

Athlone Institute of Technology

Engagement and Regulation:

Perspectives and Experiences from Employee Stakeholders in the
Residential Intellectual Disability Sector.

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Declaration:

I declare that this dissertation and the research involved in it are entirely the work of the author. This work, or part of it, has not been submitted for a qualification to any other institute or university.

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Abbreviations:

Care Assistant	CA
Health Information and Quality Authority	HIQA
Intellectual Disability	ID
National Economic and Social Council	NESC
Organisation for Economic Cooperation and Development	OECD
Person in Charge	PIC
Registered Provider	RP
Social Care Practitioner	SCP
Staff Nurse	SN

Section 1 - Abstract

Overview of the section

Most Intellectual Disability (ID) organisations work to strategic and operational plans which set out the organisation's raison d'être, its broad direction and what it aspires to achieve and become over a period of time. The importance of involving all key stakeholders in envisioning and delivering on a shared future is well established as best practice e.g. Excellence through People (2012), Investors in People (2013), the European Foundation for Quality Management Framework (2013) model and the Health Information and Quality Authority (HIQA, 2013).

To ensure an organisation's vision is shared in the sense that it is the product of collective input and output from all key stakeholders requires managers and employees to work collaboratively with all interested and relevant parties to ensure they have a voice in setting out what MacLeod and Clarke (2009) referred to as the 'strategic narrative'. The ability to influence others is central to the development of strategic and operational plans which in turn define and provide the road map for an organisation's strategic and operational success.

However, from the 1st November 2013, all ID services strategic and operational plans must now consider regulatory requirements under the Health Act of 2007; as HIQA obtained its mandate from the 2007 Health Act and, among other duties, has a responsibility to regulate the standard and quality of services delivered in designated centres for people with disabilities.

The purpose of this regulatory body is to provide safeguards for vulnerable people who reside in residential care, thus assuring their health, welfare and the highest quality of life possible. There are two main aspects to regulation, registration and the monitoring of compliance: however, upon reviewing HIQA reports, it is evident that some services and key stakeholders in the ID sector appear to be struggling with the engagement and regulation process, resulting in a variance in the level of compliance and non-compliance they are achieving.

As regulations were only recently introduced for ID services, there is a dearth of understanding in terms of how employee engagement may or may not impact on the change process in terms of regulation. Therefore the aim of this research is to "examine the perspectives and experiences of employee stakeholders regarding workplace engagement

within the context of the regulatory framework in the residential intellectual disability sector”. Stemming from this, three objectives were identified during the process

1. Examine the relevance of employee engagement, from an employee stakeholder’s perspective, in shaping compliance to regulatory requirements.
2. Explore the benefits and challenges identified by employees in terms of their experiences of engagement in a regulated environment.
3. Investigate employee attitudes to the regulatory climate and the factors which influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements.

Given the ethical, perceptual, social and relational nature of engagement and regulation, the author used a qualitative approach to this study (Storr, 2004). The study sample was compiled using snowball sampling and eight respondents were interviewed. They were selected on the basis that they worked in the residential intellectual disability sector and experienced a HIQA inspection.

The author identified a number of thought-provoking conclusions which are identified, interpreted and discussed in Section 5 of this paper.

Employee engagement with the regulations is dependent on several variables which include training and supervision of employees, good leaderships and governance, communication and cultural awareness of practices and openness to new behaviours, all of which were identified by the respondents as either lacking or not present at all in some cases within their working environment.

To conclude, the author considers the findings will be of significant interest to all stakeholders in the ID sector and may assist in creating a culture of compliance and engagement within this area.

Section 2 - Literature Review

Introduction

The regulation of health and social care services commenced following the exposure of abuse of residents at the Leas Cross Dublin-based nursing home in 2005 (O' Neil, 2006). The scandal reduced confidence in the sector resulting in the introduction of new regulations, and a standard and inspection framework under the Health Act 2007. The inspection and monitoring of such services is recognised to be in the public's interest and it is intended to provide accountability and to build the public's confidence in such services. In November, 2013, HIQA's progressive new scheme of registration and inspection of residential services for people with disabilities commenced.

The purpose of regulation is to provide safeguards for vulnerable people who reside in residential care, hence; there are two main aspects to regulation, registration and the monitoring of compliance. Some key stakeholders in the ID sector appear to be struggling with the engagement and regulation process, resulting in a variance in the level of compliance and non-compliance they are achieving. The need for key stakeholders to engage and conform to regulations and standards as set out by HIQA is seen as one of the key antecedents of any organisation achieving registration (Tyler, 2005).

Employee engagement has evolved over the last 20 years. This was first conceptualized by Kahn in the early 1990s when he created the theories of 'personal engagement' and 'personal disengagement' for employees at work (Kahn, 1990). Through continuous development, this embryonic concept has led to several empirical research articles and literature reviews acknowledging that employee engagement can be seen as multifaceted and multidimensional. In addition, dependent on the context or area in which it is considered, the model has varied definitions or interpretations (Lockwood, 2007; Robinson, Perryman and Hayday, 2004; Soieb, Othman, and D'Silva, 2013; Tiwari, 2011; West and Dawson, 2012).

Hewitt (2013) stated that employee engagement is both an emotional state and a behavioural reaction to a given work environment. The emotional state engagement is characterised by motivation, passion and a focus driven by the task at hand. The behavioural reaction looks at engagement going beyond the feelings and attitudes and doing what it takes to complete the task. There is scarce empirical research on employee engagement within the health care field

(West and Dawson, 2012), hence the main body of research on engagement will stem largely from academic articles, journals and reports relating to the corporate world. For the purpose of the research the data and findings from these articles will therefore be situational and contextualised.

In order to evaluate the research topic, the author critically examined three key objectives from the research study:

1. The relevance of employee engagement in shaping compliance to regulatory requirements.
2. The benefits and challenges of an engaged workforce in the context of a regulated environment.
3. Stakeholders' views on employee attitudes to the regulatory climate and the factors which influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements.

Shaping compliance in meeting regulatory requirements.

In recent years there has been significant organisational change within the ID sector in response to regulatory inspections. The published reports by HIQA regarding monitoring inspections in services would indicate that the regulatory process has had a noteworthy impact for employees from two ends of the spectrum - the actively engaged employees in helping achieve compliance, and the actively disengaged employees in receiving non-compliance, which highlights that engagement is influenced by change (Hewitt, 2013).

Regulation is seen as one of a number of quality-enhancing interventions that can improve the quality of services and it is often described as the application and enforcement of rules, (NESC, 2011). The Organisation for Economic Cooperation and Development (OECD) views regulation as a key tool for achieving social policy objectives of governments. Engagement with the regulations as identified has major significance and relevance for this study, as from November 2013, HIQA registration and inspections signalled a new era for people with disabilities living in residential settings. Throughout this study the author will

endeavour to establish participants' understanding and views on regulation since its implementation.

Recent literature suggests that employee resistance to change and the level of employee engagement can have either a negative or positive impact in the overall functioning and effectiveness of organisational stability. However, due to limited research to date on engagement with the regulations in the ID sector, there is a scarcity of understanding in terms of how employee engagement impacts the change process in terms of regulation. Avey, Wernsing and Lutans (2008) note the potential impact that an employee engagement strategy can have on organisational change in the context of regulation of ID services regarding achieving regulatory compliance. In order to create an engaged workforce, Strebel (1996) identified that senior management need to appoint leaders with good vision and governance skills in order to drive organisational policy with regulation and identify the fundamental role employee engagement may bring to positive change within their organisation. Kelloway, Sivanathan, Francis and Bailing (2004) argue that this is only possible if leaders are active leaders, in that they embrace the new regulatory environment and are aware of what is required from themselves and their team to engage in the regulatory process. The passive leadership style, where some leaders either inherit or are forced to take up positions of significance in the regulatory process e.g. Person in Charge (PIC)¹, can potentially result in a laissez-faire attitude, which may create a negative impact for their team and for engagement with the regulatory process.

Seligman and Csikszentmihalyi (2000) identify four key elements in achieving and maintaining a successful organisation. They are hope, optimism, efficacy and resilience - which have been termed 'positive psychological capital'. They examined the positive influence an employee with one or all of the key elements may have in assisting organisations in achieving regulatory compliance. Although these four key elements could be deemed beneficial in a public body regulatory context, the author set out to test these elements in the study with his sample group, cognizant of the fact that these factors are predominately associated with the corporate sector.

¹ Appendix A Person in Charge

Hope draws upon the positive characteristics employees may possess by creating goals and identifying multiple pathways to achieving these goals (Valle, Huebner and Suldo, 2006). Weick and Quinn (1999) identify that in times of turmoil, hope can be seen as a vital factor for safeguarding the employee's level of engagement in the regulatory process.

Efficacy looks at an employee's belief in their own ability to inspire, stimulate and instigate the necessary course of action required to achieve compliance (Bandura, 1997).

Optimistic employees expect positive outcomes within the regulatory process and their "*ability to attract greater social support may account for their superior adjustment to stressful events*", (Brissette, Scheier and Carver, 2002; p.103).

Organisations, throughout this country have struggled in achieving compliance in several areas and have repeatedly struggled following further inspections (inspection reports at www.hiqa.ie). However, as noted by Shin, Taylor and Seo (2012), where employees demonstrate a high level of resilience and the ability to bounce back from non-compliance, they will look upon the change process and the outcomes more favourably for future inspections.

Although the issues identified above are deemed to have a positive impact for employees' level of engagement in shaping compliance, there are factors that can hinder the process by the transfer of negative and cynical behaviour amongst some employees towards engagement in the regulatory process. Niven, Totterdal, Strade and Holman (2011) highlighted that the transfer of these negative feelings between employees can include a transient emotional state of anxiety, antagonistic, and pessimistic behaviour amongst groups of employees, which can have a direct result an employee's level of engagement. In times of doubt and uncertainty, employees seek the advice of people they like rather than people who are more competent and efficient in the area of change and the result can be detrimental to the engagement process and team performance through inspections (Glomb, Bhave and Wall, 2011). Research has shown that "*the poorest performing teams were tightly bounded, uncreative and generally negative in outlook*" (Bakker and Schaufeli, 2008; p. 150). These negative emotions are often ignored in organisations and the result is disengagement and a resistance to change (Dent and Goldberg, 1999).

This study will explore the relevance, if any, of these key elements for employee engagement in shaping regulatory compliance, focussing specifically on whether employees perceive these positive and negative psychological states, attitudes and behaviours as having any bearing in their current work environment.

The benefits and challenges facing employee's engagement in a regulated environment.

If one accepts a commonly used definition of management and leadership as influencing the activities of an organised group toward goal setting and goal achievement (Maloney, 1979) then the critical importance of being able to positively influence others is self-evident. Yet, the challenge in bringing about compliance with regulation in ID services illustrates the existence of inherent difficulties in positively influencing employees to achieve outcomes. The potential for conflict brought about by differing interpretations, interests, needs and understanding of outcome based regulations amongst stakeholders is best summed up by Blanchard, Donald, and Parai-Carew (1996) who contended that all conflict has its origins in one of four sources, namely 'clashes/differences' over goals, roles, processes and relationships.

