

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Establishment: St Francis Private Care Home Limited (RQIA ID: 1474)	Name of Registered Person: St Francis Private Care Home Limited Mr Cathal Breen, Responsible Individual
Address of Registered Establishment: 71 Charles Street, Portadown, BT62 4BD	
Issue Date: 22 September 2020	FTC Ref: FTC000121
Regulation not complied with: <i>The Nursing Homes Regulations (Northern Ireland) 2005</i> <i>Staffing</i> <i>Regulation 20.—</i> <i>(1) The registered person shall, having regard to the size of the nursing home, the statement of purpose and the number and needs of patients –</i> <i>(a) ensure that at all times suitably qualified, competent and experienced persons are working at the nursing home in such numbers as are appropriate for the health and welfare of patients;</i>	
Specific failings to comply with regulations: During the unannounced care inspection undertaken on 8 September 2020 RQIA identified that a pre-registered nurse, who was not on the Nursing and Midwifery Council (NMC) register, was taking charge of the home in the absence of the registered manager. The registered manager confirmed that the pre-registration nurse was the person in charge of the home when they were on duty. The registered manager told the inspector that a discussion with the NMC had confirmed that this was a satisfactory arrangement. However, RQIA was unable to evidence any correspondence between the registered manager and the NMC in relation to this arrangement. RQIA evidenced that, on the occasions when the pre-registration nurse was on the duty rota and taking charge, staffing arrangements were not adequate to ensure the health and welfare of patients in the home.	

Action required to comply with regulations:

The registered person must ensure that:

- at all times there is a suitably qualified, competent and experienced registered nurse in charge of the home.
- there is a robust system in place to ensure that all nurses who take charge of the home, in the absence of the registered manager, are suitably qualified
- all registered nurses who take charge of the home, in the absence of the registered manager, have completed a suitable competency and capability assessment.
- all staff are appropriately supported and supervised
- a person, who is not a registered nurse, is not employed in the role of a registered nurse.
- a clear record of any communication with the Nursing and Midwifery Council (NMC) or any other regulatory body regarding staff and/or staffing arrangements is maintained.

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: 29 October 2020

Signed.......... **Deputy Director of Assurance**

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.