

Deprivation of Liberty Safeguards

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Ensuring Compliance & Moving Towards 'Protective Care'

Tuesday 19 April 2016 Hallam Conference Centre London



Chair & Speakers include:

Pete Morgan
Chair
PASAUK

Ben Troke
Partner
Browne Jacobson LLP

Supporting Organisations:



Deprivation of Liberty Safeguards

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2015 marked "the fifth anniversary of the introduction of the Deprivation of Liberty Safeguards. It is both striking and concerning that over the last five years we have seen the same themes recurring including, until recently, persistently low numbers of applications for authorisation of the Safeguards. We are also concerned about the continuing lack of understanding and awareness of the MCA, which is a potential barrier to good practice."

Care Quality Commission DOLs Report 27th January 2015

"There has been a ten fold rise in applications in 2014/15"

Niall Fry MCA and DoLS Lead Department of Health May 2015

"There are many people in different settings who are deprived of their liberty by virtue of the type of care or treatment that they are receiving, or the level of restrictive practices that they are subject to, but they cannot consent to it because they lack the mental capacity to do so. In March 2014, the Supreme Court handed down judgment in two cases: P v Cheshire West and Chester Council and P & Q v Surrey County Council [2014] UKSC 19. That judgment, commonly known as Cheshire West, has led to a considerable increase in the numbers of people in England and Wales who are considered to be "deprived" of their liberty for the purposes of receiving care and treatment. The judgment also emphasised the importance of identifying those who are deprived of their liberty so that their circumstances can be the subject of regular independent checks to ensure that decisions being made about them are actually being made in their best interests." The Law Commission, April 2015

Through expert sessions and case studies, this conference will discuss the Deprivation of Liberty Safeguards and where they sit following these new developments, ensuring compliance locally and implications of the Law Commission Review, moving forward to a new system of protective care.2014.

"It's a sad fact that sometimes depriving someone of their liberty needs to be considered. Doing so should never be something that professionals do lightly – it's a complex decision."

Tony Hunter, Chief Executive Social Care Institute for Excellence, June 2015

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10.00 Chairman's Welcome and Introduction

Pete Morgan

Chair
PASAUUK

10.10 Deprivation of Liberty Safeguards: Ensuring effective use and compliance in practice

Speaker to be announced

- the implications of the Supreme Court ruling in March 2014
- implications of the Parliamentary Committee findings & the government response
- DoLS: ensuring compliance
- challenges, grey areas and difficult issues in practice
- current issues and what the future holds for DoLS

10.50 Monitoring the Deprivation of Liberty Safeguards: An update from the Care Quality Commission

Speaker to be announced

- strengthening monitoring
- findings from inspection and lessons for compliance
- the role of CQC in ensuring DoLS Compliance

11.20 *Question and answers, followed by coffee and exhibition*

11.50 EXTENDED SESSION The Law Commission DoLS Review: Moving towards Protective Care

Ben Troke

Partner
Browne Jacobson LLP

- the flaws with the current system, and case law examples
- providing appropriate care and better outcomes for people who lack mental capacity and helping their family and carers.
- moving from DoLS to 'Protective Care': a look at the Law Commission initial proposals for DoLS reform
- what could provisions for protective care look like under a new system?
- the levels of safeguards under the proposed system
- moving forward: implications for practice

13.00 *Question and answers, followed by lunch and exhibition*

13.50 EXTENDED SESSION: How can we ensure effective outcomes within the current DoLS system?

Andy Butler

Principal Social Worker (Adults)
Surrey County Council

- managing high numbers of requests: how do we prioritise?
- what the Supervisory Body looks for from Managing Authorities
- the importance of the Authorisation process - getting it right!
- what the Authoriser looks for from Bests Interests Assessors
- hints and tips for being an efficient and effective Supervisory Body

14.30 Best Interests Assessment Practice: the challenges and strategies for practitioners

Speaker to be announced

- essential elements of the BIA assessor role
- quality assurance of BIA assessment and decisions
- developing reflective practice

15.30 *Question and answers, followed by tea*

16.00 DoLS identification, application and compliance Case Study: DoLS in the Hospital Setting

Speaker to be announced

- the implications of the recent Supreme Court ruling in healthcare
- how to identify a potential DoLS in healthcare
- how to remain compliant

16.30 Training and educating frontline staff: ensuring all staff understand when an application is needed

Speaker to be announced

- training and educating frontline staff
- ensuring compliance
- grey areas: case studies and examples in practice

17.00 *Question and answers, followed by close*

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Hallam Conference Centre, 44 Hallam Street
London, W1W 6JJ. A map of the venue will be sent with confirmation of your booking.

Date

Tuesday 19 April 2016

Conference Fee

- ☐ £365 + VAT (£438.00) for NHS, Social care, private healthcare organisations and universities.
- ☐ £300 + VAT (£360.00) for voluntary sector / charities.
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