

**STOCKTON-ON-TEES BOROUGH COUNCIL**

**CABINET RECOMMENDATIONS**

**PROFORMA**

Cabinet Meeting .....1st December 2016

1. Title of Item/Report

Scrutiny Review of Mental Capacity Act Deprivation of Liberty Safeguards

2. Record of the Decision

Consideration was given to a report that presented the outcomes of the Adult Services and Health Select Committee's review of Deprivation of Liberty Safeguards. There had been a significant increase in activity to implement the Mental Capacity Act MCA DoLS following the 'Cheshire West' Supreme Court judgment in 2014. This judgment led to workforce and financial pressures for Adult Social Care across the country.

The review was instituted in order to review the Council's response and had focussed on the Council's responsibilities and functions in relation to DoLS and reviewing the application of DoLS in the wider health and care community.

RESOLVED that:-

1. The work of Adult Services in responding to the requirements of the MCA/DoLS be noted and commended;
2. The work undertaken to ensure
  - a) effective partnership working and;
  - b) that processes were as streamlined as possible (within the requirements of the MCA), be commended, and future work be supported;
3. Subject to the Medium Term Financial Planning Process, the Committee supports the identification of a sustainable resource allocation to support the DoLS function;
4. A full update report be submitted to Adult Services and Health Select Committee after 6 months, once the funding arrangements had been clarified, and current improvement projects had been completed.

3. Reasons for the Decision

The report presents the findings of the scrutiny review that took place as part of the agreed work programme for 2016-17.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

Councillor Nigel Cook declared an interest in item 5 entitled 'Scrutiny Review of Deprivations of Liberty Safeguards as he was employed by Tees, Esk and Wear Valley Mental Health Trust.

Councillor Ann McCoy declared an interest in item 5 entitled 'Scrutiny Review of Deprivations of Liberty Safeguards as she was on the Board of Governors of Tees, Esk and Wear Valley Mental Health Trust.

6. Details of any Dispensations

N/A

7. Date and Time by which Call In must be executed

Midnight, 9th December 2016

Proper Officer  
05 June 2016