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# Safeguarding and Protecting Older Persons in the Context of Supported Decision Making

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Eibhlín Kilroy, Legal Advisor  
Sage Advocacy

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# About Us

Sage Advocacy is the National Advocacy Service for Older People. It also supports vulnerable adults & healthcare patients in certain situations where no other service can assist. In addition, it has expanded its services to meet the support and advocacy needs of survivors of institutional abuse.

Independent of family, service provider & systems interests.

In 2025

**CONFIDENTIAL & FREE**

**3923**

ADVOCACY  
REFERRALS

**8946**

INFORMATION  
& SUPPORT CALLS

**70**

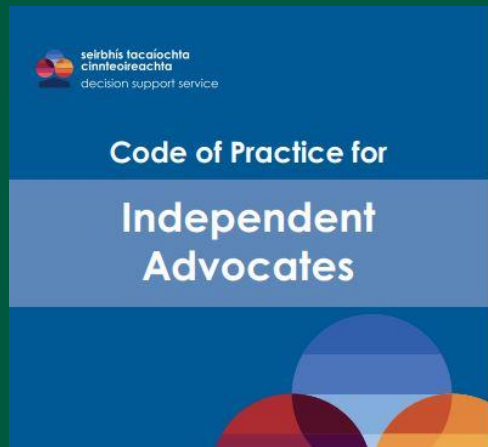
STAFF

**36%**

INCREASE IN  
COMPLEX  
CASES



# How does the DSS Code of Practice define ‘Independent Advocacy’?



“**Independent advocacy** is a professional support service provided by an organisation that is free from conflict of interest and is independent of family and service providers.

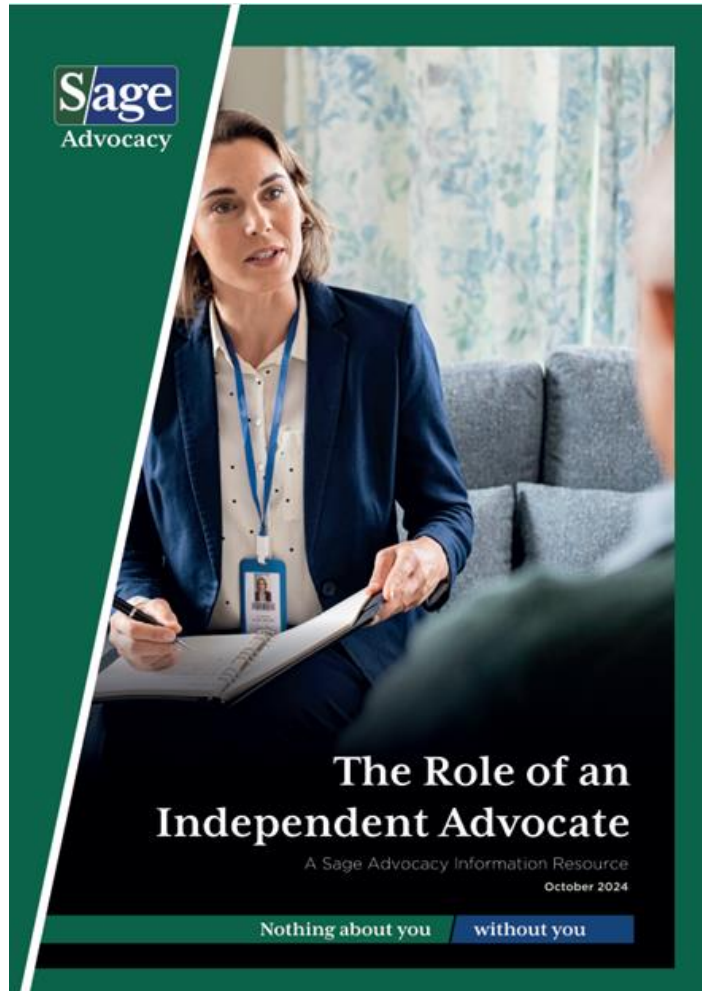
Delivering a professional independent advocacy service means providing a trained independent advocate who, on the basis of an understanding of a relevant person’s will and preferences, will support that person to make a decision and who will, if appropriate, go on to negotiate or make a case for them.”

“**Independent advocates** are recruited, vetted, trained, supported, and supervised by an advocacy organisation.

Their work is guided by the quality standards, robust policies, and guidelines of the advocacy organisation with which they are affiliated.

