

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Establishment: Parkanaur College (RQIA ID: 1508)	Name of Registered Person: Mr Wilfred Johnston Mitchell
Address of Registered Establishment: 57 Parkanaur Road, Dungannon, BT70 3AA	
Issue Date: 14 March 2019	FTC Ref: FTC000025
Regulation not complied with: The Residential Care Homes Regulations (Northern Ireland) 2005 <i>Appointment of manager</i> <i>Regulation 8.–(1) The registered provider shall appoint an individual to manage the residential care home where – there is no registered manager in respect of the home.</i>	
Specific failings to comply with regulations: At an unannounced care inspection on 7 March 2019, there was no manager in the home. Staff reported that the registered manager was on sick leave and had tendered their resignation from their position as registered manager. In addition, the deputy manager no longer works in the home. RQIA were concerned regarding the lack of a manager to direct the day to day operations of the home. During a meeting between the responsible individual and RQIA sufficient assurances were not provided in relation to the appointment of a manager in the home.	
Action required to comply with regulations: The responsible individual must appoint an individual with the necessary competence and skill to manage the residential home in accordance with legislative requirements of the Residential Care Homes Regulations (Northern Ireland) 2005 and the criteria as stated in the Minimum Standards for Residential Care Homes, 2011. The responsible individual 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 responsible individual must ensure that the manager is fully aware of their role and responsibilities under the Residential Care Homes Regulations (Northern Ireland) 2005 and the Minimum Standards for Residential Care Homes, 2011.

The responsible individual must ensure that the hours worked by the manager are accurately recorded on the duty rota.

The responsible individual must ensure that the management arrangements are clearly communicated to the staff, particularly when the manager is not working in the home.

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: 1 April 2019

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 Residential Care 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.

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FAILURE TO COMPLY NOTICE

Name of Registered Establishment: Parkanaur College (RQIA ID: 1508)	Name of Registered Person: Mr Wilfred Johnston Mitchell
Address of Registered Establishment: 57 Parkanaur Road, Dungannon, BT70 3AA	
Issue Date: 14 March 2019	FTC Ref: FTC000026
Regulation not complied with: The Residential Care Homes Regulations (Northern Ireland) 2005 Health and welfare of residents <i>Regulation 13.–(1) The registered person shall ensure that the residential care home is conducted so as – to promote and make proper provision for the health and welfare of residents; to make proper provision for the care and where appropriate, treatment and supervision of residents.</i>	
Specific failings to comply with regulations: On the day of the inspection shortfalls were identified in regards to the supervision provided to the residents. In particular, one to one supervision was not provided to one resident as prescribed in their care plan. In addition, one staff member on duty also had to work in the kitchen whilst they were supposed to be providing one to one support for a resident. This staff member stated this had been the same situation on the previous day. There was no evidence of oversight of these arrangements in response to the unplanned absence of staff and staff did not know how to report their concerns. The supervision arrangements put in place were wholly inadequate and potentially placed residents and others at risk. RQIA were concerned that there may be a potential impact on the health and welfare of residents. During a meeting between RQIA and the responsible individual there was a lack of understanding of the potential risk to residents and others. RQIA were not assured that suitable staffing arrangements had been put in place for residents requiring one to one supervision.	

Action required to comply with regulations:

The responsible individual must ensure that where one to one supervision is prescribed for residents that this is provided.

The responsible individual must ensure that staff working in the home are knowledgeable in regard to the reporting arrangements should a deficit in the staffing levels be identified.

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: 1 April 2019

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 Residential Care Homes Regulations (Northern Ireland) (2005)

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FAILURE TO COMPLY NOTICE

Name of Registered Establishment: Parkanaur College (RQIA ID: 1508)	Name of Registered Person: Mr Wilfred Johnston Mitchell
Address of Registered Establishment: 57 Parkanaur Road, Dungannon, BT70 3AA	
Issue Date: 14 March 2019	FTC Ref: FTC000027
Regulation not complied with: The Residential Care Homes Regulations (Northern Ireland) 2005 Staffing <i>Regulation 20.-(1) The registered person shall, having regard to the size of the residential care home, the statement of purpose and the number and needs of residents - ensure that at all times suitably qualified, competent and experienced persons are working at the home in such numbers as are appropriate for the health and welfare of residents;</i> <i>(2)The registered manager shall ensure that persons working at the home are appropriately supervised.</i> <i>(3)The registered manager shall carry out a competency and capability assessment with any person who is given the responsibility of being in charge of the home for any period of time in his absence.</i>	
Specific failings to comply with regulations: Serious concerns were identified in regards to the management of staffing and the management of short notice sick leave, to ensure staffing deficits did not impact on the delivery of safe and effective care. On the day of the inspection there were four staff on duty until 12.00 hours. One of these staff members was in charge and the other three staff were with three residents who required one to one supervision. This resulted in the person in charge being the only staff member available to supervise the remaining residents in the home. Discussion with the staff and review of the duty rota confirmed that the staffing levels for the home on the day of the inspection were inadequate to meet the needs of the residents.	

There was no competency and capability assessment completed for the staff member who was in charge of the home, in the absence of the manager.

Action required to comply with regulations:

The responsible individual must ensure that at all times there are suitably qualified, competent and experienced persons are working at the home in such numbers as are appropriate for the health and welfare of residents.

The responsible individual must ensure that contingency arrangements are developed and implemented in response to unplanned staff absence.

The responsible individual must ensure that evidence of these contingency arrangements are retained and made available for inspection.

The responsible individual must ensure that a system is in place for contingency arrangements to be effectively communicated to the staff.

The responsible individual must ensure that the duty rota accurately reflects the staff working in the home at all times.

The responsible individual must ensure that the duty rota clearly identifies the person in charge of the home in the absence of the manager.

The responsible individual must ensure that there is a competency and capability assessment completed for each staff member who is given the responsibility of being in charge of the home for any period of time in the absence of the manager.

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: 1 April 2019

Signed.....*J. Leeson Nixon*.....Director of Assurance

This notice is served under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Residential Care 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.