

Job Description

Management Group: Adult Social Care & Health

Department/Section: Safeguarding Adults Team

Job Title: Senior BIA Deprivation of Liberty Safeguards (DOLS) Assessor

Reports to: The BIA DOLS Assessor is responsible to the MCA/DOLS Lead for the day-to-day performance of his/her duties to service users within the community. Overall management of the Team is undertaken by the MCA/DOLS Lead.

Main purpose of the job:

- As a senior member of the DOLS Team, within and as part of the function of Safeguarding Adults Service, to offer advice, guidance and support to enquiries regarding Best Interest Assessment; to ensure that practice reflects current case law pertinent to the relevant legislation; to represent the authority, where necessary, at the Court of Protection; to undertake assessments in appropriate places and identify, challenge and, where possible, redress discrimination and inequality in all its forms; to respect individuals' qualities, abilities and diverse backgrounds, promote the rights, dignity and self-determination of individuals who might be deprived of their liberty.

Principal Accountabilities

Implementation

- To demonstrate detailed knowledge of and to practice to a high standard within the context of Deprivation of Liberty Safeguards 2007, Amended Mental Capacity Act 2005, Mental Health Act 1983 (amended 2007), Human Rights Act 1998, Care Act 2014, national and local policy guidance.
- To manage a complex, diverse and fast changing caseload of assessments, including those which relate to adult safeguarding and issues of risk and mental capacity. This will involve the management of sensitive, emotional and contentious issues and decisions with clients, relatives and carers, some of which will seek resolution in the Court of Protection
- To action a proposed Deprivation of Liberty within legally prescribed timescales, and to evaluate whether or not this is within best interests, and to submit relevant reports to Supervisory Body and where appropriate the Court of Protection
- Obtain, evaluate and analyse complex evidence and differing views and to weigh them appropriately in decision making.
- Consult, liaise and negotiate with those involved in a Best Interests Assessment, including all significant parties: family, friends, those involved in the person's care, IMCA, Advocate, Representative, Attorney or Deputy, Managing Authority. Assert a best interests perspective and make properly informed independent decisions.
- To make appropriate recommendations regarding the appointment of Relevant Persons Representative, (including Paid) in line with regulations and to escalate any objection cases to the court of protection in line with the AJ case.

- Apply knowledge of assessing mental capacity according to the legal frameworks taking into account a wide range of factors, including emerging and case law. Understanding the implications of mental incapacity for people who commission and use services, families and carers and service providers.
- The Best Interest Assessor Practitioner must provide a report that explains their conclusion and their reason for it. If they do not support deprivation of liberty, then their report should aim to be as useful as possible to the commissioners and providers of care in deciding on future action (for example, recommending an alternative approach to treatment or care in which deprivation of liberty could be avoided). It may be helpful for the Best Interests Assessor to discuss the possibility of any such alternatives with the providers of care during the assessment process.
- Present cases at a legal hearing and exercise the appropriate use of independence, authority and autonomy and use it to inform their practice as a Best Interests Assessor, together with consultation and supervision and instruct legal team accordingly.
- To ensure Managing Authorities are aware of their responsibilities in ensuring no person is deprived of their liberty without lawful authorisation and to provide advice and support to all partner agencies.
- To undertake timely reviews of existing Deprivation of Liberty authorisations ensuring appropriate contact and communication is maintained with Managing Authorities.
- Maintain appropriate professional records and to provide clear and reasoned reports in accordance with legal requirements and good practice.
- To offer advice and information with regards to Mental Capacity Act/Deprivation of Liberty issues to other BIA's and other professionals across LBB and external partners as required.
- To aid delivery of the safeguarding service through (when appropriate) carrying out tasks such as quality checking of complex mental capacity assessments (MCA2s) with the view of commissioning IMCAs, offering advice, guidance and support to those completing the forms.
- To participate in the safeguarding adults duty system as required by the Head of Adult Safeguarding.
- Provide expert advice and support to the safeguarding work and projects when deemed necessary by the MCA/DOLS Lead or the Head of Adult Safeguarding.
- To respond appropriately to urgent situations, including emergencies, Protection of Property, and hospital discharge to ensure service users and carers receive the support needed.
- Working allocated hours in a flexible way (occasionally out of hours if necessary).
- The post holder will be expected to be committed to continuous workplace learning, which may include undertaking formal training, as part of both individual and organisational development.
- Such other responsibilities allocated which are appropriate to the grade of the post.

