

BROTHERS OF CHARITY SERVICES IRELAND

NATIONAL POLICY ON APPLICATIONS FOR SERVICE/SUPPORTS, TRANSFERS AND WITHDRAWAL OF SERVICES/SUPPORTS


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Ethos

'We are committed to working with people with an intellectual disability to claim their rightful place as valued citizens. Inclusion is a fundamental principle that underlies all aspects of our work. We believe in the intrinsic value of every person and we aim to further the dignity of all associated with our services.'

'We continue the Brothers of Charity Services' tradition of being open to the best contemporary influences. We want to be inspired by the most creative ideas ...and to ask how we give them concrete expression.'

The Brothers of Charity Services Ethos (2001), Going Forward Together.

1.0 Introduction

The Brothers of Charity Services Ireland endeavour to offer services/supports in local communities. This enables each person who is supported by our Services to positively engage in the social and economic life of their local towns and villages and in doing so, develop a range of relationships that enhance their quality of life.

Our responses are based on the recognition of each person (who is supported by our Service) as an individual, an equal citizen with equal rights and an absolute respect of that status. We, therefore, support each person to live their lives based on their own personal visions and choices, to identify and select their personal goals in life and to develop their personal plan to achieve those goals.

2.0 Policy Statement

The Brothers of Charity Services Ireland recognise the need for clear procedures governing services and supports and how they are accessed. We aim to support children and adults to make choices about the services and supports they require and receive. We are committed to provision of quality services, delivered in a respectful manner, that meet the needs of children and adults. We aim to clearly state the nature and duration of services/supports being offered and procedures for withdrawal of those services/supports when appropriate. We recognise the rights of a person to have a say and choice in where and with whom they live.

3.0 Purpose

The purpose of this policy is to provide clear information on the process the Services engage in when:

- responding to Applications for service/supports,
- considering the Transfer of individuals within Services, and
- pursuing the Withdrawal of service/supports to an individual.

The policy ensures that adults and children applying for services/supports receive the appropriate information on the eligibility criteria for such services/supports.

4.0 Scope

All Regional Services within the Brothers of Charity Services Ireland will adhere to this policy and process.

This Policy applies to adults/children who meet the eligibility criteria for services/supports, their families, GPs, Public Health Nurses, Schools and other agencies who make referrals.

5.0 Legislation/other related policies.

- Health Act 2007 (Care and Support of Residents in Designated Centres for Persons (Children and Adults) with Disabilities Regulations 2013
- GDPR - In order to fulfil its obligations as a Service Provider the Brothers of Charity Services Ireland is required to create and process records which hold both personal and sensitive data. These records are kept 'in confidence' and processed in strict accordance with the privacy and data protection rights of the individual. The BOCSI shares records only for the purpose of compliance with service delivery, health, and regulatory requirements. Data will be disclosed where required or authorised by law and in line with the General Data Protection Regulations.

6.0 Glossary of Terms and Definitions.

BOCSI	Brothers of Charity Services Ireland;
Individual	adults and children who are supported by our Services;
DoS	Director of Services.
AMT	Applications Management Team.
NASS	National Ability Supports System

7.0 Responsibilities

The Director of Services (DoS) (or an assigned Delegate of the DoS) and the Applications Management Team are responsible for the approval of applications, transfers and withdrawal of services/supports to individuals in their Service.

8.0 Principles governing applications for Service/Supports, Transfers and Withdrawal of Service/Supports

8.1 Each Regional Service will have an Applications for Service/Supports Transfer and Withdrawal of Service/Supports Procedure which clearly outlines:

8.1.1 The criteria for individuals to whom a service may be offered.

Consideration is given to:

- the supports requested by the applicant;
- the age range of applicants,
- the nature and degree of disability catered for; and,
- the geographic area served.

