



For each intervention with a person ensure that there is consideration and a **profile note/relevant document** completed for each of the following, including the use of reasonable adjustments at each stage:

The presumption of capacity: Provide evidence that the decision the person is making is done freely, and without evidence of coercion?

If the person appears to be making an **unwise decision**, explore the reasons for this. Does the person understand the potential consequences/risks of their decision?

If there is reason to doubt the presumption of capacity:
Is there a recent and relevant capacity assessment available?

If yes, please state why you are able to rely on this.

If no, complete the relevant capacity assessment.

Best Interest: Check to see if there is a relevant Lasting Power of Attorney or other proxy decision maker.

If yes, ensure a copy is available on S1.

If no, consider an advocate.

Ensure all relevant persons are consulted. If not done, state why not.

If **all** in agreement, record the best interest discussion/decision.

If there are any challenges to decision, convene a best interest meeting.

Now consider Deprivation of Liberty.

Use the acid test. Is the person: Under continuous supervision and control AND Not free to leave? Record your observation. If yes, please turn over

What is the status of the DoL/DoLS?

Authorised:

What is the expiry date?

Are there any conditions/
recommendations that require
action?

Not yet authorised:

What is the date of the
application (DoLS) or
questionnaire (DoL)?

Waiting list risk rating:
High / Medium / Low

Is there evidence of any **significant changes** since the dates noted above?

If **yes**, please explore and report the following:

- Evidence of any **objections** - is the person asking or attempting to leave, agitated, or withdrawn.
- Are there any **concerns** or **conflicts** regarding the arrangements raised by others?
- Evidence of **restraint**
- Use of **medications** with a sedative/mood altering effect especially if administered covertly?
- Are there any other changes in the **person's presentation** that give rise to concern?
- Can you identify any **less restrictive** ways that the care to this person could be delivered?

If any of the above are present - please record and escalate to the DoLS Team - via focus.mcadols@nhs.net

If no application found - Please ensure one is instigated.

Telephone: Monday-Friday 11:00-15:00 **0300 330 2860**

Outside of those hours via focus.mcadols@nhs.net



*CHECK OUT OUR
MCA MINI SERIES
ON YOUTUBE*

Scan here
to download
the ICB MCA
Policy (.docx)

