



**Health
Information
and Quality
Authority**

An tÚdarás Um Fhaisnéis
agus Cáilíocht Sláinte

Regulation of
Health and Social
Care Services

Are you ready for assessment
of the application to register:-
Guidance and check list
*Designated Centres for people with
disabilities*

August 2021

About the Health Information and Quality Authority (HIQA)

The Health Information and Quality Authority (HIQA) is an independent statutory authority established to promote safety and quality in the provision of health and social care services for the benefit of the health and welfare of the public.

HIQA's mandate to date extends across a wide 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 responsibility for the following:

- **Setting standards for health and social care services** — Developing person-centred standards and guidance, based on evidence and international best practice, for health and social care services in Ireland.
- **Regulating social care services** — The Office of the Chief Inspector within HIQA is responsible for registering and inspecting residential services for older people and people with a disability, and children's special care units.
- **Regulating health services** — Regulating medical exposure to ionising radiation.
- **Monitoring services** — Monitoring the safety and quality of health services and children's social services, and investigating as necessary serious concerns about the health and welfare of people who use these services.
- **Health technology assessment** — Evaluating the clinical and cost-effectiveness of health programmes, policies, medicines, medical equipment, diagnostic and surgical techniques, health promotion and protection activities, and providing advice to enable the best use of resources and the best outcomes for people who use our health service.
- **Health information** — Advising on the efficient and secure collection and sharing of health information, setting standards, evaluating information resources and publishing information on the delivery and performance of Ireland's health and social care services.
- **National Care Experience Programme** — Carrying out national service-user experience surveys across a range of health services, in conjunction with the Department of Health and the HSE.

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1. The legislative framework – The Health Act 2007(as amended)

If you run a designated centre such as a residential service for people with disabilities, you must register that centre with the Office of the Chief Inspector and be its registered provider to operate it. Registration lasts for three years. In essence, registration controls who is fit and legally permitted to provide care to vulnerable people living in designated centres.

The three-year registration cycle safeguards people using services by determining which centres can be registered and who can run them.

To decide on an application to register, we will assess the information and, if required, the centre or proposed centre. We may conduct formal interviews to assess the fitness of the provider and people managing the centre, depending on the type of application being made.

If the designated centre is being registered for the first time or an extension is being registered, we will follow up within six months of registration being granted with an inspection. If registration is granted for a new provider of an existing designated centre, we will follow up with an inspection within four months of registration being granted.

If it is determined that a designated centre will comply or is in compliance with the regulations and standards, and if the provider and all persons participating in the management of the centre are fit, then the Chief Inspector can register the centre. Registration assures the public that the provider and others involved in the management of the centre are fit to provide the service.

The main provisions in the Health Act 2007 as amended (the “Act”) governing applications to register are section 48 (applications by providers or intended providers to register) and section 50 (our decision to register, refuse to register, or grant with conditions). We now look at your route to registration and the key principles underlining your application for renewal of your registration or applying for the first time.

2. New applications to register

New intended providers of new centres or new intended providers of an existing designated centre can make an application for first-time registration to us at any time — **provided they are ready for assessment and decision**. Not being ready may lead to refusal of the registration application.

We will consider if the evidence shows that the intended provider and person in charge *'will comply'* with the regulations and standards, or any other relevant enactment. Once a valid application is received, the registration pathway follows a similar course to applications to renew registration.

2.1. Making valid applications to register or renew

Four key items⁺ must be included in your application to make it a complete and valid application. These are:

1. Completed application form.
2. Floor plans of the designated centre.
3. Statement of purpose.
4. Registration or renewal fee (€500).

In addition, certain other information and documents called 'prescribed information' must accompany your application (see the section on the following pages).

You must also be clear about who will sign the application to register and other documents. If you have completed the application form electronically, please print it out and sign the declaration in section 8 of the form by hand, as we will only accept original signatures. Finally, please send it by post to our Registration Office.

⁺ Section 48, Health Act 2007 (as amended).

2.1. Are you ready for assessment?

When providers apply to register a new centre, to take over an existing centre or increase the footprint of existing centre, they must ensure they and the centre is ready at the time of the application for assessment by the Office of the Chief Inspector.

