

Office of the Chief Inspector

Report of an inspection of a Designated Centre for Disabilities (Adults)

Name of designated centre:	Newhall
Name of provider:	Nua Healthcare Services Limited
Address of centre:	Laois
Type of inspection:	Announced
Date of inspection:	30 May 2019
Centre ID:	OSV-0005728
Fieldwork ID:	MON-0026854

About the designated centre

The following information has been submitted by the registered provider and describes the service they provide.

Newhall consists of a large detached house, located in a rural area. The designated centre currently provides a service for up to five adults, over the age of 30 with an intellectual disability and other needs. The centre can provide for both males and females. Each resident has their own bedroom and other facilities in the centre include a kitchen, dining room, a lounge, a relaxation room, staff facilities and bathrooms. Staff support is provided by social care workers and support workers. At the time of this inspection the provider was applying to add an extra unit to the current centre to increase the overall capacity to six.

The following information outlines some additional data on this centre.

Number of residents on the	5
date of inspection:	

How we inspect

This inspection was carried out to assess compliance with the Health Act 2007 (as amended), the Health Act 2007 (Care and Support of Residents in Designated Centres for Persons (Children and Adults) with Disabilities) Regulations 2013, and the Health Act 2007 (Registration of Designated Centres for Persons (Children and Adults with Disabilities) Regulations 2013 - 2015 as amended. To prepare for this inspection the inspector of social services (**hereafter referred to as inspectors**) reviewed all information about this centre. This included any previous inspection findings, registration information, information submitted by the provider or person in charge and other unsolicited information since the last inspection.

As part of our inspection, where possible, we:

- speak with residents and the people who visit them to find out their experience of the service,
- talk with staff and management to find out how they plan, deliver and monitor the care and support services that are provided to people who live in the centre,
- observe practice and daily life to see if it reflects what people tell us,
- review documents to see if appropriate records are kept and that they reflect practice and what people tell us.

In order to summarise our inspection findings and to describe how well a service is doing, we group and report on the regulations under two dimensions of:

1. Capacity and capability of the service:

This section describes the leadership and management of the centre and how effective it is in ensuring that a good quality and safe service is being provided. It outlines how people who work in the centre are recruited and trained and whether there are appropriate systems and processes in place to underpin the safe delivery and oversight of the service.

2. Quality and safety of the service:

This section describes the care and support people receive and if it was of a good quality and ensured people were safe. It includes information about the care and supports available for people and the environment in which they live.

A full list of all regulations and the dimension they are reported under can be seen in Appendix 1.

This inspection was carried out during the following times:

Date	Times of Inspection	Inspector	Role
30 May 2019	10:40hrs to 19:30hrs	Conor Dennehy	Lead

Views of people who use the service

The inspector met all five residents who lived in this designated centre at the time of this inspection. The inspector had an opportunity to speak to four of the residents and was able to observe all residents in their environments and in their interactions with staff.

One resident said that they liked living in the designated centre and liked the staff. A second resident also indicated similar views while adding that they felt safe living in the centre. This resident also talked about visiting a family member away from the designated centre on the day of inspection.

A third resident also spoke about visiting a family member and talked about their interest in doing art. This resident was able to show some of the art works they had completed which were on display in the designated centre. It was clear that the resident was very proud of this work. This resident also spoke warmly of staff working in the centre.

A fourth resident indicated that they very happy with the premises provided and spoke about going on regular outings. This resident also spoke positively of staff and indicated that they enjoyed a good day on the day of this inspection.

The fifth resident living in the centre did not communicate verbally with the inspector. This resident was observed during this inspection. It was noted that they were provided with appropriate support by staff members present.

Throughout the inspection, warm and positive interactions were observed between residents and staff members on duty. Some residents were seen to engage with staff members in a sociable manner and their appeared to be a good relationship between residents and staff. All residents also appeared comfortable in the presence of staff members present.

Capacity and capability

Based on the findings of this inspection the provider had ensured that management systems were provided to oversee the quality and safety of care and support that was provided to residents. It was noted though that some improvement was required in relation to the consistency of staff and the submission of notifications to HIQA.

