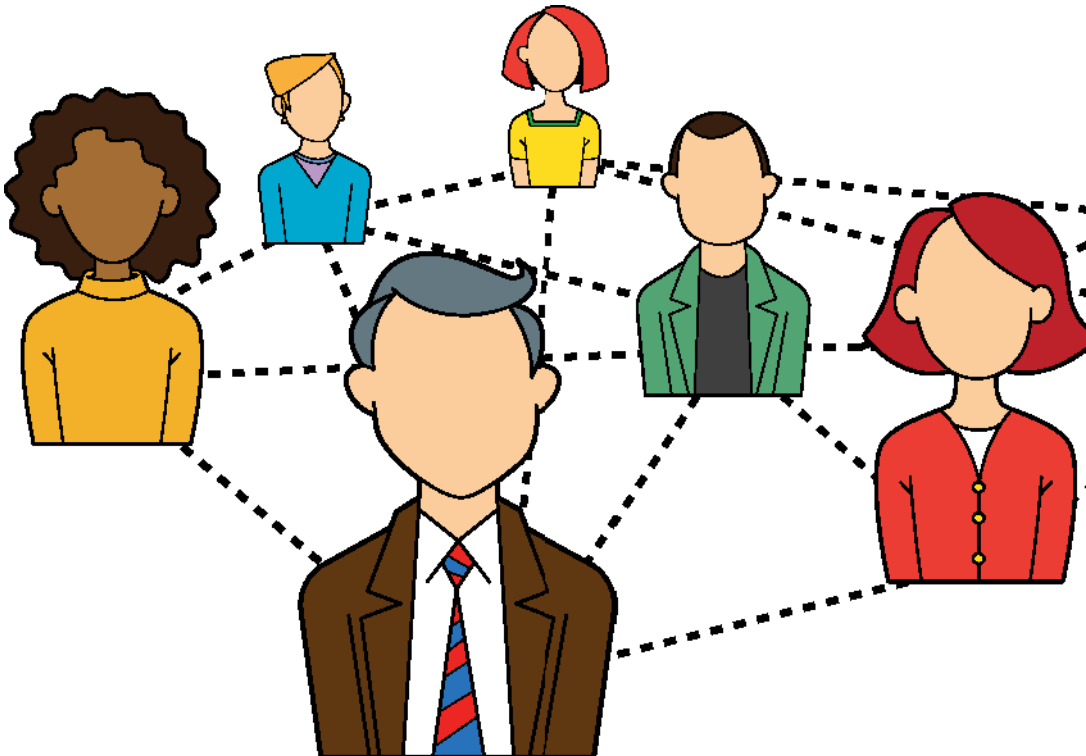
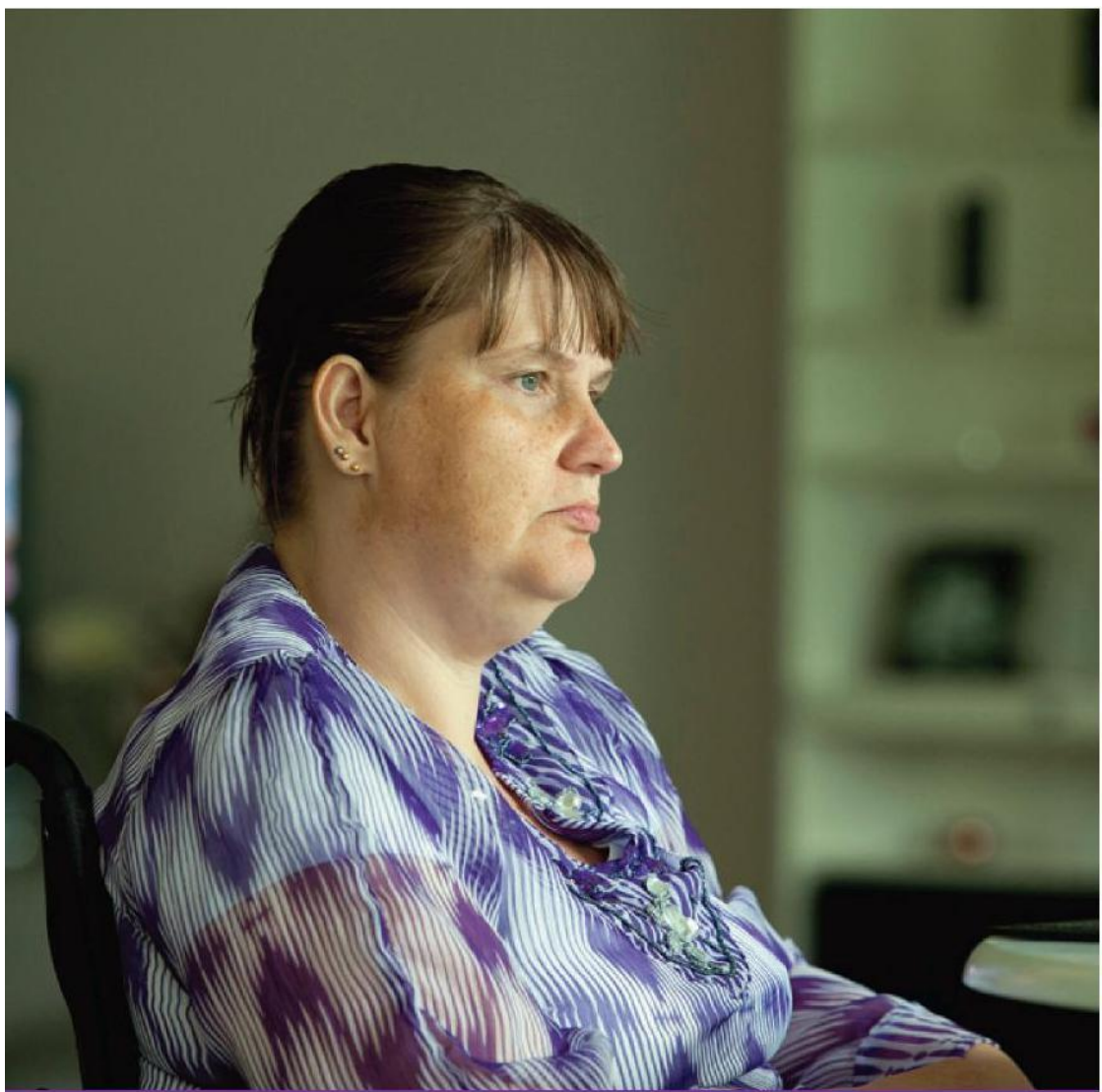