When you complete the application to register you will be asked to confirm that the centre is ready for assessment and decision. Example below is taken from application to register for a company entity.

Section 1.8 Readiness of site for assessment and decision	For official use
<p>By ticking this box the applicant confirms that at the time this application is submitted the site is ready for assessment and decision**</p> <p>Please note that in the event that the site is not ready for assessment and decision the application will be refused.</p>	<input checked="" type="checkbox"/> <input type="checkbox"/>

By ticking this section, you are confirming that your centre is ready for assessment, a site visit and finally a decision on registration. This means the centre is ready for operation, and that you:

- are clear about the purpose of the centre and that this is captured clearly in the statement of purpose,
- are familiar with and will comply with the Act, regulations and National Standards,
- are familiar with the registration handbook and other relevant guidance,
- are ready for a full assessment including:
 - that the designated centre is ready for a site visit and assessment, in other words, the centre is fit to accept the number of residents you are applying to register,

- key personnel¹ are recruited and available for an interview as part of the fitness assessment,
- the number and skill mix of staff are recruited to meet the needs of the number of residents you are applying to register,
- making sure you have all the required records available for the inspection process,
- responding to requests for information in a timely manner and dealing with all matters as outlined in the requests.
- the intended process and systems are available to care for residents such as policies, procedures, proposed care planning system.

This guidance and check list is intended to assist you with the process of determining if you are ready to make an application to register. It is most useful in the following circumstances:

- Application to register a new build.
- Where an intended provider is taking over an existing designated centre.
- Where an existing provider is planning to increase the footprint of the designated centre.
- Where an existing provider is splitting up an existing designated centre into two or more designated centres.

¹ Provider representative for the purposes of fitness assessment, person in charge and other persons participating in the management of the centre

3. The check list

The check list is designed for intended providers to measure if they are ready for assessment and decision before they submit their application to register. The intended provider can use this check list to measure themselves against the Health Act (Care and Support of Residents in Designated Centres for Persons (Children and Adults) with Disabilities) Regulations 2013². Areas are detailed under the dimensions of capacity and capability and quality and safety.

There are a series of questions about how you:

- intend to meet the assessed health and social care needs of intended residents,
- the suitability of the intended environment,
- intended governance and management arrangements to include intended staffing,
- policies and essential documentation is detailed.

When completing the self-assessment you may wish to consult with the *Guidance for assessment of centres for persons with disabilities* and *Assessment judgment framework for disability services* which can be accessed under the <https://www.hiqa.ie/guidance-providers> on HIQA's.

² The regulations identified in this check list will be assessed by the Office of the Chief Inspector for all new applications to register. This does not preclude other regulations and standards also being assessed as part of your application. Furthermore it does not negate your responsibility to meet all the relevant regulations and standards once the designated centre has been registered.

3.1. Dimensions of Capacity and Capability

This section focuses on the overall delivery of the service and how the intended provider will assure that a quality, safe and effective service will be provided to people with disabilities. The intended provider should assess the quality of leadership and management intended to run this service, which is key to the delivery of a good quality service which provides positive outcomes for residents.

It is well respected that where we see strong leadership, with adequate resources provided we generally see a safe effective well run service.

Capacity and capability reviews areas relating to:

- **Leadership, Governance and Management** — the arrangements put in place by a residential service for accountability, decision-making, risk management as well as meeting its strategic, statutory and financial obligations.
- **Responsive Workforce** — planning, recruiting, managing and organising staff with the necessary numbers, skills and competencies to respond to the needs and preferences of people in residential services.
- **Use of Resources** — using resources effectively and efficiently to deliver best achievable outcomes for people for the money and resources used.
- **Use of Information** — actively using information as a resource for planning, delivering, monitoring, managing and improving care.

Under this area inspectors will review how the applicant:

- Will make sure there are effective governance structures with clear lines of accountability so that all members of the workforce are aware of their responsibilities and to whom they are accountable.
- Will ensure that the necessary resources are in place to support the effective delivery of quality care and support to people using the service.
- Will design and will implement policies and procedures that will make sure the centre provides a safe quality service to residents.

