

**Guidance to Managing Authorities (Registered Care Homes and**

**Hospitals) from Nottinghamshire County Council**

Nottinghamshire County Council has adopted the Association of Directors

of Adult Social Services (ADASS) forms in our Deprivation of Liberty Safeguards (DoLS) process.

This is a reminder of which Forms you are most likely to use and when they should be completed and submitted to the DoLS Team.

**Before submitting a Referral**

You **must** establish which the Supervisory Body is. For care homes and hospitals the Supervisory Body is the Local Authority where the funding agency is located (e.g. the Local Authority, Clinical Commissioning Group or NHS commissioner).

For those people who are self-funding their own placement, the Supervisory Body is normally the Local Authority where the care home is located. For hospitals it is the ordinary residence of the relevant person (patient) where they would usually reside.

Please ensure that you specify how the placement is funded to enable a speedy process. However there are exceptions and it may be worth checking with the Nottinghamshire DoLS Team if you are unsure.

When submitting a referral to Nottinghamshire County Council you **must** ensure that

Nottinghamshire County Council is the Supervisory Body, otherwise there will be a delay in processing the referral.

Where the form can be completed on-line you will need to enter your CQC Location ID, this can be found on the CQC website. [www.cqc.org.uk](http://www.cqc.org.uk)

**The Forms**

**Form 1 - Request for a Standard and Urgent Authorisation**

Our preferred method of submission for this form is via our website:

[**www.nottinghamshire.gov.uk/DoLS**](http://www.nottinghamshire.gov.uk/DoLS)

This is the one to use when you are referring a patient or resident for a DoLS authorisation for the first time.

In making your referral, in the second section on **page 2**, you are asked to describe the proposed restrictions or the restrictions you have put in place which are necessary to ensure the person receives care and treatment. When completing this it is particularly important that you identify if the person is objecting to their residence or elements of care and treatment provided in your hospital or care home and provide details of this. It is also important to specify if a family member is requesting that the person be discharged to their care and this has been refused.

On **page 6** you are invited to complete an Urgent Authorisation only if you think deprivation of liberty is already occurring. We advise that if the person **is already residing in your care home or hospital ward** (as is frequently likely to be the case) then you should complete this.

The form also includes a request for an extension on page 7. We recommend that you complete this section every time that you complete an Urgent Authorisation.

**Form 2 - Further Authorisation Request**

Our preferred method of submission for this form is via our website:

[**www.nottinghamshire.gov.uk/DoLS**](http://www.nottinghamshire.gov.uk/DoLS)

Please complete this form **at least 21 days** before an existing Standard Authorisation is due to expire if you wish to apply a further authorisation for your resident or patient.

When completing this form you will need to enter the Person ID this can be found at the top of the DoLS Form 5 – Standard Authorisation Granted, sent to you previously for the relevant person.

**Form 10 – Review**

Our preferred method of submission for this form is by email to referdols@nottscc.gov.uk

Please complete this if you believe that an existing DoLS authorisation should be reviewed. This may be because the person you care for appears to no longer to meet the criteria for a DoLS. Alternatively you may be discharging them from your care or you think that some of the Conditions attached to the Standard Authorisation need to be changed. Please include any supporting documents.

This form is also used to inform the Nottinghamshire DoLS Team if the relevant person has moved or died before an assessment has been completed.

**Form 12 - Notification of Death whilst Deprived of Liberty**

From 3 April 2017, following Royal Assent of the Policing and Crime Act 2017 any person subject to a DoLS Standard Authorisation Granted is no longer considered 'in state detention' for the purposes of the Coroners and Justice Act 2009.

Any death on or after this date will only require an inquest if other criteria apply. For example if the death was unnatural or violent, or the cause of death is unknown.

Managing authorities are no longer required to inform the Coroner's Office, but still must complete and submit a DoLS Form 12 to the Nottinghamshire DoLS Team if the Standard Authorisation was granted by Nottinghamshire County Council. Please only send the DoLS Form 12 to us in these circumstances.

Our preferred method of submission for this form is by email to referdols@nottscc.gov.uk

**Further Advice and Guidance**

Further written guidance has now been published by the Law Society to help you identify when a resident or patient is deprived of their liberty. It answers a lot of frequently asked questions and we highly recommend that you download and keep this document for your reference. It is downloadable from their website [www.lawsociety.org.uk/support-services/advice/articles/deprivation-of-liberty](http://www.lawsociety.org.uk/support-services/advice/articles/deprivation-of-liberty).

Should you require any assistance from the Nottinghamshire DoLS Team please do not hesitate to contact us.