

**Best Interests Assessor \*1**  
(Focus / NAViGO / Care Plus / ICB / NELC)

The BIA is satisfied that the RPR is appropriately appointed and it is clear that **P is objecting and wishes (or would wish) an application to be made and there are no actions that can be taken to mitigate or remove concerns**

The BIA is satisfied that the RPR is appropriately appointed and that **P may be objecting and/ or it is unclear whether P wishes (or would wish) to make an application and/or there may be mitigating actions to explore which could negate such objection.**

BIA must direct the RPR to appropriate support to enable an application to be made.

BIA to work with the RPR and MA around any mitigating actions that may be effective in reducing or removing an objection

No more than a **3 month** authorisation to enable preparation of court papers (**Condition No.1 to be incorporated**)

No more than a **6 month** authorisation to allow time for the RPR to work with relevant parties to establish whether P does object and if so what to, and whether any amendments to P's arrangements can mitigate or remove such objections. The expectation is that at the end of the maximum 6 month period, any necessary investigations into P's possible objections and /or activity to mitigate it will have been concluded (**Conditions Nos.1-3 to be incorporated**)

**Condition No.1 – Log Objections and mitigating actions**

The Managing Authority (Care Home Manager) will make a detailed log of any established objections to the placement and/ or care provided (starting from the date of authorisation), detailing the type of objection and any actions taken to attempt to mitigate such objections.

The Managing Authority will then:

- i. Supply the Supervisory Body with a summary of findings from the Objections Log no less than 6 – 8 weeks before expiry of the authorisation and/ or at any DoLS review, whichever is the soonest
- ii. Make the 'Objections Log' available to the Supervisory Body when requested and when any DoLS review and/ or repeat DoLS assessments are carried out by the Supervisory Body's Best Interests Assessors. This includes any assessments or investigations made as part of court proceedings.

**Condition No. 2 – Actively Scope objections**

The Managing Authority (Care Home Manager) will work with the Relevant Person's Representative (RPR) to facilitate a rigorous programme of activity designed to establish the nature of any objection expressed by [ ] to the placement and/ or care provided and whether and what action could be taken to remove or reduce [ ]'s objection. As a minimum, this programme of activity must include a mid-authorisation review of progress in establishing objections and mitigating actions, on which the Managing Authority must report to the Supervisory Body

**Condition No.3 – Involve others in scoping objections**

The Managing Authority (Care Home Manager) will notify [ ]'s [case worker/ relevant support worker etc.] of the intended programme of activity in order that they may be involved in consideration of whether and what action could be taken to remove or reduce [ ]'s objection

**Panel Responsibility: -**

Panel BIA must read the BIA assessment for any signs of 'objection' and ensure that appropriate condition(s) are imposed and must indicate on the Panel Checklist that objections are evident.

**DoLS Team Responsibility: -**

Enter the case on the Objections / s21A Challenges spreadsheet  
If there is an 'unpaid' RPR – send to them information around how to challenge a DoLS.  
Incorporate in to the Managing Authority email a 'suggested' objections log for use  
Notify the legal team where an application is being explored or is intended.

<sup>1</sup> To be read in conjunction with the detailed 'Guidance for BIAs re s21A in the DoLS Operational Handbook