This designated centre had been registered until May 2021 to provide residential

services for a maximum of five residents. The centre had most recently been inspected by HIQA in November 2018 where a good level of compliance was found. In April 2019, the registered provider submitted a registration application to add an additional unit to this centre with the intention of increasing the maximum capacity to six residents. To support this application, all of the required documents had been provided to HIQA as required by relevant regulations. The purpose of this current inspection was to inform a decision on whether to grant the new registration application.

Since the previous inspection, there had been a new admission to this designated centre. This resident had been given opportunities to visit the centre before they were admitted and this admission did not negatively impact on the other residents. It was noted though that a contract for the provision of services had not been agreed to by the most recent resident admitted nor their representatives. Such contracts should be agreed on admission and are an important document in setting out the services to be provided. It was noted though that a potential new admission who, if admitted, would use the proposed new unit, had also visited the designated centre while existing residents had been informed of this potential new admission.

To ensure that existing residents and any potential future admissions were appropriately provided for, the provider had ensured that systems were in place for monitoring the quality and safety of care and support that was provided to residents. These included requirements of the regulations such as annual reviews and unannounced visits along specific audits which were used to assess, evaluate and improve the provision of services. The centre was also reviewed on a weekly basis by a member of the provider's senior management, while further plans were outlined to the inspector to introduce additional weekly checks for the centre.

While overall there was evidence of good oversight for this designated centre, when reviewing a record of accidents and incidents maintained in the designated centre, the inspector observed one allegation of a safeguarding nature which had not been notified to HIQA. Under the regulations certain incidents are required to be notified to HIQA in writing within a specific time frame. Such notifications are important to ensure that HIQA is aware of any actual and possible adverse incidents in a centre which impact on residents' care and support. The person in charge submitted a notification of this allegation the day following this inspection.

The person in charge was part of the internal management structure that had been put in place by the provider. This also included two deputy team leaders and, based on the overall findings of this inspection, this structure was appropriate to the size, ethos and purpose of the designated centre. Throughout the week either the person in charge or one of the two deputy team leaders was present in the centre on a daily basis. This ensured that there was a regular management presence in the centre which also allowed for increased opportunities for the informal supervision of staff practice. Arrangements were also in place for staff to receive regular formal supervision.

The staff members present on inspection and spoken with by the inspector demonstrated a good understanding of the residents living in centre. It was also

seen that staff were provided with the necessary skills to provide care and support for residents. Training records reviewed indicated that all staff had completed a range of training in areas such as fire safety, medicines, first aid and intimate care. It was noted though that the consistency of staff working in the designated centre required improvement. From reviewing information related to the centre it was seen that a high number of relief staff had worked in the centre since the beginning of 2019. Maintaining a continuity of staffing is important so that personal attachments are not disrupted.

While a high number of staff had worked in this centre, the provider had ensured that induction training was provided to such relief staff while personnel files were also maintained for all staff. The inspector reviewed a sample of such files and noted that they contained all of the required information such as proof of identification, written references and Garda Síochána (police) vetting. Given that staff working in this centre had direct access to residents, obtaining and maintaining such information provides assurances that adequate recruitment practices were in place.

Registration Regulation 5: Application for registration or renewal of registration

All of the information and documents to support an application to add an additional unit to this designated centre were submitted to HIQA as required by the relevant regulations.

Judgment: Compliant

Regulation 15: Staffing

Planned and actual staff rosters were maintained in the centre. A sample of staff files were reviewed which contained all of the required documents such as two written references, proof of identification and evidence of Garda vetting. At the time of this inspection, suitable staffing levels were in place to support residents but it was noted that a high number of relief staff had worked in this centre since the beginning of 2019 which impacted on the consistency of staff provided. Arrangements were in place to increase the provision of staffing for this centre in the event of a future admission.

Judgment: Substantially compliant

Regulation 16: Training and staff development

Arrangements were in place for staff to receive both formal and informal supervision while staff team meetings also took place at regular intervals. Records reviewed indicated that training was provided to staff in a range of areas such as fire safety, first aid and medicines.

Judgment: Compliant

Regulation 22: Insurance

The provider had ensured that appropriate insurance arrangements were in place for this designated centre.

