

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

Name of Registered Establishment or Agency: Potens Domiciliary Care Agency (RQIA ID 11279)	FTC Ref: FTC/DCA/11279/01/2015-16
Address of Registered Establishment or Agency: 32 Knockmore Road ,Derrygonnelly, BT93 6GA	
Name of Registered Person: Ms Michele Wright - Acting	Issue Date: 1 May 2015
Regulation not complied with: The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 Regulation 14 (b) (d) 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— (b) so as to safeguard service users against abuse or neglect; (d) so as to ensure the safety and security of service users' property, including their homes;	
Specific failings to comply with regulations: During the inspection of 16 April 2015, the arrangements for handling and securing service users monies were discussed with the acting manager. It was identified that some of the service users' monies were secured in a locked drawer within the agency's office and that additional sums were being stored in the service users' homes. The acting manager stated that following money being withdrawn from the bank an amount of money is secured in individual service users' cash tins and the remainder is placed in the 'savings tin' held in the agency's registered office. It was noted that the records pertaining to the service users' cash tins were of an acceptable standard. The inspectors were advised that a ledger was not maintained for monies held on behalf of service users by the agency in the agency's office. The records pertaining to the monies held on behalf of service users were not of a satisfactory standard and had not been maintained in accordance with good record keeping practices. The acting manager stated that the savings tin' could only be accessed by the manager and the deputy.	

It was further noted that there were amounts of loose cash and cash in coin bags and envelopes retained in the tin and that the agency did not maintain a record of these monies or any related transactions. It was unclear why these amounts were being held on behalf of service users and inspectors were advised that some of it was for the purposes of service users attending a social club.

During a meeting at RQIA offices on 29 April 2015, representatives of the registered person advised that the practice of securing service users monies in a cash tin in the agency's office had ceased and that the sums belonging to service users had been returned to them.

RQIA were also advised that the agency no longer provides secure storage for service users' finances and that this practice had been contrary to the provider organisation' policy and procedures.

Representatives of the registered person advised that an audit of monies previously held by the agency on behalf of service users was underway and that the agency would make arrangements for any sums that could not be accounted for to be repaid to service users. Representatives of the registered person could not confirm how long these practices had been in place and advised of their plans to undertake an audit of the records of the previous six months.

Action required to comply with regulations:


The registered person is required to, in conjunction with the HSC Trust; undertake a detailed financial audit of monies previously held on behalf of service users.

The registered person must forward to RQIA the outcome of the audit and where appropriate, quantify any losses experienced by service users.

The registered person is required to outline to RQIA, where appropriate, the arrangements for restitution.

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 8 June 2015.

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.