



Department
of Health

LOCAL AUTHORITY SOCIAL SERVICES LETTER

To: The Director of Adults' Social Services

County Councils)
Metropolitan District Councils) England
Shire Unitary Councils)
London Borough Councils
Common Council of the City of London
Council of the Isles of Scilly

30 March 2015

Deprivation of Liberty Safeguards (DoLS) Grant 2015/16 No. 31/2569

Summary

1. On the 27 March 2015, the Minister for Care and Support announced an additional £25m would be made available to local authorities for the Deprivation of Liberty Safeguards (DoLS). The letter at Annex A refers.
2. The purpose of this letter is to provide details of the amounts being provided to individual local authorities. This can be found at Annex B. This one-off funding is being provided through the Relative Needs Formula and is not ring-fenced.

Information requested

3. It is for individual local authorities to determine how these funds are best deployed. However, the Department of Health would suggest it is worth having local discussions about how this extra funding could be used sustainably and for longer term benefit.
4. To help inform and spread best practice, the Department is asking that each local authority sends a short return detailing how these additional funds have been spent.
5. We would ask you to submit to us, by 1 July 2015, details on:

- Work planned/ undertaken to increase the efficiency of the DoLS system
 - Work planned/ undertaken to improve staff and partner understanding of the DoLS (and the wider Mental Capacity Act)
 - Real-life (anonymised) examples of where use of the DoLS has improved service-user well-being
 - Your thoughts on where improvements could be made to current implementation of the DoLS and your priorities for future work.
6. In the interests of minimising demands on your time we would suggest you look to provide no more than three sides of A4. Returns should be sent to Niall.Fry@dh.gsi.gov.uk.

Enquiries

7. Any further enquiries can be directed to Niall Fry, Policy Lead for the Mental Capacity Act and Deprivation of Liberty Safeguards at the Department of Health.

ANNEX A – Letter of 27 March 2015: Announcement of DoLS Grant



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27 March 2015

To: MCA-DoLS leads in local authorities and the NHS

Dear Colleagues,

As you know, there has been a very significant increase in Deprivation of Liberty Safeguard (DoLS) applications over the last year. Official data from the Health and Social Care Information Centre (HSCIC) show that in the nine months since March 2014 there have been approximately 90,000 DoLS applications – a ten-fold increase on previous activity levels.

The response that you and your colleagues have mounted over the last year is impressive. It has maintained the focus on the needs of the individual and the ethos of the wider Mental Capacity Act. DoLS is not simply paperwork. Every application processed is a person receiving independent scrutiny of the conditions of their care – in some cases resulting in a real improvement in their well-being.

Such scrutiny is not without cost and clearly the public sector continues to operate within a challenging financial environment. It is clear that those responsible for implementing DoLS must continue to strive – as I know you are – to apply best practice and find efficiencies within the current system to ensure we maximise value for taxpayer's money.

The Government continues to value the importance of DoLS as part of the wider drive to less restrictive care and putting the views of the individual first and foremost. Especially now, we have an opportunity with DoLS to push this important agenda forwards.

As such, the Minister for Care and Support, Norman Lamb MP, has today announced that the Department of Health will provide local authorities with a one-off non-recurrent contribution to the cost of DoLS of £25m for the upcoming financial year (2015/16). This will be made available through the Relative Needs Formula. The Minister's announcement can be found at: <http://www.communitycare.co.uk/2015/03/27/lamb-providing-25m-help-staff-deliver-deprivation-liberty-safeguards/>

I hope you will agree with me that in the current financial climate this sum of money is a real recognition of the value of DoLS for vulnerable individuals. Details as to the allocation for individual local authorities will follow shortly. This additional funding, like current MCA-DoLS funding, is not ring-fenced. Local authorities have the flexibility to decide how this money is spent according to local circumstances.

