



Memorandum of Understanding



Memorandum of Understanding between all partners

for the

National Care Experience Programme 2019-2021

We're committed to excellence in healthcare



An Roinn Sláinte
Department of Health

1. Background

Listening to the experience of people using health and social care services is internationally accepted and proven to empower both the people who use and the people who provide services. It promotes greater engagement with people using services and supports them in becoming actively involved in their care. For health and social care providers, capturing the feedback of people who use their service helps to identify areas for improvement, provides assurance regarding the quality of care delivered and benchmarks the experience of care provided at a local and national level.

The National Care Experience Programme (NCEP) is a partnership between the Department of Health (hereafter referred to as the Department), the Health Information and Quality Authority (HIQA) and the Health Service Executive (HSE). The partnership was established to develop the model and to implement the most appropriate methodology to capture the experience of people using services in Ireland.

A Steering Group is in place to oversee the successful implementation of the NCEP Strategic Plan 2019-2021. This entails:

- providing governance and oversight for the NCEP
- risk management
- ensuring that all necessary supports, including people and resources, are in place to effectively implement the *NCEP Strategic Plan 2019-2021*
- optimising the use of the findings to ensure that they are used to maximum effect.

The NCEP is underpinned and governed by this Memorandum of Understanding (MoU) from a governance perspective, and the NCEP Strategic Plan 2019-2021 from an operational perspective. The NCEP team is responsible for delivering on the NCEP Strategic Plan 2019-2021. As HIQA is the lead partner, the NCEP team will be located in HIQA's offices.

This MoU represents the understanding reached by the Department, HIQA, the HSE and a representative of people using services, in respect of the NCEP.

2. Parties to the NCEP

a. Department of Health

The Department provides leadership and policy direction for the health sector in order to improve health outcomes and, through effective performance oversight, ensures



accountability and high-quality health service delivery.

The overall aim of the Department is to improve the health and wellbeing of people in Ireland by:

- keeping people healthy
- providing the healthcare people need
- delivering high quality services
- getting the best value from health system resources.

The Department recognises patient safety as the cornerstone of quality healthcare. In December 2016, the Department established a National Patient Safety Office (NPSO) to progress a policy programme of patient safety legislation, patient safety surveillance, patient safety policy initiatives as well as the national clinical effectiveness framework. Learning from patient experience, promoting a problem-sensing culture through patient safety surveillance, as well as establishing a robust clinical effectiveness framework contribute to the continuous development of national patient safety policy and legislation. From the Department, both the NPSO and the relevant policy unit (such as Acute Hospitals and Maternity Services) participate in furthering the objectives of the NCEP.

b. Health Information and Quality Authority

The Health Information and Quality Authority was established by the Health Act 2007. Its objective is to "promote safety and quality in the provision of health and personal social services for the benefit of the health and welfare of the public" (section 7, Health Act, 2007, as amended). The principal functions under the Health Act 2007 include:

- to set standards on safety and quality in relation to services provided by the HSE or a service provider in accordance with:
 - The Health Acts 1947 to 2015, except for services under the Mental Health Acts 1945 to 2001 that, under the Health Act 2004, are provided by the HSE
 - The Child Care Act 1991
 - The Children Act 2001
 - Services provided by a nursing home as defined in section 2 of Health (Nursing Homes) Act 1990
- to monitor compliance with standards and to advise the Minister of Health (hereafter referred to as the Minister) and the HSE accordingly
- to undertake investigations as to the safety, quality and standards of services to evaluate the clinical and cost effectiveness of health technologies including drugs

- and provide advice arising out of the evaluations to the Minister and the HSE
- to evaluate available information concerning the services and the health and welfare of the population
- to provide advice and recommendations to the Minister and the HSE about deficiencies identified by HIQA in respect of information identified concerning the services and health and welfare of the population
- to set standards as HIQA considers appropriate for the HSE and service providers, concerning data and information in their possession in relation to services and the health and welfare of the population
- to operate other such schemes aimed at ensuring safety and quality in the provision of services.

HIQA is the lead implementation partner for the NCEP, and therefore will be responsible for providing a centralised, coordinated approach to implement the *NCEP Strategic Plan 2019-2021*.

c. Health Service Executive

The HSE was established by ministerial order on 01 January 2005 in accordance with the provisions of the Health Act 2004, as amended by the Health Service Executive (Governance) Act, 2013. It is the single body with statutory responsibility for the management and delivery of health and personal social services to the population of Ireland. Section 7 of the Health Act, 2004 (as amended) states that the objective of the HSE is to use the resources available to it in the most beneficial, effective and efficient manner to improve, promote and protect the health and welfare of the public.

d. Sage Advocacy

Sage Advocacy promotes, protects and defends the rights and dignity of vulnerable adults, older people and healthcare patients. Representatives of Sage Advocacy will act in an advisory capacity to the partner organisations to ensure that the viewpoints of people using services are central to the strategic direction and decision making process of the NCEP.

