

Appendix 8

Regulatory response by the Chief Inspector of Social Services to COVID-19

Communique no 2

Thursday, 12 March 2020: The Health Information and Quality Authority (HIQA) and the Chief Inspector of Social Services are continuing to review the evolving COVID-19 situation. Our priority remains the safety and wellbeing of people using services. In light of the Government announcement today, we have reviewed the regulatory process in relation to designated centres and are implementing the following changes with immediate effect.

Changes to inspection practices

All routine inspections of designated centres have been cancelled until further notice. However, we will continue to respond to issues of risk, which, in some instances may require an inspection. Our inspectors will adhere to public health advice and take the necessary precautions during these inspections. We will phone the designated centre in advance of the inspection and ask for your continued cooperation during these inspections.

Changes to the requirements to notify the Chief Inspector of certain instances

We have reviewed the statutory notifications requirements and have determined that the notifications highlighted in yellow in the table below are the minimum required until further notice.

Inspectors will continue to review and risk rate the information contained in these notifications and follow up with providers and persons in charge as required.

In addition, we will shortly issue you with a template of specified information that I, as Chief Inspector, deem necessary in order to be assured of the ongoing safety and quality of care to residents in line with the Health Act 2007 and associated regulations.

Notification	DCOP	DCD	Required by Chief Inspector until further notice
NF01 Death of a resident	Y	Y	Required
NF02 An outbreak of any notifiable disease	Y	Y	Required – as soon as possible
NF03 Serious injury to a resident that requires immediate medical and or hospital treatment	Y	Y	Required but only for serious injuries requiring hospital admission
NF05 Unexplained absence of a resident from the designated centre	Y	Y	Required only where the person has been missing for more than 4 hours
NF06 Allegation, suspected or confirmed, of abuse to a resident	Y	Y	Required
NF07 Allegation of misconduct by the registered provider or by a member of staff	Y	Y	Required
NF08 Staff member is the subject of review by a professional body	Y	Y	Not required
NF09 Any fire, loss of power, heating, water or unplanned evacuation of the designated centre	Y	Y	Required only for fire that affects the normal running of the centre
NF30A Change of person in charge	Y	Y	
NF30B Absence of person in charge for 28 days or longer	Y	Y	Not required if Covid-19 related
NF30C Return of person in charge following an absence	Y	Y	Not required if Covid-19 related
NF31 Change of person participating in management	Y	Y	Not required if Covid-19 related
Thematic SAQ-RP	Y	Y	Not required
DCOP Th SAQ	Y	N	Not required

Should you have any queries in relation to these notifications please do not hesitate to contact us at notify@higa.ie.

Registration Decisions

Renewal of registration

Please continue to make your application for renewal of registration in line with current guidance on our website. We will assess and make decisions in this regard without the requirement for an inspection where the Deputy Chief Inspector deems appropriate.

New registrations

As outlined in my previous communication, we will continue to prioritise applications for new designated centres. Before submitting an application for a new build please contact our registration team by email (registration@hiqa.ie) or by telephone (021 2409340), and they will advise you on how to make an application for registration.

Applications for an increase in footprint

In an effort to support and respond to the need for additional beds in the sector, any application for an increase in footprint can temporarily be made under section 52 of the Health Act as amended (application to vary a condition of registration).

A registered provider seeking to increase the footprint of their designated centre, should apply to vary:

- condition 1, which relates to the Statement of Purpose and the floor plan

And

- Condition 3, which relates to the number of people the centre is registered for.

This change will reduce the regulatory requirement on providers and help us to expedite the application for additional beds.

You are advised to submit the following information as part of this application:

- assurances from the registered provider that the increased care and support requirements can be met safely in the centre
- an updated Statement of Purpose
- staffing levels,
- an accurate floor plan
- photographs of the proposed new rooms
- confirmation of fire safety requirements.

Notices of Proposed Decision and Notices of Decision

It may not be possible for the Deputy Chief Inspector to sign a Notice of Proposed Decision or Notice of Decision for applications for registration, renewal of registration (section 50), or applications to vary conditions of registration (section 52). Should this occur, the decision-maker will provide a cover letter with the Notice confirming the legitimacy of the decision. This will enable a prompt response to your application. Please be assured that your legal rights are not affected by this in any way.

Certificate of Registration

Equally, it may not be possible to issue a Certificate of Registration in the normal way. Please do not be concerned, our registration team will issue these certificates in due course.

Publication of inspection reports

We have taken the decision not to publish inspection reports at this time.

We will continue to provide updates to registered providers and the public as required.

Mary Dunnion

Chief Inspector of Social Services