The Department would suggest though that it may be worth having local discussions about how this extra funding could be used sustainably for long-term benefit. We will be asking local authorities to make short returns to us as to how this additional funding is used – which will provide an opportunity for determining best practice on use of the DoLS and gathering more information on the benefits use of DoLS has had for service users.

I hope you will welcome this announcement. In the context of the wider Government finances this is a real testament to the person-centred care you and your teams are working tirelessly to deliver.

Finally, I would take this opportunity to highlight:

- The **Law Commission's** work to review the DoLS legislation is gathering pace. Their public consultation goes live in July and it will be essential that you feed into this process to ensure a future system is developed that works as best as it can on the ground.
- The launch of the **new on-line MCA Directory**: <http://www.scie.org.uk/mca-directory/>. There is an impressive range of MCA materials to support you in implementing the Act. Please do continue to submit materials to SCIE.
- The **new DoLS forms** produced by ADASS. Guidance on their use is to be published imminently – and I would urge you to begin using these new forms as the new financial year begins. Search the ADASS website for these early next week.
- **New guidance as to what represents a deprivation of liberty** in different health and care settings will be published very soon by the Law Society. Again, search the Law Society's website early next week.
- The Government has launched the **recruitment for the Chair of our proposed new National Mental Capacity Forum**. See the following link: <http://publicappointments.cabinetoffice.gov.uk/appointment/chair-national-mental-capacity-forum/>
- The Department's **annual report on the Independent Mental Capacity Advocate Service** has now been published. I hope this will be a useful basis to discuss priorities for the IMCA service with your partners. <https://www.gov.uk/government/publications/independent-mental-capacity-advocacy-service-7th-annual-report>

Thank you again for all you are doing. Latest updates posted on Twitter: @NiallatDH.

Yours sincerely

A handwritten signature in black ink, appearing to read 'N Fry', with a large, sweeping underline that extends to the right.

Niall Fry
Policy Lead
Mental Capacity Act & Deprivation of Liberty Safeguards
Department of Health

DEPRIVATION OF LIBERTY SAFEGUARDS (DOLS) 2015/16: No 31/2569

The Minister of State for Care and Support (“the Minister of State”), in exercise of the powers conferred by section 31 of the Local Government Act 2003, makes the following determination:

Citation

1) This determination may be cited as the Deprivation of Liberty Safeguards grant (2015/16) No 31/2569.

Purpose of the grant

2) The purpose of the grant is to provide support to local authorities in England towards expenditure lawfully incurred or to be incurred by them.

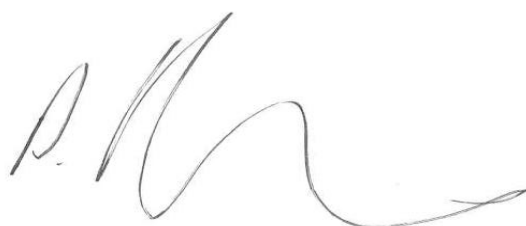
Determination

3) The Minister of State determines as the authorities to which grant is to be paid and the amount of grant to be paid, the authorities and the amounts set out in Annex A.

Treasury consent

4) Before making this determination in relation to local authorities in England, the Minister of State obtained the consent of the Treasury.

Signed by authority of the Minister of State for Care and Support:

A handwritten signature in black ink, appearing to be 'P. Richardson', written in a cursive style.

Paul Richardson

30/03/15

Deputy Director - Social Care Quality & Safety
Social Care, Local Government and Care Partnerships
Department of Health

