

Unannounced Enforcement Compliance Inspection Report 7 February 2017



Maguire McCann Dental Surgeons

Type of service: Independent Hospital (IH) – Dental Treatment

Address: 18 Darling Street, Enniskillen, BT74 7EW

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Inspector: Stephen O'Connor

1.0 Summary

An unannounced inspection of Maguire McCann Dental Surgeons took place on 07 February 2017 from 09:55 to 10:35.

The purpose of the inspection was to assess the level of compliance achieved in relation to a failure to comply notice, FTC/IHC-DT/11581/2016-17/01, issued on 07 December 2016. The date for compliance with the notice issued on 07 December 2016 was 07 February 2017.

FTC Ref: FTC/IHC-DT/11581/2016-17/01

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

This inspection was underpinned by The Independent Health Care Regulations (Northern Ireland) 2005, The Regulation and Improvement Authority (Independent Health Care) (Fees and Frequency of Inspections) (Amendment) Regulations (Northern Ireland) 2011 and the Department of Health, Social Services and Public Safety (DHSSPS) Minimum Standards for Dental Care and Treatment (2011).

While we assess the quality of services provided against regulations and associated DHSSPS care standards, we do not assess the quality of dentistry provided by individual dentists.

1.1 Inspection outcome

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

As a result of the findings of this inspection a confirmation of compliance letter was issued.

All enforcement notices for registered agencies/services are published on RQIA's website at: <https://www.rqia.org.uk/inspections/enforcement-activity/current-enforcement-activity/>

1.2 Actions/enforcement taken following the most recent care inspection

Following an announced follow-up care inspection on 24 November 2016 a failure to comply notice was issued with regards to recruitment and selection of staff. The date for compliance was 07 February 2017.

2.0 Service details

Registered organisation/registered person: Mr John McCann	Registered manager: Mr John McCann
Person in charge of the practice at the time of inspection: Mr John McCann	Date manager registered: 26 March 2012
Categories of care: Independent Hospital (IH) – Dental Treatment	Number of registered places: 5

3.0 Methods/processes

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

- discussion with Mr John McCann, registered person
- review of relevant records
- evaluation and feedback

4.0 The inspection

4.1 Review of requirements and recommendations from the most recent inspection dated 24 November 2016

The most recent inspection of the establishment was an announced care inspection. No requirements or recommendations were made during this inspection.

4.2 Inspection findings

FTC/IHC-DT/11581/2016-2017/01

The Independent Health Care Regulations (Northern Ireland) 2005 as amended

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 position that falls within Regulation 9 of the Police Act 1997 (Criminal Records) (Disclosure) Regulations (Northern Ireland) 2008 (a), an enhanced criminal record certificate issued under section 113B (b) of the Police Act 1997 which includes, as applicable, suitability information relating to adults (within the meaning of sections 113BB(2) of that Act) or suitability information relating to children (within the meaning of section 113BA(2) of that Act) or both; or

The inspection findings of the actions specified in the failure to comply (FTC) notice are as follows:

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.

Mr McCann confirmed that no new staff have been recruited since the previous inspection and that there are no staff currently in the process of being recruited.

Discussion with Mr McCann evidenced that he understands his role and responsibilities in relation to recruitment and selection of staff. Mr McCann confirmed that should staff be recruited in the future they will be recruited in accordance with statutory legislation and mandatory requirements. This will include ensuring that an AccessNI enhanced disclosure check is in place prior to any new staff, including self-employed staff commencing work in the future.

Review of documentation evidenced that an AccessNI enhanced disclosure check had been undertaken and received for the staff member identified during the previous inspection. All relevant information in respect of this check had been recorded in keeping with the AccessNI Code of Practice.

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 as amended.

Review of the recruitment policy demonstrated that it had been further developed following the previous announced care inspection. The date of implementation has been recorded on the updated policy.

McCann is named in the policy as the person with overall responsibility for the recruitment of staff. The policy includes the procedure for ensuring that all required information as listed within Regulation 19 (2) and Schedule 2 of The Independent Health Care Regulations (Northern Ireland) 2005 will be sought and retained. The policy also details the procedure for completing the newly developed employee checklist. This policy also names a second staff member who will support Mr McCann when new staff are being recruited.

The registered person must implement robust monitoring systems to ensure that the recruitment process is compliant with statutory legislation and mandatory requirements.

Mr McCann confirmed during discussions that he understands what was required to be obtained prior to any new staff commencing employment at the practice.

Review of documentation evidenced that an employee checklist has been developed since the previous inspection. The employee checklist includes all of the required information as outlined in Regulation 19 (2) and Schedule 2 of The Independent Health Care Regulations (Northern Ireland) 2005. Mr McCann confirmed that this checklist will be completed and retained.

A template to record all relevant information in respect of AccessNI enhanced disclosure checks has been developed. The use of this template will ensure that AccessNI enhanced disclosure checks will be handled in keeping with the AccessNI code of practice.

An application form has also been developed. Mr McCann confirmed that the application form will be used for all job vacancies in the practice. Review of the application form evidenced that if completed thoroughly it will assist the practice to ensure all relevant information is retained. The application form includes information in respect of criminal convictions and employment history.

Additional templates for use in respect of staff recruitment have also been developed. These include template letters to inform applicants of the outcome of interviews and interview recording templates.

As previously discussed the recruitment policy includes the procedure for completing the new employee checklist and it identifies that Mr McCann is responsible for completing the checklist. The policy also names a second staff member who will support Mr McCann during the recruitment process.

The registered person must ensure that all staff involved in recruitment processes receive training or refresher training in safeguarding of children and vulnerable adults.

Mr McCann confirmed that he has overall responsibility for the recruitment of staff and that he will be supported by a second named staff member.

Review of documentation evidenced that Mr McCann and the second named staff member had completed the following training during February 2017:

- 'Introduction to Adult/Child Protection'
- 'Further Adult/Child Protection'

Mr McCann confirmed that he has made provision for all staff to complete the 'Introduction to Adult/Child Protection' course.

Conclusion

The inspection on 07 February 2017 found that the necessary improvements to comply with the regulation set out in the notice had been made. RQIA is satisfied that full compliance had been achieved with the above failure to comply notice.

5.0 Quality improvement plan

There were no issues identified during this inspection, and a QIP is neither required, nor included, as part of this inspection report.

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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