The benefits and challenges facing employees in a regulatory context is of particular interest in this study as it endeavours to ascertain the views of participants' on such issues of the role and responsibilities of management and employees, leadership and organisational culture, and ethos. The need for management to be able to positively influence and educate employees in the areas of goal setting (the what and why), role clarification and allocation (the who), the processes (the how, when and where) and relationships (people getting on with each other) begins to give a sense of the skill set needed to effectively achieve work related goals and the level of engagement required from employees to work in a regulated environment (National Skills Academy, 2013).

However, Fernandez and Rainey (2006) identified that not all management teams have this skill base to provide a future proof plan for compliance in a regulatory environment, as some lack the ability to create a compelling vision that will direct positive change for the residents in their care. This section of the review has particular relevance for the study as it explores whether or not there is clarity among all disciplines within organisations as to their specific

role in supporting and achieving compliance. In addition, the study looks at whether services are working in a reactive mode rather than proactively in attempting to achieve regulatory compliance, therefore the role of management in creating a shared vision and pathway is central.

Towers Watson (2012) research identified the top driver for sustainable engagement, with leadership topping the list for employees. The article highlighted how employees like to know from their managers that their input is helping the organisation with their statutory obligations with regulatory compliance. However, the difficulty that some ID services are experiencing is that there is a “*rapid turnover*” of leaders due to the transition of change to a regulated environment, which may cause instability and lack of continuity within the governance structure’s (Holzer and Callahan, 1998; cited in Fernandez and Rainey, 2006; p.171). PICs are at greatest risk of change due the pressure exerted from their own organisation and the regulator (Baker and Faulkner, 1993). This then impacts on the governance and management of the service, as HIQA have identified lack of regular and consistent management as an area for concern in some published reports, (www.hiqa.ie). The author submits this has significance and relevance for this study, as it may indicate why employees are reluctant to progress to PIC position in services. Again this may be deemed relevant in the context of regulatory activity and the author of this study believes that this issue is pertinent to the area of engagement with middle managers.

HIQA engages in responsive regulation by engaging in a combination of approaches involving self-regulatory processes and a mix of compliance and deterrence strategies (Care for the Older Person, 2012). This has importance for the study as it looks at what is available for employees and organisations in order to engage in the regulatory process. HIQA demonstrates its compliance strategies by placing a large amount of information on its website, and displaying an array of documents which provide details concerning the standards and regulations to be achieved. They also publish reports regarding services which have been inspected, which gives organisations immense insight into HIQAs expectations regarding requirement for compliance with the standards. When auditing Designated Centres (DCs), HIQA employs a judgement framework which guides its inspectors towards the determination of a DC’s compliance with the regulations and standards (HIQA, 2015). The OECD identifies that management needs to encourage their employees to utilise such information strategies, as they are seen as an integral element in improving regulatory

enforcement (OCED, 2014). However, from some HIQA reports to date, staff within organisations demonstrated a lack of knowledge and awareness regarding the standards, regulations and outcomes that are required to ensure a quality and effective service is being delivered to the residents in services (www.hiqa.ie).

According to Shin et al. (2012) organisations need to create a culture where employees are encouraged to up skill in the area of regulatory requirements through self- direction and internal training. It is envisaged when employees get to know more about regulations, standards and outcomes, their self-efficacy and commitment to regulatory requirements increases, (Fernandez and Rainey, 2006) (Frankel and Otazo, 1992),(Markos, 2010). In order for training to occur within organisations, resources play an indispensable factor in this process as does the release of staff to participate. However, several reports published by HIQA to date have identified services are inadequately staffed, which in turn impacts on the training requirements of the employees of the service (www.hiqa.ie). This highlights the challenges employees may be experiencing in terms of their understanding of what is required to work in a regulated environment and it will be tested with the participants’.

Securing employee’s adherence to organisational rules, behaviours and policies is seen as a key component for the successful synchronization and operational principles required within any organisation. In order for services to achieve this Tyler (2005) identified two optimal approaches that may be deployed:

(1) sanctioned based command and control models and

(2) self-regulatory approaches.

Both strategies can be regarded as operative in identifying employee behavioural change. The difficulty with command and control is the cost implication for the surveillance of staff behaviour, while the self-regulatory approach is only beneficial if employees have a baseline of what the regulatory requirements are, (Shin et al., 2012). Nevertheless, recent extensive evidence in cases like Aras Attracta in Co Mayo (Primetime, 2014), and Redwood Extended Care Facility at Stamullen Co Meath (www.hiqa.ie), demonstrate the level of abuse and major noncompliance within some ID services. The pervasiveness and detrimental consequences of such non-compliance in these services reinforces the need to identify an effective model of employee engagement and rule adherence within services. This has major

significance for the study, as services appear to be slow in learning from other services and the author will ascertain from the participants what changes have occurred in their services since the disclosures regarding services like Aras Attracta and Redwood.

The relevance of Tyler's (2005) research, although arguably applicable to this study, was not designed explicitly to address specific adherence to organisational rules of regulatory activity as outlined above. However, the author feels it is significant and may be utilised within this context as currently within the ID sector there is limited empirical research or evidence which illustrates whether a command and control approach or self-regulation approach will or will not have a bearing on employees level of engagement. This literature review, having examined the empirical research linking objective two, will now outline employee attitudes and professional conduct within this regulatory environment, investigate employee attitudes to the regulatory climate, and the factors which influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements.

This study endeavoured to ascertain participants' opinions on such issues as the role of management, leadership, communication, supervision and organisation values in terms of their impact on levels of engagement, and specifically how they relate to regulation. It also strived to illustrate participants' interpretations on what factors influence their professional workplace conduct and practice in relation to their engagement with the regulatory process. Each will be scrutinized in an effort to explore whether or not they have any importance for the intellectual disability sector.

Several empirical research articles have identified key factors that enhance and promote employee engagement through employee strategies, Bakker, (2011), Bhatla, (2011) Seijtis and Crim (2006) , Thomas, (2009) Sahoo and Mishra, (2012), Elgar, (2010), Markos, (2010), Tiwari, (2011). Leadership is seen as a key factor to influence employee engagement. Leaders must show they value and appreciate their staff. Their leadership style and ability to work under pressure instils confidence in employees. Employee engagement is seen as a direct consequence of their relationship with their leaders (Seijtis and Crim 2006), (Markos, 2010) and (Tiwari, 2011). According to Bhatla, (2011) Elgar, (2010), employees will benefit and thrive on challenging and meaningful work objectives. PICs need to challenge employees by using their skill base; education and knowledge to make a difference while at the same time instil confidence that the challenges can be met regardless of employees' positions.

Communication is seen as a pivotal cog in the engagement of staff in services. Clear and transparent communication from senior management to all levels of their staff team paves the way for an engaged workforce. Staff need to feel empowered and involved in the regulatory process. Where opportunities are afforded to staff to express their viewpoint without fear of incrimination or rejection, this will further enhance employee engagement with a sense of shared power through open dialogue (Seijtis and Crim 2006) (Thomas, 2009) and (Tiwari, 2011). However, Robinson, Perryman and Hayday's (2004) research identified that when poor communication systems are identified and important regulatory information is not conveyed, employees level of engagement decreases and elements of distrust and disharmony amongst employees towards their management increases.

When management are explicit around their expectations with the staff team, this can potentially lead to a more engaged workforce. This can be achieved through professional development reviews and supervision to all employees. Keeping track of employees performance and highlighting areas for improvement alongside areas of improvement can often give staff a sense of contribution and opportunity for growth (Bakker, 2011), (Crim, 2006) and (Markos, 2010). However, Bakker, van Emmerik, and Euwema (2006) argue that lack of supervision and poor guidance can lead to staff burnout and disengagement in the regulatory process. Often the only engagement staff receives from their senior management is when reports of non-compliance or enforcement orders are being issued by HIQA, leading to a negative and noxious relationship between management and staff (Maslach and Leiter, 2008). Ultimately, poor communication systems can lead to a disengaged and disconnected workforce (Ologbo and Saudah, 2011), (Blessing White, 2013) and (Seijtis and Crim 2006).

Cialdini (1998) work offers insights and assistance for leaders as they strive to become more persuasive influencers. Cialdini's work on the Six Principles of Influence sets out some suggested truths about employee's attitudes to the regulatory process and the subject of influence and power. Although Cialdini's work was not designed specifically to determine employees' engagement in the ID sector, the author is advancing the work of Cialdini in the attempt to ascertain if these principles can be applied within the context of this study, thus developing and crediting Cialdini's work and in turn, assisting in new empirical research in the area of power and influence in the area of employee engagement in the residential intellectual disability field.

Six Principles of Influence

Reciprocity: As employees, we generally aim to return favours and treat others as they treat us. According to the idea of reciprocity, this can lead us to feel obliged to offer concessions or discounts to others if they have offered them to us. This is because we are uncomfortable with feeling indebted to them. However, if stakeholders view their senior management as leaders that do not reciprocate a good will gesture, there is a possibility that this will impact on employees' level of engagement and practice in their work environment (Kahn, 1990).

Commitment and Consistency: Cialdini argues that employees have a deep desire to be consistent. For this reason, once they have committed to something they are more inclined to go through with it. The challenge for management is how to identify key stakeholders and gain their commitment to, and buy into, the regulatory process, as it allows management to plot out stakeholders attitudes and identify who are likely to 'oppose', 'let' and 'make' change happen. However, Bovey and Hede (2001) explain that with the introduction of the regulations, employees will phase in their level of commitment as the natural process can begin with denial, resistance, gradual exploration and finally commitment. This process is time consuming, with slow change of practice or conduct and ultimately can lead to non-compliance in several outcomes.

Social Proof: This principle relies on employees' sense of safety in numbers. The assumption is that if a large number of the employees conduct and practices are changing and embracing of the regulation process, then it must be acceptable. We are particularly susceptible to this principle when we are feeling uncertain, and are even more likely to be influenced if the colleagues we work with make the change in addressing their practice and conduct in this new regulatory environment. Management once again need to understand the practical implications of social proofing and work to proactively ensure the numbers moving towards 'acceptance' quickly outweighs the 'naysayers/fence sitters' as momentum in change is critical (Cialdini, 2007).

Liking: Cialdini (2007) says that we're more likely to be influenced by people we like. Kipnis (1976) in his profile of organisational influence strategies referred to the influence strategy of friendliness, where the group think well of the influencer and this is often to do with their approach, their character, their trustworthiness. Leaders need to work on their likeability, which is invariably to do with their approach, practice and conduct towards the

regulatory environment they work in. Baeza, Lao, Meneses and Roma (2009) argue that not all leaders will achieve the likeable factor, as it is an innate characteristic and some leaders arrive into positions of authority through time served in services rather than on merit, hence the likeability factor can be difficult to achieve.

Authority: People in positions of authority have the ascribed power and influence which comes from their official position. The problem and indeed limitation of power is that it often only generates agreement rather than internalisation. For managers, authority, in this sense, should be seen as the authority that emanates from a position achieved and being credible as opposed to the associated and ascribed power which comes from position. The difficulty for employees in a regulatory environment is that conspirators feel that management is somewhat shielded by the frontline employees through the regulatory process of published reports and this distrust is not conducive to change in conduct or practice for some employees (Baker and Faulkner, 1993).

Scarcity: This principle says that things are more attractive when their availability is limited. In this instance, scarcity may relate to the allocation of scarce resources which may include finance, training, staff etc. It is important that managers remember the duty and responsibility that comes from having scarce resources and should work to allocate and distribute resources in a fair and equitable manner. Shin et al. (2012) argued when resources are depleted, employees feel unprotected and vulnerable, and this can have a major impact on their practice and conduct in a working environment. The absence of resources e.g. staffing, on a long term basis heightens employee's anxiety in the regulatory environment.

