



HSE Board Briefing Template

Subject: Consideration of Oversight Agreement between DCEDIY and HSE
Submitted for meeting on: 21 st February 2024
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Why is this information being brought to the Boards attention? For consideration and decision by the Board
Is there an action by the Board required, if so please provide detail?: Decision to approve the Oversight Agreement for signing
Please indicate which of the Boards objectives this relates to ; <ul style="list-style-type: none">▪ The development and implementing of an effective Corporate Governance Framework, incorporating clinical governance and a performance management and accountability system; X▪ Developing a plan for building public trust and confidence in the HSE and the wider health service; <input type="checkbox"/>▪ Ensuring the HSE's full support for and implementation of the Government's programme of health reform as set out in the Sláintecare Implementation Strategy; <input type="checkbox"/>▪ Exercising effective budgetary management, including improving the value achieved with existing resources and securing target saving, with the objective of delivering the National Service Plan within Budget. <input type="checkbox"/>
Brief summary of link to Board objectives. <ul style="list-style-type: none">• This Oversight Agreement) reflects the Department of Children, Equality, Disability, Integration and Youth's (DCEDIY's) responsibility for funding, policy and oversight of disability services and the responsibilities of the Health Service Executive (HSE) in delivering disability services. It is the overarching document outlining the governance relationship between DCEDIY and the HSE, taking into account the relevant legislative provisions and supporting agreements.• It ensures appropriate governance and oversight arrangements are put in place to meet the requirements of both DCEDIY and the HSE. It sets out the initial approach to performance and financial oversight. It follows a replicate model to current arrangements between the HSE and the Department of Health (DOH) and also provides for new measures and approaches for the effective oversight of disability services.
Background - provide context in order to ensure that the Board fully understand the issue. <p>The purpose of this Oversight Agreement is to:</p> <ul style="list-style-type: none">• Set out the respective roles and responsibilities of the parties;

- Set out structured arrangements for communications, reporting and liaison, accountability and governance, in order to facilitate effective oversight and accountability;
- Support the existing on-going co-operation and engagement between the parties, while taking account of the relationship in place with the HSE and DOH.

Highlight any implications that the Board should be made aware of in its consideration such as;

- Efforts have been taken to avoid unnecessary duplication with the current Oversight Agreement in place between the HSE and DOH, or to develop new arrangements that might be unnecessary, inconsistent or contradictory with existing governance structures and processes.
- This Agreement is based on the premise that the DOH will maintain its existing governance arrangements with the HSE and that replicate and specific arrangements are agreed and implemented between DCEDIY and the HSE to ensure the DCEDIY can perform its governance and oversight responsibilities as provided for in the Health (Miscellaneous Provisions) Act 2022 and relevant statutory instruments.
- The integrated nature of service delivery within the HSE, and the high number of shared interest areas between DOH and DCEDIY, requires a significant level of coordination and integration in relation to oversight of the HSE and other related health and social care policy areas. Ongoing consultation and cooperation between DCEDIY, DOH and the HSE is therefore required to protect and maintain integrated service delivery and mainstream first pathways to care for persons with a disability.
- The Agreement recognises that the DOH remains the parent department of the HSE and that the HSE is an aegis body of the DOH. It is strategic in nature and should be read harmoniously with the HSE's Oversight Agreement with the DOH, alongside existing legislative provisions, codes, circulars and guidance notes applying to the Parties.
- It should be noted that the DOH has retained responsibility and funding for many of the central corporate functions of the HSE, such as ICT and HR, that disability services remain dependent upon. As a result, these areas are not directly addressed in this Agreement. Cooperation and consultation are however provided for in the legislation, relevant statutory instruments and through a suite of cooperation agreements between DCEDIY and DOH.
- In addition to the establishment of formal agreements between DCEDIY and the DOH, there may be further requirements to establish tripartite arrangements between the DCEDIY, the DOH and the HSE to facilitate integrated working on areas of shared interest.
- Overall responsibility for broader health and social care strategies and policies such as Sláintecare and the implementation of the Health Regions is retained by the DOH. It is however acknowledged that there is an onus on DCEDIY and the HSE to ensure disability services are appropriately aligned with ongoing strategic reform initiatives and regional planning approaches to enhance integrated service delivery and mainstream first pathways to care for persons with a disability.
- It is recognised that there is a requirement for ongoing engagement and cooperation through the Health Regions Implementation Plan and there will likely be a need for revised governance and oversight arrangements between DCEDIY and the HSE once this new structure has been established.

Conclusion

The Proposed Oversight Agreement replicates the agreement in place between the HSE and DoH. It clarifies the respective roles of DCEDIY and DOH. It sets out the appropriate governance and oversight arrangements for DCEDIY and HSE.

The DCEDIY have noted that an update of the Agreement will be required in due course to take account of evolving reforms in HSE organisational structures, processes and roles.

Recommendation

The Oversight Agreement between DCEDIY and the HSE is recommended for approval by the Board