



# Local Account 2019/20

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## How We Served You









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# Foreword

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## Welcome to the 2019/20 Local Account for Adult Social Care in Sutton.

It will provide you with an update about some of our achievements during the year, as well as a summary of our continuing challenges. It will tell you about how we are facing these challenges by having priorities and targets in place to meet the needs of vulnerable people as well as the council's Ambitious for Sutton Plan.

Sutton is ambitious: we want all of our residents and visitors to make informed choices about their lives, to stay active, to live well independently and to stay safe.

Some of the support provided to vulnerable adults is delivered by the Council and some commissioned by the Council and delivered through partners and providers. We have a committed and trained workforce across Sutton supporting thousands of people every day. This can range from providing personal care in people's own homes, keeping people safe from abuse through to providing information and advice.

We want to thank all those people who support the most vulnerable people in our community for their continued dedication. We would also like to recognise the massive contribution made by family carers, and the voluntary, community and private sector services, who all play a central role in ensuring that we improve the quality of life of vulnerable people.

In previous years Local Accounts we outlined the rising demand for Adult Social Care services against a backdrop of reducing resources, but despite these challenges we are proud of our achievements in making a real difference to the lives of local people. Our vision and commitment in Adult Social Care is putting people first, to maximise health and well being by bringing together the right services to deliver the right support at the right time and place.

We recognise that it is only through strong partnerships and collaboration with all our partners, including the NHS that this is possible. Through key partnerships the Council is better able to promote individual and community independence and resilience, meet our duty of care and deliver sustainable services to support these people.

In particular, and through the last quarter of 2019/20 the importance and necessity of working in partnership to meet and respond to the needs of local residents became ever so more evident with the sad development of COVID-19 (Coronavirus). Adult Social Care has and will continue to be at the forefront of responding to the pandemic during 2020/21, working with the NHS, voluntary sector and the full range of care providers to target our resources and services to support and safeguard local residents. In that, we will wherever possible, help people to live as safely and for as long as possible in their own homes. This will mean continuing to have individualised support in place which will include extending the use of assistive technology whilst also ensuring we are robust in our approach to safeguarding.

Sutton is ambitious and whilst there continues to be challenges ahead including the ongoing pandemic, we will continue to listen and respond to what people using adult social care services have told us about their experiences, so that we can work together to achieve the best possible outcomes for our most vulnerable residents.



**Nick Ireland**  
**Strategic Director of**  
**People Services**



**Councillor Marian James**  
**Chair - People Committee**

# Introduction

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The Local Account in Sutton is produced annually to inform our residents of how Adult Social Care Services helps adults with care and support needs in the borough.

This is Sutton Council's ninth Annual Local Account that sets out how Adult Social Care performed in 2019/20, including our achievements, priorities and the challenges we faced during the year.

It also aims to provide information on how we plan to build on our achievements in 2019/20 and report on new priorities to continually improve and develop the services we provide for residents.

We recognise the challenges the COVID-19 (Coronavirus) pandemic has brought to us during the last quarter of 2019/20 and because of our strong partnership working from the outset, we were well placed to develop a robust, integrated response, to meet the needs of local residents.

We responded rapidly to the crisis and some of our early initiatives included:

- Rapid and rigorous risk assessment of all vulnerable adults during lockdown to ensure we were able to respond to their needs safely and promptly, which included triaging people most at risk.
- We ensured we maintained our safeguarding functions to protect vulnerable adults.
- Home visits were undertaken where necessary particularly to ensure that people were protected from harm and following training in the use and provision of appropriate PPE to protect staff and vulnerable adults.
- We worked closely with different council departments to ensure rapid response via the Community Hub.
- Partnership working with health and voluntary sector colleagues to meet the needs of local residents and ensure that vulnerable adults were kept as safe as possible.
- We rapidly moved to online/virtual methods to maintain contact and service delivery.

Adult Social Care has and will continue to be at the forefront of responding to the pandemic working with the NHS, voluntary sector, and the full range of care providers to target our resources and services to support and safeguard local residents. In that, we will wherever possible, help people to live as safely and for as long as possible in their own homes.

The coming year will continue to present new challenges with the ongoing COVID-19 crisis and the lasting impact of this pandemic on how we operate as an organisation.

We are working closely with our partners to develop plans which enable us to continue to support our communities as the country gets back on its feet and we prioritise looking after our most vulnerable residents.

## What is the Local Account?

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The Government introduced Local Accounts in 2011 for councils to explain how well local services are being delivered and areas councils wish to develop further.

Local Accounts make local services accountable to local people by sharing with the community the improvements that councils are making in Adult Social Care.

## What is Adult Social Care?

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The London Borough of Sutton Adult Social Care services aim to help residents who need support to stay healthy and active in their community for as long as possible. We do this by providing information and advice and access to services to help people stay independent and improve their overall wellbeing.

Adult Social Care services covers the provision of support for personal care and practical support for people with a physical disability, learning disability, mental health and also support for their carers.

**Support services enabling residents to live at home include:**

- Sutton Health and Care at Home in partnership with health colleagues
- START (Short Term and Reablement Team) service on discharge from hospital
- Occupational Therapy service and the provision of equipment
- Meals on Wheels
- Personal Budgets to enable people to remain independent in the community following an assessment of their need
- One example is direct payments which enables people to have the flexibility to purchase care from providers of their choice.

**Other services for residents with complex needs include:**

- Residential care
- Nursing care
- Referral to Continuing Health Care to support residents with health care needs
- Admiral Nurse service.

