

Regulatory Notice

Important information from the Chief Inspector of Social Services (COVID-19)

Communique no 5

Tuesday, 31 March 2020: HIQA and the Chief Inspector continue to closely monitor the evolving COVID-19 situation

My priority remains the safety and wellbeing of people using all health and social care services. However, I am also aware that there may be situations during this health emergency, where for the safety of residents, a provider may consider opening an unregistered designated centre.

While the opening of an unregistered designated centre contravenes the Health Act, 2007 as amended, I recognise that this is an unprecedented situation in the Irish health and social care sector.

The Office of the Chief Inspector only considers such a contravention to be required where there is a demonstrable risk to the health and welfare of residents.

Emergency residential placement in an unregistered designated centre

Any provider who intends to open an unregistered designated centre is required to follow the steps below.

1. **Inform the Chief Inspector**

The provider must contact the Deputy Chief Inspector by telephone **either before or within 24 hours** of accommodating any resident in a centre that meets the definition of a designated centre but which is not registered.

2. **State the reason for centre**

The provider must clearly state how they meet the criteria which necessitated the reason for opening an unregistered designated centre.

3. **Comply with Act and regulations**

The provider must safeguard any resident being placed in an unregistered designated centre by ensuring the centre meets the requirements of the Health Act 2007 as amended and the relevant registration and care and welfare or support regulations.

The provider must submit a signed declaration of assurance that the resident(s) in the centre are safe and the centre complies with the Health Act, 2007 and relevant regulations to the Chief Inspector **within 48 hours** of opening the centre. This declaration should include but is not limited to the following assurances:

- There are clearly defined governance arrangements with a defined management structures in place.
 - The person in charge is suitably qualified and meets the requirements of the relevant regulations.
 - All measures are in place, including the recruitment and supervision of staff, to ensure residents are protected.

- There are systems to appropriately assess risks around infections in particular in relation to the environment and equipment
 - There is access to medical and pharmacy facilities.
 - There are appropriate arrangements in place for visiting which are focused on the visitors to prevention, detection and control of the spread COVID-19.

- The premises is of sound construction and in a good state of repair and suitable for the residents.
 - Fire precautions and safety measure are in place to meet the requirements of legislation and ensure the safety of residents in the event of a fire.
 - There are appropriate facilities for the refrigeration, storage, preparation cooking and serving of appropriate meals and snacks.

Any provider who opens an unregistered designated centre must make a full and complete application to register the designated centre in line with Section 48 of the Health Act, 2007 as amended **within 28 days** of opening the centre.

This notice, does not in any way prejudice the Chief Inspector to disallow the opening of such a centre or in taking enforcement action, where a provider has opened an unregistered centre and

1. is unable to demonstrate a risk to the health and welfare of residents
 2. unable to demonstrate appropriate governance arrangements
- and
3. has not informed the Chief Inspector either before or within 24 hours of the centre opening.

These arrangements will remain in place only for the duration of the public health emergency and may be subject of review at any stage by the Chief Inspector of Social Services.

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

A handwritten signature in black ink, reading "Mary Dunnion". The signature is written in a cursive style with a large initial 'M' and 'D'.

Mary Dunnion

Chief Inspector of Social Services