

Changes to Deprivation of Liberty Safeguards (DOLS)

From 1 April 2013, The Supervisory Body for all hospitals and care homes is the Local Authority where the person is ordinarily resident*.

For referrals / enquiries to Hampshire County Council:

Phone: 01962 845213

Email: dols.administration@hants.gov.uk

Fax: 01962 834504

Secure NHS Email: hp-tr.dolsadministration@nhs.net

For referrals/enquiries to Portsmouth City Council

Phone: 023 9268 8666

Email: dols@portsmouthcc.gov.uk

Fax: 023 9268 8784

For referrals/enquiries to Southampton City Council

Phone: 023 8083 4776

Email: dols.admin@southampton.gov.uk

Fax: 023 8077 2007

* For hospitals - usually where the person lived before admission.

For care homes - identify who is funding the person's placement. The funding authority will be the Supervisory Body. People funding themselves will generally be the responsibility of the host local authority.

If you are not sure which is the right Supervisory Body for the person you wish to refer, contact the team you believe to be responsible or your local DOLS Team.

Mental Capacity Act

Deprivation of Liberty Safeguards (DOLS)

Deprivation of Liberty Safeguards may apply to persons who are 'deprived of their liberty' in registered care homes or hospitals

The hospital or care home (the Managing Authority) is responsible for making a DOLS referral to the appropriate Supervisory Body if:

- the person lacks mental capacity to consent to being accommodated in the hospital or care home
- and
- the Managing Authority thinks they may be at risk of depriving the person of their liberty

Responsibilities of the Managing Authority

- Working with the Mental Capacity Act
- Identifying where DOLS is happening
- Make appropriate DOLS referrals
- Notify the Care Quality Commission (CQC)
- Grant Urgent Authorisations
- Keep families and carers informed
- Comply with DOLS 'Conditions'
- Support the Representative (RPR)
- Monitor the care plan
- Inform the Supervisory Body of any changes

You can find more information about DOLS from your local authority website:

Hampshire

www.hants.gov.uk/dols

Portsmouth

www.portsmouth.gov.uk/living/9391.html

Southampton

www.southampton.gov.uk/living/adult-care/mentalhealth

MCA – FIVE STATUTORY PRINCIPLES

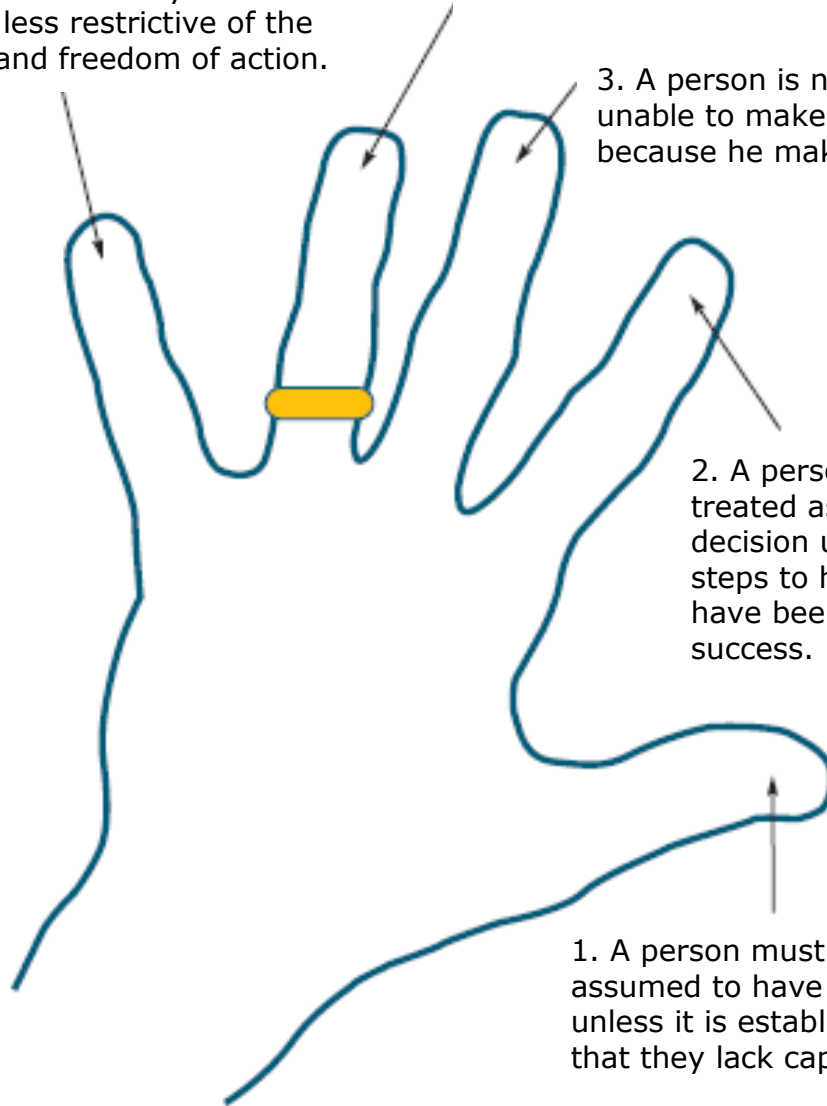
5. Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

4. An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his best interests.

3. A person is not to be treated as unable to make a decision merely because he makes an unwise decision.

2. A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been taken without success.

1. A person must be assumed to have capacity unless it is established that they lack capacity.



For further support and information on your responsibilities under the MCA (e.g. assessing capacity, making decisions in the best interests of someone who lacks capacity) please see your local authority website:

- www.hants.gov.uk/mental-capacity-act
- www.portsmouth.gov.uk/living/9391.html
- www.southampton.gov.uk/living/adult-care/mentalhealth

Hampshire DOLS Process Flowchart

(Deprivation of Liberty Safeguarding)

