

# Unannounced Enforcement Follow Up Inspection Report 16 January 2017



## Kesh Domiciliary/Supported Living Service

Domiciliary Care/Supported Living  
26 Pettigo Road, Letterkeen, Kesh, BT93 1QX  
Tel No: 028 6863 3107  
Inspector: Audrey Murphy

## 1.0 Summary

An unannounced enforcement follow up inspection of Kesh Domiciliary/Supported Living Service took place on 16 January 2017 from 09:30 to 14:00.

The purpose of the inspection was to assess the level of compliance achieved by the agency regarding the six failure to comply notices issued to the registered person on 19 December 2016. The date for compliance with the notices was 16 January 2017.

**FTC ref: FTC/DCA/11274/2016-17/01**

**FTC ref: FTC/DCA/11274/2016-17/02**

**FTC ref: FTC/DCA/11274/2016-17/03**

**FTC ref: FTC/DCA/11274/2016-17/04**

**FTC ref: FTC/DCA/11274/2016-17/05**

**FTC ref: FTC/DCA/11274/2016-17/06**

There was evidence of some improvement and progress made to address the required actions within the notices. The inspector was satisfied that the necessary improvements had been made to the agency's recruitment practices, staff induction, quality monitoring and safe working practices.

However, further progress towards compliance is necessary regarding staffing arrangements and records. Following the inspection, a decision was made by RQIA to extend the compliance date of the following notices and compliance with these notices must be achieved by 13 February 2017.

**FTC ref: FTC/DCA/11274/2016-17/01**

**FTC ref: FTC/DCA/11274/2016-17/03**

This inspection was underpinned by The Health and Personal Social Services (Quality Improvement and Regulation) (Northern Ireland) Order 2003, the Domiciliary Care Agencies Regulations (Northern Ireland) 2007 and the Domiciliary Care Agencies Minimum Standards, 2011.

## 1.1 Inspection outcome

The findings of the inspection were discussed with Kieran McGrenaghan, acting manager, as part of the inspection process.

Enforcement action remains ongoing as a result of the findings of this inspection.

## 1.2 Actions/enforcement taken following the most recent inspection

The most recent inspection of the agency was undertaken on 8 and 12 December 2016. Following these inspection visits a meeting was held at RQIA offices with the registered person and acting manager on 16 December 2016. Six failure to comply notices were issued to the registered person on 19 December 2016.

## 2.0 Service details

<b>Registered organisation/registered person:</b> Andrew James Mayhew	<b>Registered manager:</b> Kieran McGrenaghan (acting)
<b>Person in charge of the agency at the time of inspection:</b> Kieran McGrenaghan	<b>Date manager registered:</b> Acting manager since April 2015

## 3.0 Methods/processes

Prior to inspection the following records were examined:

- The requirements as set out in the failure to comply notices:  
 FTC ref: FTC/DCA/11274/2016-17/01  
 FTC ref: FTC/DCA/11274/2016-17/02  
 FTC ref: FTC/DCA/11274/2016-17/03  
 FTC ref: FTC/DCA/11274/2016-17/04  
 FTC ref: FTC/DCA/11274/2016-17/05  
 FTC ref: FTC/DCA/11274/2016-17/06
- written and verbal communication received by RQIA since the last care inspection
- the previous care inspection report
- a quality monitoring report forwarded to RQIA by the registered person

During the inspection the inspector met with two service users, the registered manager and with two care staff.

## 4.0 The inspection

### 4.1 Inspection Findings

#### 4.1.1 FTC ref: FTC/DCA/11274/2016-17/01

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 16 (1) (a)

16.—(1) Where an agency is acting otherwise than as an employment agency, the registered person shall, having regard to the size of the agency, the statement of purpose and the number and needs of the service users, ensure that—

(a) there is at all times an appropriate number of suitably skilled and experienced persons employed for the purposes of the agency;

**In relation to this notice, the following actions were required for compliance:**

The registered person must ensure that there are at all times an appropriate number of suitably skilled and experienced persons employed for the purposes of the agency.

The registered person must ensure that relevant staff receive training in the agency's procedures for ensuring adequate staffing arrangements are in place, and for escalating instances when this is either potentially or actually compromised.

The registered person must ensure that records maintained by the agency clearly identify the roles and responsibilities of all staff supplied to work with service users.

