



Our Programmes:

DoLS & LPS



Last Updated: September 2021



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COMING SOON – BIA-AMCP Programmes!

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Learning Outline:

Working with the MCA/DoLS in Practice



Working within the framework of the Mental Capacity Act 2005 (MCA) and the Deprivation of Liberty Safeguards (DoLS) has become increasingly complex over the last five years, with case law increasingly providing the guidance and grounding on how it is interpreted in practice and the roles and responsibilities of staff in relation to ensuring article 5 safeguards are in place. These developments have led to a review of the law and proposals for a new bill to simplify and streamline the current DoLS processes.

This one-day programme is designed for staff working in adult services. It aims to support participants to apply knowledge of the legal and policy framework to their practice and facilitate a critically reflective approach to working within the MCA/DoLS.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- A working knowledge and understanding of the MCA principles and how they apply to practice in both MCA and DoLS scenarios.
- Understanding of the best interest process and application of the section 4 checklist in practice.
- Knowledge of the criteria for when a restriction becomes a deprivation and able to apply the Storck criteria and the Acid Test to practice situations.
- Awareness of the role of the IMCA and where advocacy may be required / beneficial.
- Knowledge of the range of advance planning provisions (e.g., LPA, Deputies, Advance Decisions)
- Understanding of the importance of documentation in MCA and DoLS processes.
- An introduction to the LPS, due for implementation 2022

Learning Outline:

MCA / DoLS and Young People



While deprivation of liberty safeguards has been associated largely with adults several recent court rulings have highlighted that deprivation can occur at any age and for those working within children and young people's disabilities teams this is an issue in acute focus.

Whether a child meets what is known as 'the acid test' for a deprivation is a complex issue, considering the child or young person's competence or capacity, the scope of parental responsibility and the level of supervision and control that is in place.

This programme will examine the use, and impact of, the MCA and DoLS with Children with disabilities and aims to support children and young people's practitioners think about how and when the MCA should be used and when a court authorisation for a deprivation or best interest determination might be required.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- Understand the main provisions and underpinning principles of the MCA, including deprivation of liberty.
- An understanding of how Article 5 of the Human Rights Act 1998 applies to children and young people and how this interacts with the scope of parental responsibility.
- Understand how and when to consider Gillick competence, assessment within the Fraser guidelines or the assessment of mental capacity.
- Understand the impact of recent court rulings for how children and young people are supported and their behaviour managed (inc. safe spaces and other forms of restraint)

Learning Outline:

Deprivation of Liberty for Provider Services



Since the 2014 Supreme Court judgement ('Cheshire West') the understanding of what is a deprivation and how individual subjected to a DoL need to be safeguarded within the DoLS arrangements.

As well as providing an overview and update on the DoLS process, the proposals for legislative change will be highlighted, the session will consider what constitutes good practice in terms of identifying and responding to a deprivation and the consideration of less restriction as a core principle of practice.

This one-day programme is designed for Care Provider managers and those acting within the remit of 'Managing Authority' within the current DoLS processes.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- Have a basic understanding of DoLS legislation and accompanying guidance.
- Understand the requirements of a DoLS assessment process, and the requirements of the current forms 1 & 2.
- Understanding the principles of Articles 5 and 8 of the Human Rights Act 1998, including how these interact with the DoLS process.
- Identifying a deprivation liberty and awareness of key case law precedents.
- An understanding of the DoLS processes and roles – including the safeguards that authorisation processes should provide for the individual.

Learning Outline:

Deprivation of Liberty in the Community



Since the 2014 Supreme Court Judgement on Cheshire West and P & Q, the issue of article 5 safeguards and deprivation of liberty in a community setting have been brought into focus.

For all of those individuals outside of the Local Authority Deprivation of Liberty Safeguards (DoLS) processes there needs to be decision making authority in place to authorise a potential deprivation, and in the case of community settings (e.g., supported living, shared lives or other 'home' environments) this will involve applying to the Court of Protection where the criteria are met, and a person requires Article 5 safeguards to be in place.

This one-day course is aimed at practitioners working in health and social care who may be supporting or working with individuals that are subject to a deprivation of their liberty in a community setting.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- Understand the impact of the 2014 Supreme Court judgement on those living in community settings, including the role of case law.
- Be able to identify a potential deprivation of liberty in the community and understand the legal framework for seeking authorisation.
- Understand the role and remit of the Court of Protection in relation to deprivation of liberty in the community.
- Understand and be aware of the forms and written evidence that will be required when seeking a court authorisation.



Learning Outline:

MCA/DoLS and the Mental Health Act

The Mental Capacity Act 2005, including the Deprivation of Liberty Safeguards (DoLS), and the Mental Health Act 1983 cover the care and treatment of people with mental disorders.

This course provides an opportunity to explore the interaction and overlap between these Acts and understand how services are affected.

The course will include guidance from the Codes of Practice and practical case studies to ensure that delegates feel confident applying the law.

