



**Health  
Information  
and Quality  
Authority**

An tÚdarás Um Fhaisnéis  
agus Cáilíocht Sláinte

Regulation of  
Health and Social  
Care Services

# Assessment judgment framework for designated centres for older people

January 2018

*Safer Better Care*

## About the Health Information and Quality Authority

The Health Information and Quality Authority (HIQA) is an independent authority established to drive high-quality and safe care for people using our health and social care services in Ireland. HIQA's role is to develop standards, inspect and review health and social care services and support informed decisions on how services are delivered.

HIQA aims to safeguard people and improve the safety and quality of health and social care services across its full range of functions.

HIQA's mandate to date extends across a specified range of public, private and voluntary sector services. Reporting to the Minister for Health and engaging with the Minister for Children and Youth Affairs, HIQA has statutory responsibility for:

- **Setting Standards for Health and Social Services** — Developing person-centred standards, based on evidence and best international practice, for health and social care services in Ireland.
- **Regulation** — Registering and inspecting designated centres.
- **Monitoring Children's Services** — Monitoring and inspecting children's social services.
- **Monitoring Healthcare Safety and Quality** — Monitoring the safety and quality of health services and investigating as necessary serious concerns about the health and welfare of people who use these services.
- **Health Technology Assessment** — Providing advice that enables the best outcome for people who use our health service and the best use of resources by evaluating the clinical effectiveness and cost-effectiveness of drugs, equipment, diagnostic techniques and health promotion and protection activities.
- **Health Information** — Advising on the efficient and secure collection and sharing of health information, setting standards, evaluating information resources and publishing information about the delivery and performance of Ireland's health and social care services.

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## Introduction

HIQA has adopted a common 'Authority Monitoring Approach' (AMA) in order to carry out its functions as required by the Health Act 2007.

All HIQA staff involved in the regulation and or the monitoring of services against regulations and standards adhere to this approach and to any associated procedures and protocols. HIQA's monitoring approach does not replace the professional judgment of its staff. Instead, it provides staff with a range of procedures, protocols and tools to assist them in carrying out their functions. This combined assessment judgment framework is one of these tools.

Applying AMA and using the assessment judgment framework will ensure that each registered provider is treated fairly and the assessment of compliance is timely, consistent and is responsive to risk identified within the designated centre. It also provides transparency for providers and the public on how HIQA assesses and makes judgments about compliance and non-compliance.

The application of AMA does not replace or take away from the registered providers' responsibility to ensure that they are in compliance with the regulations, and provide safe and high-quality services for people who use their services.

The purpose of the assessment judgment framework is to support inspectors in gathering evidence when monitoring or assessing a designated centre and to make judgments on compliance. The framework sets out the lines of enquiry to be explored by inspectors in order to assess compliance with the standards and /or regulations being monitored or assessed. It also outlines the compliance descriptors of:

- **Compliant:** a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.
- **Substantially compliant:** a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.
- **Not compliant:** a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is

risk-rated orange (moderate risk) and the provider must take action *within a reasonable time frame* to come into compliance.

The assessment judgment Framework should be applied in conjunction with the following:

- Health Act 2007 (as amended)
- Health Act 2007 (Care and Welfare of Residents in Designated Centres for Older People) Regulations 2013
- Health Act 2007 (Registration of Designated Centres for Older People) Regulations 2015.
- the *National Standards for Residential Care Settings for Older People in Ireland* (2016)
- HIQA's monitoring approach policy, procedures and guidance.

The assessment judgment framework is organised into two sections called dimensions:

- 1. Capacity and capability.**
- 2. Quality and safety.**

Under each of these dimensions, the regulations and standards<sup>1</sup> are organised for ease of reporting.

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<sup>1</sup> The Standards are aligned to one regulation only, as a 'best fit' simply for the purpose of reporting. This does not negate the provider's responsibility in meeting these Standards.

Figure 1: Themes in the National Standards



Appendix 1 of this framework document contains a supplementary assessment judgment framework that will support inspectors when assessing compliance with the Health Act 2007 (Registration of Designated Centres for Older People) Regulations 2015.

## Section 1 Capacity and capability

This section focuses on the overall delivery of the service and how the provider is assured that an effective and safe service is provided.

It includes how the provider:

- makes sure there are effective governance structures with clear lines of accountability so that all members of the workforce are aware of their responsibilities and who they are accountable to
- ensures that the necessary resources are in place to support the effective delivery of quality care and support to people using the service
- designs and implements policies and procedures that will make sure the centre runs effectively.

| <b>Dimensions: Capacity and capability</b> |  |
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| <b>Regulation</b>                          | <b>Regulation 3: Statement of purpose</b>  |
| <b>Standard</b>                            | <p><b>Standard 2.3</b></p> <p>The design and delivery of the residential service maintains and supports physical and psychological wellbeing for those who are cognitively impaired while achieving best health and social care outcomes.</p> <p><b>Standard 5.3</b></p> <p>The residential service has a publically available statement of purpose that accurately describes the services provided.</p>               |
| <b>Line of enquiry</b>                     | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider prepared in writing a statement of purpose relating to the designated centre concerned and contain the information set out in Schedule 1 of the Regulations?</li> <li>2. Has the registered provider reviewed and revised the statement of purpose at intervals of not less than one year?</li> </ol> |

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| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |
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| Dimensions: Capacity and capability |  |
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| Regulation                          | Regulation 4: Written policies and procedures  |
|                                     |  |
| <b>Line of enquiry</b>              | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider prepared in writing, adopted and implemented policies and procedures on the matters set out in Schedule 5?</li> <li>2. Has the registered provider made the written policies and procedures referred to in paragraph (1) available to staff?</li> <li>3. Has the registered provider reviewed the policies and procedures referred to in paragraph (1) as often as the Chief Inspector may require but in any event at intervals not exceeding 3 years and, when necessary, reviewed and updated them in accordance with best practice?</li> </ol>  |
| <b>Judgment</b>                     | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of</li> </ul> |

