

# THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

## FAILURE TO COMPLY NOTICE

<b>Name of Registered Establishment:</b> Knockmoyle Lodge (RQIA ID: 1208)	<b>Name of Registered Person:</b> Mr John O'Donnell (Acting)
<b>Address of Registered Establishment:</b> 29 Knockmoyle Road, Omagh, BT79 7TB	
<b>Issue Date:</b> 04 July 2017	<b>FTC Ref:</b> FTC/NH/1208/2017-18/01
<b>Regulation not complied with:</b>  <b><i>The Nursing Homes Regulations (Northern Ireland) 2005</i></b>  <b><i>Regulation 8.—</i></b> <b><i>(1) The registered provider shall appoint an individual to manage the nursing home where –</i></b> <b><i>(a) there is no registered manager in respect of the nursing home;</i></b> <b><i>(b) the registered provider –</i></b> <b><i>(i) is an organisation or partnership;</i></b> <b><i>(ii) is not a fit person to manage a nursing home; or</i></b> <b><i>(iii) is not, or does not intend to be, in full-time day to day charge of the nursing home.</i></b>	
<b>Specific failings to comply with regulations:</b>  During an unannounced care inspection of Knockmoyle Lodge on 23 March 2017, a discussion with the acting manager raised some discrepancies in relation to the management arrangements for the home. Subsequent information provided to RQIA by the acting manager on 28 March 2017, confirmed that they did not wish to be the acting manager and requested that their details be removed from the registration certificate, effectively leaving no manager in post.  Since receipt of this letter there has been ongoing communication between RQIA and the acting registered person, including a meeting at the Omagh Office on 26 May 2017. Despite this a manager had still not been appointed.  RQIA invited the acting registered person to a meeting with the intention of issuing a failure to comply notice. At this meeting insufficient assurances were provided in relation to the management arrangements for the home, the proposed operational structure and the understanding of the acting registered person in relation to their roles and responsibilities as to the appointment of a nurse manager.	

RQIA were concerned that the necessary improvements to ensure full compliance with the required regulations have not been made and the potential impact this may have on care delivery and the operational management of the home.

**Action required to comply with regulations:**

The acting registered person must appoint an individual with the necessary competence and skill to manage the nursing home in accordance with legislative requirements of the Nursing Homes Regulations (Northern Ireland) 2005 and the criteria as stated in the Care Standards for Nursing Homes, 2015.

The acting registered person must ensure that the Statement of Purpose for the home defines the organisational structure of the home and the relevant qualifications and experience of the manager.

The acting registered person must ensure that the manager delivers services effectively on a day to day basis in accordance with the Nursing Homes Regulations (Northern Ireland) 2005 and the Care Standards for Nursing Homes, 2015.

The acting registered person must ensure that the hours worked by the nurse manager are included on the duty rota and identifies either management duties or working as the lead nurse.

**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 the date of serving this notice.**

**Date by which compliance must be achieved: 21 August 2017**

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

***This notice is served 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.***