

**THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)**

**FAILURE TO COMPLY NOTICE**

<b>Name of Registered Agency</b> Extra Care (RQIA ID: 10930)		<b>Name of Registered Person:</b> Mr Brian Hutchinson	
<b>Address of Registered Agency</b> Lucas Exchange, 1 Orchard Way, Greystone Road, Antrim, BT41 2RU			
<b>Issue Date:</b> 7 June 2018	<b>Extended From:</b> 10 August 2018	<b>FTC Ref:</b> FTC00005	
<p><b>Regulation not complied with:</b> <i><b>The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 Regulation 14.–</b></i></p> <p><i>Where the agency is acting otherwise than as an employment agency, the registered person shall make suitable arrangements to ensure that the agency is conducted, and the prescribed services arranged by the agency, are provided—</i></p> <p><i>(a) so as to ensure the safety and well-being of service users;</i></p> <p><i>(b) so as to safeguard service users against abuse or neglect;</i></p>			
<p><b>Specific failings to comply with regulations:</b></p> <p>During an unannounced inspection on 31 May 2018, there was evidence to demonstrate that the safety and well-being of service users had been placed at risk due to a substantial number of missed and late calls. The review of the records identified that there were a significant number of missed calls, most notably within, but not limited to, the Cookstown/Magherafelt area. Given that there had been a steady increase in the numbers of missed calls since February 2018, it was very concerning that the agency had not taken timely action to safeguard the service users against abuse or neglect.</p> <p>Inspection findings identified that the numbers of missed calls had increased significantly between February and May 2018. The review of the agency's missed calls log evidenced that the agency had not been aware of all the missed calls, nor had they reported all missed calls to the Health and Social Care Trust (HSC Trust). There was limited evidence to demonstrate that the responsible individual had taken appropriate action in a timely manner, to address the concerns and safeguard the service users.</p> <p>A number of service users had their personal care provided by one care worker when their needs assessment and care plan stated they required the assistance of two carers.</p> <p>Where one service user had missed calls, the family members had been relied upon to provide the care on three days. This service failure had not been identified by the agency until raised by the Community Services Manager, through the Trust's validation processes.</p>			

Examination of a care record evidenced a varied pattern of service provision with significant gaps noted across a 14 day period. This resulted in an elderly family member taking on care tasks.

Due to late calls, a number of service users had their personal care needs met by family members and meal times were too close together.

A number of service users' representatives had raised their concerns with the agency's management team; however, these concerns had not been recorded within the agency's complaints record.

**Action required to comply with regulations:**

- The registered person must undertake an audit of all missed or late calls in 2018 and ensure that relevant agencies (RQIA, HSC Trusts) are notified of these
- The registered person must develop and implement a robust system for ensuring that service users receive their care calls in a timely manner
- The registered person must review the system for communication with service users and/or their' representatives, to ensure that any matters impacting on service delivery are communicated effectively
- Until further notice, a weekly report must be submitted to RQIA detailing any missed service user calls and actions taken as a consequence.

**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 serving of the original notice issued to you on the above date.**

**Date by which compliance must be achieved: 7 September 2018**

Signed.....  ..... **Director of Assurance**

***This notice is served under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Domiciliary Care Agencies Regulations (Northern Ireland) 2007***

***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.***