



The **Regulation** and
Quality Improvement
Authority

Bradbruy Dental Surgery
RQIA ID: 11402
46 Bradbury Place
Belfast
BT7 1RR

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Unannounced Enforcement Compliance Inspection
of
Bradbruy Dental Surgery

16 December 2015

The Regulation and Quality Improvement Authority
9th Floor Riverside Tower, 5 Lanyon Place, Belfast, BT1 3BT
Tel: 028 9051 7500 Fax: 028 9051 7501 Web: www.rqia.org.uk

1. 1.0 Summary of Inspection

An unannounced enforcement compliance inspection took place on 16 December 2015 from 09.55 to 10.30.

The purpose of the inspection was to assess the level of compliance achieved in relation to a failure to comply notice, FTC/IHC-DT/11402/2015-16/01, issued on 14 October 2015. The areas for improvement and compliance with the regulation were in relation to recruitment and selection of staff. The date for compliance with the notice was 16 December 2015.

FTC Ref: FTC/IHC-DT/11402/2015-16/01

There was no evidence available to confirm that compliance had been achieved with the above failure to comply notice regarding recruitment and selection of staff.

RQIA senior management held a meeting on 16 December 2015, to discuss the inspection outcomes and as no new staff had been employed in the practice since the failure to comply notice had been issued a decision was made to extend the compliance date up to the legislative timeframe of 90 days. Compliance with the notice must be achieved by 15 January 2016.

1.1 Actions/Enforcement* Taken Following the Last Announced Care Inspection

Following an announced care inspection on 9 October 2015 a failure to comply notice was issued with regards to recruitment and selection of staff processes. The date for compliance was 16 December 2015.

1.2 Actions/Enforcement* Resulting From This Inspection

FTC Ref: FTC/IHC-DT/11402/2015-16/01

As indicated above, there was no evidence available to confirm that compliance had been achieved with the above failure to comply notice regarding recruitment and selection of staff.

With reference to the summary section above, the above notice was extended up to the legislative timeframe of 90 days with a date of compliance to be achieved by 15 January 2016.

*All enforcement notices for registered establishments are published on RQIA's website at: http://www.rqia.org.uk/inspections/enforcement_activity.cfm

2. Service Details

Registered Organisation/Registered Person: Dental World Limited Mr Robert McMitchell	Registered Manager: None in post
Person in Charge of the Practice at the Time of Inspection: Dental Receptionist	Date Manager Registered: N/A
Categories of Care: Independent Hospital (IH) – Dental Treatment	Number of Registered Dental Chairs: 3

3. Inspection Focus

The inspection sought to assess the level of compliance with the required actions indicated within the failure to comply notice issued on 14 October 2015. The date for compliance on the notice was 16 December 2015.

4. Methods/Process

Specific methods/processes used in this inspection include the following:

- discussion with the receptionist
- telephone call with Ms Linda McVey, Dental World Limited Representative
- evaluation and feedback.

5. The Inspection

5.1 FTC Ref: FTC/IHC-DT/11402/2015-16/01

The Independent Health Care Regulations (Northern Ireland) 2005

Regulation 19 (2)

A person is not fit to work in or for the purposes of an establishment, or for the purposes of an agency unless –

(d) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 2.

SCHEDULE 2

INFORMATION REQUIRED IN RESPECT OF PERSONS SEEKING TO CARRY ON, MANAGE OR WORK AT AN ESTABLISHMENT OR AGENCY

(2) Either –

(a) Where a certificate is required for a purpose relating to registration under Part 111 of the Order, or the position falls within section 115 (3) or (4) of the Police Act 1997

(a), an enhanced criminal record certificate issued under section 115 of that Act.

In relation to this notice, the following five actions were required to comply with this regulation.

- The registered person must ensure that at all times staff are recruited and employed in accordance with statutory legislation and mandatory requirements. This includes the receipt of a satisfactory AccessNI enhanced disclosure check prior to commencement of employment
- The registered person must ensure that the staff recruitment policy and procedure contains details of all the required information as listed within Regulation 19 (2) and Schedule 2 of The Independent Health Care Regulations (Northern Ireland) 2005
- The registered person must implement robust monitoring systems to ensure that the recruitment process is compliant with statutory legislation and mandatory requirements
- The registered person must ensure that all staff involved in the recruitment process receive training or refresher training in selection and recruitment
- The registered person must ensure that all staff involved in the recruitment process receive training or refresher training in safeguarding of children and vulnerable adults.

