

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

Name of Registered Establishment or Agency: Homecare and Nursing Services Ltd	FTC Ref: FTC/DCA/10798/2016-17/01
Address of Registered Establishment or Agency: The Ballyhay Centre 277a Killaughey Road Donaghadee BT21 0ND	
Name of Registered Person: Homecare and Nursing Services Ltd Mrs Helen Mary Kane	Issue Date: 12 October 2016
Regulation not complied with: The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 Regulations 13 (a) (b) (c) (d) Regulation 13—The registered person shall ensure that no domiciliary care worker is supplied by the agency unless— (a) he is of integrity and good character; (b) he has the experience and skills necessary for the work that he is to perform; (c) he is physically and mentally fit for the purposes of the work which he is to perform; and (d) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 3.	
Specific failings to comply with regulations: During an inspection of 29 September 2016 the inspector reviewed six staff personnel records. Four of these files contained only one reference and two of these references were not from the most recent employer. In addition, one file did not contain evidence of a physical and mental health record. The agency requires employees to self-declare in respect of their health status and the inspector noted on two files when declarations had been made, follow up investigations were not recorded. The absence of adequate assurances pertaining to the fitness and suitability of a domiciliary care worker presents a risk to service users as it is not possible to determine if workers have been and suitably recruited to provide care.	

These matters were previously identified at inspections on 4 March 2015 and 3 March 2016 and the necessary improvements have not been made despite the registered person providing to RQIA written assurances that the matters had been addressed.

At a meeting at RQIA offices 10 October 2016, the registered manager stated that since the inspection of 29 September 2016 they had identified further gaps in recruitment records for a number of staff. It was concerning to note that some staff had been supplied to work with service users for a significant period of time before this matter was identified.

Action required to comply with regulations:

The registered person is required to develop a robust system to ensure that no domiciliary care worker is supplied by the agency unless full and satisfactory information is available in relation to him.

The registered person is required to complete an audit of the pre-employment records of all staff and to identify any gaps in documentation or information obtained.

The registered person is required to obtain full information in respect of all existing domiciliary care workers, or demonstrate that they have made all reasonable efforts to obtain full information as detailed within Regulation 13 Schedule 3 of the Domiciliary Care Agencies Regulations (Northern Ireland) 2007.

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 13 December 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 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.