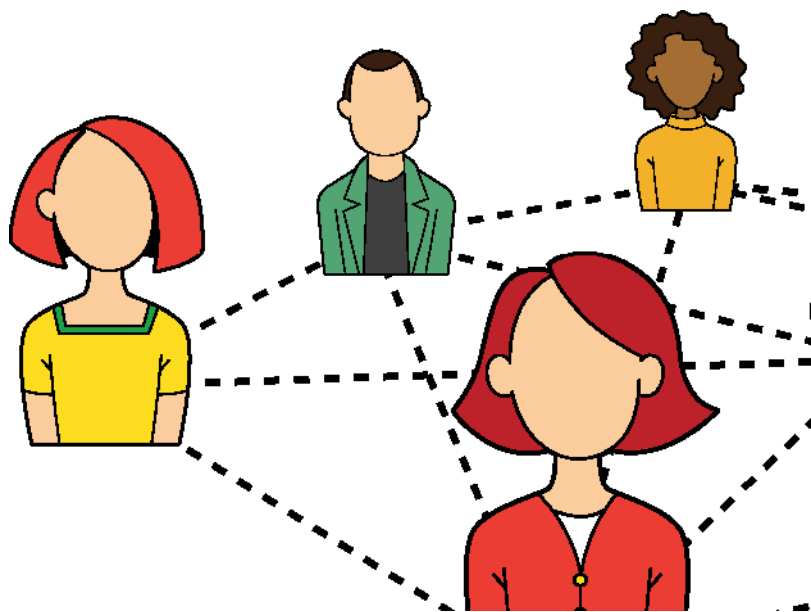
All about the Deprivation of Liberty Safeguards and **you**