It was identified that no progress, to address the actions outlined in the failure to comply notice, had been made.

On arrival at the practice RQIA were informed, by the receptionist, that the manager had recently left the employment of Dental World Limited. On enquiring who was in charge of the establishment RQIA were informed that it was Ms Linda McVey, Dental World Limited representative who was based in the Crumlin Road Dental Surgery. Staff agreed to contact Ms McVey by telephone.

During the telephone call between one of the inspectors and Ms McVey, Ms McVey confirmed that Ms Montgomery, applicant registered manager, had left the employ of Dental World Limited. It was established that Ms Montgomery had left at the end of November 2015. On enquiring why RQIA had not been advised of this change of management Ms McVey confirmed that she had informed RQIA. It was later established that a formal notification had not been received. The information had been submitted on a returned Quality Improvement Plan (QIP), for a previous inspection of Bradbury Dental Surgery. However, as the QIP had not been signed by the registered person it had been returned to the registered person without review by the inspector.

During the call, Ms McVey also confirmed that Mr McMitchell was out of the country and would not be available until the end of December 2015. Ms McVey was unsure of when Mr McMitchell's absence had commenced and if it was intended to be for a period of greater than 28 days. Ms McVey was advised to ensure that RQIA were notified in writing when a registered person is absent for a period of greater than 28 days.

It was not clear who the current manager for Bradbury Dental Surgery was. Staff confirmed during discussion that it was Ms McVey, while Ms McVey advised that it was Ms Joann Ferguson, another Dental World Limited representative.



Ms McVey was advised to ensure that a notification of absence form is submitted to RQIA in relation to the current management arrangements.

Ms McVey enquired as to why an inspection to Bradbury Dental Surgery was being undertaken. Ms McVey was informed that the inspection was a compliance monitoring inspection to establish the progress made to address the actions outlined in the failure to comply notice. Ms McVey advised that as she was not the manager of the dental practice and did not have sight of the failure to comply notice, she was unable to confirm that the actions had been progressed. Ms McVey requested that if the date for compliance with the failure to comply notice could be extended then she would endeavour to address the actions outlined in the notice. Ms McVey was advised that as no progress to address the action had been made, further advice would be sought from senior management in RQIA.

Following the call with Ms McVey advice was sought from the Head of Programme for Nursing Homes, Independent Health Care and Pharmacy Regulation at RQIA. It was agreed that RQIA should give Ms McVey the opportunity to come to the practice and provide evidence of any actions which had been taken.

A further telephone call was made to Ms McVey. Ms McVey agreed that she was willing to make her way to the practice. However, as she did not have sight of the failure to comply notice she was unsure of what actions were required to comply including what evidence she needed to bring. The actions required to comply with the breach in regulations were read out to Ms McVey. Ms McVey confirmed that the actions outlined in the failure to comply notice had not been addressed and that compliance could not be demonstrated. On enquiring who was in charge of the Dental World Limited group of practices, in Mr McMitchell's absence, Ms McVey confirmed that she was in charge. The roles and responsibilities of the person in charge, in the absence of the registered person, were discussed with Ms McVey and included the importance of ensuring that she was aware of all of the ongoing issues within the organisation. Ms McVey confirmed that the actions outlined within the notice would be addressed if a further period of time was agreed.

RQIA senior management held a meeting on 16 December 2015. No new staff had been employed in the practice since the failure to comply notice had been issued. Therefore the risk to patients, as a result of poor recruitment practice, is currently minimised. As a result of this a decision was made to extend the compliance date up to the legislative timeframe of 90 days. Compliance with the notice must be achieved by 15 January 2016.

I agree with the content of the report.			
Registered Manager		Date Completed	10/3/16
Registered Person		Date Approved	10/3/16
RQIA Inspector Assessing Response	LYNN LOWE	Date Approved	11/3/16

Please provide any additional comments or observations you may wish to make below:

Please ensure this document is completed in full and returned to independent.healthcare@rqia.org.uk from the authorised email address

It should be noted that this inspection report should not be regarded as a comprehensive review of all strengths and weaknesses that exist in the dental practice. The findings set out are only those which came to the attention of RQIA during the course of this inspection. The findings contained within this report do not absolve the registered person/manager from their responsibility for maintaining compliance with minimum standards and regulations.