

To: All Directors of Adult Social  
Services and Mental Health, Drugs and  
Alcohol Policy Network members

*Association of Directors of Adult Social  
Services  
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*Enquiries to* Lucy Butler, Secretary to the Policy Network  
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*My reference*

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*Date* 4 February 2009

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Dear Colleagues

### **Deprivation of Liberty Safeguards**

As you will be aware, the Department of Health is intending to implement The Mental Capacity Act 2005, Deprivation of Liberty Safeguards from 1 April 2009. Resources, for training and awareness raising, are to be allocated to all local authorities and are based on estimates created by the Department.

As part of recent scoping exercises ahead of implementation, a number of authorities have found that the estimates for their area were significantly under what is required to implement the changes – indeed, some Councils are estimating 20% of all relevant service users will require a DOLS assessment.

The Association of Directors for Adult Social Services (ADASS) Mental Health, Drugs and Alcohol Policy Network is concerned that such under-estimates are not isolated cases, although many authorities are not flagging up issues at this point.

As a consequence, we have been working with the Department of Health to try and identify genuine concerns and to obtain an accurate national picture. We have also secured agreement from Paul Gantley, National Programme Implementation Manager, to provide advice and support to those LAs who have particular worries or concerns re DOLS in the lead up to implementation. ADASS will be happy to refer responses from Councils expressing concerns to Paul and / or to facilitate discussions between authorities and the Department.

In the meantime we would be grateful if you could alert us to any issues in your area and indicate if you would like to participate in any discussions with Paul.

Yours sincerely

**Jenny Goodall  
Richard Webb  
Co-chairs ADASS Mental Health, Drugs and Alcohol Policy Network**

*Co-Chairs of ADASS Mental Health, Drugs  
& Alcohol Policy Network  
Jenny Goodall & Richard Webb*