

A Joint InPractice and Healthcare Conferences  
UK Advanced Masterclass

# Deprivation of Liberty Safeguards

Thursday 4 July 2019

De Vere West One Conference Centre, London



InPractice



## Learning Objectives:

- what the safeguards are
- what the assessments involve (with particular focus on capacity and best interests)
- the difference between restraint, restriction and deprivation
- record keeping
- the impact of recent case law on day to day practice
- an overview of the Law Commission recommendations and the MCA Bill

Supporting organisations:

The Masterclass will be facilitated by

Kate Hill  
Solicitor  
InPractice

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*“The Law Commission recommends that DoLS are repealed as a matter of urgency, and are replaced by a new scheme called the Liberty Protection Safeguards.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”.*

Whilst the Liberty Protection Safeguards are in the pipeline they are not expected to come into force until late 2019/early 2020. In the interim clinicians will continue to be faced with difficult situations; depriving a patient of his or her liberty is a significant decision to make.

This one-day training course will enhance a practitioner’s understanding of the principles and how to apply them in practice.

Key learning points will be:

- what the safeguards are
- what the assessments involve (with particular focus on capacity and best interests)
- the difference between restraint, restriction and deprivation
- record keeping
- the impact of recent case law on day to day practice
- an overview of the Law Commission recommendations and the MCA Bill

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

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**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**

Thursday 4 July 2019

**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%.

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