Deprivation of Liberty Awareness Policy

PRN-42: Deprivation of Liberty Awareness Policy
Company Name: AI Auto-Tech Ltd
Trading/Business Name: CAREHOPES
Company Registration Number: 15556946
SIC Code: 88100 – Social Work Activities Without Accommodation for the Elderly and Disabled
Email: admin@carehopes.com
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1. Policy Introduction

CAREHOPES, the trading name of AI Auto-Tech Ltd, is committed to ensuring that all staff understand the principles, risks, and legal implications surrounding **Deprivation of Liberty (DoL)**. Although CAREHOPES does **not** provide personal care, clinical care, or restrictive interventions, companions may work with vulnerable adults or children whose circumstances raise DoL considerations.

This policy ensures staff are aware of:

- What constitutes a deprivation of liberty
- How to recognise potential risks
- How to respond appropriately
- How to escalate concerns
- How companionship activities must avoid restrictive practices

2. Key Principles

- **Awareness:** Staff must understand what Deprivation of Liberty means.
- **Prevention:** Companionship must never restrict freedom unlawfully.
- **Safeguarding:** DoL concerns must be escalated immediately.
- **Respect:** Service users' autonomy, dignity, and rights must be upheld.
- **Non-restriction:** Companions must not engage in any restrictive practice.
- **Legal compliance:** All actions must align with UK law, including the Mental Capacity Act 2005 and DoLS framework.
- **Documentation:** Concerns must be recorded accurately and factually.

3. Policy Statement

CAREHOPES ensures that:

- Staff understand the meaning and implications of DoL
- Companionship activities do not restrict liberty
- Staff recognise signs of unlawful restriction
- Concerns are escalated to the DSL immediately
- Staff avoid any behaviour that could be interpreted as controlling or restrictive
- Service users' rights and freedoms are protected
- Staff follow safeguarding and risk-management procedures
- Documentation is factual, objective, and secure

4. Purpose

- Increase staff awareness of Deprivation of Liberty
- Prevent restrictive practices within companionship
- Strengthen safeguarding and risk management
- Ensure compliance with legal frameworks
- Protect service users' rights and freedoms
- Provide clear guidance for staff

5. Scope

This policy applies to:

- All employees
- Volunteers
- Contractors
- Agency workers
- Zero-contract workers (**PRN-149**)
- Managers and supervisors
- DSL and safeguarding team

It covers DoL awareness in:

- Private homes

- Community settings
- Public spaces
- Group companionship
- Multi-staff working environments

6. Related Policies

PRN-107 Care and Support Planning Policy PRN-109 Companionship Standards Policy PRN-110 Cultural Competence Policy PRN-111 Cyber Security Policy PRN-112 Data Protection and GDPR Policy PRN-139 Social Isolation Reduction Policy PRN-143 Wellbeing Monitoring Policy PRN-145 Working in Pairs and Multi-Staff Working Policy PRN-146 Working with Other Social Workers and Carers Policy PRN-147 Proxy Working Principle PRN-148 Use of Personal and Service Users Gadget Policy PRN-150 Working with Vulnerable Children Policy

7. Understanding Deprivation of Liberty

7.1 Definition

A **Deprivation of Liberty** occurs when:

- A person is under continuous supervision or control
- They are not free to leave
- They lack the mental capacity to consent to these arrangements

This is defined under the **Mental Capacity Act 2005** and **DoLS (Deprivation of Liberty Safeguards)**.

7.2 Key Indicators

Indicators include:

- Preventing a person from leaving a location
- Restricting movement
- Using physical restraint
- Using chemical restraint (medication)
- Removing personal items to control behaviour
- Blocking access to community activities
- Restricting communication
- Preventing contact with others

- Supervising excessively
- Making decisions without consent

Companions must **never** engage in any of these behaviours.

8. Companionship and DoL Awareness

Companionship must **not**:

- Restrict movement
- Prevent a service user from leaving
- Control behaviour
- Supervise excessively
- Confine a service user to a room or building
- Block access to community participation
- Remove personal items
- Use coercion, pressure, or manipulation

Companionship **must**:

- Promote independence
- Encourage autonomy
- Support safe decision-making
- Respect personal choice
- Follow care and support plans
- Follow safeguarding rules

9. Safeguarding and DoL

Companions must:

- Recognise signs of unlawful restriction
- Report concerns immediately to the DSL
- Document observations factually
- Avoid confrontation with suspected perpetrators
- Follow PRN-143 and PRN-150 for vulnerable adults and children

- Understand that DoL concerns may involve family members, carers, or external professionals

If a service user appears:

- Confined
- Controlled
- Restricted
- Prevented from leaving
- Under excessive supervision

This must be escalated immediately.

10. External Professionals and DoL

If external professionals (e.g., carers, social workers) are involved:

- Companions must not duplicate their services
- Document: *"Service already being provided by other service: {name of service}."*
- Escalate concerns to management
- Avoid negotiating roles
- Avoid involvement in restrictive practices

11. Prohibited Conduct

Companions must **not**:

- Lock doors to prevent leaving
- Block exits
- Physically restrain
- Use controlling language
- Force compliance
- Supervise excessively
- Remove mobility aids
- Prevent access to community activities
- Prevent contact with others
- Engage in proxy working

- Swap shifts without TC approval

12. Documentation Requirements

Companions must document:

- Observations related to restriction
- Behavioural indicators
- Environmental concerns
- Safeguarding risks
- External professional involvement
- “Service already being provided” entries

Records must be factual, objective, and securely stored.

13. Roles and Responsibilities

13.1 Trustees

- Oversee governance and compliance

13.2 Senior Management

- Ensure DoL awareness across the organisation
- Approve policy changes

13.3 DSL

- Review DoL concerns
- Provide guidance and training
- Liaise with safeguarding authorities

13.4 Managers

- Support staff
- Conduct risk assessments
- Review documentation

13.5 Staff

- Follow DoL awareness standards
- Maintain boundaries
- Report concerns

- Document accurately

14. Non-Compliance

Non-compliance may include:

- Restrictive behaviour
- Safeguarding failures
- Proxy working
- Poor documentation
- Boundary breaches

Consequences may include:

- Retraining
- Formal warnings
- Suspension
- Termination
- Referral to safeguarding authorities
- Legal action

15. Policy Review

This policy will be reviewed annually or sooner if required due to:

- Legislative changes
- Safeguarding updates
- Organisational changes
- Audit findings