Assisted Decision-Making (Capacity) Act 2015:

Decision Support Service: update since commencement

HSE Webinar 14.06.23

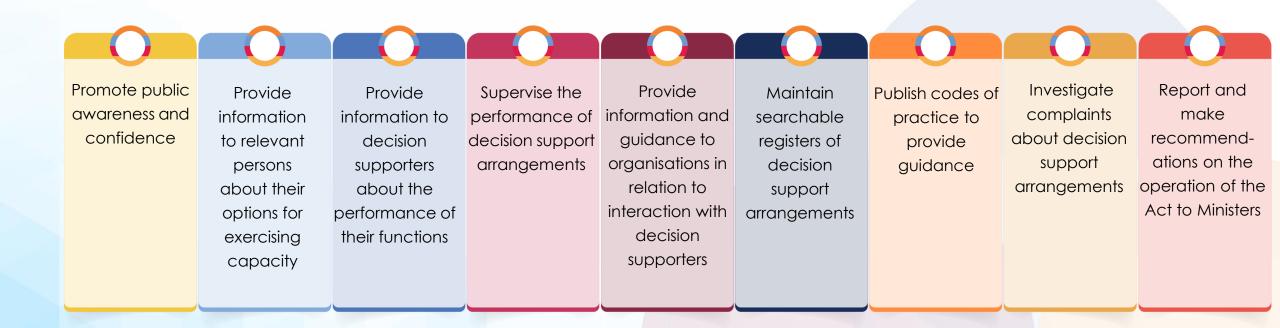
Áine Flynn Director of the Decision Support Service





Decision Support Service (DSS)

Functions include:



DSS Director

DSS Panels



Recruitment, training of panel members.

Assigning cases to panel members. Forwarding panel nominees to the court on request.

Managing payment of panel members.

DSS Panels:

- Special Visitor
- General Visitor
- DMRs

Registration



Supporting the creation decision support arrangements

Receipt of notified decision making assistance agreements.

Review (including consideration of objections) and registration/ acceptance of notification of co-decision making arrangements and enduring powers of attorneys.

Registration of decisionmaking representation orders received from court. Maintaining and controlling access to a searchable registers

Supervision



Supervise compliance of decision supporters, representatives and attorneys in the performance of their function, and if needed, reviewing applications to court.

Receipt and review of annual reports (CDMAs, DMRs, attorneys).

Receipts and review of 3 month reports and annual accounts (CDMAs, DMRs, and attorneys).

Formal review of CDMAs under section 26.

Requesting and managing supervision visits by special and general visitors.

Complaints & Investigations



Handling complaints regarding appointed decision-supports and active decision-support arrangements.

Investigating complaints with assistance from special and general visitors as required.

Director has powers to investigate a complaint, including own-initiative investigations, the ability to summon witnesses and to seek Temporary Prohibition Orders from the court while an investigation is ongoing.

Escalation of complaints to court for determination as appropriate following investigation

Operations



Business operations, ICT, administration.

Includes Information and Support Services Team, providing information and assistance around all general queries and feedback (emails, phone calls, letters).

Will escalate complex queries or specific feedback to appropriate teams.



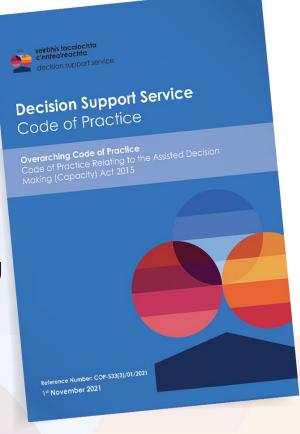


Codes of Practice

13 codes of practice published with approval of Ministers prior to commencement

Including:

- general guidance code on supporting decision-making and assessing capacity
- guidance for healthcare professionals
- guidance in relation to advance healthcare directives
- codes have been published with Ministerial approval
- available on DSS website with other guidance material and links to vignettes





Calls, queries and accounts created (up to 8.06.23)

Total inbound calls handled: 1928

Total emails handled: 1369

Total emails handled by Information Services: 1145

Accounts created: 1109

Accounts fully verified: 452

Total contacts verified by MyGovID: 436

Total accounts manually verified: 18



Contact age distribution

18-29 - 4%

30-44 - 24%

45-59 - 29%

60-74 - 24%

75+ - 19%

Applications to DSS Registrations (up to 8.06.23)

Calls to DSS Registrations handled since launch: 1,065 (approx.)

No. of applications initiated in the DSS Portal:

•Total:	486
 decision-making assistance agreement: 	40
co-decision-making agreement:	30
enduring power of attorney:	419

Allowing for statutory timelines/ objections etc. no arrangements have been formally registered yet

No. of actively progressing applications:

•Total:	177
 decision-making assistance agreement: 	10
co-decision-making agreement:	13
enduring power of attorney:	154



Advance healthcare directives



- Minister for Health has approved a template advance healthcare directive to provide guidance.
 - will be published on DSS website
- Minister for Health may make regulations to provide for a register of advance healthcare directive
 - regulations have not been made yet
 - an advance healthcare directive does not require registration to be valid

DSS Communications and Information

- Information and guidance materials on DSS website:
 - Recorded presentations
 - How-to guides
 - Explainer videos
 - Step by step guides to using DSS ICT system
 - Frequently asked questions
 - Easy read introduction to the 2015 Act and role of the DSS



- Public information campaign across all media platforms commenced mid-May
- DSS information services team answering calls and emails
- Diverse stakeholder engagement is continuous
- Collaboration with HSE on training, register access and engagement with HSE ADM Leads



Thank You



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This presentation is intended as an overview of certain parts of the Assisted Decision-Making (Capacity)

Act 2015 and related matters and should not be relied on as legal advice or opinion

