

The Person in Charge: An essential role in the provision of evidence based quality services

Finbarr Colfer
Head of Programme: Disability
Regulatory Directorate

Presentation to National Federation of Voluntary
Bodies' Seminar 9 October 2014

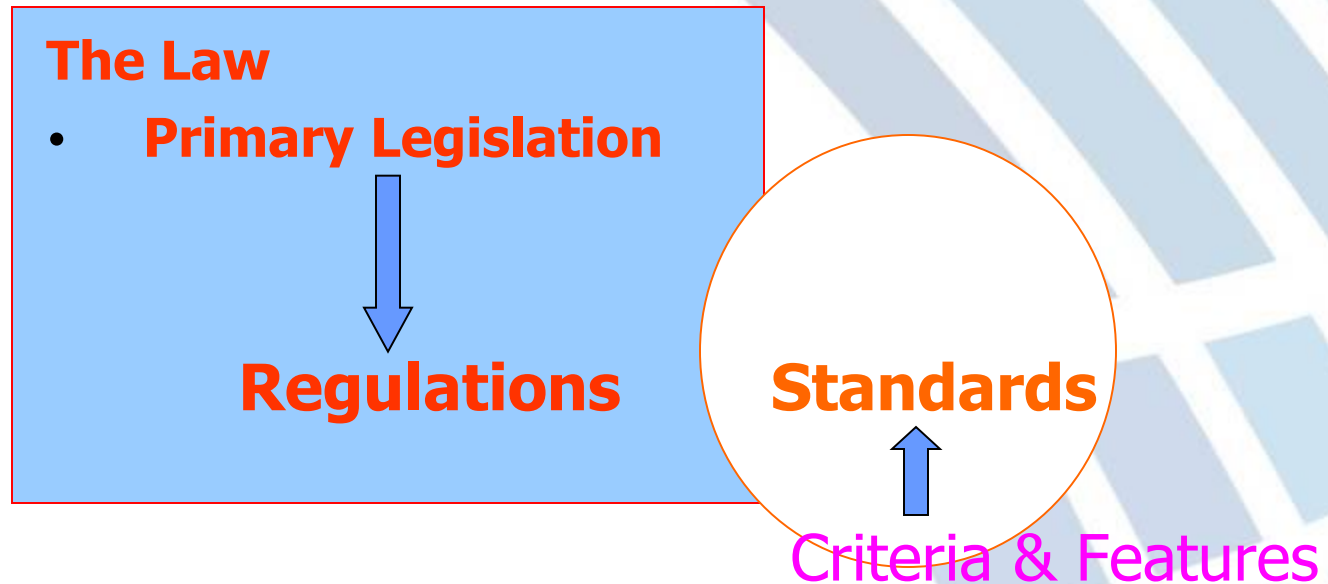
This afternoon's presentation

- Brief overview of the regulatory context
- The role of person in charge and fitness
- General overview of what inspectors are looking for on inspection

Regulation under the Health Act 2007

- All residential care (HSE, Private and Voluntary) settings for people with disabilities (including children) must be registered with Chief Inspector in order to operate
- Registration must be renewed every three years
- Each service providing organisation and everyone involved in managing a service must be 'fit'
- Designated centres must be in compliance with the relevant Regulations and meet the Standards
- Currently 908 centres for people with disabilities, which include approximately 1,400 residential units

The Regulatory Framework - Health Act 2007



- Regulations are the law - Standards set out a vision for quality
- Standards, legislation and regulations are intended to work together to assure quality in services
- *Regulation* consists of 3 interrelated functions - Registration, Inspection/Monitoring and Enforcement

Regulation - An Analogy



- Only “Fit Persons” may be involved in the provision of registered Social Care services. *A Privilege, not a Right*
- *Regulations* prescribe what “Fit” providers **must** do in practice. *Standards* define & promote good practices.

The inspection: Generally, what are inspectors looking for?





What we look for on inspection

- Evidence that the provider organisation is governed in a “fit” manner
- Evidence that management staff are “fit persons”
- Evidence that staff are competent and properly supervised
- Evidence that services are appropriate, person centred, evidence-based & enabling of **each** person
- Evidence that assessments and care/service planning are conducted in partnership with **each** person using services
- Evidence that **each** person's rights are protected
- Evidence that **each** resident is safeguarded in a way that is as least restrictive as possible

Questions we consider when assessing applications

- Are people safe in this service? Are they protected through the actions of “fit” persons working within good governance structures?
- Is there a genuine focus on personal choice and person-directed services? Are people being supported to have meaningful life opportunities?
- Is there a focus on quality of service *and* quality of life?
- Is there evidence of values and convictions in action?
- “What is this like as a place to live?” and “What is life like for this person?”
- Can we trust this provider to comply with Regulations and Standards when we're not in the centre?

In summary...

The purpose of regulation is twofold – to ensure people using services are safe and that services are improving over time

HIQA will act in a fair, reasonable and proportionate manner where providers are clearly committed to the foregoing

There will be timely, focused and rigorous enforcement response where providers show a lack of this committment

Thank You

www.hiqa.ie

Regulation Directorate