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|  | <p>residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimensions: Capacity and capability</b> |   |
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| <b>Regulation</b>                          | <b>Regulation 14: Persons in charge</b>   |
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| <b>Line of enquiry</b>                     | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Is there a person in charge of a designated centre?</li> <li>2. Where the person in charge is the registered provider where the registered provider concerned is a registered medical practitioner: <ol style="list-style-type: none"> <li>a. are they solely employed in carrying on the business of the designated centre concerned, and</li> <li>b. has not less than 3 years' experience of carrying on the business of a nursing home under the Health Act 2007?</li> </ol> </li> <li>3. Where the registered provider is not the person in charge, is the person in charge a registered nurse with not less than 3 years experience of nursing older persons within the previous 6 years?</li> <li>4. Where the person in charge is the person in charge of more than one designated centre, is the Chief Inspector satisfied that he or she is engaged in the effective governance, operational management and administration of the designated centres concerned?</li> <li>5. Where the registered provider is not the person in charge, has he or she ensured that the documents specified in Schedule 2 are provided by the person concerned?</li> <li>6. Has the person who is employed to be a person in charge on or after the day which is three3 years after the day on which these Regulations came into operation have: <ol style="list-style-type: none"> <li>a. not less than 3 years experience in a management capacity in the health and social care area, and</li> <li>b. a post-registration management qualification in health or a related field?</li> </ol> </li> </ol> |

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|                        | <p>7. Where the Chief Inspector is satisfied that no resident of a designated centre concerned has been assessed as requiring full-time nursing care, paragraphs (3) and (6) do not apply to the person in charge of that centre.</p>  |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> A judgment of compliant means the provider and/or the person in charge is in full compliance with the relevant Regulation.</li> <li>▪ <b>Substantially compliant:</b> A judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow which is low risk.</li> <li>▪ <b>Not compliant:</b> A judgment of not compliant means the provider or person in charge has not complied with a regulation and considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service it is risk rated orange (moderate risk) and the provider must take action <i>within a reasonable timeframe</i> to come into compliance.</li> </ul> |

| Dimensions: Capacity and Capability |   |
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| Regulation                          | Regulation 15: Staffing   |
|                                     |   |
| <b>Line of enquiry</b>              | <p><b>Provider’s responsibilities:</b></p> <p>1. Has the registered provider ensured that the number and skill-mix of staff is appropriate having regard to the needs of the residents, assessed in accordance with Regulation 5, and the size and layout of the designated centre concerned?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>2. Has the person in charged ensured that the staff of a designated centre includes, at all times, at least one registered nurse?</p> <p>3. Where the Chief Inspector is satisfied that no resident of the designated centre concerned has been assessed in accordance with Regulation 5 as requiring full-time nursing care, paragraph (2) does not apply to the staff of the centre.</p>  |
| <b>Judgment</b>                     | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the</li> </ul> |

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|  | <p>inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimension: Capacity and capability</b> |   |
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| <b>Regulation</b>                         | <b>Regulation 16: Training and staff development</b>  |
| <b>Standard</b>                           | <p><b>Standard 7.2</b></p> <p>Staff have the required competencies to manage and deliver person-centred, effective and safe services to all residents.</p> <p><b>Standard 7.3</b></p> <p>Staff are supported and supervised to carry out their duties to protect and promote the care and welfare of all residents.</p> <p><b>Standard 7.4</b></p> <p>Training is provided to staff to improve outcomes for all residents.</p>  |
| <b>Line of enquiry</b>                    | <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the person in charge ensured that: <ol style="list-style-type: none"> <li>a. staff have access to appropriate training</li> <li>b. staff are appropriately supervised</li> <li>c. staff are informed of the Act and any regulations made under it?</li> </ol> </li> <li>2. Has the person in charge ensured that copies of the following are available to staff: <ol style="list-style-type: none"> <li>a. the Act and any regulations made under it?</li> <li>b. any relevant standards set and published by the Authority under section 8 of the Act and approved by the Minister under section 10 of the Act?</li> <li>c. relevant guidance published from time to time by Government or statutory agencies in relation to designated centre for older people?</li> </ol> </li> </ol> |
| <b>Judgment</b>                           | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of</li> </ul>   |

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|  | <p>substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</p> <ul style="list-style-type: none"><li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li></ul> |
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| Dimensions: Capacity and capability |  |
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| Regulation                          | Regulation 19: Directory of residents  |
|                                     |  |
| <b>Line of enquiry</b>              | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider established and maintained a Directory of Residents in a designated centre?</li> <li>2. Is the directory established under paragraph (1) above available, when requested, to the Chief Inspector?</li> <li>3. Does the directory of residents include the information specified in paragraph (3) of Schedule 3?</li> </ol>  |
| <b>Judgment</b>                     | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

| <b>Dimensions: Capacity and capability</b> |  |
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| <b>Regulation</b>                          | <b>Regulation 21: Records</b>  |
| <b>Standard</b>                            | <p><b>Standard 7.1</b></p> <p>Safe and effective recruitment practices are in place to recruit staff.</p> <p><b>Standard 8.2</b></p> <p>Information governance arrangements ensure secure record-keeping and file-management systems are in place to deliver a person-centred safe and effective service.</p>  |
| <b>Line of enquiry</b>                     | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider ensured that the records set out in Schedule 2, 3 and 4 are kept in a designated centre and are available for inspection by the Chief Inspector?</li> <li>2. Are records kept in accordance with this section and set out in Schedule 2 retained for a period of not less than 7 years after the staff member has ceased to be employed in the designated centre concerned?</li> <li>3. Are records kept in accordance with this section and set out in Schedule 3 retained for a period of not less than 7 years after the resident has ceased to reside in the designated centre concerned?</li> <li>4. Are records kept in accordance with this section and set out in paragraphs (6), (9), (10), (11) and (12) of Schedule 4, retained for a period of not less than 4 years from the date of their making?</li> <li>5. Are records kept in accordance with this section and set out in paragraphs (7) and (8) of Schedule 4, retained for a period of not less than 7 years from the date of their making?</li> <li>6. Are records specified in paragraph (1) kept in such a manner as to be safe and accessible?</li> </ol> |

