

Mental Capacity Act & Deprivation of Liberty Safeguards (DoLS)

What we do at 2 Hills Consultancy

Training sessions begin by developing knowledge of critical aspects of The Mental Capacity Act 2005 including who can make capacity assessments, the 5 key principles, two-stage capacity test and how this leads to best interest assessments. We consider the implications of 'unwise decisions', who else can make decisions on a person's behalf and the importance of consent.

We use a Case Study to develop a scenario that helps participants apply knowledge of The Mental Capacity Act to a given set of circumstances which then leads into Deprivation of Liberty safeguards and an understanding of when they may need to be applied for.



We include information from recent court cases that affect day to day application of both MCA and Deprivation of Liberty Safeguards. We aim to ensure training is up to date and relevant.

Examples of objectives from Level II Mental Capacity Act 2005 & Deprivation of Liberty Safeguards 2009

1. Under the Mental Capacity Act 2005 and the framework it provides for action and decision making, learners will show they can:
 - Identify how to assist someone in making their own decision.
 - Explain the process of assessing capacity.
 - Describe the process of making Best Interest decisions.
 - Identify who else can make decisions.
2. Within the legal framework for DoLS, restraints and restrictions learners will show they can:
 - Describe the concept of restriction, restraint and deprivation.
 - Explain the Deprivation of Liberty Safeguards. (DoLS)
 - Understand the importance of maintaining accurate, complete and up to date records.

Our Ethos

Training is most effective when it meets your particular needs and is tailored to your organisations requirements.

So, whilst our training packages may already cover your key themes, we are happy to modify sessions to ensure the aim and objectives fully satisfy your needs. We specialise in writing training based on key learning and agency action plans to ensure your learning is bespoke to your needs. This can be a cost- effective way of ensuring your key learning are met.


Scenario based Case Study

These slides illustrate one of the several safeguarding scenarios that the learners will work through to develop learning

The starting point for Capacity decisions.

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- What can the person do in terms of function ?
- What do I want to do and why?
- What is the urgency?
- Can it be postponed until the person regains capacity?
- If I go ahead, what is my authority?




Mr. J is a 57-year-old man who has a mild learning disability. He displays some features of an autistic spectrum disorder, in that he finds social relationships difficult, has some quite restricted routines (including what and how he eats) and is resistant to change. He has no family, and lives by himself with outreach support going in every day. Within the last few months, he has been diagnosed with oesophageal cancer.

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His consultant must now assess his capacity to consent to treatment.







Taking PRIDE in our health care service

A Best Interest Assessment

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Mr. J was treated with radiation however the cancer was found to be too advanced and did not respond to the treatment. A review of his care plan has now taken place. He has been seen by the consultant, who has said that, at this stage of the disease, the only treatment available is palliative. Mr. J has experienced increasing discomfort eating and swallowing, which causes him great distress. The decision to be made is whether or not, as part of this palliative treatment, a stent should be inserted?





Taking PRIDE in our health care service

This training package starts by looking at feedback from the CQC pertinent to the organisational needs of the specific learners. It then develops professional's knowledge firstly of their obligations under the Mental Capacity Act 2005 and later of Deprivation of Liberty Safeguards.

It examines the importance of the Codes of Practice and how central the issue of consent is to this subject area.

The framework for Lasting Powers of Attorney (LPA), Advanced Decisions, Living Wills is explored. Then the 5 key principles of the Mental Capacity Act are examined along with 'unwise decisions' and two stage Capacity Assessments.

A Case Study is then used to allow learners to apply the capacity assessment process and consider situations where more than one capacity assessment would be necessary.

Following on from this Best Interest assessments are then explored in situations where someone lacks capacity and again applied to the Case Study.

The importance of Capacity Assessments being time and decision specific is reinforced along with the message that The Mental Capacity Act is intended to be empowering and supportive of people who lack capacity, not restricting or controlling their lives.

Finally, the legal framework for the use of Restraints, Restriction and Deprivation of Liberty is examined and again applied to the case study.

About 2 Hills Consultancy



Simon Hill is an independent reviewer and Safeguarding trainer. He has been the Chair and Overview report writer for numerous DHRs and SARs in the region. He has delivered IMR report writing training and safeguard training for Birmingham Community Safety Partnership (CSP) and for several CCGs, as well as Birmingham LSCB, Safer Sandwell Partnership, Safer Wolverhampton Partnership. For four years he managed the review Team at West Midlands Police, overseeing all the IMRs the service contributed to SCRs and DHRs in that period. He was a child protection investigator, managing a Public Protection team in central Birmingham. He has a training qualification from the National Police Training College and was a police trainer.

Sonya Hill MBE has a Certificate of Adult Education in addition to training and Assessor qualifications from the National Police Training College. She was a CID and uniform police trainer and developed training packages for the police service. She worked in both Child Protection and Domestic Violence units. She developed a partnership between The Prince’s Trust and west Midlands Police working with hard to reach young people and adults, receiving an MBE in 2014 for Services to those people. Together with Simon she has written and delivered both adult and child safeguarding training to Safeguarding Adult and Children’s boards and hospices.

More recently Simon and Sonya have delivered training regarding The Mental Capacity Act 2005 and Deprivation of Liberty Safeguards 2009. This training was delivered in both hospices and Hospital Trusts.

Testimonies from our training

“Well organised”

“Diverse material and interactive”

“Helpful to apply topics to practical situations at work”

“Good instructors, knowledgeable and humourous”

“Excellent Course”

“Very Knowledgeable”

Very useful, enjoyable, wish all mandatory training was like this.”

Who we have worked with:

In relation to The Mental Capacity Act and Deprivation of Liberty safeguards we have worked training Managers and the Board of Trustees within hospices. **Training that we received very positive feedback from.**

We have also provided mandatory training for The Mental Capacity Act & Deprivation of Liberty Safeguards for an extensive number of staff at an Acute Hospital Trust. **This training was consistently well received and applauded for its practical application to a Case Scenario.**

Our Training

We have courses that can be adapted or combined to maximise learning. Our case studies have covered:

- Families on the 'edge of care': early help challenges.
- Understanding Coercive Control in domestic abuse and its impact on the victim and the responses of professionals.
- Domestic Abuse and Adult Safeguarding after the Care Act.
- Adolescent to Parent Violence and Abuse.
- Child Sexual Exploitation.
- Early Years: Safeguarding challenges for nurseries and creches.
- Premature babies & children in their first year: Safeguarding Learning from SCRs for Health & Perinatal services, Social Care & Police.
- Safeguarding Learning from SCRs for Social care, Police and third sector agencies:
 - Children living with Neglect
 - Children living in Poverty
 - Children living with parents with substance misuse
 - Children living with parents with mental health issues
 - Adolescent mental health
 - Children living with asthma
- The Mental Capacity Act 2005 & Deprivation of Liberty Safeguards 2009.

We also provide one- day training on developing skills in Individual Management Reviews (IMR) writing for professionals from any agency.

To discuss the training of existing or the writing of additional packages, to best suit your agencies developmental themes, we can be contacted on:

Simon Hill: 07944 003944

Sonya Hill: 07984 463759

E mail: 2hillsconsultancy@gmail.com

Website: www.2hillsconsultancy.co.uk