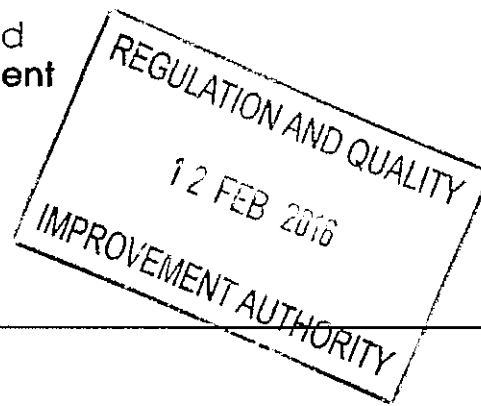


The Regulation and  
Quality Improvement  
Authority

Inspector: Carmel McKeegan and  
Norma Munn  
Inspection ID: IN024053



Gentle Dental Care  
RQIA ID: 11514  
58 Lisburn Road  
Belfast  
BT9 6AF

Tel: 028 90 326795

**Unannounced Enforcement Compliance Inspection  
of  
Gentle Dental Care**

**15 January 2016**

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](http://www.rqia.org.uk)

## 1. Summary of Inspection

An announced enforcement compliance inspection took place on 15 January 2016 from 10.30 to 12.00.

The purpose of the inspection was to assess the level of compliance achieved in relation to the failure to comply notice, FTC/IHC-DT/11514/2015-16/01, issued on 13 November 2015. The date for compliance with the notice was 15 January 2016. The areas for improvement and compliance with the regulations were in relation to recruitment and selection of staff.

**FTC Ref: FTC/IHC-DT/11514/2015-16/01**

Evidence was available to confirm that systems and processes have been implemented to address the deficits identified with recruitment and selection of staff. Inspectors were satisfied that full compliance had been achieved with the above failure to comply notice.

### 1.1 Actions/Enforcement\* Taken Following the Last Enforcement Monitoring Inspection

Following an unannounced care inspection on 3 November 2015, a failure to comply notice was issued to Gentle Dental Care on 13 November 2015 relating to poor practice with recruitment and selection of staff.

### 1.2 Actions/Enforcement\* Resulting From This Inspection

**FTC Ref: FTC/IHC-DT/11514/2015-16/01**

As indicated above, evidence was available to validate full compliance with the above failure to comply notice.

\*All enforcement notices for registered agencies/services are published on RQIA's website at: [http://www.rqia.org.uk/inspections/enforcement\\_activity.cfm](http://www.rqia.org.uk/inspections/enforcement_activity.cfm)

## 2. Service Details

<b>Registered Organisation/Registered Person:</b> Mrs Lucy Stock Mr Adam Jaffa	<b>Registered Manager:</b> Mr Adam Jaffa
<b>Person in Charge of the Practice at the Time of Inspection:</b> Mrs Lucy Stock Mr Adam Jaffa	<b>Date Manager Registered:</b> 22 November 2012
<b>Categories of Care:</b> Independent Hospital (IH) - Dental Treatment	<b>Number of Registered Places:</b> 4

### 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 13 November 2015. The date for compliance on the notice was 15 January 2016.

### 4. Methods/Process

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

- discussion with Mr Adam Jaffa, registered person
- review of relevant records
- evaluation and feedback

### 5. The Inspection

#### 5.1 FTC Ref: FTC/IHC-DT/11514/2015-16/01

**Notice of Failure to Comply with 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 three 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 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 safeguarding of children and vulnerable adults.

A review of the records and discussion with Mr Adam Jaffa, registered person confirmed that the actions required to comply with this regulation had been met.

Mr Jaffa confirmed that Gentle Dental Care was in the process of recruiting two new staff members. An individual staff personnel file had been established for each prospective employee. Review of the prospective employee personnel files identified that in one of the files an AccessNI enhanced disclosure check had been undertaken and recorded in accordance with the AccessNI Code of Practice. In the other prospective employee's file there was a record to show the date the AccessNI application had been requested. RQIA was informed by electronic mail on 18 January 2016 that the AccessNI enhanced disclosure had been received for this individual.

Discussion with Mr Jaffa confirmed knowledge of the relevant records required to be retained in respect of persons working in the dental practice and an employee recruitment checklist had been established to ensure compliance with The Independent Health Care Regulations (Northern Ireland) 2005.



During review of the staff personnel files it was identified that a criminal conviction declaration had not been obtained for either prospective employees. This was discussed with Mr Jaffa who confirmed by electronic mail on 18 January 2016, that a criminal conviction declaration had been requested for each of the prospective employees, and provided a copy of an updated recruitment policy which had been further developed to include the process for obtaining a criminal conviction declaration.

A review of the newly implemented system and discussion with Mr Jaffa confirmed that he is fully aware of the actions required to be taken to ensure that recruitment and selection within Gentle Dental Care is compliant with statutory legislation and mandatory requirements.

Mr Jaffa confirmed that he is responsible for the recruitment and selection of staff in Gentle Dental Care. There was evidence retained that Mr Jaffa and Mrs Stock had undertaken refresher training in safeguarding. Discussion with Mr Jaffa confirmed that he was aware of the importance of safeguarding within the recruitment process.

Evidence was available to validate compliance with the requirements of this failure to comply.

No requirements or recommendations resulted from this inspection.

I agree with the content of the report.			
Registered Manager		Date Completed	8 Feb 2016
Registered Person		Date Approved	8 Feb 2016
RQIA Inspector Assessing Response	<i>McKeegan</i>	Date Approved	22.2.16.

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

*\*Please complete in full and return to independent.healthcare@rqia.org.uk from the authorised email address\**