An independent advocate may work with and for the relevant person, where they have difficulty expressing their will and preferences with regard to a specific issue.”

# Role of the Advocate

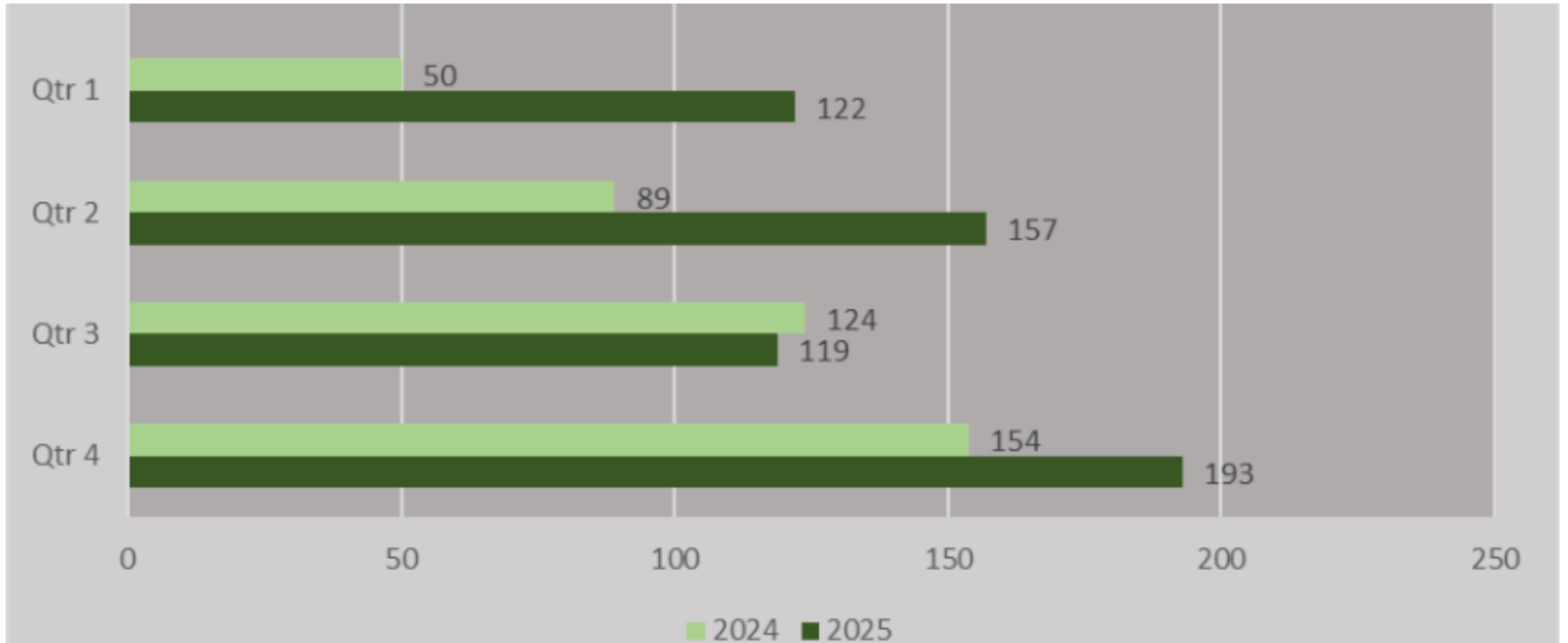


## IN COURT

*In the Court context an independent advocate may:*

- Explain court process to a person in a way they can understand.
  - Provide a report to the court on the voice of the person, outlining their will and preferences, values and beliefs
  - In specific circumstances, attend the court hearing to give evidence and communicate the will and preferences of a relevant person.
- 
- Identify and follow up on any safeguarding or advocacy issues identified in the process of engaging with the relevant person and share the information with the court, if appropriate.
  - Support a person to access legal representation e.g. by making an application to the Legal Aid Board on their behalf or supporting them to contact a solicitor of their choice.
  - Support a relevant person to attend court in person or by video link
  - Support the person with understanding the specifics of a court order and proposed Decision Making Representative.
  - Further information on the role of an independent advocate in context of court applications can be found [here](#).

