

Inspection Report

10 March 2023



The Resource Centre Derry

Type of Service: Day Care Setting
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Derry. BT48 8DA.
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Assurance, Challenge and Improvement in Health and Social Care

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1.0 Service information

Organisation/Registered Provider: The Resource Centre Derry	Registered Manager: Mrs Ellen Doherty
Responsible Individual: Mr Paddy McCarron	Date registered: 8 January 2020
Person in charge at the time of inspection: Assistant Manager	
Brief description of the accommodation/how the service operates: The Resource Centre Derry is a Day Care Setting that is registered to provide care and day time activities for up to 20 service users for older people over the age of 65, who may also be frail and/or, have dementia. The day care setting is open Monday to Friday. The service users' care is commissioned by the Western Health and Social Care Trust (WHSCT); one service user pays for their care through the Direct Payments option.	

2.0 Inspection summary

An unannounced inspection was undertaken on 10 March 2023 between 10.45 a.m. and 5.15 p.m. The inspection was conducted by a care inspector.

As a result of intelligence received prior to this inspection, the inspection focused on the recruitment processes, staff training and staff registrations with the Northern Ireland Social Care Council (NISCC). The inspection also focused on fire safety practices. Areas for improvement identified during the previous care inspection were also examined.

Enforcement action resulted from the findings of this inspection. We identified serious concerns in relation to the lack of robust governance arrangements and managerial oversight. Deficits were noted with regards to the system in place for ensuring that staff were registered with NISCC; and care records were not retained in line with the regulations and standards.

Review of governance records highlighted serious concerns in regard to staff training and the staff induction arrangements. Deficits in the recruitment processes were also identified, particularly in relation to the completion of AccessNI checks and appropriate employment references. The Fire Risk Assessment was significantly out of date and records of fire safety checks were poorly maintained.

It was also noted that the system in place to review the quality of service provision was ineffective. In addition, we were not assured that the person undertaking the visits was sufficiently knowledgeable of the regulations and standards.

A meeting was arranged with the Responsible Individual on 20 March 2023 with the intention of issuing five Failure to Comply (FTC) notices in respect of The Day Care Setting Regulations (Northern Ireland) 2007; these were in relation to:

- Regulation 11 (1) relating to the day care setting being managed with sufficient care, competence and skill
- Regulation 20 (1) relating to staff training and the induction process
- Regulation 21 (1)(2)(3) relating to recruitment practices
- Regulation 26 (4) relating to fire safety practices
- Regulation 28 (1)(2)(3)(4) relating to the quality monitoring processes.

This meeting was attended by Mr Paddy McCarron, Responsible Individual and Mrs Ellen Doherty, Registered Manager. At the meeting, RQIA were provided with an action plan and some assurances in relation to the concerns identified.

RQIA was provided with an assurance of the actions the Responsible Individual had in place to address training and induction deficits. On this basis, the decision was made not to serve the FTC Notice in respect of Regulation 20 (1).

Assurances were also provided regarding the actions taken and planned to improve fire safety within the day care setting. On this basis, the decision was made not to serve the FTC Notice in respect of Regulation 26 (4). Two areas for improvement have been included in the Quality Improvement Plan to ensure these improvements are embedded into practice.

However, RQIA were not satisfied that the systems and processes were fully embedded into practice to drive the necessary improvements regarding the remaining deficits which had been identified. As a result, three FTC notices were served under The Day Care Setting Regulations (Northern Ireland) 2007, relating to:

- Regulation 11 (1) relating to the day care setting being managed with sufficient care, competence and skill
- Regulation 21 (1)(2)(3) relating to recruitment practices
- Regulation 28 (1)(2)(3)(4) relating to the quality monitoring processes.

The date of compliance for each FTC notice is 5 May 2023. Actions required to be taken in order to ensure compliance with the Regulations are detailed in the FTC notices.

The areas for improvement identified at the last inspection were not met and have been subsumed into the FTC Notices relating to Regulation 11 (1) and Regulation 21 (1)(2)(3).

