

Guidance on DoLS Assessments during COVID-19

The Mental Capacity Act (MCA)/Deprivation of Liberty Safeguards (DoLS) are **unchanged** by the Coronavirus Act. The below flowchart outlines the expected approach to undertaking DoLS assessments in view of [government MCA/DoLS guidance](#) and restrictions during COVID-19.

Conducting face to face assessments must be considered within the government restrictions and where the **Relevant Person (RP)** would not be placed at significant risk e.g. PPE can be worn, meeting can be facilitated safely outdoors.

When deciding whether or not to visit in person, professionals should consider the [local COVID alert level of the place](#) they are considering visiting. If either a s12 Doctor or Best Interests Assessor **cannot visit** the cared for person during COVID-19, then assessors need to use the next best method available as outlined below.

Assessors must record why any of the better methods were not possible. For example, if only a telephone assessment could be done, the assessor must explain why the virtual assessment was not possible.

Assessors must be mindful to give Providers enough notice, so they have sufficient time to make the arrangements for a virtual assessment and to provide any requested case records.

If necessary and in line with Information Governance guidance, professionals can use personal smartphones to facilitate assessments if it is reasonable to do so and security measures (such as PIN codes) are in place.

