

REGULATION AND QUALITY IMPROVEMENT
AUTHORITY

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**ANNOUNCED FINANCIAL
INSPECTION REPORT**

- for -

POSITIVE FUTURES

- on -

16 May 2013

**SUPPORTED LIVING
FINANCIAL INSPECTION
2013/2014**

1.0 GENERAL INFORMATION

Name of Establishment:	Positive Futures
Address:	Unit 16 Manderwood Park Drumhaw Lisnaskea BT92 0FS
Telephone:	02867 724 700
Proprietor Organisation:	Positive Futures
Registered Proprietor/Person in Control:	Ms Agnes Philomena Lunny
Registered Manager:	Ms Joanna Clarke
Number of Registered Places:	N/A
Occupancy on Date of Inspection:	8
Financial Inspector:	Joe McRandle
Date and Times:	16 May 2013 10.30 – 16.15

2.0 INSPECTION COVERAGE

2.1 Areas Covered

Description	Regulation Statutory Rule No 235	Minimum Standard	Evidence	Findings
Charges & payments	6 (1) (b)	2.1 2.2 4	Service user's guide: <ul style="list-style-type: none"> • Terms and conditions, amount and method of payment of fees • Standard form of contract. (written agreement in place) 	<p>An information handbook (guide) was in place at the agency. The handbook was found to be in line with the majority of the requirements of The Domiciliary Care Agencies Regulations (NI) 2007. It was noticed that the additional charge to tenants for journeys undertaken in staff cars was not included in the handbook or the tenant's support agreement.</p> <p>A requirement is listed within the Quality Improvement Plan (QIP) with regard to this finding.</p> <p>Tenants are issued with a support agreement when taking up residency. A sample of agreements was examined (five) during the inspection. The agreements were signed and dated by the tenant and a representative from the agency.</p> <p>An up to date and signed copy of the contract with the trust was available at the time of inspection.</p>

<p>Information about Fees</p>	<p>6 (1) (b)</p>	<p>4.1 4.2 4.2 4.2 4.5</p>	<p>Statement to each Service user of fees payable for:</p> <ul style="list-style-type: none"> • Personal care • Services to which each fee relates • Method of payment and by whom • Notification of increase or variation in fees. 	<p>As in line with The Domiciliary Care Agencies Regulations (NI) 2007 and the Domiciliary Care Agencies Minimum Standards, the tenants' support agreements included the method of payment of the fee and a breakdown of the amount to be paid by the tenant, the trust and other agencies (e.g. supporting people and Independent Living fund).</p> <p>A separate record was retained within each tenant's file which detailed the income received by the tenant and the details of the tenant's spending pattern (e.g. amount to be paid for food and the method of payment by the tenant for their care costs).</p>
<p>Service user's Money and Valuables</p>	<p>15 (6) (d)</p>	<p>4.2 8.15</p>	<ul style="list-style-type: none"> • Place for deposit of money & valuables for safe keeping and arrangements to record in writing all transactions 	<p>The agency provides a safe place for the retention of tenants' monies. The inspector was informed by the agency's manager that tenants manage their own monies however a number of tenants request the agency to hold their monies for safekeeping.</p> <p>The inspector examined a number of tenants monies held (two) by the agency at the time of inspection, the amount retained agreed to the balance recorded at the agency.</p> <p>The inspector was informed, by the manager, that tenants make their own purchases. The manager also informed the inspector that agency staff would accompany tenants whilst they make purchases. The staff member does not handle the tenant's monies.</p> <p>Personal Petty Cash Transaction sheets were retained for tenants for whom the agency holds monies for safekeeping.</p>

