

TÚSLA

An Ghníomhaireacht um
Leanaí agus an Teaghlach
Child and Family Agency

ALTERNATIVE CARE

**INSPECTION &
MONITORING**

INSPECTION GUIDANCE SUPPORT FRAMEWORK

Theme 8: Use of Information

Children's Residential Centres

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1.0 Introduction

The Alternative Care Inspection and Monitoring Service is part of Children's Service Regulation and is a component of the Quality Assurance Directorate of the Child and Family Agency. The inspectorate which was originally established in 1998 under the former Health Boards was created under legislation purveyed by the 1991 Child Care Act, to fulfil two statutory regulatory functions:

1. To establish and maintain a register of children's residential centres in its functional area (see Part VIII, Article 61 (1)). A children's centre being defined by Part VIII, Article 59.
2. To inspect premises in which centres are being carried on or are proposed to be carried on and otherwise for the enforcement and execution of the regulations by the appropriate officers as per the relevant framework formulated by the minister for Health and Children to ensure proper standards and conduct of centres (see part VIII, Article 63, (1)-(3)); the Child Care (Placement of Children in Residential Care) Regulations 1995, the Child Care (Standards in Children's Residential Centres) Regulations, 1996 and the Health Information and Quality Authority (HIQA) National Standards for Children's Residential Centres, 2018, which replace the 2001, Department of Health and Children, National Standards for Children's Residential Services.

The Child Care (Standards in Children's in Residential Centres) Regulations, 1996 provide the framework against which registration decisions of children's residential centres are primarily made. The HIQA, National Standards for Children's Residential Centres, 2018 provide the framework against which inspections are carried out and provide the criteria against which centres structures and care practices are examined.

The Alternative Care Inspection and Monitoring Service is committed to carry out its duties in an even handed, fair and rigorous manner. The inspection of centres is carried out to safeguard the wellbeing and interests of children and young people living in them.

2.0 Purpose

The Alternative Care and Monitoring Service, Inspection Guidance Support Framework has been developed as a guidance document to assist inspectors in understanding the process of inspection, complying with the Child Care (Placement of Children in Residential Care) Regulations 1995, the Child Care (Standards in Children's Residential Centres) Regulations, 1996 and the National Standards for Children's Residential Centres, 2018 (HIQA).

Whilst the importance of professional judgment remains paramount during the inspection process it is the purpose of this Inspection Guidance Support Framework to promote:

- A standardised approach amongst inspectors in relation to the process of inspection, complying with regulations and standards.
- A structured framework to identify to registered providers and persons who participate in the management of designated centres what is required in ensuring they are delivering a safe and effective service that complies with the regulations and standards and any other legislation.

3.0 Structure of the Inspection Guidance Support Framework

The Inspection Guidance Support Framework provides detailed guidance to assist TUSLA inspectors and approved centres to improve the quality of services provided to each child/young person.

For each Theme of the National Standards for Children's Residential Centres, 2018 (HIQA), the Inspection Guidance Support Framework shall outline the specific standard and examples of information/evidence in relation to observation and documentation reviewed as part of the inspection. Interviews with senior management, centre management, staff, child/young person and observations are also used as part of the process where appropriate.

The Inspection Guidance Support Framework aims to promote the continuous improvement of the quality of services provided to children/young people residing in non-statutory children residential centres.

4.0 Glossary of Terms

Accountability – being answerable to another person or organisation for decisions, behaviour or any consequences.

Care plan – A document generated from an assessment of the child, setting out their goals, needs, aims and objectives of the placement and how the centre proposes to address them. (The child's care plan, supervision and child in care reviews are requirements for the social work department under the Child Care (Placement of Children in Residential Care) Regulations 1995.

Child – a person under the age of 18 years. (Child Care Act, 2001)

Child safeguarding – ensuring safe practice and appropriate responses by staff and to concerns about the safety or welfare of children/young people, should these arise. Child safeguarding is about protecting the child/young person from harm, promoting their welfare and in doing so creating an environment which enables children and young people to grow, develop and achieve their full potential. (TUSLA, 2019)

Child Safeguarding Statement – a written statement that specifies the service being provided and the principles and procedures to be observed in order to ensure, as far as practicable, that a child/young person availing of the service is safe from harm. (TUSLA, 2019)

Competency – the behavioural definition of the knowledge, skills, values and personal qualities that underlie the adequate performance of professional activities.

Ethical use of information – in the context of the standards, information is used ethically when it is used in a manner that protects the rights and best interest of the child.

