

THE REGULATION AND QUALITY IMPROVEMENT AUTHORITY (RQIA)

FAILURE TO COMPLY NOTICE

Name of Registered Establishment: Bramblewood Care Centre (RQIA ID: 1668)	Name of Registered Person: Briege Agnes Kelly
Address of Registered Establishment: Bramblewood Care Centre, 201 Gransha Road, Bangor, BT19 7RB	
Issue Date: 31 May 2017	FTC Ref: FTC/NH/1668/2017-18/01
Regulation not complied with: <i>The Nursing Homes Regulations (Northern Ireland) 2005</i> <i>Notice of changes</i> <i>Regulation 32. The registered person shall give notice in writing to the Regulation and Improvement Authority as soon as it is practicable to do so, if any of the following events takes place or is proposed to take place –</i> <i>(h) the premises of the nursing home are significantly altered or extended, or additional premises are acquired.</i>	
Specific failings to comply with regulations: Bramblewood Care Centre is registered with RQIA to accommodate 35 patients. An unannounced care inspection of Bramblewood Care Centre took place on 26 April 2017. At the inspection the registered manager stated that seven en-suite facilities in patients' bedrooms had been removed, following consultation with the patients and/or their representatives. The registered manager did not know if an application to vary the registration of the home had been submitted to RQIA for approval in advance of the completion of the works. It was later confirmed that an application to vary the registration had not been submitted to RQIA. An estates inspection was undertaken on 19 May 2017 to ascertain what works had been undertaken within the premises. This included an assessment of the affected bedrooms following the removal of the en-suite facilities and the overall impact on the facilities and services provided to patients to ensure that these were in accordance with the Care Standards for Nursing Homes (DHSSPS, 2015). The failure to submit an application to vary the registration resulted in RQIA not having the opportunity to consider the application and make a decision to grant or refuse this.	

The home was therefore operating outside its registration status and statement of purpose, in that, desirable en-suite facilities had been removed from a number of bedrooms without RQIA's approval.

RQIA has concerns about the registered person's and registered manager's lack of knowledge and understanding of the relevant legislation and their responsibility to adhere to legislative requirements at all times.

Action required to comply with regulations:

The registered person and the registered manager must submit a report to RQIA, in support of the retrospective application now received. The report should include the rationale and decision-making process used for the removal of the en-suite facilities in the identified bedrooms and what alternatives were considered.

The registered person and the registered manager must ensure that the home operates, at all times, within its registration status and in keeping with the aims and objectives as set out in its statement of purpose.

The registered person and the registered manager must identify any gaps in their knowledge of the application of relevant legislation, and take appropriate action to rectify.

The registered person and the registered manager must demonstrate a clear understanding of the process to vary the registration of the home, including timescales and action required.

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: 30 June 2017

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

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.