				<p>A number of transaction sheets were examined during the inspection; details of the transactions were recorded on the sheets. The records were also signed by the tenant and a member of staff.</p> <p>The agency maintains “house hold funds” which are used to pay for the running costs of the dwellings (e.g. utility bills, food bills etc.). Tenants within each dwelling pay an equal amount into the fund. The inspector examined the funds, during the inspection, the amounts held agreed to the balance recorded at the agency.</p> <p>Transaction sheets were held by the agency to record the details of any expenditure from the house hold fund. On examining these sheets it was noticed that the records included details of the amount deposited by each tenant and payments towards the utility and food bills.</p> <p>The inspector was informed by the Positive Futures Finance Manager that an equal amount is paid directly into the tenants’ bank accounts from the registered provider to cover the provider’s share of the utility bills. This could not be evidenced by the inspector at the time of inspection.</p> <p>Since the inspection the Finance manager has forwarded to the Regulation and Quality Improvement Authority (RQIA) details of the amounts deposited into tenants’ bank accounts for the agency’s share of the utility costs.</p> <p>Records produced during the inspection, showed tenants’ monies held by the agency for safekeeping being reconciled against the records used to record the details of transactions.</p>
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				<p>The transaction sheets were signed by the co-ordinator, deputy service manager and the manager.</p> <p>It was noticed by the inspector that personal items such as passports or bank cards held on behalf of tenants were not part of the reconciliation process. It was also noticed that a record of these items being removed or returned was not maintained at the agency.</p> <p>A requirement is listed within the QIP in relation to these findings.</p>
	14 (d) Schedule 4.11	Appendix 1	<ul style="list-style-type: none"> Record of service user's property brought into establishment Policy and procedure in place 	<p>A number of the tenants' files examined during the inspection, contained a record of personal items belonging to the tenants.</p> <p>Positive Futures has a policy and procedure in place for tenants' property.</p>
Records	21 (1) (b)	10.6	<ul style="list-style-type: none"> Policy in place for retention of financial records for not less than 8 years from date of last entry 	<p>Positive Futures has a policy in place for the retention of tenants' records for the requisite period.</p>
Acting for Service users	15 (6) (d)	4.2 8.15	<ul style="list-style-type: none"> Monies belonging to any service user paid into an account in the name of that service user and not paid into a business account used in carrying on the establishment 	<p>As in line with best practice tenants' monies are paid directly into a bank account in the tenants' names.</p>

	15 (6) (d) Schedule 4.11	4.2	<ul style="list-style-type: none"> • A record is kept of persons acting as an appointee or agent 	The inspector was informed, by the agency's manager, that staff at the agency do not act as an appointee or agent for tenants.
Accounts of the Agency	Schedule 4.11 15 (6) (d)	8.14	<p>Record kept of:</p> <ul style="list-style-type: none"> • Service user's fees received 	<p>The inspector was informed by Positive Futures Finance Manager, that tenants are invoiced for their share of the care costs which are subsequently paid by standing order from tenants' bank accounts.</p> <p>The inspector took a sample of invoices for a number of tenants (three). It was noticed that the invoice for one tenant was less than the amount recorded in the tenant's support agreement. The inspector was informed, by the finance manager, that the agency is in the process of contacting the tenant in writing to inform of the discrepancy and to adjust the tenant's invoices accordingly. The invoices for the remaining two tenants agreed to the amount detailed in their support agreements.</p>
	Schedule 4.11 15 (6) (d) 15 (6) (d)	8.14 8.15 4.2	<ul style="list-style-type: none"> • Financial arrangements handled by the agency • (including written financial policy) 	<p>Tenants' files examined during the inspection included a capability assessment. This assessment was undertaken by the agency and was used to determine the capability of each tenant in managing their own financial affairs.</p> <p>As in line with best practice Finance agreements were also retained within each tenants file. The agreement detailed the financial arrangements in place for each tenant. The finance agreements were signed by the tenant, the agency's service manager and the tenant's care manager from the trust.</p>

