

GUIDE TO

# DEPRIVATION OF LIBERTY SAFEGUARDS

## WHAT ARE DEPRIVATION OF LIBERTY SAFEGUARDS?

Sometimes a hospital or care home has to deprive a patient or resident of their freedom in order to protect them from harm. The legal framework for this is known as Deprivation of Liberty Safeguards (DoLS).

## WHEN AND WHERE ARE DoLS USED?

DoLS are used when an adult has been assessed as not having the mental capacity to give their consent for the care and treatment that's needed to keep them safe.

Lacking mental capacity means that the person may have a cognitive impairment, learning disability or mental illness, which prevents them from making a decision about their care/treatment.

DoLS only apply in a hospital or care home setting, where the person is:

- » Under continuous supervision and control
- » Not free to leave

The hospital or care home must get authorisation from the local authority to deprive a patient or resident of their liberty, and if authorisation is granted, someone (usually a friend, family member or advocate) will be given legal powers to represent the person. If that's you, the hospital or care home will talk you through the best way forward for your loved one.

## HOW IS THE PERSON'S FREEDOM RESTRICTED?

Under the Mental Capacity Act, certain restrictions and restraint can be used to keep people safe from harm, if it is decided these actions are in the person's best interests.

### These may include:

- » Giving the person necessary medication, for example, to keep them calm

- » Using door locks or keypad entry systems to stop them leaving or going into different parts of the building
- » Physically stopping them from doing something that could cause them harm
- » Taking away items that could cause them harm
- » Holding them so that they can be given treatment and care
- » Supervising them closely when they're outside

Every person has different needs so this list isn't exhaustive. But whatever methods are used, the aim is always to protect the person and act in their best interests, using the minimum restriction possible.

## REVIEWS/ESCALATION

If you have concerns about the application of DoLS, you can speak with a specialist team by calling **01483 517644** or emailing [dolsteam@surreycc.gov.uk](mailto:dolsteam@surreycc.gov.uk).

## GETTING HELP

If you're worried that a person is being exploited or at risk of harm, contact the Multi Agency Safeguarding Hub (MASH):

- » Call on **0300 470 9100**
- » Text on **07527 182861**
- » Email [ascmash@surreycc.gov.uk](mailto:ascmash@surreycc.gov.uk)
- » Out of hours, call **01483 517898**

**In an emergency**, or if you believe someone is in immediate danger, always dial 999 for the police.