# Advocacy and Voice of the Person Reports



# Structure of Presentation

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Assisted Decision-Making (Capacity)  
Act- Guiding Principles and Safeguarding

The voice of the relevant person

Identifying risk and sharing responsibilities

Themes arising in casework

Collaboration and Effective Co-Working

Statutory Gaps



*Assisted Decision-Making (Capacity) Act  
Guiding Principles and Safeguarding*

# Assisted Decision-Making (Capacity) Act 2015

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- Fully commenced on **26 April 2023** (and amended by the Assisted Decision-Making (Capacity) (Amendment) Act 2022)
- Abolished the outdated nineteenth-century "Ward of Court" system for adults,
- Human-rights-focused framework based on dignity, autonomy, and supported decision-making.
- The law shifts the legal focus away from a person's "best interests" to their explicitly communicated **will and preferences**

# Presumption of Capacity (Section 8 (2))

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*It shall be presumed that a relevant person who falls within paragraph (a) of the definition of “relevant person” in section 2(1) has capacity in respect of the matter concerned unless the contrary is shown in accordance with the provisions of this Act.*

<b>Autonomy</b>	<b>Safeguarding</b>
Respects and promotes autonomy by the presumption being specified.	Says that presumption holds unless the contrary is shown in accordance with the Act

# All practicable steps to be taken to help a person make a decision (Section 8(3))

*A relevant person who falls within paragraph (a) of the definition of “relevant person” in [section 2\(1\)](#) shall not be considered as unable to make a decision in respect of the matter concerned unless all practicable steps have been taken, without success, to help him or her to do so.*

## **Autonomy**

Promotes autonomy and places obligations on others to provide help and support to make decisions autonomously

## **Safeguarding**

From safeguarding perspective, it enables a person be considered as unable to make a decision after all practicable steps have been taken without success.

# Unwise decisions (Section 8(4))

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*A relevant person who falls within paragraph (a) of the definition of “relevant person” in [section 2](#)(1) shall not be considered as unable to make a decision in respect of the matter concerned merely by reason of making, having made, or being likely to make, an unwise decision.*

<b>Autonomy</b>	<b>Safeguarding</b>
Promotes autonomy in ensuring that by virtue of a person making an unwise decision it cannot automatically point to them being unable to make a decision	From safeguarding perspective this principle does not prevent an intervention if the making of unwise decisions places somebody at risk

# Necessity (Section 8(5))

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*There shall be no intervention in respect of a relevant person unless it is necessary to do so having regard to the individual circumstances of the relevant person.*

<b>Autonomy</b>	<b>Safeguarding</b>
No intervention should be made unless it is necessary to do so. This directly respects the autonomy of the person.	Equally this section also points out to the necessity to make interventions where the individual circumstances of the relevant person require them. This is the core of safeguarding practice.

## Least restrictive interventions and respect for the person's rights (Section 8(6))

An intervention in respect of a relevant person shall—

(a) be made in a manner that minimises—

(i) the restriction of the relevant person's rights, and

(ii) the restriction of the relevant person's freedom of action,

(b) have due regard to the need to respect the right of the relevant person to dignity, bodily integrity, privacy, autonomy and control over his or her financial affairs and property,

(c) be proportionate to the significance and urgency of the matter the subject of the intervention, and

(d) be as limited in duration in so far as is practicable after taking into account the particular circumstances of the matter the subject of the intervention.

### **Autonomy**

Directly references the protection of the right to autonomy, dignity, bodily integrity, privacy and control over affairs and property. It also ensures that any intervention must be proportionate, time limited and least restrictive.

### **Safeguarding**

References that any intervention must be proportionate to the significance and urgency of the matter requiring intervention. Recognises the need for interventions as required.

# Will and Preferences of the Person (Section 8(7))

*The intervener, in making an intervention in respect of a relevant person, shall—*

*(a) permit, encourage and facilitate, in so far as is practicable, the relevant person to **participate**, or to improve his or her ability to participate, as fully as possible, in the intervention,*

*(b) give effect, in so far as is practicable, to the **past and present will and preferences** of the relevant person, in so far as that will and those preferences are reasonably ascertainable,*

*(c) take into account—*

*(i) the beliefs and values of the relevant person (in particular those expressed in writing), in so far as those beliefs and values are reasonably ascertainable, and*

*(ii) any other factors which the relevant person would be likely to consider if he or she were able to do so, in so far as those other factors are reasonably ascertainable,*

*(d) unless the intervener reasonably considers that it is not appropriate or practicable to do so, consider the views of—*

*(i) any person named by the relevant person as a person to be consulted on the matter concerned or any similar matter*