**Inspection findings:**

The inspector was advised of ongoing recruitment activity and of a recent unsuccessful recruitment exercise. The inspector was further advised by the acting manager that due to the absence of colleagues due to sickness, he had been providing direct care to service users since the previous inspection.

The agency's staffing records were examined and it was noted that there were a number of shifts that didn't appear to have the required numbers of staff across both addresses where services are provided. On 08/01/17 there appeared to be a shortage of staff at one of the addresses where service users receive care and support and the rota information did not support the provision of the minimum number of staff required on the afternoon and evening shift.

A shift at another address where service users reside did not appear to have been covered on 27/12/16 from 4pm onwards and on 09/01/17 there didn't appear to be any cover at the address after 5pm. There were also a number of dates on which the records did not indicate sleep over cover at this address.

On 14/01/17, a scheduled service user holiday was cancelled (due to poor weather). The staffing arrangements outlined within the staff duty rotas did not reflect the reported adjustments that were made and did not provide assurance that adequate numbers of staff had been supplied on this date.

The findings of this inspection did not support compliance with this regulation and while some progress was noted in this area, the date for full compliance has been extended until 13 February 2017.

**4.1.2 FTC ref: FTC/DCA/11274/2016-17/02**

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 16 (5) (a) (b)

(5) Where an agency is acting otherwise than as an employment agency, the registered person shall ensure that—

(a) a new domiciliary care worker ("the new worker") is provided with appropriately structured induction training lasting a minimum of three full working days; and

(b) during that induction training—

- (i) the new worker is not supplied to a service user unless accompanied by another domiciliary care worker who is a suitably qualified and competent person;
- (ii) a member of staff (“the staff member”) who is suitably qualified and experienced, is appointed to supervise the new worker;
- (iii) the staff member (or another suitably qualified and competent person if the staff member is unavailable) will always be available to be consulted while the new worker is on duty; and
- (iv) subject to the consent of the service user, the staff member makes arrangements to observe, on at least one occasion, the new worker carrying out his duties.

**In relation to this notice, the following actions were required for compliance:**

The registered person must ensure that all staff supplied to work with service users receives an appropriate induction prior to their supply.

The registered person must ensure that staff receive induction in accordance with this regulation and in accordance with Standard 12.1 of the Domiciliary Care Agencies Minimum Standards (2011).

**Inspection findings:**

The agency’s induction records were examined and had been updated to reflect the uptake of a structured induction by staff who had been supplied from another agency. The inspector was advised that only one member of staff from another agency was being supplied at the time of the inspection and that all new staff would undertake a structured induction lasting at least three days.

The agency’s monthly quality monitoring recording form has been adjusted to include monitoring of induction for new staff and the inspector was satisfied that the agency had demonstrated full compliance with this regulation.

**4.1.3 FTC ref: FTC/DCA/11274/2016-17/03**

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 21 (1) (a) (c)

21.—(1) The registered person shall ensure that the records specified in Schedule 4 are maintained, and that they are—

- (a) kept up to date, in good order and in a secure manner;
- (c) at all times available for inspection at the agency premises by any person authorized by the Regulation and Improvement Authority.

**In relation to this notice, the following actions were required for compliance:**

The registered person must ensure that agency records relating to domiciliary care workers and service users and to the training and development of staff are maintained in accordance with Regulation 21.

**Inspection findings:**

The agency's alphabetical index of staff was examined and was updated during the inspection to include all staff supplied and available for supply.

The training records were examined and were presented clearly and evidenced uptake in training in the mandatory areas. The care records for all service users were securely stored at the agency's registered office and were in good order.

The layout of the agency's staff duty rotas had been revised since the previous inspection and included the supply of staff across the entire service. The rotas were colour coded and indicated the location of the care and support provided and the nature of the shift.

It was noted however that the staff duty records did not consistently reflect the hours worked by staff and the details of each supply of staff to work with service users was unclear. The inspector also identified areas for improvements to these records including clarification of hours worked, i.e. to confirm that the shift commences/ends in the am or pm and to explicitly record which staff are on 'sleep over'.

The findings of this inspection did not support compliance with this regulation and while some progress was noted in this area, the date for full compliance has been extended until 13 February 2017.

**4.1.4 FTC ref: FTC/DCA/11274/2016-17/04**

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 15 (8)

(8) The registered person shall make suitable arrangements, including training, to ensure that domiciliary care workers operate a safe system of working, including in relation to lifting and moving service users and the operation of any special equipment.