**Judgment**

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| Dimensions: Capacity and capability |  |
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| Regulation                          | Regulation 22: Insurance   |
|                                     |  |
| <b>Line of enquiry</b>              | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider effected a contracted of insurance against injury to residents?</li> <li>2. Where the registered provider has insured against other risks, including loss or damage to a resident’s property and where such insurance is effected, has the resident been advised accordingly?</li> </ol>  |
| <b>Judgment</b>                     | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

| <b>Dimensions: Capacity and capability</b> |   |
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| <b>Regulation</b>                          | <b>Regulation 23: Governance and Management</b>   |
| <b>Standard</b>                            | <p><b>Standard 5.1</b></p> <p>The residential service performs its functions as outlined in relevant legislation, regulations, national policies and standards to protect each resident and promote their welfare.</p> <p><b>Standard 5.2</b></p> <p>The residential service has effective leadership, governance and management arrangements in place and clear lines of accountability.</p> <p><b>Standard 5.4</b></p> <p>The quality of care and experience of residents are monitored, reviewed and improved on an ongoing basis.</p> <p><b>Standard 6.1</b></p> <p>The use of resources is planned and managed to provide person-centred, effective and safe services and supports to residents.</p> <p><b>Standard 8.1</b></p> <p>Information is used to plan and deliver person-centred, safe and effective residential services and supports.</p> |
| <b>Line of enquiry</b>                     | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider ensured that: <ol style="list-style-type: none"> <li>a. the designated centre has sufficient resources to ensure the effective delivery of care in accordance with the statement of purpose</li> <li>b. there is a clearly defined management structure that identifies the lines of authority and accountability, specifies roles and details responsibilities for all areas of care provision</li> <li>c. management systems are in place to ensure that the service provided is safe, appropriate, consistent and effectively monitored</li> </ol> </li> </ol>  |

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|                        | <p>d. there is an annual review of the quality and safety of care delivered to residents in the designated centre to ensure that such care is in accordance with relevant standards set by the Authority under section 8 of the Act and approved by the Minister under section 10 of the Act</p> <p>e. the review referred to in subparagraph (d) is prepared in consultation with residents and their families</p> <p>f. that a copy of the review referred to in subparagraph (d) is made available to residents and, if requested, to the Chief Inspector?</p>  |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

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| <b>Dimensions: Capacity and Capability</b> |   |
| <b>Regulation</b>                          | <b>Regulation 24: Contract for the provision of services</b>  |
| <b>Standard</b>                            | <p><b>Standard 2.8</b></p> <p>Each resident's access to residential services is determined on the basis of fair and transparent criteria.</p>   |
| <b>Line of enquiry</b>                     | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider agreed in writing with each resident, on the admission of that resident to the designated centre concerned, including terms relating to the bedroom to be provided to the resident and the number of other occupants (if any) of that bedroom, the terms on which that resident shall reside in that centre?</li> <li>2. Does the agreement referred to in paragraph (1) relate to the care and welfare of the resident in the designated centre concerned and include details of: <ol style="list-style-type: none"> <li>a. the services to be provided, whether under the Nursing Homes Support Scheme or otherwise, to the resident concerned</li> <li>b. the fees, if any, to be charged for such services</li> <li>c. where appropriate, the arrangement for the application for or receipt of financial support under the Nursing Homes Support Scheme, including arrangements for the payment or refund of monies, or</li> <li>d. any other service of which the resident may choose to avail but which is not included in the Nursing Homes Support Scheme or to which the resident is not entitled under any other health entitlement?</li> </ol> </li> </ol> |

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| <b>Judgment</b> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |
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| <b>Dimensions: Capacity and Capability</b> |   |
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| <b>Regulation</b>                          | <b>Regulation 30: Volunteers</b>  |
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| <b>Line of enquiry</b>                     | <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the person in charge ensured that people involved on a voluntary basis with the designated centre: <ol style="list-style-type: none"> <li>a. have their roles and responsibilities set out in writing</li> <li>b. received supervision and support, and</li> </ol> </li> </ol> |



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|                        | <p>c. provided a vetting disclosure in accordance with the National Vetting Bureau (Children and Vulnerable Persons) Act 2012?</p>   |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |



| <b>Dimensions: Capacity and Capability</b> |   |
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| <b>Regulation</b>                          | <b>Regulation 31: Notification if incidents</b>   |
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| <b>Line of enquiry</b>                     | <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Where an incident set out in paragraph 7 (1) (a) to (j) of Schedule 4 occurs, has the person in charge given notice in writing of the incident within 3 working days of its occurrence?</li> <li>2. Has the person in charge ensured that, when the cause of an unexpected death has been established, the Chief Inspector is informed of that cause in writing?</li> <li>3. Has the person in charge provided a written report to the Chief Inspector at the end of each quarter in relation to the occurrence of an incident set out in paragraph 7 (2) (k) to (n) of Schedule 4.</li> </ol> <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>4. Where no report is required under paragraph (1) or (3), has the registered provider concerned reported that to the Chief Inspector at the end of each 6 month period?</li> </ol> |
| <b>Judgment</b>                            | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated</li> </ul>  |

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|  | <p>orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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**Dimensions: Capacity and capability**

**Regulation**

**Regulation 32: Notification of absence**

**Line of enquiry**

**Provider's responsibilities:**

1. Where the person in charge of the designated centre proposes to be absent from the designated centre for a continuous period of 28 days or more, has the registered provider given notice in writing to the Chief Inspector of the proposed absence?
2. Except in the case of emergency, has the notice referred to in paragraph (1) been given no later than one month before the proposed absence commences or within such shorter period as maybe agreed with the Chief Inspector and the notice specified:
  - a. the length or expected length of absence
  - b. the expected dates of departure and return?
3. Where the person in charge is absent as the result of an emergency, has the registered provider, as soon as it becomes apparent that the absence concerned will be for a period of 28 days or more, given notice of the absence including the information referred to in paragraph (2) above in writing to the Chief Inspector specifying the matters mentioned in paragraph (2)?
4. Where the absence referred to in paragraph (3) has occurred, has the registered provider notified the Chief Inspector of the return to duty of the person in charge not later than 3 working days after the date of his or her return?

