



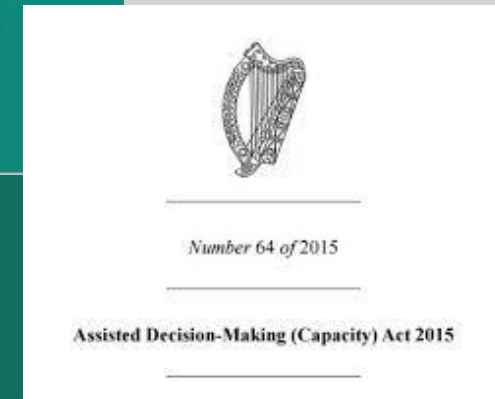
Maximising Implementation of the Assisted Decision-Making (Capacity) Act 2015 in Practice in Health and Social Care

Caoimhe Gleeson, General Manager,
HSE National Office for Human Rights and Equality Policy



HSE National Office for Human Rights and Equality Policy

- Programmes of work
 - HSE National Consent Policy
 - Assisted Decision-Making
 - Universal Access for People with Disabilities
 - Public Sector Duty
 - Other human rights and equality issues
- The Office works in collaboration with staff and people who use our services to ensure human rights and equality issues are addressed





**What has the Act
meant in practice?**





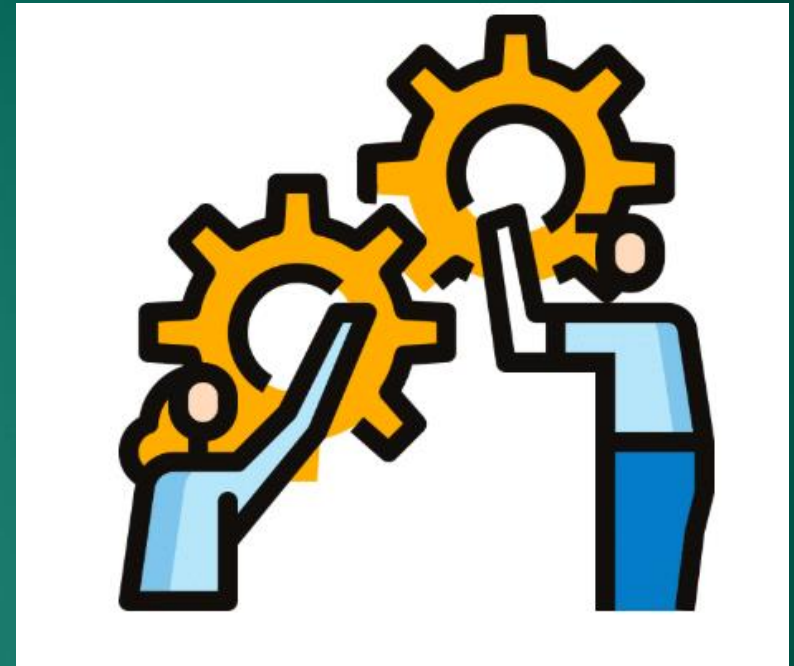
What has the Act changed for practitioners:

- New documentation to consider:
 - Codes of practice
 - Court rules
 - Complex forms
 - Complex processes
 - Statutory instruments
 - Regulations
 - Statutory register
- Impact of Act on existing documentation:
 - Local Placement Forums
 - Transitional Care Funding (TCF)
 - CSARS
 - National Consent Policy
 - Admission forms
 - Next of Kin





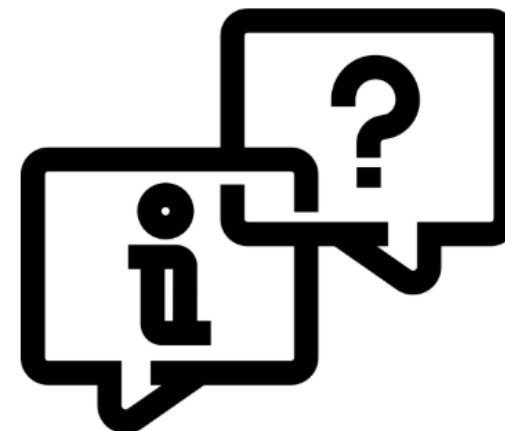
What have we done since commencement?





HSE National Response

- Led by HSE Human Rights and Equality Policy
- HSE Clinical Lead for ADM/Consent - Professor Shaun O'Keeffe
- HSE ADM National Oversight Group since commencement – reports to the HSE Chief Clinical Officer/HSE Regional Executive Officers
- ADM leads across Regional Health Areas
- Advice and guidance hub - National Office for Human Rights and Equality
 - 300 complex ADM queries since start of 2025





HSE National Response

- Access to the DSS register project - approx. 50 sites with direct access
- Updating LPF SOP and CSAR's to reflect changes from the Act – ongoing
- Development of Part 5 functional assessment of capacity template – currently developing template for reviews
- Updated HSE National Consent Policy to reflect requirements of the 2015 Act
- On-site engagement on Delayed Transfer of Care (DTC) cases





Training and information





Training and information

- Advice and guidance hub - National Office for Human Rights and Equality
 - 300 complex ADM queries since start of 2025
- HSE ADM Mentorship programme - 500 participants in Year 2
- HSE Training on assessment of capacity (online and in-person)
 - 2748 users have enrolled onto the online training portal, 1073 users completed (to end September 2025)
 - Over 600 people completed in-person training (commenced roll-out April 2025).
- Increased number of training queries in 2025
- E-learning programmes on HSELand
 - Assisted Decision-Making (Capacity) Act 2015: Guidance for Healthcare Workers
 - HSE National Consent Policy
 - Supporting decision-making in health and social care



Training and information

- Webinars and conference recordings:
 - All available on www.assisteddecision-making.ie
 - Evening with Judge John O'Connor – February 2024
 - Assisted Decision-Making (Capacity) Act 2015 – Reflections, Challenges and Opportunities – December 2024
- Explainer video on the Act
- Newsletters
- Podcasts with HSE Health and Wellbeing





Change to 'Next of kin' terminology





Next of kin

- Change in forms to **nominated contact person and in case of emergency**
- Campaign will commence in 2026
- Message will focus on recognising nominated contact person may have no decision-making rights **HOWEVER** they may be invaluable in helping to ascertain the person's will and preference
- Play an important role supporting the voice of the person to be heard e.g. supporting communication preferences
- Commencing project with families re the 2015 Act to increase awareness of rights under the Act





Key links





Key links

- [On-line training on functional assessment of capacity](#)
- In-person training on functional assessment of capacity-
Joanne.Haffey@hse.ie
- [Guidance on HSE and HSE Funded agencies accessing the DSS register](#)
- Elearning programmes on HSELand:
 - HSE National Consent Policy
 - Assisted Decision-Making (Capacity) Act 2015: Guidance for Healthcare Workers
 - Supporting decision-making in health and social care
- [Webinars on the Act](#)



Further information

Website – www.assisteddecisionmaking.ie

Email – adm@hse.ie

Thank you for listening.