## Our Key Achievements in 2019/20

In keeping with our five year corporate plan 'Ambitious for Sutton', we have continued to build on our exciting plans to empower and enrich the lives of our local residents. We continue to progress on the ambitions for the borough set out under four new outcome based themes:



**Being Active**



**Making  
Informed Choices**



**Living Well  
Independently**



**Keeping  
People Safe**



- We continue to raise awareness of safeguarding to ensure we 'keep people safe.'
- We deal with complaints in a timely manner to enable our residents to 'make informed choices'.
- We continue to provide appropriate services to carers to enable our clients to 'live well independently'.
- We work closely with our health partners to ensure healthcare needs are met through Continuing Health Care packages to ensure we 'keep people safe'.
- Transformation of Adult Social Care – Phase 2 (Living Well Independently)
- We have successfully piloted a Joint Quality Assurance Framework in Adult Social Care and the full framework will be rolled out in 2020/21 to ensure our services are of the highest quality to 'keep people safe'.



# Our Key Achievements in 2019/20 explained...

## Raise awareness of safeguarding (Keeping People Safe)

Last year we said:

**We will aim to empower communities to better protect and look after themselves.**

We are committed to ensure people feel safe in Sutton. The Sutton Safeguarding Adults Board (SSAB) acts as the key body for agreeing how agencies will work effectively together to safeguard and promote the safety and well-being of adults at risk and/or in vulnerable situations.

The SSAB has been instrumental in embedding the core statutory functions within the partnership into business as usual.

The SSAB strives to promote awareness and understanding of abuse and neglect among service users, carers, professionals, care providers and the wider community and works to generate community interest and engagement in safeguarding to ensure 'Safeguarding is Everyone's Business'.

A very successful Safeguarding Awareness event was held earlier in the year which brought together our partner agencies to promote community engagement and our drive to ensure parity between those working to improve practice. We continue to make positive progress in developing our new safeguarding process.

We continue to address data quality and practice via our quarterly safeguarding quality audit programme and provide staff with ongoing training. Audit findings evidenced that people at risk are protected and feel safer as a result of our interventions. In supporting people we provided information and a range of options to enable them to make informed decisions. Our responses were shown to be timely and all agencies worked together to ensure the safety of people in Sutton.

## Dealing with complaints (Making Informed Choices)

Last year we said:

**We aim to provide an improved response to complaints and to develop strategies to learn lessons from them.**

In order to improve the quality of our complaint responses we have been actively listening to complainants, via more resolutions meetings, where we can clearly understand concerns and work through how to go forward. We have also focused on providing responses that are clear and comprehensive, while remaining responsive and taking remedial action where required.

The feedback we have received has enabled us to introduce a range of service improvements including the following:

- We have reviewed the complaints process and ensure staff are aware of the procedures if they receive a complaint
- We have established working relationships between Customer Care and Adult Social Care with regular reviews for lessons learnt from complaints.
- We ensure we train all staff in supporting and building positive relationships with the people we work with in our community and proactively look to engage with complainants whenever possible to promote these relationships.



## Service to Carers (Living Well Independently)

Last year we said:

**We will increase the number of carer assessments and promote awareness of carers' rights. We will continue to implement and embed the Carers' Strategy.**

We continue to promote the identification of carers through our client and carer assessment process and increase the number of assessments we carry out.

We have also continued to implement and embed the Carers Strategy by establishing a 'Multi-Agency Delivery Group' (MADG), who are responsible for implementing the Carers' Strategy delivery plan.

The MADG have met on a regular basis and have agreed a number of key priorities for the first year and the actions that would be undertaken to address these priorities. The identified priorities are -

- Raising awareness of the roles of Carers
- Carers Assessments
- Respite and Short breaks offer

Since the MADG has been in place, we have organised a series of successful joint campaigns for Young Carers Awareness Day (30 January 2020) and for National Carers Week.

## Continuing Health Care (Keeping People Safe)

Last year we said:

**We will continue to ensure that people have access to the correct support they require through Continuing Health Care.**

We have revised the way we work with health to introduce a more streamlined process of identification of people with increased needs who might meet the criteria for continuing healthcare.

In developing a collaborative approach with health partners, the new process ensured that the right care was provided at the right time and place to meet health and social care needs. Joint pathways were developed and agreed and the Adult Social Care service completed over 400 joint continuing healthcare assessments with Sutton Clinical Commissioning Group colleagues.

## Sutton Health & Care at Home (Keeping People Safe)

Last year we said:

**The success of the service so far has been evidenced by:**

- a reduction in the length of stay in hospital
- a reduction in the number of attendances and admissions for people over 65 years of age
- good patient feedback.

Sutton Health and Care partners continue to work together as part of a whole system approach. This is at the heart of our move to locality working and our approach to transformation and has evidenced, improved services for local residents.

The Adult Social Care Hospital Pathway Team, Sutton Health and Care at Home Service and Sutton Clinical Commissioning Group moved into the same office base to promote a multidisciplinary approach to support discharges from hospital and respond within two hours to community referrals to prevent admission to hospital.

We have delivered approximately 50,000 hours of care to people in their own homes, through over 91,000 visits. We have also delivered further care through short term stays in care homes for rehabilitation.

A further example is rapid mobilisation to a single point of access (social care, community health and acute health care) in response to the pandemic, during the last quarter of 2019/20.