**Judgment**

- **Compliant:** a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.
  
- **Not compliant:** a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action *within a reasonable time frame* to come into compliance.

| Dimensions: Capacity and capability |   |
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| <b>Regulation</b>                   | <b>Regulation 33: Notification of procedures and arrangements for periods when the person in charge is absent from the designated centre.</b>   |
| <b>Line of enquiry</b>              | <b>Provider's responsibilities:</b><br><br>1. Where the registered provider gives notice of the absence of the person in charge from the designated centre under Regulation 32, does the notice include details of the procedures and arrangements that will be in place for the management of the designated centre during that absence?<br><br>2. Does the notice referred to in paragraph (1) specify:<br><br>a. the arrangements which have been, or were made, for the running of the designated centre during that absence?<br><br>b. the arrangements that have been made, or are proposed to be made, for appointing another person in charge to manage the designated centre during that absence, including the proposed date by which the appointment is to be made?<br><br>c. the name, contact details and qualifications of the person who will be or was responsible for the designated centre during that absence? |
| <b>Judgment</b>                     | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service</li> </ul>  |

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|  | <p>will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimensions: Capacity and capability</b> |  |
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| <b>Regulation</b>                          | <b>Regulation 34: Complaints procedure</b>   |
| <b>Standard</b>                            | <b>Standard 1.7</b><br><br>Each resident's complaints and concerns are listened to and acted upon in a timely, supportive and effective manner.  |
| <b>Line of enquiry</b>                     | <b>Provider's responsibilities:</b><br><br>1. Has the registered provider provided an accessible and effective complaints procedure which includes an appeals procedure?<br><br><ul style="list-style-type: none"> <li>a. Has the registered provider made each resident and their family aware of the complaints procedure as soon as is practicable after admission of the resident to the centre?</li> <li>b. Has the registered provider displayed a copy of the complaints procedure prominently in the designated centre?</li> <li>c. Has the registered provider nominated person who is not involved in the matter the subject of the complaint to deal with complaints?</li> <li>d. Has the registered provider investigated all complaints promptly?</li> <li>e. Has the registered provider assisted a complainant to understand the complaints procedure?</li> <li>f. Has the registered provider ensured that the nominated person maintains a record of all complaints including details of any investigation into the complaint, the outcome of the complaint and whether or not the resident was satisfied?</li> <li>g. Has the registered provider informed the complainant promptly of the outcome of their complaint and informed of the appeals process?</li> <li>h. Has the registered provider put in place any measures required for improvement in response to a complaint?</li> </ul> |

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|                        | <p>2. Has the registered provider ensured that all complaints and the results of any investigations into the matters complained of and any actions taken on foot of a complaint are fully and properly recorded and are such records in addition to and distinct from a resident's individual care plan.</p> <p>3. Has the registered provider nominated a person, other than the person nominated in paragraph (1)(c), available in a designated centre to ensure that:</p> <ol style="list-style-type: none"> <li>a. all complaints are appropriately responded to and</li> <li>b. the person nominated under paragraph (1) (c) maintains records specified under paragraph (f)?</li> </ol> <p>4. Has the registered provider ensured that any resident who has made a complaint is not adversely affected by reason of the complaint having been made?</p>   |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must</li> </ul> |

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|  | take action <i>within a reasonable time frame</i> to come into compliance. |
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## Section 2 Quality and safety

The focus of this section is about the lived experience of the people using the service.

This includes how people:

- make choices and are actively involved in shaping the services they receive
- are empowered to exercise their rights, achieve their personal goals, hopes, and aspirations
- receive effective person-centred care and support, at all stages of their lives
- are able to live in a safe, comfortable and homely environment
- have food and drink that is nutritious
- are protected from any harm or abuse.

| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 5: Individual assessment and care plan</b>   |
| <b>Standard</b>                       | <p><b>Standard 2.1</b></p> <p>Each resident has a care plan, based on an ongoing comprehensive assessment of their needs which is implemented, evaluated and reviewed, reflects their changing needs and outlines the support required to maximise their quality of life in accordance with their wishes.</p>  |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <p>1. Has the registered provider, in so far as is reasonably practical, arranged to meet the needs of each resident when these have been assessed in accordance with paragraph (2)?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>2. Has the person in charge arranged a comprehensive assessment, by an appropriate healthcare professional of the health, personal and social care needs of a resident or a person who intends to be a resident immediately before or on the person’s admission to the designated centre concerned?</p> <p>3. Has the person in charge prepared a care plan, based on the assessment referred to in paragraph (2), for a resident no later than 48 hours after that resident’s</p> |

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|                        | <p>admission to the designated centre concerned?</p> <p>4. Has the person in charge formally reviewed at intervals not exceeding 4 months, the care plan prepared in paragraph (3) and, where necessary, revised it, after consultation with the resident concerned and where appropriate that resident's family?</p> <p>5. Is the care plan, prepared under this regulation available to the resident concerned and, with the consent of the resident or where the person in charge considers it appropriate, made available to his or her family?</p>  |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

| <b>Dimensions: Quality and safety</b> |   |
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| <b>Regulation</b>                     | <b>Regulation 6: Healthcare</b>   |
| <b>Standard</b>                       | <b>Standard 4.1</b><br><br>The health and wellbeing of each resident is promoted and they are given appropriate support to meet any identified healthcare needs   |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider, having regard to the care plan prepared under Regulation 5, provided appropriate medical and healthcare, including a high standard of evidence-based nursing care in accordance with professional guidelines issued by An Bord Altranais agus Cnáimhseachais from time to time, for a resident?</li> </ol> <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>2. Has the person in charge, in so far as is reasonably practical, made available to a resident: <ul style="list-style-type: none"> <li>▪ a medical practitioner chosen or acceptable to the resident</li> <li>▪ where the resident agrees to medical treatment recommended by the medical practitioner concerned, the recommended treatment where the care referred to in paragraph (1) or other healthcare service requires additional expertise, access to such treatment?</li> </ul> </li> </ol> |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> </ul>  |