Leaders and managers will need to be aware of the power and relevance of such tactics and influencing strategies, as they may have relevance for encouraging compliance and engagement, if used effectively, in a regulatory context. On the other hand, the absence of such approaches might contribute to employee disengagement and a lack of compliance, but each aspect will be explored in this study from both perspectives. As a result, this study will consider employee responses to, and perspectives regarding, such strategies and approaches, focussing specifically on their relevance for employee attitudes to regulation and the implications and relevance for workplace conduct and practice. Of particular interest is whether employees identify such strategies as having any relevance or not for their conduct and attitudes in the context of regulation.

Summary and Conclusion:

This literature review has examined engagement and regulation, and perspectives and experiences from employee stakeholders in the residential intellectual disability sector. In order to do this the author examined several empirical research studies in the areas of employee engagement and regulation primarily from the corporate world, due to the lack of in-depth research on this topic within the public sector owing to the short timespan since the introduction of the regulations on the 1st November 2013 (Care and Support Regulation, 2013).

The author has identified some key elements that may or may not contribute towards employees' engagement in the regulatory environment. Some of the significant areas of note from the literature review were the importance of having robust governance and management structures in aiding and supporting good employee engagement in the process. The importance of all employees being aware of the role of the regulator and the addressing of any preconceived ideas by staff that all not organisations and employees are subject to the regulations was identified, in addition to the necessity to heighten awareness of roles and responsibilities of all grades of employees in the process was identified. The significance of having effective and efficient communication structures in place, to ensure all employees are aware and engaged in the process was noted. Finally consideration was given to the role of leadership and the need for managers and leaders to be aware of the power and relevance of any of Cialdini's influencing strategies in increasing employees' engagement levels and accomplishing compliance.

The aim of this study was firstly to examine the perspectives and experiences of employee stakeholders regarding workplace engagement within the context of the regulatory framework in the residential intellectual disability sector by exploring empirical research in this area, which the author has achieved.

In order to progress and test these empirical findings from the literature review, the author completed exploratory interviews with a sample group which is outlined in the Methods section, adhering to the above aim of the study and the study's three objectives:

1. Examining the relevance of employee engagement, from an employee stakeholder's perspective, in shaping compliance to regulatory requirements.

2. Exploring the benefits and challenges identified by employees in terms of their experiences of engagement in a regulated environment.
3. Investigating employee attitudes to the regulatory climate and the factors which influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements.

Section 3 - Method

Research Design

A qualitative methodology was employed for this study. Qualitative methodology is used to interview and acquire views, attitudes and insights, which are titled “personal constructs” (Rae, 1991). This qualitative style of analysis means to acquire an accurate understanding of people’s experiences and perceptions (Seale and Silverman, 1997). Greenhalgh and Taylor (1997 as cited in Barker, 1999) propose that a qualitative methodology is one which pursues deeper truth and sets out to identify or understand phenomena by the meanings people give to them. Qualitative research methodologies unlike quantitative methods are most capable of giving an explanation of the nature of human discernments, opinions and thinking, which identify the multifaceted and vigorous qualities of the interpersonal world (Hoepfl, 1997; Reed, 1989). Byram (2012; p. 36) promotes this by identifying that “*qualitative research can be construed as a research strategy that usually emphasise words rather than quantifications in the collection and analysis of data*”. This is further emphasized by Ritchie (2014) as qualitative research focusses on the ‘what, why and how’ questions rather than the ‘how many’ questions that would be normally associated with quantitative research.

This design method has been seen as a valid and valuable methodology for social analysis. It can offer in-depth analysis of experiences of small participants’ group and a degree of flexibility in following the lived experiences of the participants’, as is the case for this study (Griffin, 2004). Also, given the ethical, perceptual, social and relational nature of engagement and regulation, the author would suggest that a qualitative approach to this study is highly apposite in order to produce relevant insights (Storr, 2004). As Willig (2003) emphasised, qualitative research predominately explores how individuals make sense of the world and how participants’ experience events from their perspective. Therefore, the author feels this methodology is best suited to explore this study’s objectives and offers justification for the choice of method design.

The qualitative research approach accentuates meaning ahead of efforts to accurately quantify issues. It is considered inductive in its alignment and a greater emphasis is placed on understanding behaviour than generating theories (Bryman, 2012). It is interpretivist in its epistemological orientation and is constructionist in its ontology. For qualitative research approaches, reality is subjective and may present in several forms as the author engages with

the participants'. Facts are biased and value laden, as it is the participants' views, interpretations and experiences being collated and analysed by the author for the research study.

The dialectal of the research is informal and the research process is inductive. However, the language data that was received was based on intensive exploration with the participants' through the interview process, and is not based on simply single answers but a combination of interconnected words and sentences that are combined into discourses (Polkinghorne, 2005).

However, the critics of qualitative research identify that it can be too subjective and challenging to replicate. The samples are not 'representative' of all cases. Hammersley (2008) also identified that effort to relate criteria to qualitative research would predictably result in misunderstanding and discrepancy, because criteria are discordant with the basic philosophical norms of this type of examination. Nevertheless, the author believes that qualitative research in this case can be seen to be reliable as it was conducted according to good practice, and trustworthy and complete records are maintained and verifiable. The author did not allow personal values influence the conduct of the research. The research can be described as impartial in so much as it objectively represents the different viewpoints.

The author identified who the stakeholders were in the process and conducted in-depth interviews with 8 participants'. An inclusion criterion was that all participants' work in the area of residential intellectual disability sector, and has experienced the process of inspection by HIQA.

Participants

Eight participants' were interviewed. They were selected on the basis that they worked in the residential intellectual disability sector. The study sample was compiled using snowball sampling. Snowball sampling is a type of non-probability sampling technique, which focuses on sampling techniques that are based on the judgement of the author. The author used snowball sampling as the author felt the participants' who agreed to engage could give better, more accurate insights. The author works in the ID sector and therefore is not fully independent of the process, therefore significant efforts were made to ensure that the

interview guide was constructed to minimise the possibility of bias. The sample to be interviewed could, in theory, be randomly selected to satisfy generaliseability, although given the small sample size, it is not representative and findings are not generalisable. Sample sizes are small due to the complexity of the data, which is time-consuming to analyse, and also because the data aims to provide rich insights in order to understand social phenomena rather than statistical information.

The participants selected were well-informed on the issues and could provide relevant information. Most of the participants' were unknown to the author; however, they all had knowledge of working in a regulated environment and experienced a HIQA inspection. The final sample consisted of six females and two males, two Persons in Charge, two Social Care Practitioners, two Nurses and two Care Assistants.

Materials

Semi- Structured Interview

All participants' received information sheets² ensuring they had adequate information regarding the research study topic in order to make an informed decision if they were agreeable to participate in the study or not. All agreeable participants' received a consent sheet³ to sign, agreeing to participate in the study and also written consent was obtained for the use of a tape recorder in order to tape the interviews. The author deployed a semi-structured interview process in order to collect the data for the study. Byram (2012) illustrates that a semi structure interview is where the author has a list of questions that cover a particular topic with a significant amount of flexibility in how it is applied. This method is frequently referred to as the interview guide⁴. Questions do not necessarily have to follow in sequence or as per interview guide schedule; therefore the process allowed the interviewer

² Appendix B Information Sheets

³ Appendix C Consent Sheet

⁴ Appendix D Interview Guide

the flexibility to follow interviewees' answers, conversation flow or emerging themes. The interviewer also had the options of using probes, prompts or sub-questions to guide the interview, as this provided the author with valuable insight into the research area. The questions in the interview guide reflected the research objectives of the study as to ensure all pertinent areas of the topic were discussed.

Procedure

The target participants' received an information sheet prior to commencement of interview. The information sheet assisted the author in recruiting the participants'. The information sheet ensured that all willing participants' were well-informed and had adequate information in making an informed decision regarding their participation, or not, in the research study. The information sheet outlined the aims of the research, the practical elements of the interview, where and when the interview would take place, the inclusion criteria, highlighted any possible risk involved in participating in the study and assured participants that total privacy and confidentiality will be maintained. The participants were also asked would they give written consent to the author in using a tape recorder to record the interview however if they declined to this the author would take written notes instead. All participants' were given the information sheet to take away in order to consider their willingness to participate.

A possible risk acknowledged is that participants' may find it difficult to say 'no' to the author as the date of the interview approaches or on the day of the interview itself. This may be an ethical issue as they may feel under pressure to continue with the interview. In order to deal with this, the author contacted each participant via the telephone the night before the interview and on the day of the interview, reiterating that participation in the study was truly voluntary and that there was no obligation on anyone to participate if they did not wish to do so.

All participants' were contacted and confirmed appointments were made with them to conduct the actual interview. They were all done at a neutral venue away from home and work distractions. The participants' gave informed written consent and were assured of confidentiality and anonymity. All interviews were taped and written consent was obtained separately for each taping.

The participants' were interviewed to examine their perspectives and experiences regarding workplace engagement within the context of the regulatory framework in the residential intellectual disability sector. An interview guide was prepared. The most significant topics were registered from the literature review, applicable sub-topics were identified and a draft of questions made for the semi-structured interview and checked against the study aim and objectives. Questions were clear and explicit, simple and easy to understand. The author had some sub questions which the author used to extract the related information from the interviewees. Care was taken to use non-directive sub questions so as not to bias participants' answers. The duration of the interviews lasted from 45 minutes to 1 hour and 15 minutes. The interviews were conducted in a quiet relaxed setting, the interviews were all transcribed and these were used to form the results section forming the basis of the discussion. This resulted in the author being able to focus on listening and interpreting, and being distracted by note taking. The order of the topics was not uncompromising; it was flexible and was determined by the flow of discussion. All of the participants' seemed relaxed and comfortable and were enthused to talk.

Analysis

Although the sample group of eight participants' was small, reoccurring themes, issues and trepidations emerged from the interview. There were three main questions extracted from the study objectives with subsections to each that were used during the interview process. The main questions guided the conversation, while non-directive sub-questions were used to elucidate answers and to invite the participants' to elaborate and give further information as requested. Once recorded, the data was organised by topic. The analysis of the qualitative research data involves extensive interpretation by the author. It is this component which is both the strength and a weakness of qualitative research (Bryman, 2012).

The interview material was placed into sub-sections and responses were assembled from the different individuals by topic. Analysis consisted of considering responses in each of the topics and drawing descriptive conclusions about employees' level of engagement with the regulatory process. The findings are presented in the next chapter.

Delimitations

The sample population selected for this study on ‘engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector’ was limited to participants who work in the area of residential intellectual disability sector and who have experienced the process of monitoring and inspection by HIQA. despite a similar process of monitoring, inspections and registration having occurred in the nursing homes sector by the same regulator for the last several years. Thus the ability to generalise employee engagement to an entire population of employees, working in both residential intellectual disability sector settings and the nursing home sector is severely limited.

However, the selected sample is representative of most grades of employees in the both the nursing home sector and the intellectual disability sector. Nevertheless the sample size selected is small because of the complexities of the data, which is time consuming to analyse and the findings aim to provide rich insight into employee stakeholder’s perspectives and experiences of engagement of working within a newly regulated environment within the intellectual disability sector.

