

Board of Directors (in Public)

Item 2.7*

Subject: Deprivation of Liberty Safeguards (DoLS) Update for Q3 18/19
Date of meeting: 5th March 2019
Prepared by: Terri Meecham – DoLS Administrator
Presented by: Sue Pemberton - Director of Nursing and Operations
Purpose of Report: For note

BAF Reference	Impact on BAF
1.3	None – the paper provides assurance that the Trust is discharging its responsibilities in respect of DoLS legislation

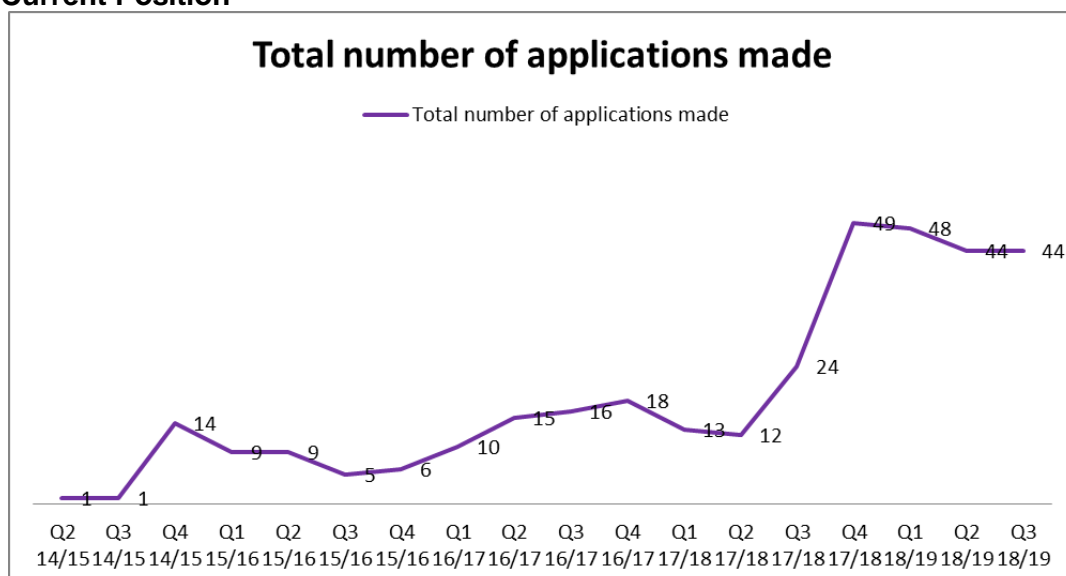
1. Executive Summary

The purpose of this paper is to update the Board of Directors on the number of applications made for quarter 3 - 2018/19 in relation to the Deprivation of Liberty Safeguards (DoLS).

2. Background

The Deprivation of Liberty Safeguards (DoLS) was 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 – Q3 (2018/19)

For Q3 a total of 44 Deprivation of Liberty Applications have been received by the Safeguarding Team. This figure has remained the same compared with the previous quarter.

Of the total 44, all were standard and urgent applications.

- 8 urgent applications were issued and the standards were not required as the patients were discharged or transferred within the 14 day urgent period or their confusion had settled.
- 1 case remains ongoing as the patient is still an inpatient and has complex learning needs and support.
- In 35 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 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 passed away.

MCA and DoLS Mandatory training is currently at 89% 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 is asked to note the number of applications made and assessments undertaken.