

Enforcement Monitoring Inspection Report 28 July 2016



Foreglen Community Association

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Assurance, Challenge and Improvement in Health and Social Care

1.0 Summary

A Notice of Decision to address other areas of concerns was issued on 25 July 2016 to the registered person. This notice proposed that three conditions should be placed on the registration of Foreglen Community Association.

An announced enforcement monitoring inspection of Foreglen Community Association took place on 28 July 2016 from 10.30 to 16.30 hours.

The purpose of the inspection was to monitor and assess the level of compliance achieved with the required actions indicated within the Failure to Comply Notice 1 (Ref: DCS/11005/2016-17/01E) issued to the registered person of Foreglen Community Association on 15 June 2016.

The areas for improvement and compliance with regulations related to policies and procedures in the day care setting. Substantial progress had been made to address the required actions, however there was insufficient evidence to demonstrate compliance with the failure to comply notice.

This inspection was underpinned by The Day Care Setting Regulations (Northern Ireland) 2007, the DHSSPS Day Care Settings Minimum Standards (January 2012) and The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

1.1 Inspection outcome

As full compliance had not been achieved with the Failure to Comply Notice, RQIA considered further action under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Day Care Setting Regulations (Northern Ireland) (2007).

Members of the Foreglen Community Association, along with a representative from the Western Health and Social Care Trust, requested and attended a meeting in RQIA on 05 August 2016. During this meeting assurance was provided that the remaining policies and procedures would be revised and where necessary updated. This was further endorsed in the detailed action plan submitted from Foreglen Community Association to RQIA on 10 August 2016.

2.0 Service details

Registered organisation/registered person: Foreglen Community Association/Ms Anne Hegarty	Registered manager: There is currently no registered manager Mrs Eileen Jones (Acting Manager)
Person in charge of the establishment at the time of inspection: Mrs Eileen Jones, Acting Manager	Date manager registered: As detailed above
Number of service users accommodated on day of inspection: Not examined	Number of registered places: 25

3.0 Methods/processes

Specific methods/processes used in this inspection included the following:

- Discussion with the acting manager
- Discussion with two committee members
- Discussion with two staff members
- Evaluation and feedback.

The following records were examined during the inspection:

- Eleven policies and procedures (specified in section 4.2.1 of this report).
- Minutes of two staff meetings.
- Review of a completed proforma concerning staff being aware of policies and procedures.

4.0 The inspection

4.1 Inspection findings

4.1.1 Failure to Comply Ref: DCS/11005/2016-17/01

The Day Care Setting Regulations (Northern Ireland) 2007

Regulation 13 (1) (a)

The registered person shall ensure that the day care setting is conducted so as:

(a) to promote and make proper provision for the care and welfare of service users.

FTC Ref: DCS/11005/2016-17/01E - Action required to comply with regulations:

The registered person was required to undertake a review of the policies and procedures in place and to ensure that those policies and procedures outlined in Appendix 2 of the DHSSPS Day Care Settings Minimum Standards (January 2012) are in place and in accordance with statutory requirements and good practice guidance.

The registered person must ensure that there are appropriate arrangements in place to ensure that all staff employed in the day care setting have an awareness of policies and procedures and how to access these.

4.1.2 Action taken by the day care setting

On 28 July 2016 during RQIA's enforcement monitoring inspection of Foreglen Community Association; the new acting manager was the person responsible for the day care setting and was supported by two committee members from Foreglen Community Association.

The two Foreglen committee members informed RQIA their Association had been working with the Western HSC Trust on reviewing their policies and procedures as specified in Appendix 2 of the DHSSPS Day Care Settings Minimum Standards (January 2012). It was stated that the committee initially focused on further reviewing the six identified policies and procedures for improvement as a result of Foreglen's previous enforcement monitoring inspection of 07 June 2016. The committee with the Western HSC Trust then worked in alphabetical order reviewing approximately half of the remaining policies and procedures. Mrs McCloskey confirmed 45 policies and procedures had been reviewed but were not revised in order of priority.

The committee in conjunction with the Western HSC Trust have yet to review the remaining policies and procedures. The following six policies and procedures were reviewed by RQIA during this inspection:

- Accident (Preventing, Reporting, Recording and Notification)
- Staff Recruitment
- Staff Induction
- Staff Training and Development
- Volunteers
- Whistleblowing.

None of the revised policies had been dated, signed or ratified by the registered person as specified in Minimum Standard 18.5.

However, the Whistleblowing and Volunteers policies and procedures were robust, comprehensive and were in accordance with the Day Care Setting Regulations (Northern Ireland) 2007 and DHSSPS Minimum Standards for Day Care Settings.

