



Mental Capacity Act

(Northern Ireland) 2016

MCA DoLS Update – December 2022

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1. Trust MCA Contact Details

Belfast	MCABelfast@belfasttrust.hscni.net
Northern	MCA.NHSCT@northerntrust.hscni.net
South Eastern	MCAsetrust@setrust.hscni.net
Southern	MCA.SHSCT@southerntrust.hscni.net
Western	MCA.WHSCT@westerntrust.hscni.net

2. Regional DoL Statistics (Inc. live updates) – Cumulative (2 Dec 2019 to 30 Nov 2022)

Trust	Trust Panel DoL Applications	Extension Authorisations	Live TP / Extension Cases (at Nov 2022)	Short Term Detention Authorisations	Live Short Term Detentions (at Nov 2022)
Belfast	1468	803	392	260	16
Northern	2103	2276	1013	571	29
South Eastern	2389	1737	845	393	4
Southern	1581	1143	533	566	18
Western	1591	916	604	78	6
Total	9132	6875	3387	1868	73

3. Regional Overview of Cases – referrals under section 48

Trust	Section 48 referrals (completed in November 22)
Belfast	0
Northern	19
South Eastern	11
Southern	3
Western	0
Total	33

4. Training

The Department offers mandatory DoLS training on its website at: [Mental Capacity Act Training | Department of Health \(health-ni.gov.uk\)](https://www.health-ni.gov.uk/mental-capacity-act-training). DoH has undertaken a review of these training packages, and refreshed e-learning packages are currently in development, and we hope to have them published early in the new year.

Trusts can continue to provide their own training as set out in the Maintaining Competence and Confidence paper [\[link\]](#). Additional MCA information is available at: www.health-ni.gov.uk/mca

5. Latest Developments

Future MCA implementation –IMCAs

The Department has held a series of co-production workshops with key partners in developing training packages for IMCAs, which is ongoing.

The Department carried out Trust roadshows in October to obtain feedback on the IMCA role and the model that is required under the MCA. All of this information is being considered as part of the programme of future work to implement the IMCA provisions within the MCA.

The Department's MCA team can be contacted at: mcaimplementation@health-ni.gov.uk



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Mental Capacity Act – Departmental Update

DoLS Review Joint Working Group (JWG) – Representatives of the Department of Health, HSC Trusts, Attorney General's Office and Review Tribunal have continued to work collaboratively this year as part of the JWG. The JWG's purpose has been to review the statutory processes of DoLS with a view to ensuring DoLS operations are as efficient as possible. A number of key efficiencies have been made throughout this period and the final JWG meeting will be held in January 2023. An assessment of the impact of the efficiencies will be made and reported on in due course.

MCA interface with Mental Health (NI) Order 1986 (MHO) – a letter issued to HSC Trust Directors and Leads in December reiterating the position regarding the MCA/MHO interface. Until the MCA is fully implemented and repeals the MHO, the two systems will continue to operate alongside each other for the purposes of detention that amounts to a DoL. Where MHO can be used, it must and MCA must not. If MHO has been used but can no longer, MCA can be considered. If you have any queries on this matter, please contact your local Trust MCA Team (see section 1).

IMCA training development – Co-production – a number of events have taken place throughout November and December involving people with lived experience and their carers, Trust representatives, Community and Voluntary representatives, Department of Health and academics to co-produce a training programme for Independent Mental Capacity Advocates (IMCAs). This training is being designed to reflect the needs of people in NI who lack capacity and may need the additional safeguard of advocacy when the best interests decisions are being made. The IMCA training programme will be piloted during the week commencing 30 January 2023 by the fully representative developmental group.

DoH/RQIA Care home workshops – DoH and RQIA are jointly hosting MCA workshops aimed at care homes, domiciliary care and day care providers. The workshops will cover DoLS, process for DoL application and money & valuables. The workshops are on 18 January and 6 February 2023 and invitations will issue from RQIA.

Regional Multi-Agency Conveyance Protocol – this protocol has been approved by PSNI, NIAS, Trusts, SPPG and DoH. SPPG are planning an event in February 2023 to launch the protocol – details will follow through Trust MCA Leads.

Future MCA Newsletters – The Department intends to amend the frequency of these newsletters to quarterly. The MCA Reference Group will be contacted ad hoc about anything notable in between newsletter issues.

MCA Reference Group – in previous years, the Department of Health communicated with a Reference Group for the Mental Capacity Act. The Department's Mental Capacity Act Unit (MCAU) has re-engaged with the Reference Group to provide links to these newsletters and communicate with the Group regarding MCA current and future developments. An updated Privacy Notice for the MCA Reference Group is available [here](#). If you or your colleagues would like to be added to the MCA Reference Group, please contact MCAU at mcaimplementation@health-ni.gov.uk

Frequently Asked Questions (FAQs) – FAQs relating to the MCA can be found at [Mental Capacity Act FAQs | Department of Health \(health-ni.gov.uk\)](#) which is updated regularly. If you have any queries you would like addressed please contact the MCA lead in your Trust.