*(ii) any decision-making assistant, co-decision-maker, decision-making representative, attorney or attorney under the Act of 1996 for the relevant person,*

*(iv) a designated healthcare representative within the meaning of Part 8 for the relevant person, where the intervention relates to treatment and an advance healthcare directive within the meaning of Part 8 is applicable,*

*(e) act at all times in good faith and for the **benefit of the relevant person**, and*

*(f) consider all other circumstances of which he or she is aware and which it would be reasonable to regard as relevant.*

# Will and Preferences of the Person (Section 8(7)) Cont'd

<b>Autonomy</b>	<b>Safeguarding</b>
<p>Protection of autonomy because all support must permit, encourage and facilitate, in so far as is practicable, the person to participate in an intervention.</p> <p>In addition, the person's past and present will and preferences <b>shall</b> be given effect in so far as they are reasonably ascertainable and their beliefs and values are to be taken into account.</p>	<p>The intervener must act in good faith and consider all other circumstances of which they are aware and would be reasonable to regard as relevant.</p>

# Consider the views of others (Section 8(8))

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*The intervener, in making an intervention in respect of a relevant person, may consider the views of—*

- (a) any person engaged in caring for the relevant person,*
- (b) any person who has a bona fide interest in the welfare of the relevant person, or*
- (c) healthcare professionals.*

<b>Autonomy</b>	<b>Safeguarding</b>
The views of others with a bona fide interest in the person may be considered in respect of an intervention.	The views of people caring for the relevant person including healthcare professionals can be considered in the intervention.

# Likelihood of recovery and urgency (Section 8(9))

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*In the case of an intervention in respect of a person who lacks capacity, regard shall be had to—*

*(a) the likelihood of the recovery of the relevant person's capacity in respect of the matter concerned, and*

*(b) the urgency of making the intervention prior to such recovery.*

<b>Autonomy</b>	<b>Safeguarding</b>
Requires that before any intervention is made, that the likelihood of the relevant person recovering capacity would be considered and the urgency of making an intervention prior to recovery. This promotes autonomy.	Enables the safeguarding risk of intervention to be balanced in terms of urgency and necessity.

# Obtaining, using and storing relevant information (Section 8(10))

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*The intervener, in making an intervention in respect of a relevant person—*

- (a) shall not attempt to obtain relevant information that is not reasonably required for making a relevant decision,*
- (b) shall not use relevant information for a purpose other than in relation to a relevant decision, and*
- (c) shall take reasonable steps to ensure that relevant information—*
  - (i) is kept secure from unauthorised access, use or disclosure, and*
  - (ii) is safely disposed of when he or she believes it is no longer required.*

<b>Autonomy</b>	<b>Safeguarding</b>
Ensure respect for privacy and autonomy as any intervener is only entitled to information relevant to a decision and must ensure that information is kept secure.	The intervener can access information relevant to an intervention and can prevent others accessing information.



# The Voice of the Relevant Person

# Voice of the Person

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- **SECTION 139 OF THE ACT:**
- “Application under Part 5, 7 or 8 to be heard in presence of relevant person or persons concerned” unless the court is of the opinion that absence would not cause an injustice to relevant person.



# Hearing the Voice of the Relevant Person

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## ROLES OF THE PARTIES

IRISH JUDICIAL STUDIES JOURNAL

47

### THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015 IN THE COURTS: HEARING THE VOICE OF THE RELEVANT PERSON

*Authors: Mary Donnelly, Professor, Law School, University College Cork and Caoimbe Gleeson, Barrister-at-law and General Manager for the National Office for Human Rights and Equality Policy, Health Service Executive*

*Abstract: The Assisted Decision-Making (Capacity) Act 2015 (hereafter the 2015 Act) constitutes a decisive shift in legal responses to people whose capacity is in question, requiring greater support for decision-making, an amplification of the relevant person's voice, and increased respect for their will and preferences even if they are found to lack decision-making capacity. Although much of the operation of the 2015 Act happens outside of the courts, judicial proceedings also play a central role. This article is concerned with the role of the relevant person's voice in such proceedings. It identifies efforts being made by judges to ensure that the relevant person's voice is heard but also recognises some of the challenges that can arise in delivering on this. It identifies the need for further resourcing to support the voice requirements in the Act, including better access to independent advocacy, and for enhanced guidance for courts and legal practitioners.*

