

Unannounced Follow Up Care Inspection Report 21 October 2019



Gosna Care Agency Ltd

Type of Service: Domiciliary Care Agency
Address: Russell Business Centre, Office 109,
40-42 Lisburn Road, Belfast, BT9 6AA
Tel No: 02895 213856
Inspectors: Amanda Jackson and Kieran Murray

www.rqia.org.uk

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 service provider from their responsibility for maintaining compliance with legislation, standards and best practice.

1.0 What we look for



2.0 Profile of service

This is a domiciliary care agency which provides personal care and social support to 27 individuals with elderly, dementia and physical health needs within the South Eastern Health and Social Care Trust (SEHSCT) area. Service users are supported by a team of domiciliary care workers.

3.0 Service details

Organisation/Registered Provider:
Gosna Care Agency Ltd

Responsible Individual:
Ms Florence Tanyanyiwa

Registered Manager:
Ms Florence Tanyanyiwa

Person in charge at the time of inspection: Ms Florence Tanyanyiwa	Date manager registered: 6 September 2018
--	---

4.0 Inspection summary

An unannounced inspection took place on 21 October 2019 from 14.30 to 19.00. The inspection was undertaken following receipt of intelligence from the Northern Ireland Social Care Council (NISCC) in relation to staff not recruited by the agency in line with the Domiciliary Care Agencies Regulations and Minimum Standards to provide care and support to service users in their own homes. Further information provided by and discussed with the SEHSCT on 21 October 2019 supported RQIA's decision to undertake the inspection.

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 Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017 and the Domiciliary Care Agencies Minimum Standards, 2011.

The inspectors assessed progress with any areas for improvement identified during and since the last care inspection to determine if the agency was delivering safe, effective and compassionate care and if the service was well led.

The following areas were examined during the inspection:

- Staffing lists
- Two induction records
- Two recruitment records

The SEHSCT had provided RQIA on 21 October with feedback on a performance review carried out by the Trust.

We were unable to evidence the progress made by the registered person in addressing the concerns previously raised by RQIA despite the assurances provided on 5 September 2019 (Reference section 4.2). We found that the registered person was knowingly allowing staff to care for vulnerable people without the appropriate recruitment checks and training being undertaken. These findings posed a serious risk to the health and well-being of the service users provided with care and support by Gosna Care Agency Ltd.

Following the inspection RQIA provided an update on our findings to the SEHSCT. RQIA was assured that the trust would provide appropriate provision to meet the care and support needs of service users known to Gosna Care Agency Ltd.

On 22 October 2019, RQIA senior management considered the outcome of this inspection. A recommendation was made to present the findings to an urgent Decision Making Panel of the RQIA Board to cancel the registration of this provider.

The findings from inspection were presented to the Board panel on 23 October 2019. The Director of Assurance informed the panel of the enforcement options considered during an Enforcement Decision Making meeting. Approval was sought from the Decision Making Panel to seek an urgent order for the cancellation of the registration of Ms Florence Tanyanyiwa, Registered Person/Registered Manager for Gosna Care Agency Ltd.

The Decision Making Panel approved the application to a Justice of the Peace to seek an urgent order for the cancellation of the registration of Ms Florence Tanyanyiwa, Registered Person/Registered Manager, Gosna Care Agency Ltd

RQIA made a successful application to the Justice of the Peace on 23 October 2019. Ms Florence Tanyanyiwa, Gosna Care Agency Ltd was served with this notice by post on 24 October 2019 as inspectors were unable to make direct contact with Ms Florence Tanyanyiwa at her agency address.

All relevant stakeholders were informed on this date.

4.1 Inspection outcome

Enforcement action resulted from the findings of this inspection. RQIA sought an urgent procedure to cancel the registration of the registered person.

The enforcement policies and procedures are available on the RQIA website.

[https://www.rqia.org.uk/who-we-are/corporate-documents-\(1\)/rqia-policies-and-procedures/](https://www.rqia.org.uk/who-we-are/corporate-documents-(1)/rqia-policies-and-procedures/)

Enforcement notices for registered establishments and agencies are published on RQIA's website at <https://www.rqia.org.uk/inspections/enforcement-activity/current-enforcement-activity> with the exception of children's services.

4.2 Action/enforcement taken following the most recent care inspection dated 27 August 2019

Following the inspection on 27 August 2019 RQIA wrote to the registered person to advise of the intention to issue two notices of failure to comply with regulations. A meeting was held at RQIA on 5 September 2019 to discuss these matters. At this meeting, the registered person provided clarity and satisfactory assurances that the actions taken and planned would ensure compliance with Regulation 13 (d) (e) and Regulation 16 (5) (a). We did not issue the failure to comply notices. RQIA advised the registered person of their responsibility to maintain compliance with the Domiciliary Care Agencies Regulations (Northern Ireland) 2007 and The Northern Ireland Social Care Council (Social Care Workers Prohibition) and fitness of Workers (Amendment) Regulations (Northern Ireland) 2017 and the Domiciliary Care Agencies Minimum Standards, 2011. The registered person was informed that a further unannounced inspection would be planned to ensure that the improvements required had been sustained.

5.0 How we inspect

Prior to the inspection a range of information relevant to the service was reviewed. This included the following records:

- information received by RQIA
- previous inspection report and Quality Improvement Plan (QIP)

During the inspection the inspectors met with the registered person/manager.

The following records were examined during the inspection:

- recruitment records relating to two staff
- induction records relating to two staff
- NISCC referral information
- Access NI records for two staff
- staff rotas for week commencing 21 October 2019
- staff registers

Areas for improvement identified at the last care inspection were reviewed and assessment of compliance indicated that three areas were not met and one area was compliant.

