

Board of Directors (In Public)

Item 2.6

Subject: Deprivation of Liberty Safeguard (DoLS) Annual Report
Date of Meeting: Tuesday 26th April 2022
Prepared by: Terri Marshall, Safeguarding Administrator/Risk Management Co-ordinator
Presented by: Sue Pemberton, Director of Nursing, Quality & Safety
Purpose of Report: For Note

BAF Reference	Impact on BAF
BAF 1	Assurance regarding DoLS applications and assessments.

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
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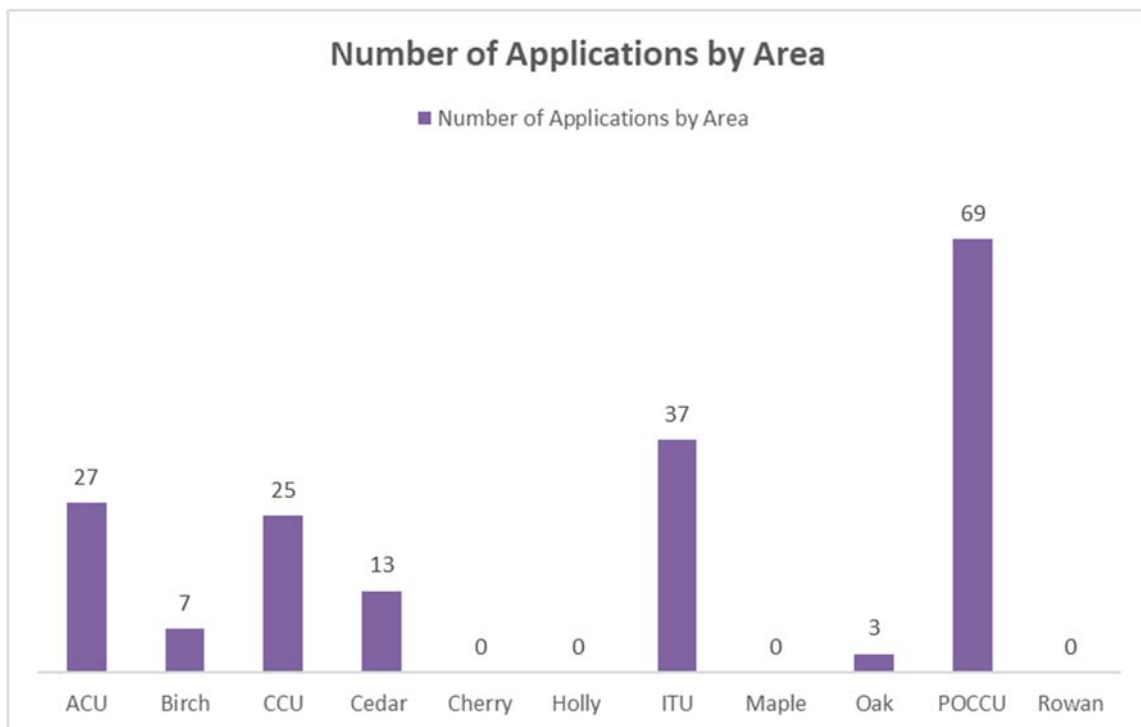
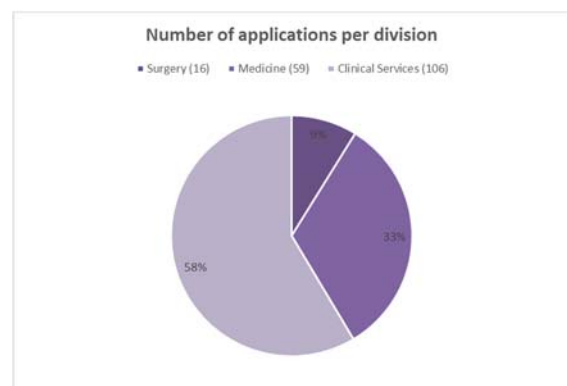
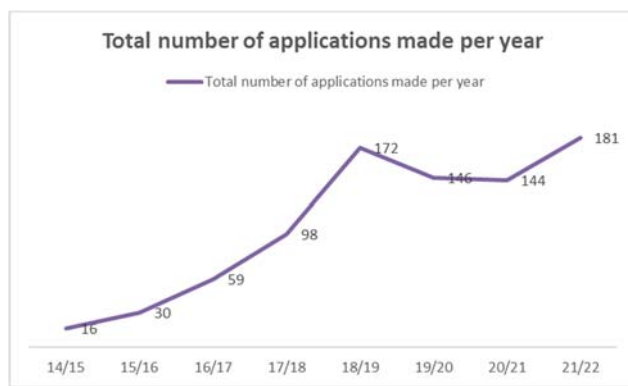
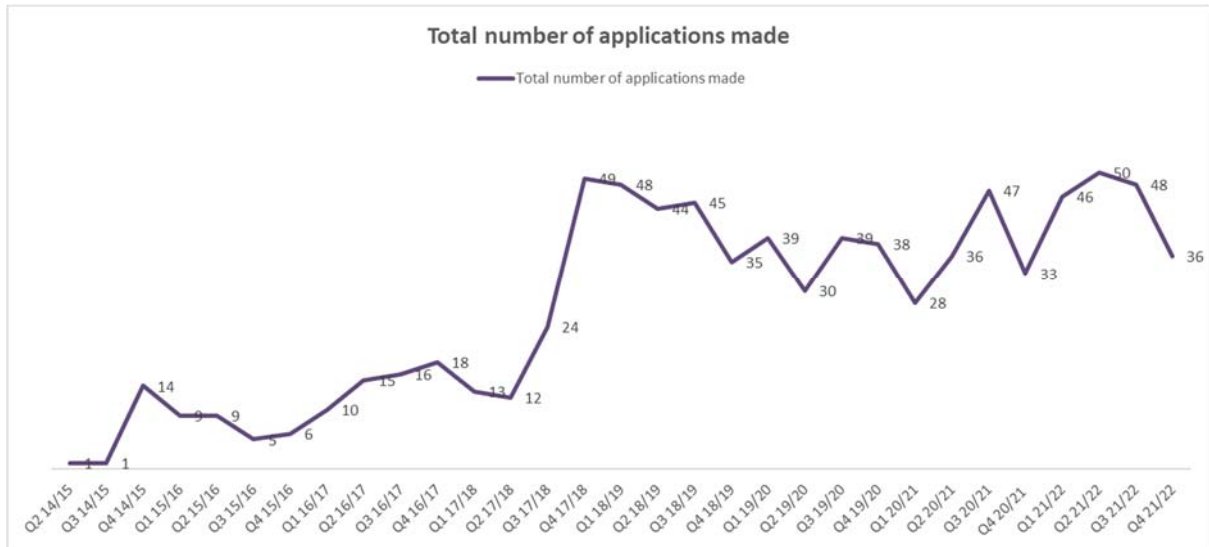
1. Executive Summary

The purpose of this paper is to update the Board of Directors of the number of applications made and assessments for the year 2021/22 in relation to the Deprivation of Liberty Safeguards (DoLS).

2. Background

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).

3. Current Position





MCA Assessments and DoLS Applications

For the year a total of 181 Deprivation of Liberty Applications have been received by the Safeguarding team for 18 different local authorities, across the catchment area. This is a 20% increase in applications received, compared with the previous year.

Of the total 181, all were standard and urgent applications.

- 21 urgent applications were issued, and the standards were not required as the patients were discharged or transferred within the 14-day urgent period, their confusion had settled or the patient passed away.
- In 6 cases no response or decision was received from the Local Authority, despite being chased up.
- 0 applications were rejected by the Authorities.
- In 153 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 patients confusion had settled prior to review, the patient met the criteria for a critical care patient and was to be managed under the best interest principles and would be reviewed again once they were ready to be transferred to the ward, the patient was discharged/transferred or passed away prior to review.
- 1 application was received at the end of the review period and remains ongoing.

MCA and DoLS Mandatory training is currently at 96% across the trust and meets the CCG KPI requirements.

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

4. Recommendations

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