

Managing and monitoring your applications for a Deprivation of Liberty Safeguards Authorisation

Kent MCA DOLS Service Position

On receipt of your application for a DOLS authorisation, the Kent MCA / DOLS Service will screen and triage your request using the ADASS Screening Tool which can be found further along in this document.

It is very important that you provide as much information as possible about the Relevant Persons' circumstances in order for us to do this accurately. This includes information relating to any non-compliance with care interventions, requests or attempts to leave the environment, challenging behaviour, non-compliance with medication, the use of covert medication and any objections from family members.

Once submitted and screened the person's application will either be allocated as a priority and you will be contacted by the relevant Assessors, or will be held on a pending status.

Due to the high volume of applications received, the waiting time for the relevant person to be assessed can vary. You should continue to act in that person's best interests and involve the person and relevant people, including family and friends, any Deputy or Lasting Power of Attorney, advocates and professionals in care/treatment arrangements for the person

PLEASE INFORM THE DOLS OFFICE ([03000 415777](tel:03000415777)) IF THERE ARE ANY CHANGES TO THE RELEVANT PERSONS CIRCUMSTANCES. FOR EXAMPLE:

- **The Person requests or attempts to leave**
- **The Person is non-compliant with care interventions**
- **The Person regularly displays verbal or physical aggression**
- **There is use of any form of physical restraint when delivering care**
- **The Person is non-compliant with medication**
- **The Person is administered medication covertly**
- **The Person has become subject to a section of the Mental Health Act**

- **There is any objection from family members**
- **The Person moves**
- **The Person has passed away**
- **The Person's situation has deteriorated or improved**
- **If the DoLS authorisation is no longer required e.g the person regains capacity or is no longer under continuous supervision and control, and free to leave unaccompanied**

Please do not contact the MCA/DOLS Service for an update on the applications unless there are significant changes in the person's circumstances or behaviours , examples of which are listed below. In these circumstances please contact the DOLS Office on 03000 415777 to discuss the person's case. We will inform you if we intend to re- prioritise the case

Contact Kent MCA/DOLS Service on 03000 415777

dols@kent.gov.uk

Website: www.kent.gov.uk/mentalcapacityact

ADASS TASK FORCE adapted for use by Kent MCA DOLS – amended 28/06/18 version 6

A Screening tool to prioritise the allocation of requests to authorise a deprivation of liberty

Due to the vast increase in demand for assessments under the Deprivation of Liberty Safeguards, the ADASS task force members have shared practice in relation to prioritisation and produced this screening tool. The aim of the tool is to assist Councils to respond in a timely manner to those requests which have the highest priority. The tool sets out the criteria most commonly applied which indicates that an urgent response may be needed so as to safeguard the individuals concerned. The use of this tool must be balanced against the legal criteria for the Deprivation of Liberty Safeguards which remains unchanged. **The criteria should be used as an indicative guide only as it will generally be based on information provided by the Managing Authority in the application and each case must be judged on its own facts.**

High	Medium	Low
<p>Psychiatric or acute hospital and not free to leave</p> <ul style="list-style-type: none"> • Prioritised if previous Mental Health Section is known within the last 6 months • Not necessarily prioritised if RP is in an acute or psychiatric hospital UNLESS high level of restriction e.g. chemical restraint, physical restraint, asking/attempting to leave. <p>Continuous 1:1 care during the day and/or night</p> <p>Sedation / medication used frequently to control behaviour</p>	<p>Asking to leave but not consistently</p> <p>Not making any active attempts to leave</p> <p>Appears to be unsettled some of the time</p> <p>Restraint or medication used infrequently</p> <p>Appears to meet some but not all aspects of the acid test</p>	<p>Minimal evidence of control and supervision</p> <p>No specific restraints or restrictions being used e.g. in a care home not objecting, no additional restrictions in place</p> <p>Have been living in the care home for some time (at least a year)</p> <p>Settled placement in care home/ hospital placement, no evidence of objection etc but may meet the requirements of the acid test</p> <p>End of life situations, intensive care situations which may meet the acid test but there will be no benefit to</p>

<p>Physical restraint used regularly – equipment or persons</p> <ul style="list-style-type: none">• Bed Rails, wheelchairs etc do not need to be prioritised unless other high risk factors are present. Restriction from using bed rails/equipment can be used using MCA. <p>Restrictions on family/friend contact (or other Article 8 issue)</p> <p>Objections from relevant person (verbal or physical)</p> <ul style="list-style-type: none">• Occasional verbal requests to leave would not necessarily be prioritised if this is the only factor present. If the verbal requests are consistent, then this is likely to be prioritised. <p>Objections from family/friends</p> <p>Attempts to leave</p> <p>Confinement to a particular part of the establishment for</p>		the person from the Safeguards
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<p>considerable period of time in order to manage behavioural issues.</p> <p>New or unstable placement</p> <ul style="list-style-type: none">• Not routinely prioritised unless other high risk factors are present <p>Possible challenge to Court of Protection, or complaint</p> <p>Already subject to DOL about to expire</p> <ul style="list-style-type: none">• not routinely prioritised unless there are other high risk factors present		
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