3. Legislation and Standards

All partner organisations must comply with the:

- Freedom of Information Act 2014
- Data Protection Acts 1988 – 2018
- General Data Protection Regulation (GDPR) (EU) 2016/679
- Code of Practice for the Governance of State Bodies 2016



- Information Management Standards for National Data Collections.

4. Objectives

This MoU is intended to outline each organisation's specific responsibilities, with a view to ensuring that the engagement and supports required are in place to deliver and expand the NCEP within the agreed scope, timelines and budget.

5. Areas of cooperation

The National Patient Experience Survey Programme was established in 2016 to capture the experience of patients in the public acute hospital setting. It was agreed by the National Patient Experience Steering Group in 2018 to expand the programme. The National Care Experience Programme (NCEP) was established and the *NCEP Strategic Plan 2019-2021* was developed to manage and direct the expanded survey programme. The Department, HIQA, and the HSE, having reached the above understanding, will:

- undertake to communicate as appropriate on all matters of strategic, mutual and operational interest in relation to the NCEP. Communication will be conducted on both a formal basis through scheduled meetings, and informally on an ad hoc basis
- facilitate cooperation in terms of the most efficient, effective model and methodology to develop, expand and implement the NCEP. In the conduct of this activity, all of the organisations will respect, maintain and adhere to all requirements of the relevant legislation, standards and codes
- agree to adopt a partnership approach to:
 - implement the NCEP Strategic Plan 2019-2021
 - use NCEP findings to inform improvement and change across the Irish health and social care systems
 - communicate survey results and outputs to all stakeholders
 - mitigate all risks
 - ensure confidence in the collection, processing and dissemination of data
 - expand collaboration on a national and international basis
 - optimise use of the findings
 - support the creation of a competency centre of international standing with the capacity, skills and expertise to extend the NCEP to other areas of health and social care.



The partnership approach therefore fulfils and meets the remit and objectives of all of the partner organisations.

6. The role of parties to the Memorandum of Understanding

a. Department of Health

It is the role of the Department to:

- ensure that the NCEP is in line with current national policy, remains informed and responds as appropriate to any changes in the national direction of health and social care, healthcare legislation and national policy
- respond to and mitigate identified risks as appropriate
- deliver on the Department's element of the Communication Plan
- proactively use the findings of the NCEP to inform the development and implementation of policy and legislation as appropriate
- inform and support the prioritisation process for the programme's expansion into two others sectors of health and social care
- support the creation of a competency centre of international standing with the capacity, skills and expertise to extend the NCEP to other areas of health and social care. This may include supporting academic or international collaboration and showcasing survey findings and resulting improvements as appropriate.

Throughout the programme, the Department's Steering Group representatives will provide vision and leadership to ensure the success of the NCEP. The Department will also participate in the advancement of the NCEP Strategic Plan through representation on Programme Boards and the Technical Group, and through participation in stakeholder feedback as appropriate.

The Department will promote and expand care experience insights across the healthcare sector using the findings from the NCEP to inform and improve national healthcare policy, legislation and vision and to identify areas of priority for health services in Ireland, where it deems it appropriate to do so.

b. Health Information and Quality Authority

It is the role of HIQA to:

- develop the annual business plans for the NCEP, which reflect and lead to the delivery of the NCEP Strategic Plan 2019-2021

- implement the agreed strategic plan for the NCEP, which will include a prioritisation process for the programme's expansion into other sectors of health and social care
- implement the element of the annual business plans that fall under HIQA's remit
- develop and implement a communication framework supported by a Communication Plan in order to increase public awareness and maximise engagement with the NCEP
- respond to and mitigate identified risks as appropriate
- be responsible for operational and resource management, including management of all third parties
- ensure confidence and trust in the collection, use and dissemination of data
- conduct primary and secondary analysis of survey data and report on the findings in accordance with the NCEP Strategic Plan as well as the policy and direction of the Steering Group
- support the creation of a competency centre of international standing with the capacity, skills and expertise to extend the NCEP to other areas of health and social care.

Information from the NCEP will be a key enabler to assist HIQA in its role of promoting sustainable quality improvements, safeguarding people using services, and promoting person-centred care for the benefit of the public.

c. Health Service Executive

The HSE NCEP Steering Group representatives will champion any changes necessary within the HSE and promote NCEP initiatives to ensure full engagement. It is the role of the HSE to:

- implement the agreed strategic plan for the NCEP, which will include a prioritisation process for the programme's expansion to two new sectors of health and social care
- respond to and mitigate identified risks as appropriate
- provide the supports necessary to deliver on models and methodologies including people, training, information technology and amendment to existing practices / processes if appropriate.
- deliver on the HSE's element of the annual business plans for the NCEP
- deliver on the HSE's element of the Communication Plan for the NCEP
- provide the necessary support to the service providers to deliver on processes and procedures, to effectively administer and implement the survey methodologies and respective quality improvement initiatives
- ensure that responses to NCEP findings, and an update on progress of same are

- published on the NCEP website within an appropriate timeframe
- ensure that the findings from the NCEP are acted on to inform quality improvements, policy and work programmes at local, regional and national levels
- support the creation of a competency centre of international standing with the capacity, skills and expertise to extend the NCEP to other areas of health and social care. This may include supporting academic or international collaboration and showcasing survey findings and resulting improvements as appropriate
- engage with all relevant stakeholders to inform and contribute toward the maintenance and expansion of the NCEP.