# In the Matter of AB and CD [2025 IECC 7]

AN CHÚIRT CHUARDA  
THE CIRCUIT COURT

DUBLIN CIRCUIT

COUNTY OF DUBLIN

RECORD NUMBER: 2024.0000328

IN THE MATTER OF PART 5 OF THE ASSISTED DECISION-MAKING  
(CAPACITY) ACT 2015, AS AMENDED

And In The Matter of AB

Relevant Person

-and-

A Residential Centre

Applicant

-and-

CD

Notice Party

Neutral Citation: [2025] IECC 7

Status: Approved

Date of Delivery: 4 November 2025

Delivered by: His Honour Judge Geoffrey Shannon SC

## 30. Voice of the Relevant Person and the Notice Party

- 30.1 During the hearing, the Court took the opportunity to speak privately and informally with the Relevant Person and the Notice Party with the consent and approval of the legal teams for the Applicant, the Relevant Person and the Notice Party. This engagement was conducted in the courtroom, with only the Registrar, Judicial Assistant, stenographer, and each party's support advocate present. The purpose of this conversation was not to receive sworn testimony or formal evidence, but rather to hear directly from the individuals most affected by the proceedings, in a manner that was respectful, accessible, and pressure-free.
- 30.2 The Court does not propose to comment on the content of those conversations in this judgment. However, it wishes to record that the opportunity to speak directly with both parties was of significant benefit. The Court found the interaction to be enriching and illuminating, providing a deeper appreciation of the parties' perspectives, their longstanding relationship, and the sincerity of their expressed will and preference to marry. While the parties' wishes had been consistently documented throughout the proceedings, hearing them articulated directly and freely added a valuable dimension to the Court's understanding.
- 30.3 The Court considers that such engagement is not only beneficial but also consistent with its implied duties under sections 8 and 139 of the 2015 Act. These sections provide that, in performing any function under the 2015 Act, the Court shall have regard to the need to encourage the participation of the relevant person in the decision-making process and give effect to their will and preferences insofar as practicable. In circumstances where the Relevant Person and the Notice Party are both vulnerable adults, the Court was satisfied that it was both appropriate and necessary to hear from them directly, and that doing so fulfilled the spirit and purpose of the statutory framework.

# In the Matter of JD [2025] IECC 1

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AN CHÚIRT CHUARDA

THE CIRCUIT COURT

DUBLIN CIRCUIT

COUNTY OF CITY OF DUBLIN

Record Number: 2024.DUBL.ADMC/0000306

Neutral Citation: [2025] IECC 1

IN THE MATTER OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015

AND IN THE MATTER OF JD

CAPACITY APPLICATION

PART 5 OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015

Re JD

Decision of His Honour Judge John O'Connor dated the 12<sup>th</sup> February 2025

8.2 From a Judge's point of view, the attendance of the Relevant Person, either in person or by video link gives a context that can improve the decision-making process. However, there are circumstances such as in this case where the Relevant Person does not wish to attend Court. In these circumstances the Court will in so far as possible strive to get the voice of the Relevant Person whether through an advocate or as in the case at hand, a lawyer with specialist knowledge of capacity interventions. This Court therefore dispensed with the requirement for the Relevant Person to attend the hearing on the grounds that his lack of attendance would not cause an injustice to him as his voice was represented throughout the proceedings by an independent specialist solicitor.

# In the Matter of AB [2024] IECC 16

AN CHÚIRT CHUARDA

THE CIRCUIT COURT

DUBLIN CIRCUIT

COUNTY OF CITY OF DUBLIN

Record Number: 2024.DUBL.ADMC/0000165

Neutral Citation: [2024] IECC 16

IN THE MATTER OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015  
AND IN THE MATTER OF

AB

CAPACITY APPLICATION

PART 5 OF THE ASSISTED DECISION-MAKING (CAPACITY) ACT 2015

Application of CD and

EW



03 Dec 2024 MENTAL CAPACITY

PRINT

## AB ruling clarifies rights-based principles of 2015 act

The *Assisted Decision Making (Capacity) Act 2015* was a long time in the making, write solicitor *Trish Hynes* of *FitzGerald Legal and Advisory*, and Dr *Joanna Ralston* BL.