Ambiguity of terminology may be deemed a possibility in this research study. Empirical research to date on employee engagement has identified that there is no one clear definition of the term employee engagement and this may cause uncertainty and vagueness to the participants’ of what is meant by the term employee engagement. (Lockwood, 2007; Robinson, Perryman and Hayday, 2004; Soieb, Othman, and D’Silva, 2013; Tiwari, 2011; West and Dawson, 2012). As a result of this the author hopes to establish the views of the participants’ in what factors influences or enhance employee engagement in a regulated working environment.

Bias is another area that can be construed as delimiting as both the author and the participants’ all work in the area of ID. The study is based on the participants’ perspectives and experiences of employee engagement in the residential intellectual disability sector. The participants’ could be deemed biased with the information they select to disclose, while the author may be deemed biased in the analysing of the data from the sample group.

In order to counter-act this potential delimitation, this author employed the snowball sampling techniques. Although some participants’ were based on the judgement of the author,

not all participants' were known to the author prior to the interview and the author made significant efforts to ensure the interview guide was constructed in a manner that minimised the possibility of bias impacting upon this process.

Another limitation for the study was that the author encountered methodological problems with the research process, as the author attempted firstly to access senior management in the process. However, they declined to participate as they felt it may cause both ethical and potentially human resources issues going forward from the findings. Two housekeeping employees were also afforded the opportunity to participate and although they initially agreed to participate in the study, they later retracted and declined the offer to participate in the study.

Section 4 -Results

Introduction

Method(s) of Analysis

Thematic analysis was used by the author in order to present the findings. Thematic analysis “it’s a qualitative analytic method for ‘identifying, analysing and reporting patterns (themes) within data. It minimally organises and describes your data set in (rich) detail. However, frequently it goes further than this, and interprets various aspects of the research topic”, (Braun and Clarke, 2006, p.79). For example, under the theme ‘Management engagement and reaction to inspections and regulations’ the author describes the findings as managers are unsure of their roles and responsibilities and this impacts on staff awareness of their roles and responsibilities. This is followed by the appropriate citation from the participant “The problem is I think a lot of managers don’t know how to do it. In other words management are a bit lost as well. When management are a bit lost your staff are going to be a bit lost”.

Results

A semi-structured interviews guide was employed with the small sample group. The main topics that the author examined with the participants’ in the study was

- (1) what shapes compliance in meeting regulatory requirements,
- (2) what are the benefits and challenges facing employees’ engagement in a regulated environment and
- (3) what impact does attitudes, professional conduct and practice play in engaging employees in a regulated environment.

The results from the findings are outlined below under the headings, Topic 1, 2 and 3. Under each heading, the author outlines the main themes that emerged from each topic.

Topic 1: Shaping Compliance in meeting regulatory requirements

Understanding of the Regulation Process

The author established from the participants that they have very similar views on what the purpose and function of the regulation process meant to them. All participants identified that the process involved the monitoring and inspections of services against the regulations, as to ensure organisations were providing a quality services to the residents entrusted in their care, however only one participant identified the process was also to identify if the Register Provider was suitable person to oversee that service.

PIC *“once the regulation was passed everybody within where I worked became aware of the fact that we were going to be under very thorough scrutiny for inspection. HIQA were going to be this independent body who were going to monitor continuous improvement across the ID sector”.*

PIC *“I suppose when I saw the regulations, the effect and that I said this is good, this is a good way of establishing standards of practise that unfortunately in disability we never had”.*

SN *“The understanding of the process itself would be what it is, the information provided, standards, it’s a measuring tool used for quality services really for what we are expected to achieve”.*

SCP *“to regulate the service and to examine the qualities of service that is provided within the service and examine I suppose the suitability of the Register Provider to provide that service to the residents that live there”.*

CA *“Just looks at the practice. The like of care practice for services and their daily lives and make sure we are doing our jobs providing that service to them and that everything is up to standard and what it should be, they were going to come to everyone under care”.*

The impact of regulation and inspections on services

The impact of the regulations and inspection process on services in the ID sector in general has had a significant impact for employees in the area since its introduction in 2013. Some participants felt that the impact was a positive one and deemed it a good experience in the service, whilst others viewed it as huge amount of pressure and stress on staff.

PIC *“This is the period of huge transition. It’s people’s first lived experience of any type of regulation type facility. As a result then we had people who were performing in roles, some performing extremely well, others performing not so well and for those not performing very well no consequence for that behaviour. But at the moment the transition period is horrific for services”.*

SN *“The impact I think is most of the time is very positive in fairness. I think I suppose there was in trepidation, people were afraid, however we have had one inspection nearly a year ago and we have a lot of work to do”.*

SN *“I suppose it has heightened awareness of outcomes which we didn’t have before. This kind of focused it a bit more”.*

SCP *“The impact I would say that has sent our services into total disarray”. “It has led to severe stress; it has led to people being demoralised. It’s their lack of engagement that the regulations have caused this totally; it has not been positive in any shape or form unfortunately”.*

SCP *“it’s had a huge impact on the service in general. It’s caused an awful lot of stress for our staff. But on the up side I think it has improved standards for our residents which at the end of the day is what we want”.*

Employees’ engagement and reactions to inspections and regulation

Throughout the interview the participants identified various levels of engagement and reactions from employees in relation to inspections and regulation of their service by the regulator. Some participants felt employees were scared, fearful and resistant to the process whilst others felt that some staff embraced the process and engaged.

PIC *“It was nearly like the fear of god being instilled. They’re coming in, they are going to be looking for this, you’ve got to have it, if you don’t there is going to be trouble. The service is going to be in trouble. That sort of filtered back to all grades of staff under that PIC grade at various degrees”.*

SN *“Well I think a lot of people have been quite fearful of HIQA they weren’t really sure how it was going pan out for them. Everybody was terrified that we were going to fail on everything. That everything was doom and gloom and it went alright in comparison to other services”.*

SCP *“I’m talking about front line staff let’s say from health CA to maybe nursing to social care leader my conversations with them, it’s very much a job for life and I am not subject to these regulations”.*

SCP *“Well I think certainly since our monitoring inspections we have had increased amounts of employee engagement at all levels”.*

CA *“Its individualised people have different ideas about HIQA a lot of them would be resistant towards it. Now some staff are brilliant and welcoming it but a lot I think from my own personal experience would be the fear of being investigated”.*

Management engagement and reaction to inspections and regulations

There was a mixed response by the participants in relation to the theme of management engagement and reaction to inspections and regulations. Participants identified concerns in the area of supports, knowledge and visibility, however in turn acknowledged the difficulties some management teams have with dealing with some ineffectual employee’s.

PIC *“The problem is I think a lot of managers don’t know how to do it. In other words management are a bit lost as well. When management are a bit lost your staff are going to be a bit lost”.*

SN *“Yeah they provided us with information, they provided us with some education but a lot was self-directed. Supports they provided, very little”.*

SCP *“I think management have a huge responsibility in that, to certain extent I think we can’t let staff just float along anymore. There has to be a level of accountability at all levels and I see management role in that is to ensure that is happening but I don’t feel as if I am supported by them to complete that accountable throughout the system”.*

SCP *“What I think in management is that they are faced with such incompetency that they are already throwing in the towel before we even start”.*

CA *“As a CA I wouldn’t on a daily basis be involved in management, anything up towards CNM3. They are the ones that have to oversee us and come down on us when things aren’t going right but we don’t know them, they don’t know us”.*

Topic Two - The benefits & challenges facing employees’ engagement in a regulated environment.

Vision, Roles and Responsibilities

The author’s findings established that there is some ambiguity and misunderstanding of roles and responsibilities of all grades of employees within ID service, and aspirational visions rather than strategic future proof plans of where the service should and will be in the near future are present.

PIC *“I think if it keeps going the way it is going from a reactive point of view I don’t think it will be further up the ladder of compliance. I think it might move from major non-compliance to maybe into moderate if lucky or it could well be at a stage of enforcement. Staff are still unsure of their fundamental roles and responsibilities in relation to improving compliance and if that doesn’t shift compliance won’t shift from the current way of that”.*

PIC *“I really don’t think there is any point in saying right we are going to be fully compliant by next year because it’s not going to happen. It’s not as simple as an organisation thinks”.*

SCP *“So our service in five years’ time shouldn’t be there but it probably will be dragging it’s heels around”.*

SCP *“Those people who do not realise what their job is about, they have to be taken out”.*

SCP *“My understanding of my accountability and where that lies, I have become very aware of that now of my accountability and my responsibilities. I think that’s how it has changed and also I suppose it has changed in encouraging other members of staff to become more professional as well and to know their own roles and responsibilities”.*

CA *“It’s interesting, it’s seen the different staff and then a lot of the staff I see are the ones who are under performing are the ones coming across aggressive, the fear because they don’t understand or they just don’t know what to do”.*

Governance and Management

Through this section of the interview, the author identified the pivotal role robust governance in management structures play on whether services receive compliance or noncompliance in several outcomes. This theme also highlighted where employees view themselves in the organisational chart and their role if any in the governance and management of their service.

PIC *“The regulators have come in and they had identified that the reason we are doing so poor in most of the outcomes is down to the governance in management structures. Where the governance in management is mediocre / poor, the outcomes are major non-compliance or moderate non-compliance”.*

PIC *“So it seems that all these layers above me seem to have the power or the influence and yet I am responsible”.*

SN *“Well I think that the ones that are under most pressure that I would see would be the middle management, would be the unit managers because there has been also this issue about the PIC. They are responsible for everything and yet they are not in power to be responsible for everything”.*

SCP *“I think because there is so many layers of governance and management above me I think sometimes I can get lost even though I have a lot of responsibility for delivering a service. I have had four persons in charge above me since November 2013 which is significantly difficult for me.*

CA *“I do think they need to be visible and available”.*

HIQA interventions and enforcement strategies

The author has identified from the findings that the participants have various degrees of understanding of HIQA's intervention and enforcement strategies that can be enacted during the regulatory process. Some participants are aware of certain guidance documents but may not have the time to read them.

PIC *"It's very difficult. You're fighting two battles. You're fighting the battles with HIQA and your fighting the battles with your senior management team"*.

PIC *"The regulatory body when they came to visit, I suppose gave me an eye opener as I have been nominated for the organisation PIC. I took it because it was the position I was in and I was getting paid in that position but really I have no understand of the responsibility that took and people started questioning me. When something goes wrong in an organisation you feel very isolated"*.

SN *"Just today we had a meeting about HIQA this afternoon so people are much more informed now than they would have been 4-5 years ago"*.

SN *"Strategies in compliance, no there is very little awareness of what strategies. No nothing"*.

SCP *"They see that you have given in your action plan and they come back and they look and they see that you're not delivering. That to me is where HIQA should be then delivering its enforcement strategies. My experience of it is that they are not. They are not coming down hard enough"*.

SCP *"I am aware of the judgement framework that has come out recently. I know that they have a number of guidance documents but I won't really be able to name any for you"*.

CA *"We have the HIQA guidelines and standards. The folders are there in the unit but as I said earlier it's hard to find time to read them especially in residential services"*.

Training

Under the theme of training and professional development the participants have mixed experiences in relation to this. Some of the senior participants from PICs to SN have experienced training to some degree in the area of HIQA and regulations, however SCP and CA have had limited to no training in this area other than the mandatory training.

