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## **Inclusion North News**

### **Changes to Deprivation of Liberty Safeguards (DoLS)**



Deprivation of Liberty Safeguards (DoLS) is a legal framework.



It is used to protect people who cannot make their own decisions about their care.



Sometimes people need to stay in a hospital or in care settings to keep them safe.

They are supported by staff 24 hours a day and have decisions made for them.



DoLS help protect people when rules or restrictions are put in place to keep them safe.

The rules make sure that any restrictions are fair, needed and checked regularly.



It's important people have a family member, a friend or an independent advocate who can speak for them to share how they feel and what they want.



The Supreme Court is the top court in the UK.

It makes the final decisions about laws.



The Supreme Court has changed the way professionals make this decision if someone should have a DoLS.

### **What were the rules before?**

Before, professionals used a legal test to decide if someone was being deprived of their liberty.



They looked at things like:

- Is the person watched or supported all the time?
- Can the person leave if they want to?



If the person could not leave and was under a lot of control, they would have DoLS protections.

DoLS protections help make sure a person's rights are protected.



It did not matter if the person seemed happy or if the support was helping them.

## What are the changes?

When making decisions for the Deprivation of Liberty Safeguards (DoLS), professionals now need to look at the person's whole life and situation.



They may think about:



- What the person wants.

- How the person feels.



- How much choice and control the person has over their daily life.

- What support the person needs.



- What the person can and can't do

If a person already has A DoLS They will look at:

- How long this has been in place.

- Why the person has it in place.

- The effect that this has had on the person.





## What we are worried about

We are worried that the change could mean:

- Fewer people might get DoLS protections.
- People might not get the protections they need.
- People not check as often if the rules are right for the person.
- It might be harder for people to say they are unhappy with a decision.
- People might have less choice about their daily lives.
- Different professionals might make different decisions.
- Health providers might change the way that they provide care and support for people.



These are worries about what might happen in the future. We do not know yet exactly how the new court decision will be used.