## Direct quotes from people using the service:

“

*This service is a perfect example of how to get things right. It really is a team, and everyone in it is brilliant at what they do. Please don't leave these comments to gather dust on a quarterly performance spreadsheet....., this should go to the head of social services, and, for that matter, the Leader of the Council!*

”

“

*I would sincerely like to thank the team for all their help and support. The team made a huge contribution to getting me back to self independence living on my own at 94! with a little support.*

”

“

*I would just like to say to all the carers that came and helped me get back to a more normal life they were so good. Helpful and kind. A big thank you to all of you what a great service the LBS provides.*

”

“

*My needs were met and the aids that were installed was a great help for my independence.*

”

“

*Thank you so much for looking after me when I came out of hospital. All of you were great and caring.*

”

“

*I'd like to thank you all for the amazing support you've given my Aunt, since her discharge from hospital. I'd particularly like to thank our carer for her proactive, calm and professional approach and for her advice on several occasions. I think you are all doing a fantastic job under very difficult circumstances and your dedication and support to your elderly vulnerable clients is awesome.*

”

“

*Thank you so much for all of your help over the last couple of months.*

*It's really made a difference to my wellbeing and has helped me enormously, you all do a great job!*

”

“

*When my mother was discharged from hospital on the 8th April, she was not in good health. The START team have been vital in enabling her to live safely at home again. Her mobility gradually improved, plus her appetite..... She is now in better health than she has for some time. A big thank you to the START team for their kindness, efficient and professional care. It will not be forgotten.*

”



# Transformation of Adult Social Care – Phase 2 (Living Well Independently)

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Last year we said:

**We will deliver phase 2 of our Transformation Programme across the remaining localities which will entail bringing together the remaining elements of health and social care.**

Following the successful implementation of phase one of the Transformation in Adult Social Care (ASC) in October 2018, we were able to deliver a locality structure that was consistent with both national and local requirements. The Transformation has helped to support greater integration with health, improve the customer experience through social care and also meet the ongoing need for financial savings.

Three locality teams were aligned to match the three geographical areas that were formed by clustering groups of GP practices within the local clinical commissioning group (CCG). This structural change has ensured that adult social care and health care services are able to collaborate and work together more closely to achieve better outcomes for local residents.

This model promotes more effective local partnership and community based working to deliver better outcomes for local people.

This locality structure moved away from separate specialist teams, since these specialisms are now incorporated within the locality service. Lead roles around various specialisms sit within the teams which includes safeguarding.

A review of the transformation process was undertaken in late 2019. Qualitative and performance data findings indicate that the Adult Social Care restructure has resulted in timelier interventions and improved outcomes for adults and families. Teams were also enabled to solve people's concerns more effectively at source with reduced transfers between teams.

Phase two of the Transformation programme was subject to a delay due to the emergence of the COVID-19 pandemic in early 2019/20. Due to the success of the Phase one implementation we were in a better position to be able to respond to the pandemic in partnership with the NHS, health partners and voluntary sector to support and safeguard local residents.

## Wallington Library – Pilot Site for an Integrated Community Team

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Following an extensive refurbishment of Wallington Library, NHS Community Health Services and LBS Adult Social Care were able to share the first locality office. Co-working relationships have been developed with joint working, joint visits and discussions on how to best support clients in a more joined-up way.

Overall, being based in the community provides us with a better understanding of the available resources and helps us to play a stronger role in the local community.

During 2019/20 an evaluation of the pilot site at Wallington library took place which identified many successes of the integrated approach.

Positive relationships have developed between community nurses, physiotherapists and social workers, which led to more joint working on cases. This approach has led to efficiencies, from having a greater understanding of each other's roles and being able to access, in a timely manner, the professionals required to discuss, plan and implement person-centred care. For example the ability to signpost to appropriate agencies as a consequence of the joint working.

Being based in Wallington gives the staff quicker access to welfare and safeguarding checks and better links and relationships with local police. Being community based gives a better understanding of resources and the staff have confirmed they feel part of the local community.



# Quality Assurance Framework (Keeping People Safe)

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Last year:

**We are developing our first joint Quality Assurance Framework to bring together Adults' and Children's commissioning. This gives us the opportunity to consider the full-life experience of the people accessing social care and commissioned support from the local authority. This is how we will make sure that we can keep improving outcomes for adults, families and children in Sutton.**

**Through the Quality Assurance Framework we will ensure assessments and reviews meet minimum standards and staff continue their professional development.**

We successfully piloted our first Joint Quality Assurance Framework in 2019/20 bringing together Adults and Children's Commissioning.

We developed a Quality Assurance audit activity programme to ensure we hear, we learn and we support each other to improve our service delivery and systems to achieve sustained change for adults and children who access our services.

