

**PROCESS and PROCEDURES:
INSTITUTION RESIDENTIAL STATUTORY BOARD**

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The Act specifies that the Board shall carry out its functions under the Act “in a manner that promotes equity, consistency and transparency”.

The operations of the Statutory Fund, services it covers, how it pays, the amount it pays, the appropriateness, quality and value for money will undoubtedly be subject to considerable public scrutiny: clients, survivor groups, services, the political system and media. It is suggested that in terms of the Fund carrying out its responsibilities under the Act, it operate to the following three principles:

One, given the scrutiny that will arise and the overarching requirements for equity, consistency and transparency, the emphasis should be on standardised process/procedures/controls that are applied to all clients, unless exceptional circumstances of a specific client or approved service warrant otherwise. This will also facilitate efficiency of administration through ongoing operation of procedures for most clients and approved services, **the principle being, setting the parameters for the vast majority of cases and intervening administratively only when warranted.**

This will require careful consideration of such procedures in advance of implementation, and ideally implemented initially on a pilot basis followed then by review and finalisation of procedures.

The management of the Fund should largely act in the role of assuring compliance with procedures and standards, advocacy on behalf of clients in accessing approved services where issues or specialisation exist, and dealing with exceptional circumstances.

The second principle suggested is to establish arrangements which enable services be provided by public authorities where such services and responsibility are within their core statutory remit such as housing, health and education, **the principle being not replicating existing public provision.** Given issues of access for some of these public services, this will require the Fund engage with Department officials and senior management in mobilising public agencies to ensure service agreements and protocols are in place.

The third principle is to build on and use the existing capability and resources that exist in providing services to former residents. For example: Towards Healing has a helpline with trained staff and an infrastructure for referral, case management, pricing for counseling in Ireland and the UK; some survivor groups have well established communication channels with clients which can facilitate consultation, information and communications as well as valuable experience of needs clients may have. **The principle being, don't reinvent the wheel... rather build on available capability.**

These 3 principles can guide the Fund in operating in an informed, capable and efficient way.

The procedures/processes required in the Act are detailed below and include:

1. Paying for grants and determining where the Fund will make arrangements for approved services or pay grants to former residents to avail of such approved services.
2. Approving of services
3. Liaison with public authorities
4. Evaluation of approved services
5. Information and awareness
6. Legal procedures

The attachment outlines the procedures and suggested sequencing of implementation.

A. PROCESS FOR PAYING GRANTS:

Part 7: (1) Pay grants to former residents that they may avail of approved services;

Part 20: Make arrangements for provision of approved service or pay former residents to avail of an approved service.

In the first instance, the management of the Fund will need to project funding availability for the specified classes of service based on an assessment of the types of services clients will likely be seeking within the specified classes, the cost of these and the projected number of clients, etc. This will significantly determine the range of approved services and the extent/amount of service clients can avail of. For example, E3000 is generous support for counseling, but not necessarily for inpatient mental health treatment or housing needs. Thus, differential payment levels are likely to be required for the various classes of services. This assessment and determination on payment levels for classes of services is an important first step for the Fund as it will shape the range of services, quantum and extent of service available to clients

The determination of arranging and paying for approved services or paying the clients directly to avail of such services should be considered by class of approved services based on the availability and accessibility of the approved services, for example: approved counseling services may be readily available and accessible for clients to avail of directly, whereas specialised mental health or housing supports may not be. It is suggested the basis for determining this be the class of service not the individual client as this would be open to challenge.

The generality should be that where approved services are readily available, clients should access and pay for these directly within the verification parameters set by the Fund. If this process does not work out, after a pilot period, then tighter arrangements can be put in place as needed.

A process should be established to identify the classes of approved services that clients can access directly with the Fund making the information on approved services available to clients, and only being involved in exceptional cases. This procedure will also address any

criticism by providers of approved services where they consider they are not getting sufficient referrals; this becomes the decision of the client, not the Fund.

The criteria for approved services, per B, below will determine costs if any, agreed timelines to access and avail of services, etc in advance.

(a) Part 9: Set criteria for awarding a grant: -- as per Part 8 class of service; -- apply limits to money for grant or arrangement; -- specify minimum standards; -- specify documentation required from former residents.

For each class of service, appropriate guidelines should be outlined for awarding grants to clients. These should include range of spend, where applicable, for the class of service, range of timeframes and duration for participation by individual clients, documentation from client verifying takeup of service and of ongoing participation/takeup at appropriate intervals.

(b) Part 9: Grants can be made for relief of hardship

Circumstances of what constitutes hardship should be defined, and one assumes it is highly exceptional and where there is significant danger to wellbeing that cannot be met through state provision in the immediate term (such as lack of housing or food, risk of self harm or harm to children, etc). A maximum amount for such immediate relief should be agreed with the Board and approval be the responsibility of the Chief Executive of the Fund.

