

Deprivation of Liberty Safeguards (DoLS)

Mental Capacity Act / Liberty Protection Safeguards Team

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Other formats

If you need this information in another format such as audio CD, Braille, large print, high contrast, British Sign Language or translated into another language, please contact the PALS desk on 01392 402093 or at rduh.pals-eastern@nhs.net (for Mid Devon, East Devon and Exeter services) or on 01271 314090 or at rduh.pals-northern@nhs.net (for North Devon services).

A person is said to be being deprived of their liberty if:

They lack mental capacity to make decisions about their treatment and

They are under continuous supervision/control and

They are not free to leave

A person will only be deprived of their liberty if it is necessary to keep them safe and it is in their best interest.

The Deprivation of Liberty Safeguards (DoLS) are part of the Mental Capacity Act 2005. To see the full Act details, visit:

www.legislation.gov.uk/ukpga/2005/9/contents

DoLS is in place to protect people aged 18 years and over who lack mental capacity about their care and are being deprived of their liberty. The DoLS is an independent process, set out by law, which protects a patient who has had restrictions placed on them by an organisation. The deprivation of liberty is scrutinised by the local authority to ensure that it is valid and lawful.

A DoLS could be applied for if the person lacking capacity is in a hospital or a care home.

Example of when a DoLS application would be made by a hospital