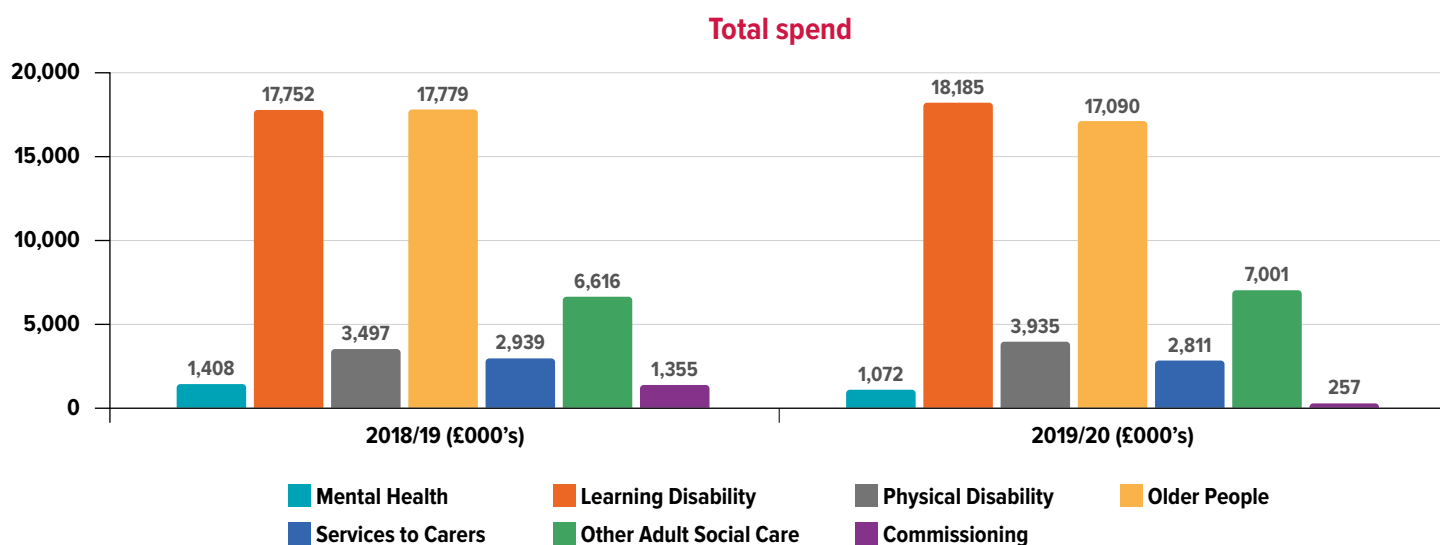
Our pilot programme included a Practice Learning Week which is a dedicated week for practice to be observed by leaders. The observations were an opportunity to support, constructively challenge and provide learning opportunities across the service.

In addition, we have conducted a safeguarding audit as part of the pilot programme which demonstrated that the safeguarding process was very effective in considering risk whilst respecting the person's wishes and involvement in the process. The audit demonstrated effective multi-agency plans were implemented during the course of action and concerns raised were dealt with by the appropriate teams in a timely manner.

Learning from our Quality Assurance Framework has led to ensuring practitioners receive the personal development they need to ensure the best outcomes for the people they serve.



# What we spent in 2019/20



The total expenditure for Adult Social Care in 2019/20 was £46.3 million. Since 2010 the Council has had to continually deliver on-going savings in response to the Government's policy of reducing the public sector deficit, mainly through reductions in public expenditure.

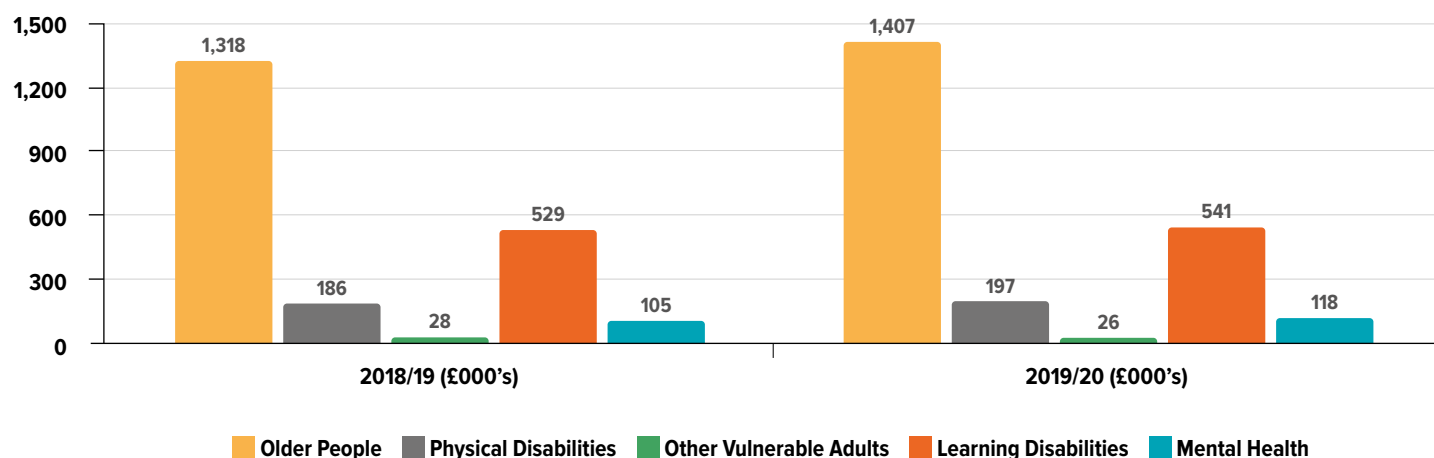
It is recognised that there is uncertainty about the future of Adult Social Care funding. To date the Council has made savings of £96.4 million and, of this total, Adult Social Care has contributed a saving of £17.2 million.





# Who we provided support to in 2019/20

## Long term support



Adult Social Care received a total of 3,912 requests for support in 2019/20. Most of these people were provided with either a period of reablement services, information and advice, and/or received a referral to ongoing low level support services. For example, Occupational Therapy or short term support services, which may include a short stay in nursing or residential care for a limited time.