PIC *“It’s all about getting everyone mandatory trained at minimum so that we can cross that off the list. End of story”.*

PIC *“I suppose that training we had received prior to HIQA didn’t prepare us for the standards, didn’t open our minds, didn’t make us question our practises and it shouldn’t have taken HIQA to come along with standards for us to reflect on our standards”.*

SN *“Well I suppose we have eased off a little bit but we would still have the sessions in the afternoon for staff to attend”*

SCP *“In 15 years I have never attended one day or one hour on what HIQA means and what regulations serves”.*

SCP *“Well I suppose they need to be some, maybe training put on for staff around what is regulation, what are the standards, how do HIQA operate”.*

CA *“they are doing information sessions so that kind of above and beyond the mandatory stuff we have to do so there helping us with some of the HIQA stuff”*

CA *“As a CA I have never received training about HIQA or regulations and outcomes”.*

Topic 3 - What impact does attitudes; professional conduct & practice play in engaging employees in a regulated environment.

Leadership

Having conducted the interviews with the participants in the area of leadership and the role of the PIC, the participants all have different interpretations of what is meant by a good leader and certain standards attached to that meaning for example “a leader values staff” “understanding the population their serving” etc., however certain participants’ have poor views of leaders in their service in that they are absent or not available to front line staff.

PIC *“A leader has to value staff first of all. A leader has to understand where people’s skills are at”.*

PIC *“I think leadership is an understanding of the population that you’re serving. I think an understanding that supports that they need and I think the acknowledgement of the staffs experience with that population”.*

SCP *“I think I have a very dim view of people who lead these services. I don’t believe, they live by the regulation themselves and I don’t believe that they have the interest of the residents at heart”.*

SCP *“The PIC has a huge responsibility under regulation and well, I feel is that the PIC must know what regulations are and must be a good leader and be able to lead a team”.*

SCP *“People who love their job. People who enjoy it. People who genuinely want to better the lives of people with disabilities. People who engage with residents, people who understand their lives, understand where they have come from and understand the type of life we should be supporting them between.*

SCP *“Leaders need to live up to their own standards that their service is promoting and then we just might follow”.*

CA *“I think that they need to be on the ground more to see the challenges that front line staff have to face every single day”.*

Communication

On several occasions throughout the interviews the participants made it clear with the author the critical role good communication plays for all employees in terms of the regulatory process. However, the participants are receiving different levels of communication from within their organisation either through emails been sent down by management, through weekly meeting or no communication at all.

PIC *“They need to be organised, they need to have a plan and they need to involve key stakeholders from the staff teams. They need to review the whole structure of what, the whole committee structure, the whole communication structure within an organisation”.*

SN *“We were given the report and we were told we had to discuss it with the team. It’s there for everybody to see and they all know what the standard is”.*

SCP *“I felt there were factual inaccuracies within that system and I wasn’t given an opportunity to feed that back to either my PIC or to HIQA. I felt very frustrated and I felt disconnected and disengaged from the process and I didn’t think that was right”.*

CA *“where I work in that the supervisor is trying to make sure that at weekly meetings stuff is talked about”*

CA *“I don’t think there is much communication between maybe senior management and the unit manager”. “We have a lot to contribute in that area and I think communication is definitely a weakness”.*

Values, Attitude and professional conduct

The interview process with the participants highlighted to the author there are some employees that lack professionalism, motivation and engagement within organisations nonetheless some participants also identified that attitudes and conduct are slowly improving in some areas and there is good practices that requires recognition, acknowledgment and continuous support from employers’ within organisations.

PIC *“I mean they literally hung you out to dry, because HIQA were coming in and saying you have magnificent values and they are very best practise based but we are not seeing a lot of them knocking around here”.*

PIC *“Well I mean people have to shape up now or ship out. I think that is the reality of HIQA so that is going to be a good thing. But it is how we support staff. It’s how we support the really good staff to let them know they are really good and they are on the right track and they just need to continue doing what they need to do because what they are doing is professionally sound”.*

PIC *“I think fundamentally the best services will come out in the other side and worse one’s wont and that will be a brilliant thing for the residents who are in those centres”.*

PIC *“So you see clinical nurse managers II and I stepping out of the role because they are in an environment of fear because they see senior management reacting in an environment of fear”.*

PIC *“Some staff are not engaging because they fell management aren’t engaging so I think there are some syncs amongst us all”.*

SN *“it’s about valuing people I feel that regardless of what every regulatory process you put in place I do think that as core elements of what we do need to be the care and compassion”.*

SN *“It has improved. As I said in relation to management education and compliance with what it should be. But it has improved that area. Professional conduct, it depends. HIQA are saying to you, you must call this person Patrick but we know him as Pat”.*

SCP *“director or higher management are operating in a way that is complete opposite to those values and directly impacts on the resident”.*

SCP *“The lack of knowledge, lack of professionalism, the lack of motivation, the lack of engagement has led it to non-compliance”.*

SCP *“From my point of view where I am that this where it’s increased the amount of professionalism accountability throughout the system. But I don’t think it is filtered down as far as it needs to yet”.*

CA *“I think there is still a long way to go in terms of professional attitude, conduct and how people present themselves in what, they don’t look professional sometimes because it’s always been so relaxed that people just came in and did whatever they had to do”.*

CA *“Depends who it is in the staff. I have come across people who are open to it (regulation) and I have come across people who fear it and quite aggressively talking about it”.*

Supervision

The theme of supervision has given an unequivocal indication from the participants that the practice of formal supervision within ID services is not occurring. Evidence from the interviews would indicate that supervisors are not trained in supervision and there appears to be a substitution of formal supervision by the monitoring and surveillance of incidents, meetings and outcomes by one participant.

PIC *“There would seem to be a paper exercise but there is no everyday formal and informal on going supervision and support for staff and that is what needs to change. The whole supervision piece is missing in areas where there are major levels of non-compliance”.*

PIC *“As the PIC I don’t direct directly so I wouldn’t meet every single staff but I would look at meetings, I would look at outcomes, I would look at reviews and I would monitor the incident forms, first instance forms for somebody, see if there is a trends emerging, is there improvement or decrease”.*

SN *“I think they are encouraging, I think they are trying to disseminate the information as much as possible”.*

SN *“Not really because we are not supervisors. It’s very very difficult for managers to supervise staff who are on the floor. We will shower them, make up care plans, clean the toilets, sweep them, clean them because we have to as we don’t have the staff.”*

SCP *“No I don’t receive any supervision and neither do my colleagues”.*

CA *“I think our supervisor is but I think because HIQA are going to be coming in for a visit”.*

Factors that influence engagement

The Six Principles of Influence

Throughout the interview process all participants identified factors that either influence their level of engagement or disengagement within their organisation. These factors have ranged from more staff, to more finances, more support and employees needing to be passionate and creative in this regulatory environment.

PIC *“You cannot do it on your own as one PIC. You must have your team of staff at every grade behind you”.*

PIC *“Checking in with them, how you getting on, how’s it going, is there anything more we need to be doing, you did a really good job on that. Engage people in the process”.*

PIC *“I suppose staffing is a huge thing, what they have engaged with since the process that they realise now that this is a reality and I suppose that they are more committed to taking it on board the regulations”*

SN *“People must have a passion about what they do. They need to really love the job that they are doing as well”.*

SCP *“It is a tough job when it is not properly resourced”.*

SCP *“I think we need to be highly motivated. I think we need to see ourselves as a profession and have a very good knowledge of the regulations and see the regulations as an act of code that we would be working”.*

SCP *“I suppose from my point of view what you want is resources”.*

SCP *“The other piece would be that the staff that are our there buy into the system and that we have had incidents where we have provided training and then staff have attended training but really haven’t taken what they have been taught back into their normal day to day work”.*

CA *“They need to be engaged in the process. They need to be passionate about it because it’s not easy”.*

CA *“I suppose the fact I love my job, if I didn’t love my job I would probably find it quite difficult”*

CA *“If staff don’t want to do it they are not going to do it unless it’s coming from a supervisor. I think we are lacking in good supervisors so I think it is the staff”.*

Summary of Results

A summary of the results found that the vast majority of the participants' have a clear understanding of the regulatory process and function, in that it involved the monitoring and inspecting of services to ensure a safe and quality service is been provided to the residents in residential care. The participants' identified that management teams need to be strong and engaged in the process but the difficulty is that some management teams are unsure of the process and if they don't engage then their staff won't engage. Only one participant identified the significant role the Register Provider plays in the process. However, according to the participants', the impact of the monitoring and inspection process has left some employees scared, upset, and resistant due to the process, nevertheless other employees have embraced the process and it has given them a focus.

One participant was very clear on her roles and responsibilities within this newly regulated environment however other participants' felt that employees in their service remain unsure of their specific roles and responsibilities since the introduction of regulation which can have a bearing on organisations level of compliance with the regulator. All participants identified the importance of having robust governance and management structures however this is not always evident in service as the participants' felt that managers are also adjusting to this newly regulated environment and are unsure of their roles and responsibilities, hence noncompliance. There is a mixed understanding from the participants' in relation to HIQAs role through compliance and enforcement strategies and one participant felt that HIQA were not strong enough with their own enforcement strategy. Some participants' are receiving training in regulation's however other participants' have received little to no training other than mandatory training.

Participants' illustrated contrasting views regarding leadership styles within their organisation. Some participants have identified the qualities that a good leader requires within their organisation, such as valuing staff, supporting and acknowledging experience, nonetheless, this was not the experience of all participant's as some participants' have dim views of their leaders and noted a lack of visibility and availability as a cause for concern.

Participants' also acknowledge the huge pressure PICs and middle managers are under in this regulatory environment. Communication and supervision was identified as essential elements that assists employee engagement and compliance however neither component was strongly

present within participants' organisation and in their opinions' this can be cause of disengagement and disharmony among employees. Some participants' feel that their organisations have great values and mission statements however this is not always translated into practice in their service and this is an area that the regulator has also identified during inspections. The participants' identified several factors that influence engagement amongst employees which include well-resourced organisations, a commitment from the organisation to adopt the regulations, and a consistency amongst the organisation. Leaders and employees are required to drive change and employees need to be passionate and motivated in their area of work. Support from management through the regulatory activity was also identified..

Section 5 - Discussion

In this section of the study the author will present and discuss the findings from the research study. This will be illustrated by referring to the qualitative method approach employed to collect the data and the author will give an explanation why the results occurred as they did. This section of the study provides the author the opportunity to discuss and interpret the findings from the results section from his personal opinion and also the opportunity to critically evaluate how the findings may or may not be linked or relevant to the research literature discussed in Section 2. The discussion section of this study provides the opportunity to connect the main findings to the research study's aims and objectives. The author feels in order to begin this process of the discussion section, a recap of the study's aim and objectives would be pertinent:

The aim of this study was to examine the perspectives and experiences of employee stakeholders regarding workplace engagement within the context of the regulatory framework in the residential intellectual disability sector. This was achieved by exploring the study's three objectives:

1. Examining the relevance of employee engagement, from an employee stakeholder's perspective, in shaping compliance with regulatory requirements.
2. Exploring the benefits and challenges identified by employees in terms of their experiences of engagement in a regulated environment.
3. Investigating employee attitudes to the regulatory climate and the factors which influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements.

The discussion will begin with an overview of the findings from Section 4.

