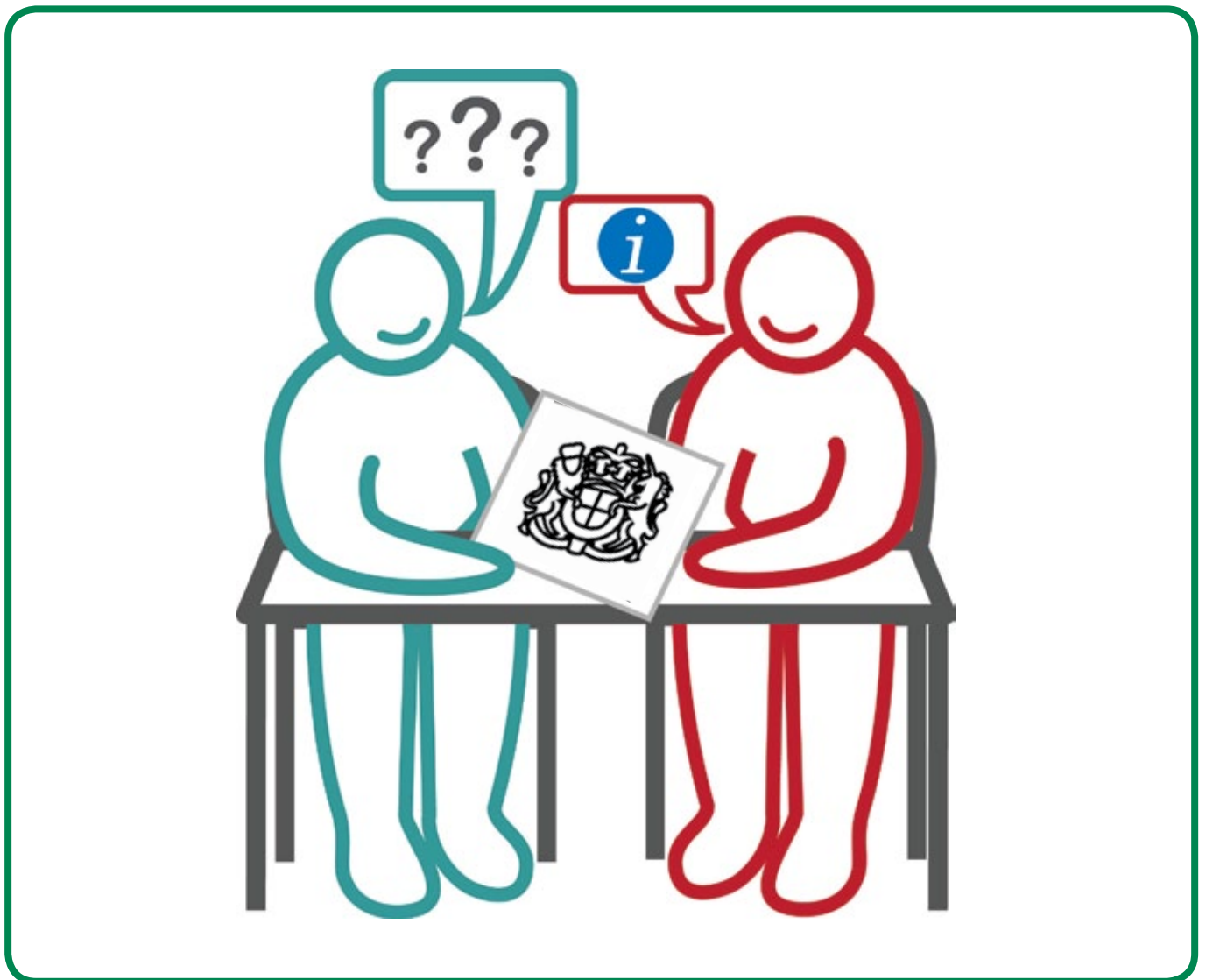


Deprivation of Liberty Safeguards:

Role of the Relevant Person's Representative



clear communication

Key Terms



DoLS: Deprivation of Liberty Safeguards

Conditions: requirements of some DoLS authorisations to reduce levels of restriction

Supervisory Body: Stoke on Trent City Council are responsible for overseeing deprivation of liberty authorisations in Stoke on Trent



Relevant Person: the person (your family member or friend) who is deprived of their liberty

IMCA: Independent Mental Capacity Advocates are independent from the Local Authority and NHS and are there to provide un-biased representation and support

Best Interests Assessor (BIA) assesses:

- is the deprivation of liberty in the relevant person's best interest?
- are there any less restrictive alternatives?
- is the deprivation proportionate to the degree of risk?



Court of Protection: a specialist Court that makes decisions in the best interests of people who lack capacity

Deprivation of Liberty Safeguards

Why you are being given this information



Your family member or friend has a DoLS Authorisation in place.

The Supervisory Body has agreed that your friend or family member needs a level of care and support that requires a DoLS authorisation.

The Best Interests Assessor (BIA) will have talked to you about this during your family member or friend's assessment.



Relevant Person's Representative (RPR)

A person who is deprived of their liberty has the right under DoLS to have someone (usually a family member or friend) to represent them.

The family member or friend is a Relevant Person's Representative (RPR).



The Supervisory Body will appoint an independent advocate as an RPR if the relevant person's family or friends are unable to undertake the role.

Rights of an RPR



Your rights

In order for you to check on the authorisation and conditions you must be given information about:

- the background to the DoLS authorisation
- the purpose of the DoLS authorisation
- the duration of the DoLS authorisation
- the relevant person's care and treatment

This is so you can check that the DoLS authorisation is in the person's best interests and to see if the conditions of the authorisation are being met.