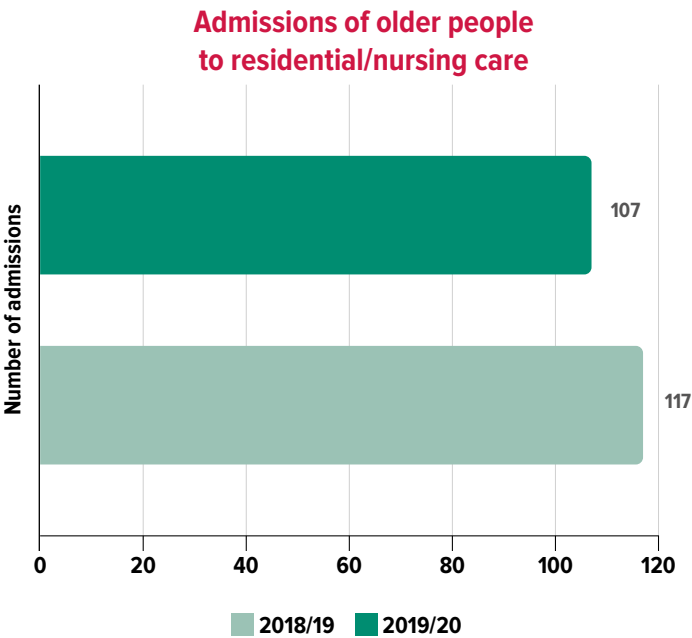
The Council supported 2,289 people in 2019/20 with a long-term support service. The breakdown of this number can be found in the graph above.

Despite the fact that there has been an increase in demand since last year, the overall spend on Adult Social Care services has remained relatively stable. Managing the Adult Social Care budgets has been challenging, however, efficiencies have been achieved by delivering better outcomes for our residents.

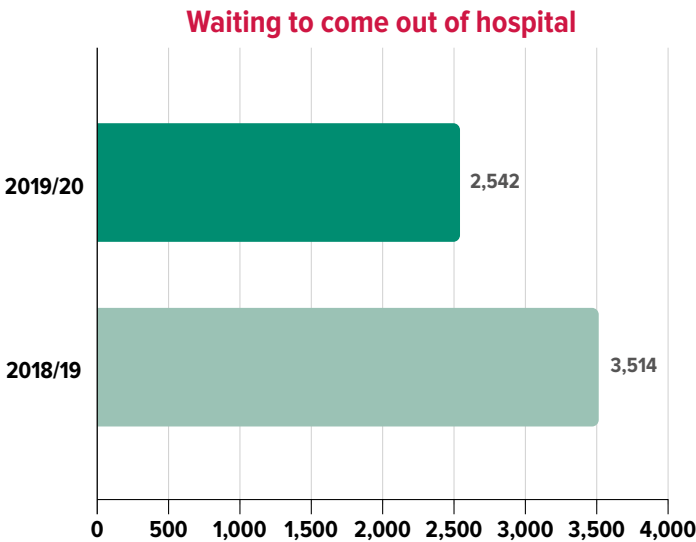
By utilising our Strengths Based Approach we enable people to be more independent at home for longer. A Strengths Based Approach has been reflected in our Quality Assurance Framework and the way we work with our voluntary sector partners to make people less dependent on services for longer. Utilising community resources helps us to support more people for less.

# How are we doing? Our performance

We think performance measures are important because they tell us how effective our approaches are in achieving the best outcomes for the vulnerable people we serve. This includes the Strengths Based Approach, to maximise community resilience and independence for individuals as long as possible.



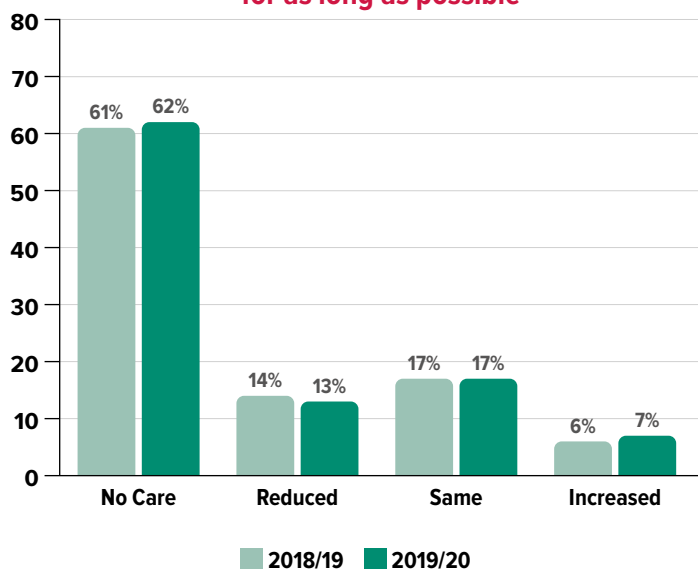
In 2019/20, there were 107 permanent admissions made to a nursing and residential care home compared to 117 admissions in 2018/19. This reduction is a direct result of efforts to support vulnerable people to maintain their independence in the community.



This performance measures the number of extra days people had to stay in hospital waiting for suitable arrangements to leave hospital. Our aim is for people to return home as soon as they are medically fit to leave the hospital. Performance in 2019/20 has seen a noticeable improvement.

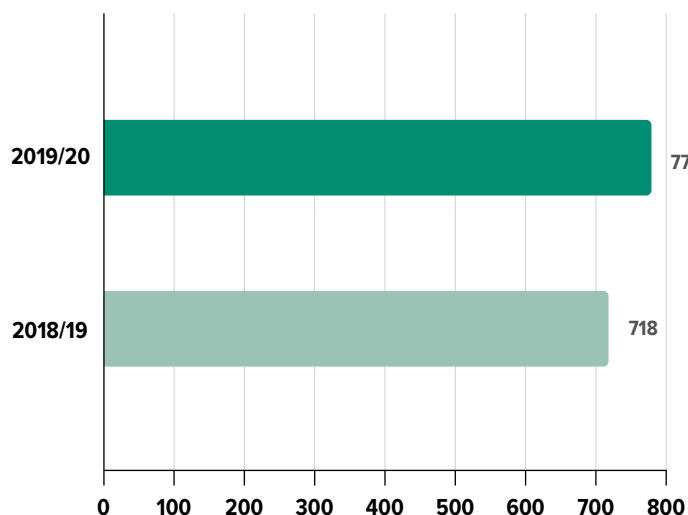


### Helping people to remain as independent for as long as possible



The START Reablement Service aims to support people to retain their independence. In 2019/20, 788 episodes of support were provided. Over 62% of people who completed such a programme did not require any long-term support services following the START intervention and a further 13% saw a reduction in the ongoing support they required when the service ended. The START service still retains its position as a very high performing service.

