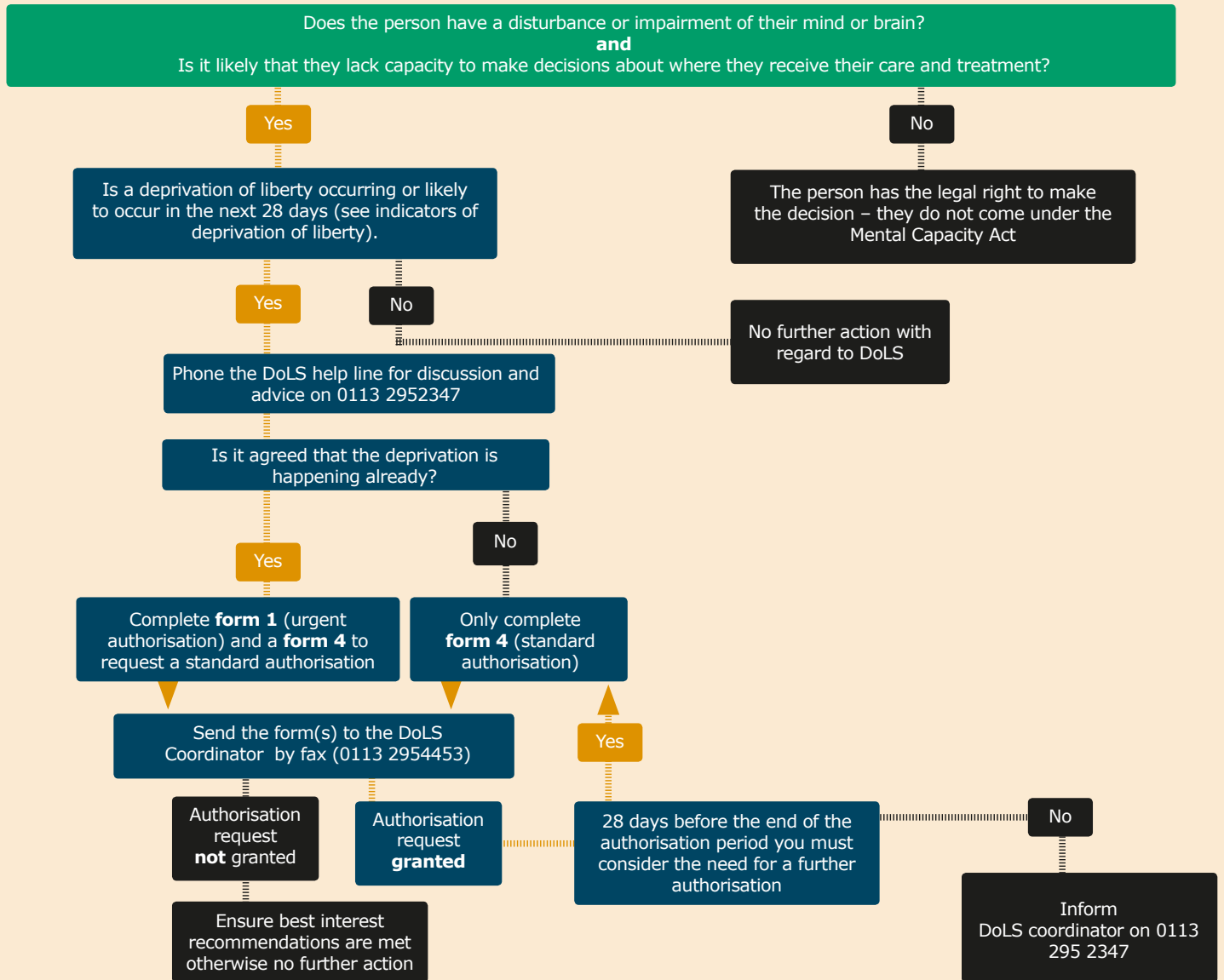


Deprivation of Liberty Safeguards (DoLS) checklist

Are you acting within the law?



The DoLS coordination service is available to all staff for help and advice Tel: 0113 295 2347.

Indicators

- A person is persistently trying or asking to leave
- Restraint has to be used to prevent movement within the unit/hospital or movement within the unit/hospital is constantly monitored and restricted.
- The person is sedated to prevent them leaving
- The way the person's care is organised is severely restrictive.
- The person is severely restricted access to people with whom the person has a significant relationship.
- The placement/admission was opposed by relatives/carers.
- Force used to treat the person when they are resisting, other than in an emergency.
- A request by relatives to have the person discharged to their care was declined.
- The person constantly expresses a wish to leave, or to live elsewhere.

- The person's access to the community being severely restricted in a situation where the patient would benefit from such access.

"No one shall be deprived of his liberty save...in accordance with a procedure prescribed by law"

Article 5 of the European Convention of Human Rights

Sometimes, for their own safety, a person needs to be deprived of their liberty to protect them from harm. The safeguards will ensure:

- It is in the person's best interests.
- They have representatives and rights of appeal.

It follows that it is unlawful for a person to be deprived of liberty if it is not in their best interests and not authorised by this legal process.

The Safeguards cover people in hospitals and people in care homes registered under the Care Standards Act 2000. They were effective from 1st April 2009.

Did you know

As a managing authority (care home or hospital) you have a statutory responsibility to make a decision as to whether you think a person in your care is being deprived of their liberty. This will now form part of the regulatory inspection process.

If you believe it to be the case you must issue an urgent authorisation that legally covers your service for seven days. Within the seven days a Best Interests Assessor and a Mental Health Assessor (section 12 doctor) will do a six staged assessment to decide whether it is in fact a deprivation of liberty and if it is therefore in the person's best interest.

For further information please call our dedicated help line on 0113 2952347 and visit: www.leedssafeguardingadults.org.uk where you can also download the DoLS code of practice.