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| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 7: Managing behaviour that is challenge</b>  |
| <b>Standard</b>                       | <p><b>Standard 4.3</b></p> <p>Each resident experiences care that supports their physical, behavioural and psychological wellbeing.</p>  |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider ensured that, where restraint is used in the designated centre, it is only done in accordance with national policy as published on the website of the Department of Health from time to time?</li> </ol> <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>2. Has the person in charge ensured that staff have up-to-date knowledge and skills, appropriate to their roles, to manage behaviour that is challenging?</li> <li>3. Where a resident behaves in a manner that is challenging or poses a risk to the resident concerned or to other persons, has the person in charge managed and responded to that behaviour, in so far as possible, in a manner that is not restrictive?</li> </ol> |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance.</li> </ul>  |



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|  | <p>Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimensions: Quality and safety</b> |   |
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| <b>Regulation</b>                     | <b>Regulation 8: Protection</b>   |
| <b>Standard</b>                       | <p><b>Standard: 3.1</b></p> <p>Each resident is safeguarded from abuse and neglect and their safety and welfare is promoted.</p> <p><b>Standard 3.5</b></p> <p>Arrangements to protect residents from harm promote bodily integrity, personal liberty and a restraint-free environment is accordance with national policy.</p>  |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider taken all reasonable measures to protect residents?</li> <li>2. In the measures referred to in paragraph (1) has the registered provider included staff training in relation to the detection and prevention of and responses to abuse?</li> <li>3. Where the person in charge is the subject of the allegation of abuse, has the registered provider:               <ol style="list-style-type: none"> <li>(a) investigated the matter or</li> <li>(b) nominated a person, who in the opinion of the registered provider, is a suitable person to investigate the matter?</li> </ol> </li> </ol> <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>4. Has the person in charge investigated any incident or allegation of abuse?</li> </ol> |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> </ul>  |

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| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 9: Residents' rights</b>   |
| <b>Standard</b>                       | <p><b>Standard 1.1</b></p> <p>The rights and diversity of each resident are respected and safeguarded.</p> <p><b>Standard 1.2</b></p> <p>The privacy and dignity of each resident are protected.</p> <p><b>Standard 1.3</b></p> <p>Each resident has the right to exercise choice and to have their needs and preferences taken into account in the planning, design and delivery of services</p> <p><b>Standard 1.4</b></p> <p>Each resident develops and maintains personal relationships and links with the community in accordance with their wishes.</p> <p><b>Standard 1.6</b></p> <p>Each resident, where appropriate, is facilitated to make informed decisions, has access to an advocate and their consent is obtained in accordance with legislation and current evidence-based guidelines.</p> <p><b>Standard 4.2</b></p> <p>Each resident is offered a choice of appropriate recreational and stimulating activities to meet their needs and preferences.</p> |
| <b>Line of enquiry</b>                | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider carried on the business of the designated centre concerned so as to have regard for the sex, religious persuasion, racial origin, cultural and linguistic background and ability of the resident?</li> <li>2. Has the registered provider provided for each resident: <ol style="list-style-type: none"> <li>a. facilities for occupation and recreations, and</li> </ol> </li> </ol>   |

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|                 | <p>b. opportunities to participate in activities in accordance with their interests and capacities?</p> <p>3. Has the registered provider, in so far as is reasonably practical, ensured that a resident:</p> <p>a. may exercise choice in so far as such exercise does not interfere with the rights of other residents</p> <p>b. may undertake personal activities in private</p> <p>c. may communicate freely and in particular have access to:</p> <ul style="list-style-type: none"> <li>— information about current affairs and local matters</li> <li>— radio, television, newspapers and other media</li> <li>— telephone facilities, which may be accessed privately</li> <li>— voluntary groups, community resources and events?</li> </ul> <p>(d) may be consulted about and participate in the organisation of the designated centre concerned</p> <p>(e) may exercise their civil, political and religious rights</p> <p>(f) has access to independent advocacy services?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>4. Has the person in charge made staff aware of the matters referred to in paragraph (1) as respects each resident in a designated centre?</p> |
| <b>Judgment</b> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or</li> </ul>   |

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| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 10: Communication</b>  |
| <b>Standard</b>                       | <p><b>Standard 1.5</b></p> <p>Each resident has access to information, provided in a format appropriate to their communication needs and preferences.</p>  |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <p>1. Has the registered provider ensured that a resident, who has communication difficulties may, having regard to his or her wellbeing, safety and health and that of other residents in the designated centre concerned, communicate freely?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>2. Has the person in charge ensured that where a resident has specialist communication requirements, such requirements are recorded in the resident’s care plan prepared under Regulation 5?</p> <p>3. Has the person in charge ensured that staff are informed of any specialist needs referred to in paragraph (2)?</p>   |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-</li> </ul> |

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| Dimensions: Quality and safety |   |
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| Regulation                     | Regulation 11: Visits   |
|                                |   |
| <b>Line of enquiry</b>         | <p><b>Provider’s responsibilities:</b></p> <p>1. Has the registered provider made arrangements for a resident to receive visitors?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>2. Has the person in charge ensured that:</p> <ul style="list-style-type: none"> <li>a. in so far as is reasonably practical, visits to a resident are not restricted, unless: <ul style="list-style-type: none"> <li>— such a visit would, in the opinion of the person in charge, pose a risk to the resident concerned or to another residents, or</li> <li>— the resident concerned has requested the restriction of visits?</li> </ul> </li> <li>b. having regard to the number of residents and needs of each resident, suitable communal facilities are available for a resident to receive a visitor, and — in so far as is practical — a suitable private area, which is not the resident’s room, is available to a resident to receive a visitor if required?</li> </ul> |



**Judgment**

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- **Substantially compliant:** a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.
  
