



# Cardiff and Vale of Glamorgan Mental Capacity Act/Deprivation of Liberty Safeguards Service Team Plan 2015/16

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Service Plan: Social Services  
Date signed off: 11/06/2015  
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# Team Overview – Cardiff and Vale Mental Capacity Act/Deprivation of Liberty Safeguards Service.

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The Cardiff and the Vale Deprivation of Liberty Safeguards(DoLS)/Mental Capacity Act Team has been operational since the implementation of the Deprivation of Liberty Safeguards in April 2009 and has developed methodology and work load management in line with the Mental Capacity Act 2005 (MCA) and the DoLS Codes of Practice.

The MCA/DOLS service is managed via the Vale of Glamorgan Council by a tripartite management board consisting of representation from the Vale of Glamorgan Council, the University Health Board and Cardiff Council.

The team is based in the Vale of Glamorgan team consists of:

- 1 full time administrator
- 1 full time DOLS/MCA Coordinator (Band 7)
- 2 full time Best Interest Assessors
- 0.5 Best Interest Assessors
- 2 full time Best Interest Assessors (Funded by Local Authority – Start May/June 2015)
- A rota of approximately 40 Best Interest Assessors

## **The Team's broad functions are:**

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- **Coordination of DoLS assessments on behalf of Cardiff and Vale UHB, Cardiff Council and Vale of Glamorgan Council as requested by Managing Authorities by undertaking the following assessments:**
  - **Age - 18 and over**
  - **Mental Illness- Is medically diagnosed with a mental disorder**
  - **Mental Capacity - Lacks capacity for the decision to be accommodated in the hospital or care home**
  - **No refusals - there is no decision previously made to refuse treatment or care, or conflict relating to this such as LPA**
  - **Eligibility - This determines whether the person meets the requirements for detention under the Mental Health Act 1983;**
  - **Best Interests - The person needs to be deprived of liberty for reasons of health, safety and best interests.**
- **Supervision and workload management of over 40 Best Interest Assessors;**

- Advice and support to health and social care teams across the sector in relation to MCA/DoLS issues;
- Training for care homes and all inpatient sites across the hospitals of Cardiff and the Vale of Glamorgan areas.

The Cheshire West judgement considerably reduced the legal threshold that state arranged care can be legally provided for people who do not have the mental capacity to consent to the care arrangement, by revising the definition of a Deprivation of Liberty.

This means that the number of people who are receiving care in hospitals and care homes that may institute a deprivation of their liberty has increase by 10 to 15 times.

The table below shows the number of DoLS referrals per Supervisory Body:

| REFERRALS       | 2013/14 | 2014/15 | % Activity |
|-----------------|---------|---------|------------|
| Cardiff Council | 32      | 866     | 50%        |
| Vale Council    | 6       | 489     | 28%        |
| C&V UHB         | 55      | 406     | 22%        |
| <b>Total</b>    | 93      | 1761    | 100%       |

## Our Contribution to Service Plan priorities 2014/15

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Our contribution to the Service Plan priorities last year:

- The DoLS team continues to ensure that the care arrangements for the most vulnerable adults in our society are made in the best interests of the person. By coordinating the suite of DoLS assessments, we are providing an independent examination of the care arrangements for someone who cannot consent to the care and thereby safeguarding their best interests.
- The DoLS team endeavours to coordinate a response to each and every request for a DoLS Authorisation within statutory timescale. However, due to the 15 fold increase in the number of referrals during 2014/15, the team were only able to meet the statutory timescales for Urgent Authorisations.
- The Vale of Glamorgan has funded an 1.5 additional Best Interest Assessors during 2014/15 to meet the increased number of requests for DoLS Authorisations for people living in Care Homes.
- The DoLS team is a good example of a successful joint working arrangement with partner organisations. We have strengthened the governance of the DoLS team this year by formalising the DoLS Partnership Board and integrating DoLS into the Cardiff and Vale Safeguarding Adults Board.

