

# THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

## FAILURE TO COMPLY NOTICE

<b>Name of Registered Establishment</b>  Fairhaven (RQIA ID: 1602)	<b>Name of Registered Person:</b>  Fairhaven Residential Homes Ltd Responsible Individual: Mr Kevin McKinney
<b>Address of Registered Agency:</b> Fairhaven 58 North Road Belfast BT5 5NH	
<b>Issue Date:</b> 1 May 2024	<b>FTC Ref:</b> FTC000218
<b>Regulation not complied with:</b>  <i><b>Fitness of workers</b></i> <b>21.—(1)</b> <i>The registered person shall not employ a person to work at the residential care home unless –</i> <b>b)</b> <i>subject to paragraph (5), he has obtained in respect of that person the information and documents specified in paragraphs 1 to 7 of Schedule 2;</i>	
<b>Specific failings to comply with regulations:</b>  <p>During an unannounced inspection on 11 April 2024 concerns were identified regarding the lack of a robust and effective system to monitor the registration of staff with their regulatory body; in this instance the Northern Ireland Social Care Council (NISCC).</p> <p>Review of the record, to demonstrate staff registration with NISCC, evidenced that it was incomplete and some of the documents provided to the Inspector were not dated or signed; to evidence when they had been completed or by whom. RQIA were not able to determine the NISCC registration status of the care staff employed to work in the home.</p> <p>RQIA first identified this area for improvement as a result of an unannounced care inspection on 23 and 28 February 2023. This area for improvement was then stated for a second time as a result of an inspection on 20 July and 3 August 2023 and for a third time as a result of an inspection on 10 October 2023. During the inspection on 11 April 2024 there was insufficient evidence to validate that this area for improvement had been met.</p> <p>Lack of adherence to ensuring staff are appropriately registered with NISCC could potentially place service users at risk.</p>	

**Action required to comply with regulations:**

- a robust system is put in place that evidences the registration status of all relevant staff
- the system for recording staff registration status will be kept under regular review to ensure it is up to date, accurate and reflective of all relevant staff employed to work in the home
- a record is maintained of the progress of NISCC applications for newly appointed care staff
- there is clear evidence retained of any actions taken to ensure staff have made application to register and/or renew registration with NISCC, in a timely manner
- records are dated, timed and signed when completed by the manager or delegated staff member
- the record of visits undertaken in accordance with Regulation 29 demonstrates the Responsible Individual's oversight of the system in place to monitor the registration status to ensure it is robust.

**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: 25 June 2024**



**Signed.....Director of Adult Care Services**

***This notice is served under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Residential Care 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.***