

## Board of Directors (Public)

### Item 8

**Subject:** Deprivation of Liberty Safeguards Update  
**Date of meeting:** 27<sup>th</sup> January 2015  
**Prepared by:** Terri Meecham  
**Presented by:** Sue Pemberton/Director of Nursing and Quality

## Board Report

Data Quality Rating	BAF Ref	Impact on BAF Risk Rating?
Bronze	1,2	None

### 1. Executive Summary

The purpose of this paper is to update the Board of Directors on the number of applications made to date in relation to the deprivation of liberty safeguards. The requirement is that Boards should be made aware of referrals made on a quarterly basis.

### 2. Background

Following the Supreme Court ruling in March 2014 for the cases of P v Cheshire West and P & Q v Surrey County Council an action plan was produced by the Head of Governance and a DoLS facilitator to research what these rulings meant for Liverpool Heart & Chest Hospital. A member of the Risk Management Team has undertaken the role and has attended seminars and training courses run by Hill Dickinson and Liverpool City Council to learn more about mental health, mental capacity and the deprivation of liberty safeguards (DoLS).

Following the training sessions the DoLS Facilitator met with the Senior Nursing Team and an action plan was produced. The plan highlighted that awareness sessions for staff were needed to highlight the importance of DoLS and the changes to the system, a new policy and guidance was to be produced including a contact list for all relevant local authorities and a new easily accessible intranet page for staff to access all relevant guidance and forms for making an application was to be created.

### 3. Current Position

#### Awareness Sessions for Staff

Currently 3 awareness sessions for staff have taken place on 11<sup>th</sup> September, 16<sup>th</sup> September and 5<sup>th</sup> November 2014 which were presented by Hill Dickinson.. A total of 120 staff have attended these sessions and further training is to be arranged with Critical Care Staff.

### **Guidance for staff and Intranet Page**

A new page has been created on the staff intranet to make all relevant guidance, forms and codes of practice easily available. This includes the new trust guidance on how to assess whether a patient needs to come under the DoLS regime, how to make an application, which Department of Health forms they need to use and how they contact the relevant local authority. The page was made live on 9<sup>th</sup> October 2014 and a communication has been sent to all staff highlighting this page. This page will be updated on a regular basis as new DoH guidance is issued and new streamlined application forms are produced in February 2015 with the new codes of practice for Mental Capacity and the DOLS Safeguards.

### **4. DoLS Applications**

To date since the new changes have been introduced and the guidance implemented, the Trust has made 2 applications to local authorities and the CQC have been notified:

- Application one was not taken forward
- Application two was denied as following the assessments by the Local Authority; it was felt that the patient had enough capacity to understand his medical situation. The patient has since been transferred to the RLBUHT.

### **5. Recommendations**

That the Board of Directors note the update on the work undertaken to date in relation to DOLS and note the DOLS referrals made.