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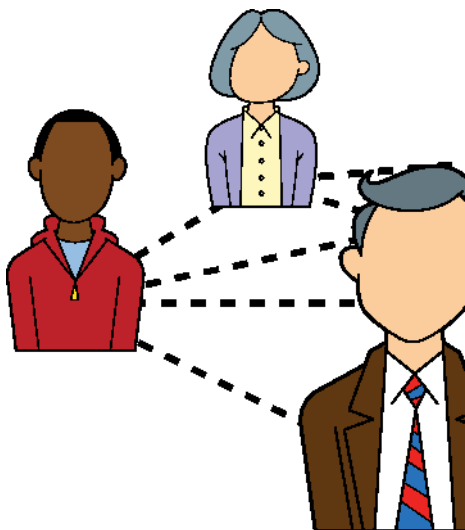
Why do we need **Deprivation of Liberty Safeguards?**

People aged over 18 who are living in a hospital, care home or supported living should be treated or cared for properly. They should be **safe** and **free** to do things they want to do.

The government has made rules to make sure this happens. These rules are called the Mental Capacity Act 2005 Deprivation of Liberty Safeguards. They are the law and must be followed.

Being stopped all the time from doing the things you want is called being **deprived of your liberty**.

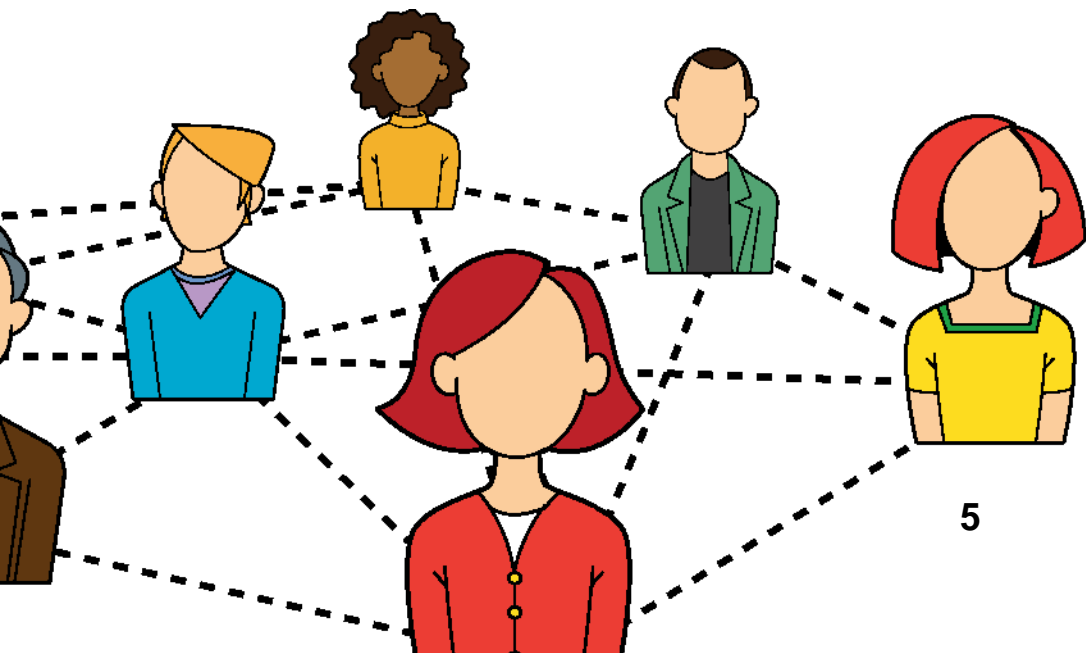
Sometimes people having treatment or care are deprived of their liberty to keep them safe.



If this happens to you

- it must be the best thing for you
- people must be very careful about how they make decisions for you

If you are deprived of your liberty, you need special protection to make sure you are looked after properly and are kept safe. This is what the Deprivation of Liberty Safeguards do. They must only be used with a Deprivation of Liberty authorisation.