Judgment: Compliant

Regulation 23: Governance and management

Since the designated centre had become operational in May 2018, the provider had carried out one six monthly unannounced visit to this centre. A report was maintained of this visit which included an action plan to respond to any issues identified. An annual review had also been carried out which included consultation with residents. Management systems were in place to review to review the service provided while there was a clear management structure in place. No issues were identified regarding the resourcing of this designated centre.

Judgment: Compliant

Regulation 24: Admissions and contract for the provision of services

The most recent admission to this designated centre, or their representatives, had not signed a contract for the provision of services to indicate that they had agreed to this. Policies and procedures were in place relating to admissions to the centre and potential future residents were given an opportunity to visit the designated centre before moving there.

Judgment: Substantially compliant

Regulation 31: Notification of incidents

An allegation of a safeguarding nature had not been notified to HIQA within three working days. There was inconsistencies in the notifications submitted to HIQA regarding the use of restrictive practices.

Judgment: Not compliant

Quality and safety

The provider had put in place arrangements so that residents were appropriately supported to ensure that their needs were met. It was noted though that some improvement was required to ensure that all allegations of a safeguarding nature were investigated promptly and also in relation to the fire evacuation procedures.

Based on the overall findings of this inspection, the inspector was satisfied that appropriate arrangements were in place to meet residents' health, personal and social care needs. The needs of residents and the supports required to provide for these were outlined in individual personal plans. Under the regulations each resident is required to have such a plan within 28 days of admission to the centre while these plans are also required to be informed by relevant assessment and subject to regular review. It was noted that the provider had systems in place to ensure such regulatory requirements were met.

Individual personal plans should outline the services and supports to be provided to residents in order to achieve a good quality of life and realise their goals. This was achieved based on the sample of personal plans reviewed during this inspection. For example, it was seen that the plans contained clear guidance for staff to support residents to engage in positive behaviour. It was noted though that information contained in one resident's personal plan relating to communication required improvement to ensure that it provided clear guidance for staff. However, staff members spoken with on inspection demonstrated a good knowledge of how to support residents in meeting their needs.

It was observed that staff members provided appropriate support to residents where required. This, along with all resident and staff interactions observed, was done in a respectfully manner. Residents were also consulted in relation to the running of the designated centre and the impacts that any changes in the centre could have their lives. For example, residents were informed in advance of a potential new admission to this designated centre. This was done through weekly resident meetings where residents were informed of their rights and given information such as how to make complaints. Such methods of consulting with residents were outlined in the residents' guide for this centre which is intended to provide information to residents and is also a regulatory requirement.

To ensure that residents' dignity and bodily integrity was maintained, residents had had intimate personal care plans in place which provided guidance for staff in this area. This is also important in safeguarding residents. Staff members spoken with

demonstrated a good understanding of any safeguarding issues present in the centre and were observed to follow specific arrangements to ensure the safety of residents on the day of inspection. Records reviewed indicated that all staff working in the centre had been provided with relevant safeguarding training. It was also observed that all residents appeared comfortable in the presence of staff members on duty.

Evidence was seen that incidents of a safeguarding nature were reported and dealt with in an effective manner but it was found that one specific allegation made by a resident had not been handled in accordance with relevant policies and best practice. In particular it was noted that reasonable and proportionate interim measures to ensure the safety of residents had not been taken pending the outcome of an investigation into the matter. This matter was highlighted to management of the centre on the day of inspection and HIQA were subsequently informed that protective measures had been put in place and an investigation had commenced.

As part of this inspection, other aspects of the service provided which impacted on residents' safety were also reviewed such as the fire precautions in place. It was noted that while regular fire drills were being carried out and all staff had been provided with fire safety training, the evacuation procedures at night required review in light of the evacuation times during recent fire drills. It was also noted that this matter had not been adequately risk assessed at the time of this inspection. However, it was seen that other fire safety systems were in place in the existing designated centre which included fire extinguishers, a fire alarm, emergency lighting and measures to ensure the containment of fire and smoke in the event that a fire took place.

