

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Agency: Kingdom Healthcare Limited (RQIA ID: 10691)	Name of Registered Person: Kingdom Healthcare Limited Niamh Conaty (Applicant Responsible Individual)
Address of Registered Agency: 32 English St, Downpatrick, BT30 6AB	
Issue Date: 12 December 2024	FTC Ref: FTC000233
Regulation not complied with: <i>The Nursing Agencies Regulations (Northern Ireland) 2005</i> <i>Registered person – general requirements and training</i> <i>Regulation 10.—</i> <i>(1) The registered provider and the registered Manager shall, having regard to the size of the agency, its statement of purpose and the number and needs of the service users, carry on or (as the case may be) manage the agency with sufficient care, competence and skill.</i>	
Specific failings to comply with regulations: During and following an unannounced inspection of Kingdom Healthcare Limited on 18 November 2024, serious concerns were identified regarding the lack of robust governance and managerial oversight of the agency. RQIA was informed on 27 November 2024 that the Registered Manager had resigned from their post with immediate effect and that there was no identified individual in place to assume managerial oversight of the agency in their absence. Review of information received from the Agency on 3 December 2024 evidenced that a Registered Nurse who was named by a Non-Executive Director (Kingdom People) on 29 November 2024 as the newly appointed Acting Manager from that date, had/was being simultaneously supplied by the agency on an ongoing and full time basis to provide nursing care to an identified service user. Review of a Notification of Manager Absence (NOMA) submitted on 4 December	

2024 at RQIA's request, highlighted that an alternate Registered Nurse was to commence the role of Acting Manager with effect from 5 December 2024; this information was contrary to what RQIA was advised on 29 November 2024 by the aforementioned Non-Executive Director. RQIA is therefore not assured that robust and effective managerial arrangements had been in place for the period 27 November 2024 to 4 December 2024.

It was also concerning to note during a meeting on 28 November 2024 with members of the senior executive team for Kingdom Services Group Limited that the Responsible Individual was proposed as being suitable to assume managerial oversight of the agency upon their anticipated return from a period of leave despite lacking the requisite professional qualifications for such a role as required by the Regulations.

RQIA is further concerned that despite the Responsible Individual currently being unavailable, inadequate arrangements had been put in place for the oversight and escalation of operational issues in a timely manner and that this deficit was only to be reviewed at the subsequent request of RQIA during the aforementioned meeting on 28 November 2024.

Information provided to RQIA evidenced that the agency regularly "commissions" other registered nursing agencies for the purposes of supplying nursing staff to several identified 'complex care' patients due to the agency's inability to meet the assessed staffing needs of those individuals as directed by relevant Health and Social Care Trusts. Such staffing arrangements are contrary to The Nursing Agencies Regulations (Northern Ireland) 2005 and have the potential to place patients at significant risk of harm.

Review of information has evidenced inadequate arrangements in regard to proactively monitoring the working patterns of nursing staff so as to ensure at all times they are physically and mentally fit for the work they are supplied to undertake.

Discussion with staff and the Belfast Health and Social Care Trust (BHSCT) also highlighted that the agency is currently supplying care staff solely for the purposes of domiciliary care to one identified service user. RQIA remains concerned that this arrangement falls outside the regulatory remit of the agency and that there are no plans in place to address this.

In addition, it was noted during the most recent inspection that the alphabetical list of staff and service users provided to the Inspector was inaccurate.

Action required to comply with regulations:

- a robust system is put in place to ensure that there are effective governance and managerial arrangements in place; this includes but is not limited to ensuring that there is a suitable Manager in place at all times
- a written contingency plan is developed and implemented to ensure that adequate arrangements are in place for the oversight and escalation of operational issues, in the absence of the Manager and/or Responsible Individual at any time

- RQIA is notified in a timely manner of any change in manager and/or Responsible Individual; a robust system must also be in place to ensure that such changes are clearly communicated to all staff in a timely and effective manner
- the agency ceases and desists from commissioning other registered nursing agencies for the purposes of supplying registered nursing staff to patients on behalf of all Health and Social Care Trusts; this cessation is to take immediate effect from 10 December 2024
- a robust system is put in place to proactively audit and monitor the working patterns of all registered nursing staff so as to ensure they are physically and mentally fit for the work they are supplied to undertake; records of such audits and any resulting actions must be retained and made available to RQIA upon request
- the alphabetical list of registered nursing staff supplied is accurately maintained at all times; this information should contain both active and inactive nurses. These records should also include the starting date of all registered nursing staff and include those registered nurses supplied to both 'complex care' patients and/or all other settings
- registered nurse profiles are supplied to any Health and Social Care Trust which commissions the services of the agency; these profiles must also be shared with patients' representatives, as appropriate, and in keeping with Regulation
- a robust system must be developed and implemented so as to ensure that all registered nursing staff receive formal supervision and appraisal in keeping with Regulation
- a robust system must be developed and implemented so as to ensure that staff are adequately supported in the discharge of their duties and that any concerns raised by them are managed in a timely, robust and effective manner

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: 23 January 2025

Elaine Connolly

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 Nursing Agencies 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.