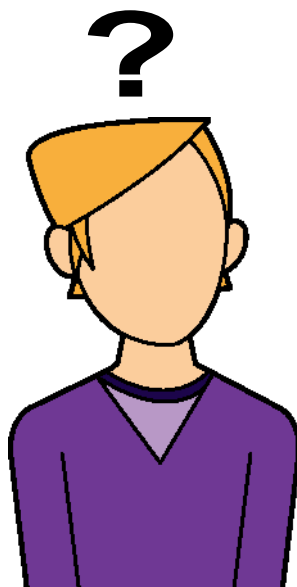


What will **deprivation of liberty** mean to me?

Liberty means being free to do the things you want to do, when you want to do them.

Here are some things that might happen if you are deprived of your liberty:

- Staff in a care home, hospital or supported living control all the decisions in your life.
- You are not allowed to leave the care home, hospital or supported living where you live.
- Your family, carers or friends are not allowed to come and see you.

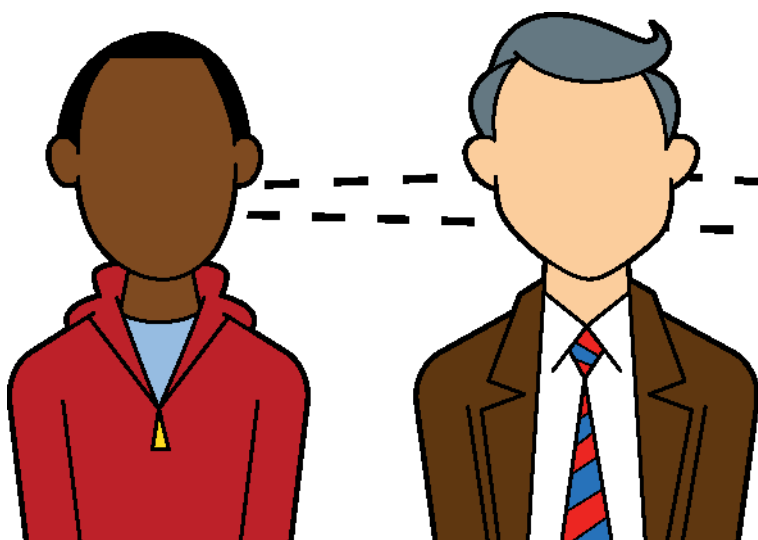


When are the **Safeguards** used?

When you are unable to make a decision about the way you are being treated or cared for in a hospital or care home. This means other people have to make this decision for you.

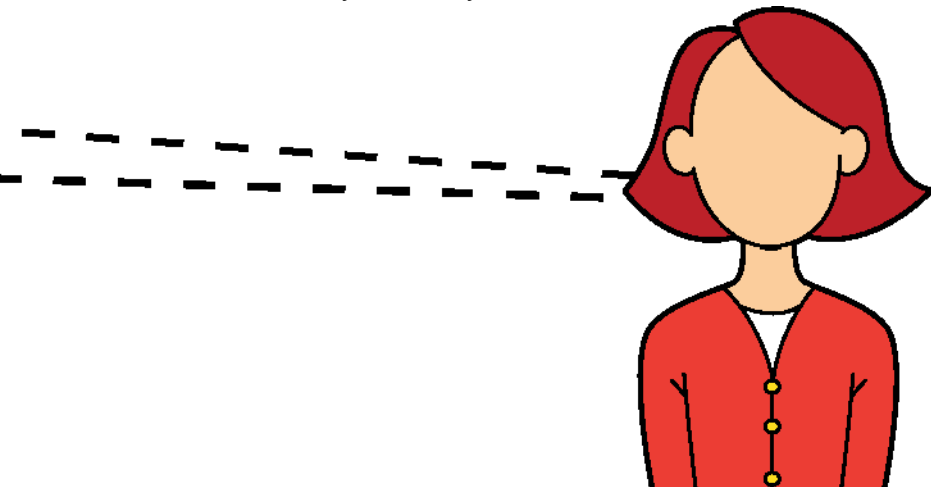
The Deprivation of Liberty Safeguards are **only** for

- people living in England and Wales
- people who are 18 years or older
- people who live in a care home, or supported living or are staying in hospital



How do I know I will be safe?

