

1. Purpose

The purpose of this policy is define how staff of the Authority conducting inspections, investigations or reviews will conduct themselves and to inform service users and their families or carers, and those involved in the provision of services, care and treatment to service users, of the standards of integrity and conduct they can expect of the Authority's staff.

A key function of the Health Information and Quality Authority (the Authority), relates to the conduct of inspections, investigations and reviews in line with the provisions of the Health Act, 2007. These activities are conducted by staff of the Authority who are:

- appointed as authorised persons under section 70 (1) of the Health Act 2007 for the purpose
- of monitoring compliance with standards in accordance with section 8(1)(c), and an investigation, referred to in section 8(1)(d), undertaken by the Authority
- appointed as inspectors of social services under section 43 of the Health Act 2007
- appointed as authorised persons under the Child Care Act, 1991.

In carrying out their statutory responsibilities employees of the Authority must comply with certain standards of professional conduct and practice.

In accordance with section 82(2) of the Health Act 2007 a code of conduct issued to employees of the Authority must indicate the standards of integrity and conduct to be maintained by employees of the Authority in performing their functions.

2. Scope

This document applies to all staff of the Authority (permanent, contract or under secondment) who are exercising statutory powers in the conduct of inspections, investigations or reviews.

This document does not apply to individuals who are appointed as authorised persons in an expert/part-time capacity and whose work with the Authority is not considered their principal employment.

3. Responsibilities

All Authority staff involved in the exercise of statutory powers are to implement and follow procedure.

4. Procedure

Under the provisions of this code of conduct, staff of the Authority who are exercising statutory powers are required to conform to the following ten requirements:

1. Conflict of interest
2. Authorisations, appointments and identification
3. Acceptance of gifts, hospitality and services
4. Inspection and investigation conduct
5. Judgements
6. Confidentiality
7. Reporting
8. Record keeping
9. Maintaining professional standards
10. Acting in accordance with organisation policies and processes

4.1 Conflict of interest

All staff covered by this code must declare any personal or other interest in any service subject to inspection or investigation, which could involve a conflict of interest or could compromise, or appear to compromise, his/her professional judgement, objectivity or independence.

4.2 Authorisations, appointments and identification

The Authority, in accordance with the Health Act 2007, requires that all staff exercising statutory powers produce a copy of their certificate of appointment or authorisation when exercising their functions. All staff exercising statutory powers are required to carry identification provided by the Authority, which clearly proves their identity.

4.3 Acceptance of gifts, hospitality and services

Staff conducting inspections, investigations or reviews must not accept personal gifts, hospitality or services from any service provider, which would, or might appear to place them under any obligation.

4.4 Inspection and investigation conduct

Staff conducting inspections, investigations or reviews must carry out their work within the legislative and regulatory framework and Standards relevant to the specific service. Staff conducting inspections, investigations or reviews must:

- carry out their duties in a courteous and non-discriminatory manner, with the minimum level of disruption necessary to the centre or service and with respect to the dignity, privacy and rights of service users
- take into account the age, understanding, circumstances and abilities of service users
- be as available as possible to any member of management, staff, service user, family member or carer who might wish to speak to them.

4.5 Judgements

Staff conducting inspections, investigations or reviews must:

- ensure that judgements accurately and reliably reflect the quality of service provided
- demonstrate a clear link between judgements reached and the evidence on which they are based
- be as open as possible about judgements made and the basis for judgements, restricting information only when the interests of others clearly demand so.

4.6 Confidentiality

Staff conducting inspections, investigations or reviews must respect the confidentiality of information with due regard to reporting obligations particularly in relation to the protection of children and potentially vulnerable adults.

4.7 Reporting

Staff conducting inspections, investigations or reviews must report findings in an objective and transparent manner and not knowingly understate or overstate the significance of reported conditions.

4.8 Record keeping

Staff conducting inspections, investigations or reviews must maintain clear and accurate records in an accessible and secure format.

4.9 Maintaining professional standards

Staff conducting inspections, investigations or reviews must inform the relevant Director or the Chief Inspector, or delegate, where the conduct of a colleague may be unsafe, illegal, unethical or in conflict with the provisions of this code of conduct.

4.10 Acting in accordance with organisation policies and processes

Staff conducting inspections, investigations or reviews must act in accordance with all the codes of conduct and policies, and procedures of the Authority including *the Code of Business Conduct*, which has been approved by the Board and is set out in the *Corporate Governance Manual*, the Authority's *Professional Conduct and Secondary Employment Policy* and relevant statutory requirements as applicable in the Authority's policies.

5. Periodic review and audit

This code of conduct will be subject to periodic review and audit.