

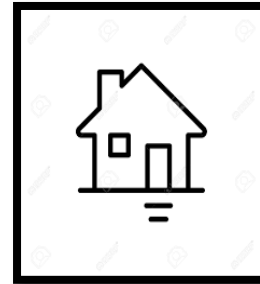
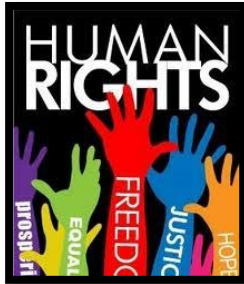
What is Community Deprivation of Liberty (DoL) Fact Sheet



Hampshire and Isle of Wight

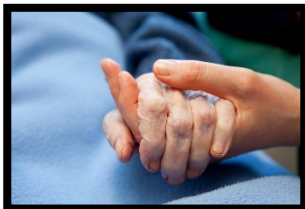


This comes under the Mental Capacity Act (MCA) 2005.



What is Liberty?

The right to liberty entitles us all to the freedom to make our own decisions about where and how we live. Our right to liberty is protected under Article 5 of the Human Rights Act 1998.



What is a Community DOL?

This applies to someone living in:

- Their own home
- Supported living
- But **not** in a care home or hospital

If a person lacks the mental capacity to consent to their care arrangements, a deprivation of liberty must be authorised by the Court of Protection to ensure the person's right to freedom is protected.

What is a Deprivation of Liberty?

Deprivation of Liberty is when a person has their freedom limited because:

- They are supervised by others.
- They are not free to leave where they live to go and live somewhere else.
- They do not have the mental capacity to consent to these arrangements.



What is the Court of Protection?

The Court of Protection deals with matters relating to people who may lack capacity to make decisions for themselves.

In all cases, the Court aims to protect the person's rights and freedom as far as possible.



WANT TO KNOW MORE?

Please contact the team.



Hampshire and Isle of Wight



Deprivation of Liberty (DoL) Order

A DoL Order does not necessarily mean that there is anything wrong with the person's care or where they are living. It does not necessarily mean that the restrictions the person lives with, need to change.

These restrictions are in place to keep the person safe from harm. They should be proportionate to the risk posed.

Examples of restrictions are:

- Care support
- Lap belts in wheelchairs
- Raised bed rails
- Locked doors
- No free access to medication

There may be other restrictions in place depending on the individual's needs.

Medicines that have a sedative effect may be considered a restrictions.

How does a DoL Order protect the right to liberty?

The DoL Order ensures that:

- The person is asked for their feelings about where and how they live.
- All those involved in their care agree that their care plan is in their best interests.
- The person is living in an appropriate place which meets their needs.
- The person has an advocate, if required, to support them to get their feelings heard.
- The care arrangements will be reviewed by a judge.
- The person or someone involved in their care has the right to appeal if they disagree with the arrangements.
- The arrangements are reviewed and will continue no longer than is necessary.

Continuing Healthcare and
Placements Team

5th Floor Civic Offices
Civic Way | Fareham | Hampshire
PO16 7AZ

Phone: 0300 123 4448 EXT -
4024 / Option 8

Email: hiowicb-hsi.chc-mca@nhs.net

ICB Website: [Mental Capacity Act \(MCA\) and Community Deprivation of Liberty \(DoL\) :: Hampshire and Isle of Wight ICS \(hantsiowhealthandcare.org.uk\)](#)

Useful Links:

- Video SCIE - [Using the Mental Capacity Act \(MCA\) \(scie.org.uk\)](https://www.scie.org.uk)
- 7 Minute MCA PDF - [PowerPoint Presentation \(hantsiowhealthandcare.org.uk\)](https://hantsiowhealthandcare.org.uk)

Co-Produced by All Inclusive CIC & Hampshire and Isle of Wight Integrated Care Board (HLOWICB)