

# The Community DoL Process Fact Sheet



Hampshire and Isle of Wight

## Mental Capacity Act (MCA) & Deprivation of Liberty (DoL) team:

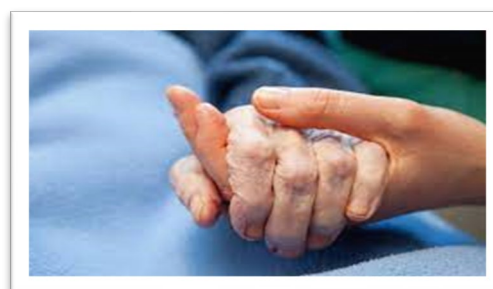
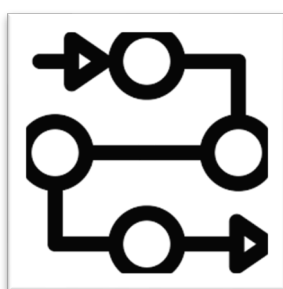
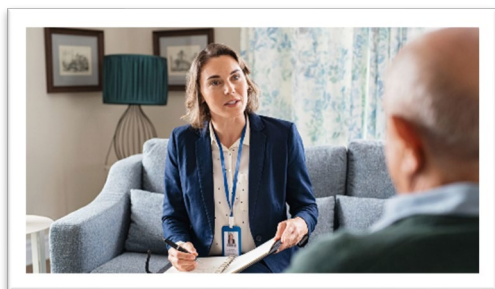
Hampshire & Isle of Wight Integrated Care Board (ICB) has an MCA and DoL Team, who are working to ensure that Community DoL applications are made where people require them.

**Contact us Mon – Fri between 09:00 – 17:00 on:**

Email - [hiowicb-hsi.chc-mca@nhs.net](mailto:hiowicb-hsi.chc-mca@nhs.net)

Telephone Number – 0300 123 4448 EXT 4024 / Option 8

## The Process:



If a concern is raised about a person's mental capacity to make decisions about their care, a practitioner will arrange to visit them to complete a capacity assessment. The practitioner will have a conversation with the person and assess whether they understand why they need care and what might happen if the care was not there.

If the person lacks capacity to give their consent, we ask everyone involved in the person's care about their best interests.

We will collect the care plans and all the other necessary paperwork together to make the application to the Court of Protection. The Court of Protection must be asked to authorise the care arrangements.

We will keep everyone informed during the process and will be available to respond to any questions you may have.

If the person has the mental capacity and consents to their care arrangements, they do not need a Community DoL.

**It is important to remember that this does not mean that anything is wrong with the care. This is a positive protection for the person's freedom.**



**WANT TO KNOW  
MORE?**  
Please contact the  
team.



**Hampshire and Isle of Wight**



## What is a Best Interests' Decision?

If a person lacks capacity to make decisions about their care and where they live, the person and their network of support will think about the options and recommend the best one to meet their needs.

Your network support could be:

- Family
- Friends
- Carers
- Health & Social Care professionals
- Health & Welfare Lasting Power of Attorney (LPA)
- Advocates



## Objections

If there is a disagreement about the care plan or where the person lives, the person or someone in their network of support could object.

To find out about how to object please see fact sheet 'Streamlined and Standard process'.

Continuing Healthcare and  
Placements Team

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ICB Website: [Mental Capacity Act  
\(MCA\) and Community Deprivation  
of Liberty \(DoL\) :: Hampshire and  
Isle of Wight ICS](#)  
([hantsiowhealthandcare.org.uk](https://hantsiowhealthandcare.org.uk))

### Useful Links:

- ADASS DoL - [quick-guide-to-  
deprivation-of-liberty-orders.pdf](https://adass.org.uk/quick-guide-to-deprivation-of-liberty-orders.pdf)  
([adass.org.uk](https://adass.org.uk))
- 39 Essex: Guidance Note - [Judicial-  
Authorisations-of-Deprivation-of-  
Liberty-July-2022v1.pdf](https://39essex.com/Judicial-Authorisations-of-Deprivation-of-Liberty-July-2022v1.pdf) ([39essex.com](https://39essex.com))

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