8.1.2 the process by which individuals are offered service/supports,

- 8.1.3 the process by which individuals are transferred between Services
 - 8.1.4 the process by which service/supports are withdrawn.
 - 8.1.5 the process by which individuals will be consulted in relation to their placement to ascertain their wishes.
- 8.2 Applications Management Team (AMT)**
- 8.2.1 Each Region will have an Applications Management Team the composition of which will include the Director of Services (or an assigned delegate of the DoS), and relevant Managers and multi-disciplinary personnel as are deemed appropriate.
 - 8.2.2 There should be a quorum of 3 – 7 members (depending on size of Service).
 - 8.2.3 The frequency of AMT meetings should be outlined in the procedure however, they should be at least quarterly.
- 8.3 All decisions in relation to applications for service/supports, transfer of an individual within Services or withdrawal of service/supports must be approved by the AMT.
- 8.4 As required by Regulation 24(1) (b) of the Health Act (2007) the AMT will take into account in their decision-making the need to protect residents from abuse from their peers.
- 8.5 The basis for decisions to offer services/supports or to transfer or withdraw a service response to an individual must be outlined.
- 8.6 The outcome of all decisions taken by the AMT will be recorded.
- 8.7 Following the AMT Meeting, formal notification must be made to the NASS and to the Health Service Executive regarding all offers of service/supports and proposals to withdraw service /supports. The person responsible in the Service for transmission of this information must be clearly indicated.
- 8.8 Before deciding on the allocation of a service/supports to a new applicant, the AMT will consider:
- 8.8.1 whether the Services have the resources to provide the required level of service/supports
 - 8.8.2 existing prioritised waiting list of applicants (if there is one)
 - 8.8.3 whether the approval of the HSE is required for the filling of a vacancy
 - 8.8.4 the compatibility of the individual with others in the house (in the case of residential service).
- 8.9 The will and preference of individuals will inform decisions taken in relation to the offering of placements.
- 8.10 The level of service and supports offered will be defined in an Individual Service Agreement with the individual. In the case of individuals living in designated centres the Service Agreement will include the information

required under Regulation 24(3) & (4) of the Health Act (2007) This information should be available in accessible format

- 8.11 Prior to acceptance of an offer of a placement the applicant should be offered an opportunity to visit the placement and meet staff and peers.
- 8.11.1 The arrangements for the transition of an individual within a residential service or to a new residential service will be carried out in consultation with the individual and all transitions occur in a timely manner with planned supports in place.
- 8.12 There may be circumstances which necessitate the emergency admission of an individual to a house and the normal transition planning cannot take place. The Services will in so far as possible ensure that the rights of the other residents to be consulted and involved in the decision about changes are respected.
- 8.13 **Withdrawal of a service/supports**
- 8.13.1 Decisions in relation to the withdrawal of service/supports to an individual must be approved by the DoS.
- 8.13.2 If withdrawal of a service/supports has wider policy implications then the matter should be brought to the attention of the Senior Management Team. The DoS and Senior Management Team must seek every opportunity to avoid withdrawing a service/supports that is in place.
- 8.13.3 The Services intention to withdraw services/support must be discussed with the Health Service Executive in advance.
- 8.13.4 The decision to withdraw services/supports must be determined:
- On the basis of transparent criteria,
 - In accordance with the individuals assessed needs,
 - Discussed, planned for and agreed with the individual and, where appropriate, with the individual's family and
 - Be in accordance with the terms and conditions in the Service Agreement
- 8.13.5 If a service must be withdrawn, the communication of the ending of the service/supports to the individual and family concerned must be handled with great sensitivity.
- 8.13.6 The Team may recommend **full** withdrawal of the service/supports when all efforts at remediation have failed.
- 8.13.7 Relevant and appropriate parties and agencies should be informed of the pending withdrawal, for example, the Health Service Executive, Gardaí, Probation Services, the Child Care Manager, and the Mental Health Services.
- 8.14 **Appeals Procedure**
- 8.14.1 If an individual is not satisfied with how the Service has responded to their application for a service, a transfer or the withdrawal of their service/supports they can choose to appeal the matter. OR

If an individual or individuals are unhappy with a decision taken by the AMT for example not happy about individual moving in to their house they may appeal the matter.

The local procedure will outline the process for appeals. However in general appeals should be sent, in writing, to the Director of Services.

- 8.14.2 If the appeal to the Director of Services fails, the decision may be appealed in writing to the Health Service Executive.
- 8.14.3 An appeal may also be made to the Ombudsman for Children or Adults.
- 8.15 It is recognised that in exceptional circumstances it may not always be advisable or possible to fulfil every element of the above stages. Reasons for policy deviations must be noted in writing and signed by the Director of Services.

9.0 Revision

This policy will be reviewed every three years or if necessary amended in the light of experience of its operation.