- Will ensure that there is an accessible robust complaints procedure in place where residents, staff, family members and significant others can voice their opinions without fear or favour with an understanding that their opinions will be listened to and acted upon and confident that they will not be adversely affected by reason of the complaint having been made.

Dimensions: Capacity and Capability

Regulation 3	Statement of purpose
1. Have you prepared a statement of purpose in writing that contains the information set out in Schedule 1 of the Regulations?	Yes No
2. Did you refer to the Guidance on HIQA website for guidance on what should be included?	Yes No
3. Have you included all parts as outlined in the schedule to the regulation?	Yes No

Dimensions: Capacity and Capability

Regulation 4	Written policies and procedures
1. Have you prepared in writing, all policies set out in Schedule 5 of the regulations?	Yes No
2. Have you a plan on how to adopt and implement policies and procedures on the matters set out in Schedule 5 of the regulations?	Yes No

Dimensions: Capacity and Capability

Regulation 14	Person in charge
1. Have you appointed a person in charge for the designated centre?	Yes No
2. Will the post of person in charge be full-time?	Yes No
3. Does the person in charge have the required qualifications, skills and experience necessary to manage the designated centre, having regard to the size of the designated centre, the statement of purpose, and the number and needs of the residents?	Yes No
4. Does the person in charge have: (a) Not less than 3 years' experience in a management or supervision role in the area of health or social care? (b) An appropriate qualification in health or social care management at an appropriate level?	Yes No
5. Are you aware that if you request that the person in charge is to be a person in charge of more of more than one designated centre, this can only occur if the Chief Inspector is satisfied that the person in charge is engaged in the effective governance, operational management and administration of the designated centres concerned?	Yes No
6. Have you obtained all the documents specified in Schedule 2 with regard to the person in charge?	Yes No

Dimensions: Capacity and capability

Regulation 15	Staffing
<p>1. Do you have the numbers, qualifications and skill-mix of staff that will be appropriate to the number of the proposed residents, (taking into account the potential needs) the statement of purpose, and the size and layout of the designated centre?</p>	<p>Yes No</p>
<p>2. Where residents are assessed as needing nursing care, will it be provided?</p>	<p>Yes No</p>
<p>3. Do you have procedures in place to ensure that residents receive continuity of care and support?</p>	<p>Yes No</p>
<p>4. Do you have a planned rota that can become an actual staff rota, showing all staff on duty at all times for the number of bed you are seeking to register? (If a schedule of admissions is required, the planned rota should be reflective of the schedule and the assessed needs of residents admitted)</p>	<p>Yes No</p>
<p>5. Do you have procedures in place to ensure you obtain in respect of all staff the information and documents specified in Schedule 2?</p>	<p>Yes No</p>

Dimensions: Capacity and capability

Regulation 16

Training and staff development

1. Do you have plans in place to ensure that:
 - (a) Staff have access to appropriate training?
 - (b) Staff are appropriately supervised?
 - (c) Staff are informed of the act and any regulations made under it?

2. Do you ensure copies of the following that will be available to staff:
 - (a) The Act and any regulations made under it?
 - (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?
 - (c) Relevant guidance published from time to time by statutory and professional bodies?

Yes

No

Yes

No

Dimensions: Capacity and capability

Regulation 21

Records

1. Do you have a place where the records set out in Schedules 2, 3 and 4 are kept in a designated centre and are available for inspection by the Chief Inspector?

Yes
No

Dimensions: Capacity and capability

Regulation 22

Insurance

1. Do you have a contract of insurance against injury to residents is in place prior to any admission to the centre?
2. Does this contract also insure against other risks in the designated centre, including loss of damage to property?

Yes
No

Yes
No

Dimensions: Capacity and Capability

Regulation 23

Governance and management

1. For the number of places you are seeking to register do you have:
 - (a) sufficient resources to ensure the effective delivery of care in accordance with the statement of purpose?
 - (b) a clearly defined management structure that identifies the lines of authority and accountability, specifies roles, and details responsibilities for all areas of care provision?
 - (c) management systems to ensure that the service provided is safe, appropriate, consistent and effectively monitored?
 - (d) a plan of when you will undertake the first 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?
 - (e) a plan of how you will consult with residents and their families in relation to the annual review?