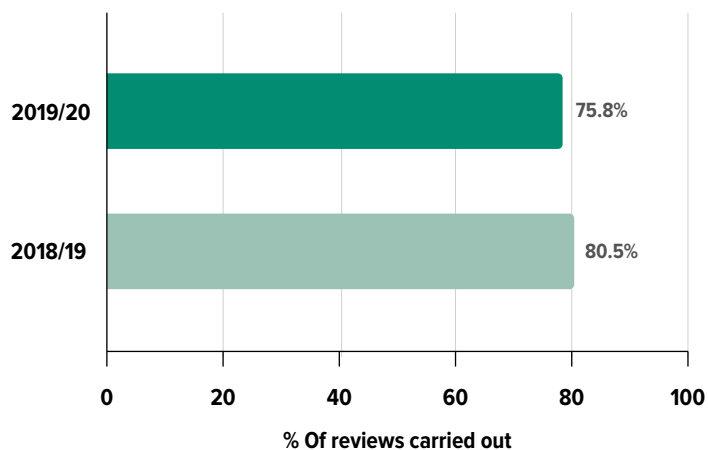
### Number of carers supported



During the period 2018/19, we helped 718 people to continue in their caring role. In 2019/20 we have supported more carers than we did last year, a total of 779. Support was provided to carers by means of a direct payment, provision of universal services, information and advice or through signposting to other agencies. This service area was a focus of social work teams during the year and will continue to remain a focus as part of our future plans.



### Reviews

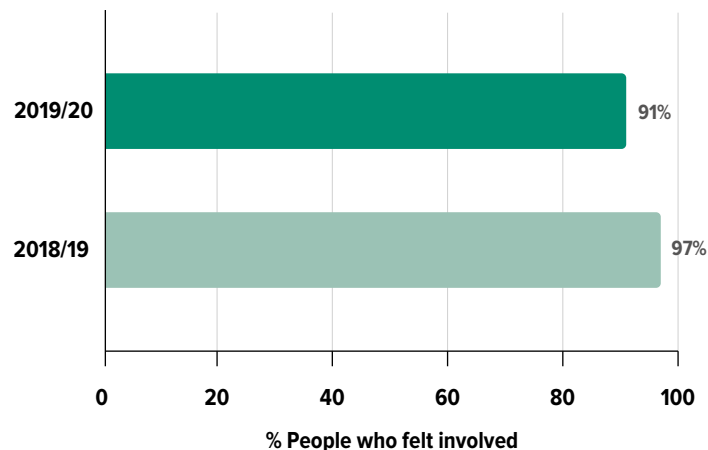


It was our aim to review 78% of people in receipt of a service to make sure that their needs were being met appropriately.

By the end of the period we had reviewed 75.8% of people in receipt of services in 2019/20 with the review performance within our locality teams exceeding expectations.

We are continuing to transform the All Age Learning Disability service, which impacted on our review performance this year. We, however, remain ambitious with our targets to ensure they provide the appropriate challenge, despite the fact that this year our focus has been on the transformation work.

### Keeping people safe from harm



This performance measure indicates the percentage of vulnerable people who have experienced safeguarding concerns and have been actively involved in the decision-making process designed to keep them safe.

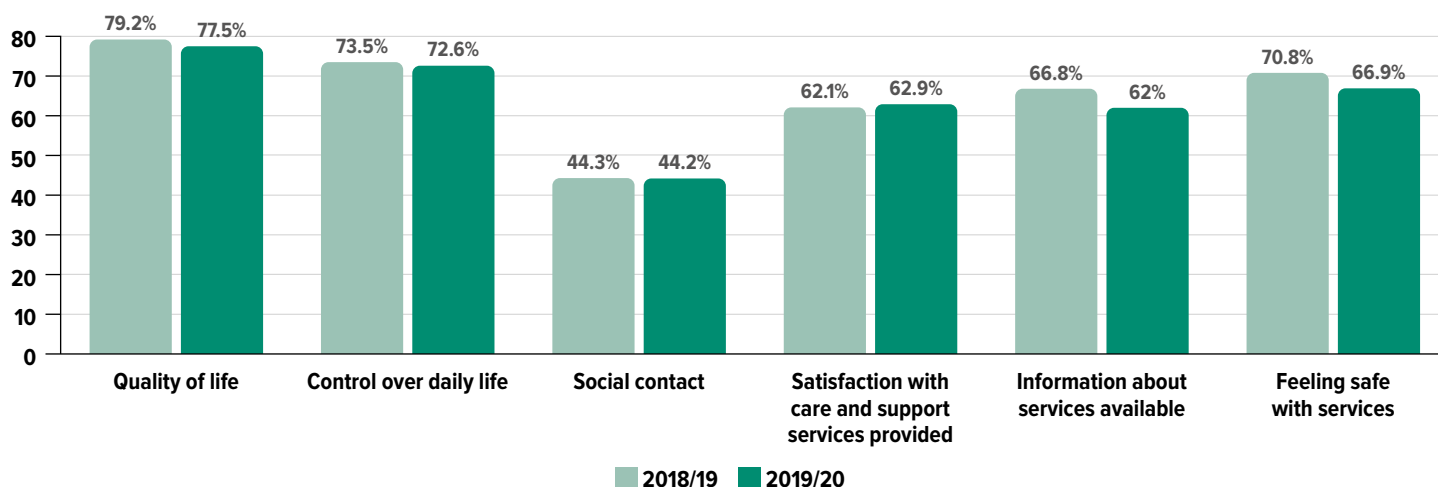
We are confident that we react quickly to protect people when safeguarding concerns emerge. It is always our aim to involve individuals in the decision making around safeguarding processes. Whilst performance remains high, there is a recorded dip in involvement. We are actively introducing new processes to ensure that staff continue to have conversations with vulnerable adults to make safeguarding personal. Recording methodology did change within the year, and the service went through a period of transformation which may have impacted on this indicator.





