

# Liberty Protection Safeguards

From this ... DOLS (NOW)	To this ... LPS (NEW)
Applies in care homes and hospitals only. For domestic settings have to apply to CoP	Applies in any setting (or multiple) including people's own homes, residential and non-residential schools, Shared Lives, children's homes, supported living, day services
Authorisation does not move with the person	Portable - Not fixed to one particular setting
Applies from age 18	Applies from age 16
Care home or hospital identify 'acid test' is met	Frontline staff/anyone involved in person's care identifies 'Acid Test' is met
6 Assessments	3 Assessments - Medical; Capacity, Necessary and Proportionate
BIAs undertake capacity and/or best interests assessments once referral made. This role will cease to exist.	Registered staff - SWs, OTs, Nurses, SaLT undertake Capacity and Necessary and Proportionate Assessments as part of care planning and other assessment processes e.g EHCPs,
Local Authority authorises	New Responsible Bodies authorise:  hospital - NHS Trust;  CHC funded - the ICB;  In all other situations, the local authority (usually based on Ordinary Residence or EHCP or S20/S37 CA
Relevant Person's Representatives (including paid Reps) support person in all matters related to DoLS	Appropriate Persons and Independent Mental Capacity Advocates (IMCAs) to support the person