

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

NOTICE OF DECISION

Name of Registered Establishment or Agency: Colinvale Court	NOD Ref: NOD/NH/1074/2015-2016/01
Address of Registered Establishment or Agency: Glen Road, Belfast, BT11 8BU	
Name of Registered Person: Mr Raymond Liam Murphy	Issue Date: 16 October 2015
<p>The Regulation and Quality Improvement Authority gives notice of a decision under Article 18 of the Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, (the 2003 Order) to impose the following conditions on the registration of Colinvale Court:</p> <ol style="list-style-type: none">1. There will be no new admissions to the home until RQIA is satisfied that there are robust governance and management arrangements in place, and there is compliance with The Nursing Homes Regulations (Northern Ireland) 2005 and the Care Standards for Nursing Homes April 2015.2. In the absence of a registered manager, the registered person must ensure that a nurse manager with sole responsibility for Colinvale Court, is working in the home. The nurse manager must take control of the delivery of care to patients and the day to day management of the home.3. The registered person must ensure that Regulation 29 monthly reports and copies of any other monitoring reports are provided to RQIA within three working days of the visits/reports having been completed. This condition will continue until RQIA is satisfied that the home is operating in sustained compliance with The Nursing Homes Regulations (Northern Ireland) 2005 and the Care Standards for Nursing Homes April 2015. <p>Regulations which are Breached:</p> <p>The Nursing Homes Regulations (Northern Ireland) 2005</p> <p>Regulation 10.-(1)</p> <p>The registered provider and the registered manager shall, having regard to the size of the nursing home, the statement of purpose, and the number and needs of the patients, carry on or manage the nursing home (as the case may be) with sufficient care, competence and skill.</p>	

Regulation 12.-(1)

The registered person shall provide treatment, and any other services to patients in accordance with the statement of purpose, and shall ensure that the treatment and other services provided to each patient –

- (a) meet his individual needs;
- (b) reflect current best practice; and
- (c) are (where necessary) provided by means of appropriate aids or equipment.

Regulation 13.-(1)

The registered person shall ensure that the nursing home is conducted so as –

- (a) to promote and make proper provision for the nursing, health and welfare of patients;
- (b) to make proper provision for the nursing and where appropriate, treatment and supervision of patients.

Regulation 20.-(1)

The registered person shall, having regard to the size of the nursing home, the statement of purpose and the number and needs of patients –

- (a) ensure that at all times suitably qualified, competent and experienced persons are working at the nursing home in such numbers as are appropriate for the health and welfare of patients;

The reasons for serving this notice of decision are:

An unannounced care inspection of Colinvale Court was undertaken on 7 September 2015 as a result of concerns which had been brought to the attention of RQIA by the commissioning trust.

Issues were identified in relation to the competency of a number of registered nursing staff, governance and management arrangements and the quality of nursing care which was impacting negatively on the health and welfare of patients.

The registered manager is currently not working in the home and the acting manager has outlined her intention to return to her substantive post within the next two weeks. RQIA are concerned about the lack of governance and oversight arrangements in Colinvale Court. The current management arrangements are not robust or sufficient to provide a satisfactory standard of nursing care and drive improvement in patient care outcomes.

Significant enforcement action was taken by RQIA during August 2014. However, the improvements which had been made during and immediately following this have not been sustained.

Under Article 22 of the 2003 Order the registered person may, within 28 days of the service of this notice of decision, make an appeal to the Care Tribunal concerning any matter which the registered person wishes to dispute.

Signed.....  Chief Executive

This notice of decision is served under Article 20 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

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.