A summary of the results found that the vast majority of the participants' have a clear understanding of the regulatory process and its function within ID services, however there was mixed feelings from the participants' whether the experience of been regulated was a

positive or negative one. Also, some concerns were raised by participants in regards to management's capabilities in creating robust governance and management's structures which lend towards engaged and compliant services. Furthermore, there was uncertainty from participants regarding the lines of accountability and responsibilities of all employees within the regulatory context. This uncertainty also manifested in some participants' knowledge and understanding of HIQAs mandate from the Health Act 2007 and enforcement strategies.

Leaderships qualities was also a pivotal factor identified in the results section which had contrasting views from the participants' which will be discussed in this section, along with communication, supervision values and attitudes that can either enhance or impede employee engagement in the process. Finally, the results sections identified factors from the six principles' of influence that may or may affect employees' level of engagement in the regulatory process.

The aim of this study was examine the perspectives and experiences of employee stakeholders regarding workplace engagement within the context of the regulatory framework in the residential intellectual disability. The author tested the participants' knowledge of what was their understanding and the function of regulation process. In the authors opinion, all participants' could demonstrate to various levels that the regulatory process involved the monitoring and inspection of services by an independent body (HIQA) to ensure that a quality service is being provided to the residents of that organisation. However only one participant remarked on the suitability of the Registered Provider (RP)⁵ in the regulation process and the author would be of the opinion that all practitioners' working in the ID sector need to be cognisant and acquainted of the fundamental role the RP plays in organisations being compliant with the regulator. The author's findings concur with the NESC (2011) description of regulation as one of a number of quality-enhancing interventions that can improve the quality of services. However, the author felt the findings did not correlate with the definition of that the OECD as a "*key tool for achieving the social, economic and environmental policy objectives of governments*" (OECD, 2014; p.17). The author anticipated that the participants' would acknowledge through the interview process that as

⁵ Appendix 5 Registered Provider

from November 1st 2013, HIQA gained the legal power to begin regulation of DCs for people with disabilities but this was not identified by the sample group.

Having identified with the sample group their knowledge and awareness of the regulatory process, the author adhering to objective 1, examined the relevance of employee engagement, from an employee stakeholder's perspective, in shaping compliance to regulatory requirements. The author ascertained this by exploring with the sample group what was employees' level of engagement towards regulation and what impact did it have on their services.

The majority of participants' in the study identified that this was a period of huge transition. For some services it threw them into disarray and a vast majority of the study sample, identified that the regulatory experience was one of extreme stress, fear and for some feeling demoralised. As one participant stated "*it was nearly like the fear of god being instilled, they're coming in, they are going to be looking for this, you got to have it, if you don't there is going to be trouble*" and another participant concurred with this sentiment by stating "*at that moment the transition period is horrific for services*". The author would like to emphasise that this was some participants' first experience of regulation, either internal or external and the uncertainty or improbability of when visits by the regulator were going to occur led to a feeling of "*doom and gloom*" within some services. The author's findings, which will now be discussed, accentuated that these feeling of anxiety, fear and trepidation may be attributed to following factors.

The author identified from the findings that some employees were not doing what they were paid to do however there was no consequences for their inactions. Also, it was felt by some of the participants' that in some services front line staff from care assistants, social care to nursing staff were resistant to the new regulations and the regulatory process and choosing not to engage in the process, as their position as they deemed was "*very much a job for life and I am not subject to these regulations*". For some participants' the regulatory process "*has not been positive in any shape or form unfortunately*".

In the author's opinion, the findings could be linked with the study of Nevin et al. (2010) which is emphasised in the literature review, that the transference of negative feelings between employees can include a transient emotional state of anxiety, antagonistic and pessimistic behaviour amongst groups of employees, which can have a direct result on

employee's level of engagement. The author feels that Nevin et al. study is relevant to author's findings as some of the participants' identified feelings of fear, stress and being demoralised during the regulatory process, which can be clinical linked to transient emotional state of anxiety. The author submits that the antagonistic behaviour identified in the literature, could be connected to the findings through participants' views of resistance and employees not being subject to regulation. The "*doom and gloom*" that surrounds pending inspections could be related to the pessimistic behaviour that is also identified in the literature. The author posits that these feelings are quite common for employees pending inspection and the anxiety and fear can led to employees freezing or underperforming when questioned by the regulator.

However, the author would like to note, not all of the findings were of employees disengaged with the regulatory process. Some participants' felt once their first experience of a monitoring inspection was over, there was an increase of employee engagement in the process from all employees and although they may have identified the experience as somewhat stressful they could see that the process has improved the standards for the residents' in their services. As one participant describes it, "*I suppose it has heightened awareness of outcomes which we didn't have before. This kind of focused it a bit more*". To establish what factor assist employees' level of engagement, the author advocated the work of Seligman and Csikszentmihalyi (2000) of positive psychological capital.

As set out in objective one, the author identified the work Seligman and Csikszentmihalyi (2000) regarding positive psychological capital which identified four key elements in achieving, maintaining and sustaining a successful organisation: hope, optimism, efficacy and resilience. However, to avoid any bias and avoid leading the participants' towards a specific direction in the research, the four elements were not outlined unambiguously in the interview guide however the questions where proposed to the participants' in a manner that would have direct links to the authors' research on positive psychological capital.

The author's findings concur with that of Seligman and Csikszentmihalyi (2000) (Valle et al. 2006) and (Weick and Quinn, 1999) that 'hope' was seen has a key factor towards engagement with the regulatory process as the participants' saw the process as a good way to identify standards of practice, heightened awareness of outcomes and ultimately improved the quality of life of the residents in residential care. The author's findings have also

corresponded with the works of Seligman and Csikszentmihalyi (2000) and Brissette et al. (2002) that participants' can relate to optimism when working in a regulated environment. One participant felt that since their monitoring inspection "*employees' engagement has increased at all levels within their organisation*" and some participants felt that the regulatory process in general has been *fairly positive* and that some employees are engaging and performing well in their roles. However, nowhere in the author's findings did the participants identify or name the elements of efficacy and resilience.

However, a possible contributing factor to this may be the ambiguity of the questions that was asked by the author. In an attempt to avoid being biased by not naming the key elements, the author's questions in the interview guide may have being vague to the participants' and the participants' would not be necessarily familiar the work of Seligman and Csikszentmihalyi, (2000) Bandura (1997) and Shin et al. (2012) on efficacy and resilience, hence the findings may have biased the results. Therefore this is a weakness of the method and which may have skewed the results of the study. The author suggests that for future research and to avoid biasing the results, naming the elements and allowing for prompts, probes or sub-questions to guide the interview will provide the author with valuable insight into the research area.

In objective one the author set out to examine the relevance of employee engagement, from an employee stakeholder's perspective, in shaping compliance to regulatory requirements. Contrary to Strebel (1996) note that senior management need to appoint leaders with good vision and governance skills in order to drive organisational policy with regulation. The author's findings identified that management were often unsure how to engage in the regulatory process and if they were unsure then their staff would be unsure. The author opined this could be associated to a number of factors however the findings ascribed that some managers inherited positions of PIC, as they may have been in a similar position of local level management prior to the commencement of regulation. Subsequently, this assumed role of PIC by senior management, may not have necessarily being welcomed or merited by some, as they were without having a clear understanding of what the role necessitated and the responsibility that was apportioned to this role.

Therefore the author submits that the findings steer more towards, Kelloway, Sivanathan, Francis and Bailing's (2004) conclusions regarding passive leadership styles, which some

leaders either inherit or are forced to take up positions of significance in the regulatory process e.g. PIC. This can potentially result in the acceptance of a permissive attitude from the PIC, which in turn can create a negative impact for their team and for engagement with the regulatory process. However, worth noting in the authors findings, is a potential contributing factor as to why managers disengage from the regulatory process - managers may deem their workforce as incompetent in the regulatory process and feel they have no hope of getting compliance with their current workforce. The author proposed that future studies in the area of frontline qualifications and competency levels in ID sector would be of benefit, as historically in this field of practice, the only qualified personal were nursing staff, as up to recent years all other personnel e.g. care assistants and social care practitioners only required experience in the field to obtain a position, hence the historical coined phrase by nurses in ID services regarding 'Qualified and Non-Qualified Staff'.

In objective two of the study the author set out to address with sample group what are the benefits and challenges identified by employees in terms of their experiences of engagement in a regulated environment. This was of particular interest to the author, as it would give some insight into how participants' viewed the roles and responsibilities of management and employees, leadership and organisational ethos in creating and supporting a future prove compliance culture.

The author's findings from the results section which are relevant for the discussion, indicate that there was inconsistency within services regarding management and employees, roles and responsibilities and where they envisaged the service to be in the future through the regulatory process. Some participants' felt that services were unrealistic to expect compliance within a year and presently they are working in reactive mode, which they deem is not conducive to gain compliance or come out of major noncompliance. There is also a fear that some services will remain in this noncompliance status or worse, that the regulator will enact enforcement.

The author strongly agrees with Blanchard's et al. (1990) contention that all conflict has its origins in one of four sources, namely clashes/difference' over goals, roles, process and relationships. The author submits in order to enhance organisations levels of compliance with the regulator, clearly defined roles and responsibilities within the regulatory framework for all staff and management needs to be reviewed and be more explicit within this regulatory

context. The author's findings have identified that management and employees within the ID services are basically unsure of their roles and responsibility, which ultimately effects services level of compliance with the regulator. As one participant described it, "*when management are a bit lost your staff are going to be a bit lost*". The author notes some of the employees that are deemed to be disengaged, underperforming or resistant to change may be unclear of their role in this new regulatory environment as they may be adhering to their existing job descriptions, which does not account for their regulatory obligation.

The author posits this potentially may have been a weakness of the chosen research method. The participants' may have answered the question on roles and responsibilities considering their current job descriptions which may or may not equate current statutory and regulatory requirements of organisations and employees. For that reason, the findings may have biased the results. Therefore this is a weakness of the method and which may have skewed the results of the study. The author would suggest that future research would be beneficial in identifying are employees' current job descriptions adhering to their regulatory obligations or is their existing job descriptions causing ambiguity amongst employees roles and responsibilities within the regulatory framework. However, the author notes that some participants' could clearly identify their roles and responsibilities and lines of accountability within this current regulated environment.

The author identified that in order to explore objective 2 the benefits and challenges facing employee engagement in the regulated environment, a key component that is indispensable in overseeing regulatory compliance and employee engagement is addressing the governance and management structures within that organisation. The findings would indicate that some services are struggling to have robust governance and management structures in place and when governance and management are weak, then outcomes are more likely to be either major non-compliant or moderate non-compliant. The author submitted that middle management or the PIC's are under the most pressure within the governance and management structure of organisations. As they are deemed by the regulator and management to be responsible for the day to day operations of the DC however they do not have the power to enforce the changes that might be required. As one participants stated, "*So it seems that all these layers above me seem to have the power or the influence and yet I am responsible*".