It was seen that similar fire safety systems were in place in the proposed new unit which the provider was intending to add to this designated centre. This unit was located to the rear of the current designated centre. It was observed to be presented in a well maintained and furnished manner and could provide sufficient space for one individual. While there was no one living in this unit at the time of the inspection efforts had been made to give this unit a homely feel. This was evident in the premises of the existing designated centre also that was observed to be well maintained and was presented in a clean manner on the day of inspection.

Regulation 10: Communication

Staff members present demonstrated a good understanding of how to communicate with residents who needed extra support in this area. In was noted though that the communication plan in place for one resident required updating to ensure that it provided clear guidance for all staff.

Judgment: Substantially compliant

Regulation 17: Premises

The new unit which the provider was applying to add to the existing designated centre was observed to be presented in a well maintained and furnished manner. The premises of the existing designated centre was found to be well maintained and presented in a clean and homely manner on the day of inspection.

Judgment: Compliant

Regulation 20: Information for residents

A residents' guide was in place that contained all of the required information such as the arrangements for resident involvement in the running of the centre, arrangements for visits and the procedures for complaints.

Judgment: Compliant

Regulation 26: Risk management procedures

An emergency plan was present while systems were in place for the recording and review of adverse incidents. A risk management plan was in place along with a risk register and risk assessments relating to individual residents. These were noted to have been recently reviewed. However, the risk associated with the evacuation times in recent fire drills had not been risk assessed.

Judgment: Substantially compliant

Regulation 28: Fire precautions

Fire drills were taking place in the designated centre but the evacuation procedures at night required review given the evacuation times recorded. Training records reviewed indicated that all staff had undergone fire safety training. Appropriate fire safety systems were in place in both the current designated centre and the proposed new unit. These included fire extinguishers and emergency lighting. Arrangements were in place to ensure that such fire safety systems were serviced at regular intervals to ensure that they were in proper working order.

Judgment: Substantially compliant

Regulation 5: Individual assessment and personal plan

Individual personal plans, which set out the needs of residents and how to meet these needs, were in place for all residents. These plans were subject to regular review, were informed by relevant assessments and also had multidisciplinary input as required. Personal plans were also available in an accessible format. Based on the overall findings of this inspection, arrangements were in place to meet the health, personal and social needs of residents.

Judgment: Compliant

Regulation 7: Positive behavioural support

Guidance was available to staff outlining how to support residents to engage in positive behaviour. Staff demonstrated a good knowledge of such guidance while training in de-escalation and intervention was provided to staff. Systems were in place for the assessment and review of any restrictive practices in use.

Judgment: Compliant

Regulation 8: Protection

An allegation of a safeguarding nature made by a resident had not been properly investigated nor had protective measures been put in place at the time the allegation was made.

Judgment: Not compliant

Regulation 9: Residents' rights

Residents were consulted in relation to the running of the centre through weekly resident meetings where they were given information on their rights, events, menus, future potential admissions and how to make complaints. Residents were seen to be treated respectfully throughout the inspection.

Judgment: Compliant

Appendix 1 - Full list of regulations considered under each dimension

This inspection was carried out to assess compliance with the Health Act 2007 (as amended), the Health Act 2007 (Care and Support of Residents in Designated Centres for Persons (Children and Adults) with Disabilities) Regulations 2013, and the Health Act 2007 (Registration of Designated Centres for Persons (Children and Adults with Disabilities) Regulations 2013 - 2015 as amended and the regulations considered on this inspection were:

Regulation Title	Judgment
Views of people who use the service	
Capacity and capability	
Registration Regulation 5: Application for registration or renewal of registration	Compliant
Regulation 15: Staffing	Substantially compliant
Regulation 16: Training and staff development	Compliant
Regulation 22: Insurance	Compliant
Regulation 23: Governance and management	Compliant
Regulation 24: Admissions and contract for the provision of services	Substantially compliant
Regulation 31: Notification of incidents	Not compliant
Quality and safety	
Regulation 10: Communication	Substantially compliant
Regulation 17: Premises	Compliant
Regulation 20: Information for residents	Compliant
Regulation 26: Risk management procedures	Substantially compliant
Regulation 28: Fire precautions	Substantially compliant
Regulation 5: Individual assessment and personal plan	Compliant
Regulation 7: Positive behavioural support	Compliant
Regulation 8: Protection	Not compliant
Regulation 9: Residents' rights	Compliant

Compliance Plan for Newhall OSV-0005728

Inspection ID: MON-0026854

Date of inspection: 30/05/2019

Introduction and instruction

This document sets out the regulations where it has been assessed that the provider or person in charge are not compliant with the Health Act 2007 (Care and Support of Residents in Designated Centres for Persons (Children And Adults) With Disabilities) Regulations 2013, Health Act 2007 (Registration of Designated Centres for Persons (Children and Adults with Disabilities) Regulations 2013 and the National Standards for Residential Services for Children and Adults with Disabilities.

