

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Agency: Potens Domiciliary Care Agency (11279)	Name of Registered Person: Ms Nicki Stadames
Address of Registered Agency: 8a Creamery Road, Main Street, Derrygonnelly, BT93 7FZ	
Issue Date: 27 January 2020	FTC Ref: FTC000087
Regulation not complied with: <i>The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 and The Northern Ireland Social Care Council (Social Care Workers Prohibition) and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017</i> <i>Fitness of domiciliary care workers supplied by an agency</i> <i>Regulation 13. (d)(e)</i> <i>The registered person shall ensure that no domiciliary care worker is supplied by the agency unless-</i> <i>(d) full and satisfactory information is available in relation to him in respect of each of the matters specified in Schedule 3.</i> <i>(e) subject to sub-paragraphs (f) and (g), he is registered in the relevant part of the register;</i>	
Specific failings to comply with regulations: During the inspection on 13 January 2020 the records relating to staff members Northern Ireland Social Care Council (NISCC) registrations were not available for inspection. One staff member informed the inspector that they had let their registration lapse. A second staff member informed the inspector that their registration application process had not commenced, despite being in post for five months. Following the inspection, the manager confirmed these details to the inspector. This is unacceptable and must be addressed. Until the matter is resolved the Western Health and Social Care Trust has agreed measures with management for the protection of service users.	
Action required to comply with regulations: <ul style="list-style-type: none">The registered person must ensure that support workers are either registered with NISCC or that NISCC registration application is made on commencement of employment with the agency.	

- Records must be kept of all documentation in relation to the NISCC registration process.
- The registered person must implement robust monitoring systems to ensure that staff are appropriately registered with their professional body at all times.
- The registered person must ensure that all support workers receive training on their roles and responsibilities regarding registration with NISCC.

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: 27 April 2020

Signed.....*Dermot Pearson*.....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 and Fitness of Workers (Amendment) Regulations (Northern Ireland) 2017

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.

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Agency: Potens Domiciliary Care Agency (11279)	Name of Registered Person: Ms Nicki Stadames
Address of Registered Agency: 8a Creamery Road, Main Street, Derrygonnelly, BT93 7FZ	
Issue Date: 27 January 2020	FTC Ref: FTC000088
Regulation not complied with: <i>The Domiciliary Care Agencies Regulations (Northern Ireland) 2007</i> Assessment of quality of services Regulation 23.-(1) <i>The registered person shall establish and maintain a system for evaluating the quality of the services which the agency arranges to be provided.</i>	
Specific failings to comply with regulations: The registered person had submitted Regulation 23 reports to RQIA for the period April 2019 to December 2019. They were deemed satisfactory by the reviewing inspector. The submitted reports did reflect a review of the Northern Ireland Social Care Council (NISCC) registrations and indicated that there were no omissions. In August 2019 the manager confirmed to RQIA that all staff were appropriately registered. Despite these assurances, during and after the inspection on 13 January 2020 it was found that a number of staff were not currently registered with NISCC. This had gone undetected by management. This demonstrates ineffective governance and management oversight in relation to the monitoring of the registration of support staff.	
Action required to comply with regulations: <ul style="list-style-type: none">• The registered person shall establish and maintain a system for evaluating the quality of the services which the agency arranges to be provided.• The report of the visits undertaken in accordance with this regulation must evidence the review of NISCC registrations of all staff.	

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: 27 April 2020

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.