The author suggested that the statutory responsibility bestowed on the PIC by the regulator does not equate with the level of influence that organisations allow this level of middle management have in order to run the DC effectively and efficiently. The author would therefore agree with the research conducted by Baker and Faulker (1993) that middle management are of greater risk to change due to pressures from senior management and/or the regulator. This is evidenced as one participant identified since the introduction of the regulations in November 2013, she had four PIC's in position during this period. Another influencing factor that the findings identified and that the author feels is relevant to the discussion on governance and management, is that some of the participants felt that there was too many layers of management and often they were not visible or available to frontline staff. The author believes that this may account for poor communication systems, poor supervision and appraisal and poor training for employees as identified by the participants' in the findings. These factors can either sway in favour of employee engagement or employee disengagement. The author would also suggest that future research in examining the pressures that the PIC or middle management experience within a regulatory context may be of value due to the participants' experience and disclosure to this study

In objective two, the author sets out to identify the benefits and challenges identified by employees in terms of their experiences of engagement in a regulated environment. The author explored with the participants' their knowledge and experience regarding HIQA's method of engagement with services of responsive regulation. What the findings demonstrated to the author is that there was mix of understanding of the role, authority and power of HIQA through compliance and deterrence strategies and also what documents are available in order to engage employees' and services in this new regulatory environment. Some services are actively training their employees about HIQA and the staff are well informed, also some of the participants' could identify some of HIQA's published documentation. However, vast amount of participants' identified that their organisations don't provide training in this area and some employees are unaccustomed and unfamiliar with the language that HIQA use and documentations' available in order to assist engagement in the process. The author opined in the literature review that the OECD (2014) clearly identified that management need to encourage their employees to utilise such information strategies, as they are seen as an integral element in improving regulatory enforcement. The author feels that a workforce that does not understand or is not aware of its regulatory and

statutory obligations within the ID sector will struggle to get compliance and potentially will remain in major non-compliance or enforcement territory.

However, one participant felt that the regulator themselves are not adhering to their own mandate from the Health Act 2007, in that *“they see that you have given in your action plan and they come back and they look and they see that you’re not delivering. That to me is where HIQA should be then delivering its enforcement strategies. My experience of it is that they are not. They are not coming down hard enough”*. As the author discussed in the literature review section, practice and behaviours like those witnessed in Aras Attracta can go undetected by regulators during monitoring inspections. The author puts forward two optimal methods of monitoring of practice in securing employee’s adherence to organisational rules and statutory obligations, Tyler’s (2005) sanctioned based command and control model and self-regulatory approaches. Some participants’ felt if employees were not adhering or not engaging with regulations, then organisations need to evoke a sanctioned based command and control like model in what one participant detailed *“ people have to shape up now or ship out”* as another participants felt that employees may require individual action plans in order to monitor someone’s level of engagement with regulations. The author feels that this is a new era for the ID sector and there is going to be difficulties met on the way towards compliance, however it is imperative to remember that the main goal of regulation is to improve the quality of life of the residents’ in services, hence the author submitted that a control and command model of practice may benefit the ID services until all management and employees all become habituated with the new regulation.

In objective 3, the author set out investigate employee attitudes to the regulatory climate and the factors that may influence their professional and/or workplace conduct and practice in relation to their engagement with the regulatory requirements. In order to establish this, the author asked the participants their views on the relevance if any leadership has on their level of engagement in the regulatory process. The author’s findings have identified that the participants’ have different experiences of leadership styles within their organisations and what leadership meant to them. Some participants’ felt it was about, *“understanding the population they are serving”*; *“it’s about loving and enjoying your job”*. It’s about valuing their staff and acknowledging where individual skills sets are and how can this specific skill set contribute to the regulatory process by improving the lives of the people in residential care. Participants’ felt that leaders should acknowledge and recognise the work that frontline

staff do, often which is under extreme pressure. Another quality leader's need to exhibit according to participants is that of pride and ownership of the service they are providing. The author proposed that the ability of leaders' to instil confidence into the team; to welcome the regulator, demonstrate how the staff and service are improving the life's of the residents is a crucial factor moving towards compliance. The author posited that this can contribute to the current body of knowledge on leadership that is outlined in the literature review and it is deemed a critical factor towards employee engagement.

However, some participants' identified that a lack of leadership presence can potentially lead to a disengaged work force within organisations. Some of the participants' felt certain leaders within their organisation are not visible to employees and not necessarily adhering to both their regulatory and organisational obligations and this has an impact on employees level of engage, as one participant stated *“Leaders need to live up to their own standards that their service is promoting and then we just might follow”*. Another participant stated *“I think I have a very dim view of people who lead these services. I don't believe, they live by the regulation themselves and I don't believe that they have the interest of the residents at heart”*. In the opinion of the author, if employees view their leaders in their organisations' as disconnected or disengaged from their statutory and organisational duties, then this behaviour is more than likely going to be replicate by frontline employees'. Also, in the author's opinion, this level of disengagement from organisational leaders has a bearing and influence on employees values, attitudes and professional conduct within organisations, which the author will now discuss.

Objective 3 sets out to address employees' attitudes and professional conduct, however the author also feels that organisational and employees' values could potentially have a bearing on employees' response to engagement in the work place. All participants identified that within their organisations' there are values and mission statements; however they primarily remain redundant and sporadically appear on occasions. Although the values and mission statements of organisations were evident prior to regulations and they clearly identified regulatory themes such as dignity, respect and inclusion, the vast majority of the participants' felt these values are lacking within services and not operational at senior management level. In the author's opinion, if these values were tested or audited against within service pre-HIQA, organisations may have been better prepared for regulatory inspection in several outcomes. As one participant identified *“I mean they literally hung you out to dry, because*

HIQA were coming in and saying you have magnificent values and they are very best practise based but we are not seeing a lot of them knocking around here". In the literature review, Markos (2010) recognises that employees want to work in organisation's which have clear meaning and are valued based, however in the authors opinion, when employees deem organisational values as tokenistic and inactive, this can lead to contemptuous, cynical and disengaged behaviours from employees.

Considering, employees' attitudes' and professional conduct, some participants felt with the introduction of the regulations there has been improvement with some employees' attitudes and professional conduct within the ID sector. The author capitulated that this increased level of professionalism may be due to their improved level of engagement in the regulatory process. However, a significant amount of participants' feel that professionalism is either absent or lacking within the ID sector which ultimately impacts on organisations' level of compliance, as one participant described it "*the lack of knowledge, lack of professionalism, the lack of motivation, the lack of engagement has led it to non-compliance*". To identify what factors support employee engagement, the author referred to the work of Cialdini (1998) and The Six Principles of Influence, and constructed questions regarding the effect of power and influence may have on employee engagement and explored this theory with the sample groups. The six principles are: Reciprocity, Commitment and Consistency, Social Proof, Liking, Authority and Scarcity:

Through interpreting the finding and equating the six principles of influence, the author posited that the vast majority of the participants' recognised that commitment and consistency as possibly the greatest influence towards employee engagement in the regulatory process. The author wants to recognize that the participants' did not necessarily say that commitment and consistency was presents within their service, however they felt for employees to engage in the regulatory process, a committed and consistent approach by management and services is required to create a stronger culture of engagement. As one participant stated "*you cannot do it on your own, as one person in charge. You must have your team of staff at every grade behind you*". One resounding factor that several participants' stressed was for employees to be truly engaged and committed to the organisation; they need love their job and enjoy what they do. The author supports this sentiment, as this in turn will have the desired effect of natural engagement in the process. As

one participant explained, *“well I suppose the fact I love my job, if I didn’t love my job I would probably find it quite difficult”*.

A principle of significance that the participants’ identified as an influence towards employee engagement, is the principle of scarcity. The findings would indicate that staffing resources are having a major impact on employees’ level of engagement, as staff are stressed, under pressure and possibly burnt out, which the author theorises, leaves little room for motivation and engagement from employees. As one finding stated *“so taking that you have enough staff, if you don’t have enough staff you’re in trouble at the start”* and its *“tough job when it is not properly resourced and you would have to question how could we deliver the standards in this environment in which we work”*. From interpreting the findings, the author would speculate employees within the ID sector are presently overextended due to the lack of resources and this is not conducive to an engaged workforce. This also impacts on residents’ quality of life and safety which can have a significant bearing on services level of compliance on several outcomes. The author feels these findings would contribute to Shin et al. (2012) argument, that when resources are depleted, employees feel unprotected, vulnerable and can have a major impact on their practice and conduct in a working environment. The author is suggesting it may be worth further research in order to identify what impact the lack of staff resource’s is having on the delivery of a safe and quality service for people with intellectual disability.

The authority principle was also highlighted by the participants’ as a factor, if used correctly, can promote and encourage employee engagement. The authority principle links closely with the governance and managements section that the author previously discussed, however a pertinent issue that is relevant and requires emphasising by the author is the significant role supervisors play in achieving regulatory compliance. The author’s interpretation of the findings is that there is a real need for supervisors to co-ordinate and manages services effectively, to support and encourage good practices, to address inept practice, all of which are prerequisites that supervisors require to manage in a regulatory environment. However, one participant identified that some of the supervisors’ in their service lack this skill set, *“If staff don’t want to do it they are not going to do it unless it’s coming from a supervisor. I think we are lacking in good supervisors”*. The author proposes this thinking is further emphasised by the findings that none of the participants’ identified the principle of liking, as a persuader of influence; therefore the author believes that employees are moving away from

seeing leaders requiring the likeable factor but prefer to have strong and robust authority and governance structures' in place whilst working in this regulated environment. The remaining two principles of social proofing and reciprocity are sporadically spread throughout the findings but have no major significance for this study.

Overall Summary and Conclusion

Since the introduction of the Care and Support Regulations on the 1st November 2013, ID services and its employees have been exposed to intense and on occasions vigorous inspections' by the regulator. This process of inspection was identified by some of the participants' in this study as both being strenuous and extremely difficult. Others acknowledged that this is a huge transition period for all key stakeholders within this sector which will ultimately ensure that services and its employees will provide a safe and quality service to all residents' who reside in their care.

In order to achieve this, services require robust governance and management systems' to monitor the effectiveness of service delivery, however as described in the discussion, this is not evident in all services to date. The main findings identified that lack of governance, lack of leaderships, lack of training, lack of clear understanding of key stakeholders roles and responsibilities within services leads to negativity and a lack of professionalism, which eventually leads to employee disengagement and noncompliance. The findings did recognise that services that provide training, have clear lines of authority, identified roles and responsibilities showed that the area of professionalism was improving, and these services were more likely to have employees engaged in the process and better outcomes with the regulator.

In conclusion, the author's research question set out to explore engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector. In the authors opinion employees in the intellectual disability sector are slowly coming to terms that their field of work has entered a new era of professionalism through regulation, where all services and key stakeholders' inclusive of senior management, middle management and frontline staff are held accountable for their actions and inactions in providing a safe and quality service for people with intellectual disabilities.

Often with change comes resistance and some services are still resisting through fear and denial, however the author proposed, for organisations to gain compliance they need to proceed in small, obtainable steps to ensure success, as every small successful outcome will potential lead to more engagement from employees. The author posits that the key areas of governance and management, leadership, clear lines of accountability, training, and supervision are all fundamental factors required for employee engagement and ultimately

compliance with the regulator. If these key areas exist and prove to be strong in organisations then services will remain, however if they remain redundant or inactive then services, in the authors opinion, are playing a high risk game, as one participants stated” *I think fundamentally the best services will come out in the other side and worse one’s won’t and that will be a brilliant thing for the residents who are in those centres”.*

Section 6 - References

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Section 7 - Appendices

Appendix A: Person in Charge

The role of the Person in Charge as documented in the Fit- person Entry Programme (2004)

8.2 The role of the person in charge

Well-managed care settings depend on the skills and leadership attributes of the person in charge. The person in charge of the residential service is distinguished from the registered provider, and is sometimes described as the “manager”. As the registered provider you can also be the person in charge, provided you have the appropriate skills and qualifications. Alternatively, you can assign the functions of the person in charge to another individual. The person in charge is the person with responsibility for the day-to-day running of the centre. This person needs to be an appropriately skilled member of staff suitable to the responsibilities of the role.

