

Board of Directors (In Public)

Item 2.3

Subject: Deprivation of Liberty Safeguards (DoLS) Update for Q3 22/23
Date of Meeting: Tuesday 7th February 2023
Presented by: Sue Pemberton - Director of Nursing and Quality
Purpose of Report: For Note

BAF Reference	Impact on BAF
BAF 1	Assurance regarding DoLS compliance

Level of assurance (please tick one) To be used when the content of the report provides evidence of assurance					
<input checked="" type="checkbox"/>	Acceptable assurance Controls are suitably designed, with evidence of them being consistently applied and effective in practice	<input type="checkbox"/>	Partial assurance Controls are still maturing – evidence shows that further action is required to improve their effectiveness	<input type="checkbox"/>	Low assurance Evidence indicates poor effectiveness of controls

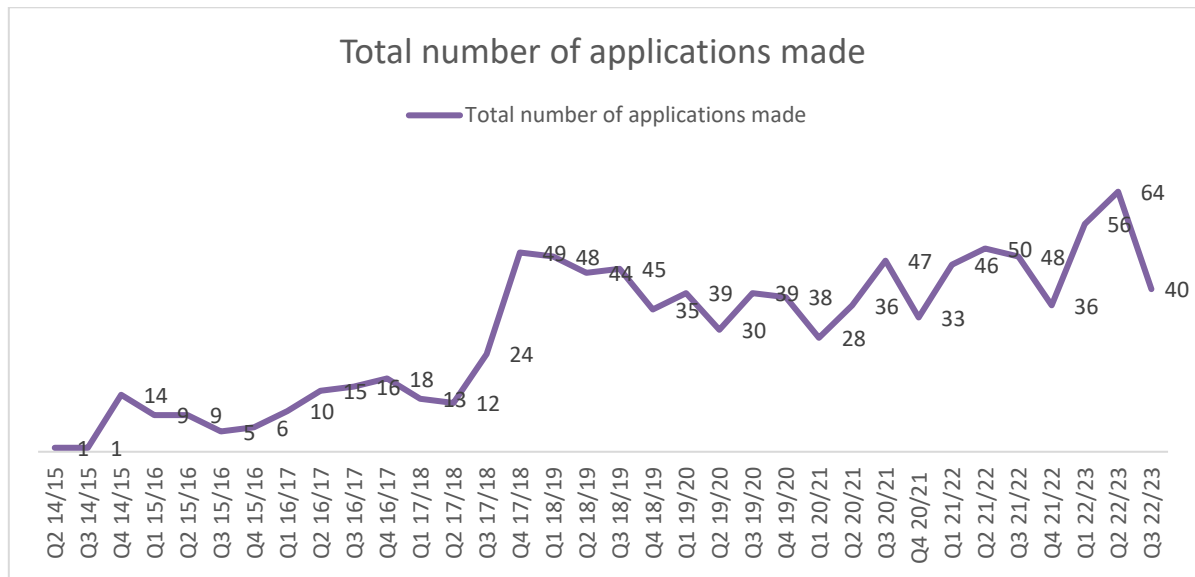
1. Executive Summary

The purpose of this paper is to update the Board of Directors on the number of applications made for Quarter 3 – 2022/23 in relation to the Deprivation of Liberty Safeguards (DoLS).

The Deprivation of Liberty Safeguards (DoLS) were introduced in 2009 (as an addendum to the Mental Capacity Act 2005 and a strong link to the Mental Health Act 2007). DoLS aim to prevent the unlawful detention of adults in hospitals and care settings who lack capacity to choose where they live and/or to consent to care and treatment. DoLS are compatible with Article 5 of the European Convention on Human Rights (the right to liberty and security of person).

For Q3 a total of 40 Deprivation of Liberty Applications have been received by the Safeguarding Team for 16 different local authorities across the catchment area. This is 38% decrease in applications received since the previous quarter.

2. Current Position



MCA Assessments and DoLS Applications – Q3 (2022/23)

For Q3 a total of 40 Deprivation of Liberty Applications have been received by the Safeguarding Team for 16 different local authorities across the catchment area. This is a 38% decrease in applications received since the previous quarter.

Of the total 40 applications received by the team, all were standard and urgent applications.

- In 1 case no decision was received from the local authority however the patient was treated under best interest principles.
- In 39 cases, the applications were reviewed, and the patients were assessed by the safeguarding team, but the applications were not sent. This was due to a number of reasons, either the patient's confusion had settled, the patient passed away, the patient met the criteria for a critical care patient and were to be managed under the best interest's principle and would be reviewed again once they were ready to be transferred to the ward or the patient was transferred or discharged.

MCA and DoLS Mandatory training is currently at 96% across the trust.

There are no new risks to be highlighted on this report; all applications are reviewed on an individual basis.

3. Recommendations

The Board of Directors are asked to note the numbers of applications made and assessments undertaken.

