

PERFORMANCE NOTICE – Unsatisfactory Performance – MPS Care Limited in respect of services provided at the Valley Nursing Home

Date of Issue: 12 June 2020

Ref: TVAL/PN2/LL

This Performance Notice dated 12 June 2020 is issued by the Southern Health & Social Care Trust (“the Trust”) to MPS Care Limited, Company number 05991760, providing services at the Valley Nursing Home, 8 Tullybroom Rd, Clogher BT76 0UW (the “Provider”) under Clause 8.1.2 (Unsatisfactory Performance) of the General Terms and Conditions of Contact between the Provider and the Trust.

This Performance Notice is being issued because:

The systems of governance, risk management and control in relation to the management of clients monies at Valley Nursing Home, Clogher has failed or there is a real and substantial risk that the system will fail to meet its objectives. This was evidenced by Internal Audit providing an ‘Unacceptable’ level of assurance following audit conducted in February 2020 (copy attached). Key recommendations relate to

- Lack of clarity around the accuracy of resident money balances with unallocated balances of £23,007.84
- Shortfall of funding of £8,343 between residents monies held in bank account and ledger records
- Poor financial management of residents monies including
 - Overdrawn/overspent personal allowance accounts amounting to £12009.53
 - Residents cash balances funded from business accounts

- Transactions on the residents’ cash ledger not updated appropriately
- No evidence of regular checking of monies held by the manager
- Up to date property records not held for all residents
- No procedures for Management of Residents’ Comfort Fund.

MPS Care Ltd were given the opportunity to confirm factual accuracy of the audit report to the Trust by 10 June, as advised in our letter of 27 May 2020. No response was received therefore it was assumed MPS Care Ltd were content with the contents contained within the report.

The Trust previously brought Unsatisfactory performance to MPS Care Ltd attention in respect of issues related to management of clients monies in May 2014 when issues were highlighted by Internal Audit and only a ‘Limited’ level of assurance could be provided. These issues were resolved when considerable work was undertaken at that time. However, there is concern regarding learning and sustainability of management arrangements associated with the recurrence of poor controls in response of financial management.

Actions Required:

Submission of a remedial action plan which outlines, with timescales, how MPS Care Ltd. intends to address the concerns outlined below and assure the Trust of its ability to provide current and future robust financial management of residents monies to all residents in the Valley Nursing Home in relation to:

Area	Action Required
Residents’ Bank Account Reconciliations	<ul style="list-style-type: none"> ● MPS Care Ltd should completed a full reconciliation of the residents bank account to the Sage individual ledger accounts held to ensure that all balances are fully accounted for and correctly up to date
Suspense Balances	<ul style="list-style-type: none"> ● MPS Care Ltd should investment the suspense ledge figure of £23,007.84 and ensure that all

	<p>unallocated expenditure is appropriate apportioned to the correct residents ledger account.</p> <ul style="list-style-type: none"> • MPS Care Ltd should ensure all adjustment or corrections in the suspense accounts are support by appropriate documentation/explanations • MPS Care Ltd should ascertain next of kin or other appropriate persons of former/deceased residents and ensure all balances held in the suspense account are appropriately discharged
Residents' Ledger Balances	<ul style="list-style-type: none"> • MPS Care Ltd should ensure that all negative balances are brought into credit • MPS Care Ltd should notify the Trust where they are the residents' appointee, of any balances they hold in excess of £500 and arrange for excess sums to be returned to the Trust and to the residents' PPP account
Clients' Cash ledgers and Expenditure	<ul style="list-style-type: none"> • MPS Care Ltd should ensure that transactions for clients' monies should be recorded on the cash ledger as they occur. All transactions should be clearly recorded in black ink to prevent changes being made retrospectively • MPS Care Ltd should ensure adequate cash is held at the Home to fund residents' expenditure. Borrowing from other sources, such as the Home's petty cash or business account should not occur as per Nursing Home Standards • MPS Care Ltd should ensure that residents' cash balances should be reconciled daily by the Administrator and signed as correct on the cash ledger, and countersigned as correct weekly by the Home Manager • MPS Care Ltd should retain receipts to support all client expenditure • MPS Care Ltd Home Management should fully investigate the 2 cases referred to in the audit
New Operational	<ul style="list-style-type: none"> • MPS Care Ltd will ensure that all residents' accounts are appropriately reconciled and brought

Management	up to date with any potential deficits being made good.
Residents' Property Records	<ul style="list-style-type: none"> • MPS Care Ltd should update all residents' property records urgently to ensure that they have a complete and comprehensive record going forward
Residents' Comfort Funds	<ul style="list-style-type: none"> • MPS Care Ltd should ensure they have written procedures for the Management of Residents' Comfort Fund and all the relevant staff should be trained in this procedure.

The Action Plan should be send by Friday 26 June 2020. All performance deficiencies should be remedied within 3 months of this Notice unless otherwise agreed with the Trust.

Penalties for Non-compliance:

MPS Care Ltd. is reminded that under Clause 8.1.2 of the Contract, failure to rectify the performance to which this notice relates within the time period specified in this Performance Notice, may result in the activation of clause 8.1.2 (penalties for non-compliance).

Signed: _____

BRIAN BEATTIE
DIRECTOR OF OLDER PEOPLES SERVICES (INTERIM)

Date: _____