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Address of Registered Agency: 32 English St, Downpatrick, BT30 6AB	
Issue Date: 12 December 2024	FTC Ref: FTC000234
Regulation not complied with: The Nursing Agencies Regulations (Northern Ireland) 2005 <i>Fitness of nurses supplied by an agency</i> <i>Regulation 12 —</i> <i>(1) The registered person shall ensure that no nurse is supplied by the agency unless —</i> <i>(a) he is of integrity and good character;</i> <i>(b) he has the qualifications, knowledge, skills and competencies which are necessary for the work which he is to perform;</i> <i>(c) he is physically and mentally fit for that work; 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: Review of governance records following an unannounced inspection of Kingdom Healthcare Limited on 18 November 2024 highlighted serious concerns in regard to the safe and effective selection and recruitment of staff. For example, it was evidenced that on three occasions, nurses' enhanced AccessNI checks had been undertaken by another organisation, rather than by Kingdom Healthcare Limited. In addition, the interview process for registered nursing staff was inadequate. RQIA remains concerned that an area for improvement in relation to this deficit which was identified during the previous inspection on 1 September 2023, has not been met and/or sustained.	

Some references had not been sought and/or obtained from identified nurses' current and/or last employer, and that a number of references had been accepted by the agency from individuals who had no line management responsibility for the applicant in question.

Review of selection and recruitment records also highlighted that while reasons for leaving employment had been recorded on application forms, there was no evidence of any further discussion having taken place with the applicant where they indicated they had been terminated from a previous post.

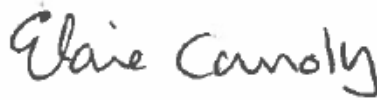
Review of governance records highlighted that there were inadequate arrangements in place to ensure that registered nursing staff possessed the requisite knowledge, skills and competencies for the settings into which they were supplied such as, medicine competencies, enteral feeding, and Advanced Airway Management System (tracheostomies) competencies.

Action required to comply with regulations:

- enhanced AccessNI checks must be undertaken by Kingdom Healthcare Limited in respect of all registered nursing staff supplied by this agency going forward. A retrospective audit should also be undertaken immediately to identify any registered nursing staff currently employed by the agency who have not undergone an enhanced AccessNI check by the agency in keeping with Regulation; the agency must ensure that such staff are not supplied until a renewed and satisfactory enhanced AccessNI check has been undertaken
- a robust and effective selection and recruitment process is developed and maintained; this includes, but is not limited to, ensuring that registered nurses' employment histories are effectively and meaningfully reviewed in a timely manner; that references are obtained in keeping with Regulation; and that governance records are maintained so as to demonstrate a robust and consistent interview process is being adhered to
- a robust system is developed and maintained which enables the Manager to ensure that all registered nurses are competent to work in the clinical areas they are being supplied to at all times
- a robust system is in place to ensure that registered nurses' training needs is proactively monitored at all times

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: 23 January 2025



Signed.....

Director of Adult Care Services

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Address of Registered Agency: 32 English St, Downpatrick, BT30 6AB	
Issue Date: 12 December 2024	FTC Ref: FTC000235
Regulation not complied with: The Nursing Agencies Regulations (Northern Ireland) 2005 <i>Review of quality of service provision</i> <i>Regulation 20. —</i> <i>(1) The registered person shall introduce and maintain a system for reviewing at appropriate intervals the quality of services provided by the agency.</i> <i>(2) The registered person shall supply to the Regulation and Improvement Authority a report in respect of any review conducted by him for the purposes of paragraph (1) and shall make a copy of the report available upon request for inspection by service users and persons acting on behalf of service users.</i> <i>(3) The system referred to in paragraph (1) shall provide for consultation with service users and persons acting on behalf of service users.</i> <i>(4) The registered manager shall ensure that the agency delivers services effectively on a daily basis and reports as required to the registered person.</i>	
Specific failings to comply with regulations: During an unannounced inspection of Kingdom Healthcare Limited on 18 November 2024, serious concerns were identified regarding a lack of effective quality assurance of service provision by the Responsible Individual. RQIA is not assured that the quality of care delivery and service provision is being robustly assessed, given that quality monitoring visits are being completed in an inconsistent and/or inadequate manner; for example, it was noted during the most recent inspection that these visits had not been undertaken in two months. RQIA is therefore not assured that effective arrangements are in place to identify deficits and	

drive any necessary improvements in an effective and sustained manner.

In addition, it has been noted that there is no effective system in place for the agency to obtain feedback on registered nurses' performance from service users in keeping with Regulation.

Action required to comply with regulations:

- that quality monitoring reports are robustly and comprehensively completed in keeping with Regulation; the reports must contain a time-bound action plan outlining how all identified areas for improvement are to be addressed and/or kept under meaningful review by the Responsible Individual
- that quality monitoring reports evidence meaningful, timely and ongoing review by the Manager
- that quality monitoring reports contain meaningful feedback from relevant stakeholders
- that the Responsible Individual (or other delegated persons) responsible for undertaking monthly quality monitoring visits reviews registered nurses' selection and recruitment records and competency assessments; quality monitoring reports should also include a system for identifying all records sampled during such visits
- that all quality monitoring reports are reviewed and signed by the Responsible Individual and the Manager in a timely manner
- that a copy of monthly monitoring reports is maintained within the agency and made available upon request to RQIA and/or other appropriate third parties in keeping with Regulation

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Glair Connolly

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