Aspects of the Accident (Preventing, Reporting, Recording and Notification) policy and procedure were satisfactory and specified the matters that were reportable to RQIA. However parts of the policy and procedure were confusing as it stated "Form 1A within 48 hours to be with RQIA." Whilst another part of the policy stated "reported to RQIA on that working day by phone." The policy made no reference to Regulation 29 of The Day Care Setting Regulations (Northern Ireland) 2007; RQIA's follow up notification form, RQIA's Provider Guidance nor were there any appendices of the day care settings accident and untoward incident recording template; RQIA's notification forms or the Western HSC Trust's recording template.

The Staff Recruitment policy was brief. It was not robust or comprehensive and did not make references to the Data Protection Act 1998. It is concerning to note the staff recruitment policy does not meet Regulations 8, 10 and 21 and Minimum Standard 20.2 despite this being raised as an area for improvement during the two inspections of Foreglen Community Association on 14 April 2016 and 07 June 2016 respectively. The policy and procedure did not specify the mandatory recruitment information regarding Schedule 2 of The Day Care Setting Regulations (Northern Ireland) 2007. The policy did not reference any job application form; job descriptions; interview recording template; written statement of the terms and conditions. There was however information on the organisation's selection process.

The Staff Induction policy and procedure was brief. It consisted of a bullet pointed list of a four week induction. The policy did not make references to information contained in Minimum Standard 21, nor did it reference the recording requirements for new staff undertaking induction. It is good practice for the Staff Induction policy and procedure to include information on the Northern Ireland Social Care Council's (NISCC) Induction Standards for new workers in social care.

Mrs McClosky provided RQIA with an overview document which contained a list of the main minimum standards relevant to day care which is used in the induction of new staff. The document also included a summary of the main policies and procedures and an overview of same.

The Staff Training and Development policy and procedure was also brief. Whilst it specified most of the mandatory training it did not make references to Minimum Standard 21. It did not include training on 'Behaviours that may challenge,' or 'The Care of Older People' which is relevant to the needs of service users attending Foreglen Community Association. There were no examples of other training that may be relevant to the assessed needs of service users in Foreglen Community Association.

An additional five policies and procedures were randomly sampled during this inspection. These were entitled:

- Assessment of Risks
- Confidentiality
- Fire Precautions
- Missing Service Users
- Managing Aggression and Challenging Behaviours.

With the exception of Managing Aggression and Challenging Behaviour policy and procedures; four of the above five policies and procedures were robust and compliant with The Day Care Setting Regulations (Northern Ireland) 2007 and the Minimum Standards for Day Care Settings (January 2012).

In order to ensure policies and procedures are effectively directing the quality of care provision to vulnerable service users; further improvements are needed regarding Managing Aggression and Challenging Behaviour policy and procedure. This policy lacked detail concerning Minimum Standards 6, 7.4 and appendix one of the Day Care Settings Minimum Standards. This regards the need for objective factual recording of behaviours which may challenge and the management of behaviours that may challenge. There was no information pertaining to the reporting of behaviours and incidents to relevant parties and the importance of recording trends and patterns of behaviour.

Evidence was provided to show that staff had signed and dated when they had read identified policies and procedures. The following twelve policies and procedures had been read, dated and signed by staff in July 2016:

- Access to Records
- Accident and Untoward Incidents
- Confidentiality
- Confidential Waste
- Discharge Arrangements for Service Users

- Safeguarding Vulnerable Adults
- Smoking Policy
- Staff Recruitment
- Staff Training and Development
- Volunteers
- Visitors
- Whistleblowing.

Discussions with two staff members provided evidence that policies and procedures had been discussed in recent staff meetings and during formal supervision. During individual interviews with staff, they were asked to describe their induction and their knowledge and understanding of the following policies and procedures: Accident and Untoward Incidents; Safeguarding Vulnerable Adults and Whistleblowing. RQIA was satisfied appropriate arrangements were in place to ensure that all staff employed in the day care setting had an awareness of policies and procedures and how to access these.

4.1.3 Areas for improvement

Foreglen Community Association must review all of the policies and procedures as specified in Appendix 2 of the Day Care Settings Minimum Standards (January 2012) to ensure they are robust and compliant with identified Regulations and Minimum Standards. In particular the following five policies and procedures must be re-revised:

- Staff Recruitment
- Staff Induction
- Staff Training and Development
- Managing Aggression and Challenging Behaviour
- Accident and Untoward Incidents.

5.0 Action taken since the enforcement monitoring inspection on 28 July 2016 of Foreglen Community Association

RQIA were concerned that full compliance had not been achieved with the Failure to Comply Notice and as a result considered further action under The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003 and The Day Care Setting Regulations (Northern Ireland) (2007).

