

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

NOTICE OF PROPOSAL

<b>Name of Registered Establishment:</b> Valley Nursing Home (RQIA ID: 1502)	<b>Name of Registered Person:</b> Ms Amanda Mitchell Healthcare Ireland Belfast Limited
<b>Address of Registered Establishment:</b> 8 Tullybroom Road, Clogher, BT76 0UW	
<b>Issue Date:</b> 2 November 2020	<b>NOP Ref:</b> NOP000039
<p><b>The Regulation and Quality Improvement Authority gives notice of a proposal to cancel the registration of you, Amanda Mitchell, as the Responsible Individual for Healthcare Ireland Belfast Limited and being the provider registered to carry on the establishment known as Valley Nursing Home</b></p> <p>The relevant parts of the Order and Regulations are as follows:</p> <p><b><i>The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003</i></b></p> <p><b><i>Article 15.—(1) The Regulation and Improvement Authority may at any time cancel the registration of a person in respect of an establishment or agency—</i></b> <b><i>(c) on the ground that the establishment or agency is being, or has at any time been, carried on otherwise than in accordance with the relevant requirements;</i></b></p> <p><i>and;</i></p> <p><b><i>The Nursing Homes Regulations (Northern Ireland) 2005</i></b></p> <p><b><i>Registered person: general requirements</i></b></p> <p><b><i>Regulation 10.—</i></b> <b><i>(1) The registered provider and the registered manager shall, having regard to the size of the nursing home, the statement of purpose, and the number and needs of the patients, carry on or manage the nursing home (as the case may be) with sufficient care, competence and skill.</i></b></p> <p><b><i>Health and welfare of patients</i></b></p> <p><b><i>Regulation 13.—</i></b> <b><i>(1) The registered person shall ensure that the nursing home is conducted so as –</i></b> <b><i>(a) to promote and make proper provision for the nursing, health and welfare of patients;</i></b> <b><i>(b) to make proper provision for the nursing and where appropriate, treatment and supervision of patients.</i></b> <b><i>(7) The registered person shall make suitable arrangements to minimise the risk of infection and toxic conditions and the spread of infection between patients and staff.</i></b></p>	

## **Further requirements as to health and welfare**

### **Regulation 14.—**

- (2)** The registered person shall ensure as far as reasonably practicable that –
- (a) all parts of the home to which patients have access are free from hazards to their safety;
  - (c) unnecessary risks to the health or safety of patients are identified and so far as possible eliminated;

## **Assessment of patients**

### **Regulation 15.—**

- (2)** The registered person shall ensure that the assessment of the patient's needs is –
- (a) kept under review; and
  - (b) revised at any time when it is necessary to do so having regard to any change of circumstances and in any case not less than annually.

## **Patient's plan**

### **Regulation 16.—**

- (2)** The registered person shall ensure that –
- (b) the patient's plan is kept under review;

## **Facilities and services**

### **Regulation 18.—**

- (1)** Subject to regulation 3(3), the registered person shall provide facilities and services to patients in accordance with the statement of purpose required by regulation 3(1)(b) in respect of the nursing home.
- (2)** The registered person shall having regard to the size of the nursing home and the number and needs of patients –
- (c) provide in rooms occupied by patients adequate furniture, bedding and other furnishings, including curtains and floor coverings, and equipment suitable to the needs of patients and screens where necessary;
  - (j) keep the nursing home free from offensive odours;
  - (n) where activities are provided by or on behalf of the nursing home, including training, occupation and recreation, there are arrangements to ensure that –
    - (i) activities are planned and provided with regard to the needs of the patients; and
    - (ii) patients are consulted about the planned programme of activities.

## **Fitness of premises**

### **Regulation 27.—**

- (1)** Subject to regulation 3(3), the registered person shall not use the premises for the purposes of a nursing home unless the premises are suitable for the purpose of achieving the aims and objectives set out in the statement of purpose.
- (2)** The registered person shall, having regard to the number and needs of the patients, ensure that –
- (b) the premises to be used as the nursing home are of sound construction and kept in a good state of repair externally and internally;

- (d) all parts of the nursing home are kept clean and reasonably decorated;*  
*(e) adequate private and communal accommodation is provided for patients;*  
*(p) ventilation, heating, cooling and lighting suitable for patients is provided in all parts of the nursing home which are used by patients;*
- (4) The registered person shall –**
- (b) take adequate precautions against the risk of fire, including the provision of suitable fire equipment;*  
*(d) make adequate arrangements –*  
*(i) for detecting, containing and extinguishing fires;*  
*(ii) for giving warnings of fires;*  
*(iii) for the evacuation, in the event of fire, of all persons in the nursing home and safe placement of patients;*  
*(iv) for the maintenance of all fire equipment; and*  
*(v) for reviewing fire precautions, and testing fire equipment, at suitable intervals;*  
*(e) make arrangements for persons working at the nursing home to receive suitable training from a competent person in fire prevention; and*  
*(f) to ensure, by means of fire drills and practices at suitable intervals, that the persons working at the nursing home and, so far as practicable, patients, are aware of the procedure to be followed in case of fire, including the procedure for saving life.*

**The reasons for serving this Notice of Proposal are:**

An unannounced inspection of the Valley Nursing Home was undertaken on 21 October 2020. Significant breaches were identified in relation to the above listed regulations.

