

SD-58

POLICY AND PROCEDURE

Working with Regulatory Agencies

Approved by:

Pat O'Flaherty

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Title: WORKING WITH REGULATORY AGENCIES

1.0 Scope

1.1 To ensure that Carriglea Cáirde Services positively promotes working with regulatory agencies.

2.0 Aims and Values

2.1 Management should ensure that, at all times, the service complies with correct legislative requirements and strives to apply good-practice guidelines.

2.2 Management should ensure that all correspondence with any regulatory agency is dealt with promptly and effectively.

3.0 Contents

- 6.0 Visiting officers
- 7.0 HIQA Inspections
- 8.0 Reporting to HIQA

4.0 Referenced Documents

HIQA Guidance for Designated Centres – The Inspection Process
Statement of Purpose

5.0 Responsibilities

5.1 Management and all staff.

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Definition of a Regulatory Agency:

A regulatory agency is any agency whose representative is empowered by law to enter the premises and make reports, observations and recommendations based on legislation or local guiding standards, which the Services must meet.

6.0 VISITING OFFICERS

- 6.1 The manager should ensure that all staff who are employed in the Service are aware of people who might legitimately request access to the service and the statutory bodies who are classed as 'regulatory agencies'.
- 6.2 Examples of representatives of the most common regulatory agencies are:
- Health Information and Quality Authority (HIQA) inspector
 - Officers of the Health and Safety Authority.
 - Environmental Health Officer.
 - Fire Officer.
 - An Garda Siochana.
 - An Officer from a Coroner's Court.
- 6.3 When entry to the home/service is requested by a person who claims to be from a regulatory agency, the senior member of staff on duty should check and establish their credentials before allowing access.
- 6.4 The relevant senior manager should be informed as soon as possible of any representative of a regulatory agency seeking entry.
- 6.5 The senior member of staff on duty should ensure that, if requested, they allow access to the service to appropriately authorised officers of regulatory agencies.
- 6.6 The manager should ensure that staff offer full co-operation to any officer of a regulatory agency in pursuance of their duties during inspections.
- 6.7 Whenever reports are received by the manager from a regulatory agency, the manager should ensure that responses are made in a timely and appropriate manner.
- 6.8 Where the manager receives prior notification that a visit is to take place, the manager should ensure that all necessary steps are taken to ensure that everything is in order in respect of the area being inspected.
- 6.9 In the event of a representative of a regulatory agency seeking to meet with a service user, the senior person on duty at the time should ensure that the service user receives appropriate support for the meeting.

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7.0 HIQA INSPECTIONS

- 7.1 Under the terms of the Health Act, 2007 Carriglea Cáirde Services is obliged to register residential services with the Health Information and Quality Authority (HIQA). HIQA has responsibility under law to regulate the quality of services provided in designated centres for children and adults with disabilities.
- 7.2 In order to monitor a provider's compliance with regulations and standards, HIQA carry out inspections. Inspectors gather evidence on which to make judgments on the fitness of the registered provider and to report on the quality of the service.
- 7.3 Through inspection, inspectors ensure that the Service is operated strictly in accordance with the *Statement of Purpose* and the requirements and conditions of registration.
- 7.4 Inspections can be announced or unannounced and can take place at any time - day or night, or on any day of the week.
- 7.5 Inspectors have the right to inspect records and documentation, including policies and procedures, PCP files, medication record, records of meetings, equipment maintenance records and any other records that may be required in order to find evidence of good practice and compliance with regulations.
- 7.6 Inspectors can speak with service users, relatives and staff.
- 7.7 Inspectors can observe day-to-day routines and activities and also check the premises and equipment to ensure they are safe and promote the wellbeing of service users.
- 7.8 Further details in relation to HIQA inspections are available on the *Guidance for Designated Centres – The Inspection Process* on the HIQA website.

8.0 REPORTING TO THE HEALTH INFORMATION AND QUALITY AUTHORITY (HIQA).

- 8.1 The Person in Charge (relevant Senior Services Manager) is responsible for compliance with Notification of Incidents to HIQA in accordance with Part 8 of the Health Act, 2007, Regulations 2013.
- 8.2 The Chief Executive is responsible for compliance with Part 9 of the Health Act, 2007, Regulations 2013 – Notification of absence of the Person in Charge.

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