This document is divided into two sections:

Section 1 is the compliance plan. It outlines which regulations the provider or person in charge must take action on to comply. In this section the provider or person in charge must consider the overall regulation when responding and not just the individual non compliances as listed section 2.

Section 2 is the list of all regulations where it has been assessed the provider or person in charge is not compliant. Each regulation is risk assessed as to the impact of the non-compliance on the safety, health and welfare of residents using the service.

A finding of:

- **Substantially compliant** A judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow which is low risk.
- **Not compliant** A judgment of not compliant means the provider or person in charge has not complied with a regulation and considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk rated red (high risk) and the inspector have identified the date by which the provider must comply. Where the non-compliance does not pose a risk to the safety, health and welfare of residents using the service it is risk rated orange (moderate risk) and the provider must take action *within a reasonable timeframe* to come into compliance.

Section 1

The provider and or the person in charge is required to set out what action they have taken or intend to take to comply with the regulation in order to bring the centre back into compliance. The plan should be **SMART** in nature. Specific to that regulation, **M**easurable so that they can monitor progress, **A**chievable and **R**ealistic, and **T**ime bound. The response must consider the details and risk rating of each regulation set out in section 2 when making the response. It is the provider's responsibility to ensure they implement the actions within the timeframe.

Compliance plan provider's response:

Regulation Heading	Judgment			
Regulation 15: Staffing	Substantially Compliant			
Outline how you are going to come into compliance with Regulation 15: Staffing: The Person in Charge will ensure that the following actions are implemented within the Centre to ensure the consistency of staff:				
 3 WTE positions to be filled (completed: 28th of June 2019) 1 fulltime buffer positions filled to cover annual leave, sickness and training (completed: 28th of June 2019) 				
Regulation 24: Admissions and contract for the provision of services	Substantially Compliant			
Outline how you are going to come into compliance with Regulation 24: Admissions and contract for the provision of services: The Person in Charge will ensure that the following action is implemented within the Centre for the current resident and any future admissions; 1. The Contract for the Provision of Services was signed by the Person in Charge, the resident and the resident's representative (complete: 31st of May 2019)				
Regulation 31: Notification of incidents	Not Compliant			

Outline how you are going to come into compliance with Regulation 31: Notification of incidents:

The Person in Charge will ensure that the following actions are implemented within the Centre to ensure the submission of Notification's to HIQA within the specific time frame;

- 1. Submit a Standard Referral to Safeguarding (completed: 30th of May 2019)
- 2. Submit an NF06 to HIQA (completed: 31st of May 2019)
- 3. An Interim Safeguarding Plan put in place and all staff were aware of this plan (complete: 31st of May 2019)
- 4. HIQA notifications were discussed at the Centre's team meeting with staff and the importance of submitting notifications within the set timeframe (complete: 01st of July 2019)
- 5. Quarterly notifications discussed at the Centre's team meeting with staff (completed 07th June 2019)
- 6. Restrictive Practice policy discussed at the Centre's team meeting with staff (completed 07th June 2019)

Regulation 10: Communication

Substantially Compliant

Outline how you are going to come into compliance with Regulation 10: Communication: The Person in Charge will ensure that the following actions are implemented within the Centre:

- 1. Resident's Personal Plan will be updated noting the communication plan to include the residents gesture dictionary ensuring it provides clear guidance to all staff (to be completed: 05th of July 2019)
- 2. Resident's communication methods were discussed with staff at the Centre's team meeting (completed: 01st of July 2019)
- 1. Communication policy discussed at the Centre's team meeting with staff (completed 01st July 2019)