# What you told us about our services in 2019/20

## National Audit Social Care Survey 2019/20

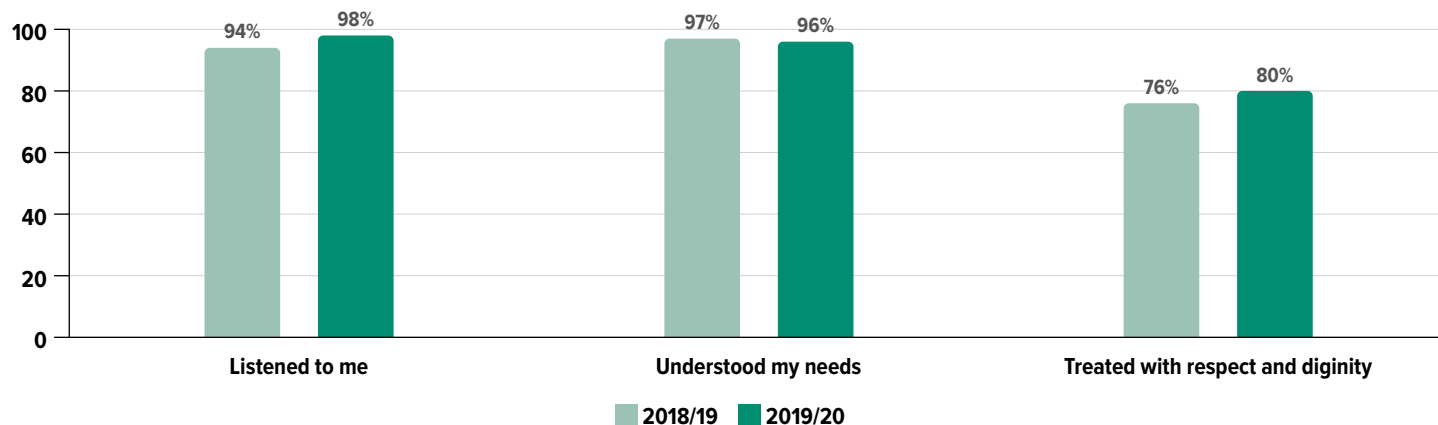


The National Adult Social Care Survey is a survey of service users conducted by all local authorities in January and February every year. The full NHS Digital report can be accessed via this link:

<https://digital.nhs.uk/data-and-information/publications/statistical/personal-social-services-adult-social-care-survey>

In January and February 2020 questionnaires were sent to 1,096 long-term service users. 384 people completed the survey (a response rate of 35%). The margin of error for the survey was  $\pm 5\%$  i.e. if we had responses from all service users we would expect the results to be within 5% of the scores from the sample.

## Sutton's Adult Social Services' User Experience Survey 2019/20



The Sutton Adult Social Services' User Experience Survey provides us with feedback on our service users' experience of accessing Adult Social Services and of their satisfaction with how they were treated by us. In 2019/20, 120 people completed the survey, a decrease of 56% from the previous year. This decrease coincided with the period of transformation and with the early period of COVID-19 which has clearly impacted the ability to obtain direct feedback from our

clients, as the survey is based on paper forms given to clients in person and returned via the post.

We continue to evaluate areas where there has been a decrease within the last year and we will be taking measures to address this, including promoting interdependence and resilience with individuals and communities.

# Highlights of the year 2019/20

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## Keeping People in the community for longer and have agreements in place with health partners to provide care closer to home

There were 1,522 referrals made to the START service during 2019/20 which involved 1,194 individuals.

We have delivered approximately 50,000 hours of care to people in their own homes, through over 91,000 visits. We have also delivered further care through short term stays in care homes for rehabilitation.

## Safeguarding Awareness Week - Successful community & partner engagement

The Safeguarding Awareness event held earlier in the year brought together our partner agencies to promote community engagement and to improve practice.

This year's Safeguarding Awareness event covered a range of safeguarding topics and included workshops exploring a range of issues as follows:

- Safeguarding Adults Reviews (SARs)
- Hate crime awareness

- Coercive control
- Suicide prevention.

The conference was very well attended with a total of 140 people plus speakers and facilitators.

## Successful pilot of the Quality Assurance Framework

We completed a successful pilot of the Joint Quality Assurance Framework for Adults and Children's and next year we are fully implementing the Quality Assurance Framework and audit activity programme across the whole of Adult Social Care.

## Wallington Library integration with health

Successful integration of Wallington Library with district nurses has meant an increase in the number of community packages of care for service users promoting independence at home for longer and decreasing the need for admissions to care homes.



# Future plans for 2020/21

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## Domestic Abuse Campaigns

One of our key plans to promote Safeguarding for our employees and their families is our commitment to tackle domestic abuse. We have had a very successful campaign to highlight awareness of Domestic Abuse. In addition, we have recruited nine Domestic Abuse Champions into Adult Social Care. As part of our future plans in 2020/21 we intend to embed our Domestic Abuse Policy to maintain a safe and healthy workplace environment.