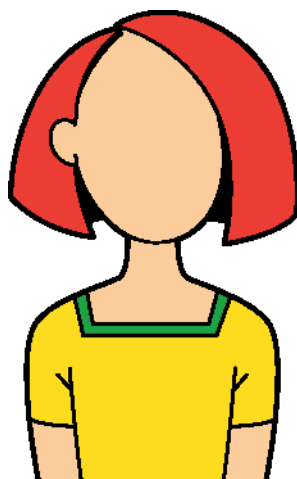
- Everyone involved must follow rules called the Code of Practice.
- The Code of Practice calls the people who are caring for or treating you the **managing authority**. The managing authority must make sure they do not break the law if they deprive you of your liberty.
- They must write to the **supervisory body** to tell them they think you need Deprivation of Liberty Safeguards. The supervisory body is your local council or health trust.
- The supervisory body must decide if you need Deprivation of Liberty Safeguards.
- They will arrange for at least two people to visit you. They are called assessors.





What do **assessors** do?

- They check how you are being treated or cared for.
- One assessor is called the **best interests assessor**. This is someone who doesn't work in your care home or hospital.
- The best interests assessor will write a report about your care or treatment.
- This will tell the supervisory body if you need Deprivation of Liberty Safeguards. It will say how long this should last.
- A Deprivation of Liberty Safeguard should be for as short a time as possible. It should never be for more than a year.



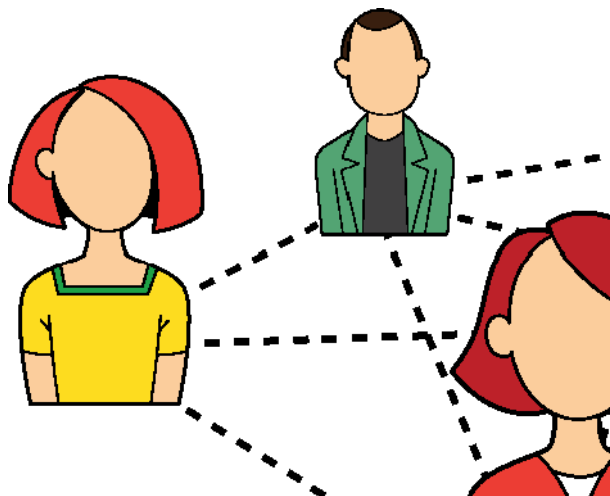
What will happen **next**?

If the report says you should not be deprived of your liberty:

- The supervisory body will write to the managing authority to tell them this.
- The managing authority will explain this to you.
- You must not be deprived of your liberty any more, so you will not need Deprivation of Liberty Safeguards.

If the report says you are being deprived of your liberty but some things must be changed (this might be the way you are cared for):

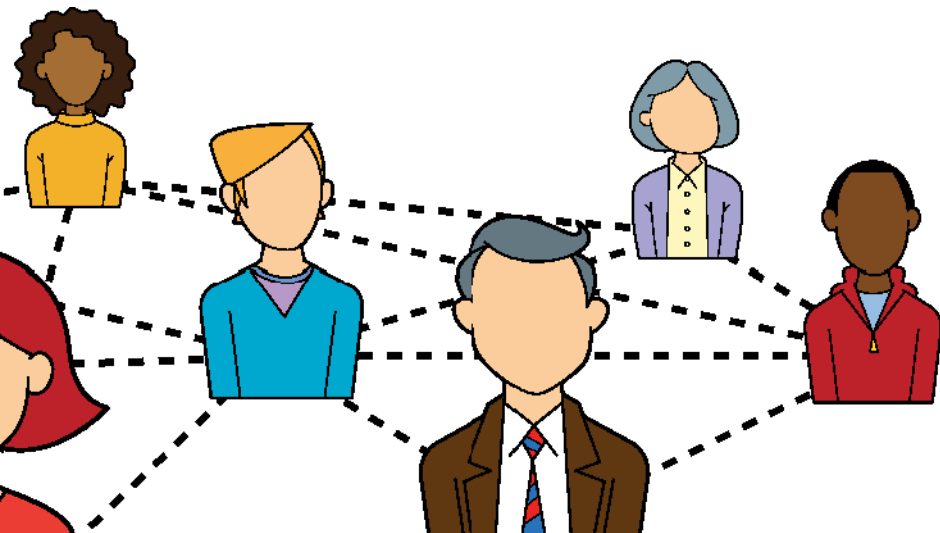
- The supervisory body will write to the managing authority to tell them what must be changed.