Regulation 26: Risk management procedures

Substantially Compliant

Outline how you are going to come into compliance with Regulation 26: Risk management procedures:

The Person in Charge will ensure that the following actions are implemented within the Centre:

- 1. An Individual Risk Assessment Management Plan was developed in relation to the risk associated with the evacuation times from fire drills (completed: 06th of June 2019)
- 2. The policy on Risk Assessments discussed at the Centre's team meeting with staff (completed 07th June 2019)
- 3. A review of personal emergency evacuation plans (PEEPS) to be carried out updating the fire evacuation plans and procedures to be followed by staff (completed on the 05th July 2019)

Regulation 28: Fire precautions

Substantially Compliant

Outline how you are going to come into compliance with Regulation 28: Fire precautions: The Person in Charge will ensure that the following actions are implemented within the Centre:

1. The Fire Evacuation Plan to be updated to ensure there is a constant review of the evacuation times and procedures in place in the Centre (to be completed: 07th of July 2019)

Regulation 8: Protection

Not Compliant

Outline how you are going to come into compliance with Regulation 8: Protection: The Person in Charge will ensure that the following actions are implemented within the Centre to ensure the submission of Notification's to HIQA are to the correct standards, within set timeframes, properly investigated and protective measures are been put in place if/when allegations are made;

- 1. Submit a Standard Referral to Safeguarding (completed: 30th of May 2019)
- 2. Submit an NF06 to HIQA (completed: 31st of May 2019)
- 3. An Interim Safeguarding Plan was put in place and all staff were made aware of this plan (complete: 31st of May 2019)
- 4. Investigation commenced and protective measures implemented (on the 27th of June 2019)
- 5. HIQA notifications were discussed at the Centre's team meeting with staff and the importance of submitting notifications within the set timeframe (completed: 01st of July 2019)

Section 2:

Regulations to be complied with

The provider or person in charge must consider the details and risk rating of the following regulations when completing the compliance plan in section 1. Where a regulation has been risk rated red (high risk) the inspector has set out the date by which the provider or person in charge must comply. Where a regulation has been risk rated yellow (low risk) or orange (moderate risk) the provider must include a date (DD Month YY) of when they will be compliant.

The registered provider or person in charge has failed to comply with the following regulation(s).

Regulation	Regulatory requirement	Judgment	Risk rating	Date to be complied with
Regulation 10(2)	The person in charge shall ensure that staff are aware of any particular or individual communication supports required by each resident as outlined in his or her personal plan.	Substantially Compliant	Yellow	07/07/2019
Regulation 15(3)	The registered provider shall ensure that residents receive continuity of care and support, particularly in circumstances where staff are employed on a less than full-time basis.	Substantially Compliant	Yellow	28/06/2019
Regulation 24(3)	The registered provider shall, on admission, agree in writing with each resident, their representative where the resident	Substantially Compliant	Yellow	31/05/2019

	is not capable of giving consent, the terms on which that resident shall reside in the designated centre.			
Regulation 26(2)	The registered provider shall ensure that there are systems in place in the designated centre for the assessment, management and ongoing review of risk, including a system for responding to emergencies.	Substantially Compliant	Yellow	06/07/2019
Regulation 28(3)(d)	The registered provider shall make adequate arrangements for evacuating, where necessary in the event of fire, all persons in the designated centre and bringing them to safe locations.	Substantially Compliant	Yellow	07/07/2019
Regulation 31(1)(f)	The person in charge shall give the chief inspector notice in writing within 3 working days of the following adverse incidents occurring in the designated centre: any allegation, suspected or confirmed, of abuse of any resident.	Not Compliant	Orange	01/07/2019
Regulation 31(3)(a)	The person in charge shall ensure that a	Not Compliant	Orange	01/07/2019

	written report is provided to the chief inspector at the end of each quarter of each calendar year in relation to and of the following incidents occurring in the designated centre: any occasion on which a restrictive procedure including physical, chemical or environmental restraint was used.			
Regulation 08(3)	The person in charge shall initiate and put in place an Investigation in relation to any incident, allegation or suspicion of abuse and take appropriate action where a resident is harmed or suffers abuse.	Not Compliant	Orange	01/07/2019