Service users consulted with commented positively in relation to how they felt they were being cared for by the staff.

The findings of this report will provide the management team with the necessary information to improve the quality of service provision.

3.0 How we inspect.

RQIA's inspections form part of our ongoing assessment of the quality of services. Our reports reflect how they were performing at the time of our inspection, highlighting both good practice and any areas for improvement. It is the responsibility of the service provider to ensure compliance with legislation, standards and best practice, and to address any deficits identified during our inspections.

In preparation for this inspection, a range of information about the service was reviewed. This included any previous areas for improvement identified, registration information, and any other written or verbal information received from service users, relatives, staff or the Commissioning Trust.

As a public-sector body RQIA has a duty to respect, protect and fulfil the rights that people have under the Human Rights Act 1998 when carrying out our functions. In our inspections of day care services, we are committed to ensuring that the rights of people who receive services are protected. This means we will be seeking assurances from providers that they take all reasonable steps to promote people's rights. Users of day care settings have the right to expect their dignity and privacy to be respected and to have their independence and autonomy promoted.

Information was provided to service users, relatives, staff and other stakeholders on how they could provide feedback on the quality of services. This included questionnaires and an electronic survey.

4.0 What did people tell us about the service?

During the inspection we spoke with a number of service users who indicated they were happy attending the day centre.

Discussion with the commissioning trust also confirmed that there were no concerns in relation to care provision.

No questionnaires or electronic survey responses were received.

5.0 The inspection

5.1 What has this service done to meet any areas for improvement identified at or since last inspection?

The last care inspection of the day care setting was undertaken 6 September 2021 by a care inspector. A Quality Improvement Plan (QIP) was issued. This was approved by the care inspector and was not validated during this inspection.

Areas for improvement from the last inspection on 6 September 2021		
Action required to ensure compliance with the Day Care Setting Regulations (Northern Ireland) 2007		Validation of compliance
Area for improvement 1 Ref: Regulation 21 (d) Stated: First time	The registered persons shall ensure that all newly appointed staff have the required pre-employment checks undertaken, before they commence working in the day care setting.	Not met
	Action taken as confirmed during the inspection: There was evidence that this area for improvement was not met. This has been subsumed into the FTC notice relating to Regulation 21 (1)(2)(3). Further detail is outlined in the main body of the report.	
Action required to ensure compliance with the Day Care Settings Minimum Standards, 2021		Validation of compliance
Area for improvement 1 Ref: Standard 21.1 Stated: First time	The registered persons shall ensure that newly appointed staff complete a structured orientation and induction.	Not met
	Action taken as confirmed during the inspection: There was evidence that this area for improvement was not met. This has been subsumed into the FTC notice relating to Regulation 11 (1). Further detail is outlined in the main body of the report.	

5.2 Inspection findings

5.2.1 What arrangements are in place to ensure the Day Care Setting is managed with sufficient care, competence and skill?

Discussion with the person in charge and review of governance records highlighted serious concerns regarding the lack of robust governance arrangements and managerial oversight of the day care setting. For example, the manager lacked effective oversight of the NISCC registration of staff. It was noted that two care workers had continued to provide care to service users for a period of time, despite not being on the current NISCC register. It was identified that one staff member had been removed from the NISCC register for non-payment of fees in two consecutive years. It was concerning that the second staff member whose registration had also lapsed due to non-payment of fees, had been directed by RQIA, not to carry out any caring duties during the previous care inspection on 6 September 2021.

While this staff member subsequently registered with NISCC, it was concerning that they failed to maintain their registration within a year of registering.

Review of a sample of records identified that service users' care plans contained inadequate detail so as to effectively direct staff who were tasked with meeting the service users' assessed care needs.

In addition, it was noted that Service User Agreements had not been provided to service users in keeping with the Regulations.

