

A Joint InPractice and Healthcare Conferences
UK Advanced Masterclass

Deprivation of Liberty Safeguards

Tuesday 12 December 2017

De Vere West One Conference Centre, London



InPractice



Learning Objectives:

- Provide an overview of the Mental Capacity Act and the legislative framework for Deprivation of Liberty Safeguards
- A thorough examination of the judgment in Cheshire West and its implications
- Examination of the changes proposed by the Law Commission, including the use of First Tier Tribunals, Approved Mental Capacity Professionals and the interface between the MCA and MHA in hospital settings
- Step by step review of the current procedure for obtaining urgent and standard authorisations
- Documentation under the new regime



The June Masterclass will be facilitated by

Simon Robinson

Barrister

Five Paper Chambers

10% online payments discount**
15% Group booking discount**

Deprivation of Liberty Safeguards

Tuesday 12 December 2017

De Vere West One Conference Centre, London

10% online payments discount**
15% Group booking discount**

"The Law Commission recommends that DoLS are repealed as a matter of urgency, and are replaced by a new scheme called the Liberty Protection Safeguards. This intends to streamline the process for assessing whether a deprivation of liberty is necessary, and obtaining the required authorisation. The Liberty Protection Safeguards would also authorise particular arrangements and conditions for a person's care or treatment, rather than simply authorising a deprivation of liberty... Under the new scheme, when there is a potential deprivation of liberty, the responsible body – the NHS body or local authority - arranges three assessments: a capacity assessment, a medical assessment, and a 'necessary and proportionate' assessment. They must also consult with friends and family of the relevant person. Each case is verified by an "independent reviewer", and those where the placement are contrary to the person's wishes are referred to an Approved Mental Capacity Profession (AMCP)." House of Commons Briefing Paper, 2nd October 2017

The Deprivation of Liberty Safeguards (DoLS) scheme is coming under increasing scrutiny.

In its interim statement the Law Commission gave some background to the current position: "The DoLS have been subject to considerable criticism ever since their introduction. In March 2014, two events inflicted significant damage. First, the House of Lords post-legislative scrutiny committee on the Mental Capacity Act published a report which, amongst other matters, concluded that the DoLS were not "fit for purpose" and proposed their replacement...A few days later, a Supreme Court judgment (usually referred to as "Cheshire West") gave a significantly wider definition of deprivation of liberty than that which had been previously understood to apply in the health and social care context...The judgment laid down an "acid test" for deprivation of liberty: whether a person is subject to continuous supervision and control and is not free to leave. The practical implications of this judgment for local authorities and the state have been significant. For example, there has been a tenfold increase in DoLS applications in England and a 16 fold increase in Wales since the judgment, and it is estimated that only half of these have been processed owing to the resulting pressures on local authorities and local health boards."

This masterclass will explore the DoLS as they currently stand and examine the practical implications from restrictions to deprivations and capacity assessments through to seeking authorisations.

It will look at the implications of the case of Cheshire West, the House of Lords Select Committee Report Act and the Law Commission's proposals for changes to the current DoLS regime to make the application process more streamlined and to include a focus of ECHR Article 5 and 8 rights.

This one day masterclass will also cover the Law commission's report on Deprivation of Liberty Safeguards published on 13th March 2017. Following public consultation, the Law Commission is recommending replacing the law with a new scheme, called the Liberty Protection Safeguards.

Delegates will have the opportunity to raise issues and concerns specific to their own practice.

