



**Health
Information
and Quality
Authority**

An tÚdarás Um Fhaisnéis
agus Cáilíocht Sláinte

Phelim Quinn

Opening address on adult safeguarding
standards

9 May 2018

Welcome to today's seminar on adult safeguarding. My name is Phelim Quinn and I am the CEO of HIQA, the Health Information and Quality Authority.

If you are tweeting from today's seminar, please use the hashtag #adultsafeguarding.

The role of HIQA in the safeguarding of adults who may be vulnerable

HIQA was established over eleven years ago to regulate Ireland's health and social care sector. We have a broad and growing remit; however, our core focus has always stayed the same: to safeguard people and drive improvements in the quality and safety of care provided to the public.

The basic tenet of health and social care regulation is the protection of the public. As a consequence, the rights, wishes and preferences of people are central to everything HIQA does.

This basic philosophy applies equally to our partner in today's seminar, the Mental Health Commission, which, since its establishment in 2002, has worked to identify and address quality, safety and rights issues within mental health services.

We must also remember that both organisations are not just regulators, but also standard-setting bodies. We don't, as some believe, develop standards solely for the purposes of regulation — we develop them to encourage policy makers, funders of services and service providers to adopt best practice. We also aim to collaborate with you, as stakeholders, to transform the way in which the policies, practice and governance systems within services evolve and improve.

It is for this reason that I am delighted to welcome you all here today for what is a significant step on Ireland's adult safeguarding journey.

Last year HIQA celebrated 10 years in existence. To mark this milestone we hosted a thought leadership lecture on the subject of healthcare reform. Today's event is a further opportunity to show leadership in the critically important area of adult safeguarding; an area that will require a shift in national policy, legislation, practice, and in societal attitudes.

The regulator's perspective on adult safeguarding

Since 2007, HIQA has monitored a wide range of health and social care services across the country. During this time we have come across many services that provide excellent, person-centred care. But unfortunately we have also encountered services where a number of service users, by virtue of their condition, circumstances or the prevailing culture of the service, have been vulnerable to exploitation or abuse — be it of a physical, financial, psychological or sexual nature.

At the event marking HIQA's 10-year anniversary last year, one of our inspectors explained what it meant to him to work for HIQA. He relayed a story of an inspection in the early days of disability service regulation. On this inspection he encountered a man who demonstrated challenging behaviours and who had Pica, a condition which compelled him to ingest inedible objects. The service chose to manage these behaviours by tying the man to a chair during the day, releasing him only when he needed to go to the toilet or when it was time for bed. This practice had been going on for years.

On a follow-up inspection, our inspector observed that, due to HIQA's intervention, the gentleman was no longer tied to a chair. He was supported by staff to avoid his harmful behaviours and was taken for walks and exercise in the fresh air; something that he had not done for years.

The original scenario was undoubtedly abusive care. We must remember that this happened in recent years in a residential service in Ireland. It is sad to report that our inspectors still uncover examples of abusive care to this day.

We are here today to prevent such circumstances from occurring, and to engage in the development of adult safeguarding standards, so that services and their staff can recognise and adequately respond to abusive situations.

In 2005, RTE's Prime Time highlighted the abuse and neglect of older people in Leas Cross Nursing Home. This scandal led to the establishment of HIQA two years later in 2007 as the new regulatory body for residential social services. While the quality

and safety of care provided in our nursing homes has undoubtedly improved, our inspectors still, to this day, unearth examples of poor-quality care.

Sadly, these issues are not unique to services for older persons. While many residential services for people with a disability demonstrate a commitment to the rights and wellbeing of their residents, our inspectors frequently have cause to highlight the mistreatment of adults with a disability.

The abuses experienced by people living within the Áras Attracta facility in Swinford, Co. Mayo, was undoubtedly a wake-up call for HIQA as a regulator, the HSE as a the national service provider, and the country as a whole.

The appalling scenes of abuse in this centre led HIQA to reflect on the way in which we regulate services. We decided to place a stronger emphasis on the individual rights of service users, ensuring that the principles of privacy, dignity, respect, equality and autonomy are the central pillars of our work, and indeed are integral to the care delivered to people living in residential services.

Safeguarding issues continue to be regularly raised by HIQA's inspectors. In residential disability services, these include issues such as: a poor physical environment, inappropriate use of restrictive practices, a failure to assess social care needs, insufficient staff and a lack of meaningful activities. In older person's services, our inspectors also frequently identify failings in terms of contracts of care, financial abuse and the absence of Garda vetting.

The need for national safeguarding legislation

In recent years the Irish Government's approach towards people who may be at risk is commendable, and is moving in the right direction. Significant legislative steps have been taken, including

- the enactment of legislation establishing HIQA and the Mental Health Commission
- the introduction of the Assisted Decision Making (Capacity) Act in 2015
- the ratification of the UN Convention on the Rights of Persons with Disabilities

- the publication of the general scheme of the Disability (Miscellaneous Provisions) Bill 2016, which also aims to address issues relating to the use of chemical restraint within services
- the recent public consultation on preliminary draft heads of bill on deprivation of liberty safeguards.

HIQA also welcomes the major policy review of the HSE's safeguarding policy which is currently underway.

In addition, the Adult Safeguarding Bill 2017, introduced by Senator Collette Kelleher and nine other senators, has received support from across the political spectrum. The bill must now proceed without delay to committee stage in the Seanad and onwards to the Dáil.

Notwithstanding these positive developments, legislation that acknowledges the State's responsibility to protect its vulnerable citizens, and to address cases of abuse and neglect, is still lacking.

Article 16 of the UN Convention on the Rights of Persons with Disabilities, signed by Ireland last month, commits signatories to "take all appropriate legislative, administrative, social, educational and other measures to protect persons with disabilities, both within and outside the home, from all forms of exploitation, violence and abuse...."

The convention also requires State Parties to "put in place effective legislation and policies...to ensure that instances of exploitation, violence and abuse against persons with disabilities are identified, investigated and, where appropriate, prosecuted".

It is for this reason that HIQA plays an active role in the National Safeguarding Committee to raise public awareness of adult safeguarding issues and to influence the legislative agenda.

I am delighted that Patricia Rickard Clarke, Chair of the committee, is here today to give the committee's perspective on this important topic. We will collectively work to

ensure a cross-departmental, cross-party approach to the development of safeguarding legislation.

Joint safeguarding standards

We have an excellent array of speakers and participants at today's seminar. Our standards team has drawn heavily on the work of these speakers and has engaged widely with international partners to ensure that best practice is the backbone of the emerging standards. Our work to date has included a national and international review of adult safeguarding and a systematic review of academic material, the results of which will be published today as a background document to the standards development

We hope that these standards will be one way in which abuse and neglect can be actively minimised and prevented. This must surely be our aim, every bit as much as reporting and investigating abuse when it takes place. A number of you will also attend this afternoon's focus groups to contribute to the development of the standards. Thank you for giving so generously of your time and expertise.

In addition, during the coffee break you can use our video booth to tell us why safeguarding is so important. We hope that your views can be shared as part of the on-going campaign to raise awareness of adult safeguarding, and to promote the new national standards.

Finally I would like to thank the team for organising today's event, the speakers for giving so generously of their time, and the HIQA Chairperson for his on-going support in the vital work of standards development.

Thank you.

ENDS

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