A basic understanding of each Act is required in order for the 'interaction' to be explored successfully.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- To have a greater understanding of the interface between the two frameworks provided by the Acts
- Be able to explain how their working practices will be affected by the legislation
- Be able to use the legislation to establish which Act will be most appropriate in which circumstances
- Be able to consider key issues affecting hospital admission such as the compliant incapacitated informal patients.
- Be able to demonstrate practical application of the Acts in several case scenarios.
- Understand how treatment decisions may be affected by advance decisions statements, wishes and lasting powers of attorney.

Learning Outline:

DoLS Refresher - Mental Health Assessors (s12 Drs)



The Mental Health Assessor within DoLS has a specific role in relation to the identification of mental disorder and the impact of the deprivation on that disorder, as well as completing mental capacity assessments and considering eligibility between the Mental Health Act and MCA/DoLS.

This half-day interactive programme is designed as a refresher for medical colleagues assessing under the DoLS framework.

It will provide an overview of both caselaw and best practice in terms of defensibility in assessments, as well as providing a brief update on the medical role within the pending LPS arrangements.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- Understand key developments in connection with your role as a mental health assessor, and the end of this role under LPS.
- Consider how your working practices may be affected by recent case law.
- Writing your form 4 to ensure defensible decisions.
- Applying the interface between the Mental Health Act and MCA.

Learning Outline:

DoLS Signatory / Authorisers Refresher



As per several judgements, the role of the authorisers, and the checks and balances that are required by the supervisory body are more than a 'rubberstamp' for the BIA recommendations but are rather the mechanism by which the Local Authority as the supervisory body, can and should scrutinise the information and recommendations made and assure themselves that the person is eligible and all assessments support, the deprivation of liberty.

This one-day programme is designed for those undertaking the signatory role within a supervisory body and will consider the remit and functions of the role and how authorisers can ensure and evidence defensible decision making in practice.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- To Understanding the role and responsibilities of the Supervisory Body [Responsible Body] within DoLS [LPS]
- Understand and be able to describe/explain the statutory basis and functions of a signatory / authorisers within a supervisory body.
- Update knowledge in relation to recent case law rulings and their impact on DoLS and the signatory role, including the impact of the COVID, in practice.
- Examine good practice and defensibility in making authorisations, including scrutiny of evidence provided by the BIA and Mental Health Assessor.
- Updated knowledge of the revised timeline of the Mental Capacity (Amendment) Act and implementation of the LPS scheme.

Learning Outline:

An Introduction to the Liberty Protection Safeguards



****Please note content is subject to change to reflect final implementation of the LPS scheme in 2022.****

The most significant change brought about by the implementation of the Mental Capacity (Amendment) Act 2019 will be the introduction of the Liberty Protection Safeguards (LPS) in 2022, which will replace the current Deprivation of Liberty Safeguards (DoLS) in their entirety following a scheduled transition year.

The LPS system will expand the current safeguards to include additional groups and locations and staff will need to understand the new requirements to ensure Article 5 rights are upheld in practice.

This one-day programme is designed as an introductory course for health and social care staff working with customers who are 16 years +, who may have capacity issues and for who deprivation of liberty may be a concern.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- An understanding of the history and development of the LPS system and its journey to implementation.
- An understanding of implementation timelines and how the LPS and DoLS processes will interact in the 12-month transition period.
- An increased awareness of the new LPS process and its application.
- Knowledge of what might constitute a deprivation of liberty within Article 5 and professional responsibilities to observe and protect individual rights, including the requirements of the revised code of practice.
- Knowledge of the LPS assessment processes and the roles within it (e.g., Responsible Body, Approved Mental Capacity Professional (AMCP), Assessors, Appropriate Person etc.)

Learning Outline:

LPS for Assessors, Reviewers & Authorisers



****Please note course content is subject to change to reflect final implementation of the LPS scheme in 2022.****

The Liberty Protection Safeguards (LPS) will replace the current Deprivation of Liberty Safeguards (DoLS) in their entirety following a scheduled transition year. The LPS system will expand the current safeguards to include additional groups and locations and staff will need to understand the new requirements to ensure they are able to take on new roles within the scheme.

A new role of 'Assessor' will be introduced, and this professional will undertake assessments and monitoring under the new scheme, working with the Responsible Body and other key role holders to ensure individuals' Article 5 rights are protected as part of the care and treatment planning processes. This programme is designed for health and social care staff who are working with deprivation of liberty as part of their day-to-day practice and who may be required to act as an Assessor within the new scheme.

Learning Outcomes:

This course will provide participants with the following learning outcomes:

- An understanding of implementation timelines and how the LPS and DoLS processes will interact in the 12-month transition period.
- Knowledge of what might constitute a deprivation of liberty within Article 5 and be able to assess this according to the appropriate guidance, including the requirements of the revised code of practice.
- Knowledge of the LPS assessment processes and the roles within it (e.g., Responsible Body, Approved Mental Capacity Professional (AMCP), Assessors, Appropriate Person etc.)
- Understanding of the Assessor role and its expectations and responsibilities in practice.



We specialise in developing training and learning programmes based on the requirements of our customers, and the knowledge and skills of our crew.

IF CAN'T FIND WHAT YOU'RE LOOKING FOR?

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