## Our Team Plan 2015/16

| <b>Service Outcome 1:</b> |  | <b>People in the Vale of Glamorgan are able to request support and receive help in a timely manner.</b>  |                                     |  |                   |                    |  |                 |
|---------------------------|--|--|-------------------------------------|--|-------------------|--------------------|--|-----------------|
| <b>Objective 1:</b>       |  | <b>To ensure that people have access to comprehensive information about Social Services and other forms of help and support, and are appropriately signposted to help and supported by proportionate assessments, care and support plans, and services which meet their individual assessed needs.</b> |                                     |  |                   |                    |  |                 |
| <b>Ref.</b>               | <b>During 2015-16 we plan to:</b>  | <b>Success Criteria/ Outcomes we'll achieve from this action are:</b>  | <b>High, Medium or Low priority</b> | <b>Officer responsible for achieving this action</b> | <b>Start date</b> | <b>Finish date</b> | <b>How will the work be resourced?</b>               | <b>Progress</b> |
|                           | Continually review resources against demand for additional Best Interest Assessors.<br>[The team has seen a 15 fold increase in the number of requests for DoLS Authorisations and in predicting a further substantial increase in requests during 2015/16]. | Coordination and completion of DoLS Assessments and Authorisations within statutory timescales. This will ensure people are properly safeguarded.  | H                                   | Operational Manager (Mental Health)                  | April 2015        | April 2016         | Through budget growth required due to rising demand. |                 |
|                           | Produce a prioritisation tool to enable coordination and completion of DoLS assessments within timescales,   | Ensure the most vulnerable people are safeguarded first.   | H                                   | DoLS Coordinator                                     | <i>April 2015</i> | <i>June 2015</i>   | Existing Resources                                   |                 |
|                           | Work with Cardiff Council and the Cardiff and Vale UHB to ensure the DoLS assessments meets the requirements of the Welsh Language Act.  | Welsh speaking service users of mental health services in the Vale of Glamorgan can receive their service through welsh and the offer of welsh services is proactively offered.  | H                                   | Operational Manager                                  | April 2015        | April 2016         | Through Existing Resources                           |                 |

| <b>Service Outcome 2:</b> |  | <b>The Vale of Glamorgan Council protects vulnerable people and promotes their independence and social inclusion.</b>   |                                     |   |                   |                    |  |                 |
|---------------------------|--|---|-------------------------------------|---|-------------------|--------------------|--|-----------------|
| <b>Objective 2:</b>       |  | <b>Through the Council working in co-ordination with other organisations, to ensure that people are helped to achieve their best possible outcome and that people at particular risk have their wellbeing promoted and are safeguarded from abuse and exploitation.</b> |                                     |   |                   |                    |  |                 |
| <b>Ref.</b>               | <b>During 2015-16 we plan to:</b>  | <b>Success Criteria/ Outcomes we'll achieve from this action are:</b>   | <b>High, Medium or Low priority</b> | <b>Officer responsible for achieving this action</b>      | <b>Start date</b> | <b>Finish date</b> | <b>How will the work be resourced?</b> | <b>Progress</b> |
|                           | Continue to prevent abuse by professionals working in social care settings and in the community by ensuring the voice of the vulnerable adult is heard and staff witnessing abuse feel empowered to report their concerns. | The POVA process ensures comprehensive sharing of information, of which the views of vulnerable adults and those witnessing abuse are central.  | H                                   | Designated Lead Managers (POVA) & Best Interest Assessors | April 2015        | March 2016         | Within current resources               |                 |
| <b>SS/A064 HSCW13</b>     | <b>Continue to develop awareness of the Mental Health Capacity Act and Deprivation of Liberty Safeguards amongst ACM and Health Teams as well as providers of care.</b>  | <b>All providers to have an awareness of their duties under the MCA and DoLS to ensure relevant people are protected</b>  | <b>High</b>                         | <b>Andrew Cole-OM Mental Health</b>                       | <b>April 2015</b> | <b>March 2016</b>  | <b>OM for Mental Health.</b>           |                 |
|                           | Raise awareness of the Mental Capacity Act and the Deprivation of Liberty Safeguards to ensure good practice is seen throughout all care settings.   | Continue to offer training and awareness raising sessions across managing authorities and supervisory bodies.   | H                                   | DoLS Coordinator and Best Interest Assessors              | April 2015        | March 2016         | Within existing resources              |                 |

| <b>Service Outcome 3:</b> |   | <b>Social Services in the Vale of Glamorgan review, plan, design and develop quality services that deliver best value for money to improve outcomes for individuals.</b>   |                                     |  |                   |                    |  |  |
|---------------------------|---|--|-------------------------------------|--|-------------------|--------------------|--|--|
| <b>Objective 3:</b>       |   | <b>To have in place clear planning and programme management processes, which are identified in commissioning strategies and annual commissioning plans, and help to ensure an appropriate range of services that deliver equity of access, joined up services and best value from a variety of providers with defined, proportionate budgets directed to meeting service priorities.</b> |                                     |  |                   |                    |  |  |
| <b>Ref.</b>               | <b>During 2015-16 we plan to:</b>   | <b>Success Criteria/ Outcomes we'll achieve from this action are:</b>  | <b>High, Medium or Low priority</b> | <b>Officer responsible for achieving this action</b> | <b>Start date</b> | <b>Finish date</b> | <b>How will the work be resourced?</b> | <b>Progress</b>  |
| <b>SS/A070</b>            | <b>Implement key improvement areas as identified by relevant regulatory reports.</b>  | <b>We can demonstrate progress and improved outcomes in future regulatory reviews.</b>   | <b>High</b>                         | <b>All heads of service</b>                          | <b>April 2015</b> | <b>March 2016</b>  | <b>HOS time as required</b>            |  |
|                           | Review the DoLS service resources & BIA capacity in light of the Supreme Court judgment.<br><br>Develop a strategy which ensures the BIA function is established in all adult services teams and is embedded in assessment and reviews. | 1. Increased number of Best Interest Assessors to 60 across Supervisory Bodies to cover DoLS workload.<br><br>2. Produce and promote a guidance note on MCA/DoLS for all adult services team.<br><br>3. Ensure all supervisors have a good awareness of MCA/DoLS.  | High                                | Andrew Cole  | April 2015        | March 2016         | Time as required                       | 1. We now have trained 60 BIAs but only 30 are regularly working on the rota.<br><br>2. Guidance notes produced and sent to OMs/relevant Health staff.<br><br>3. DoLS Team continues to offer training to ACM teams and UHB staff. |