**In relation to this notice, the following actions were required for compliance:**

The registered person must ensure that all staff operate a safe system of working and that equipment supplied to staff is maintained and used in accordance with the agency's existing health and safety policies and procedures.

**Inspection findings:**

The agency's arrangements for ensuring the staff usage of the alarm system were examined. The acting manager had developed a system for auditing the usage of the alarm system and advised the inspector that all staff had been advised of their responsibility in this area. The agency's Panic Alarm Policy and Procedure had been signed by staff and from daily records there was evidence of compliance with the procedure. The acting manager has commenced a weekly audit of the usage of the alarm system and records of audits undertaken since the previous inspection were examined. The inspector was satisfied that the agency had demonstrated full compliance with this regulation.

**4.1.5 FTC ref: FTC/DCA/11274/2016-17/05**

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 23 (1) (4)

23.—(1) The registered person shall establish and maintain a system for evaluating the quality of the services which the agency arranges to be provided.

(4) The report shall also contain details of the measures that the registered person considers it necessary to take in order to improve the quality and delivery of the services which the agency arranges to be provided.

**In relation to this notice, the following actions were required for compliance:**

The registered person must ensure that quality monitoring is undertaken in accordance with this regulation and Standard 8.11 of the Domiciliary Care Agencies Minimum Standards (2011).

The registered person must ensure that areas for quality improvement are identified in a timely manner, and that appropriate actions are taken to deliver quality improvements.

In accordance with Regulation 23 (2) (3), the registered person must forward to RQIA reports of quality monitoring undertaken on a monthly basis until further notice.

**Inspection findings:**

Prior to the inspection a quality monitoring report was forwarded to RQIA and had been completed by a Praxis senior manager. The report outlined a number of areas for quality improvement and an action plan identified who was responsible for each action and the timescale for completion. From discussion with the acting manager during the inspection and from examination of agency records, there was evidence of quality improvements that had been made to the services provided.

During the inspection period the registered person forwarded to RQIA an updated action plan which provided further information about the progress made towards full compliance with the regulations and standards.

The inspector was satisfied that the agency had demonstrated compliance with this regulation and will continue to review the reports of quality monitoring forwarded to RQIA on a monthly basis until further notice.

**4.1.6 FTC ref: FTC/DCA/11274/2016-17/06**

Notice of Failure to Comply with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007

Regulation 13

13. The registered person shall ensure that no domiciliary care worker is supplied by the agency unless—

- (a) he is of integrity and good character;
- (b) he has the experience and skills necessary for the work that he is to perform;

(c) he is physically and mentally fit for the purposes of the work which he is to perform; and  
(d) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 3.

**In relation to this notice, the following actions were required for compliance:**

The registered person is required to develop a robust system to ensure that no domiciliary care worker is supplied by the agency unless full and satisfactory information is available in relation to him.

The registered person is required to complete an audit of all existing domiciliary care workers' pre-employment records to identify any gaps in documentation or information obtained.

The registered person is required to retrospectively obtain full information in respect of all existing domiciliary care workers, or demonstrate that they have made all reasonable efforts to obtain full information as detailed within Regulation 13 Schedule 3 of the Domiciliary Care Agencies Regulations (Northern Ireland) 2007.

**Inspection findings:**

The agency staffing arrangements were discussed with the acting manager who advised the inspector that the agency continues to supply one member of staff from another agency. The recruitment records for this member of staff were examined and were in accordance with the regulations.

An audit of the pre-employment records of all staff had been undertaken and the retrospective records relating to their fitness had been obtained from two employment agencies. The acting manager advised the inspector that no issues had arisen from examination of these records.

The inspector was satisfied that the agency had demonstrated full compliance with this regulation.

**Conclusion:**

The inspector noted that while significant improvements had been made to the quality of services provided by the agency, full compliance with all of the matters outlined within the failure to comply notices had not been achieved.

Following the inspection, a decision was made by RQIA to extend the compliance date of the following notices and compliance with these notices must be achieved by 13 February 2017.

**FTC ref: FTC/DCA/11274/2016-17/01**

**FTC ref: FTC/DCA/11274/2016-17/03**

It should be noted that this inspection report should not be regarded as a comprehensive review of all strengths and areas for improvement that exist in the service. The findings reported on are those which came to the attention of RQIA during the course of this inspection. The findings contained within this report do not exempt the registered provider from their responsibility for maintaining compliance with the regulations and standards.





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