**Deprivation of Liberty Safeguards (DoLS) Procedure for Care Home**

**1. Introduction**

The Deprivation of Liberty Safeguards (DoLS) is a legal framework in the United Kingdom that provides protection to individuals who lack the mental capacity to consent to their care and treatment and are deprived of their liberty in a care home setting. As a care home committed to upholding the rights and well-being of its residents, this document outlines the comprehensive DoLS procedure for [Care Home Name]. This procedure aims to ensure that any deprivation of liberty is lawful, necessary, and in the best interests of the resident, while also safeguarding their human rights and promoting their dignity and autonomy.

**2. Purpose**

The purpose of this DoLS procedure is to:

- Identify circumstances where a resident may be subject to a deprivation of liberty within the care home setting.

- Ensure that any potential deprivation of liberty is assessed, authorized, and reviewed in compliance with the Mental Capacity Act 2005 and the DoLS Code of Practice.

- Safeguard the resident's human rights and dignity while ensuring their safety and well-being.

**3. Scope**

This procedure applies to all residents of [Care Home Name] who may be subject to a deprivation of liberty as defined by the Mental Capacity Act 2005 and the DoLS Code of Practice.

**4. Definitions**

4.1 Mental Capacity:The ability of an individual to make specific decisions about their care, treatment, or other aspects of their life.

4.2 Deprivation of Liberty: The restriction of an individual's freedom of movement, whether physical or through restraint, and the control of their daily activities in a care home setting where they lack the mental capacity to consent to such arrangements.

4.3 Best Interests: The decision-making principle under the Mental Capacity Act 2005, requiring that any decision or action taken on behalf of an individual who lacks capacity must be in their best interests.

4.4 Relevant Person's Representative (RPR):A person appointed to represent and support a resident who lacks capacity during the DoLS assessment and authorization process.

**5. Identifying Potential Deprivation of Liberty**

5.1 Mental Capacity Assessment

Before considering a deprivation of liberty, a thorough mental capacity assessment will be conducted for the resident. This assessment will determine whether the individual has the capacity to make decisions about their care and treatment. The mental capacity assessment will be carried out in accordance with the Mental Capacity Act 2005.

5.2 Criteria for Deprivation of Liberty

A deprivation of liberty may arise if the resident is under continuous supervision and control, not free to leave, and lacks the mental capacity to consent to these arrangements. The following factors may indicate a potential deprivation of liberty:

- Physical restraint, including the use of bedrails or locked doors.

- Continuous monitoring or surveillance.

- Restrictions on leaving the care home premises.

- Control over daily activities, such as meal times and visits.

5.3 Raising Concerns

Any staff member or individual who believes that a resident may be subject to a deprivation of liberty should immediately raise their concerns with the designated safeguarding lead or manager of [Care Home Name]. The designated safeguarding lead will ensure that the necessary steps are taken to address the concerns promptly and appropriately.

**6. DoLS Assessment and Authorization**

6.1 Referral for DoLS Assessment

If a potential deprivation of liberty is identified, the designated safeguarding lead will make a referral to the local authority's DoLS team. The referral will include all relevant information about the resident's circumstances and the reasons for the concern.

6.2 DoLS Assessment Process

The local authority's DoLS team will conduct a comprehensive assessment to determine whether a deprivation of liberty is occurring and whether it is in the best interests of the resident. The assessment will involve:

- Gathering information from [Care Home Name] staff, healthcare professionals, and the resident's family.

- Consulting with the resident, if possible, and involving their RPR, if appointed.

- Conducting mental capacity assessments as required.

6.3 DoLS Authorization

If the DoLS assessment confirms that a deprivation of liberty is necessary and in the resident's best interests, the local authority will grant authorization. This authorization will outline the specific arrangements and restrictions that are deemed lawful and necessary.

**7. Best Interests Decision-Making**

Throughout the DoLS assessment and authorization process, [Care Home Name] will prioritize the best interests of the resident. The following principles will guide the best interests decision-making:

- The least restrictive option: Efforts will be made to implement the least restrictive measures to safeguard the resident's safety and well-being while allowing them the highest level of freedom and autonomy possible.

- Individualized care and support: Decisions regarding the resident's care and treatment will be based on their individual needs, preferences, and values.

- Consultation and involvement: The resident's views, wishes, and feelings will be sought and considered, to the extent possible. If the resident lacks capacity, their RPR will be involved in the decision-making process.

- Regular reviews: The DoLS authorization and its impact on the resident's well-being will be regularly reviewed to ensure that it remains necessary and proportionate.

**8. Communication with Residents and Families**

Throughout the DoLS assessment and authorization process, [Care Home Name] will communicate openly and honestly with the resident and their family members. The following steps will be taken:

- Informing the resident (if possible) and their family about the DoLS assessment and its implications.

- Providing support to the resident and their family during the process.

- Explaining the reasons for the potential deprivation of liberty and its connection to the resident's safety and well-being.

- Updating the resident and their family on the progress of the DoLS assessment and authorization.

**9. Monitoring and Review**

Once DoLS authorization is granted, [Care Home Name] will closely monitor the resident's well-being and the impact of the authorized arrangements. This monitoring will include regular reviews to assess whether the deprivation of liberty remains necessary and in the resident's best interests.

**10. Recording and Documentation**

All aspects of the DoLS procedure, including the initial identification of a potential deprivation of liberty, the referral for DoLS assessment, the assessment process, and the authorization, will be thoroughly documented in the resident's care records. The documentation will be kept confidential and securely stored in accordance with data protection regulations.

**11. Training and Education**

[Care Home Name] will provide regular training and education to staff members regarding the DoLS procedure, the Mental Capacity Act 2005, and the principles of best interests decision-making. Staff members involved in the DoLS process will receive specialized training to ensure competency in fulfilling their roles.

**12. Conclusion**

The Deprivation of Liberty Safeguards procedure at [Care Home Name] is designed to uphold the rights and well-being of our residents while ensuring their safety and security. By adhering to this comprehensive procedure and promoting open communication with residents and their families, we strive to provide a compassionate and person-centered approach to any potential deprivation of liberty. Our commitment is to safeguard the dignity, autonomy, and human rights of our residents at all times, while adhering to the legal and ethical principles governing the DoLS framework.