



DORSET, BOURNEMOUTH, CHRISTCHURCH & POOLE SAFEGUARDING ADULTS BOARDS (DBCPSABs)

PAN-DORSET MENTAL CAPACITY AND DEPRIVATION OF LIBERTY SAFEGUARDS SUBGROUP

This Board exists to protect adults at risk from abuse, significant harm or neglect. We will achieve this through strategic leadership and collective accountability.

TERMS OF REFERENCE

Date of Issue: May 2024

1. Overall Purpose

- 1.1 The purpose is to provide assurance to the Boards, that health and social care providers across Dorset apply the Mental Capacity Act 2005 (MCA), including the Liberty Protection Safeguards (LPS).
- 1.2 This group will focus on application in the following key areas, applicable to those 16+ years:
 - Mental Capacity Act 2005 (MCA)
 - Deprivation of Liberty Safeguards (DoLS)
 - Mental Capacity (Amendment) Act 2019
 - Liberty Protection Safeguards (LPS)

2. OBJECTIVES

- Ensure health and social care provider agencies across Dorset fully apply the Mental Capacity Act (MCA) 2005, including DoLS and LPS.
- Where necessary, support provider agencies to apply the MCA – support agencies through guidance.
- Provide assurance to the Boards in relation to the quality of MCA application and practice or raise concerns as appropriate.
- Monitor that the priorities of the Boards Strategic Plan are achieved.
- Monitor any recommendations arising from Safeguarding Adults Reviews (SARs) relating to mental capacity are implemented.

- Be aware of regional and national learning and disseminate learning to relevant organisations to positively influence and improve practice.
- Implement a work plan for the group which delivers the objectives of the Boards.
- Monitor and evaluate the effectiveness of the group.
- Liaise with and respond to Quality Assurance working groups around issues that relate to practice under the MCA/LPS/DoLS
- Contribute to the Boards' Annual Reports and Business Plans.

3. ROLE OF THE CHAIR

3.1 The working group will be chaired by a member of the DBCPSAB.

3.2 The Chair will:

- Be responsible for developing the subgroup work plan and delivering key outcomes within the set timescales by coordinating joint agency work, allocating specific tasks for other group members to carry out, tracking and recording progress back to the Boards.
- Alert the Boards to blocks to progress or progress or lack of engagement from any individual agencies.
- Discuss any non-attendance by core agencies in advance.
- Ensure the meetings are well-administered, that agencies receive their invitations, agenda, and papers a week in advance, wherever possible.

4. MEMBERSHIP AND ATTENDANCE

4.1 The Chair will ensure that the appropriate representatives from partner agencies are represented in the group.

4.2 The current members are: (Members with authority to make decisions on behalf of their Local Authority/Statutory Organisation from the following)

- Bournemouth Christchurch and Poole Council (BCP Council)
- Dorset Council
- Dorset Police
- NHS Dorset
- Dorset HealthCare
- Dorset County Hospital
- University Hospitals Dorset
- South Western Ambulance Service NHS Foundation Trust (SWAST)

Consideration will be given as to whether other organisations should also be invited to attend.

- 4.3 The Chair will be supported by the Dorset Safeguarding Adults Board Business Manager.
- 4.4 Quorum will be achieved when each of the statutory members are represented. Members should send a suitable deputy in the event that they cannot attend.

5. FREQUENCY OF MEETINGS

- 5.1 The subgroup will meet quarterly barring unforeseen or exceptional circumstances.

6. REPORTING ARRANGEMENTS

- 6.1 The Chair of the subgroup will report to the Dorset BCP and Safeguarding Adults Boards at every meeting.
- 6.2 Monitoring of Terms of Reference and attendance will be on an annual basis.

Document Owner

Updates:

Date	Contact	Version	Page	Details of Change
May 2024	SAB Business Team	1.0	Whole document	