# In the Matter of Joan Doe

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AN CHÚIRT CHUARDA  
THE CIRCUIT COURT  
DUBLIN CIRCUIT COUNTY OF THE CITY OF DUBLIN  
Record Number: 2023.DUBL.ADMC/0000002  
IN THE MATTER OF PART 5 OF THE ASSISTED DECISION-MAKING  
(CAPACITY) ACT 2015, AS AMENDED AND IN THE MATTER OF THE  
RELEVANT PERSON, JOAN DOE

Between:

JOAN DOE RELEVANT PERSON  
-and-  
HEALTH SERVICE EXECUTIVE APPLICANT  
-and-  
JOHN DOE NOTICE PARTY

Judgment of His Honour Judge John O'Connor delivered on the 8<sup>th</sup> day of December 2023

6.7 The court dispensed of the requirement for the Relevant Person to attend the hearing on the grounds that her lack of attendance would not cause an injustice to her as her voice was represented throughout by an independent solicitor.

6.8 The court also notes the guidance in the recent decision of Hyland J. in the case of *In the Matter of KK* [2023] IEHC 565, specifically that:

*“a court should ensure that the views of the person themselves have been heard. This is not precisely the same as representation. A person whose capacity is in question is often already disadvantaged in their communications with the world and needs a clear pathway in the context of court proceedings to be heard in relation to their wishes and preferences. The ADMCA has provided this pathway by the legislative provisions identified above.*

*As to how a person’s views and wishes are heard will be a matter for the Court depending on the circumstances.”*

6.11 While the court is mindful of the fact that the right to have a voice heard and respect the will and preference of the Relevant Person, it is not the only consideration. The court must also consider the issues of vulnerability and how that can be best dealt with.



# Identifying risk and sharing responsibilities

# Research in the Area

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**Identifying RISKS**

**Sharing RESPONSIBILITIES**

The Case for a Comprehensive Approach  
to Safeguarding Vulnerable Adults



# Positive Risk Taking / Risk Enablement



Pay      Pensions and Retirement      Leave

[Staff](#) > [Training and development](#) > [Safeguarding Adults at Risk of Abuse training](#)

## Making Safeguarding Personal Toolkit

Making Safeguarding Personal (MSP) puts safeguarding process. It considers their views giving them control over the process. This is about improving quality of life, wellbeing, and safety.



Practice Tool 9  
**Risk Enablement**

Risk enablement is a key skill for practitioners in promoting wellbeing and achieving outcomes.

As an approach, risk enablement identifies a link between risk and enablement. Risk enablement recognises that taking carefully considered risks can enable individuals and help improve their wellbeing.  
*Positive risk taking is a way of working.*

An example of a risk enablement reference chart is detailed below.  
Additionally the National Safeguarding Office has produced a guidance document on risk enablement and it can be read here  
*Risk Considerations*

Practice Tool 9  
**Risk Enablement**



### Risk Enablement Chart

Identifying risk Key features of how risk is defined in positive risk taking.	Positive risk taking and Making Safeguarding Personal These shared features illustrate how positive risk taking and Making Safeguarding Personal complement one and other.	Positive risk taking in the wider context Examples of key areas of work that support a positive risk taking approach.	Legislation and guidance (adapted for an Irish context) Key areas of law and guidance in respect of risk enablement.
<ul style="list-style-type: none"> <li>- Integral to achieving many common outcomes-can be minimised but not eliminated.</li> <li>- Specific to circumstances of the individual.</li> <li>- Dynamic and, therefore, subject to change.</li> <li>- Intrinsicly linked to enablement.</li> </ul>	<ul style="list-style-type: none"> <li>- The approach to risk is rights based.</li> <li>- People using services are kept well informed.</li> <li>- Communication is adapted to individuals.</li> <li>- The wishes of people using services are at the heart of decisions.</li> <li>- The strengths of the individual are identified.</li> <li>- Decisions are balanced.</li> <li>- Reasoning is demonstrable.</li> <li>- Decisions are regularly reviewed.</li> <li>- Practitioners are reflective.</li> <li>- Practitioners are</li> </ul>	<ul style="list-style-type: none"> <li>- Identifying the strengths of the individual.</li> <li>- Utilising assets in the community.</li> <li>- Understanding the role of independent advocates.</li> <li>- Working collaboratively with other agencies.</li> </ul>	<ul style="list-style-type: none"> <li>- Safeguarding Vulnerable Persons at Risk of Abuse National Policy &amp; Procedures, 2014</li> <li>- Assisted Decision-Making (Capacity) Act 2015</li> <li>- National Standards for Adult Safeguarding, 2019 (Health Information and Quality Authority/ Mental Health Commission)</li> </ul>