- The managing authority will explain this to you.
- These changes must happen because the law says so.
- You will get Deprivation of Liberty Safeguards to make sure you are safe.

If the report says you are being deprived of your liberty and that this is best for you:

- The supervisory body will write to the managing authority to tell them this.
- The managing authority will explain this to you.
- You will get Deprivation of Liberty Safeguards to make sure you are safe.



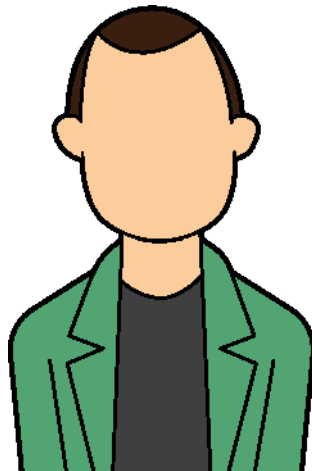


Who needs a **representative?**

Everyone who has Deprivation of Liberty Safeguards must have a **representative**. The supervisory body will make sure you get a representative.

A representative is a person who doesn't work in your hospital, care home or supported living. They visit you and check you are looked after safely.

Your representative could be a family member or a friend.



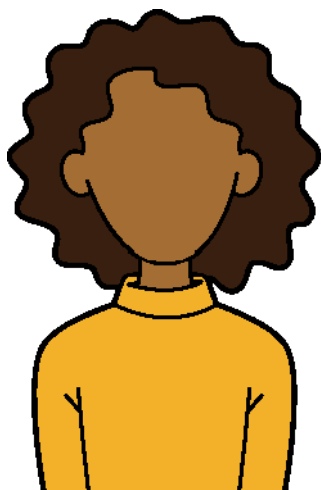
Reviewing your Safeguards

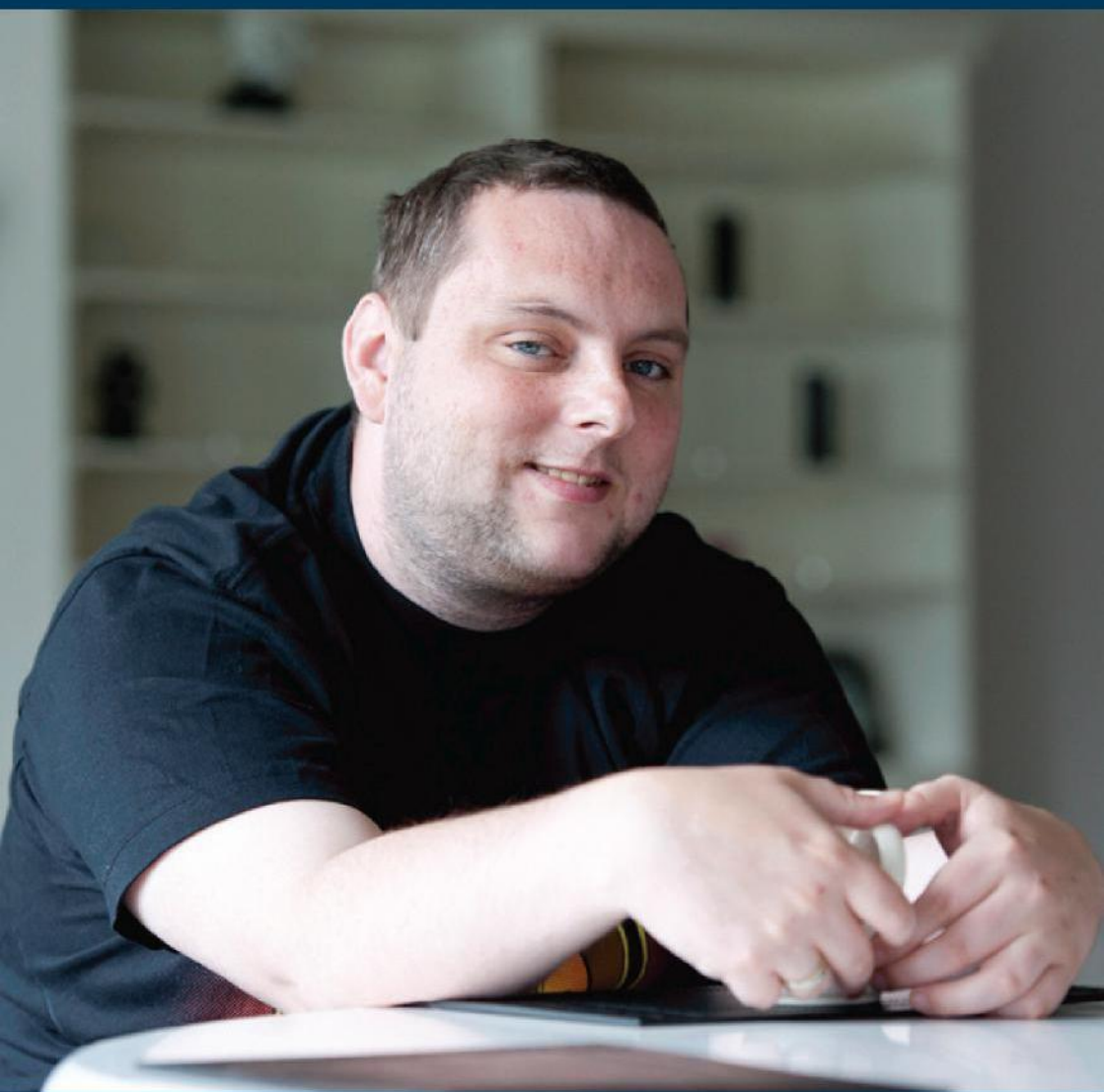
If you or anyone else is unhappy about you being deprived of your liberty or your Deprivation of Liberty Safeguard, they can ask for a review.

Who can ask for this?

- you
- your representative
- your managing authority

A review will also be carried out if your situation changes.





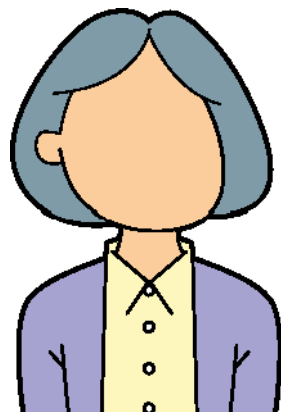
What is the Mental Capacity Act?

The Deprivation of Liberty Safeguard is part of the Mental Capacity Act 2005. The Mental Capacity Act is a law about making decisions and what to do when people cannot make some decisions for themselves. This is called **lacking capacity**.

The Deprivation of Liberty Safeguards only apply to people who are lacking capacity.

The Mental Capacity Act tells other people how to find out if you can make your own decisions. You might be able to make some decisions but not all decisions. People will need to find out:

- which decisions you can make on your own
- which you might need some help with
- which decisions you cannot make yourself



More information

If you want to know more about the Deprivation of Liberty Safeguards:

You can read the **Code of Practice**. This tells you the rules about how the Safeguards must be used at www.gov.uk/court-of-protection

If you want to know more about the Mental Capacity Act:

- You can read a booklet from the Office of the Public Guardian. It's called **Making decisions: an easy read guide**.
- See it online at <https://www.gov.uk/government/collections/mental-capacity-act-making-decisions>

Livability thanks The National Autistic Society,
Action on Elder Abuse and Bild for permission to
adapt their original text All about the Deprivation
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