The measurement of people's experience of care is a foremost priority on the HSE's agenda, as described in the National Service Plan 2019. The HSE is committed to implementing a plan, to build the capacity and infrastructure that is needed to promote a culture of person-centred care, and to measure people's experience of care in a real and meaningful way. The NCEP results in increased information to inform and support processes to improve the experience for all those that use health and social care services in Ireland.

d. Sage Advocacy

Sage Advocacy promotes, protects and defends the rights and dignity of vulnerable adults, older people and healthcare patients. Representatives of Sage Advocacy will act in an advisory capacity to the partner organisations to ensure that the viewpoints of people using services are central to the strategic direction and decision making process of the NCEP.

7. Confidentiality

The NCEP partners will not use information disclosed under this MoU for any purpose other than the performance of its functions under the MoU. All partners will carry out their functions under the MoU in accordance with their legislative requirements.

8. Consultation and liaison between all parties

- Before transferring any information, each party will satisfy itself that any such transfer is not in breach of its own legislative provisions or obligations regarding confidentiality and/or secrecy, or in breach of any other relevant statutory provisions, including the GDPR and the Data Protection Acts 1988 - 2018. All

parties recognise the prime importance of protecting the personal data of people using services and thus want to facilitate effective and timely information exchange and anonymisation of personal data to secure this outcome.

- Each party will respect the confidentiality and/or secrecy of information exchanged under this MoU, which has been obtained under the statutory powers of each partner.
- The agency contacts outlined in clause 13 (Partner organisation contact) from the Department, HIQA, HSE and Sage Advocacy will meet annually to discuss issues arising from the operation of this MoU.
- The agency contacts outlined in clause 13 (Partner organisation contact) from the Department, HIQA, the HSE and Sage Advocacy will be responsible for providing oversight to ensure that the cooperative arrangements entered into under this MoU are in place.

9. Ethical Approval

It is the view of all partner organisations that, to ensure that this programme of work is held to the highest standard, ethical approval will be in place for any changes to or expansion of the current programme of work.

10. Variation

Any provision of this MoU may be amended at any time by the mutual consent of the partners, in writing via the respective signatories.

11. Status of Memorandum of Understanding

This MoU reflects the intentions of the partners. It is not intended to create legal obligations of any nature, either in domestic or international law. The partners will however observe and give due respect to confidentiality undertakings, which they have expressed in this MoU.

12. Effective date and review

This MoU will come into effect upon the date of signature of all signatories and will continue in effect until its termination in accordance with clause 14 (Termination). This



MoU will be subject to formal review every three years. In addition, the content of the MoU will be reviewed to ensure that it remains relevant, for example, in light of legislative and/or changes to the programme of work.

Such a review shall not imply any prior existing obligation to agree to any amendments to this MoU and is intended to be a higher level review of on-going relations between the parties. To the extent that any amendments are however agreed between the parties, the amendments will be reflected by way of addendum to the MoU.

This review will be conducted by the contacts from the partner organisations shown under clause 13 (Partner organisation contact) and any required variations made in accordance with clause 10 (Variation).

13. Partner organisation contact

The persons responsible for the administration of this MoU are:

- a. for the Department, the person holding the position of Director of the National Patient Safety Office
- b. for HIQA, the person holding the position of Chief Executive Officer
- c. for the HSE, the person holding the position of National Director of Quality Assurance and Verification
- d. for Sage Advocacy, the Senior Patient Advocate.

14. Termination

- a. Each partner may, at any time, give written notice of termination to the other partners. This MoU will terminate one month after the date of receipt of the notice of termination.
- b. The termination of this MoU will not affect the confidentiality undertakings expressed by the signatories to this MoU and any commitments given under, or as a consequence of this MoU in respect of any arrangements or action taken during the period before the termination takes effect.

15. Signatories

Signed in the _____

on this 6 day of November 2019 by Marita Kinsella

Marita Kinsella

National Director of the Patient Safety Office for and on behalf of the Department of Health

on this 22 day of October 2019 by Phelim Quinn

Phelim Quinn

Chief Executive Officer

for and on behalf of the Health Information and Quality Authority

on this 22 day of October 2019 by Patrick Lynch

Patrick Lynch

National Director of Quality Assurance and Verification for and on behalf of the Health Service Executive

on this 30 day of October 2019 by Roisin O' Leary

Roisin O' Leary

Senior Patient Advocate

for and on behalf of Sage Advocacy