Programme

- 10.00** Overview of the Mental Capacity Act and DoLS legislation
- 10.15** Discussion of Cheshire West, case law and their implications.
- 11.00** Coffee
- 11.15** The Law Commission proposals for change and their interim statement
- 12.00** Capacity Assessments, best interests and case study
- 12.30** Completing the forms
- 13.00** Lunch
- 14.00** The application process: urgent authorisations and applications for standard authorisations
- 15.00** Tea
- 15.15** Good practice in documentation, the forms and communication within teams.
- 16.00** Close

A Joint InPractice and Healthcare Conferences UK Advanced Masterclass

Deprivation of Liberty Safeguards

Tuesday 12 December 2017 De Vere West One Conference Centre, London

Download

> How to book

Book online via credit card and receive a 10% discount*

www.healthcareconferencesuk.co.ukFax the booking form to
0208 181 6491Post this form to Healthcare Conferences UK
8 Wilson Drive, Ottershaw, Surrey, KT16 0NT**> Your Details** (please complete a new form for each delegate. Photocopies are acceptable)

Dr Mr Mrs Ms (Please Circle)

First Name

Surname

Job Title

Department

Organisation

Address

Postcode

Telephone

Fax

Email

Please write your address clearly as confirmation will be sent by email, if you prefer confirmation by post please tick this box,
Please also ensure you complete your full postal address details for our records.

Please specify any special dietary or access requirements

This form must be signed by the delegate or an authorised person before we can accept the booking

(By signing this form you are accepting the terms and conditions below)

Name

Signature

Date

> Payment **By Cheque** A cheque for is enclosed*Please make Cheques Payable to: Healthcare Conferences UK Ltd.* **By Invoice** Please send an invoice to

Name

Organisation

Address

Postcode

PURCHASE ORDER NUMBER
(If Applicable)

Please note if you are requesting an invoice many NHS organisations now require a Purchase Order Number to be provided. If you do not provide this number this may slow down the processing of this delegate place.

 By B A C S

For Payments in £: Sort Code 40-46-22 Account No. 21553690

 Please send your BACS remittance form as confirmation of payment Your BACS Reference **By credit card** Please debit my Visa/Mastercard/Switch **All sections must be completed**

Cardholder's Name

Card No. Valid From Expiry Date

Issue No. (switch only)

You will be contacted during the processing of your booking to confirm the payment card security code.
(this is the last three digits of the number printed on the back of your card)

Signature

Card billing address

Promotional Code **Venue**

De Vere West One Conference Centre, 9-10 Portland Place, London, W1B 1PR

A map of the venue will be sent with confirmation of your booking.

Date

Tuesday 12 December 2017

Conference Fee

-
- £395 + VAT (£474.00) for NHS, Social care, private healthcare organisations and universities.
-
-
- £549 + VAT (£658.80) for Commercial Organisations

The fee includes lunch, refreshments and a copy of the conference documentation. VAT at 20%.

***Online Discount**

10% discount when you book online via credit card. This offer is exclusive to online credit card bookings and cannot be used in conjunction with any other Healthcare Conferences UK offer.

****Group Rates**

A discount of 15% is available to all but the first delegate from the same organisation, booked at the same time, for the same conference.

Terms & Conditions

A refund, less a 20% administration fee, will be made if cancellations are received, in writing, at least 4 weeks before the conference. We regret that any cancellation after this cannot be refunded, and that refunds for failure to attend the conference cannot be made, but substitute delegates are welcome at any time.

Accommodation

On confirmation of your booking you will receive information for booking accommodation should you require it.

Confirmation of Booking

All bookings will be confirmed by email, unless stated otherwise. Please contact us if you have not received confirmation 7-10 days after submitting your booking.

Credits

CPD Certified. Recognised by the Good Governance Institute. Conference Producer is a member of the British Association for Professional Conference Organisers.

For more information contact Healthcare Conferences UK on **01932 429933** or email jayne@hc-uk.org.uk

The information provided will be held on the Healthcare Conference UK's database and may be used to update you with details of other events that we organise. If you DO NOT wish to receive this information, please tick this box

We occasionally release your details to companies sponsoring or exhibiting at our events. If you DO NOT wish to receive information from these companies, please tick this box

Healthcare Conferences UK reserve the right to make changes to speakers and programmes without prior notice.
©Healthcare Conferences UK Ltd 2011