

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY

FAILURE TO COMPLY NOTICE

<b>Name of Registered Establishment or Agency:</b> Apple Mews	<b>FTC Ref:</b> FTC/NH/12117/2016-17/01
<b>Address of Registered Establishment or Agency:</b> 95 Cathedral Road, Armagh, BT61 8AB	
<b>Name of Registered Person:</b> Mrs Sarah Hughes, Parkcare Homes No2 Ltd	<b>Issue Date:</b> 06 July 2016
<b>Regulation not complied with:</b>  <b>The Nursing Homes Regulations (Northern Ireland) 2005</b>  <b>Regulation 20 (1) (a) and (c) (i)</b>  The registered person shall, having regard to the size of the nursing home, the statement of purpose and the number and needs of patients –  (a) ensure that at all times suitably qualified, competent and experienced persons are working at the nursing home in such numbers as are appropriate for the health and welfare of patients;  (c) ensure that the persons employed by the registered person to work at the nursing home receive – (i) appraisal, mandatory training and other training appropriate to the work they are to perform;	
<b>Specific failings to comply with regulations:</b>  During an unannounced care inspection on 27 June 2016, concerns were identified regarding the staffing arrangements for the home and the impact of these arrangements on the delivery of patient care. Concerns identified are detailed below: <ul style="list-style-type: none"><li>• discussion with staff and the registered manager, and examination of duty rotas, confirmed that planned staffing levels, as agreed by the commissioning trust and as stated in the patients' care plans, were not adhered to</li><li>• one registered nurse was covering bungalows three and five on the night of the inspection, when there should have been one registered nurse working in each bungalow</li><li>• safe and effective care was not being delivered as a result of insufficient staffing levels and the skill mix of staff on duty</li></ul>	

- staff were evidenced to not be adequately trained to meet some aspects of care delivery
- staff on duty advised the inspectors that one staff member, based in bungalow five, was being transferred to another bungalow after 23.00 hours, which would have left one staff member in the bungalow
- staffing arrangements in bungalow five at the time of the inspection were noted to have had a direct negative impact on patients' health, welfare and dignity, as staff were observed working under pressure to complete care duties before this redeployment came into effect.

**Action required to comply with regulations:**

The registered person should ensure that the home is adequately staffed at all times to meet the needs of the patients accommodated.

The registered person should ensure that planned staffing levels are adhered to, but when this is not possible, appropriate contingency measures should be established to ensure the needs of the patients are met.

The registered person should ensure that evidence of staffing contingency measures, when required, are retained and available for inspection.

The registered person should ensure that the duty rota is maintained in accordance with the Care Standards for Nursing Homes (2015).


The registered person should ensure that the duty rota reflects: the registered manager's hours, and the capacity in which she is working; the registered nurse in charge of the home in the absence of the registered manager; and the specific bungalow/s in which each staff member is working.

The registered person should ensure that all relevant staff receive urgent training in the administration of buccal midazolam.

The registered person should ensure that all relevant staff receive training in food hygiene and first aid, in addition to mandatory training requirements.

**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 receipt of this notice.**

**Date by which compliance must be achieved 04 September 2016.**

Signed.......... Director of Regulation and Nursing

**This notice is made under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Nursing Homes Regulations (Northern Ireland) 2015.**

***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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## FAILURE TO COMPLY NOTICE

<b>Name of Registered Establishment or Agency:</b> Apple Mews	<b>FTC Ref:</b> FTC/NH/12117/2016-17/02
<b>Address of Registered Establishment or Agency:</b> 95 Cathedral Road, Armagh, BT61 8AB	
<b>Name of Registered Person:</b> Mrs Sarah Hughes, Parkcare Homes No2 Ltd	<b>Issue Date:</b> 06 July 2016
<b>Regulation not complied with:</b>  <b>The Nursing Homes Regulations (Northern Ireland) 2005</b>  <b>Regulation 10 (1)</b>  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.	
<b>Specific failings to comply with regulations:</b>  During an unannounced inspection on 27 June 2016, RQIA was unable to validate that effective quality monitoring and governance systems had been implemented. Concerns identified are detailed below: <ul style="list-style-type: none"><li>• the lack of the registered manager's oversight of the duty rotas; a task which had been delegated to deputy managers</li><li>• the duty rotas evidenced that a number of staff were working in excess of 60 hours per week, with a combination of day and night duty</li><li>• planned leave had not been appropriately covered in advance</li><li>• there was no evidence of a system to ensure that the staffing levels and staff deployment had been considered in relation to patients' needs and dependencies</li><li>• there was no evidence that the staffing levels and staff deployment had been considered in relation to the skills, knowledge and competence of staff on duty</li><li>• RQIA had not been notified regarding an incident which had occurred in the home in relation to adult safeguarding</li><li>• the registered manager failed to notify RQIA, in a timely manner, of an incident in relation to a nurse whose professional registration had lapsed and who continued to work as a registered nurse in the home for a period of at least four months</li></ul>	

- the registered manager failed to take appropriate action to prevent the nurse, whose registration had lapsed, from working in the home and to appropriately safeguard patients
- items were being inappropriately stored in one bathroom in Bungalow five, including soft furnishings, duvets, used medication blister packs, crates, equipment and garden compost. This put the bathroom beyond use and would not be in accordance with best practice in infection prevention and control; nor had this been appropriately identified or addressed by the registered manager
- the issues above had not been identified during the monthly monitoring visits undertaken in accordance with Regulation 29 of the Nursing Homes Regulations (Northern Ireland) 2005.

**Action required to comply with regulations:**

The registered person must ensure that management can demonstrate oversight of staffing arrangements, to ensure that numbers and deployment of staff is appropriate to meet the needs of patients.

The registered person should ensure that staff are not working excessive hours, which may be detrimental to the quality of the care provided to patients.

The registered person must ensure that management can demonstrate that a system is in place to monitor and review staff training to ensure that staff have the skills and competence to deliver safe and effective care to patients.


The registered person must ensure that monthly monitoring reports, in accordance with Regulation 29 of the Nursing Homes Regulations (Northern Ireland) 2005, are completed and submitted on a monthly basis to RQIA, no later than three days after the last day of the month.

The registered person must ensure that effective environmental audits are carried out and any deficits addressed.

The registered person must ensure that notifications are submitted in a timely manner in accordance with Regulation 30 of the Nursing Homes Regulations (Northern Ireland) 2005.

**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 receipt of this notice.**

**Date by which compliance must be achieved 04 September 2016.**

Signed.......... Director of Regulation and Nursing

**This notice is made under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Nursing Homes Regulations (Northern Ireland) 2015.**

***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.***