

BIA Refresher/Update

A one day course

BIAs are central to the entire operation of DOLS as they make the fundamental decisions about whether a deprivation of liberty is actually taking place and whether it is in a person's best interests in accordance with the statutory criteria. It is a legal requirement that all BIAs have "completed further training relevant to their role" (Regulation 5(3)(d)) within each 12 month period prior to any assessment they complete.

This practical refresher course for BIAs provides a means to meet this regulation and reassure supervisory bodies that their BIAs have the knowledge, skills and confidence to apply the legislation in practice.

The course is regularly updated to ensure key legislative changes are incorporated.

WHO IS IT FOR? The course is designed for Best Interests Assessors but may also be attended by Mental Health Assessors under DoLS

- Session 1** Deprivation of Liberty 2014 News:
House of Lords Select Committee Report
CQC Report
COP3 Form update
Exercise 1- Case Study on Best Interests
- Session 2** Best Interests Case Law- Finely balanced cases
Best Interests Case Law- Risk Taking
Article 8 Refresher/Summary
Brief summary: The Supreme Court Decides (Finally!)
Exercise 2- DoL, applying the Supreme Court test
- Session 3** Department of Health guidance
Views on the Supreme Court's view!
The path to the Supreme Court
Treading New Ground
Back to Bournemouth?
The New DoL Test
Objecting & Purpose
Exercise 3- Practice Case Study
- Session 4** The Article 5 Approach
Conclusions
The Changing DoL threshold
Problems/Issues
Domestic Settings
Exercise 4- Quiz

Aims & Objectives

By the end of the course, BIAs will be:

- Updated on any DoLS news/developments
- Updated on the latest DoLS case law
- Refreshed on some key established DoLS principles/case law
- Able to consider application of Article 8 ECHR
- Able to practice their role through case studies