|  |  |   |      |             |            |            |                  |  |
|--|--|---|------|-------------|------------|------------|------------------|--|
|  |  | 4. All staff have access to MCA & DoLS code of Practice.  |      |             |            |            |                  | 4.CoP available on line. Link to Law Society Guidance made available to managers.  |
|  | <p>Ensure mandatory Mental Capacity Act and DoLS training for managers and staff in all relevant social and health care settings.</p> <p>The Council and the Health Board should ensure this is reflected in contracts with managing authorities and audit the effectiveness of this training.</p> | <p>1. MCA/DoLS training is mandatory for all adult services (Health &amp; Social Care) care management staff.</p> <p>2. Ensure that the effectiveness of the training is measured as part of the annual Supervisory Body's business planning processes</p> <p>3. Contracts team to work through amending all care home and domiciliary care contracts to include MCA/DOLS training as part of their monitoring arran</p> <p>Contracts team to work through amending all care home and domiciliary care contracts to include MCA/DOLS training as part of their monitoring arrangements.</p> | High | Andrew Cole | April 2015 | March 2016 | Time as required | <p>1.SCWDP offers DoLS training. Managers to prioritise staff accordingly.</p> <p>2.Not achieved. DoLS team to work with SBs training departments to develop audit tool.</p> <p>3.Not achieved. OM (Mental Health) to discuss with Contracts Manager</p> |

|  |  |             |                    |                   |                   |                         |   |
|--|--|-------------|--------------------|-------------------|-------------------|-------------------------|---|
| <p>The Council and UHB should develop joint systems and processes which support the effective delivery of the DoLS service including the quality assurance of applications and ensuring that an individual's DoLS status is known to the professionals involved with them.</p> | <ol style="list-style-type: none"> <li>1. Quality Assurance arrangements have been put in place through the development of a screening process for all referrals.</li> <li>2. All professionals and Relevant Persons Representative informed of DoLS process and outcome.</li> </ol>   | <p>High</p> | <p>Andrew Cole</p> | <p>April 2015</p> | <p>March 2016</p> | <p>Time as required</p> | <ol style="list-style-type: none"> <li>1. Prioritisation tool in place and used for all DoLS referrals</li> <li>2. Systematic approach to informing all relevant parties is in place.</li> </ol>  |
| <p>The Council and UHB should develop information and tools for staff that promote a better understanding of the role of the IMCA and when they should be used.</p>  | <ol style="list-style-type: none"> <li>1. DoLS Coordinators to ensure all appropriate authorisations are offered IMCA support as part of their screening processes.</li> <li>2. DoLS team and IMCA service to develop improved links and information to promote appropriate.</li> <li>3. Involvement of IMCAs to be recorded in DoLS documentation to ensure their continued involvement in future DoLS</li> </ol> | <p>High</p> | <p>Andrew Cole</p> | <p>April 2015</p> | <p>March 2016</p> | <p>Time as required</p> | <ol style="list-style-type: none"> <li>1. Identification of the need for IMCA is highlighted at BIA and Authorisation stage of process and referrals are routinely made</li> <li>2. DoLS Team and IMCA service have improved links through attendance of team meetings and regular client liaison.</li> <li>3. IMCA involvement is recorded.</li> </ol> |

|  |   |  |      |                     |            |            |                            |  |
|--|---|--|------|---------------------|------------|------------|----------------------------|--|
|  |   | assessments/reviews engagement of IMCAs  |      |                     |            |            |                            |  |
|  |   |  |      |                     |            |            |                            |  |
|  | With our two statutory partners, develop agreed governance arrangements for the Deprivation of Liberty Safeguards Service, which clarify accountability, management, financial and HR issues. | Clear accountability, management, financial and HR arrangements for the DoLS Service.          | High | Operational Manager | April 2015 | March 2016 | Through existing resources |  |
|  | Work with Welsh Government in the development of streamlined DOLS assessment process and Best Interest Assessor training.   | A high quality consistent approach to DoLs across Wales to ensure more people are safeguarded. | M    | DoLS Coordinator    | April 2015 | March 2016 | Within existing resources  |  |