B. PROCESS FOR APPROVING SERVICES:

Part 7: (1) Determine approved services;

Set criteria for arranging services;

Part 8: (2) The Board may determine if a specific service, per designated class of service, is approved based on: -- likely effect on health/well being, personal/social development, education, living conditions; -- minimum standard required; --other as the Board determines

This is likely to be a potential area of contention with service providers and potentially also with clients. Due to a duty of care and the requirement for public transparency, the Board will want to ensure quality of services that are being arranged for clients, and fairness in the designation of services as approved. Thus, the requirements and criteria will need to be clear and consistent.

It may be useful to advertise for service providers to apply to the Fund to be considered as an approved service within the specified classes, and for providers to complete an application based on criteria set by the Fund.

Assessment of applications should involve appropriate professional advice to the Board on the likely effect of services which apply on the health/well being, personal/social development, education, living conditions, etc. of clients.

Criteria for approval should replicate existing approval processes operated by statutory and professional bodies and include: those services accredited by statutory or professional bodies; those receiving state funding which include a monitoring/evaluation requirement; those voluntary bodies that can document monitoring of service provision, external evaluation and compliance with board governance standards, evidence of quality standards and assurance, as well as appropriate references.

Within these overall requirements, approved services should be those which have a track record and expertise in working with former residents, are easily accessible for clients of the Statutory Fund, will accept an agreed scale of fees where these arise, will provide services to agreed timeframes, and will submit appropriate verification at relevant intervals.

Further, upon clients' completion of an approved service, a routine brief feedback form should be supplied to clients to have an ongoing picture of appropriateness of service provision.

C. PROCESS FOR LIAISING WITH PUBLIC AUTHORITIES:

- (a) ***Part 7 (3) Have regard to the existence of publicly available services and the need for the most beneficial, efficient and effective use of services;***

This Part is concerned with overall interaction between the executive of the Board and senior management of relevant public authorities. It will be necessary in the first instance, to determine those public services which are within the specified classes within the Act and to identify with their management the availability of services for clients such as: range, wait times, geographic availability. **The principle here is that where public authorities have a statutory responsibility to provide specific services (housing, health, education) these should be available to clients of the Fund.** Service level agreements and protocols should be set in place between the Fund and senior management of public authorities.

In particular, for those services not available outside of the public sector, specific arrangements will need to be established between the management level of the Board and the public body to assure appropriate access and provision for clients of the Board who are in need of such services. This will likely require significant involvement by the Fund management, at least in the first phase.

- (b) ***Part 25: Liaison officers to be designated with public authorities;
Advise former residents of its publicly available services;
Provide information on the range of publicly available services;***

Liaise with public authorities on individual applications.

This Part is concerned with the ongoing logistic arrangements on behalf of clients of the Fund – information, contact points, processes for referrals, etc. The management of the Fund should convene an ongoing liaison group with designated liaison officers to plan provision for clients, address issues arising, etc. Liaison officers should be expected to act within the parameters and service level commitments made by the public authority with the Fund.

(c) *Part 20: Former residents to authorise Board to liaise with public authorities on their behalf.*

As part of seeking referral to public services, a consent procedure will be needed to authorise the Fund to pursue such.

D. EVALUATION OF APPROVED SERVICES:

Part 7: (2) Evaluate the effectiveness of approved services in meeting the needs of former residents.

This should encompass:

- Ongoing feedback from clients upon completion of services
- Professional evaluation of the range of approved services and impact on clients on an annual basis; this to be on the classes of services not evaluation of specific services or providers (where there is an issue with a specific service provider warranting investigation, this should be done on an as needed basis).
- Surveys of customer satisfaction and complaints on a quarterly basis.
- Monthly statistics/metrics on contacts, referrals, take up, completions, cost, etc.
- Benchmarking with a comparator organisation internationally.
- The Board should agree a designated maximum percent of administrative spend for the Fund.

E. INFORMATION AND AWARENESS:

Part 7: (1) Promote understanding of approved services and publicly available services to former residents of the effect of abuse.

(2) Inform former residents of functions of the Board;

Consult with those the Board thinks may be affected by the performance of the Board and its functions;

This should include good media use: website, information to survivor groups, phone line for information, brochure, media articles and appearances, etc. These should both promote access to the Fund but also provided clarity on how the Fund operates, what it covers, and what it does not do.

Carry out an information/consultation programme with relevant groups and bodies. These are reasonably well known and a list can be put together fairly easily. It will be important to emphasise that the Fund is open to input on doing its work, but that the Fund is not in a position to alter its role and responsibilities under the Act passed by the Oireachtas.

On an ongoing basis, information on the operation of the Fund and services, statistics etc should be on the website.

F. LEGAL PRODECURES:

(a) Part 19: Procedures to meet requirements of data protection and confidentiality.

(b) Part 25: Appeals process for former residents.

These should be modelled on existing procedures of the Redress Board, etc.

Attached: Powerpoint outline of procedures and suggested sequencing for implementation.