

Care Direct  
Health & Social Care for Adults  
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[www.devon.gov.uk/socialcare](http://www.devon.gov.uk/socialcare)

# factsheet



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Factsheet 104 – 23 September 2009  
(5 pages)



## Mental Capacity Act 2005, Deprivation of Liberty Safeguards

### What are Deprivation of Liberty Safeguards?



Deprivation of Liberty Safeguards (DLS), are rules and laws to make sure your liberty (freedom) is not taken away without a very good reason.

### What do they mean for me?



These rules make sure you have rights if your liberty (freedom) and choices are taken away. The rules can only be used if you are unable to make the decisions about your care and treatment.



If you are too ill or unable to consent or make a choice, the rules will make sure you get the right treatment and care.



The rules will make sure that if your treatment is in hospital or a care home this is for the right amount of time.



The rules make sure that if you have no one to help you with your choices or you need more support you can have an advocate called an Independent Mental Capacity Advocate (IMCA).



The rules are for people who are 18 years old and older.

## When would the Deprivation of Liberty Safeguards be used?



When you may be in danger of hurting yourself.



If you are too ill or unable to consent or make a choice to go into hospital or a care home.



There might be times when care homes and hospitals don't use these rules properly.



If this happens the Safeguarding Adults process will be used to make sure you are protected.

You can also use this process if you are concerned that someone else needs protection.

You can read about this process in the Safeguarding Adults factsheet.

This can be found at:

[http://www.devon.gov.uk/fs12\\_safeguarding\\_adults\\_er\\_200809.pdf](http://www.devon.gov.uk/fs12_safeguarding_adults_er_200809.pdf)

or

[http://www.devon.gov.uk/sa\\_policy\\_summary.pdf](http://www.devon.gov.uk/sa_policy_summary.pdf) and

[http://www.devon.gov.uk/sa\\_diagram\\_1.pdf](http://www.devon.gov.uk/sa_diagram_1.pdf)

## What words mean



**Liberty** means the freedom to do the things you want to do and live where you want to live.

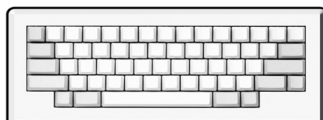


**Deprivation** of liberty means to take your freedom away.



**Safeguards** are rules to keep you safe.

## How can I find out more?

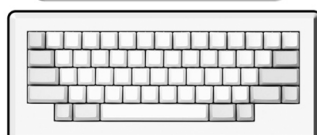


You can find easy read information from the Department of Health at:  
[http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH\\_097320](http://www.dh.gov.uk/en/Publicationsandstatistics/Publications/PublicationsPolicyAndGuidance/DH_097320)

Devon County Council has more information at:  
[www.devon.gov.uk/mentalcapacityact](http://www.devon.gov.uk/mentalcapacityact)



or  
call Care Direct on 0845 1551 007  
or the DLS Team Information Line on 01392 381676



or  
email [dols@devon.gov.uk](mailto:dols@devon.gov.uk)



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