

The Mental Capacity Act and Deprivation of Liberty Safeguards (DoLS).



Doncaster and Bassetlaw
Teaching Hospitals
NHS Foundation Trust

Patient, family and friends leaflet.



WPR50670 March

What is the Mental Capacity Act (MCA) and Deprivation of Liberty Safeguards (DoLS)?

Sometimes people in hospital cannot make decisions about their care or about staying in hospital.

This might be because of:

- a mental health condition
- dementia
- a learning disability
- being unwell, for example with delirium or an infection.

When this happens, staff must follow special laws:

- The **Mental Capacity Act (2005)**
- The **Deprivation of Liberty Safeguards (DoLS)**.

These laws help staff make sure patients are kept safe and cared for in the right way.

What does DoLS mean?

If someone is unable to understand or make decisions about their care in hospital, staff may need to:

- give them extra help and protections,
- prevent them from doing something that could put them at risk of harm,
- keep them in hospital to keep them safe, even if they want to leave.

The hospital must work with the local council when making these arrangements.

Being cared for under DoLS can feel worrying for patients and their families. Staff are here to explain what is happening, and to answer any questions.

Doctors and nurses will keep checking if DoLS is still needed.

They will also talk to family, friends, and the council to make sure the plan is right.

Information for families, friends and carers.

If you think DoLS is not the right choice, you can talk to the ward staff about your worries.

You do not need to take any action by yourself.

If the council agrees that DoLS should continue, someone must be chosen to speak up for the patient.

This person is called the **Relevant Person's Representative (RPR)**.

Staff may ask if you would like to be the RPR for your family member or friend.

What if you do not agree with the need for DoLS?

If you or your family member/friend do not agree with DoLS:

- You can ask the hospital team or council about it.
- If your worries cannot be sorted out, it can be taken to the Local Authority or the Courts as the law supports your right to object to the restrictions.

Questions?

If you have questions or worries, please speak to:

- the named worker for your family member or friend, or
- the ward manager

Useful Safeguarding Documents:



Doncaster and Bassetlaw Hospitals PALS - <https://www.dbth.nhs.uk/services/pals-patient-advice-liaison-service/>



Age UK DoLS factsheet - https://www.ageuk.org.uk/siteassets/documents/factsheets/fs62_deprivation_of_liberty_safeguards_fcs.pdf



Deprivation of liberty safeguards (DOLS) (easy read) – Doncaster Council DoLS team. <https://www.doncaster.gov.uk/services/adult-social-care/deprivation-of-liberty-safeguards>



Nottinghamshire Council DoLS Team. <https://www.nottinghamshire.gov.uk/care/adult-social-care/deprivation-of-liberty-safeguards-dols>

Useful numbers

Doncaster Council DoLS team: 01302 736097

Nottinghamshire DoLS team: 0115 8040128

Hospital Patient Advice and Liaison Service (PALS): 01302 642764

Safeguarding Team: 01302 642342

Patient Advice & Liaison Service (PALS)

The team are available to help with any concerns, complaints or questions you may have about your experience at the Trust. Their office is in the Main Foyer (Gate 4) of Doncaster Royal Infirmary. Contact can be made either in person between the hours of 9am-3pm, by telephone or email.

The contact details are:

Telephone: 01302 642764/642767 or 0800 028 8059

Email: dbth.pals.dbh@nhs.net