RQIA were concerned that the home had not been maintained in accordance with the regulations and significant areas of the home could not be used by patients. Patients' furniture, curtains and flooring was found to be damaged and significant malodour was identified in one area of the home.

There was a failure to adequately manage risk to patients in the home in respect of access to hazardous substances/equipment, infection prevention and control measures and inadequate management of fire precautions.

RQIA identified numerous instances in which patients could have accessed dangerous chemicals, thickening agent, razors, medications and toiletries. This is of particular concern as the patients in the home are unable to independently maintain their own safety.

Staff were not consistently adhering to appropriate infection prevention and control measures, including the wearing of nail polish, improper use of personal protective equipment (PPE) and missed opportunities for hand hygiene.

Of particular concern, adequate precautions and systems were not in place to manage fire risk. Staff involved in the maintenance of the premises demonstrated an inadequate knowledge of their roles and responsibilities in relation to risk management and records indicated inadequate upkeep of the fire safety and other systems throughout the home. Crucially, management oversight and governance arrangements around this were found to be lacking.

Care records reviewed contained conflicting information in relation to modified diets, patient weights, repositioning and catheter care and were not reflective of the needs of the patients. There was no clear system in place to ensure that risk assessments and care plans were reviewed on a regular basis.

RQIA observed multiple examples of staff not prioritising the dignity of patients. This included the quality and availability of clothing for patients, the potential for socks to be shared amongst patients, lack of curtains in a patient's bedroom, stained and inadequate bedclothes and in one instance a patient was inadequately attired and fully visible to anyone using the car park. There was a notable lack of effort made to engage patients in any meaningful activity.

There were clear deficits in the internal governance arrangements which failed to effectively address the issues identified at the inspection.

RQIA previously issued seven failure to comply notices to the Valley Nursing Home on 16 July 2019 and on 27 July 2019 issued a Notice of Proposal to place conditions on the registration of the then Provider, Mr Paul Warren-Gray of MPS Limited. There was a lack of progress to address the identified breaches of regulations and on 27 December 2019, RQIA issued a Notice of Proposal to Cancel the Registration of the then Provider.

On 15 January 2020 RQIA met with the current provider, Healthcare Ireland Belfast Limited, and agreed that they could operate the home under a temporary management contract whilst they prepared to submit an application to register. At this time there was an undertaking from Healthcare Ireland Belfast Limited, to commence a significant programme of works to improve the premises.

An inspection was undertaken on 9 June 2020 and evidenced improvements to care and the overall governance and management arrangements. It was acknowledged that environmental issues had not been fully addressed but RQIA were assured that a refurbishment plan was in place and works would be undertaken. An application was received from you, as Responsible Individual, in respect of Healthcare Ireland Belfast Limited and the home was registered with you on 30 June 2020.

During the meeting on the 28 October 2020, RQIA were made aware that the aforementioned management contract had remained in place between Mr Paul Warren-Gray of MPS Limited and Healthcare Ireland Belfast Limited. Contractual arrangements with the Southern Health and Social Care Trust, employment agreements with staff and maintenance repairs of the home continued to be overseen by Mr Paul Warren-Gray of MPS Limited. RQIA had not been made aware of this and were concerned that the responsible individual of Healthcare Ireland Belfast Limited had no control over these matters.

RQIA are concerned that there has been a lack of progress in the planned works required and in fact, the premises have deteriorated further. Improvements noted at the inspection on 9 June 2020 in relation to the governance and management arrangements have not been sustained. Given the length of time these issues have persisted and the lack of assurance given at our meeting on 28 October 2020, RQIA are not assured in relation to the efficacy and tenability of the current arrangements.

**Under Article 19 of the 2003 Order, the Registered Person/Applicant may, within 28 days of the service of this notice, make written representations to the Chief Executive of RQIA concerning any matter which that person wishes to dispute.**

Signed  Dr Julie-Ann Walkden, Deputy Director of Assurance

***This notice is served under Article 18 of The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003***

***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.***