## Transformation of the All Age Learning Disability Approach

We will be reviewing the Learning Disability service to ensure a streamlined pathway from childhood to adulthood.

## Extension of Transformation Phase 2

Following the implementation of the locality model in Phase 1 of the transformation, the Clinical Commissioning Group has further restructured into Primary Care Networks (PCNs) which has divided the largest area, Sutton & Cheam into two, now creating four PCNs of similar size, serving approximately 50,000 people each. The Adult Social Care localities will now be realigned, based on the location of these PCNs, also taking into account the distribution of the workload by location. The localities adhere to the ward boundaries and allocation of workload is determined by postcode and will incorporate learning from the Wallington Library pilot.

## Integrated Services at Wallington Library

We intend to continue to move the Health and Social care integration agenda forward by reviewing the usage of Wallington Library by multiple teams post COVID-19, in order to scope short term IT solutions to facilitate virtual integrated working. We intend to commence scoping of joint assessments and integrated assessment documentation and further commence scoping of a single IT system.

## Embedding the Quality Assurance Framework

We will fully implement and embed the Quality Assurance Framework across the whole of Adult Social Care using a programme of quality assurance activity to ensure we hear about practice, learn from practice and continue to use coaching and development to promote change that will ensure we achieve positive outcomes for our service users.

## Improving our Information & Advice Service

We will be commissioning a new information, advice, advocacy and support service that will bring together information and advice into a central point for residents and will be developing a digital information and advice hub for residents and professionals, which will bring together a number of existing sites and resources into one central place.

## Carers

We will continue to focus on support for carers and strive to provide improved information and access to services.

We will continue to increase the awareness of carers and partners to the Carers assessment process, and the respite and short breaks offer.

The next steps with our Carers Strategy also includes refreshing the Young Carers protocol. We will also continue to build on the work of the Multi-Agency Delivery Group, particularly in relation to future joint campaigns and working across a range of different partners to address the priorities.

# Case Study - Deprivation of Liberty (DoLs) Service

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The following case study provides an insight into the DoLs service and the use of Independent Mental Capacity Advocates (IMCAs) who represent people when they lack mental capacity to make certain important decisions.



Adult Social Care covers a wide range of frameworks which includes the Mental Capacity Act 2005. This piece of legislation aims to empower people who are not able to make decisions for themselves.

The five most important things people must do and think about when applying this act are:

- Start off by thinking that everyone can make their own decisions.
- Give the person all the support they can to help them make decisions.
- No-one should be stopped from making a decision just because someone else thinks it is wrong or bad.

- Anytime someone does something or makes decisions for someone who lacks capacity, it must be in the person's best interests.
- When they do something or decide something for another person, they must limit as far as possible the impact on the person's freedom and rights.

A mental capacity assessment looks at whether a person is able to understand information; remember that information; use and weigh information and communicate their decision.

The following is an example of the Mental Capacity Act in practice. To protect the confidentiality of the client his real name has not been used.



John, has a diagnosis of autism and a learning disability and lives in a residential care home. He does not like getting close to people and does not identify that he has a learning disability. He also does not like to wash and can present as looking as if he is homeless.

He was able to travel independently to and from his home and a day centre and would go out to buy cigarettes and cola for the day. He enjoyed the freedom he had to travel where he wanted.

Staff at the care home received calls from police from places as far away as Bristol and Coventry during the night when John had been unable to get home.

At the time these actions were considered as unwise choices which is in line with the Mental Capacity Act. We can all make unwise decisions from time to time and, just because John has Autism and a learning disability, we should not take that human right away from him.

Staff at John's home continued to support him to go out independently even though they had concerns that he could not cross the road safely. John's attitude to crossing the road was that the cars had to stop for him wherever he crossed and it would be their fault if they hit him.

His care home contacted Adult Social Care and requested a review of John's ability to make decisions regarding accessing the community. There is a fine line between the balance of his safety and his freedom which now needed to be addressed.

Adult Social Care visited John and assessed his capacity regarding going out. John was not able to weigh up the risk of him stepping out into traffic or going on to trains to far away places and needing the police to get home.

John was assessed to lack capacity so a referral was made for him to have an Independent Mental Capacity Advocate (IMCA) to support him as he did not have anyone other than staff to help represent his views.

The role of the IMCA in this is to present John's wishes and feelings.

Adult Social Care arranged for a Best Interest meeting to look at the situation and try and put a plan in place that would meet the wishes and feelings of John but also keep him safe. The IMCA met with John to let him know that there would be a meeting to discuss him going out and to gather John's thoughts and feelings about this.

The IMCA asked John if he wanted to attend the meeting and he said that he didn't want to, so the IMCA attended the meeting on John's behalf. Everyone had the chance to express their opinions and challenge what was being said and John's voice was kept at the centre of the discussions during this meeting.

The Mental Capacity Act Lead who is also responsible for Deprivation of Liberty Safeguards (DoLS), chaired the meeting. This is a process where people who are not able to make decisions and who live in care homes or who are in hospital are assessed and provided with additional safeguards.

If a person does not have any family or friends to represent them in this process, an IMCA will be arranged. Once a DoLS assessment has been agreed, a representative will be appointed to monitor their ongoing care and support. This is a legal appointment and can be friends or family where appropriate.

In partnership with Adult Social Care, John is now able to continue to go out with support from staff to the places he likes to visit. This has meant that he can continue to maintain some independence whilst still keeping safe. John's IMCA continues to see him on a monthly basis to hear his views and check his care plans, reporting back to Adult Social Care and ensuring that John's voice continues to be heard.

