



Southern Health
and Social Care Trust

Quality Care - for you, with you

Chair
Ellen Mullan

Chief Executive
Shane Devlin

12 March 2021

Mr P Warren-Gray
Responsible Individual
VALLEY NURSING HOME (MPS) LIMITED
No. 6 & 7 Key Point Office Village
Nix's Hill
Alfreton
Derbyshire
United Kingdom
DE55 7FQ

Dear Mr Warren-Gray

RE: Termination of Regional Residential and Nursing Home Specification and Contract between Southern Health & Social Care Trust and Valley Nursing Home, 8 Tullybroom Road, Clogher, BT76 0UW

The SHSCT wishes to formally acknowledge our understanding that wef 6 January 2021, following no appeal to the Care Tribunal, Mrs Amanda Mitchell has been de-registered as Responsible Individual (RI) for carrying on the Valley Nursing Home. As our contract for the provision of care was with MPS the responsibility for matters such as comfort funds, client finances, records management etc. will remain with you as the legal entity. Whilst the Trust is at odds with RQIA on this point we will copy Ms Mitchell into this correspondence on the basis that RQIA believe she has a role in some of the issues we are seeking assurance on as former RI. The Trust has no evidence to support this assumption given you previously confirmed to us that MPS employed HCI in a management capacity only and you remained responsible for ongoing day to day operation of the home, payment of staff, maintenance of the home etc.

As all residents have been relocated to alternative accommodation and none remain in the Valley Nursing Home the Trust is now progressing to terminate the current contract we hold with you. In order to finalise this arrangement we would like to remind you of a number of requirements we now expect to be addressed to the satisfaction of the Trust and in line with your obligations under the contract. I shall outline each of these in turn:

Records Management

It is our expectation that all records held by and within the Home, including but not limited to residents, staff and financial records, are maintained in accordance with DoH advice and guidance on records management, 'Good Management Good Records', including the retention and disposal schedule, prepared in accordance with the Public Records Act (NI) 1923 and the Disposal of Documents Order 1925 and other relevant information legislation. This includes both paper and electronic records. In this regard I would like assurance that current records are being securely stored and will continue to be maintained in accordance with GMGR retention and disposal schedule or as a minimum six years after the final payment of all sums due under this Contract. This shall also include full and accurate records of the services, all expenditure reimbursed by the Trust and all payments made by the Trust.

Financial Management

Any outstanding debt owed to the Trust is settled in full.

Outstanding Internal Audit Recommendations concerning Clients Monies

Further to our letter of 2 November 2021, subsequent information received has been reviewed by the Trust Team but this information remains incomplete to provide assurance over client monies. Mrs Fiona Jones has continued to liaise with MPS, however the following information remains outstanding:

1. The missing resident listing for the reconciliation as at 3 November 2020, to include the full suite of system reconciliation reports for the Residents Monies accounts and the bank statement
2. A further reconciliation during or late December, and a final reconciliation to show the complete disbursement of the client monies, or a listing of the amounts still to be forwarded eg for the older list of deaths/discharges (previously approx. £27k from July 2020). With the bank statements for the period November 2020 to date. An update on the disbursement of all monies for deceased or discharged clients is required.
3. Records for the Comforts Fund, show the balance to date and the disbursements since the previous reconciliation, and the balance remaining to be forwarded to SHSCT for sharing across the displaced residents.
4. Confirmation that any negative balances were cleared by MPS as previously advised by Mr Paul Warren Grey.

In the absence of a final full response to address these issues regarding client monies, the Trust may have to consider legal action.

Can I ask that you respond to the concerns around the safeguarding of clients monies as outlined above directly to Fiona Jones (Fiona.Jones@southerntrust.hscni.net) as a matter of urgency.

Equipment

Provide a list of any equipment funded by the Southern Trust which remains within the Home.

Following confirmation that all of the above matters have been dealt with to the satisfaction of the Trust and completion of any outstanding monies owed to you by the Trust your contract with us will terminate.

I would like to take the opportunity to wish you well with all future business ventures.

Yours sincerely



SHANE DEVLIN
CHIEF EXECUTIVE

- cc Mr B Beattie, Interim Director of Older People and Primary Care
Mr P Morgan, Director of Child and Family Services
Mr B McNeany, Director of Mental Health and Disability Services
Mrs M McAlister, Assistant Director of Older Peoples Services
Mr J McEntee, Assistant Director of Disability Services
Mrs J McGall, Assistant Director of Mental Health
Mrs L Leeman, Assistant Director of Performance Improvement
Mrs D Livingstone, Head of Contracts
Mrs A Rutherford, Assistant Director of Finance
Mrs M Mitchell, HCI
Mr J Gray, COE, MPS Care Limited