# HIQA and Positive Risk Taking

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**Applying a Human Rights-based Approach in Health and Social Care: Putting national standards into practice**

**Module 4:  
Positive risk-taking**

Let's begin



# Themes Arising in Casework

# Common Issues Arising

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Deprivation of  
Liberty

Coercion

Theft/Fraud

Financial  
Abuse

Domestic  
Violence

# Deprivation of Liberty

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- Article 40 of the Irish Constitution- Personal Rights, explicitly recognised right to liberty
- **Deprivation of liberty** occurs where a person is detained without lawful authorisation
- Part 10 of the ADMCA 2015
- Section 4(5) inserted by the ADMCA (Capacity) (Amendment) Act 2022



# Financial Abuse

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HSE National Safeguarding Office Report 2023- one of the most frequently reported types of abuse.

HSE Safeguarding and Protection Team

An Garda Síochána

Vulnerable Customer Care teams in Banks

# Coercion/ Coercive Control

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- Detaining a person at home.
- Restricting a person's movements.
- Constant monitoring of a person's whereabouts.
- Preventing contact with family or friends.
- Excessive contact via the phone, email, or social media.
- Keeping a person's phone from them.
- Controlling money or medical care.
- Imposing and making decisions on someone's behalf.
- Ongoing undermining of a person's independence.
- Shortcomings in the Domestic Violence Act 2018
- Civil Restraining Order

# Theft/Fraud

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- Petty theft of possessions,
- Use of resources without permission (utilities, food, property)
- Pension being stolen/ redirected
- Telemarketing fraud/ manipulative on-line and other scams
- Forgery of signature
- External or family/caregiver
- Criminal Law (Theft and Fraud Offences) Act 2001

# Domestic Violence

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- Domestic abuse encompasses physical, psychological, coercive and financial harm
- Non-Fatal Offences Against the Person Act 1997
- Section 40 of the Domestic Violence Act 2018, if any offence is committed against an intimate partner or spouse/civil partner, the court **must** treat that relationship as an aggravating factor, for the purpose of determining the sentence
- The Victims Charter



# Collaboration and Effective Co-Working

# Key Actors in Safeguarding

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HSE Safeguarding and Protection Teams

An Garda Síochana

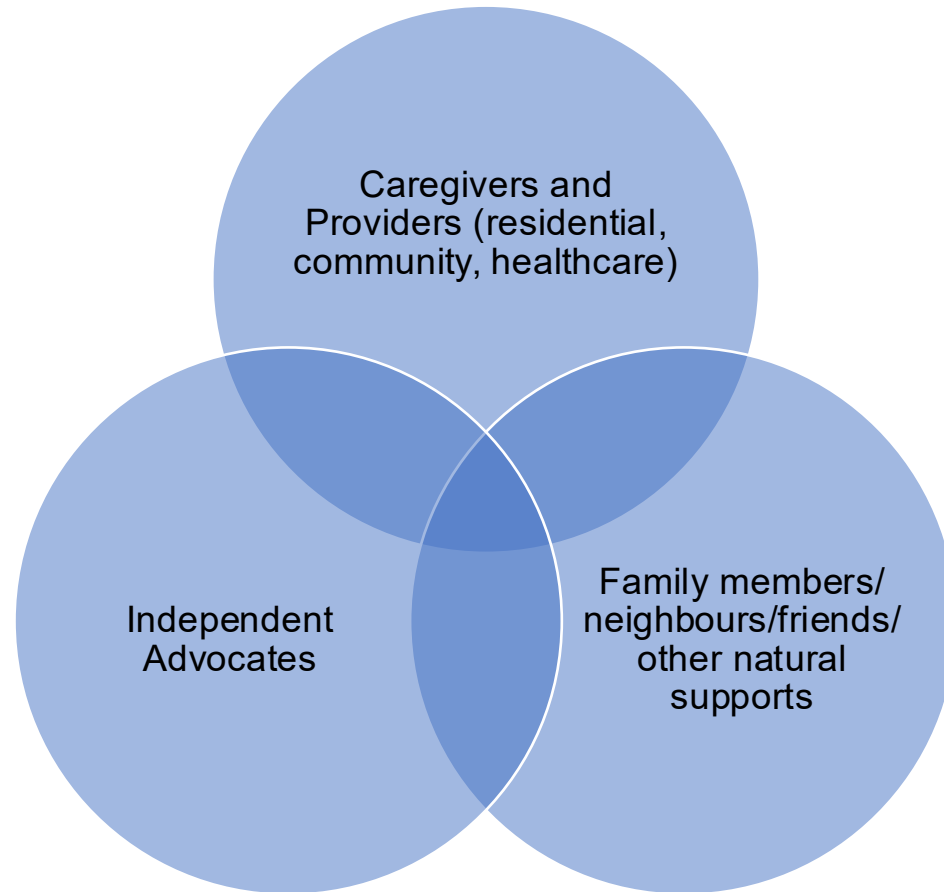
Health and Social Care workers- institutional and community settings