Further concerns regarding the lack of robust governance arrangements and managerial oversight were identified. Discussion with the Responsible Individual during the inspection identified that plans were in place for a number of staff to complete a number of training elements. However, it was noted that the arrangements for overseeing staff compliance with mandatory training requirements were not sufficiently robust. There was also no evidence that the manager was proactively reviewing the mandatory training needs of staff in an effective and consistent manner.

It was also concerning that some identified staff had never undertaken any adult safeguarding training despite carrying out roles which involved regular contact with service users.

In addition, the staff induction process was found to be inadequate and did not reflect current NISCC Induction Standards or give appropriate consideration to the role of the staff member being inducted.

Failure to ensure that the day care setting is managed with sufficient care, competence and skill has the potential to place patients at risk of harm.

The serious concerns identified above were discussed with the management team during the inspection and again at the meeting with RQIA on 20 March 2023. RQIA was provided with an assurance of the actions the Responsible Individual had in place to address the concerns. On this basis, the decision was made not to serve the FTC Notice in respect of Regulation 20 (1)(c).

However, RQIA were not satisfied that all the systems and processes were fully embedded into practice to drive the necessary improvements in regard to the other deficits outlined above. RQIA therefore issued a FTC Notice under Regulation 11 (1) of the Day Care Setting Regulations (Northern Ireland) 2007. Actions stated within this notice require to be addressed by 5 May 2023.

5.2.2 What systems are in place for staff recruitment and are they robust?

Serious concerns were identified regarding the safe and effective selection and recruitment of staff. For example, it was evidenced that on two occasions, staff had commenced work before their AccessNI had been completed. It was also identified that one staff member had no AccessNI check completed; the inspector directed that this individual was not to return to their role as a support worker until the AccessNI check had been completed.

Discussion with staff involved in the selection and recruitment process highlighted an incorrect understanding that volunteers working within the day care setting were not required to undergo an AccessNI check. Also, there were no personnel records retained in relation to volunteers currently working within the service.

In addition, review of a sample of staff selection and recruitment records identified that there was only one written reference in place for each staff member and that this had not been received from their current or last employer. These deficits were particularly disappointing given the fact that similar areas for improvement had been identified at the last care inspection on 6 September 2021.

It is also concerning that RQIA previously discussed similar issues with regard to the safe recruitment of staff during a serious concerns meeting held on 18 October 2017.

The serious concerns identified above were discussed with the management team during the inspection and again at the meeting with RQIA on 20 March 2023. While some assurances were provided at this meeting RQIA were not satisfied that all the systems and processes were fully embedded into practice to drive the necessary improvements in regard to these deficits. RQIA therefore issued a FTC Notice under Regulation 21 (1)(2)(3) of the Day Care Setting Regulations (Northern Ireland) 2007. Actions stated within this notice require to be addressed by 5 May 2023.

5.2.3 What are the arrangements to ensure robust fire safety measures are in place?

Serious concerns were identified regarding the fire safety arrangements. It was noted that the Fire Risk Assessment had last been completed in 2016. While the manager had completed a focused fire risk assessment on an annual basis since that date, those assessments were limited in scope and only considered one specific risk, for example, keeping a fire escape route clear.

Review of governance records also identified that fire safety checks had not been undertaken on a regular basis and that there were no records of fire evacuations having been completed.

During the inspection, the inspector liaised with RQIA Estates Inspectors who advised that the fire alarm system should be tested. This was tested during the inspection and this action assured the inspector that the fire alarm system was working before leaving the premises.

These shortfalls had the potential to place service users, staff and visitors at risk of harm.

The serious concerns identified above were discussed with the management team during the inspection and again at the meeting with RQIA on 20 March 2023. RQIA was provided with an assurance of the actions the Responsible Individual had in place to address the concerns. On this basis, the decision was made not to serve the FTC Notice in respect of Regulation 26 (4). However, it was agreed that the responsible Individual would submit the updated Fire Risk Assessment to RQIA, on completion. Two areas for improvement have been identified to ensure that the assurances provided at the meeting on 20 March 2023 are embedded into practice.