	15 (6) (d)	8.14		<p>A number of the files examined contained agreements from tenants to pay Positive futures arrears for their care costs. The amount of the arrears and the method of payment were included in the agreements. It was noticed that the agreements were only signed and dated by the tenants.</p> <p>No record of the breakdown of the arrears or the outstanding balance was retained within the tenants' files. The finance manager informed the inspector that a statement detailing the amounts paid by the tenants and balance owing are forwarded to the tenants on a regular basis. The finance manager also informed the inspector that copies of the statements and details of the breakdown of arrears are held at Positive Futures Head Office.</p> <p>Since the inspection the finance Manager has forwarded details of the breakdown of arrears and a copy of a tenant's statement to RQIA. The statement included the details of the amount received from the tenant and the balance owed by the tenant.</p> <p>A requirement is listed within the QIP for a copy of the breakdown of arrears and statements forwarded to tenants to be retained in each tenants file.</p> <p>A recommendation is also listed within the QIP for a second independent signature (not a member of staff from the agency) to be recorded when agreements for paying back arrears are signed by the tenant.</p>
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			<ul style="list-style-type: none"> • Charges including any extra amounts payable for additional services not covered by those charges and amounts paid by or in respect of each service user • Charges for transport & amounts paid by each service user 	<p>Records for a tenant availing of a holiday were examined by the inspector. The tenant was accompanied by a staff member during the holiday. As in line with best practice a separate transaction sheet was used to record the purchases made by or on behalf of the tenant. The transaction sheet was signed by the staff member and countersigned by the deputy service manager.</p> <p>Records showed that meals for the tenant and staff member were paid by the tenant during the holiday. Positive Futures policies and procedures include a procedure for detailing the agreed costs a tenant should expect to incur when on holiday.</p> <p>As previously mentioned within this report a requirement is listed within the QIP for the mileage rate charged to tenants for undertaking journeys in staff vehicles to be included in the agency's service user guide or tenant's agreement.</p> <p>The inspector was informed, by the manager, that the agency provides a service vehicle which is shared between the two sites of the supported living project. The manager also informed that the running costs of the vehicle, including fuel costs, are paid by positive futures.</p> <p>The inspector was informed, by the manager, that staff vehicles are provided to tenants to undertake journeys. A record of the journey is recorded including the miles undertaken. The tenant is subsequently charged a rate per mile for the journey. It was noticed that tenants pay the staff member directly by cash and the invoicing process does not go through Positive Futures head office.</p>
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				<p>The inspector raised concerns at this practice with the agency's manager and Finance manager during the inspection.</p> <p>There was no evidence of a policy and procedure in place at the agency for this practice.</p> <p>A requirement is listed within the QIP for Positive Futures to cease the current practice of tenants paying staff members directly by cash for journeys undertaken in staff cars and for a formal process of invoicing tenants to be introduced at the agency.</p> <p>A further requirement is listed within the QIP for the revised practice of Positive Futures claiming mileage costs from tenants using staff vehicles to be included in the agency's policies and procedures.</p>
	15 (6) (d)	8.14	<ul style="list-style-type: none"> Collectively owned vehicles – amounts paid & journeys by each service user 	No vehicles are owed by tenants at the agency.
	15 (6) (d)	8.14 Appendix 1 of Minimum Standards	<ul style="list-style-type: none"> Policy & Procedure in place for Transport scheme - use & provision.(is policy included in service user's guide/ agreement) 	As previously mentioned within this report a requirement is listed for the agency to introduce a policy for tenants paying for using staff vehicles to undertake journeys.

3.0 ENQUIRIES

Enquiries relating to this report should be addressed to:

**Joe McRandle
Finance Inspector / Quality Reviewer
Regulation and Quality Improvement Authority
9th Floor
Riverside Tower
5 Lanyon Place
BELFAST
BT1 3BT**

QUALITY IMPROVEMENT PLAN

ANNOUNCED FINANCIAL INSPECTION

POSITIVE FUTURES

16 MAY 2013

The areas where the service needs to improve, as identified during this inspection visit, are detailed in the inspection report and Quality Improvement Plan.

The specific actions set out in the Quality Improvement Plan were discussed with Ms Joanna Clarke, manager and Mr Liam Dorian, Senior Manager Finance either during or after the inspection visit.

Any matters that require completion within 28 days of the inspection visit have also been set out in separate correspondence to the registered persons.

Registered providers / managers should note that failure to comply with regulations may lead to further enforcement and/ or prosecution action as set out in The HPSS (Quality, Improvement and Regulation) (Northern Ireland) Order 2003.