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| <b>Dimensions: Quality and safety</b> |   |
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| <b>Regulation</b>                     | <b>Regulation 12: Personal possessions</b>  |
| <b>Standard</b>                       | <b>Standard 3.6</b><br><br>Each resident's personal property and finances are managed and protected.  |
| <b>Line of enquiry</b>                | <p><b>Person in charge's responsibilities:</b></p> <p>1. Has the person in charge, in so far as is reasonably practical, ensured that a resident has access to and retains control over his or her property, possessions and finances, in particular, that:</p> <ol style="list-style-type: none"> <li>a. a resident uses and retains control over his or her clothes</li> <li>b. his or her linen and clothes are laundered regularly and returned to that resident</li> <li>c. he or she has adequate space to store and maintain his or her clothes and other personal possessions?</li> </ol>   |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> A judgment of compliant means the provider and/or the person in charge is in full compliance with the relevant Regulation.</li> <li>▪ <b>Substantially compliant:</b> A judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow which is low risk.</li> <li>▪ <b>Not compliant:</b> A judgment of not compliant means the provider or person in charge has not complied with a regulation and considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk rated red (high risk) and the inspector will identify</li> </ul> |

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|  | <p>the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service it is risk rated orange (moderate risk) and the provider must take action <i>within a reasonable timeframe</i> to come into compliance.</p> |
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| <b>Dimensions: Quality and safety</b> |   |
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| <b>Regulation</b>                     | <b>Regulation 13: End of life care</b>  |
| <b>Standard</b>                       | <p><b>Standard 2.4</b></p> <p>Each resident receives palliative care based on their assessed needs, which maintains and enhances their quality of life and respects their dignity.</p> <p><b>Standard 2.5</b></p> <p>Each resident continues to receive care at the end of their life which respects their dignity and autonomy and meets their physical, emotional, social and spiritual needs.</p>  |
| <b>Line of enquiry</b>                | <p><b>Person in charge’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Where a resident is approaching the end of his or her life, has the person in charge ensured that: <ol style="list-style-type: none"> <li>a. appropriate care and comfort, which addresses the physical, emotional social, psychological and spiritual needs of the resident concerned are provided</li> <li>b. the religious and cultural needs of the resident concerned are, in so far as reasonably practical, met</li> <li>c. the family and friends of the resident concerned are, with the resident’s consent, informed of the resident’s condition, and permitted to be with the resident and suitable facilities are provided for such persons?</li> <li>d. where the resident indicates a preference as to his or her location (for example, a preference to return home or for a private room), such preference has been facilitated in so far as is reasonably practical?</li> </ol> </li> <li>2. Following the death of a resident, has the person in charge ensured that appropriate arrangements in accordance with that resident’s wishes — in so far as they are known and are reasonably practical — have</li> </ol> |

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|                 | been met?  |
| <b>Judgment</b> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 17: Premises</b>   |
| <b>Standard</b>                       | <p><b>Standard 2.6</b></p> <p>The residential service is homely and accessible and provides adequate physical space to meet each resident's assessed needs.</p> <p><b>Standard 2.7</b></p> <p>The design and layout of the residential service is suitable for its stated purpose. All areas in the premises meet the privacy, dignity and wellbeing of each resident.</p>   |
| <b>Line of enquiry</b>                | <p><b>Provider's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider ensured that the premises of the designated centre are appropriate to the number and needs of the residents of that centre and in accordance with the statement of purpose prepared under Regulation 3?</li> <li>2. Has the registered provider, having regard to the needs of the residents of a particular designated centre, provided premises which conform to the matters set out in Schedule 6?</li> </ol>  |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-</li> </ul> |

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|  | <p>compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 18: Food and Nutrition</b>   |
| <b>Standard</b>                       | <b>Standard 2.2:</b><br><br>Each resident's needs in relation to hydration and nutrition are met and meals and mealtimes are an enjoyable experience.  |
| <b>Line of enquiry</b>                | <p><b>Person in charge's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the person in charge ensured that each resident: <ol style="list-style-type: none"> <li>a. has access to a safe supply of fresh drinking water at all times</li> <li>b. is offered choice at mealtimes</li> <li>c. is provided with adequate quantities of food and drink which: <ul style="list-style-type: none"> <li>— are properly and safely prepared, cooked and served</li> <li>— are wholesome and nutritious</li> <li>— meet the dietary needs of a resident as prescribed by healthcare or dietetic staff, based on nutritional assessment in accordance with the individual care plan of the resident concerned?</li> </ul> </li> </ol> </li> <br/> <li>2. Has the person in charge provided meals, refreshments and snacks at all reasonable times?</li> <br/> <li>3. Has the person in charge ensured that an adequate number of staff are available to assist residents at meals and when other refreshments are served?</li> </ol> |



**Judgment**

- **Compliant:** a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.
  
- **Substantially compliant:** a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.
  
- **Not compliant:** a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action *within a reasonable time frame* to come into compliance.

| Dimensions: Quality and safety |   |
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| Regulation                     | Regulation 20: Information for residents  |
|                                |   |
| <b>Line of enquiry</b>         | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider prepared and made available to residents a guide in respect of a designated centre?</li> <li>2. Does the guide prepared under paragraph (a) include: <ol style="list-style-type: none"> <li>a. a summary of the services and facilities in that designated centre</li> <li>b. the terms and conditions relating to residence in the designated centre concerned</li> <li>c. the procedure relating to complaints</li> <li>d. the arrangements for visits?</li> </ol> </li> </ol>   |
| <b>Judgment</b>                | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare</li> </ul> |

