

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)


FAILURE TO COMPLY NOTICE

Name of Registered Establishment : TW Care Services Ltd (RQIA ID: 020203)	Name of Registered Person: Mrs Olipah Gahadza
Address of Registered Establishment: TW Care Services Ltd, 36A Warden Street, Ballymena, BT43 7DT	
Issue Date: 28 March 2018	FTC Ref: FTC/DCA_CON/020203/2017-18/01
Regulation not complied with: The Domiciliary Care Agencies Regulations (Northern Ireland) 2007 Regulation 13. – Schedule 3 <i>The registered person shall ensure that no domiciliary care worker is supplied by the agency unless—</i> <i>(a)he is of integrity and good character;</i> <i>(b)he has the experience and skills necessary for the work that he is to perform;</i> <i>(c)he is physically and mentally fit for the purposes of the work which he is to perform; and</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>	
Specific failings to comply with regulations: During an announced inspection on 7 March 2018, there was insufficient evidence of robust recruitment practices. Recruitment files for three members of staff and two volunteers were unavailable and there was no evidence to confirm that AccessNI Enhanced Disclosure checks had been completed in respect of the identified staff members. An additional personnel file for a staff member was found to be without references and it was identified that the AccessNI Enhanced Disclosure had been received after the staff member had commenced employment with the agency.	
Actions required to comply with regulations: <ul style="list-style-type: none">• The registered person must ensure that, at all times, staff are recruited and employed in accordance with statutory legislation and mandatory requirements. This includes the receipt of a satisfactory AccessNI Enhanced Disclosure check prior to the commencement of employment. Records must be kept of all documentation relating to the recruitment process.	

- The registered person must implement robust monitoring systems to ensure that the recruitment process is compliant with statutory legislation and mandatory requirements.
- The registered person must ensure that all staff involved in the recruitment process receive training or refresher training in recruitment and selection.

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: 7 May 2018

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.