

Unified Summary: Personal Support Planning (PSP) Reform and Safeguards for Persons with Disabilities

Compiled from:

- **PSP - Corected with UNCRPD**
- **Roadmap for European and Global Excellence in PSP**
- **Annex III: Safeguards for Persons with Mental Disabilities in Residential Care**
By Doninu (Malta) International

Vision & Objective

To transform the **Personal Support Plan (PSP)** into a **legally enforceable, person-centred, and rights-based framework** that ensures autonomy, dignity, and inclusion for persons with disabilities — making Malta a **European leader** in disability care, fully aligned with the **UN Convention on the Rights of Persons with Disabilities (UNCRPD)**.

Key Principles and Features of the Reformed PSP

1. Legal Capacity & Supported Decision-Making

- Individuals must be supported (not substituted) in making their own choices.
- Legal guardians have full authority when a person is legally deemed unable to decide.
- Providers must never override this role.

2. Rights in Residential Care

- Every person has the right to privacy, freedom of movement, relationships, lifestyle choices, and access to work/education.
- All PSPs must reflect these rights and be reviewed regularly.
- Residents can **request reviews at any time**, not just during scheduled ones.

3. Complaint & Oversight Mechanisms

- Must include **transparent, accessible, and independent** complaints processes.
- Regular audits by a **Human Rights Panel** (ombudsman, advocate, peer).
- The **CRPD** is the sole rights regulator — other bodies (e.g., CVO, SCSA) cannot intervene in personal care matters.

4. My Life, My Voice

- Each PSP includes a “**My Life Vision**” section led by the resident.
- PSPs must be **accessible in all formats**: pictorial, audio, sign language, etc.
- **Resident self-certification** is required for legal validity.

5. De-Institutionalisation

- The PSP must include plans for transitioning from institutional to **community-based, small-scale living**.
- Encourages autonomy, participation, and integration into society.

6. Cross-Border Innovation

- PSPs to be digitised, with QR/smart-access compatible across EU systems (e.g., EU Disability Card, EHRs).
- A proposed **European PSP Excellence Hub** to share best practices and train other countries.

Annex III: Safeguards for Persons with Mental Disabilities

Institutional Boundaries:

- **Legal Guardians**: have exclusive decision-making rights.
- **Agenzija Sapport**: handles individual care monitoring and reports only to CRPD.
- **CRPD**: investigates complaints, enforces rights, independent from political or NGO oversight.
- **SCSA**: limited to infrastructure safety; not personal rights.

- **CVO:** cannot interfere in personal care; oversees NGO admin only.
- **MIV:** strategic and funding role; no involvement in PSPs or resident matters.

Legal Coverage:

- Backed by:
 - **Disability Act (Cap. 413)**
 - **Assisted Decision-Making Act (Cap. 536)**
 - **GDPR & Data Protection Act**
 - **UNCRPD Articles 12, 14, 16, 22, 23, 33**

Violations & Consequences

Unlawful actions such as overriding guardians, sharing personal data, coercing residents, or institutional overreach may lead to:

- **Criminal or civil liability**
- **Breach of international treaty obligations**
- **UN investigations or complaints**

Final Outcome & Recommendation

Malta has the **legal framework and moral responsibility** to become a **European model of inclusive disability support**.

By adopting this unified PSP structure, with clear legal safeguards, independent oversight, and resident empowerment, the country can deliver:

- True **autonomy and dignity** to persons with disabilities
- **Legal clarity** and accountability for institutions
- Full compliance with the **UNCRPD and EU human rights law**

Chev.Jean Pierre Calleja
Leader / Founder
Doninu (Malta) International