

Mr Vijay Kumar  
Harveys Healthcare Limited  
Queensberry Care Home  
Laurie's Wynd  
Sanquhar  
DG4 6DR

19 May 2014  
2013319005  
CS200818564-1

Dear Mr Kumar

**IMPROVEMENT NOTICE  
SECTION 62 PUBLIC SERVICES REFORM (SCOTLAND) ACT 2010 ("the Act")**

**Notice of decision in respect of Improvement Notice dated 23<sup>rd</sup> August 2013**

The Improvement Notice issued in respect of Queensberry Care Home listed that the following improvements were to be made by the service;

*By 23<sup>rd</sup> September 2013 you must provide the Care Inspectorate with evidence sufficient to demonstrate that, notwithstanding the company's conviction on 28<sup>th</sup> May 2013 for breaches of the Gas Safety (Installation and Use) Regulations 1998 and Health and Safety at Work Act 1974, the company is fit to provide a care service. In particular you must provide evidence as to: -*

- a) Why the Care inspectorate should consider the company to be of integrity and good character notwithstanding the said conviction;*
- b) The measures you have taken and propose to take to ensure compliance with your responsibilities as a provider in terms of Health and Safety at work in the light of the conviction; and*
- c) The measures you have and are taking to ensure that the service is provided in a manner which does not put the health and safety of service users or staff at risk.*

In respect of these improvements, you submitted, by the required deadline, an extensive folder of material which was intended to address the areas of improvement listed.

I have considered the submissions made and, taking account also of the performance of the service, I find as follows;

- 1) That, while concerns remain about the circumstances of the offence referred to, I conclude that no further enforcement action is warranted at this time in respect of this matter. In reaching this conclusion I have taken account of the submissions made and the performance of the company since the date the offence occurred.
- 2) I note from the submissions made and information available from inspections and other contacts that the company has taken measures to ensure compliance with its responsibilities in terms of Health and Safety at Work.
- 3) I note also the broader measures which have been taken to ensure that works at the property are properly planned and controlled.
- 4) I note that work has continued to try to improve the performance of the company and that this has been supported through the use of consultants.
- 5) I note that the most recent inspection on the 7<sup>th</sup> May found that there had been a substantial improvement in the performance of the service.

Taking these matters together, I conclude that the terms of the improvement notice have been met and that this enforcement action by the Care Inspectorate is concluded.

Yours sincerely



**Bill Duncan**

Inspector Manager  
Older People Team 6  
Care Inspectorate  
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Rivergate House  
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Irvine  
KA12 8EH

cc: Local Authority(ies)  
Dumfries and Galloway Council