ANNEX A

Local Authority	Allocation
Barking and Dagenham	£97,393
Barnet	£154,399
Barnsley	£132,096
Bath and North East Somerset	£77,840
Bedford	£66,220
Bexley	£99,027
Birmingham	£597,365
Blackburn with Darwen	£81,538
Blackpool	£96,393
Bolton	£148,278
Bournemouth	£94,284
Bracknell Forest	£38,596
Bradford	£245,036
Brent	£143,257
Brighton and Hove	£131,057
Bristol, City of	£216,359
Bromley	£126,982
Buckinghamshire	£178,274
Bury	£87,116
Calderdale	£98,199
Cambridgeshire	£247,899
Camden	£137,148
Central Bedfordshire	£92,370
Cheshire East	£154,735
Cheshire West and Chester	£156,503
City of London	£5,204
Cornwall	£297,961
County Durham	£301,053
Coventry	£165,447
Croydon	£149,476
Cumbria	£267,437
Darlington	£53,458
Derby	£122,514
Derbyshire	£386,913
Devon	£381,390
Doncaster	£161,054
Dorset	£206,420
Dudley	£166,573
Ealing	£151,207

East Riding of Yorkshire	£154,237
East Sussex	£275,803
Enfield	£138,521
Essex	£631,413
Gateshead	£120,884
Gloucestershire	£269,865
Greenwich	£141,896
Hackney	£149,867
Halton	£68,174
Hammersmith and Fulham	£97,961
Hampshire	£507,146
Haringey	£122,475
Harrow	£103,448
Hartlepool	£53,453
Havering	£107,273
Herefordshire, County of	£93,932
Hertfordshire	£441,004
Hillingdon	£111,051
Hounslow	£106,596
Isle of Wight	£81,751
Isles of Scilly	£1,350
Islington	£137,161
Kensington and Chelsea	£92,459
Kent	£657,540
Kingston upon Hull, City of	£154,981
Kingston upon Thames	£61,139
Kirklees	£198,387
Knowsley	£104,219
Lambeth	£160,951
Lancashire	£588,603
Leeds	£353,144
Leicester	£167,865
Leicestershire	£257,520
Lewisham	£145,907
Lincolnshire	£359,248
Liverpool	£315,425
Luton	£84,067
Manchester	£284,379
Medway	£106,440
Merton	£79,777
Middlesbrough	£80,847

Milton Keynes	£96,862
Newcastle upon Tyne	£160,089
Newham	£156,631
Norfolk	£445,726
North East Lincolnshire	£83,169
North Lincolnshire	£81,165
North Somerset	£98,554
North Tyneside	£109,982
North Yorkshire	£258,517
Northamptonshire	£289,825
Northumberland	£162,288
Nottingham	£165,336
Nottinghamshire	£376,221
Oldham	£119,718
Oxfordshire	£244,433
Peterborough	£84,657
Plymouth	£136,971
Poole	£68,005
Portsmouth	£94,978
Reading	£60,747
Redbridge	£119,037
Redcar and Cleveland	£76,824
Richmond upon Thames	£70,490
Rochdale	£118,225
Rotherham	£143,497
Rutland	£14,477
Salford	£140,551
Sandwell	£197,112
Sefton	£162,654
Sheffield	£288,561
Shropshire	£148,675
Slough	£54,982
Solihull	£92,838
Somerset	£266,407
South Gloucestershire	£99,738
South Tyneside	£97,628
Southampton	£118,335
Southend-on-Sea	£87,893
Southwark	£167,536
St. Helens	£102,705
Staffordshire	£377,810

Stockport	£136,876
Stockton-on-Tees	£90,159
Stoke-on-Trent	£142,069
Suffolk	£347,883
Sunderland	£167,230
Surrey	£426,095
Sutton	£78,643
Swindon	£82,054
Tameside	£123,097
Telford and Wrekin	£82,591
Thurrock	£69,782
Torbay	£88,382
Tower Hamlets	£156,263
Trafford	£100,875
Wakefield	£175,880
Walsall	£152,728
Waltham Forest	£116,127
Wandsworth	£138,395
Warrington	£87,865
Warwickshire	£238,356
West Berkshire	£53,429
West Sussex	£352,368
Westminster	£141,137
Wigan	£169,837
Wiltshire	£194,460
Windsor and Maidenhead	£50,822
Wirral	£192,039
Wokingham	£42,836
Wolverhampton	£146,824
Worcestershire	£254,360
York	£78,059
Total	£25,600,000