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|  | <p>of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</p> |
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| <b>Dimensions: Quality and safety</b> |  |
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| <b>Regulation</b>                     | <b>Regulation 25: Temporary absence or discharge of residents</b>  |
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| <b>Line of enquiry</b>                | <p><b>Person in charge's responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. When a resident is temporarily absent from a designated centre for treatment at another designated centre, hospital or elsewhere, has the person in charge of the designated centre from which the resident is temporarily absent ensured that all the relevant information about the resident is provided to the receiving designated centre, hospital or place?</li> <li>2. When the resident returns from another designated centre, hospital or place, has the person in charge of the designated centre from which the resident was temporarily absent taken all reasonable steps to ensure that all relevant information about the resident is obtained from the other designated centre, hospital or place?</li> <li>3. Has the person in charge ensured that, in so far as practicable, a resident is discharged from the designated centre concerned in a planned and safe manner?</li> <li>4. Was the discharge discussed, planned for and agreed with a resident and, where appropriate, with their family or carer, and in accordance with the terms and conditions of the contract agreed in accordance with Regulation 24?</li> </ol> |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will</li> </ul>  |

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|  | <p>have a risk rating of yellow, which is low risk.</p> <ul style="list-style-type: none"><li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li></ul> |
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| <b>Dimensions: Quality and safety</b> |   |
| <b>Regulation</b>                     | <b>Regulation 26: Risk management</b>   |
| <b>Standard</b>                       | <b>Standard 3.2: The residential service has effective arrangements in place to manage risk and protect residents from the risk of harm.</b>  |
| <b>Line of enquiry</b>                | <p><b>Provider's responsibilities:</b></p> <p>1. Has the registered provider ensured that the risk management policy, set out in Schedule 5, included the following:</p> <ul style="list-style-type: none"> <li>a. hazard identification and assessment of risks throughout the designated centre</li> <li>b. measures and actions in place to control the risks identified</li> <li>c. measures and actions in place to control the following risks: <ul style="list-style-type: none"> <li>— abuse</li> <li>— unexplained absence of any resident</li> <li>— accidental injury to residents, visitors or staff</li> <li>— aggression and violence</li> <li>— self-harm</li> </ul> </li> <li>d. arrangements for the identification, recording, investigation and learning from serious incidents or adverse events involving residents?</li> </ul> <p>2. Has the registered provider ensured that there is a plan in place for responding to major incidents likely to cause death or injury, serious disruption to essential services or damage to property?</p> |
| <b>Judgment</b>                       | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> </ul>  |

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|  | <ul style="list-style-type: none"><li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li></ul> |
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| Dimensions: Quality and safety |  |
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| <b>Regulation</b>              | <b>Regulation 27: Infection control</b>  |
| <b>Standard</b>                | <b>Standard 3.3</b><br><br>Infection prevention and control practices achieve the best outcomes for residents.   |
| <b>Line of enquiry</b>         | <b>Provider's responsibilities:</b><br><br>1. Has the registered provider ensured that procedures, consistent with the standards for the prevention and control of healthcare-associated infections published by the Authority are implemented by staff?   |
| <b>Judgment</b>                | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |



**Dimensions: Quality and safety**

**Regulation**

**Regulation 28: Fire precautions**

**Line of enquiry**

**Provider's responsibilities:**

1. Has the registered provider:
  - a. taken adequate precautions against the risk of fire, and provided suitable firefighting equipment, suitable building services, and suitable bedding and furnishing
  - b. provided adequate means of escape, including emergency lighting
  - c. made adequate arrangements for:
    - maintaining of all fire equipment, means of escape, building fabric and building services
    - reviewing fire precautions
    - testing fire equipment?
  - d. made arrangements for staff of the designated centre to receive suitable training in fire prevention and emergency procedures, including evacuation procedures, building layout and escape routes, location of fire alarm call-points, first aid, firefighting equipment, fire-control techniques and the procedure to be followed should the clothes of a resident catch fire
  - e. ensured, by means of fire safety management and fire drills at suitable intervals, that the persons working at the designated centre and, in so far as is reasonably practicable, residents, are aware of the procedure to be followed in the case of fire?
2. Has the registered provider made adequate arrangements for:
  - detecting, containing and extinguishing fires
  - giving warnings of fire
  - calling the fire service
  - evacuating, where necessary in the event of fire,

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|                        | <p>of all persons in the designated centre and safe placement of residents?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>3. Has the person in charge ensured that the procedures to be followed in the event of fire are displayed in a prominent place in the designated centre?</p>   |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

| <b>Dimensions: Quality and safety</b> |   |
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| <b>Regulation</b>                     | <b>Regulation 29: Medicines and pharmaceutical services</b>   |
| <b>Standard</b>                       | <b>Standard 3.4</b><br>Each resident is protected through the residential services policies and procedures for medicines management.  |
| <b>Line of enquiry</b>                | <p><b>Provider’s responsibilities:</b></p> <p>1. Has the registered provider ensured, in so far as is reasonably practicable, that a pharmacist of a resident’s choice or who is acceptable to the resident is available to the resident?</p> <p><b>Person in charge’s responsibilities:</b></p> <p>2. Has the person in charge facilitated the pharmacist concerned in meeting his or her obligation to a resident under any relevant legislation or guidance issued by the Pharmaceutical Society Of Ireland?</p> <p>3. Has the person in charge ensured that where a pharmacist provides a record of medication related interventions in respect of a resident, such record was kept in a safe and accessible place in the designated centre concerned?</p> <p>4. Has the person in charge ensured that all medicinal products dispensed or supplied to a resident are stored securely at the centre?</p> <p>5. Has the person in charge ensured that all medicinal products are administered in accordance with the directions of the prescriber of the resident concerned and in accordance with any advice provided by that resident’s pharmacist regarding the appropriate use of the product?</p> <p>6. Has the person in charge ensured that a medicinal product which is out of date or has been dispensed to a resident but is no longer required by that resident has been stored in a secure manner, segregated from other</p> |