It is the responsibility of the registered provider / manager to ensure that all requirements and recommendations contained within the Quality Improvement Plan 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.

STATUTORY REQUIREMENTS

This section outlines the actions which must be taken so that the Registered Person/s meets legislative requirements based on The HPSS (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, and The Domiciliary Care Agencies Regulations (NI) 2007

NO	REGULATION REFERENCE	REQUIREMENTS	NUMBER OF TIMES STATED	DETAILS OF ACTION TAKEN BY REGISTERED PERSON(S)	TIMESCALE
1	Regulation 6 (1) Minimum Standard 2.2	The mileage rate charged to tenants for using staff cars to undertake journeys must be included in the agency's service user's guide or tenant's agreement.	1	The mileage rate, charged to people we support for using staff cars to undertake journeys, is now included in the Support Agreement.	7 June 2013
2	Regulation 15 (2) Minimum Standard 4 Regulation 15 (6) (d) Minimum Standard 8.15	A copy of the breakdown of the arrears charged to tenants for their care and a copy of the statements forwarded to tenants detailing the amount of arrears paid by the tenants and the balance of arrears owing should be retained within the tenants' files held at the agency.	1	A copy of the: - breakdown of arrears - statements detailing the amount of arrears - balance of arrears charged to people we support for their support is now retained within the individual's file.	17 May 2013
3	Regulation 15 (6) (d) Minimum Standard 8.15	The practice of tenants paying staff members directly by cash for journeys undertaken in staff cars must cease. The practice for tenants paying their mileage cost should be revised to include a formal invoicing process.	1	People we support no longer pay staff directly for journeys undertaken in the staff member's car. Mileage costs are paid through a formal invoicing process.	17 May 2013
4	Regulation 15 (6) (d) Minimum Standard 8.15	The revised practice of invoicing the mileage costs from tenants should be included in the agency's policies and procedures.	1	The revised practice of invoicing mileage costs to people we support for journeys taken in the staff member's car is now included in the Expenses Claim Procedure.	31 May 2013

RECOMMENDATIONS

These recommendations are based on The Domiciliary Care Agencies Minimum Standards (2008), research or recognised sources. They promote current good practice and if adopted by the Registered Person may enhance service, quality and delivery.

NO	MINIMUM STANDARD REFERENCE	RECOMMENDATIONS	NUMBER OF TIMES STATED	DETAILS OF ACTION TAKEN BY REGISTERED PERSON(S)	TIMESCALE
1	Minimum Standard 8.15	It is recommended that items held on behalf of tenants (e.g. bank cards and passports) are included in the reconciliation process.	1	Guidance has been developed to ensure that items held on behalf of people we support are managed through a reconciliation process.	17 May 2013
2	Minimum Standard 8.15	It is recommended that a record is maintained of bank cards or passports held on behalf of tenants when removed from or returned to the agency. The record should include two signatures along with the date the items are removed or returned.	1	The Guidance includes recording checking items in and out with staff verifying this by signature on each occasion.	17 May 2013
3	Minimum Standard 8.15	It is recommended that a second independent signature (not a member of staff from the agency) is obtained when agreements are signed by the tenant for the payment of any arrears owed to the agency for their care costs.	1	Where people we support are deemed not to have capability to manage their financial affairs, a second independent signature is obtained when agreements are signed by the person to pay arrears.	17 May 2013

Please complete the following table to demonstrate that this Quality Improvement Plan has been completed by the registered manager and approved by the responsible person / identified responsible person:

NAME OF REGISTERED MANAGER COMPLETING QIP	Joanna Clarke
NAME OF RESPONSIBLE PERSON / IDENTIFIED RESPONSIBLE PERSON APPROVING QIP	Agnes Lunny

QIP Position Based on Comments from Registered Persons				Inspector	Date
		Yes	No		
A.	Quality Improvement Plan response assessed by inspector as acceptable	√		Joe McRandle	2/08/13
B.	Further information requested from provider				