or incidents, in accordance with regulation 30 of the Nursing Homes Regulations (Northern Ireland) 2005.
- The complaints record did not accurately reflect complaints which RQIA had been made aware of via correspondence received from the local health and social care trust and from relatives prior to the inspection.

Action required to comply with regulations:

The registered persons must provide assurances to RQIA that the manager has the necessary competence and skill to carry on manage the nursing home.

The registered persons must ensure that management has oversight of the number, types and status of all wounds, and an accurate record maintained.

The registered persons must ensure that the procedure for managing complaints is maintained in accordance with regulation 24 of The Nursing Homes Regulations (Northern Ireland) 2005 and DHSSPS Care Standards for Nursing Homes 2015.

The registered persons must ensure that RQIA is notified of accidents and incidents in accordance with regulation 30 of The Nursing Homes Regulations (Northern Ireland) 2005.

The registered person must ensure that registered nursing staff adhere to NMC standards in relation to the safe administration of medicines.

The registered persons must ensure that robust systems are in place to ensure that nursing staff are currently registered with NMC.

The registered persons must ensure, where deficits are identified when staff do not meet the expected standards of conduct in line with the relevant codes of practice that the appropriate actions are taken in accordance with regulation 25 of The Nursing Homes Regulations (Northern Ireland) 2005.

The registered person may make written representations to the Chief Executive of RQIA regarding the issue of a failure to comply notice, within one month of receipt of this notice.

Date by which compliance must be achieved: 24 November 2016.

Signed  Director of Regulation and Nursing

This notice is made under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Nursing Homes Regulations (Northern Ireland) 2005.

It should be noted that failure to comply with some regulations is considered to be an offence and RQIA has the power under regulations to prosecute for specified offences.

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

Name of Registered Establishment or Agency: Rose Martha Court	FTC Ref: FTC/NH/11107/2016-17/02
Address of Registered Establishment or Agency: 30 Westbourne Avenue, Ballymena, BT43 5LW	
Name of Registered Person: Mr Nadarajah (Logan) Logeswaran	Issue Date: 21 October 2016
Regulation not complied with: The Nursing Homes Regulations (Northern Ireland) 2005 Regulation 12 (1) (a) (b) and (c) The registered person shall provide treatment, and any other services to patients in accordance with the statement of purpose, and shall ensure that the treatment and other services provided to each patient – (a) meets his individual needs; (b) reflect current best practice; and (c) are(where necessary) provided by means of appropriate aids or equipment.	
Specific failings to comply with regulations: During an unannounced inspection on 13 October 2016, serious concerns were identified regarding the quality of care, and a lack of evidence to demonstrate that safe and effective care and treatment was being delivered to patients consistently. Concerns identified were in relation to: <ul style="list-style-type: none">• Repositioning charts did not evidence that patients were being repositioned in accordance with their care plan. RQIA was not assured that this care was being delivered in a timely manner. Equipment check charts evidenced that two airwave mattresses were not set to the correct weight setting for the patients. This had the potential to adversely impact on the patients' care in relation to the prevention of pressure areas developing or deteriorating.• Observation of practice and patient feedback evidenced that patients were being left to sit for long periods in wheelchairs without due consideration of their pressure relieving needs.	

- Following review of records and discussion with staff, RQIA was not assured that the registered manager nor staff were aware of the number and/or type of wounds in the home. This has the potential to adversely impact on patients' health and welfare.
- Observation of practice and feedback from patients evidenced that call bells were not being responded to in a timely manner, with one patient calling for assistance for approximately 13 minutes.
- Observation of practice and feedback from patients evidenced a lack of attention to detail to patients' personal hygiene needs. Patients' clothing and bed linen were not being changed in a timely manner.
- There was no evidence of nursing staff responding to the identified deficits in patient's daily fluid intake. In addition, it was observed that all patient fluid targets reviewed indicated a target of 1200mls and the chart indicated this level was set by the patient's GP. It was concerning that fluid intake targets had not been set according to patients' individual needs.

Action required to comply with regulations:

The registered persons must ensure that repositioning records are accurately maintained and reflect the assessed needs of the patients as prescribed in the patients' care plans.

The registered persons must ensure that pressure relieving equipment is maintained and used appropriately. Where applicable, settings that are adjusted to the patient's weight must be maintained at the correct setting.

The registered persons must ensure that patients are provided with appropriate and timely care in relation to the prevention of pressure damage. Patient must not be left sitting in wheelchairs for long periods of time.

The registered persons must ensure that an accurate record is maintained in relation to the number, type and status of wounds sustained in the home and individual patient records must accurately reflect the patient's skin integrity and any action taken to address wounds, however they are sustained.

The registered persons must ensure that patient's needs and calls for assistance are met in a timely manner.

The registered must ensure that patients assessed needs regarding fluid intake are met and accurately recorded. Where deficits are identified registered nurses must evidence the action taken to address this deficit.

The registered person may make written representations to the Chief Executive of RQIA regarding the issue of a failure to comply notice, within one month of receipt of this notice.

Date by which compliance must be achieved: 24 November 2016.

Signed.....*Olive Kachet*.....Director of Regulation and Nursing

This notice is made under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Nursing Homes Regulations (Northern Ireland) 2005.

It should be noted that failure to comply with some regulations is considered to be an offence and RQIA has the power under regulations to prosecute for specified offences.