

Regulation Of Older Persons Care

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Head Of Programme

HIQA

10th World Conference on Elder Abuse

22 April 2015

Dublin

HIQA's Core Values

- Drive high quality & safe care for people using health & social care services
- Overall focus on **PUTTING PEOPLE FIRST**
- This is achieved through actions in accordance with four values:
 - FAIRNESS AND OBJECTIVITY
 - OPENNESS AND ACCOUNTABILITY
 - EXCELLENCE AND INNOVATION
 - WORKING TOGETHER
- We are committed to these values

Strategy Map 2013-2015

Our mission is:

The Authority exists to promote sustainable improvements, safeguard people using health and social care services and support informed decisions on how services are delivered.

The outcomes we hope to achieve are:

Care is improved

We enable sustainable improvements in safety and quality of health and social care services

People are safeguarded

We act to reduce the risks of harm and abuse to people using health and social care services

People are informed

We publicly report on safety, quality and effectiveness of health and social care services

Policy and service decisions are informed

We inform policy development and how services are delivered

Our core activities to deliver on our outcomes are:

Regulation

Registration, oversight and scrutiny of designated health and social care services in line with legal requirements

- We will conduct regulation programmes of health and social care services to safeguard people and achieve improved outcomes for service users
- We will carry out our Regulation function effectively and efficiently and its outcomes and impact on policy will be communicated to all relevant stakeholders

Supporting Improvement

Improving quality and safety by providing support to service providers and users

- We will develop new and revised existing standards and guidance
- We will build capacity and capability and support the implementation of sustainable improvements
- We will share the learning from activities to enable continuous improvement

Improving outcomes through information

Promoting the efficient, and secure collection, use and sharing of health information

- We will set standards to support eHealth
- We will promote and enable the use of information to plan, manage and deliver health and social care services

Assessing Health Technologies (HTA)

Provision of evidence based advice to inform policy development and how services are delivered

- We will undertake a number of relevant HTA's as efficiently as possible
- We will act to embed HTA in national policy and service decision making.

Our strategic objectives are:

People

We will continue to ensure that we have a professionally competent and supported workforce that is utilised to its full potential

Governance

We will demonstrate that our corporate governance framework is effective and robust

Performance and delivery

We will manage the organisation effectively and efficiently through robust planning and performance management

Our key enablers to ensure our success:

Information

We will use and manage information effectively and in accordance with best practice