2. Do you have plans in place to carry out unannounced six – monthly visits to the designated centre?

3. Do you have procedures in place:
 - (a) to support staff to exercise their personal and professional responsibility for the quality and safety of the services delivered?

Yes
No

Yes
No

Yes
No

<p>(b) Facilitate staff to raise any concerns they have around the quality and safety of the care and support provided to residents?</p>	
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Dimensions: Capacity and capability

Regulation 24

Admissions and contract for provision of services

1. Have you procedures in place to ensure:
 - (a) Admission to the centre is on the basis of transparent criteria in accordance with your statement of purpose?
 - (b) Your policies and procedures take into account the protection of residents from abuse by their peers?

2. Have you provided prospective residents and their family/representative the opportunity to visit the centre before admission?

3. Have you a process to agree in writing with each resident on admission to the designated centre that outlines the terms of residence in the centre?

4. Will the agreement:
 - (a) Include the support, care and welfare of the resident in the designated centre, details of the services to be provided and the fees to be charged (where appropriate)?
 - (b) Provide for, and be consistent, with the resident's needs as assessed in accordance with Regulation 5 and the statement of purpose?

Yes

No

Yes

No

Yes

No

Yes

No

Dimensions: Capacity and Capability

Regulation 34	Complaints procedure
1. Do you have a complaints procedure which includes an appeals procedure?	Yes No
2. Is the complaints procedure available in a manner appropriate to the needs, age and nature of the residents' disability?	Yes No
3. Does this complaints procedure include all the aspects of regulation 34?	Yes No

5.2. Dimension: Quality and Safety

Quality and safety reviews areas relating to

- **Person-centred Care and Support** — how residential services place people at the centre of what they do.
- **Effective Services** — how residential services deliver best outcomes and a good quality of life for people, using best available evidence and information.
- **Safe Services** — how residential services protect people and promote their welfare. Safe services also avoid, prevent and minimise harm and learn from things when they go wrong.
- **Health and Wellbeing** — how residential services identify and promote optimum health and wellbeing for people.

This section is about how you provide a service that is person centred and places residents at the core of the service provided ensuring they have a meaningful life which ensures positive outcomes for residents.

This includes how people:

- make choices and are actively involved in shaping the services they receive and have a say in the way the service is run and feel listened to.
- 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.

Dimensions: Quality and Safety

Regulation 5	Individualised assessment and personal plan
<p>1. Have you a process to arrange a comprehensive assessment, by an appropriate health care 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 a designated centre?</p> <p>2. Have you an admissions procedure that links to this assessment in line with the regulation?</p> <p>3. Have you sourced the documentation you intended to use for the assessment, development of personal plans and review of residents care?</p>	<p>Yes No</p> <p>Yes No</p> <p>Yes No</p>

Dimensions: Quality and Safety

Regulation 17

Premises

1. Are the premises ready to accept the number of residents for the number of beds you are seeking to register?

2. Is the premises appropriate to the number and needs of the intended residents of that centre and in accordance with the statement of purpose?

3. Is the premises:
 - (a) laid out to meet the needs of intended residents?
 - (b) of sound construction and kept in a good state of repair externally and internally, (documentation to support this where required)?
 - (c) clean and suitably decorated?

4. Where the designated centre accommodates both adults and children is the sleeping accommodation separate and age-appropriate?

5. Where the designated centre accommodates children is there appropriate outdoor areas for play and recreation?

6. Is all equipment and facilities to be used by residents and staff in good working order?

7. Is the centre equipped with assistive technologies, aids and appliances to support and promote the independence of residents, where required?

