

*Status: Point in time view as at 11/04/2014.*

*Changes to legislation: The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003, PART II is up to date with all changes known to be in force on or before 08 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## STATUTORY INSTRUMENTS

# 2003 No. 431

## The Health and Personal Social Services (Quality, Improvement and Regulation) (Northern Ireland) Order 2003

### PART II

#### [<sup>F1</sup>Health and Social Care Regulation and Quality Improvement Authority]

**F1** Words in Order substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(a\)](#) (with [Sch. para. 1\(2\)](#))

#### The [<sup>F2</sup>RQIA]

3.—(1) There shall be a body corporate to be known as the [<sup>F1</sup>Health and Social Care Regulation and Quality Improvement Authority] (in this Order referred to as “the [<sup>F2</sup>RQIA]”).

(2) Schedule 1 (which makes further provision relating to the [<sup>F2</sup>RQIA] ) shall have effect.

**F2** Words in Order substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

#### Modifications etc. (not altering text)

**C1** Art. 3 referred to (1.4.2009) by [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), [ss. 1\(2\), 34\(3\)](#)

#### General duties in relation to provision of services

4.—(1) In this Part “services” means services provided by—

- (a) persons registered under Part III; and
- (b) Health and Social Services Boards, [<sup>F3</sup>HSC trusts] and special agencies.

(2) The [<sup>F2</sup>RQIA] shall have the general duties of—

- (a) keeping the Department informed about the provision of services and in particular about their availability and their quality; and
- (b) encouraging improvement in the quality of services.

**F2** Words in Order substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

**F3** Words in Order substituted (1.4.2009) by virtue of [Health and Social Care \(Reform\) Act \(Northern Ireland\) 2009 \(c. 1\)](#), [ss. 32, 34\(3\)](#), [Sch. 6 para. 1\(1\)\(d\)](#) (with [Sch. 6 para. 1\(3\)](#)); [S.R. 2009/114](#), [art. 2](#)

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### Advice and information about services

5.—(1) When asked to do so by the Department, the [F<sup>2</sup>RQIA] shall give the Department advice, reports or information on such matters relating to the provision of services or the exercise of its functions as may be specified in the Department's request.

(2) The [F<sup>2</sup>RQIA] may at any time give advice to the Department on—

- (a) any changes which the [F<sup>2</sup>RQIA] thinks should be made in the standards set out in statements under Article 38;
- (b) any other matter connected with the provision of services.

**F2** Words in [Order](#) substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

### Regulations and directions

6.—(1) The Department may by regulations make provision—

- (a) as to the times at which, the cases in which, the manner in which, the persons in relation to whom or the matters with respect to which, any functions of the [F<sup>2</sup>RQIA] are to be exercised;
- (b) as to the matters to be considered or taken into account in connection with the exercise of any functions of the [F<sup>2</sup>RQIA] ;
- (c) as to the persons to whom any advice, information or reports are to be given or made;
- (d) as to the publication of reports and summaries of reports;
- (e) as to the recovery from prescribed persons of amounts in respect of the expenditure incurred by the [F<sup>2</sup>RQIA] in the exercise of its functions;
- (f) for or in connection with the exercise of functions of the [F<sup>2</sup>RQIA] in conjunction with the exercise of functions of other persons;
- (g) conferring additional functions on the [F<sup>2</sup>RQIA] .

(2) The Department may give directions to the [F<sup>2</sup>RQIA] with respect to the exercise of its functions and the [F<sup>2</sup>RQIA] must comply with them.

**F2** Words in [Order](#) substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

### Annual report

7.—(1) As soon as possible after the end of each financial year, the [F<sup>2</sup>RQIA] shall make a report to the Department—

- (a) on the way in which the [F<sup>2</sup>RQIA] has exercised its functions during that year; and
- (b) on what it has found in relation to services during that year.

(2) In paragraph (1) “financial year” has the meaning given by paragraph 12(6) of Schedule 1.

**F2** Words in [Order](#) substituted (11.4.2014) by [Health and Social Care \(Amendment\) Act \(Northern Ireland\) 2014 \(c. 5\)](#), [Sch. para. 1\(1\)\(b\)](#) (with [Sch. para. 1\(2\)](#))

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