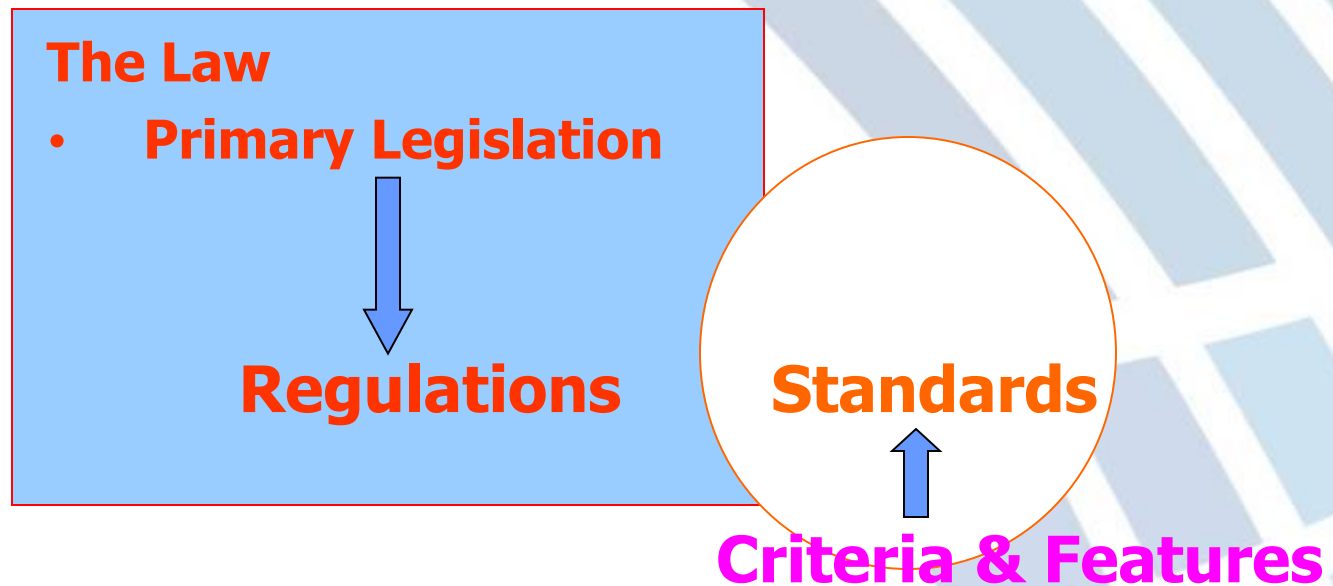
Communication and engagement

We will actively communicate and engage in an open and responsive manner with all our stakeholders

Evidence

We will ensure that our work is informed by evidence and research

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

The Function of Regulation

“...service delivery and performance management are matters for the service provider. Regulation is concerned only with assessing how well, or otherwise, the provider fulfils that task...”

(Better Regulation Commission, 2003, p.17)



- The Hampton Principles
- The Better Regulation Commission
- Department of Taoiseach, Regulating Better

Principles of Good Regulation

Even-handedness

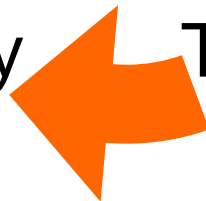
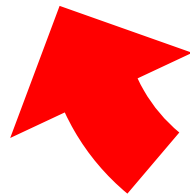
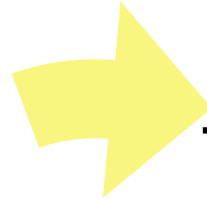
Transparency

Proportionality

Accountability

Consistency

Targeting



Do regulation in a certain way

- Will prepare thoroughly for Inspections
- Will focus on the key outcome question – “What is this Centre like as a place for people to live?”
- Will interact with a wide range of people while also observing keenly
- Will write timely reports which are fair, clear, informative and which do not shirk hard issues
- Will do Inspections when required across the 7-day week and 24-hour day
- Will make timely and evidenced regulatory judgments

Being a “good” Regulator

- Committed to making a difference for people
- Committed to quality in your own work
- Have a genuine empathy with people & a real interest in their life stories and quality of life
- Act out of a strong personal ethic of concern for people using services
- Be willing to open yourself to the experience of others and to be impacted by this work
- Have the courage to “do the right thing” and be committed to making the often tricky judgement as to what is “good enough”

Responsive Regulation Principles

- 1. contingent** on the attitude, behaviour and level of compliance of providers. While most providers are motivated to deliver safe and high quality care to residents in accordance with the relevant regulations, the Authority recognises that a minority of providers are unwilling, incapable or ineffective at improving services or being compliant
2. Responsive regulation provides **flexibility** in deciding what is the most appropriate and proportional response to take in any particular circumstance

Responsive Regulation

3. Responsive regulation **empowers** providers to improve the safety or quality of care provided through ongoing inspection activity, identification of non-compliance, acknowledgment of good practice and publication of guidance.
4. Responsive regulation enables the Authority to **target** resources at those services which require more intense scrutiny and greater levels of regulatory intervention.

Responsive Regulation

- the type, frequency and intensity of regulatory intervention is informed by an assessment of risk for each designated centre.
- providers who persistently breach regulations or place service users at risk of harm are identified quickly and face proportionate and meaningful sanctions
- a whole system approach whereby a number of processes, procedures and tools work together to enable response to assessed risk in the most appropriate way.

- a **proportionate** approach to regulation based on centre risk profiling and underpinned by business rules.
- enables the concentration of resources on risk.
- **Acknowledges** actions being taken by more compliant providers and that any enforcement action taken by the Authority will be in proportion to the risks identified.
- **accountable** - the Authority is able to justify decisions and that no inspection will take place without justifiable reason, either in response to assessed risk or in accordance with business rules. The Authority is fully accountable for the efficiency and effectiveness of its regulatory function and is subject to public scrutiny.