Incident – an event or circumstance which could have (near miss) or did lead to harm. Incidents can be practice related or non-practice related and includes incidents associated with harm to or impact on:

- Children/young people.
- Staff or visitors.
- Non-compliance with standards or regulations. (TUSLA, 2017)

Information governance – the arrangements that service providers have in place to manage information to support their immediate and future regulatory, legal, risk, environmental and operational requirements.

Person in charge – in relation to a registered children's residential centre, means the person whose name is entered in the register as the person in charge of the centre - Child Care (Placement of Children in Residential Care) Regulations 1995. The person in charge's duties include overseeing the day-to-day running of the centre, managing the training and development of staff and ensuring the management of records, incidents and investigations in the centre. From time to time, some or all of these duties may be delegated to one or more suitably qualified staff members in the centre as appropriate. (HIQA, 2018)

Placement plan – outlines the needs and goals of the placement for the child for the duration of their placement. In the context of children's residential centres, the placement plan is informed by the care plan. (HIQA, 2018)

Registered provider – means the person whose name is entered in the register as the person carrying on the centre - Child Care (Placement of Children in Residential Care) Regulations 1995. The registered provider's responsibilities includes overseeing the management of the centre's care practices, operational policies and procedures; ensuring the centre has sufficient resources, facilities and access to services in line with the centre's statement of purpose and ensuring each child/young person in the centre is suitably placed, receives effective care and support and is assisted in preparations for leaving care, in line with their individual needs. (HIQA, 2018)

Risk – The probability/likelihood of an adverse event, outcome, danger, loss or injury within the healthcare system. (HIQA, 2014)

Safe care and support – how children's residential centres protect children and promote their welfare. Safe services also avoid, prevent and minimise harm, and learn when things go wrong. (HIQA, 2018)

Serious Event Review Group – multidisciplinary fora concerned with serious incidents involving children/young people placed in Children's Residential Services. The aims of the SERG is to:

- review a serious incident/a number of interrelated serious incidents.
- identify opportunities for learning about the causes of that incident/those incidents and about care practice at centre level.
- to ensure that learning is operationalised in respect of that incident/those incidents i.e. that risk is managed, underlying issues are addressed and future occurrences of same are prevented wherever possible. (TUSLA, 2017)

Workforce – all people working in a service.

5.0 THEME 8: USE OF INFORMATION

Standard 8.1 – Information is used to plan, manage and deliver child-centred, safe and effective care and support

Having access to good quality information and effective information systems is essential for improving the quality of services provided to children in residential centres. Quality information (which is accurate, complete, legible, relevant, reliable, timely and valid) is an important resource for residential centres in planning, managing, delivering and monitoring the services they provide.

Regular audits shall be undertaken to determine compliance with Standard 8.1. These shall be completed via interviews, a review of relevant records, including incident reports, through observation and by utilising the appropriate audit tools.

Examples of information/evidence that will be reviewed and how this will be done

Standard 8.1:

Documentation Review

Inspectors will review documents including (but not limited to):

- Staff questionnaires.
- Young people questionnaires.
- Social work questionnaires.
- Employee handbooks.
- Confidentiality contracts.
- Code of conduct.
- Care files.
- Young people booklets.
- Pre-admission risk assessments.
- Risk management plans.
- Risk register.
- Significant event notifications.
- Significant event review group meetings.
- Absence management plans.
- Individual crisis management plans.
- Internal & external audit reports.
- Quality improvement plan and actions.
- Information governance framework.
- Exit interviews with staff and young people.
- Centre policies including but not limited to:
 - Policies in respect of collating and holding of information.
 - Information technology.
 - GDPR policies.
 - Induction policies.

Observation

Inspectors will observe:

- If handover meetings and team meetings are being used to inform decision making and to promote improvements.
- How information is stored within the centre and how it is shared between staff.

Interview

Inspectors will communicate with children/young people:

- To determine if they are aware what information is stored, who has access to it and what is it used for.
- To determine if they are offered opportunities to review information held on them in the centre.

Inspectors will communicate with staff:

- To determine their knowledge and understanding of the policies relating to information management.
- To determine their knowledge of relevant legislation, regulations and standards relating to information management.
- To determine the training provided to support them in understanding and maintaining information within the centre.
- To determine if information is being communicated in a timely manner to support effective, high-quality care.
- To determine relevant risk management documents are kept up to date and information is shared to relevant parties.
- To determine how young people and families are informed on the recording and intended use of their personal information.
- To determine how incidents are recorded. Kept and used to inform the young person's future care.

