
		Risk Assessment Form Assisted Decision Making Capacity Act		
Ref: CF:005:05		RE: Assessment Form Assisted Decision Making Capacity Act		
Issue date:	May 2023	Revised Date:	04052023	
Author(s):	National Health & Safety Function			
Legislation	Under Section 19 of the Safety, Health and Welfare at Work Act, 2005 and associated Regulations, it is the duty of the employer to identify the hazards and assess the associated risks in the workplace. All risk assessments must be in writing and the necessary control measures to eliminate or minimise the risks documented and implemented.			
Note:¹	<p>Please note exposure to COVID-19 may present a health risk to staff and others at our places of work. It is essential that the latest public health advice is followed and suitable control measures identified and implemented to mitigate the risk of COVID-19 infection.</p> <p>When conducting risk assessments consideration should be paid to the risk presented and the means of avoiding and mitigating any such risk so far as is reasonably practicable.</p> <p>Where 2 metre worker separation cannot be ensured a specific activity risk assessment must be conducted and alternative protective measures must be put in place e.g. comprehensive hygiene measures, minimising the frequency and time staff are within 2 metres of each other, minimising the number of staff involved in the task, physical barriers, provision of face masks.</p> <p><i>It is responsibility of local management to implement any remedial actions identified.</i></p>			

¹ Please note this cover does not require printing for every Risk Assessment



General Risk Assessment Form

Division: Older Person's Services		Source of Risk: compliance with Assisted Decision Making (Capacity) Act 2015.		
HG/CHO/NAS/Function: CHO8		Primary Impact Category:		
Hospital Site/Service: The Village Residence		Risk Type: Rights		
Dept/Service Site: The Village Residence		Name of Risk Owner (BLOCKS): Michael McCaul		
Date of Assessment: 04052023		Signature of Risk Owner: <i>Michael McCaul</i>		
Unique ID No: ADA 1		Risk Co-Ordinator:		
		*Risk Assessor (s): Swapna Varghese Marie Butler Marie McBennett, Marie Butler, Jolly Varghese, Michael McCaul, Leenamma Varghese		
**HAZARD & RISK DESCRIPTION	EXISTING CONTROL MEASURES	ADDITIONAL CONTROLS REQUIRED	ACTION OWNER (i.e. the Person responsible for the action)	DUE DATE
Compliance with Assisted Decision Making (Capacity) Act 2015.	<ol style="list-style-type: none"> 1. Ensure that 9 principles are followed A. The first and most important principle is the presumption of capacity. This means it is assumed that everyone has capacity until proved otherwise. B. Support to Make Decisions – all practical steps should be taken, to help the person make the decision themselves 	<ol style="list-style-type: none"> 1. Least restrictive intervention 2. Listen attentively to a person 3. Recognise body language as a means of saying no 4. Ensure a resident is involved in the decision to move into residential services. 5. Ensure that a resident has access to information in a format and way that they can understand 6. Ensure that a person is facilitated and not restricted in relation to social aspects of care 7. Provide enhanced care and support for an individual 8. Ensure that residents have information in relation to making a complaint 	Swapna Varghese Marie Butler Michael S McCaul Jolly Varghese	01.05.2023



	<p>before treating them as unable to make the decision.</p> <p>C. Unwise Decisions –A person is not to be treated as unable to make a decision, merely because they make an unwise decision</p> <p>D. Intervene Only When Necessary – No action or intervention should be taken unless it is absolutely necessary</p> <p>E. Least Restrictive Approach – requires that an intervention in respect of person be made in a manner that minimises the restriction on their right and freedom of action and must respect the person’s right to dignity, bodily integrity, privacy and autonomy.</p>	<p>9. Ensure that residents have access to advocacy services in a format and way that they can understand</p> <p>10. Ensure that staff have access to Decision making support services through their manager</p> <p>11. Ensure that rights of residents are upheld</p> <p>12. Ensure that staff and managers are familiar with 5 different decision support arrangements</p> <p>Ensure that all staff are aware that A person lacks capacity if unable to:</p> <ol style="list-style-type: none"> 1. Understand 2. Retain 3. Weigh up information 4. Communicate a decision with appropriate assistance if necessary. <p>13. Support the Ward of Court system in an administrative capacity in ensuring residents can be supported in being removed from Ward of Court judgements</p> <ul style="list-style-type: none"> • 14. No other person, “next of kin” can give or refuse consent to a health or social care service on behalf of an adult person who lacks capacity to consent unless they have specific legal authority to do so. (HSE Consent Policy) 		
--	--	--	--	--



	<p>F. Will and Preferences – Everyone involved with the assisted decision-making process must give effect to the will and preferences of the person.</p> <p>7. Consider Views of Others – Consideration of the views of anyone engaged in caring for the person, who has a bona fide interest in the welfare of the person.</p> <p>G. Consider the Likelihood of Recovery – In order to emphasise the principle of “least restrictive approach”</p> <p>H. Use of Information – relevant information only should be</p>			
--	--	--	--	--



			obtained from a person and use the information only for the purpose of making the action/intervention. Ensure that a person is able to retain information A person is entitled to make a decision about a particular topic or subject at a particular time Staff don't have to like the decision Staff may think the decision is wrong Staff may think that the decision being made could harm the person However these are the decisions at that time A decision is subject to change					
INITIAL RISK			Risk Status					
Likelihood	Impact	Initial Risk Rating	Open		Monitor		Closed	
3	3	9	Open					

*Risk Assessor to be recorded for OSH risks only.

**Where the risk being assessed relates to an OSH risk please ensure that the HAZARD and associated risk are recorded on the form. All other risk assessments require a risk description only.