Members of the Foreglen Community Association, along with a representative from the Western Health and Social Care Trust, requested and attended a meeting in RQIA on 5 August 2016.

During this meeting assurances were provided that the remaining policies and procedures specified in Appendix 2 of the DHSSPS Day Care Settings Minimum Standards (January 2012) would be revised and where necessary updated. This was further endorsed in the detailed action plan received by RQIA on 10 August 2016 from the Foreglen Community Association.

Based on the discussions on 5 August 2016; the detail contained in the day care setting's subsequent action plan and receipt of six revised policies and procedures received by RQIA on 19 August 2016; RQIA is sufficiently assured that all policies and procedures detailed in

Appendix 2 of the Day Care Settings Minimum Standards, will be revised, updated and in place by 30 September 2016. This timescale was specified by the Foreglen Community Association.

The level of compliance with the remaining day care setting's review of policies and procedures will be further examined on or before 30 September 2016. It is the responsibility of the registered person to ensure that the policies and procedures as detailed in the statutory requirements and Appendix 2 of the Day Care Settings Minimum Standards, are in place and any further non-compliance may lead to further enforcement action, including possible prosecution for offences.

The registered person should note that failure to comply with regulations may lead to further enforcement action including possible prosecution for offences. It is the responsibility of the registered person/manager to ensure that all requirements and recommendations contained within the QIP are addressed within the specified timescales.

Matters to be addressed as a result of this inspection are set in the context of the current registration of your premises. The registration is not transferable so that in the event of any future application to alter, extend or to sell the premises the RQIA would apply standards current at the time of that application.

6.0 Quality improvement plan

Any issues identified during this inspection are detailed in the QIP. The requirement detailed in this QIP was discussed with committee members of Foreglen Community Association during a meeting in RQIA on 05 August 2016.

The registered provider should note that failure to comply with regulations may lead to further enforcement action including possible prosecution for offences. It is the responsibility of the registered provider to ensure that the requirement contained within the QIP is addressed within the specified timescale.

Matters to be addressed as a result of this inspection are set in the context of the current registration of the day care service. The registration is not transferable so that in the event of any future application to alter, extend or to sell the premises the RQIA would apply standards current at the time of that application.

6.1 Statutory requirements

This section outlines the actions which must be taken so that the registered provider meets legislative requirements based on The Day Care Setting Regulations (Northern Ireland) 2007.

6.2 Recommendations

This section outlines the recommended actions based on research, recognised sources and Day Care Settings Minimum Standards (January 2012). They promote current good practice and if adopted by the registered provider/manager may enhance service, quality and delivery.

6.3 Actions taken by the registered provider

The QIP should be completed and detail the actions taken to meet the legislative requirements and recommendations stated. The registered provider should confirm that these actions have been completed and return the completed QIP to day.care@rqia.org.uk for assessment by the inspector.

It should be noted that this inspection report should not be regarded as a comprehensive review of all strengths and areas for improvement that exist in the service. The findings reported on are those which came to the attention of RQIA during the course of this inspection. The findings contained within this report do not exempt the registered provider from their responsibility for maintaining compliance with the regulations and standards. It is expected that the requirements and recommendations outlined in this report will provide the registered provider with the necessary information to assist them to fulfil their responsibilities and enhance practice within the service.

Quality Improvement Plan

Statutory requirements

Requirement 1

Ref: Regulation 13 (1)
(a)

Stated: Third time

To be completed by:
30 September 2016

The registered provider must ensure that the day care setting is conducted so as to promote and make proper provision for the care and welfare of service users.

As such the registered provider is required to confirm:

- (a) that those policies and procedures outlined in Appendix 2 of the DHSSPS Day Care Settings Minimum Standards (January 2012) are in place and have been reviewed so there are in accordance with statutory requirements and good practice guidance.
- (b) there are appropriate arrangements in place to ensure that all staff employed in the day care setting have an awareness of policies and procedures and how to access these.

Response by registered provider detailing the actions taken:

A) Foreglen Community Association Day Care have put in place the policies and procedures outlined in Appendix 2 of the Day Care Setting Minimum Standards. These have been reviewed in accordance with statutory requirements and good practice guidance. This work has been completed within the time frame of the 30th September 2016 completion date on this QIP and the action plan from Foreglen Community Association Management Committee and agreed by RQIA.

B) Foreglen Community Association Day Care have made arrangements to ensure that all staff employed in the Day Care Setting are aware of the policies and procedures and how to access them and are currently reading and reviewing these by the 30th September 2016 in accordance with the completion date on this QIP and the action plan from Foreglen Community Association Management Committee and agreed by RQIA.

****Please ensure this document is completed in full and returned to day.care@rqia.org.uk from the authorised email address****



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