



The Regulation and
Quality Improvement
Authority



Memorandum of Understanding between the Northern Ireland Medical and Dental Training Agency and the Regulation and Quality Improvement Authority

November 2021

Memorandum of Understanding (MOU) between the Northern Ireland Medical and Dental Training Agency (NIMDTA) and the Regulation and Quality Improvement Authority (RQIA)

Introduction

1. The purpose of this MoU is to set out a framework to support the working relationship between NIMDTA and the RQIA. It sets out the parties' respective responsibilities and identifies areas of collaboration and mechanisms for sharing information
2. The MOU does not affect existing statutory functions or supersede any policies or agreements relating to the activities of NIMDTA or RQIA. It does not imply any transfer of responsibility from one organisation to the other, nor does it imply any sharing of statutory responsibilities.
3. The MOU is not enforceable by law. However, NIMDTA and the RQIA agree to adhere to its principles and to show due regard for each other's activities.
4. Each organisation will ensure their staff are aware of the content of the MoU and the responsibilities it places on individual members of staff

Responsibilities and Functions

5. NIMDTA and the RQIA acknowledge the responsibilities and functions of each other and will take account of these when working together.

Principles of Co-operation

6. NIMDTA and the RQIA intend that their working relationship will be characterised by the following principles:
 - The need to make decisions which promote patient safety and high quality health and social care
 - Respect for each other's independent status
 - The need to maintain public and professional confidence in the two organisations
 - Openness and transparency between the two organisations
 - The need to use resources effectively and efficiently

Information Sharing and Co-operation

7. The working relationship between NIMDTA and RQIA will be characterised by regular contact, exchange of information and liaison on issues requiring joint action. Examples of how the two organisations will exchange information and co-ordinate their activities are as follows:
 - Liaison meetings will be held between NIMDTA's Postgraduate Dean/Director of Education and RQIA's Director of Improvement/Clinical Lead to review the application of the MoU, share information, expertise and discuss any other relevant issues.

- NIMDTA will be advised of any RQIA inspection or review reports that have relevance to the work of NIMDTA.
- RQIA will be advised of any Deanery Visit Reports or enhanced monitoring arrangements that have relevance to the work of RQIA.
- Each organisation will inform the other of any issues that raise significant concerns about clinical governance that fall into their respective responsibilities.
- Each organisation will involve the other, as appropriate, in meetings with other HSC organisations to discuss issues of concern.

1. Dental practices

- NIMDTA is responsible for managing the Dental Foundation Programme in Northern Ireland. An important part of this programme is the appointment of Educational Supervisors who will be responsible for, within their practice setting, the clinical supervision and overseeing the educational progress of the foundation of the foundation dentist during their foundation year.
- RQIA will share with NIMDTA information which may be relevant to the oversight of training within Dental Practices and appointment of Educational Supervisors.
- Data to be shared between the organisations will include: Trainer Name, Trainer GDC Number, Trainer Dental Practice Address, date of most recent inspection, details of any significant areas for improvement identified during inspection.
- On an ongoing basis RQIA will also provide for NIMDTA anonymised information in relation
 - serious requirements arising from inspection/enforcement activity
 - serious adverse incidents/ statutory notifications
 - complaints
 - enforcement activity
 - prosecution activity
 - referrals to the GDC
 - matters of concern relating to professional practice.

2. Independent sector

- RQIA and NIMDTA agree to share with each other, information relevant to the governance and oversight arrangements of trainees working within the independent sector.
- Data to be shared between the organisations will include date of most recent inspection, details of any significant areas for improvement identified during inspection.
- RQIA require assurance that the following arrangements are in place for trainees to practice in the Independent Sector:
 - A process for trainees to apply for practising privileges
 - A process to record the consultant supervising the trainee
 - A record of trainees' medical indemnity provider cover for the work
 - A record in theatre of when surgical assistants were present at surgical lists

- A Data Sharing Agreement between the Independent hospital and NIMDTA to allow transfer of information.
3. RQIA Inspection programme
- RQIA may offer ADEPT Clinical Leadership Fellows an opportunity to participate within RQIA inspection programmes as medical peer reviewers. Where this occurs, RQIA will provide fellows with the necessary training and support to carry out the role of a medical peer reviewer.
 - Data to be shared between the organisations will include date of most recent inspection, details of any significant areas for improvement identified during inspection.
4. Media and publication:
- Each organisation will liaise with the other to determine how any media interest relating to a mutual concern should be handled.

Data Protection and Human Rights

5. The Legal framework governing information sharing includes obligations under the Data Protection Act 2018 and UK GDPR, the Human Rights Act 1998, the Freedom of Information Act 2000 and the common law duty of confidentiality. Where any information about individuals is shared between RQIA and NIMDTA both organisations will act in accordance with their legal obligations.
6. Cooperation between RQIA and NIMDTA will often require the exchange of information. All arrangements for collaboration and exchange of information set out in this MoU, and any supplementary agreements will take account of and comply with the Data Protection Act 2018 and UK GDPR, the Freedom of Information Act 2000 and any RQIA and NIMDTA codes of practice, frameworks or other policies relating to confidential personal information.
7. For the purposes of this agreement, Article 61(e) of the UK GDPR is relied upon by both parties ('public task'). The statutory roles of both parties are set out within Appendices 1 and 2. The processing of the personal data described within this document is necessary in order for both parties to discharge these duties, and is the least intrusive means of doing so.
8. Both the RQIA and the NIMDTA are subject to the Freedom of Information Act 2000. If one organisation receives a request for information that originated from the other, the receiving organisation will make the other aware before responding. However, the ultimate decision on the release of information will remain with the information owner (the organisation that has been requested to release it).

