

Mental Capacity Act 2005 & Deprivation of Liberty Safeguards Update November 2009



Deprivation of Liberty Safeguards – implementation review:

A range of consultations took place over the autumn to seek the views of the many stakeholders involved in the Mental Capacity Act Deprivation of Liberty Safeguards, (DLS). The provider survey received a 33% response rate and some key themes emerged from the process. These form part of the recommendations being made for future service provision.

- The dedicated DLS information line for the centralised team is valued
- Links with front line services in managing complex issues is valued
- Awareness raising initiatives and training opportunities need to continue to ensure that applications are made when required
- Application rates nationally are lower than anticipated, the South West region and Devon reporting proportionately less authorisation requests than predicted
- Take up levels of training are slowly growing. Survey respondents largely reported an intent to undertake the training against those who have completed already.

Changes to forms

Some minor amendments have been made by the Department of Health to the standardised forms we are using to administer the DLS process. These include versions where there is no colour background to the documents. This is in response to most organisations finding the coloured backgrounds resulting in illegible forms when they are faxed or photocopied. The DoH recommend their disc on which forms were initially provided to all managing authorities, is destroyed and up to date forms downloaded from the DoH website as required

www.dh.gov.uk/en/SocialCare/Deliveringadultsocialcare/MentalCapacity/MentalCapacityActDeprivationofLibertySafeguards/index.htm#jumpTo9

A link to this page can also be accessed through the DCC Mental Capacity Act Deprivation of Liberty Safeguards page at www.devon.gov.uk/mentalcapacityact

DLS Information Line

The line continues to receive a regular flow of queries from a range of organisations about the safeguards and their use. Safeguarding Adult Officers specialising in the MCA and DLS are available to respond to any questions you may have about the safeguards and their application. They can be contacted on **01392 381676**.

MCA Newsletter from the Office of the Public Guardian (OPG)

www.publicguardian.gov.uk/docs/mca-update-July09.pdf, can be accessed through this link and updates on new forms and plans to evaluate the impact of the act on how we go about supporting people who have decision-making difficulties.

If you have any queries or would like to discuss arrangements around implementing the act in Devon, please do contact me.

Emma Craigie
MCA Project Manager

Please turn over for details of our current training opportunities

Training:

A range of training opportunities on MCA, DLS and Safeguarding Adults are available to providers of services.



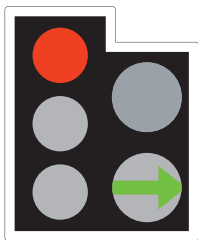
e-learning

The bookmark enclosed has details about the e-learning packages which are free and can be undertaken at a time to suit your business needs. If access to IT is an issue for you, other formats are available. For more information, please contact **Vernon Whitlock, Senior Learning and Workforce Development Advisor** on **01392 382242** or Vernon.whitlock@devon.gov.uk



Working together to stop abuse

DLS Workshops January 2010:



As part of a range of strategies put into place to increase awareness of the new safeguards, a one off series of workshops have been arranged for **care home and hospital managers** to look at the practical application of the requirements of the safeguards to practice. The sessions will include case studies, making applications and focusing on the requirements and responsibilities of 'managing authorities'. Representatives of the officers specialising in

the safeguards who are also trained as best interest assessors under the act, will be providing the sessions and as such offers an opportunity for you to develop some hands on experience of working with the safeguards.



What do they cover?

The sessions are up to 3 hours long and will provide a practical, hands on experience of the DLS application, assessment and authorisation process

How do I book?

Return the attached booking slip to:
Judith.alexander@devon.gov.uk
Alternatively, please complete and post to:

Judith Alexander
Ground Floor Annexe
County Hall
Topsham Road
Exeter
Ex2 4QR
Tel: 01392 381676
Fax: 01392 383327

When and where?

12/1/10 Newton Abbot Hospital, Newton Abbot
09.30 – 12.30 and 13.30 – 16.30

15/1/10 Crown Yealm House, South Molton
09.30 – 12.30 and 13.30 – 16.30

20/1/10 Watermark Centre, Ivybridge
09.30 – 12.30 and 13.30 – 16.30

22/1/10 Post Graduate Education Centre, RD&E,
Exeter
09.30 – 12.30 and 13.30 – 16.30

25/1/10 Meeting Room, Westbank, Exminster
09.30 – 12.30 and 13.30 – 16.30

29/1/10 North Devon District Hospital, Barnstaple
13.30 – 16.30