Staff, Management Development

- To offer professional guidance and support to BIA DOLS Assessors and other professionally qualified staff undertaking BIA Training, social workers, OT's or Nurses and newly qualified staff undertaking AYSE or others as appropriate and in accordance with the Directorate's policies.
- Ensuring assessments undertaken by BIA DOLS Assessors provide robust evidence to ensure legal criteria for DOLS is met. This is referred to as the scrutiny process required in law prior to the authorisation process. To making suggestions/recommendations for any necessary amendments in the assessment.
- Promote a positive and professional culture by assisting innovative practice and leading in a speciality interest area.
- To chair the BIA Team meetings/Group Supervision in absence of the MCA/DOLS Lead.

- To provide support and supervision as required by the MCA/DOLS Lead for all BIA Assessors including those on the part time rota.
- To Chair 'Best Interest Meetings' for complex cases requiring referral to the Court of Protection.
- In the absence of the MCA/DOLS Lead to liaise with the DOLS Administration regarding the allocation of new authorisation referrals, prioritising based upon urgency and suitability of DOLS Assessor.
- To take a key role in promoting and developing a personalised approach with service users and carers, recognising diversity and anti-discriminatory practice within the work of the team.
- To undertake any other duties as required commensurate with the grading of the post and at the team managers discretion.

Personal Effectiveness

- To accept and contribute to supervision and guidance within the procedures and policies of the department.
- Take responsibility for professional development training needs, including where appropriate practice teaching, as directed by the MCA/DOLS Lead or Head of Service.
- To establish and develop effective working relationships and productive partnerships with all the relevant partners, including those in education, health, social services, Independent and voluntary sectors.
- To develop the full range of professional skills and knowledge required for the provision of the MCA/DOLS Services and to ensure changes in law are effectively integrated into practice.
- To deal promptly with all matters requiring the post holder's personal attention within a timely and professional manner.
- To support the wider safeguarding team in the ongoing development and maintenance of quality assurance systems, ensuring practice standards communicated and met, provision of timely information required for data/reports capture is available.

Person Specification

Management Group: Adult Social Care & Health
Department: Safeguarding Adults Team
Job Title: Senior BIA Deprivation of Liberty Safeguards (DOLS) Assessor

Selection Criteria	Essential/ Desirable E/D	Selection Method (see Key)
<u>Education and Formal Training</u>		
Degree or diploma in Social Work, Nursing or Occupational Therapy.	E	A/I
Currently registered with a relevant professional body	E	A/I
Qualification of Best Interest Assessor under DOLS Professional Accreditation (Ready to Practise)	E	A/I
Approved Mental Health Professional Accreditation	D	A/I
<u>Technical Experience and Knowledge</u>		
3 Years post BIA Qualifying experience and evidence of having completed in excess of 30 DOLS assessments	E	A/I
Understanding and experience of working with older people, people with disabilities (including Learning Disabilities), people with Mental Health illnesses, Acquired Brain Injury and chronic ill health and any other persons that fall under DOLS.	E	A/I
Understanding of Equal Opportunities and the principles of Equal Access to services.	E	A/I
Understanding and experience of multi-disciplinary working.	E	A/I
Sound knowledge of Mental Capacity Act, inc MCA/DOLS legislation, the Care Act 2014 and other relevant legislation for these client groups.	D	A/I
Knowledge of the ageing process and disabling conditions (including mental health needs and dementia).	E	A/I
Knowledge of Safeguarding Adults procedures.	E	A/I
Able to demonstrate relevant capabilities against the Social Work PCF at the appropriate level	E	A/I
Knowledge of palliative care and bereavement, including end of life issues.	D	A/I
Experience of working with people who have palliative care needs and people in acute emotional/psychological distress.	D	A/I
Proven communication skills and the ability to build excellent working relationships with other professionals both within the integrated teams and partner agencies.	E	A/I
Experience and understanding of multi-disciplinary and integrated working	D	A/I

