



Deputy Ken O'Flynn
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11th March 2026

Dear Deputy O'Flynn,

I refer to your Parliamentary Questions 71972/25 and 71973/25 of 16th December 2025:

"To ask the Minister for Children; Disability and Equality the criteria her Department uses to determine whether governance controls for subcontracted private residential providers meet the standard required for continued Exchequer funding."

"To ask the Minister for Children; Disability and Equality if any gaps in governance, contracting, monitoring or regulatory assurance were identified by her Department during the 2024–2025 budget preparation process relating to private residential placements; and the actions taken in response."

The Department of Children, Disability and Equality, in conjunction with Tusla and the HSE, funds the provision of private residential placements relating to children in care and disability services.

The details for each of these are set out below.

Children's residential care placements

Tusla was established as an independent agency under the aegis of the Department to promote the development, welfare, education and protection of children and young people, and to provide supports to vulnerable children and families.

Tusla provides residential care services through a mix of centres owned and operated by Tusla, centres operated by NGOs and private sector providers. The Department does not directly monitor subcontracted private residential providers. However, it does have regular engagement with Tusla at all levels to address issues related to the provision of services.

Tusla procures services in compliance with relevant legislation, procurement rules, and Government Circulars in relation to grant funding. The Department works closely with Tusla to improve oversight of activity in this space.

Tusla has procedures in place for the monitoring of service provision. Tusla's Practice Assurance and Service Monitoring (PASM) team undertakes reviews of Tusla funded services. It conducts practice audits focussing on governance, risk management, and internal control systems. The Alternative Care Inspection and Monitoring Service (ACIMS) is one of the regulatory services within Children's Service Regulation which is part of the Quality and Regulatory Directorate within Tusla.



ACIMs carry out the registration and inspection of non-statutory Children's Residential Services and the monitoring of non-statutory Foster Care agencies. Where issues or concerns arise Tusla takes action to minimise risk to children and young people and raises concerns with the Department as appropriate.

Matters relating to the oversight of costs and risk are, in the first instance, a matter for Tusla, its Board and its Audit and Risk Committee. The Department maintains regular engagement with Tusla at all levels to oversee and address issues related to the provision of services.

Disability residential services

Regulation of residential disability services falls under the remit of the Health and Information and Quality Authority (HIQA). HIQA is an independent statutory authority under the aegis of the Department of Health, which was established to drive continuous improvement in Ireland's health and personal social care services, to monitor the quality of these services and promote person-centred care for the benefit of the public.

The Health Act 2007 provided for the establishment of HIQA, its inspection and regulation of designated centres and the framework for registration of these designated centres. Since November 2013, all designated centres for people with disabilities, both children and adults, must be registered with HIQA, including private, for-profit service providers.

The Health Act 2007 (amended) and the associated regulations set out the framework for the regulation of designated centres for people with disabilities and include the requirements that providers must meet in order to ensure safe, good quality care and support to people with disabilities who live under their care.

HIQA engages directly with service providers to ensure compliance with the regulatory framework for designated centres for people with disabilities, taking a graduated and proportionate response to areas requiring improvement. The Health Act 2007 (as amended) empowers the Chief Inspector, a statutory officer within the Authority, to carry out this function through the processes of registration, continual monitoring and inspection and, where necessary, the application of its powers of enforcement. HIQA carries out inspections to assess compliance with the Health Act 2007 (as amended), and relevant regulations.

Where HIQA finds that the quality of support is insufficient or inadequate, the inspection and monitoring of centres by inspectors ensures that providers are required to take action to rectify issues in relation to the safety and quality of life for people with disabilities in order to bring the centre back into compliance, within an agreed timeframe.

HIQA's mandate extends across a specific range of public, private and voluntary sector services. It is important to note that all providers of designated centres, whether they are a public or private provider, or a voluntary body must meet the requirements of the Health Act 2007 (as amended). In addition to monitoring the progress of registered providers' compliance plans as required, HIQA holds powers of enforcement under Section 64 of the Health Act 2007, which enables it to cancel the registration of a designated centre to operate as a service provider, where it has significant concerns about the quality of governance and oversight in the services concerned. Such centres may then be taken over by the HSE as a provider of last resort and a list of same can be found on HIQA's Section 64 register, at www.hiqa.ie/areas-we-work/disability-services.



The Health Service Executive (HSE) directly provides and commissions a range of services for people with disabilities, including residential and respite services. Where areas of non-compliance are identified within designated centres, the HSE works closely with the service to monitor the implementation of the Compliance Improvement Plan through the HSE Governance process.

When engaging with any 'For Profit' agency, the HSE reviews the capacity and capability of that company to provide the services which are outlined within a Service Arrangement and reviews its relationship with each agency through regular service review meetings and submission of relevant documentation.

The purpose of regulation for designated centres is to safeguard people who are receiving residential services. Regulation provides assurance to the public that people living in designated centres are receiving services and supports that meet the requirements of National Standards, which are underpinned by regulations.

Over the past number of years, HIQA has noted that they have seen an increase in compliance levels, particularly in 2024, where it found that providers have strengthened their governance and management arrangements. This increased compliance and governance has also had a positive impact on all other aspects being assessed by HIQA.

HIQA inspection reports are published and publicly available for examination on the HIQA website, www.hiqa.ie.

I hope that you find this information helpful.

Regards,

Norma Foley TD

Minister for Children, Disability and Equality