

## WEST LIMERICK INDEPENDENT LIVING CLG

## Consent Policy

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| <b>Policy Reference</b> | WLILP17                                                                                                                                                                                                                                                           |
| <b>Category</b>         | Operational Policies — Clinical & Care Practice                                                                                                                                                                                                                   |
| <b>Version</b>          | 2.0 (citation precision, cross-references added)                                                                                                                                                                                                                  |
| <b>Status</b>           | APPROVED — by the Board of Directors on 9 October 2026                                                                                                                                                                                                            |
| <b>Supersedes</b>       | WLILP17 - Consent Policy (approved by the Manager, 19.03.2025)                                                                                                                                                                                                    |
| <b>Policy Owner</b>     | Board of Directors, West Limerick Independent Living CLG                                                                                                                                                                                                          |
| <b>Applies To</b>       | All WLIL staff and contractors who provide or coordinate services involving decision-making, care delivery, or access to personal information                                                                                                                     |
| <b>Related Policies</b> | WLILP7A - Data Protection Policy; WLILP8 - Safeguarding Vulnerable Persons at Risk of Abuse Policy; WLILP20 - Personal and Intimate Care Policy; WLILP39 - Digital Communications & Social Media Policy; WLILP47 - Confidentiality and Information Sharing Policy |
| <b>Review Cycle</b>     | Annually, or in response to legal or procedural changes                                                                                                                                                                                                           |

### 1. Purpose

To ensure all service users of West Limerick Independent Living CLG ("WLIL") give informed, voluntary, and supported consent, in accordance with the HSE National Consent Policy 2022 (updated to Version 1.2 in January 2024) and the Assisted Decision-Making (Capacity) Act 2015, as amended by the Assisted Decision-Making (Capacity) (Amendment) Act 2022 (both fully commenced 26 April 2023).

### 2. Scope

This policy applies to all WLIL staff and contractors who provide or coordinate services involving decision-making, care delivery, or access to personal information.

### 3. Legal and Ethical Framework

- Consent must be informed, voluntary, and given by a person with capacity
- Capacity is decision-specific and time-specific
- Every adult is presumed to have capacity unless proven otherwise
- Consent must not be sought or accepted under duress or coercion
- Consent is also a lawful basis for processing personal data under GDPR — see WLILP7A - Data Protection Policy

## 4. Supported Decision-Making

WLIL promotes supported decision-making by:

- Facilitating the use of Decision-Making Assistants, Co-Decision-Makers, or Decision-Making Representatives, where legally appointed under the Assisted Decision-Making (Capacity) Act 2015 and registered with the Decision Support Service
- Respecting the will and preference of the service user, even where this differs from professional advice
- Making all reasonable efforts to support a service user to make their own decisions

## 5. Accessible Communication

- Information must be provided in a format that is accessible to the individual (for example Easy-to-Read, verbal, visual, or translated)
- Communication must be tailored to the service user's needs and support their understanding

## 6. Obtaining and Recording Consent

- Consent must be obtained before starting or changing any service
- Consent must be based on clear, sufficient information
- Consent can be verbal or written, depending on the nature of the activity
- For routine care (for example personal care or hoisting), verbal or implied consent is acceptable if clearly communicated and acknowledged — see WLILP20 - Personal and Intimate Care Policy
- Only trained staff who are familiar with the care or intervention should seek consent
- All consent must be recorded in CarePlanner or the client file

## 7. Refusal or Withdrawal of Consent

- A person with capacity can refuse or withdraw consent at any time
- Refusal or withdrawal must be documented and respected
- Refusal does not imply incapacity

## 8. Remote Consent

- Consent obtained remotely (for example by phone) must be documented clearly
- Remote consent follows the same standards as in-person consent

## 9. Emergency Situations

- In emergencies, services may proceed to prevent serious harm or protect life
- The rationale must be recorded, and the service user informed as soon as possible

## 10. Safeguarding Intersection

Where a consent question also raises a concern about a service user's safety or welfare, staff should also refer to WLILP8 - Safeguarding Vulnerable Persons at Risk of Abuse Policy. A refusal of consent is not, by itself, a

safeguarding concern, but the reasons behind a refusal should be understood, particularly where they may indicate undue influence or coercion by another person.

## 11. Training and Oversight

- All relevant staff must complete training on consent and supported decision-making
- Issues relating to consent will be monitored and reviewed at Quality, Health, Safety and Ethics Sub-Committee meetings

## 12. Review

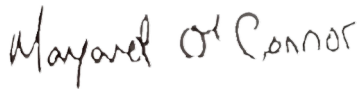
This policy will be reviewed annually, or in response to legal or procedural changes.

*This policy reflects the HSE National Consent Policy 2022 (Version 1.2, January 2024) and the Assisted Decision-Making (Capacity) Act 2015 as amended, checked as accurate as of drafting. It is not a substitute for legal or clinical advice.*

## Approval

**Approved by the Board of West Limerick Independent Living CLG on 9 October 2026.**

Signed on behalf of the Board, on its instruction, by the General Manager:



Margaret O'Brien O'Connor, General Manager

Date signed: 09-10-2026