

Unit Title:	Providing Independent Mental Capacity Advocacy - Deprivation of Liberty Safeguards
Level:	4
Credit value:	5
Guided learning hours:	35
Unit accreditation number:	F/502/3300

Unit purpose and aim

The unit aims to provide learners with the knowledge, skills and understanding to provide candidates with the practical skills and knowledge required to provide Independent Mental Capacity Advocacy - Deprivation of Liberty Safeguards.

Learning Outcomes The learner will:	Assessment Criteria The learner can:	Exemplification
<p>1 Understand legislation which affects people who may be subject to Deprivation of Liberty Safeguards</p>	<p>1.1 Identify when a Independent Mental Capacity Advocacy – Deprivation of Liberty Safeguards must be instructed</p> <p>1.2 Identify a range of factors which may determine whether a person is or is not being deprived of their liberty</p> <p>1.3 Identify the managing authority and supervisory body in situations where someone may be deprived of their liberty</p> <p>1.4 Analyse key principles and powers of the Mental Capacity Act 2005</p> <p>1.5 Summarise the interplay between the Mental Capacity Act 2005 and Mental Health Act</p> <p>1.6 Use the Code of Practice</p>	<p>Instructed may include:</p> <ul style="list-style-type: none"> • representing people who are being assessed for standard authorisation or being assessed for a potential unlawful deprivation of liberty(39A) • standing in as a person’s representative (39C) for people who are subject to an authorisation when no other representative is available • supporting the person who is subject to an authorisation or his/her representative where the persons’ representative is unpaid (39D)

<p>2 Provide the statutory IMCA DOLS service</p>	<p>2.1 Distinguish between standard and urgent authorisations</p> <p>2.2 Identify the requirements of each of the six assessments for authorisations and who should undertake them</p> <p>2.3 Summarise the roles and responsibilities for the three Independent Mental Capacity Advocacy – Deprivation of Liberty Safeguards roles</p> <p>2.4 Identify factors which may or may not make a deprivation of liberty in a person’s best interest</p> <p>2.5 Evaluate the different ways the Independent Mental Capacity can make representations in the assessment process</p> <p>2.6 Use a range of methods to communicate with people who lack capacity</p> <p>2.7 Use non-instructed Advocacy to ascertain the wishes, feelings or preferences of an individual</p> <p>2.8 Provide a range of information to help an individual understand the process of deprivation of liberty</p> <p>2.9 Support an individual to engage with the process</p> <p>2.10 Represent an individual during assessment</p> <p>2.11 Support an individual to appeal</p>	<p>Methods may include:</p> <ul style="list-style-type: none"> • non verbal • verbal <p>Information may include:</p> <ul style="list-style-type: none"> • Rights • the assessment process • review of a standard authorisation • access to the Court of Protection
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<p>3 Construct an IMCA DOLS written report that meets statutory requirements</p>	<p>3.1 Identify a range of issues that should be addressed within an Independent Mental Capacity Advocacy - Deprivation of Liberty Safeguards report</p> <p>3.2 Write an Independent Mental Capacity Advocacy – Deprivation of Liberty Safeguards report</p> <p>3.3 Identify good practice in recording case work</p> <p>3.4 Explain the impact of data protection legislation on the recording of work</p>	<p>Report may include:</p> <ul style="list-style-type: none"> • reports to assessors as part of the assessment process and IMCA • reports provided to the supervisory body for 39A, 39C and 39D roles
<p>Challenge decisions</p>	<p>4.1 Map out the potential routes for formal challenges</p> <p>4.2 Know how to raise informal and formal concerns and provide feedback</p> <p>4.3 Use opportunities to highlight concerns</p>	<p>Potential routes may include:</p> <ul style="list-style-type: none"> • formal routes to include complaints procedures • the review process for standard authorisation • access to the Court of Protection • alert of potential unlawful deprivation of liberty to a supervisory body

Assessment

This unit needs to be assessed in line with the Skills for Care and Development QCF Assessment principles.

Assessment decisions for competence based learning outcomes (eg those beginning with 'Be able to') must be made in a real work environment by an occupationally competent assessor. Any knowledge evidence integral to these learning outcomes may be generated outside of the work environment but the final assessment decision must be within the real work environment.

This unit is competence based. This means that it is linked to the candidate's ability to competently perform a range of tasks connected with their work. This unit may be assessed using any method, or combination of methods, which clearly demonstrates that the learning outcomes and assessment criteria have been met. This unit requires workplace assessment of occupational competence.

Competence based assessment must include direct observation as the main source of evidence.

Guidance on assessment and evidence requirements

OCR does not stipulate the mode of delivery for the teaching of the content of this unit. Centres are free to deliver this unit using any mode of delivery that meets the needs of their candidates. Centres should consider the candidates' complete learning experience when designing learning programmes.

Details of relationship between the unit and national occupational standards

This unit has been developed by Skills for Care and Development in Partnership with Awarding Organisations. It provides a key progression route between education and employment (or further study/training leading to employment). It is directly relevant to the needs of employers and relates to national occupational standards developed by Skills for Care and Development.

Additional information

For further information regarding administration for this qualification, please refer to the OCR document '*Administrative Guide for Vocational Qualifications*' (A850).

The *OCR Children and Young People's Workforce Centre Handbook* contains important information for anyone delivering, working towards or involved with the Children and Young People's Workforce qualifications, of which this unit forms a part. This can be downloaded from OCR's website www.ocr.org.uk.

This unit is a shared unit. It is located within the subject/sector classification system 01 Health, Public Services and Care and 01.5 Child Development and Well Being.