

# THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

## FAILURE TO COMPLY NOTICE

<b>Name of Registered Establishment:</b>  Rose Lodge ( RQIA ID: 1872)		<b>Name of Registered Person:</b>  Rose Lodge Care Home (Lisburn) Ltd Mr Kevin McKinney Responsible Individual
<b>Address of Registered Establishment:</b>  185 Belsize Road, Lisburn, BT27 4LA.		
<b>Issue Date:</b> 1 May 2024	<b>Extended From:</b> 29 February 2024	<b>FTC Ref:</b> FTC000217 (E)
<b>Regulation not complied with:</b>  <b><i>The Nursing Homes Regulations (Northern Ireland) 2005</i></b>  <b><i>Registered person: general requirements</i></b>  <b><i>Regulation 10. —</i></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>Specific failings to comply with regulations:</b> During an unannounced inspection on 14 February 2024 serious concerns were identified regarding the lack of robust managerial oversight and governance systems within the home.  The audits and overall governance systems were insufficiently robust in identifying deficits and addressing these to ensure the delivery of safe and effective care. Concerns were identified in relation to the management of risks to the health and welfare of patients, with fire doors found to be wedged open and patients having access to potentially harmful substances/medications in an unlocked treatment room.  Records in relation to recruitment and induction were not available for inspection and RQIA were not assured that these processes were robust to ensure that staff were safe to work with patients. Records in relation to maintenance were unavailable for inspection. Observation of staff and their practices evidenced that basic infection		

prevention and control (IPC) practices were not adhered to and that the management team had not proactively managed these deficits with staff.

During 2022/23 RQIA had received numerous assurances that refurbishment plans for the home would progress and it was disappointing to find the levels of disrepair and poor décor throughout the home and the lack of awareness that this had an impact on patients' quality of life.

Despite advice and support from RQIA, the monthly monitoring reports of the visits undertaken by the Responsible Individual in accordance with Regulation 29, continue to evidence a lack of effective monitoring to ensure that the home is compliant with Regulations and Standards and that patients receive safe and effective care. The reports lacked detail in relation to the progress made against the areas for improvement identified during the previous inspections and they contained patient, staff or families' identifiable information when this detail should be anonymised to protect confidentiality.

RQIA has raised concerns in relation to management and governance systems following previous care inspections in March, July and October 2023. A serious Concerns meeting was held on 2 August 2023 and a meeting with the intention of issuing Failure to Comply notices was held on 8 November 2023. Despite assurances given by the Responsible Individual, there has been continued lack of compliance with the Regulations. There has been a significant turnover of managers over the last two years and a manager has not been appointed who meets the requirements as set out in the Care Standards for Nursing Homes (2022).

RQIA are not assured that the governance, management and leadership systems are effective to ensure the delivery of safe and effective care to patients, and that patients, staff and visitors may be at risk of harm.

**Action required to comply with regulations:**

- a manager is appointed who has sufficient skill and competence to carry on and manage the nursing home; and who meets the minimum requirements to register with RQIA
- a robust and comprehensive system of governance audits must be developed and implemented to identify any deficits in the delivery of nursing care or other services in the home. This includes but is not limited to: fire safety, infection prevention and control, recruitment practices; risk management and environment/premises
- where deficits are identified through the audit or other processes a detailed, time bound action plan must be developed to ensure the necessary improvements are addressed and monitored by senior management
- the manager's oversight of the audit systems must be clearly demonstrated
- Regulation 29 monitoring visits are conducted in accordance with the regulation and clearly identify the actions required to drive the necessary improvements to ensure compliance with regulations and standards. The reports shall include

details of progress made in relation to the home's quality improvement plan (QIP) or any enforcement action taken by RQIA

- a copy of the Regulation 29 monitoring report will be submitted to RQIA on or before the 5th working day of each month until further notice
- records are kept in the nursing home and available for inspection in accordance with The Nursing Homes Regulations (Northern Ireland) 2005, Regulation 19, Schedules 3 and 4.

**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 serving of the original notice issued to you on the above date.**

**Date by which compliance must be achieved: 29 May 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 Nursing 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.***