Regulatory interventions

- ongoing monitoring of centres through receipt & assessment of information.
- use of function-specific assessment and judgement frameworks (providing opportunities for providers to self-assess in advance of inspection)
- on-site inspection of the centres; characterised by variation in frequency within a given inspection year and variation in scope in terms of the depth of assessment against relevant regulations and standards.
- use of both announced and unannounced inspections (the announced allows for planned engagement with service users and their carers).
- assessment of the centre by specialist and/or generalist inspection staff.
- assessment of service user and carer perspectives on their experience of the quality of the service.

The ARI principle – Compliance and Enforcement

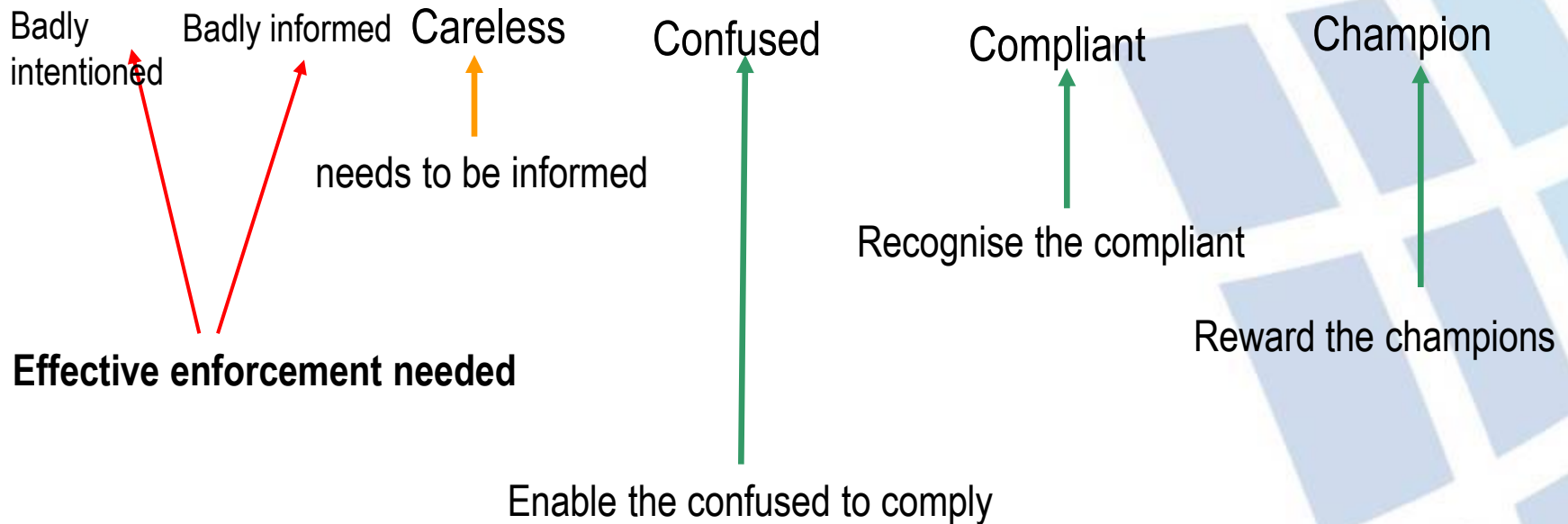
- **A**ttitude – is the provider open to making changes?
- **R**isk – what is the risk to the welfare of residents?
- **I**mpact – what is the impact of enforcement action on residents?

Statutory Enforcement Powers

Statutory Enforcement Powers available to the Chief Inspector:

- Cancel registration, attach, vary or remove conditions of registration
- Prosecute for an Offence – Fines and/or Prison
- Application to District court - may be Ex Parte
- Seek Court Order to Enforce Certain Decisions

The Compliance Spectrum



Good Structures and Good Processes lead to Good Outcomes



Thank You