

The Deprivation of Liberty Safeguards (DoLS) Standard authorisation – **your rights**

This is a summary of your rights now that the council has decided you need to stay in a care home or hospital which they have named. They have a formal record of this called a standard authorisation (Form 5) which should have been given to you.

You have the RIGHT to:

- be told all about the authorisation, how long it is in place and how it will affect you
- have a representative who will explain your rights to you and help you with any appeal or complaint – one will have been selected and approved by the council (you may have chosen this person) and they should be named on the authorisation
- ask the council that granted the authorisation to look at it again – this is called a Review. This could be because you think they got some things wrong, or because something has changed since the assessments were done
- ask the council about any conditions on the Form 5 – these have to be followed, if you do not think they are you should tell the council, your representative or you can ask the Court of Protection to help you
- ask the Court of Protection for help if you still disagree with the decision – you will not usually have to pay for this as you have the right to legal aid for the costs of a solicitor to help you
- ask the Court of Protection to look at parts of the authorisation such as whether you have mental capacity to decide for yourself where you receive care or treatment
- have a special kind of advocate called an Independent Mental Capacity Advocate if you or your representative need help to appeal or complain.

There are specialist solicitors who can help you with advice about mental capacity and the Deprivation of Liberty Safeguards.

You can get information about local solicitors at local branches of Citizens Advice Bureaux.

Or you can use Find a Solicitor provided by the Law Society
www.solicitors.lawsociety.org.uk or here
www.mhla.co.uk/find-a-lawyer/geographical-list/

If you need further help using Find a Solicitor, call the Law Society on 020 7320 5650 (Monday to Friday from 9am to 5.30pm).

You can also contact your local council DoLS Team – the council will always try to listen to your point of view and sort out any disagreement informally if they can.

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