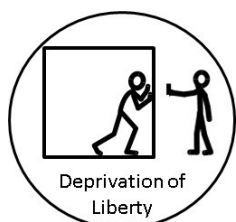


Guide to Deprivation of Liberty Orders (Community DoL)



This easy read document tells you about Deprivation of Liberty Orders, known as Community DoL.

The Mental Capacity Act and Deprivation of Liberty



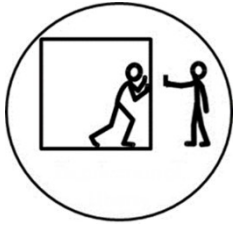
Sometimes, people need care from doctors, nurses or care workers, supported living, or in their own home.



This care should happen in a way that keeps people safe but, whenever possible, should not stop them from doing what they want to do.



The Mental Capacity Act is a law that says what should happen when people can't make some decisions for themselves.



The Mental Capacity Act includes powers to deprive people of some of their liberties and freedoms – this is known as “Deprivation of Liberty” or DoL.



The law also includes Deprivation of Liberty Safeguards (DoLS). This means that the powers can’t be used without proper assessment and authorisation.

What is a Deprivation of Liberty?



It isn’t always clear whether something is a DoL. But DoLs contain three parts:



- The person is unable to decide for themselves where they should live for care and treatment. This is called “lacking capacity”.



- The person is not allowed to leave where they are whenever they want to.



- The person is subject to “continuous supervision and control”.



“Deprivation of Liberty” is not a punishment for wrongdoing. It is done only if it is necessary to keep people safe.

How is a DoL authorised?



We can’t impose a Deprivation of Liberty order without permission from a judge in a special court – the Court of Protection.



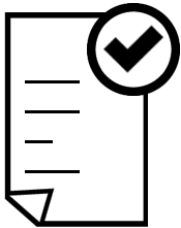
The Court of Protection is not deciding whether a person has done something wrong.



The court is one of the safeguards to ensure a person isn’t deprived of their freedoms or liberty unless it is necessary to keep them safe.



The Court of Protection can make decisions about money or welfare for people who lack the mental capacity to do this for themselves.



Most of the time people do not go to court for a hearing about Deprivation of Liberty, because the judge can make decisions by looking at reports.

How is an application made?



A member of our community Deprivation of Liberty team will visit you to check that your care is okay.



They will make sure that any restrictions are proportionate to the risk of harm.



This means that anything you are stopped from doing is only done to prevent a big risk of danger.



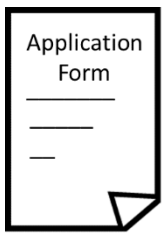
The application to the Court of Protection will have lots of details because the judge has to agree with the care plan.



The judge will want to know your opinion if you can say what you think.

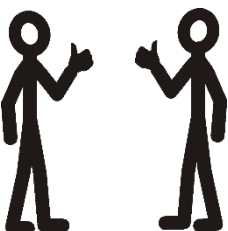


The judge will also want to know what your family or close friends think about your care.



When our team member has looked at everything and thinks that your care plan gives you as much freedom as it can, they will make an application to the Court of Protection.

What happens next?



The court will want to appoint somebody to be a representative for the person. A family member or close friend might be asked to do this.



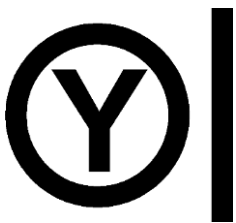
The representative will be asked to write a statement. They can have help doing this from our community Deprivation of Liberty team member working with the person.



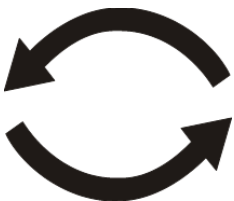
The court will want the representative to be in close touch with the person and support them – being “in their corner”.



We have [a separate easy read document that tells you about the role of the representative.](#)



If the Court of Protection makes a Deprivation of Liberty order, it will usually last for one year.



After a year it must be reviewed and renewed, if it is still needed.



You may find the idea of a “court” scary. The Court of Protection’s job is to make sure that people are being properly looked after.

Contact us



If you want to talk to our Deprivation of Liberty team, you can contact them by:

Email: communityDOLteam@nottsccl.gov.uk

Phone: 0115 804 3208

Links in this document

The role of a representative – easy read

nottinghamshire.gov.uk/global-content/easy-read-library/role-of-relevant-person-s-representative-easy-read

For plain English web page version of this information, go to:

[Guide to Deprivation of Liberty Orders \(Nottinghamshire County Council\)](#)

nottinghamshire.gov.uk/care/adult-social-care/social-care-publications/community-dol

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