



National Policy on Adult Safeguarding in the Health Sector Department of Health Progress Report to Steering Group 15 May 2019

Progress since previous meeting – 27 March 2019

- Follow-up actions re 2nd Steering Group meeting (27 Mar) incl:
 - Discussion paper for mtg 3 (*Consultation Strategy*) prepared and circulated to SG.
 - Arranged for Ginny Hanrahan to make presentation to mtg 3 on professional regulation issues
- Met Law Reform Commission 8 April
 - Confirmed Government approval to include project on “A Regulatory Framework for Adult Safeguarding” (project description attached) in LRC’s upcoming Fifth Programme
 - Good meeting: agreed to continue to liaise and collaborate
 - Official announcement of LRC Fifth Programme expected at end-May [date tbc]
- Service user focus group research project (consultation with most affected stakeholders):
 - IPH research proposal / methodology & related documentation submitted to Ethics Committee
 - First meeting of Ethics Committee (15 April)
 - Legal adviser (Mary Kirwan) appointed to Ethics Committee on a pro-bono basis
 - Ongoing liaison with Institute of Public Health following up on Ethics Committee comments
- Established internal DOH cross-divisional Adult Safeguarding Policy Development Support Group
 - First meeting 29 April.
 - Unit/Division representation from: SFOP, Mental Health, Disability/Social Care Integration, CMO/NPSO, Acute Care, Primary Care, Nursing Policy.
 - Anne Bursnell (Nursing Policy) to attend Meeting 3 of Steering Group.
- Met DOH Research Support Unit 1 May
- Adult Safeguarding webpage launched 15 May <https://health.gov.ie/adult-safeguarding/>
 - Portal page only so far (see attached)
 - Links will go “live” & SG documents will be posted in coming days)



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Adult Safeguarding in the Health Sector



The safety and protection of all adults who may be at risk of harm or abuse is an important priority for the Government. A framework of policies and procedures for the safeguarding of adults who may be at risk of abuse, harm and exploitation within the health sector is in place, and further measures are being developed to strengthen this framework.



In December 2017 the Government approved the development of a national adult safeguarding policy for the health sector. The policy will apply across the wide spectrum of the health sector, i.e. in the public, private and voluntary sectors. The development of this policy is under way, assisted by a Steering Group which will continue its work throughout 2019. It is expected that the national health sector policy, when developed and approved, will be the basis for appropriate underpinning legislation.



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2. A Regulatory Framework for Adult Safeguarding

In a *Seanad* debate on a Private Member's Bill, the *Adult Safeguarding Bill 2017*, the Minister for Health stated that the Government agreed that there was a need for an appropriate statutory framework for the safeguarding of vulnerable or at-risk adults. The Department of Health and a number of other bodies also made detailed submissions requesting the Commission to include this matter in the Fifth Programme.

The Commission has previously completed work in this general area, including the 2006 report¹ which recommended the replacement of the adult wardship system with legislation on adult capacity based on a functional test of capacity, largely reflected in the *Assisted Decision-Making (Capacity) Act 2013*.

In developing this project, the Commission will (taking account of any parallel work in this area) consider a range of matters, including:

- (a) co-ordination of any new proposed powers of existing or new bodies with other regulatory and oversight bodies, such as the Health Information and Quality Authority on health matters, the Central Bank on financial matters and the Department of Employment Affairs and Social Protection on social welfare matters;
- (b) powers of entry and inspection, in particular the question of being able to gain access not only to commercial premises but also to a private dwelling;
- (c) other powers, such as those recommended by the Commission in its 2018 report on *Regulatory Powers and Corporate Offences*;² and
- (d) access to sensitive data, including financial information.

¹ *Report on Vulnerable Adults and the Law (LRC 83-2006)*.

² *Report on Regulatory Powers and Corporate Offences (LRC 119-2018)*.