



Steering Group to assist the Department of Health in its development of a national policy on adult safeguarding in the health sector

Note of Meeting

Date	9 Oct 2019 (Meeting 5)
Location	Department of Health (DOH), Miesian Plaza, Dublin 2
Chair	Dr Kathleen MacLellan, DOH
Members in Attendance	Mr Deaglán Ó Briain, Department of Justice and Equality (DJE) Mr Niall Redmond, Services for Older People (DoH) Mr Pat Benson, Public interest representative Ms Cornelia Stuart, Asst National Director, Quality Assurance & Verification, HSE Ms Gráinne Morrissey, Department of Children & Youth Affairs (DCYA) Ms Ginny Hanrahan, CEO, CORU, Health and Social Care Regulatory Forum Mr James Gorman, General Manager, Patients' Private Property Accounts Central Unit, HSE Mr Tim Hanly, General Manager, National Safeguarding Office (NSO), HSE Ms Gráinne Griffin, Citizens Information Board (CIB), Public interest representative Mr Finbarr Colfer, Deputy Chief Inspector, HIQA (<i>alternate for Ms M Dunnion</i>)
Apologies	Dr Colette Bonner, Office of the Chief Medical Officer (DoH) Ms Mary Dunnion, Chief Inspector, Health Information & Quality Authority (HIQA) Ms Rosemary Smyth, Mental Health Commission (MHC) Superintendent Kevin Daly, Community Policing Bureau, An Garda Síochána (AGS), Mr JP Nolan, Head of Quality & Patient Safety Community Operations, HSE Ms Margaret Brennan, Head of Quality & Patient Safety, Acute Operations, HSE
Secretariat	Mr Conor Foy (Secretary), Services for Older People (DoH) Mr Cormac Fitzgerald, Services for Older People (DoH) Mr Ciarán Ó Maoileoin, Services for Older People DoH

1. Standing items

Note, Conflicts of Interest Policy

- The chair noted the following apologies
 - Supt Kevin Daly - An Garda Síochána
 - Ms Mary Dunnion - HIQA
 - Ms Rosemary Smyth - MHC
 - Mr JP Nolan - HSE
 - Ms Margaret Brennan - HSE
 - Dr Colette Bonner - DoH
- The Chair welcomed Deaglán Ó Briain as the new representative of the Department of Justice and Equality (replacing Ian Kelleher), and Finbarr Colfer (attending as an alternate for Mary Dunnion, HIQA)



- Correction of two typos in the previous note agreed:
 - a reference to Gráinne Morrissey being a CIB employee rather than a DCYA employee, and
 - deletion of bullet 1 under the "Other topics" heading on page 5 and replacement with: "On comparisons with Children First it was noted that the Children First Act provides for mandated reporting of child protection concerns to Tusla and for improved child protection arrangements in organisations providing services to children. However it is the Child Care Act 1991 that gives Tusla the duty to promote the welfare of children who are not receiving adequate care and protection and the necessary powers to take action."
- The Chair described the Conflicts of Interest Policy for new attendees and requested they liaise with the Secretariat in relation to signing a Declaration of Interests Form

2. Standing updates

HSE National Safeguarding Office update

- The HSE annual data report launch will be on 15 October at a HSE Adult Safeguarding (ASG) Seminar
- There is no new update in relation to the revised policy since the previous meeting
- The current policy remains in place until the implementation group begins its work on implementing the revised policy
- The HSE's National Safeguarding Office (NSO) is currently tendering for a software / web portal for case management and receiving notifications
- NSO will ensure that the product is "future proofed" and can be amended in case of policy change etc.
- Following introduction of the web portal it would still be possible to contact the Safeguarding and Protection Teams through traditional means

Department of Health project update

- DoH has initiated a tender process to commission a research paper to inform policy development which would conclude at the end of October
- Ethical approval for focus groups with adults at risk had been granted by a Department of Health Ethics Committee that had been formed for this purpose.
- The Minister formally approved HIQA and the Mental Health Commission's joint national adult safeguarding standards on 4 October. The Chair recognised and expressed the Department's appreciation of HIQA and the MHC's work on this important initiative, as well as the work of all involved.
- Invitations have issued to stakeholders for a stakeholder engagement workshop organised by DoH scheduled for 23 October.
- A meeting with DCYA was held to discuss lessons that may be learned by DoH from the process of child safeguarding policy and legislation
- A fact-finding meeting was held with Northern Ireland adult safeguarding colleagues to facilitate mutual learning
 - It was noted by the Steering Group that the NI policy-based system was of interest, particularly in light of Children First, which operated on a policy basis successfully for several years
 - Sequencing of policy and legislation is an area of importance for ASG policy.



