

Audit Objective

To provide assurance that suitable progress has been made towards the implementation of agreed actions to mitigate against the risk exposure identified in the 2019/20 'partial' audit opinion DoLS report.

Assurance Opinion		Number of Actions		Risks	Assessment
	<p>Significant gaps, weaknesses or non-compliance were identified. Improvement is required to the system of governance, risk management and control to effectively manage risks to the achievement of objectives in the area audited.</p>	Priority	Number	<p>DoLS assessments are either not completed or are invalid, resulting in the possibility of individuals who lack capacity being deprived of their liberty without authority.</p>	<p>Medium</p>
		Priority 1	1		
		Priority 2	1		
		Priority 3	0		
		Total	2		






Background and Scope

In line with the actions agreed in the 2019/20 audit, the aim of this review was to provide assurance that:

- Procedures and a strategy for the completion of DoLS Assessments are in place.
- Timely, effective assessment procedures are in place.
- There are appropriate procedures for the recruitment/commissioning & financial management of assessors.
- There is appropriate scrutiny and authorisation of assessments made.
- There is an appropriate quality assurance process in place.
- Monitoring is in place to ensure appropriate prioritisation of cases and backlogs are managed effectively.

The earliest date for the implementation of the new Liberty Protection Safeguards (LPS) is October 2023. The implementation of LPS is not specifically included in the scope, as there is currently no timetable to compare progress against for its implementation.

Key Findings

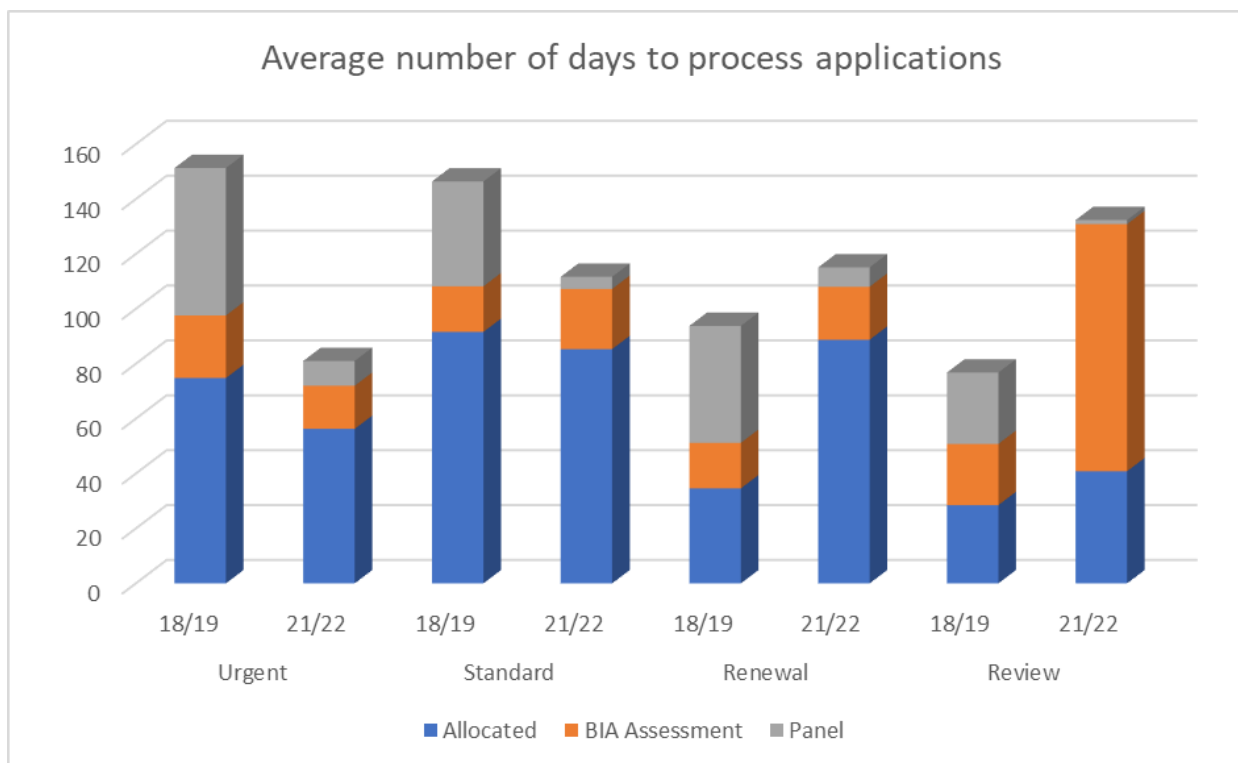
	<p><u>Strategy & Procedures</u></p> <p>National and local guidance documents are in place, including a joint operational DoLS policy and procedure with Powys Teaching Health Board which was approved in October 2019. In addition, a DoLS Priority & Allocation Strategy is in place to assist with the prioritisation of the caseload and to ensure a proportionate and individual approach is taken for each case.</p>
	<p><u>Assessment process & timeliness</u></p> <p>Appropriate administrative processes, involving the use of a spreadsheet, are in place for recording the progression of DoLS referrals. A DoLS strategy for the management of ongoing and pending applications has been introduced since the previous audit review.</p> <p>Data indicates there has been an improvement since 2018/19 in the average number of days taken to process applications. However, in 2021/22 the average processing time of 112 days for a standard referral and 81 days for an urgent referral, remain considerably higher than the statutory timescales of 21 days for a standard and 7 days for an urgent referral. In recent years, backlogs have remained at a similar level of typically over 300 referrals. It should be noted that these findings need to be taken in the context of the Covid 19 pandemic and its impact on the DoLS team's ability to process referrals in a timely manner.</p>
	<p><u>Authorised signatory & quality assurance</u></p> <p>Two part-time authorised signatories are currently in post, one of which is employed via an agency. Training has taken place and additional support provided with the aim of upskilling staff to help establish an internal, sustainable signatory resource for both DoLS and LPS.</p> <p>Due to the Covid 19 pandemic, the DoLS Lead Officer's progression with the development of peer-to-peer supervision to include quality assurance was stopped. Following consultation with the Quality Assurance & Improvement Manager in Adult Services, it was agreed that along with authorising assessments it's also the role of the authorised signatory to carry out the quality assurance process. It was stated that the legal requirements for the internal BIA's training continues to be up to date.</p>
	<p><u>Staffing resources – Best Interest Assessors (BIA)</u></p> <p>Reliance is still placed on external agencies for BIA. Data indicates that only 12 of the 446 cases allocated in 2021/22 were given to an internal BIA. A vacancy for an internal BIA was filled in March 2022, but there remains limited capacity to release BIAs from the operational teams. Budgetary information for 2021/22 shows a small underspend on staffing costs (internal & agency staff).</p>
	<p><u>Supervisory Body Recommendations</u></p> <p>The DoLS Lead Officer worked with the Mid & West Wales Safeguarding Board Region to produce guidance documents for interim arrangements during the Covid 19 pandemic. The pandemic has impacted on the DoLS Oversight Group, but it was stated that the DoLS Lead and Senior Manager attend regional meetings to discuss issues etc. Powys Teaching Health Board are leading with the ongoing creation of a Memorandum of Understanding.</p>

