

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

Name of Registered Establishment or Agency: Brooklands	FTC Ref: FTC/NH/1066/2015-16/01
Address of Registered Establishment or Agency: 42e, Cloona Park, Dunmurry, BT17 0HH	
Name of Registered Person: Ms Therese Conway (acting)	Issue Date: 25 March 2016
Regulation not complied with: The Nursing Homes Regulations (Northern Ireland) 2005. Regulation 3. – (3) Nothing in regulation 18(1) or 27(1) shall require or authorise the registered person to contravene, or not to comply with – (a) any other provision of these Regulations; Regulation 27. – (1) Subject to regulation 3 (3), the registered person shall not use these premises for the purposes of a nursing home unless the premises are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose.	
Specific failings to comply with regulations: Brooklands is registered with RQIA to accommodate 57 patients. An application to increase the number of registered beds to 59 was submitted to RQIA on 15 January 2016. During a telephone conversation with the acting registered person, on 23 March 2016, RQIA were advised that the building work to convert an office and a sitting room to bedroom accommodation was now complete, and the two bedrooms were already occupied by patients. The acting registered person had authorised the use of additional new bedrooms in the absence of approval from RQIA. A pre-registration inspection was undertaken on 24 March 2016 by RQIA. The inspection identified a number of matters still outstanding, and registration of the two bedrooms could not be approved.	

The home is therefore operating outside its registration status and statement of purpose in that two patients are being accommodated in bedrooms which are not yet registered by RQIA.

RQIA is concerned that the registered persons' lack of knowledge and understanding of the relevant legislation and the impact of operating outside of the statement of purpose had the potential to place patients at risk.

Action required to comply with regulations:

The acting registered person must take immediate action to address the matters identified during the pre-registration inspection that remain outstanding, and return the home to compliance.

The acting registered person and the registered manager must ensure that the home operates, at all times within its registration status and in keeping with the aims and objectives as set out in its statement of purpose.

The acting registered person and the registered manager must identify any gaps in their knowledge of the application of relevant legislation, and take appropriate action to rectify.

The acting registered person, registered manager and the senior management team must demonstrate a clear understanding of the process to vary the registration of the home, including timescales and action required.

The registered person may make written representations to the Chief Executive of RQIA regarding the issue of a failure to comply notice, within one month of receipt of this notice.

Date by which compliance must be achieved 22 April 2016.

Signed.......... Director of Regulation and Nursing

This notice is made under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Nursing Homes Regulations (Northern Ireland) 2005.

It should be noted that failure to comply with some regulations is considered to be an offence and RQIA has the power under regulations to prosecute for specified offences.