

**THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)**

**FAILURE TO COMPLY NOTICE**

<b>Name of Registered Agency:</b> Strabane & District Caring Services (RQIA ID: 11026)	<b>Name of Registered Person:</b> Gerard Mario Harkin
<b>Address of Registered Agency:</b> 32-36 Bridge Street, Strabane, BT82 9AE	
<b>Issue Date:</b> 13 August 2019	<b>FTC Ref:</b> FTC000072
<b>Regulation not complied with:</b>  <b><i>The Domiciliary Care Agencies Regulations (Northern Ireland) 2007</i></b>  <b><i>Conduct of agency</i></b>  <b><i>Regulation 14.—</i></b>  <i>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—</i> <i>(a) so as to ensure the safety and well-being of service users;</i> <i>(b) so as to safeguard service users against abuse or neglect;</i>	
<b>Specific failings to comply with regulations:</b>  During an unannounced inspection of the agency on 6 August 2019, it was identified that the agency did not have a robust system in place for recording information relating to any incident that had occurred. The agency did not have a process for ensuring that a comprehensive record of the details of any incident were retained. Records in place did not provide details of the date and time of the incident, the person or persons it related to, the actions taken following an incident or the outcome of any investigation. Therefore it was difficult to ascertain the number of and types of incidents that had occurred or the actions if any that had been taken by the agency following an incident.  Records of matters relating to the quality of the service provided by the agency that had been highlighted by the Western Health and Social Care Trust (WHSCT) to the agency, did not consistently contain details of the actions taken by the agency or the outcome of any investigations following receipt of the information. It was identified that a number of the matters raised by the WHSCT had not been responded to by the agency in a timely manner.	

In addition it was identified during the inspection that the agency did not have a robust system in place for monitoring and retaining a record of any missed calls, or for identifying trends. Therefore it was difficult to accurately determine the number of missed calls that had occurred within the agency or the actions that had been taken to address these matters.

At a meeting at RQIA offices on 12 August 2019, RQIA was provided with limited assurances that the registered person had established and implemented a robust and effective system.

RQIA is concerned that the lack of robust systems for managing, recording and monitoring accidents, incidents and missed calls has the potential to impact on the safety and effectiveness of the care provision within the domiciliary care agency.

**Action required to comply with regulations:**

The registered person must further develop the agency's policy and procedures for managing incidents, accidents and missed calls including the actions to be taken by the agency.

The registered person must develop and maintain a system for recording accurate and comprehensive details of any accident, incident or missed call. The records should provide details of the date and time of the occurrence, the persons involved, the actions taken, details of any investigation and the outcome and learning from the investigation.

The registered person shall ensure that the information relating to incidents, accidents and missed calls is reviewed and monitored as part of the agency's quality monitoring process.

**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: 14 October 2019**

Signed.....*Sharon 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 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.***