8. Have you ensured the centre's design adheres to best practice in achieving and promoting accessibility?

Yes
No

Yes
No

Yes
No

Yes
No

Yes
No

Yes
No

Yes
No

Yes
No

<p>9. Is there —</p> <ul style="list-style-type: none"> (a) adequate private and communal accommodation for intended residents? (b) rooms of a suitable size and layout for the needs of intended residents? (c) adequate space and suitable storage facilities, in so far as is reasonably practicable, for personal use? (d) communal space for intended residents suitable for social, cultural and religious activities appropriate to the circumstances of intended residents? (e) suitable storage in the designated centre? (f) Ventilation, heating and lighting suitable in all parts of the designated centre which are used by intended residents? (g) a separate kitchen which has suitable and sufficient cooking facilities, kitchen equipment and tableware? (h) A sufficient number of toilets, baths and showers to meet the needs of residents? (i) a sufficient number of toilets designed to provide access for intended residents in wheelchairs, having regard to the number of persons using wheelchairs in the designated centre? (j) Suitable arrangements for the safe disposal of general and clinical waste? (k) Adequate facilities, insofar as reasonably practicable, for residents to launder their own clothes? 	<p>Yes</p> <p>No</p>
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Dimensions: Quality and Safety

Regulation 20

Information for residents.

- | | |
|--|-----|
| 1. Have you prepared a residents guide and will it be made available to all residents? | Yes |
| 2. Does it include: | No |
| (a) a summary of the services and facilities to be provided? | |
| (b) the terms and conditions relating to residence in the intended designated centre? | Yes |
| (c) the arrangements for resident involvement in the running of the designated centre? | No |
| (d) how to access any inspection reports on the centre? | |
| (e) the procedure respecting complaints? | |
| (f) the arrangements for visits? | |

Dimensions: Quality and Safety

Regulation 26

Risk management

1. Do you have a risk management policy available which includes:
 - (a) hazard identification and assessment of risks throughout the intended designated centre?
 - (b) the measures and actions in place to control the risks identified?
 - (c) the measures and actions in place to control the following specified risks:
 - (i) abuse;
 - (ii) the unexplained absence of any resident;
 - (iii) accidental injury to residents, visitors or staff;
 - (iv) aggression and violence;
 - (v) self-harm?
 - (d) arrangements for the identification, recording, investigation and learning from serious incidents or adverse events involving residents?
 - (e) arrangement to ensure the risk control measures are proportional to the risk identified, and that any adverse impact such measures might have on a potential resident's quality of life have been considered?

2. Do you have a plan to ensure there are systems in place to assess, manage and review risk, including a system for responding to emergencies?

3. Are all vehicles that will be used to transport residents roadworthy, services, insured, equipped with appropriate

Yes
No

Yes
No

Yes
No

safety equipment and will they be driven by persons who are properly licensed and trained?	
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Dimensions: Quality and Safety

Regulation 28

Fire Precautions

1. Have you engaged with a suitably qualified person to prepare fire management plan, policies, procedures and training requirements?

Yes
No

Does this plan include :

- (a) A robust fire safety management system to provide protection to all residents from the risk of fire?
- (b) Provision of suitable fire fighting equipment, suitable building services, and suitable bedding and furnishings at all times in the intended designated centre?
- (c) Provision of adequate means of escape, including emergency lighting is provided?
- (d) a process to review fire precautions to include maintaining and testing fire equipment?

Yes
No

2. Have you made arrangements for staff of the designated centre to receive suitable training in fire prevention and emergency procedures, including;

- (a) evacuation procedures,
- (b) building layout and escape routes,
- (c) Location of fire alarm call points,
- (d) first aid,
- (e) fire fighting equipment,
- (f) fire control techniques and
- (g) the procedures to be followed should the clothes of a resident catch fire?

Yes
No

3. Have you a plan to ensure, 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

Yes
No

<p>reasonably practicable, residents, are aware of the procedure to be followed in the case of fire?</p>	
<p>4. Have you adequate arrangements for:</p> <p>(a) detecting, containing and extinguishing fires;</p> <p>(b) giving warning of fires;</p> <p>(c) calling the fire service; and</p> <p>(d) evacuating, where necessary in the event of fire, of all persons in the designated centre and safe placement of residents?</p>	<p>Yes</p> <p>No</p>
<p>5. Have you displayed in a prominent place in the designated centre the procedures to be followed in the event of fire?</p>	<p>Yes</p> <p>No</p>