The person in charge is responsible to residents by reason of his or her professional duty to ensure a proper and adequate standard of care is delivered (Ridout, 1998). Not only does the person in charge play a key role in the delivery of care, but he or she is accountable for the overall provision of service. As part of this, the person in charge is responsible for ensuring that staff are fully supported and that where there are staff absences proper arrangements are in place.

Within any centre, the person in charge should have a clear understanding of his or her role. Furthermore, staff should have a proper understanding of their own responsibilities. This means there have to be clear communication systems, clarity about roles and responsibilities and clear lines of accountability.

The person in charge should recognise that there many different ways of managing. For example, Clough (2000) points out there are different ways of listening to staff: formal meetings, informal discussions, suggestion boxes, various types of review and feedback, and so on. The key is that management must work towards one goal, the goal of meeting residents' needs.

Skills for Care (www.skillsforcare.org.uk) have identified a number of key responsibilities for managers in social care settings. These include taking responsibility and being accountable for good social care practice, and being able to deal with the conflicts, tensions and gate-keeping roles in managing social care services, while taking into account the needs of individuals and of the care setting as a whole.

Other research shows that good managers:

- show an interest in staff and residents
- are approachable
- nurture, care, and conciliate and collaborate
- are not bureaucratic
- show an interest in people's personal lives
- offer people their time
- communicate effectively
- develop a collegiate culture to promote well-being in the workplace.

(Fit Person Entry Programme, 2004).

Appendix B: Information Sheet

Title

Engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector.

Information Sheet

I would like to know if you would like to take part in a study I am doing as part of a Masters in Advanced Social Care Practice in Athlone Institute of Technology. I am trying to examine engagement and regulation, in terms of the perspectives and experiences of employee stakeholders regarding workplace engagement in the context of the regulatory framework in the residential intellectual disability sector.

If you would like to take part, I will interview you about this. I will ask about your views/ experiences on engagement and regulation within the residential intellectual disability sector. The interview will last for no more than one hour and will take place in AIT or at a location that is convenient to you. I will not ask about any other issues besides your experiences and views on engagement and regulation within the residential intellectual disability sector. Your participation is completely voluntary. You do not have to take part.

I would like a record of the interview to ensure I do not forget all the relevant information. In order to do this, I would like to tape the conversation. If you do not want this, that is ok. I will take notes instead. You can take a break or stop the interview at any time. If you do not want to answer some of the questions, that is ok.

When we are talking, I want you to feel relaxed and comfortable. The issues we discuss during the interview will be confidential. The areas we talk about will be used for the purpose of my study only.

Your name and the names of the other participants will not be in the report. The name of your organisation will not be in the report. Both will remain completely anonymous. I might use some quotes from you, but I will not give your name.

If you would like to take part in my study, please read the consent form below and sign your name. If you have any questions you can contact me (Conor Kenny) at 087XXXXXXX.

Appendix C Consent Sheet

Title

Engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector.

Consent Form

I agree to participate in this study on Engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector.

I understand that my name or the name of my organisation will not appear anywhere in the study and that the information obtained from participants will only be used for the purpose of the study.

Signature _____ Date _____

Do you consent to having the interview recorded using a tape? YES_____ NO_____

Signed _____ Date _____

Appendix D Interview Guide

Introduction of Interviewer:

Hello, my name is Conor Kenny, and I would like to discuss with you today my research topic which explores the perspectives and experiences of employees regarding regulation and empowerment in the residential intellectual disability sector. During the interview, I would like to focus, particularly, on my three objectives for my research project which are the issues which shape compliance in meeting regulatory requirements, the benefits and challenges facing employees in terms of their engagement in a regulated environment and explore your thoughts on factors which influences professionals workplace conduct and practice in relation to their engagement with the regulatory requirements.

Title

Engagement and regulation: perspectives and experiences from employee stakeholders in the residential intellectual disability sector.

Topic 1: Shaping Compliance in meeting regulatory requirements

In November 2013 the regulatory process was first introduced within the Intellectual Disability services:

1. Can you tell me what is your understanding of the regulatory process in your service?

Sub-questions

- Why was regulation introduced into the ID services?
- Under what circumstance did it come about?

2. What is your understanding of the function of regulation within your service?

Sub-questions

- What's its purpose?
- Can you give me an example?

3. In your opinion, what has been your colleagues' understanding of the regulation process within their service?

Sub-questions

- How would you characterise your colleagues' level of knowledge in terms of the regulatory process?
- Lack of in-depth knowledge?
- Unaware?

4. In your opinion, what has been your colleagues understanding of the regulatory function within their service?

Sub-questions

- Do your colleagues know why HIQA are inspecting and monitoring the service?
- What brought about inspections?

5. What are your views on the impact, if any, of the implementation of the regulatory process on your service since its introduction?

Sub-questions

- Introduction of rules and procedures?
- Quality of service has it enhanced or regressed?
- Tool for achieving policy objectives?

6. In your experience, how have employees within your service reacted to regulatory activity?

Sub-questions

- How did they feel about regulation?

7. What impact did regulation have on employees' level of engagement within their service?

Sub-questions

- What is their view on regulation?
- Unclear. In what way(s) have these views been manifested?

8. How, in your opinion, how did colleagues respond to these regulatory activities?

Sub-questions

- Embrace
- Resist
- Uncertain
- Reluctant/Denial

9. What are your views on the role of management in shaping compliance?

Sub-questions

- How do you feel about management's role in achieving outcomes?
- What do you think management are doing to create a compliance culture?
- What do you think management could be doing to create a compliance culture?
- In what way are management involved in this process?

10. From your experience working in a regulatory environment what key elements do you think employees require to be engaged in the process?

Sub-questions

- What qualities do you think employees need to engage in regulation?
- What elements do you see your organisation requiring in order to facilitate employees' engagement in the process?

11. What factors do you believe hinder or delay employees' engagement in the process?

12.

Sub-questions

- Can you tell me from your experience to date what prevents/ interferes with employees engaging in the process?
- How are employees in your service responding to the change occurring through regulation?

Topic 2: The benefits & challenges facing employees' engagement in a regulated environment.

1. What would be your vision of where the service will be in the next year through engagement and regulation?

Sub-questions

- In the areas of goal setting (the what and why)?
 - Role clarification and allocation (the who)?
 - The processes (the how, when and where)?
 - Relationships (people getting on with each other)?
 - Who has responsibility for this vision?
2. In your view, what organisational response, if any, have you experienced regarding your own level of engagement with the regulatory requirements?

Sub-questions

- (If respondent indicates yes) What is your service currently doing that recognises your engagement with regulation?
 - If not, in your opinion what do they need to do?
3. From your experience of working in a regulated environment what governance structures are in place within your service

Sub-questions

- Can you tell me about the management structure in your service?
- What impact has regulation had on your management structure?

4. HIQA engages in responsive regulation by engaging in a combination of approaches involving self-regulatory processes and a mix of compliance and deterrence strategies. Are you aware of any of these?

Sub-questions

- Is there any documentation that you are aware of that can inform/guide your practice and your organisation towards engagement with regulation?
5. In your opinion how might these approaches be relevant for an employee's level of engagement?

Sub-questions

- How can supports be best utilised for employees' engagement?
6. In what way is professional development utilised within your service?

Sub-questions

- Are employees informed of training/ course/presentations that may support continuous professional development?
 - If yes, how is this achieved?
 - If no, in what way in your opinion can the organisation change the current situation in this area?
7. How does your service provide training in the areas of regulatory activity?

Sub-questions

- In your view, is your service proactive or reactive when it comes to regulatory requirements in the area of training requirements?
 - In your opinion what type or range of training do you think is central to support staff in the regulatory environment they work?
8. In your opinion what approach from senior management is required to encourage employees' engagement in the regulatory process?

Sub-questions

- Is there a sharing culture?
- Is there a withholding culture?
- Is there a need to know basis culture?

Topic 3: What impact does attitudes; professional conduct and practice play in engaging employees in a regulated environment.

1. What factors have an impact on your level of engagement in your current role?

Sub-questions

- What factors aid your decision- making process in your current role?
2. From your experience in the ID sector to date, how do you view the leadership in achieving employee engagement in the regulatory process?

Sub-questions

- How is your service promoting employee engagement in achieving regulatory compliance?

3. In your opinion, what leadership attributes promote employee engagement?

Sub-questions

- What makes a good leader in this regulatory climate?
 - What skill base, in your opinion, do leaders require to facilitate employees' engagement?
4. In your opinion, what would lead to greater levels of engagement with the regulatory process?

Sub-questions

- What systems or approaches in your opinion would help support staff to meet regulatory compliance?
5. What is your view on the process of communication in the regulatory process?

Sub-questions

- How are regulatory requirements communicated to you?
 - In your experience, how would you compare communication processes since regulation with those before its introduction?
 - How do you learn about regulatory activity?
 - How does your service communicate with employees the changes required to achieve compliance?
6. In your opinion, how do employees feel about their role in the regulatory process?

Sub-questions

- Are employee's part of the regulatory process, is there a forum where they can discuss their views?
7. In your experience, in what way can staff have an input, if they wish to do so, in the regulatory process

Sub-questions

- What forums are available for staff currently to have an input?
8. From your experience to date, are managers monitoring employees' level of engagement in the regulatory process?

Sub-questions

- Are managers/PICs supervising their staff?
 - If yes, how is this managed?
 - If no, what is your opinion on this?
9. Are you aware of your organisation's values, practices and mission statement?
10. What role, if any, do you see them as having in the regulatory process?
11. How would you describe your job prior to and after the introduction of the regulations?
12. In your view, what are employees' attitudes towards the regulatory environment they are working in?

13. In your opinion how has regulation and inspection impacted on employee's level of professionalism, conduct and practice?
14. From your experience to date of regulatory activity, what are the changes good or bad that this environment has brought about for employees practice?
15. From your experience to date of the regulated environment, what influencing factors have contributed to a complaint or non-complaint residential service?
16. What, in your view, is the role of the PICs in the regulatory process?
17. In your opinion, what is required to get employees engaged in the regulatory process in order to gain compliance and ultimately achieve registration?
18. Is there's anything else they would like to add before you finish?

Appendix E Registered Provider

The role of the Registered Provider as documented in the Fit-person Entry Programme

8.1 The role of the provider

The key personnel in the management of any centre are the provider and the person in charge. As the provider, it is your role to operate the business of a regulated centre. To do this you should develop an organisational culture where residents are put first and where staff are supported in putting them first. You are responsible to residents for the proper delivery of care, and are responsible to the Authority, as the regulatory authority, for the operation of the centre to a proper standard. If you do not have the individual skills or professional qualifications to manage the centre effectively it is your responsibility to ensure that there is someone in place who has these necessary skills and appropriate qualifications.

The importance of the role of the owner/provider is pointed out by Ridout (1998):

“It would be foolish for an owner to seek to operate a regulated care home business without understanding, in depth, the requirements of that business... There should never be a case of an owner learning on the job”. (Fit-person Entry Programme, 2004).