

## How can I find out more information about the Deprivation of Liberty Safeguards?

Locally within Herefordshire:-

For further advice and information contact Herefordshire Deprivation of Liberty Safeguards team by Email at [DoLS@herefordshire.gov.uk](mailto:DoLS@herefordshire.gov.uk) or Phone: 01432 383645

For access to the local multi agency Deprivation of Liberty Safeguards policy and more detailed practice guidance visit the Herefordshire Safeguarding Board website at [www.herefordshiresafeguardingboards.org.uk](http://www.herefordshiresafeguardingboards.org.uk) and select the adults board section



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# Deprivation of Liberty Safeguards

A short guide for families and carers



## **What is a Deprivation of Liberty and why is it important?**

The term Deprivation of Liberty can be found in article 5 of the European Convention of Human Rights, which says that no one should be deprived of their liberty unless this has been authorised by a legal procedure. The UK is bound by the European Convention of Human Rights and its articles by the Human Rights Act 1998.

Someone is deprived of their liberty if they are not free to leave the place where they live or free to go and live elsewhere and they are under continuous supervision and control.

## **What are Deprivation of Liberty Safeguards?**

Deprivation of Liberty Safeguards (DoLS) are a legal framework created as an amendment to the Mental Capacity Act. This framework is designed to protect adults who lack capacity to make decisions about their care and treatment and where they live. A person would be deprived of their liberty as a result of care and treatment arrangements that are put in place to keep them safe.

## **Who does the Deprivation of Liberty Safeguards apply to?**

DoLS only applies to adults over the age of 18, who reside in registered care or nursing homes or are a hospital inpatient.

## **What does the process involve?**

The process involves the person being assessed by a doctor and a best interest assessor (who are commissioned by the local council to undertake this work). These professionals will assess the person's capacity, their mental health and look at the care plan and restrictions that are in place to see if they are in the person's best interests. They will then submit reports to the local council who will scrutinise them and authorise the DoLS if appropriate.

## **Who is responsible for implementing the DoLS framework?**

The local council where a person usually lives is responsible for assessing people under DoLS and where appropriate will authorise a Deprivation of Liberty.