

**Information Sharing Protocol in the Promotion of Compliance
Quality and Safety of Services Provision in Designated Centres**

Health Information and Quality Authority (HIQA)

and

The Confidential Recipient

Date Effective from:

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1. Introduction

HIQA is the independent Authority established to drive continuous improvement in Ireland's health and personal social care services. It has among its functions under the Health Act 2007 (as amended), responsibility for the regulation of the quality of services provided in designated centres for dependent older persons, children and adults with disabilities.

This protocol does not affect the independence of the Authority to carry out its statutory duties.

This protocol sets out the agreement for communication and sharing of information between HIQA and the Confidential Recipient appointed by the HSE in respect of concerns reported to the Confidential Recipient in respect of residential services for older and dependent persons and children and adults with a disability.

The protocol takes account of:

- The respective statutory roles and responsibilities of both HIQA and the role of the confidential Recipient as appointed by the HSE in the promotion of safe and effective services, compliant with regulations and standards and the respective responsibilities of both parties in the safeguarding of vulnerable persons and children under relevant legislation and policies.
- The responsibilities of HIQA as the body charged with the regulation of services specified under Section 41 of the Health Act 2007 (as amended).

The requirement of relevant legislation and guidance on the way information is shared and used on a need to know basis in accordance with the Data Protection Act (1988 and 2003).

2. Objectives

The primary objectives of this protocol are that:

- Both parties will work within their respective remits to ensure that services are compliant, safe and effective.
- When relevant information is received, that vulnerable adults are safeguarded from abuse.
- Information relating to safeguarding vulnerable adults is shared in a timely manner between both parties and dealt with effectively and in a timely manner.
- Information to inform intelligence on risk within services is shared in a timely manner to ensure an appropriate response in line with legislation and relevant policies.
- There is a collective drive to improving services provided in Designated Centres.

3. Sharing of Information to Safeguard Vulnerable Service Users and Children (where relevant) in Designated Centres

The Authority, as an independent regulatory body, actively considers all information it receives in terms of the risk to the residents, the care and welfare of the residents, and the level of compliance by the registered provider with:

- The Health Act 2007 (as amended).
- Health Act 2007 Care and Welfare of Residents in Designated Centres for Older People Regulations 2013.
- The National Quality Standards for Residential Care Settings for Older People in Ireland.
- Health Act 2007 (Care and Support of Residents in Designated Centres for Persons (Children and Adults with Disabilities Regulations 2013).
- The National Standards for Residential Services for Children and Adults with Disabilities 2013.
- Children First: National Guidance for the Protection and Welfare of Children 2011.

The Health Act 2007 and associated Regulations and Standards set out the arrangements to be put in place by the registered provider and the person in charge of a designated centre in relation to protecting residents from all forms of abuse including ensuring that there is a policy on and procedures in place for the prevention, detection and response to abuse and recording any incidence and taking appropriate action where a resident is harmed or suffers abuse or where there is risk of abuse for residents arising from actual or alleged abuse.

In addition, the Health Service Executive has implemented a National Policy on Safeguarding Vulnerable Adults. All services that are provided in designated centres either operated by the HSE or funded by the HSE under Sections 38 or 39 of the Health Act 2004 are required to implement this policy within their services to promote the safeguarding of residents and ensure an effective and consistent response to all allegations of abuse.

Serious/Immediate Risk

When the confidential recipient receives information relating to:

- an allegation, suspected or confirmed of abuse of any resident in a designated centre provided by a statutory and public funded non-statutory service providers (including for-profit organisations) designated centre this will be immediately communicated via the Authority Information Handling Centre by phone on **(021) 240 9646 or by email to concerns@hiqa.ie** who will in turn forward that information to the relevant inspector/officer and designated contact in HIQA as outlined in Appendix 1 of this protocol.
- A concern about the quality or safety of services provided in a designated centre, this will be communicated via the Authority Information Handling Centre by phone on **(021) 240 9646 or by email to concerns@hiqa.ie** who will in turn forward that information to the designated contact in HIQA
- If the confidential recipient believes on reasonable grounds that there is a risk to the life, or a serious risk to the health or welfare, of the persons resident in a designated centre provided or funded by the HSE, because of any act, failure to act or negligence on the part of a provider or where the confidential recipient has significant concerns that require immediate action, this will be immediately communicated via the Authority Information Handling Centre by phone on **(021) 240 9646 or by email to concerns@hiqa.ie** who will in turn forward that information to the relevant inspector/officer and designated contact in HIQA as outlined in Appendix 1 of this protocol.

On receipt of such information, an inspector or other authorized person will log, risk assess and take regulatory action on behalf of the Chief Inspector to decide if the registered provider of the centre is operating in compliance with the Regulations and Standards and that systems are in place to ensure that all residents are protected.

4. **The Office of the Confidential Recipient**

The confidential recipient is a role established by the HSE to receive information on a confidential basis from residents, service users, families, other concerned individuals whistleblowers and staff members relation to safeguarding issues and allegations of abuse, negligence, poor practice or other mistreatment in HSE provided or HSE funded services for vulnerable adults. The role is appointed under the terms of the 2004 Act, set up under formal legal delegation from the Director General of the HSE.

The Confidential Recipient is independent and will have the authority to examine concerns raised in order to:

- Advise and assist individuals on the best course of action to take to raise matters of concern
- Assist with the referral and examination of concerns
- Ensure that these matters are appropriately addressed by the HSE and its funded agencies.

It should be noted that this protocol operates in conjunction with the Information Sharing Protocol in the Promotion of Compliance Quality and Safety of Services Provision in Designated Centres between HIQA and the HSE.

5. Meetings between HIQA and the Confidential Recipient

In order to promote the operation of this protocol and enhance feedback on concerns raised and actions taken the Chief Inspector and nominated officers of HIQA and the confidential recipient will meet on a quarterly basis to update on all relevant areas.

6. Agreement

This protocol shall take effect upon a signature of both parties and shall continue until such time as it is terminated or superseded by a revised document.

The provisions in this protocol will be reviewed on an ongoing basis and no less than annually from the date it was signed by the parties, and any amendments made by agreement. The provisions in this protocol can be reviewed at any time at the request of either party. Both parties are committed to resolving any issues arising under this operation protocol by normal administrative means.

The Health Information and Quality Authority, Regulation Directorate and Confidential Recipient as appointed by the Health Service Executive intend for this protocol to commence on 18 April 2016.

Health Information and Quality Authority

1. Name (printed): Peter Quinn

Signed: 

Date: 18 / 04 / 2016

Chief Executive Officer

Confidential Recipient

1. Name (printed): LAIGH QUINN

Signed: 

Date: 18 / 04 / 2016

Confidential Recipient

7. Appendix 1

HIQA / HSE Officers

Health Information and Quality Authority Officers

For the purposes of this protocol the key contact within HIQA will be:

Name:	Position:	Contact No:	E-mail address:
Ms. Susan O'Rahilly	Key Contact	021 2409339	sorahilly@hiqa.ie
Name:	Position:	Contact No:	E-mail address:
Mr. Phelim Quinn	CEO	087 6601357	pquinn@hiqa.ie
Ms. Mary Dunnion	Director of Regulation / Chief Inspector	021 240 9333	mdunnion@hiqa.ie

Confidential Recipient contact details:

Vocational Training Centre

Dooradoyle

Limerick

Tel: (Lo-Call) 1890-100014

Office: 061-482605

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