<p>1. Assessment process & timeliness</p>	<p>Action</p>		
<p>Although there has been an improvement with the timeliness of the assessment process since 2018/19, there are still lengthy delays within the current assessment process which is not operating in line with statutory timescales. It's acknowledged that these delays need to be taken in the context of the Covid 19 pandemic.</p>	<p>A peer support group has been established to upskill and provide mentoring support to current BIAs which has 2 elements:</p> <ul style="list-style-type: none"> To build support within Dols and encourage more BIAs to take on assessments. Explore with finance the option of attracting more freelance assessors to support the Dols assessments whilst the legislation remains. 		
<p>Priority</p>	<p>1</p>	<p>SWAP Reference</p>	
<p>Responsible Officer</p>	<p>Karen Arthur</p>		
<p>Timescale</p>	<p>12 months</p>		

<p>2. Staffing resources – Best Interest Assessors (BIA)</p>	<p>Action</p>		
<p>There remains a heavy reliance on agency BIAs, although the recent employment of an internal BIA should help address this issue. The Covid 19 pandemic has impacted staffing arrangements and highlighted the fragility of staffing resources for the carrying out of best interest assessments.</p>	<p>A peer support group has been established to upskill and provide mentoring support to current BIAs which has the following elements:</p> <ul style="list-style-type: none"> To build support within Dols and encourage more BIAs to take on assessments. Adequately prepare the workforce for Liberty Protection Safeguards. To continue the Impact Assessment to adequately prepare for Liberty Protection Safeguard to estimate the additional workflow as a result of legislative changes. 		
<p>Priority</p>	<p>2</p>	<p>SWAP Reference</p>	
<p>Responsible Officer</p>	<p>Karen Arthur</p>		
<p>Timescale</p>	<p>12 months</p>		

Assessment process & timeliness

Average number of days to process DoLS applications at various stages								
Stage	Urgent		Standard		Renewal		Review	
	2018/19	2021/22	2018/19	2021/22	2018/19	2021/22	2018/19	2021/22
Receipt to Allocated	75	56	91	85	35	89	29	41
Allocated to BIA Assessment	23	16	17	22	17	19	22	90
Panel	53	9	38	5	42	7	26	1
Total	151	81	146	112	94	115	77	132



Analysis of referrals/applications received

	2018/19	2019/20	2020/21	2021/22
Number of standard/renewal referrals	342	381	334	397
Number of urgent referrals	110	96	69	120
Total number of referrals received	452	477	403	517
Number granted at panel	207	232	298	195
Total outstanding applications at year end	371	370	248	345

Staffing resources – Best Interest Assessors (BIA)

	2018/19	2019/20	2020/21	2021/22
Number allocated to internal BIAs	128	98	82	12
Number allocated to external BIAs	139	152	367	434
Total allocated	267	250	449	446