You have the right to an Independent Mental Capacity Advocate (IMCA) who can help you to understand the DoLS and support you with your role as RPR.

You should contact the Supervisory Body to request an IMCA.

Agreeing to undertake the RPR Role

If you feel unable to accept the role of the RPR you should inform the Supervisory Body immediately.

An IMCA will undertake the RPR role if you feel unable to meet the role requirements.



Role of an RPR



Requirements of the RPR role:

- you must inform the relevant person of their right to a review of their deprivation through the Supervisory Body or Court of Protection
- you must maintain regular contact with the relevant person (at least once per month)
- you must make a request to the Supervisory Body to review the deprivation on the relevant person's behalf if required
- you must check that any conditions of the DoLS Authorisation are being met

Tom lives in a care home. The DoLS authorisation has a condition that he is given the opportunity to go out into his local community twice a week.

Tom's brother Mike is the RPR and visits Tom every week. Tom says he has not been out for a while and he wants to go out more. The staff tell Mike that Tom doesn't usually want to go out.

There is no record of when Tom has been out or when Tom has been offered opportunities but said no. Mike requests a review from the Supervisory Body to check if the conditions of Tom's authorisation are being met.

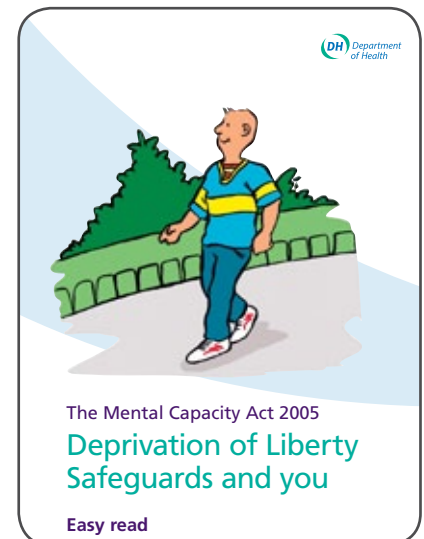
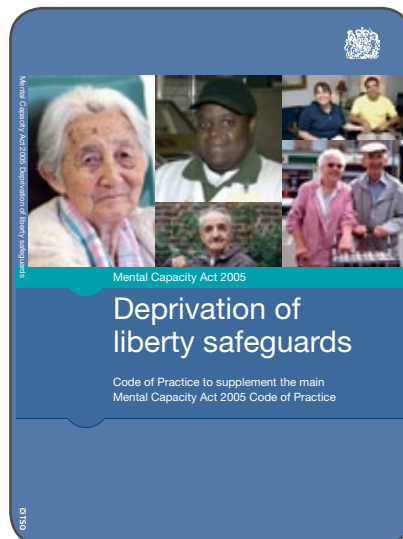
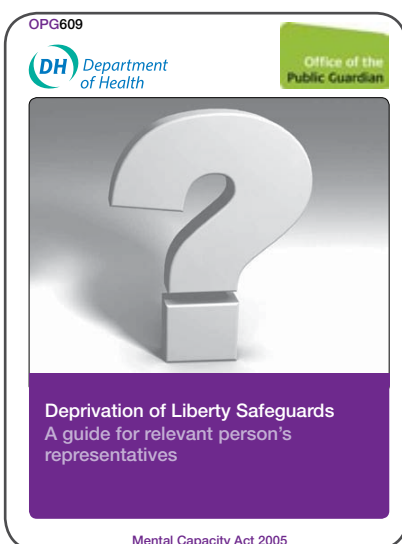


RPR in practice

You should request a review if:

- the relevant person now has capacity to make decisions about their care and treatment
- the relevant person expresses in any way their objection to the DoLS authorisation
- you think the DoLS authorisation is no longer in the relevant person's best interests
- you think there is a less restrictive way to manage the relevant person's care or treatment
- if conditions of the DoLS authorisation are not being met by the care or health provider

Resources and information:



There is a range of free information available online to support you and the Relevant Person to understand Deprivation of Liberty Safeguards.

Court of Protection

You must challenge an authorisation, on behalf of the relevant person, in the Court of Protection if:

- the relevant person makes a request that their case go to the Court of Protection
- the relevant person is consistently objecting to the deprivation of liberty
- the relevant person's non-verbal communication indicates their objection to the deprivation of liberty

Before challenging the relevant person's DoLS authorisation through the Court of Protection:

- seek legal advice from a solicitor
- ask for advice from the Supervisory Body
- request an IMCA via the Supervisory Body

Linda moved from her home to a residential placement for an assessment of her care needs. Linda's husband Paul is the RPR. Linda consistently tells Paul that she wants to go home. Paul believes it is in Linda's best interest to stay at the residential placement for the assessment of her care needs.

Paul explains to Linda that he will speak to the Supervisory Body about a review. Linda is still unhappy so Paul makes an application to the Court of Protection for the Judge to make a ruling regarding Lisa's DoLS authorisation.



An IMCA can support you with this and with any part of the RPR role.

Supervisory Body: Stoke on Trent City Council



Telephone: 01782 235353

Email: dols@stoke.gov.uk



website: www.stoke.gov.uk

IMCA : Asist Advocacy Services



Telephone: 01782 845584

Email: imca@asist.co.uk



website: www.asist.co.uk

Court of Protection



PO Box 70185
First Avenue House
42-49 High Holborn
London
WC1A 9JA



Telephone: 0300 456 4600

Email: customerservices@publicguardian.gsi.gov.uk



website: www.gov.uk/court-of-protection



**This guide has been developed by
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