Kent and Medway Local Implementation Network (LIN) for the Implementation and oversight of the Mental Capacity Act 2005, including the DOLS Arrangements

Terms of Reference

1. PURPOSE OF THE GROUP

The LIN is a Multi-Agency Steering Group, created to oversee the ongoing implementation and operation of the Mental Capacity Act (MCA) 2005, including the implementation of the Deprivation of Liberty Safeguards (DOLS) as introduced into the Mental Health Act 1983 as amended by the Mental Health Act 2007, as suggested in Government guidance.

2. RESPONSIBILITIES

- To support the work of Kent and Medway Adult Social Services in their work as Lead Agencies in implementing the MCA through their nominated Lead Officers.

- To agree work plans with clearly defined and measurable outcomes for the development and implementation of the various elements and work streams required to put the requirements of the MCA including DOLS in place; to receive information about the funding stream(s) coming through the Local Authorities and PCTs; and to agree spending intentions.

- To provide leadership across the relevant Social Care, Health, Criminal Justice, Provider and other relevant sectors, as they become known.

- To ensure that there is a good representation from these relevant organisations.

- To ensure dissemination of advice, guidance, materials and training through a communication strategy.

- To commission an Independent Mental Capacity Advocacy (IMCA) Service and a Relevant Person’s Representative (RPR) Service, as required by the MCA and Government Guidance.

- To offer support and guidance in the operation of the IMCA Service and the RPR Service.

- To ensure that a Training Strategy for the whole relevant economy is developed and implemented.

- To create and issue policy and operational guidance, as required.

- To receive and consider advice and guidance from DH, CSIP, through the MCA and DOLS Leads, and report back as appropriate.

- To be a forum for discussion of relevant concerns in relation to the purposes of this group and to respond as appropriate.

- To report as a forum to the Section 75 Partnership Board as appropriate.
• All members of the LIN have a responsibility to follow the conventions of their own organisations and report as appropriate to Strategic Management.

3. MEMBERSHIP

Membership is voluntary and is to be drawn from the following organisations – and others, as they become known:
- The two Councils with Adult Social Services Responsibilities (CASSRs)
- The three PCTs
- The four Acute Trusts
- Kent & Medway NHS Partnership Trust
- The Kent & Medway IMCA Service
- South East Coast Ambulance Service
- Representative of Provider organisations
- Kent Police
- Kent Probation Service
- The Prison Service
- The Department of Work & Pensions

Members of LIN participate as appropriate in regional and sub-regional forums to support the implementation of MCA and DOLS.

4. QUORUM

Three of five Supervisory Bodies, at least one from the Local Authorities and one from the PCTs, should be represented. However, it is for those in attendance to determine whether any meeting should proceed.

5. FREQUENCY OF MEETINGS

The LIN will meet monthly at Ashford Business Point (unless the venue is unavailable).

6. MINUTES OF THE MEETINGS

The minutes will be maintained and circulated. They will also be made available to a wider audience as appropriate. Minutes will be agreed by the Chair before circulation.

7. ADMINISTRATIVE ARRANGEMENTS

The LIN is chaired by the KASS Lead Officer. The Medway Council Lead Officer will take the Chair, when required, as Vice-Chair. Administrative support is from a KASS Administration Officer. These arrangements are subject to further review.

Working sub-groups will be set up, as required. For example:
- the Training Sub-Group
- the IMCA Steering Group
- the Communication & Procedures Sub-Group
- the Provider Organisations Sub-Group

and they will report back to LIN.

Further ad hoc arrangements may be made to progress work, resourcing requirements via Sec.75 funding.

8. REVIEWING TERMS OF REFERENCE

ToR will be reviewed if the purpose of the meeting is extended or changed.