An area for improvement identified at the last care inspection was not reviewed as part of this inspection due to the seriousness of the other concerns reviewed regarding the lack of AccessNI checks and registration of staff with NISCC.

The findings of the inspection were provided to the registered person at the conclusion of the inspection.

6.0 The inspection

6.1 Review of areas for improvement from the last care inspection dated 27 August 2019

Areas for improvement from the last care inspection		
Action required to ensure compliance with The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 and The Northern Ireland Social Care Council (Social Care Workers Prohibition) and fitness of Workers (Amendments) Regulations (Northern Ireland) 2017		Validation of compliance
Area for improvement 1 Ref: Regulation 13 (d) Schedule 3 Stated: First time	The registered person shall ensure that a statement is in place, confirming that staff are physically and mentally fit for the purposes of the work which they are to perform. Ref: 6.3	Met
	Action taken as confirmed during the inspection: The inspectors confirmed that new staff had a statement in place signed by the registered person to confirm that they were physically and mentally fit for the purpose of the work which they are to perform.	
Area for improvement 2 Ref: Regulation 13 (d) Schedule 3 Stated: First time	The registered person shall ensure that a consistent system is in place to undertake Access NI checks on new staff members. Ref: 6.3	Not met
	Action taken as confirmed during the inspection: The inspectors confirmed that the system in place did not ensure that all new staff were registered with Access NI.	
Area for improvement 3 Ref: Regulation 13 (e) Stated: First time	The registered person shall ensure he is registered on the relevant part of the register (NISCC). Ref: 6.6	Not met
	Action taken as confirmed during the inspection: The inspectors reviewed records and evidenced that one new staff had not applied for registration with NISCC and a second staff	

	member was not registered with NISCC.	
Area for improvement 4 Ref: Regulation 16 (5)(a) Stated: First time	<p>The registered person shall ensure that new domiciliary care workers ("the new worker") are provided with appropriately structured induction training lasting a minimum of three full working days.</p> <p>Ref:6.3</p> <p>Action taken as confirmed during the inspection: Records reviewed by the inspectors did not evidence that staff had completed a structured induction programme lasting a minimum of three full working days which included shadowing.</p>	Not met
Action required to ensure compliance with The Domiciliary Care Agencies Minimum Standards, 2011		Validation of compliance
Area for improvement 1 Ref: Standard 9.5 Stated: First time	<p>The registered person shall ensure that policies and procedures are subject to a three yearly review, and the registered person ratifies any revision to or the introduction of new policies and procedures.</p> <p>Ref: 6.6</p> <p>Action taken as confirmed during the inspection: The inspectors did not review policies and procedures during this inspection due to the seriousness of other concerns reviewed.</p>	Not validated due to the other concerns identified

6.2 Inspection findings

We reviewed the agency's systems in place to avoid and prevent harm to service users; this included a review of the agency's staff recruitment procedures.

We found that the agency's records relating to staff recruitment and induction were maintained in an organised manner and retained securely within the agency's office.

We reviewed two staff personnel files which evidenced that one member of staff had gone through a robust recruitment process but the registered person advised the inspectors that a second staff member had not been recruited in accordance with the regulations.

We reviewed the individual staff personnel records relating to two staff employed by the agency since the last inspection on 27 August 2019. We found that one staff member had no Access NI check carried out. This poses a potential risk to service users if agency staff are allowed to provide care in the absence of the appropriate Access NI checks and potential for abuse to occur in respect of vulnerable adults.

Rotas viewed by the inspectors were inconsistent in both staff names and numbers. We found that staff numbers submitted to the SEHSCT in September 2019 did not consistently match the names and numbers provided by the registered person during inspection. This poses a risk to service users as they will be unaware of who is attending their home to provide personal care.

We reviewed the arrangements in place to ensure staff were registered with NISCC. This aspect of the care practices had been discussed with the registered person at the intention meeting held after the previous inspection. Despite the assurances provided at that time we found during this inspection that two new staff were not registered with NISCC. There was no evidence that an application had been made.

The inspectors viewed two staff records for evidence of induction and shadowing. This had also been discussed at the intention meeting of 27 August and assurances provided by the registered person. It was found that one staff member had no record of a structured induction or shadowing. The second staff member had incomplete documentation in relation to their induction records.

The inspectors reviewed service user home daily records and could not match three names to those listed on the rota provided by the registered person.

The inspectors reviewed records relating to one service user and noted that home visit times and length of visits did not match those agreed on the timetable of services (TTS) provided by the commissioning trust. We were unable to determine if the service user was receiving the appropriate care required to meet their needs.

We also found inconsistencies in the reported number of service users outlined by the registered person and those commissioned and advised to RQIA by the SEHSCT.

Inspection outcome

The areas of concern were discussed with the registered person throughout the inspection. These related to recruitment, staff induction, AccessNI and NISCC registrations. Concerns were also discussed regarding staff rotas, prescribed care and support and the continued failure to have robust systems in place to ensure the provision of care workers to service users. The registered person was advised that the inspectors would be discussing the outcome of the inspection with senior management within RQIA to determine the next steps.

RQIA sought an urgent procedure to cancel the registration of the registered person of Gosna Care Agency Limited.

The SEHSCT were advised of the outcome. The trust agreed to make the necessary arrangements to ensure that all service users received the appropriate safe and effective care in a timely way.



The Regulation and Quality Improvement Authority
9th Floor
Riverside Tower
5 Lanyon Place
BELFAST
BT1 3BT

Tel 028 9536 1111
Email info@rqia.org.uk
Web www.rqia.org.uk
 [@RQIANews](https://twitter.com/RQIANews)