

Decision-making and Consent

– Supporting Decision-making in the absence of a legal framework

HIQA Guidance for Designated Centres – Residents’ Finances

The HIQA guide says that where possible people who use residential services control their own financial affairs in accordance with their wishes. The person should be encouraged to manage the safekeeping, budgeting, investment, spending, and record keeping to the greatest extent possible.

Where the person wants or needs help, they may be supported for instance by managing funds on their behalf. HSE and HSE-funded services may hold residents’ money for safekeeping under the Health Repayment Scheme) Act 2006, in private property accounts. In doing this they must comply with all standards, regulations, policy, and guidance. The money must be kept safe and made available to residents to do with as they will.

In addition, money may be managed by a number of other legal mechanisms including power attorney, trustee managing an inheritance or settlement, for social welfare payments through an agent appointed to handle these payments, through ward of court or other legal mechanism.

Where the person lacks capacity and their finances are managed by someone outside the service the service should engage with them to ensure monies are used in the best interest of the person.

When money is managed on a person’s behalf there should be a written agreement, where possible with the person themselves, describing the service provided and the safeguards in place. All transactions should be recorded and periodically independently audited.

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<https://www.hiqa.ie/sites/default/files/2017-01/Guidance-on-residents-finances.pdf>