Justice & Equality sector update

- DJE is currently drafting heads of bill for the Community Policing Safety Bill which is expected to go to Government before the end of this year
- The Bill is expected to
 - recognise the role Gardaí have in preventing harm and gives Gardaí a role in community safety
 - define community safety
 - create a statutory requirement for other agencies to cooperate with Gardaí
- DJE is working on a Youth Justice strategy, which will take a preventative approach
- The strategy will require that a number of relevant sectors work together to progress youth justice
- DJE has formed a data research unit to determine how relevant data may be collected and how it can be used and exchanged to target interventions (including relevant issues beyond the justice and equality sector)
- The Chair requested a meeting with the data unit in question be arranged to include the DoH ASG team and the HSE National Safeguarding Office to discuss the exchange of data

3. Protection of Liberty Safeguards for the health sector

- A provisional title for the legislation is the 'Protection of Liberty Safeguards'
- The Protection of Liberty Safeguards are required to meet Ireland's obligations under the UN Convention on the Rights of Persons with Disabilities (CRPD)
- There are a number of different approaches to this issue in other jurisdictions and no single standard or "best practice" model exists
- This project is part of a wider move to a functional determination of capacity
- The scope of the legislation and policy relates to health and social care settings in which people habitually reside
- It is intended that authorisation for protection of liberty safeguards will happen within a health rather than a court setting

Discussion:

- Restrictive practices in communal living settings were discussed
- In relation to restrictive practices, these should be least intrusive and reviewed regularly
- The implementation of the safeguards may result in some unintended consequences, and guidance will play an important role
- The Protection of liberty safeguards relate to a person's continuing care within a setting

4. Interaction between health sector structures associated with adult safeguarding

- GH is bringing details to the health and social care regulatory forum where adult safeguarding will be discussed at a meeting before the end of the year
- The Chair advised that she had written to HSE Steering Group Members (TH, JPN, CS, MB) asking them to liaise together to develop a paper relating to integration between the various HSE policies and sections in relation to ASG, as well as interactions with other agencies, and data sharing arrangements and issues, and asked the HSE for an update on progress in relation to this work
- HSE has begun internal mapping in relation to how the various HSE policies interact in relation to adult safeguarding



- Due to the breadth of work, completion could take some time, but a first outline could be ready soon
- The HSE requested a meeting with DoH in relation to discussing the details requested. The Chair requested the Secretariat arrange a meeting regarding this as soon as possible.

5. Inter-agency arrangements on adult safeguarding

- It may be useful to engage with the Justice & Equality sector in light of the current mapping work in relation to the implementation of the report of the Commission on the Future of Policing in Ireland.
- The concept of collaborative “handover” of safeguarding cases between agencies (as distinct from more of a “referral” mindset) with a view to ensuring that adult safeguarding concerns do not “fall between the gaps” in the process of transition of care or referrals/handovers from one agency/sector to the appropriate agency/sector was discussed
- A number of potential adult safeguarding scenarios relevant to more than one agency were discussed:
 - Transition from child protection services to adult health or social care services
 - Fraudulent diversion of social protection payments of an adult at risk who is a health and social care service recipient
 - Domestic violence against an adult at risk who is a health and social care service recipient.
- It was suggested that a person-based approach to mapping could be useful, e.g. mapping a person’s “service user journey” through various services, in the context of their experience following a potential adult safeguarding incident.
- The Chair noted the need for both a person-centred mapping of a service user’s journey as well as a wider, more analytical, comprehensive mapping exercise detailing all internal health sector inter-unit and interagency interfaces relevant to safeguarding issues and all relevant external interfaces with other sectors, and that a triangulated approach encompassing these types of analyses should be used to gain a fuller picture of the situation. The Chair requested that the Secretariat issue further guidance for the SG members participating in the mapping exercise.

6. AOB and actions


The Chair noted:

- An additional date for February was agreed to align with the delivery date of some of the research products which the Department has commissioned. The Department aims to have a draft policy outline to share with the Group at this meeting.
- The paper requested from the HSE and the meeting of the professional regulatory bodies is critical for the Steering Group’s and the Department’s next steps.
- Patricia Rickard Clarke, Chair, Safeguarding Ireland, will present at the next meeting.



Action	Deliverable(s)	Who
DoH to further review the list of invitees for ASG workshop on 23 October	Review of invitee list for workshops and addressing of any gaps	DoH
DoH / NSO to share National Safeguarding Office Annual Report 2018 with Steering Group once published by the HSE	National Safeguarding Office report shared with Steering Group	DoH / NSO
DoH to liaise with DJE regarding a meeting with DJE data research unit, to include HSE's NSO	Meeting with relevant DJE data research unit to include HSE	DoH/ DJE
Progress tabling of a discussion relating to adult safeguarding at a meeting of the Health and Social Care Regulatory Forum	Discussion relating to Adult Safeguarding at a forthcoming meeting of the Health and Social Care Regulatory Forum	Ginny Hanrahan
Relevant HSE members of SG to liaise in developing a report as requested by Chair	HSE paper regarding the following, in relation to adult safeguarding: <ul style="list-style-type: none">• Interaction and integration of relevant HSE frameworks and relevant divisions• Data sharing• Interagency working	Tim Hanly Cornelia Stuart Margaret Brennan JP Nolan
HSE and DoH to meet	HSE / DoH meeting in relation to HSE request for clarification on data sharing aspect of the requested paper	DoH Tim Hanly Cornelia Stuart Margaret Brennan JP Nolan
HSE members to present on report at next meeting	HSE presentation on paper / work package requested by Chair	Tim Hanly Cornelia Stuart Margaret Brennan JP Nolan
All Steering Group members to liaise with Secretariat / participate in mapping exercises (email will be sent to members)	Steering Group Member participation in mapping exercises as requested by Secretariat (email with further details will be sent to members)	All Steering Group Members
DoH to consider safeguarding team attendance at relevant coordination meetings relating to the implementation of the Future of Policing report alongside current DOH nominee	Consideration of ASG team's attendance at relevant coordination meetings relating to the implementation of the Future of Policing report alongside current DoH nominee	DoH
Additional Steering Group meeting to be arranged for February	Arrangements made for additional Steering Group Meeting	DoH

Approved by Chair:

Signature  Date: 22 November 2019