5.2.4 What are the arrangements to ensure robust managerial oversight and governance?

While there was evidence that quality monitoring visits had been undertaken on a monthly basis, these did not provide assurance that the quality of care delivery and service provision was being robustly and consistently quality assured. RQIA is also concerned that the identified person who had the delegated responsibility of undertaking such visits on behalf of the Responsible Individual was not sufficiently knowledgeable so as to conduct such visits in compliance with the Regulation. This deficit is particularly disappointing given that it had been agreed during the last care inspection, that these monthly monitoring visits would be carried out by the Responsible Individual. Failure to have robust quality monitoring processes in place has the potential to place patients at risk of harm.

The serious concerns identified above were discussed with the management team during the inspection and again at the meeting with RQIA on 20 March 2023. While some assurances were provided at this meeting RQIA were not satisfied that all the systems and processes were fully embedded into practice to drive the necessary improvements in regard to these deficits.

RQIA therefore issued a FTC Notice under Regulation 28 (1)(2)(3)(4) of the Day Care Setting Regulations (Northern Ireland) 2007. Actions stated within this notice require to be addressed by 5 May 2023.

Furthermore, it was noted that records were not retained of the names of staff undertaking bus escort duties. An area for improvement has been identified in this regard.

It was also noted that structural changes had been made to the building without necessary approval been sought or granted by RQIA. This was discussed with the management team during the meeting with RQIA on 20 March 2023. Following this meeting, it was confirmed to RQIA by email on 27 March 2023 that the temporary structural change would be removed.

Inspection findings also identified that there was no formal process for the recording of complaints. An area for improvement has been identified in this regard.

6.0 Quality Improvement Plan/Areas for Improvement

Areas for improvement have been identified where action is required to ensure compliance with The Day Care Setting Regulations (Northern Ireland) 2007 and Day Care Settings Minimum Standards, (revised), 2021.

	Regulations	Standards
Total number of Areas for Improvement	2	2

The areas for improvement and details of the QIP were discussed with the person in charge and the Responsible Individual, as part of the inspection process. The timescales for completion commence from the date of inspection.

Quality Improvement Plan	
Action required to ensure compliance with The Day Care Setting Regulations (Northern Ireland) 2007	
Area for improvement 1 Ref: Regulation 26 (4)(a) Stated: First time To be completed by: Immediate from the date of the inspection	The registered person shall ensure that a current written risk assessment and fire management plan is in place at all times and which is revised and actioned when necessary or whenever the fire risk has changed Ref: 5.2.3 Response by registered person detailing the actions taken: A current written risk assessment and fire management plan had taken place on Thursday 20 th April. We are awaiting the report and I will forward it on once we have received it.
Area for improvement 2 Ref: Regulation 26 (4)(d)(f) Stated: First time To be completed by: Immediate from the date of the inspection	The registered person shall ensure that robust schedules for the service are implemented and effectively monitored by the manager in respect of fire safety checks and fire evacuation drills. Ref: 5.2.3 Response by registered person detailing the actions taken: Day Care Managers have completed Fire Warden training along with three other members of staff. Managers will inspect these documents monthly to ensure all checks have taken place.
Action required to ensure compliance with the Day Care Settings Minimum Standards August (revised) 2021	
Area for improvement 1 Ref: Standard 14.10 Stated: First time To be completed by: Immediate from the date of the inspection	The registered person shall ensure that a formal complaints process is developed and implemented. Ref: 5.2.4 Response by registered person detailing the actions taken: A formal complaint process has been developed and is now in place.
Area for improvement 2 Ref: Standard 12.8 Stated: First time	The registered person shall ensure that records are retained of the name of the bus escort who escorts the transport staff when calling to service users' homes. Ref: 5.2.4

To be completed by: Immediate from the date of the inspection	
	Response by registered person detailing the actions taken: A bus rota is now in place and staff are aware who the escort will be for each day.

Please ensure this document is completed in full and returned via Web Portal



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