

Board of Directors (In Public)

Item 2.7

Subject: Deprivation of Liberty Safeguards (DoLS) Update for Q2 22/23
Date of Meeting: 28th November 2022
Presented by: Sue Pemberton - Director of Nursing and Quality
Purpose of Report: To 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

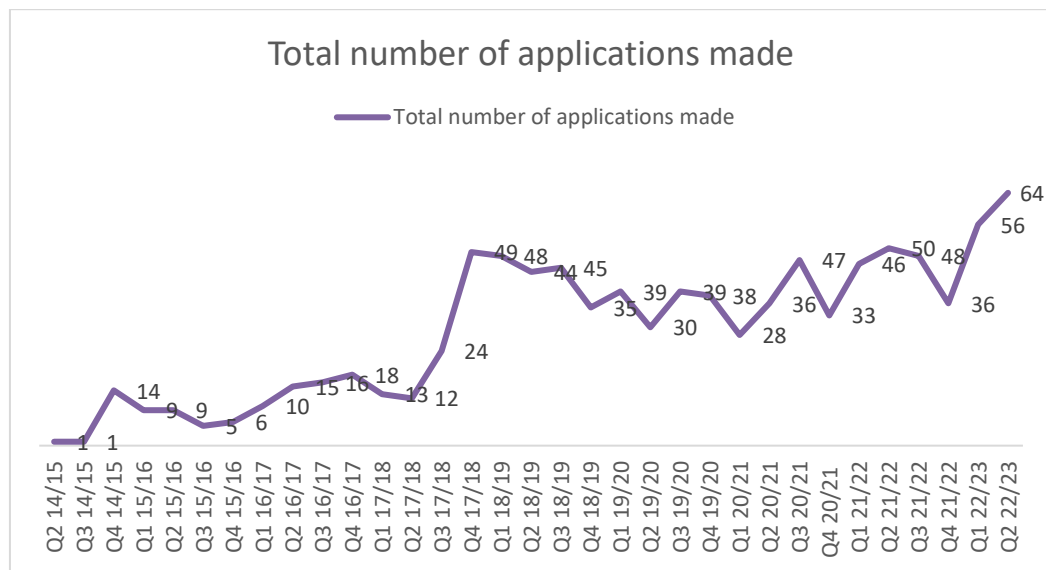
The purpose of this paper is to update the Board of Directors on the number of applications made for quarter 2 – 2022/23 in relation to the Deprivation of Liberty Safeguards (DoLS). For Q2 a total of 64 Deprivation of Liberty Applications have been received by the Safeguarding Team for 15 different local authorities across the catchment area. This is a 14% increase in applications received since the previous quarter.

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

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



For Q2 a total of 64 Deprivation of Liberty Applications have been received by the Safeguarding Team for 15 different local authorities across the catchment area. This is a 14% increase in applications received since the previous quarter.

Of the total 64 applications received by the team, all were standard and urgent applications.

- 8 urgent applications were issued, and the standards were not required as the patients were discharged/transferred within the 14-day urgent period, the patient had passed away or the patient's confusion had settled.
- In 3 cases no decision was received from the local authority however the patient was treated under best interest principles.
- In 53 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, the patient passed away, the patient met the criteria for a critical care patient and were to be managed under the best interests principle and would be reviewed again once they were ready to be transferred to the ward or the patient was transferred or discharged.

Mental Capacity Act (MCA) and DoLS Mandatory training is currently at 95.7% across the trust.

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.