Resolution of Disagreement

9. The Chief Executives of the two organisations will seek to resolve any disagreements amicably.

Duration and Review of the MoU

10. This MoU is not time-limited and will continue to have effect unless the principles described need to be altered or cease to be relevant. The MoU will be reviewed every three years although may be reviewed at any time at the request of either party. Changes to the MoU will require both parties to agree.

NIMDTA: Postgraduate Dean / Director of Education



Signature:

Date: 30th November 2021

RQIA: Chief Executive



Signature

Date...21 December 2021

Appendix A

The Role of RQIA

The Regulation and Quality Improvement Authority (RQIA) is the independent body responsible for monitoring and inspecting the availability and quality of health and social care services in Northern Ireland, and encouraging improvements in the quality of those services.

The RQIA was established under The Health and Personal Social Services (Quality Improvement and Regulation) (Northern Ireland) Order 2003. The Order also place statutory duty of quality upon health and social care organisations, and requires DHSSPS to develop standards against which the quality of services can be measured.

RQIA ensures that health and social care services in Northern Ireland are accessible well managed and meet the required standards. RQIA works to ensure that there is openness, clarity and accountability in the management and delivery of services.

RQIA registers and inspects and inspects a wide range of health and social care services. Inspections are based on minimum care standards and regulations, which ensure that both the public and the service providers know what is expected.

RQIA inspectors visit a wide range of services to ensure that all aspects of the care provided, is safe and to assure the comfort and dignity of those using the facilities.

RQIA also undertake a range of responsibilities for people with a mental illness and those with a learning disability following the transfer of duties from the Mental Health Commission to RQIA under the Health and Social Care (Reform) Act (NI) 2009. These include: preventing ill treatment; remedying any deficiency in care or treatment; terminating improper detention in a hospital or guardianship; and preventing or redressing loss or damage to a patient's property.

RQIA is designated as a national preventive mechanism (NPM) under the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment (OPCAT), an international human rights treaty designed to strengthen protection for people deprived of their liberty. OPCAT requires NPMs to carry out visits to places of detention, to monitor the treatment of conditions for detainees and to make recommendations regarding the prevention of ill-treatment.

More information on 'what we do' is available at <https://www.rqia.org.uk/what-we-do>

Appendix B

Role of Medical and Dental Training Agency (NIMDTA)

The Northern Ireland Medical and Dental Training Agency (NIMDTA) is an Arm's Length Body sponsored by the Department of Health (DoH) to train postgraduate medical and dental professionals for Northern Ireland. NIMDTA also seeks to serve the government, public and patients of Northern Ireland by providing specialist advice, listening to local needs and having the agility to respond to regional and national requirements.

NIMDTA commissions, promotes and oversees postgraduate medical and dental education and training throughout Northern Ireland. NIMDTA endeavours to attract and appoint individuals of the highest calibre to recognised training posts and programmes. NIMDTA encourages doctors to train and remain in NI so that Health and Social Care (HSC) has a highly competent medical and dental workforce with the essential skills to meet the changing health needs of its population.

NIMDTA organises and delivers the recruitment, selection and allocation of doctors and dentists to foundation, core and specialty training programmes. NIMDTA supports trainees with the aim of maximising their potential to successfully progress, complete training and be appointed to permanent posts in NI. NIMDTA manages the quality of postgraduate medical and dental education in HSC Trusts and in general medical and dental practices through learning and development agreements, the receipt of reports, regular meetings, trainee surveys and inspection visits. It works in close partnership with local education providers to ensure that both the training and supervision of trainees support the delivery of high quality safe patient care. NIMDTA provides trainees with a wide range of opportunities to gain experience in leadership, quality improvement, research and teaching.

NIMDTA trains clinical and educational supervisors and recommends them to the General Medical Council (GMC) for recognition of their role. NIMDTA selects, appoints, trains and develops educational leaders for foundation, core and specialty medical and dental training programmes throughout NI.

NIMDTA is accountable to the GMC for ensuring that the standards set by the GMC for medical training, educational structures and processes are achieved. Revalidation is the process by which the GMC confirms that doctors are up to date and fit to practice. NIMDTA is the Designated Body for doctors in training and has a statutory role in making recommendations to the GMC to support the revalidation of trainees. NIMDTA is also responsible to the GDC for the Standards for Specialty Education.

NIMDTA enhances the standard and safety of patient care through the organisation and delivery of career development for general medical and dental practitioners and dental care professionals. It also supports the career development of general medical practitioners and the requirements for revalidation through the management and delivery of GP appraisal.

NIMDTA has been integrated as lead employer for Doctors and Dentists in training (DDiT) across the HSC. The aim of this service is to provide a high quality continuous employment experience for DDiT.

NIMDTA plays a key role in attracting DDiT to the HSC, and in creating an environment where they wish to continue to remain practising within the HSC.

NIMDTA carries out these roles on behalf of the DoH by focussing on the needs of people (population, trainees, trainers and NIMDTA staff), in partnership with key stakeholders and by upholding the HSC Values - openness and honesty, compassion, excellence and working together.