<u>Job Requirements</u>		
Ability to develop/maintain manual and computerised systems for recording in accordance with department standards.	E	A/I
Ability to manage Social Care workloads/outputs, set priorities and achieve objectives by setting targets with timescales.	E	A/I
Ability to chair effective multi professional meetings and ensure all plans are clear and client centered.	E	A/I
Sound analytical ability, particularly in collating, recording and interpreting management information.	E	A/I
Can work to standards, demonstrating resilience to pressure and conflict and retaining due professionalism at all times.	E	A/I
Assessment and Report writing skills.	E	A/I
Ability to travel throughout and outside the borough.	E	A/I
Willingness to work outside normal working hours at short notice from time to time to meet the needs of the service.	E	A/I
<u>English Language Requirements for Public Sector Workers:</u>	E	A/I
<ul style="list-style-type: none"> • Ability to speak with confidence and accuracy, using accurate sentence structures and vocabulary. • Ability to choose the right kind of vocabulary for the situation in hand without a great deal of hesitation. • Ability to listen to customers and understand their needs. • Ability to tailor your approach to each conversation appropriate to the customer, responding clearly even in complex situations. 		

Selection Method Key:

A = Application

I = Interview

T = Ability Test

High Performance Indicators:

Values	Behaviours for staff	Behaviours for managers
Innovation	<p>I respond flexibly and adapt to changing demands</p> <p>I am prepared to take managed risks to achieve better outcomes</p> <p>I ask 'What if...?' to develop fresh thinking and innovative approaches to generate and implement solutions to improve performance and challenge the status quo</p>	<p>I routinely look for innovative and cost-effective ways to improve performance and customer service</p> <p>I champion change and deal successfully with ambiguity, enabling people to see positive and exciting possibilities for the future</p> <p>I take calculated risks based on available evidence and my professional judgement to learn and try new things</p>
Leadership	<p>I demonstrate a clear sense of purpose and direction, in line with organisational objectives</p> <p>I am willing to take difficult decisions</p>	<p>I take responsibility for my service and for making things happen to make a difference to my service users</p>

	My personal actions promote a positive image of Bexley	I create an environment where staff can thrive and show I value and trust staff, give praise and recognise good work I inspire, lead and encourage staff to move forward
Partnership	I show respect for others and value contributions from internal and external partners and customers I recognise the right solution, regardless of who initiated it I seek out and work with partners who can help me achieve the outcomes and objectives I need to deliver	I encourage the feeling that the team is a collective unit with shared goals I engage with service partners and other areas of the Bexley organisation to understand the demands on others and seek solutions as One Council I network internally and externally
Listening and Responding	I acknowledge other people's viewpoints and work with them to find a win-win solution I prepare and present information anticipating questions and problems I adapt my style to the audience and their needs, using the most appropriate communication channels	I seek regular service user feedback and review customer data to shape service improvements I ask staff for ideas on how to improve our service and how I can improve as a manager, listen to them and act on them I empower staff to make decisions and changes to improve value for money, customer service and productivity
Open and Accessible	I see issues from the customer / user perspective I monitor customer feedback and level of satisfaction with the service they receive, and use this to improve and pre-empt customer needs I seek to build and maintain positive relationships with customers and partners	I am accessible to my service users, customers, staff and Members I communicate and share a clear vision for the bigger picture as well as specific service areas I outline what is expected of individuals and their contribution to the whole, and am consistent in my expectations
Impact	I prioritise my activities and resources to focus on those which have the most impact for residents I take responsibility for making things happen and achieving my objectives I make decisions and clear recommendations based on my professional opinion, experience, and informed by a range of information and evidence	I design services that provide value for money and deliver our outcomes, informed by evidence I produce, prioritise and adapt plans to meet changing requirements I set interim goals to achieve notable wins on the way to larger objectives I deal with poor performance

Applicants will be assessed against these criteria and high performance indicators throughout the recruitment process

HAY JOB EVALUATION RATIONALE

<p>Job Title: Senior BIA Deprivation of Liberty Safeguards (DOLS) Assessor</p> <p>Job Holder: Various</p> <p>Directorate/Department: Adult Social Care and Health, Safeguarding Adults</p> <p>Reports to: As above</p>	<p>Post Number(s):</p> <p>JE Panel Members: Lorraine Barlow, Julie Atkinson</p> <p>Date of Evaluation: 15/05/2017</p> <p>Manager witness: Malcolm Bainsfair</p>
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NOTES ON JOB PURPOSE AND CONTENT

JE Factor	JE Line	Points	Comments
Know-How	E13	230	
Problem Solving	D+3+ (33%)	76	
Accountability	D0D+	87	
Total Score		393	
Profile		A1	
GRADE		Bexley 14	

Summary Comments