Department of Social Protection- Safeguarding Unit

Financial Institutions- Vulnerable Customer Unit

# Safeguarding Roles

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# Solicitors

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Detect clients who are vulnerable to abuse/ safeguarding concerns

Solicitor for the Applicants- Referral

Legal Aid Board- Relevant Person



# Statutory Gaps

# What needs to change?

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Legislative and Policy Reform

Rights-based Safeguarding Framework

Specific Protection of Liberty legislation

# Safeguarding Legislation



Roinn an Taoisigh  
Department of the Taoiseach

## Government Legislation Programme Summer 2026



COIMISIÚN UM  
ATHCHÓIRIÚ AN DLÍ  
LAW REFORM  
COMMISSION

### REPORT

## A REGULATORY FRAMEWORK FOR ADULT SAFEGUARDING

<b>Protection of Liberty Safeguards Bill</b>	To provide procedural safeguards to ensure that people who cannot consent to their care arrangements in relevant facilities are not unlawfully deprived of their liberty.All	Work is ongoing.
<b>Health (Adult Safeguarding) Bill</b>	To underpin a planned national policy on adult safeguarding in the health and social care sector.	Work is ongoing.

# Other Legislation



## The Victims Charter

[Support and Reporting](#) / [The Courts Stage](#) / [The Post-Trial Stage](#) / [Rights & the Law](#)

## Criminal Justice (Withholding of Information on Offences against Children or Vulnerable Persons) Act 2012

View by Section | View Full Act | Bill History | Commencement, Amendments, SIs made under the Act | Revised Act | Open PDF | Print

Previous Section | Next Section | Print

Number 24 of 2012

CRIMINAL JUSTICE (WITHHOLDING OF INFORMATION ON OFFENCES AGAINST CHILDREN AND VULNERABLE PERSONS) ACT 2012

ARRANGEMENT OF SECTIONS

Previous Section

SCHEDULE 2  
Offences against vulnerable persons for purposes of offence under [section 3](#)

[Section 3](#).

1. Common law offence of false imprisonment.
2. Rape.
3. Rape under [section 4](#) of the [Criminal Law \(Rape\) \(Amendment\) Act 1990](#).
4. Sexual assault.
5. Aggravated sexual assault within the meaning of [section 3](#) of the [Criminal Law \(Rape\) \(Amendment\) Act 1990](#).
6. An offence under [section 1](#) of the [Punishment of Incest Act 1908](#) (incest by males).
7. An offence under [section 2](#) of the [Punishment of Incest Act 1908](#) (incest by females of or over 17 years of age).
8. An offence under either of the following provisions of the [Criminal Law \(Sexual Offences\) Act 1993](#) —

# Adult Safeguarding Policy

## Safeguarding Vulnerable Persons at Risk of Abuse National Policy & Procedures

Incorporating Services  
for Elder Abuse and for  
Persons with a Disability



# New Framework- December 2025

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Rialtas na hÉireann  
Government of Ireland

## National Policy Framework for Adult Safeguarding in the Health and Social Care Sector



Department of Health

### Major scope extension

The policy framework will apply to all health and social care services, whether provided by public, voluntary or private bodies. This represents a significantly expanded scope compared to the existing HSE policy. Subsequent legislation will also apply across the full sector.

### Autonomy

Respect for an individual's autonomy is a cornerstone of the policy framework. The provisions of the Assisted Decision-Making (Capacity) Act 2015, including its Guiding Principles, must be central to all adult safeguarding considerations. The policy framework sets out how the autonomy of adults at risk and their right to make decisions about their own lives must be proactively respected and supported. This includes engaging with the person, seeking consent, providing accessible information, tailoring communication, facilitating access to decision-making supports under the Assisted Decision-Making (Capacity) Act 2015 and facilitating access to advocacy supports if required.



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