Inspectors will communicate with the registered provider or designated other:

- To determine that there are adequate resources to provide training and guidance to staff on information management.
- To determine how they ensure that staff are aware of and comply with relevant legislation.
- To determine the information governance framework in place.
- To determine that they have safe and encrypted ICT systems that staff are trained to use effectively.
- To determine how young people and families are informed on the recording and intended use of their personal information.
- To determine if there is appropriate sharing of information with other professionals.
- To determine how annual review of compliance and audit reports inform service development and improvements.
- To determine how they evaluate and manage the safety and quality of the service.
- To determine how risk is identified, evaluated and managed in relation to information management.

Standard 8.2 – Effective arrangements are in place for information governance and records management to deliver child-centred, safe and effective care and support

Information governance provides a framework to bring together all the legislation, guidance and best available evidence that applies to the handling of information. It provides a consistent way for the workforce to deal with the many different legislative provisions, guidelines and professional codes of conduct that apply to handling information. An information governance framework enables residential centres to ensure all information, including personal information, is handled securely, efficiently, effectively and in line with legislation.

Children's personal information informs all aspects of their care. Personal information must be treated in a confidential manner, and arrangements should be in place to make sure that this happens. This includes only sharing information when it is in the best interests of the child to do so and ensuring that the necessity of the level and type of information is being recorded as well as the length of time this is being carried out, is regularly reviewed based on the child's individual needs, behaviours and stages of development. The ability to identify a child uniquely is important therefore each residential centre should have arrangements in place to uniquely identify each child in their care.

Regular audits shall be undertaken to determine compliance with Standard 8.2. These shall be completed via interviews, a review of relevant records, including incident reports, through observation and by utilising the appropriate audit tools.

Child Care (Standards in Children's Residential Centres) Regulations, 1996, Part III Article 17:

A registered proprietor and person in charge of a centre shall satisfy the relevant health board that appropriate records are kept by the centre in relation to children being maintained in the centre.

Examples of information/evidence that will be reviewed and how this will be done

Standard 8.2:

Documentation Review

Inspectors will review documents including (but not limited to):

- Staff questionnaires
- Young people questionnaires
- Social work questionnaires
- Register of young people
- Employee handbooks
- Confidentiality contracts
- Code of conduct
- Care files
- Care file record maintenance

- Internal & external audit reports
- Quality improvement plan and actions
- Information governance framework
- Centre policies and procedures including:
 - Collating and holding of information policies
 - Information technology policies
 - GDPR policies
 - Induction policies

Observation

Inspectors will observe:

- If the centre is operating in line with GDPR legislation.
- If the centre has adequate archiving and storage facilities.
- If the privacy of each child's personal information is protected and respected;

Interview

Inspectors will communicate with children/young people:

- To determine if they know who their information is being shared with.
- To determine they are aware of the process should they wish to access their information.
- To determine if a request to view information is denied, they are aware of the reasons why.
- To determine if they are aware of how their information is stored.

Inspectors will communicate with staff:

- To determine their knowledge and understanding of the policies relating to information management.
- To determine their knowledge of relevant legislation, regulations and standards relating to information management.
- To determine the training provided to support them in understanding and maintaining information within the centre.
- To determine if information is being communicated in a timely manner to support effective, high-quality care.
- To determine how records are maintained in line with legislation.
- To determine their knowledge in relation to young people's access to information.

Inspectors will communicate with the registered provider and person in charge or designated other:

- To ensure the oversight of the centre register is compliant with regulations.
- To ensure the oversight of compliance with policies relating to information management.
- To determine that training and guidance has been provided to staff on information management.

- To determine the information governance framework in place.
- To determine their oversight of records to ensure that they are accurate, complete, legible, relevant, reliable, timely and valid.
- To determine that they have safe and encrypted ICT systems.
- To determine archiving and storage systems in place.
- To determine compliance with legislation, regulations and standards.
- To determine if there is appropriate sharing of information with other professionals.
- To determine their satisfaction in relation to information sharing with relevant professionals.
- To determine a system for notification for data breaches.

Inspectors will communicate with social workers/relevant professionals:

- To determine they are satisfied with the quality of the records created in the centre.
- To determine they are satisfied with the reports being shared in a timely manner.
- To determine that arrangements are in place to facilitate young people's access to their information

6.0 References

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