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|                        | <p>medicinal products and disposed of in accordance with national legislation or guidance in a manner that will not cause danger to public health or risk to the environment and ensured that the product concerned can no longer be used as a medicinal product?</p>  |
| <p><b>Judgment</b></p> | <ul style="list-style-type: none"> <li>▪ <b>Compliant:</b> a judgment of compliant means the provider and or the person in charge is in full compliance with the relevant regulation.</li> <br/> <li>▪ <b>Substantially compliant:</b> a judgment of substantially compliant means that the provider or person in charge has generally met the requirements of the regulation but some action is required to be fully compliant. This finding will have a risk rating of yellow, which is low risk.</li> <br/> <li>▪ <b>Not compliant:</b> a judgment of not compliant means the provider or person in charge has not complied with a regulation and that considerable action is required to come into compliance. Continued non-compliance or where the non-compliance poses a significant risk to the safety, health and welfare of residents using the service will be risk-rated red (high risk) and the inspector will identify the date by which the provider must comply. Where the non-compliance does not pose a significant risk to the safety, health and welfare of residents using the service, it is risk-rated orange (moderate risk) and the provider must take action <i>within a reasonable time frame</i> to come into compliance.</li> </ul> |

## Appendix 1 — Registration regulations

| Regulation                    | Regulation 4. Application for registration or renewal of registration  |
|-------------------------------|--|
| <p><b>Line of enquiry</b></p> | <p><b>Provider responsibilities at registration and renewal of registration:</b></p> <p>1. In addition to the requirements set out in section 48(2) of the Act, has an application for the registration of a designated centre for older people been accompanied by full and satisfactory information in regard to the matters set out in Part A of Schedule 2 and has an application for renewal been accompanied by full and satisfactory information in regard to the matters set out in Part B of Schedule 2 in respect of:</p> <ul style="list-style-type: none"> <li>a. the person who is the registered provider, or intended registered provider</li> <li>b. the person in charge or intended to be in charge and any other person who participates or will participate in the management of the designated centre?</li> </ul> |
| <p><b>Judgment</b></p>        | <p><b>Compliant</b></p> <p>The requirements of the regulations were submitted by the provider.</p> <p><b>Not compliant</b></p> <p>The requirements of the regulations were not submitted by the provider.</p>  |

| Regulation             | Regulation 6. Changes to information supplied for registration purposes  |
|------------------------|--|
| <b>Line of enquiry</b> | <p><b>Provider responsibilities</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider as soon as practicable: <ol style="list-style-type: none"> <li>a. given notice in writing to the Chief Inspector of any intended change in the identity of the person in charge of a designated centre for older people</li> <li>b. supplied full and satisfactory information in regard to the matters set out in Schedule 2 in respect of the new person proposed to be in charge of the designated centre?</li> </ol> </li> <br/> <li>2. Notwithstanding paragraph (1), has the registered provider in any event: <ol style="list-style-type: none"> <li>a. notified the Chief Inspector, within 10 days of it occurring, where the person in charge of a designated centre for older people has ceased to be in charge</li> <li>b. supplied full and satisfactory information, within 10 days of the appointment for a new person in charge of the designated centre, in regard to the matters set out in Schedule 2?</li> </ol> </li> <br/> <li>3. Has the registered provider notified the chief inspector in writing of any change in the identity of any person participating in the management of a designated centre (other than the person in charge of the centre) within 28 days of the change and supplied full and satisfactory information in regard to the matters set out in Schedule 2 in respect of any new person participating in the management of the designated centre?</li> <br/> <li>4. Has the registered provider given not less than 8 weeks notice in writing to the chief inspector if it is proposed to change any of the details previously supplied under paragraph 3 of Schedule 1 and supplied full and satisfactory information in regard to the matters set out in Schedule 2 in respect of any new person proposed to be registered as a person carrying on the business of the designated centre for older people?</li> </ol> |

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| <b>Judgment</b> | <p><b>Compliant</b></p> <p>The requirements of the regulations were submitted by the provider.</p> <p><b>Not compliant</b></p> <p>The requirements of the regulations were not submitted by the provider.</p> |

| Regulation             | Regulation 7. Applications by registered providers for the variation or removal of conditions of registration   |
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| <b>Line of enquiry</b> | <p><b>Provider’s responsibilities:</b></p> <ol style="list-style-type: none"> <li>1. Has the registered provider who wished to apply under section 52 of the Act for the variation or removal of any condition or conditions of registration attached by the chief inspector under section 50 of the Act made an application in the form determined by the chief inspector?</li> <li>2. Does an application under section 52 of the Act specify the following: <ol style="list-style-type: none"> <li>a. the condition to which the application refers and whether the application is for the variation or the removal of the condition or conditions</li> <li>b. where the application is for the variation of a condition or conditions, the variation sought and the reason or reasons for the proposed variation</li> <li>c. where the application is for the removal of a condition or conditions, the reason or reasons for the proposed removal</li> <li>d. changes proposed in relation to the designated centre as a consequence of the variation or removal of a condition or conditions including: <ol style="list-style-type: none"> <li>i. structural changes to the premises that are used as a designated centre</li> <li>ii. additional staff, facilities or equipment</li> <li>iii. changes to the management of the centre that the registered provider believes are required to carry the proposed changes into effect?</li> </ol> </li> </ol> </li> </ol> |

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|                 | 3. Has the registered provider provided the chief inspector with any additional information the chief inspector reasonably requires in considering the application?   |
| <b>Judgment</b> | <p><b>Compliant</b></p> <p>The requirements of the regulations were submitted by the provider.</p> <p><b>Not compliant</b></p> <p>The requirements of the regulations were not submitted by the provider.</p> |

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| <b>Regulation</b>      | <b>Regulation 9. Notice to be given by a registered provider of a designated centre of intention to cease to carry on its business and close the designated centre</b>  |
| <b>Line of enquiry</b> | <p><b>Provider's responsibilities:</b></p> <p>Has the registered provider of a designated centre for older people provided the chief inspector with not less than 6 months notice of intention to cease to carry on the business of the designated centre and close the centre?</p> |
| <b>Judgment</b>        | <p><b>Compliant</b></p> <p>The requirements of the regulations were submitted by the provider.</p> <p><b>Not compliant</b></p> <p>The requirements of the regulations were not submitted by the provider.</p>   |





Issued by the Office of the Chief Inspector  
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