



**Health  
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An tÚdarás Um Fhaisnéis  
agus Cáilíocht Sláinte

**Opening statement to  
Oireachtas Joint Committee on  
Health**

**Phelim Quinn, HIQA CEO**

**23 March 2021**

***Safer Better Care***

I would like to thank members for the invitation to today's meeting, we welcome the opportunity to address the Joint Committee on Health.

I am joined this morning by my colleagues Mary Dunnion - Chief Inspector of Social Services and Director of Regulation, Susan Cliffe - Deputy Chief Inspector of Social Services (Older Persons) and Finbarr Colfer - Deputy Chief Inspector Social Services (Disability Services).

As some members of this committee will recall, HIQA appeared at the Oireachtas Joint Special Committee on COVID-19 Response in September of 2020 where our report on the impact of the pandemic on nursing homes in Ireland was discussed.

We are happy to take any questions regarding this and our experience of regulation of residential services subsequent to its publication.

In respect of my opening statement, I wish to focus on the background and recommendations of HIQA's report on the 'Need for Regulatory Reform' of the social care sector published in February of this year.

The 'Need for Regulatory Reform' report reinforces the insights we have gained while contending with the arrival and impact of the highly infectious coronavirus, COVID-19.

In particular the report highlights the impact on citizens living in residential services and has raised a number of questions as to how we care for vulnerable people.

In essence, the practices and the models underpinning service provision that were previously acceptable are no longer so.

It is important to note that COVID-19 has not in itself signalled the need for regulatory reform; rather it has shone a spotlight on an issue that was already in need of urgent consideration.

As a consequence of our experience as a regulator in the sector, HIQA has submitted its views to Government on how regulations and enforcement in the interim of wider regulatory reform could be enhanced with a view to strengthening key areas related to the pandemic; for example, infection control, staffing, governance and clinical oversight.

Therefore, our report on regulatory reform should be seen as contributing to the development of a wider social care strategy and national policy, separate and distinct to any immediate or interim requirements related to COVID-19.

## REGULATORY REFORM

HIQA's report on the need for regulatory reform recognises social care in Ireland is changing. The institutional and residential approaches towards the provision of care for older people and people with a disability are being challenged.

Although COVID-19 has highlighted deficiencies in the legislation which regulates social care services, many weaknesses have persisted over the past number of years, due in large part to the evolving nature of service provision.

HIQA's experience of inspecting centres and assessing compliance with regulations and standards has produced a wealth of knowledge on the quality and safety of services.

It has also allowed us to develop insights into how the regulatory framework is serving the interests of people who use and provide services.

This report outlines some key regulatory areas which require a dynamic, all-encompassing national health and social care strategy and policy development.

These include:

- The reform of the Health Act 2007 to take account of the changing landscape in health and social care services.
- A comprehensive review of the current regulations pertaining to health and social care services in Ireland, and the establishment of a regular review process. The introduction of regulation into other forms of care that are currently unregulated and whose service users may be vulnerable.
- Consideration to be given for the development of a comprehensive, integrated social care policy that considers social care in its totality
- A framework that makes a clear distinction between the purchaser and provider of services along with clear governance and accountability arrangements.

Whilst there has been a justified focus on how we care for older citizens, it is imperative that there are equitable protections for people with a disability in need of social care and support.

Disability service providers continue to explore and develop ways to move citizens currently living in congregated settings into services in the community, in line with national policy.

In September of last year, HIQA published its annual overview report on the inspection and regulation of residential services for people with a disability.

One key finding was that residents living in congregated settings experience a poorer quality of life compared to those who live and receive care and support in community settings.

In developing new residential services, providers have said that they want to keep residents within the protection of regulation.

However, the current regulations can be overly restrictive when it comes to the development of innovative new models such as partnerships between other service providers and families to develop individual responses to the care and support of those with complex needs.

HIQA welcomes the Government's intention to make homecare available on a statutory basis.

## SLAINTECARE

The Sláintecare programme has outlined the roadmap to transform health and social care provision.

Regulatory reform is necessary to ensure that the services provided have the capacity and capability to deliver care and support that meet people's needs in a manner that offers quality, safety and the protection of people's rights.

There is also a strong argument for the development of an overarching social care policy that sets out core objectives, governance and legislative frameworks across the sector at large.

The development and implementation of such a policy would help integrate diverse forms of social care and serve to complement Sláintecare objectives.

## EXPERT PANEL

HIQA very much welcomes the recommendations contained within the 'COVID-19 Nursing Homes Expert Panel Report 2020.'

It frames clearly the steps which must be taken in order to optimise the response to COVID-19 in care facilities for the elderly.

HIQA has and will continue to share its knowledge and insights of the sector into the Implementation Oversight Team that was created as a result of the Panel's report.

## CONCLUSION

It is HIQA's view that the provision of health and social services should be subject to a regulatory framework which is fit for purpose, adaptable to changing needs and preferences, and responsive to risk and concerns for people's welfare.

This may, in part, be achieved by developing a policy that considers social care in its entirety given that the principle issues are consistent across all populations who use social care services.

HIQA hopes 'The Need for Regulatory Reform' paper forms an integral part of the debate on how we can better care for all citizens in the future.

I thank the committee for its attention this morning. We look forward to answering any questions members may have.



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