

CASE
NUMBER

Mental Capacity Act 2005

DEPRIVATION OF LIBERTY FORM No. 8

NO REFUSALS ASSESSMENT

PART A — WHY THIS FORM IS BEING COMPLETED

Place a cross in **ONE** of the boxes below ↓

A1	This form is being completed in relation to a request for a standard authorisation.	<input type="checkbox"/>
A2	This form is being completed in relation to a review of an existing standard authorisation under Part 8 of Schedule A1 to the Mental Capacity Act 2005.	<input type="checkbox"/>

PART B — BASIC INFORMATION

Name, address and profession of the assessor	Name	
	Address	
	Profession	
Full name of the person being assessed	Name	
Name of the hospital or care home in which the person is, or may become, deprived of their liberty	Name	
Name of the PCT or local authority that is the supervisory body	Name	
The present address of the person being assessed (Place a cross in the relevant box and, where applicable, state the address)	As stated on the request for a standard authorisation	<input type="checkbox"/>
	As stated immediately below	<input type="checkbox"/>
	Address	
Address of the hospital or care home in which the person is, or may become, deprived of their liberty (Place a cross in the relevant box and, where applicable, state the address)	As stated on the request for a standard authorisation	<input type="checkbox"/>
	As stated immediately below	<input type="checkbox"/>
	Address	

PART C — RECORD OF THE ASSESSMENT

I have assessed whether the person meets the no refusals requirement.

In carrying out this assessment, I have taken into account any information given to me, and submissions made, by any of the following:

- (a) any relevant person's representative appointed for the person
- (b) any IMCA instructed for the person in relation to their deprivation of liberty.

To the best of my knowledge and belief:

Place a cross in ONE of the boxes below (C1–C4) ↓

C1	<p>THERE IS NO ADVANCE DECISION, LPA OR DEPUTY TO CONSIDER</p> <p>The person has not made an advance decision or a lasting power of attorney under the Mental Capacity Act 2005 and no deputy has been appointed by the Court of Protection. The person therefore satisfies the no refusals requirement.</p>	<input type="checkbox"/>
C2	<p>THERE IS AN ADVANCE DECISION, LPA OR DEPUTY TO CONSIDER BUT IT DOES NOT PREVENT THESE ARRANGEMENTS FROM BEING MADE</p> <p>Any existing advance decision does not prevent the person from being given the treatment that is proposed. Similarly, any valid decisions made by a donee of a lasting power of attorney or deputy do not conflict with these proposals for their accommodation, treatment or care. The person therefore satisfies the no refusals requirement.</p>	<input type="checkbox"/>
C3	<p>THE PROPOSED TREATMENT DOES CONFLICT WITH A VALID AND APPLICABLE ADVANCE DECISION</p> <p>The person has made a valid and applicable advance decision that prevents them from receiving some or all of the treatment it is proposed to give them in the hospital or care home. The person does not therefore meet the no refusals requirement.</p>	<input type="checkbox"/>
C4	<p>THE PROPOSED ARRANGEMENTS DO CONFLICT WITH A VALID AND APPLICABLE DECISION MADE BY A DONEE OR DEPUTY</p> <p>Accommodating the person in the hospital or care home, or giving them some or all of the proposed care or treatment, would conflict with a valid decision made by a donee or deputy. The person does not therefore meet the no refusals requirement.</p>	<input type="checkbox"/>

If you placed a cross in box C2, C3 or C4 explain here why the proposed arrangements in relation to the standard authorisation either do or do not conflict with the existing advance decision, or a decision made by a donee or deputy.

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Signed	
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Dated	
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WHAT TO DO NOW

It is essential that you give a copy of this assessment to the supervisory body as soon as you have completed it. This is because the supervisory body may not give a standard authorisation unless and until it has written copies of all the assessments.

If you have placed a cross in box **C3** or **C4** then the person does not meet the no refusals qualifying requirement. As a result, a standard authorisation may not be given and all other on-going assessments should stop. You should immediately notify the supervisory body, and then provide them with a copy of this assessment as soon as practicable. You must keep a written record of the assessment.