



The Regulation and  
Quality Improvement  
Authority

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**Announced Enforcement Compliance Inspection  
of  
Ross Lodge / Ross House**

**6 July 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](http://www.rqia.org.uk)**

## 1. Summary of Inspection

An announced enforcement compliance inspection took place on 6 July 2015 from 11.30 to 14.30 hours. The purpose of the inspection was to assess the level of compliance achieved by the home regarding two failure to comply notices issued on 7 May 2015. The areas for improvement and compliance with regulation were in relation to maintaining records specified in schedule 4 of the regulations, (FTC/RCH/1710/2015-16/01) and the prevention of residents being placed at risk of abuse (FTC/RCH/1710/2015-16/02). The date for compliance with the notices was 6 July 2015.

**FTC Ref: FTC/RCH/1710/2015-16/01 and FTC Ref: FTC/RCH/1710/2015-16/02**

Evidence confirmed that compliance had not been achieved with the above failure to comply notices.

### 1.1 Enforcement Taken Following the Last Finance Inspection

An announced finance inspection was undertaken on 22 April 2015. This identified issues with regards to the management of residents' finances.

These matters were referred to the Northern Health and Social Care Trust under the Adult Safeguarding arrangements.

In accordance with RQIA's Enforcement Policy, RQIA wrote to the registered persons and outlined the intention to serve notices of failure to comply with the Residential Care Homes Regulations (Northern Ireland) 2005. The registered persons and a representative of the registered persons attended a meeting with RQIA on 5 May 2015.

In light of the inspection findings and discussions held with the registered persons and their representative on 5 May, RQIA issued the registered persons with two notices of failure to comply with the Regulations, in respect of Regulation 19 (2) and Regulation 14 (4) of the Residential Care Homes Regulations (Northern Ireland) 2005.

The timescales for compliance and actions required to comply with these regulations were outlined within the notices FTC/RCH/1710/2015-16/01 and FTC/RCH/1710/2015-16/02, and within the Quality Improvement Plan accompanying the report from the inspection on 22 April 2015. The date for compliance with the notices was 6 July 2015.

### 1.2 Actions Resulting From This Inspection

**FTC Ref: FTC/RCH/1710/2015-16/01 and FTC Ref: FTC/RCH/1710/2015-16/02**

As indicated above, evidence confirmed that compliance with the above failure to comply notices was not achieved. Following discussions with senior management at RQIA on 7 July 2015 a decision was made to extend the compliance date of the notices up to the legislative timeframe of 90 days to 10 August 2015.

\*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> Mr Alex McKinney and Mrs Joyce McKinney	<b>Registered Manager:</b> Barbara Creelman
<b>Person in Charge of the Home at the Time of Inspection:</b> Barbara Creelman	<b>Date Manager Registered:</b> Registration pending
<b>Categories of Care:</b> RC-LD, RC-LD(E), RC-PH, RC-PH(E)	<b>Number of Registered Places:</b> 13
<b>Number of Patients/Residents Accommodated on Day of Inspection:</b> 6 (permanent residents)	<b>Weekly Tariff at Time of Inspection:</b> £91.07 – Respite Tariff £407.59 - £624.06 Permanent Tariff

## 3. Inspection Focus

The inspection sought to assess the level of compliance with the required actions indicated within the two failure to comply notices issued on 7 May 2015. The date of compliance on the notices was 6 July 2015.

### Methods/Process

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

- discussion with the manager and staff
- discussion with the registered person
- review of residents' records since previous finance inspection

## 4. The inspection

### 4.1 FTC Ref: FTC/RCH/1710/2015-16/01

#### **Notice of Failure to Comply with Regulation 19 (2) of the Residential Care Homes Regulations (Northern Ireland) 2005**

#### **19 (2) The registered person shall maintain in the home the records specified in schedule 4.**

Following the issuing of the failure to comply notice on 7 May 2015 evidence showed that none of the actions in relation to this notice had been fully addressed. Although the registered persons addressed the issue of reimbursing one resident their personal allowance, the Health and Social Care Trust was not informed of the amount refunded to the resident which was part of the action required in the notice.

In relation to one other action the registered person provided a copy of an email which was forwarded to the Health and Social Care Trust stating that the registered person was relinquishing appointeeship for residents identified during the RQIA inspection on 22 April 2015.

The action within the notice required the registered persons to obtain written confirmation from the Social Security Agency (SSA) of the name of the person at the home acting as appointee for residents.

In addition to the above actions the inspector was concerned that the remaining actions within the notice were also not addressed, these included:

- No records of the social security benefits received on behalf of residents
- No records of personal allowance monies paid to residents following deduction from their benefits of their contribution towards their fee.
- No confirmation that residents did not receive a Christmas bonus or fuel allowance as part of their benefits
- No written confirmation if registered person acted as power of attorney for one resident
- No record of the financial arrangements in place for each resident at the home.

The registered person and other staff in attendance during the inspection on 6 July 2015 gave assurance to the inspector that all actions within the notice would be fully addressed. Following discussions with senior management at RQIA on 7 July 2015 a decision was made to extend the compliance date of the notice up to the legislative timeframe of 90 days to 10 August 2015.

#### 4.2 FTC Ref: FTC/RCH/1710/2015-16/02

##### **Notice of Failure to Comply with Regulation 14 (4) of the Residential care Homes Regulations (Northern Ireland) 2005**

**14 (4) The registered person shall make arrangements by training persons employed or by other measures, to prevent residents being harmed or suffering abuse or being placed at risk of harm or abuse.**

Following the issuing of the failure to comply notice on 7 May 2015 evidence showed that none of the actions in relation to this notice had been fully addressed.

The inspector was provided with a draft transport policy dated June 2015. The policy was not implemented, at the time of inspection, due to the registered persons still deciding if a transport scheme was to be provided to residents.

The inspector was concerned that the actions within the notice were not addressed at the time of inspection on 6 July 2015, these included:

- No review with the Health and Social Care Trust to ascertain that residents were charged appropriately for using the minibus.
- No transport agreements issued to residents.
- Designated vulnerable officer at the trust not informed, in writing, of a potential safeguarding issue for one resident.
- No record to show that Staff had been adequately trained in the safeguarding of residents' monies.
- No evidence that SSA and Office of Care and Protection were informed, in writing, that the registered person was not receiving benefits for one resident.

The registered person and other staff in attendance during the inspection on 6 July 2015 gave assurance to the inspector that all actions within the notice would be fully addressed. Following discussions with senior management at RQIA on 7 July 2015 a decision was made to extend the compliance date of the notice up to the legislative timeframe of 90 days to 10 August 2015.

A Further enforcement compliance inspection will be undertaken by RQIA on 10 August 2015.

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 home. 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. It is expected that the requirements and recommendations set out in this report will provide the registered person/manager with the necessary information to assist them in fulfilling their responsibilities and enhance practice within the home.

**I agree with the content of the report.**

<b>Registered Manager</b>	Barbara Creelman	<b>Date Completed</b>	28/08/2015
<b>Registered Person</b>	Joyce McKinney	<b>Date Approved</b>	28/08/2015
<b>RQIA Inspector Assessing Response</b>	Joe McRandle	<b>Date Approved</b>	15/09/15

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

*\*Please complete in full and return to [nursing.team@rqia.org.uk](mailto:nursing.team@rqia.org.uk) from the authorised email address\**