

Alarming backlog of applications for Deprivation of Liberty Safeguards

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There has been a sharp increase in the number of applications for Deprivation of Liberty Safeguards (DoLS) according to a report issued today (Monday 26 January 2015) by the Care Quality Commission (CQC). Since 2009 the rate of applications for people aged 85 and over has nearly doubled.

DoLS, which apply in England and Wales, are intended to ensure that a care home or hospital only deprives someone of their liberty in a safe and correct way when they lack mental capacity.

At the end of September 2014, there were 19,429 applications where the outcome was still not decided, compared with 359 at the end of 2013/14. This represents a worryingly high number of people being deprived of their liberty without external scrutiny or authorisation.

George McNamara, Head of Policy and Public Affairs at Alzheimer's Society said:

"For too long this issue has been a minefield, over complicated and poorly understood by those working in the care sector to the detriment of thousands of vulnerable people. The significant increase in applications might suggest this picture is improving.

"However the backlog of unresolved requests is unacceptable, with nearly 20,000 outstanding applications at the end of September 2014. This raises serious questions and leaves the worrying potential of a person being unlawfully deprived of their liberty simply because the paperwork is yet to be completed.

"Depriving anyone of their liberty has to be a last resort, but when necessary it is essential it is closely monitored, legal and always with the best interests of the person in mind."

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