

Preliminary Programme

National Conference

Assisted Decision Making- Challenges and Opportunities for health and social care professionals

February 22nd 2016

Hogan Suite, Croke Park, Dublin

10.00 a.m. – 4.00 p.m.

Background:

The Assisted Decision Making (Capacity) Act was passed by the Oireachtas on Thursday 17 December 2015. This Act applies to everyone and has relevance for all health and social care services.

Key features of the Assisted Decision Making (Capacity) Act:

- It applies to everyone and to all health and social care settings.
- It provides for the individual's right of autonomy and self-determination to be respected through an Enduring Power of Attorney and an Advance Healthcare Directive – made when a person has capacity to come into effect when they may lack decision-making capacity.
- It provides for legally recognised decision-makers to support a person maximise their decision making powers.
- It places a legal requirement on service providers to comprehensively enable a person make a decision through the provision of a range of supports and information appropriate to their condition.
- It abolishes the Wards of Court system.
- It provides for a review of all existing wards to either discharge them fully or to transition those who still need assistance to the new structure.
- It repeals the Lunacy regulations governing the Ward of Court system.

- It establishes a Decision Support Service with clearly defined functions which will include the promotion of public awareness relating to the exercise of capacity by persons who may require assistance in exercising their capacity.
- The Director of the Decision Support Service will have the power to investigate complaints in relation to any action by a decision-maker in relation to their functions as such decision-maker.

Health and Social Care context:

The Assisted Decision Making (Capacity) Act will have significant implications for health and social care providers in the provision of safe person-centred care based on respecting the individual rights of each person. In response to these implications the HSE is establishing a National Assisted Decision Making Steering Group to develop a programmatic response to the legislation to ensure effective compliance and implementation. This group will be established by the end of January 2016 and will be supported by an Independent Chair. One of the principle roles of this steering group is to develop a code of practice applicable to the health and social care context and to input into the development **of other codes** through the Decision Support Service (a new service to be established under the Act) and Department of Health. Other roles include:

- The development of an Assisted Decision Making (ADM) education and training implementation plan for health and social care services
- The development of an ADM information and communications plan for health and social care services
- The development of an Advanced Healthcare Directive Implementation plan for health and social care services

Conference 2016

A conference is being organised through the HSE Quality Improvement Division on February 22nd 2016 in Croke Park, Dublin to create an awareness of the Act, its implications, challenges and opportunities for health and social care professionals. The Conference is aimed at managers and staff who are involved in planning, managing or delivering services to patients, service users or clients across health and social care settings. This Conference brings together key Irish and UK

experts to inform staff and managers about the legislation and to explore the impact this Act will have on current practice.

Conference Details:

The following is a draft outline of the day:

- 10.00 a.m. Welcome, Opening statement, Chair of morning session- Dr. Philip Crowley, HSE National Director, Quality Improvement Division
- 10.10 a.m. Opening Address- (To be confirmed)
- 10.20 a.m. Key note speaker- Ms. Patricia Rickard-Clarke, Solicitor, Former Law Reform Commissioner and Chair of the National Advisory Committee of Sage (Support and Advocacy for Older People)
- 11.20 a.m. Questions
- 11.35 a.m. Coffee break
- 11.50 a.m. Key note speaker- Dr. Siobhán O’Sullivan, Chief Bioethics Officer, Department of Health
- 12.15 p.m. Questions
- 12.30 p.m. Implications of the legislation for service users, service providers and families- perspectives (speakers to be confirmed).
- 12.50 p.m. Questions, Comments
- 1.00 p.m. Dr. Philip Crowley- Closing remarks
- 1.05 p.m.- 2.00 p.m. Lunch
- 2.00 p.m. Opening remarks- Ms. Justice Catherine McGuinness, retired Judge of the Supreme Court of Ireland and Chair of the Forum on End of Life of the Irish Hospice Foundation

- 2.10 p.m. Key note speaker- The Hon. Mr. Justice Baker, Judge of the High Court of Justice (Family Division) England and Wales
- 3.00 p.m. Panel Discussion and questions from the floor with Ms. Patricia Rickard-Clarke, Dr. Siobhán O’Sullivan, The Hon. Mr. Justice Baker facilitated by Ms. Justice Catherine McGuinness (other contributors to be confirmed))
- 3.50 p.m. Closing remarks- Ms. Justice Catherine McGuinness
- 4.00 p.m. Close