

## Kent County Council

### Job Description: *MCA DOLS Senior Practitioner - Best Interests Assessor*

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|-----------------------|---------------------------------------------------------|
| <b>Directorate</b>    | Adult Social Care and Health                            |
| <b>Unit/Section</b>   | Deprivation of Liberty Safeguards (DOLS)<br>County Team |
| <b>Grade</b>          | KSI                                                     |
| <b>Responsible to</b> | Best Interests Assessors Team Manager                   |

#### **Job Purpose**

Provide professional expertise and advice to practitioners, Best Interests Assessors, DOLS Managing Authorities and multi-agency partners, to assist in the ongoing development of an effective and high-quality service that meets the requirements of relevant policies and procedures, in compliance with the Mental Capacity Act 2005, Deprivation of Liberty Safeguards 2007, in line with emerging case law, and pending Liberty Protection Safeguards.

Support the Best Interests Assessors Team Manager in providing oversight, monitoring and quality assurance of highly complex cases in diverse situations which require a high level of specialist expertise and legal literacy, on behalf of Kent County Council, as determined by legislative requirements.

#### **Accountabilities**

1. Undertake statutory DOLS assessments, working with the relevant person and professionals, in order to make recommendation(s) as necessary to the Supervisory Body about the granting of an authorisation for DOLS and any appropriate conditions ensuring that any deprivation of liberty is lawful and proportionate.
2. Oversee cases of relevant persons who are being supported to challenge their deprivation of liberty in the Court of Protection. Advise Kent County Council (KCC) case managers as to their role in court and advise on statements and submissions. Attend court as appropriate to represent Kent County Council.  
Monitor the deprivation of liberty for relevant persons who are demonstrating objection, and which may lead to future challenges and make referrals/liaise with community teams as appropriate. Share the knowledge and learning with social work teams.
3. Provide a high-quality resource of professional advice, guidance and expertise to practitioners and professionals from partner agencies to help ensure the delivery of a high standard of service to improve outcomes for the Relevant Person in ensuring statutory responsibilities are met.
4. Support the Best Interests Assessor Team Manager and MCA DOLS Manager in the development of the team's practice and expertise as well as supporting practitioners and other professionals to ensure services are

delivered and meet the requirements of legislation, relevant standards and emerging case law.

**5.** Develop and maintain effective working relationships with case management teams, local referral management services, health and other external agencies, providers from the private and voluntary independent sector, to ensure that the Directorate and relevant persons requirements are met and consistently delivered.

**6.** Contribute to the development of new initiatives through representation on working groups or multi-agency forum, training courses etc., and act as a lead for identified pieces of work that will shape current and new ways of working.

**7.** Provide professional support for Best Interests Assessors (BIA) students, planning a range of experience for them, monitoring progress and supporting their development. To include support for newly qualified BIAs, and those in training, in applying theory into their practice.

**8.** Promote the BIA role, provide advice and support to BIA colleagues, including independent BIAs commissioned by Kent County Council, and take the lead on developing good practice guidance for BIAs, in line with changes in legislation and case law. Including facilitation of BIA Forums and Group Supervision for the County's BIA's.

**9.** Participate in ongoing Quality Assurance and Audit initiatives within MCA DOLS service. Providing feedback directly to BIAs and Mental Health Assessors (MHA's) as part of improving standards.

**10.** Assist in the management of the Kent Mental Capacity Act (MCA) DOLS Service including office lead duty, triage of complex DOLS applications, responding to complex queries from families, managing authorities, multi-agency partners. Review all Safeguarding cases received by the DOLS service to ensure there is an appropriate DOLS response. Provide advice and support to administrative staff.

Footnote: This job description is provided to assist the job holder to know what their main duties are. It may be amended from time to time without change to the level of responsibility appropriate to the grade of post.

## Kent County Council

### Person Specification: *Senior Practitioner - Best Interests Assessor*

The following outlines the criteria for this post. Applicants who have a disability and who meet the criteria will be shortlisted.

Applicants should describe in their application how they meet these criteria.

|                             | <b>Criteria</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
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| <b>Qualifications</b>       | <p>Best Interests Assessor Qualification<br/> Related professional qualification – social worker, first level nurse, occupational therapist, approved mental health professional or chartered psychologist (essential)<br/> Up to date registration with appropriate professional body.<br/> Current BIA refresher certificate held.</p> <p>Achieved the relevant parts of the post qualifying competency framework that are required to progress to this level.</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Experience</b>           | <p>Substantial proven experience of practising BIA assessment work</p> <p>Significant diverse post qualification experience, in Adult Services, Health related agencies or related private or voluntary organisation</p> <p>Experience of casework spanning a range of complexity and client groups in adult services<br/> Supervision and development of staff<br/> Joint working with partner agencies, including Advocacy</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Skills and Abilities</b> | <p>A high standard of assessment and written report, using evidence-based practice and case law<br/> A high degree of legal literacy<br/> Effective interpersonal and negotiation skills in order to communicate effectively with relevant persons, colleagues, and partner agencies<br/> Computer literate<br/> Prioritise and work effectively on own initiative as well as part of a team<br/> Able to work under pressure and open to feedback and challenges from other professionals in this complex area of work</p> <p>Act as a mentor and demonstrate teaching skills<br/> Assess effectively the performance and development needs of staff<br/> Contribute to and lead working groups.<br/> Dissemination and communication of information consistently across the Directorate utilising a range of media platforms.<br/> Presentation skills required</p> <p>Travel across a wide geographical area in a timely and flexible manner at various times of the day in accordance with the needs of the job</p> |
| <b>Knowledge</b>            | <p>High level of working knowledge of MCA/DOLS and other relevant legislation and theories underpinning the provision of services to different client groups</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |

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|                                                                                                                                                                                                                                                                                                                                       | <p>High level working knowledge of directorate and corporate policies, procedures and practice<br/>Expert understanding of relevant practice theories</p> <p>Good understanding of joint working with partner agencies<br/>Good working knowledge of the Mental Capacity Act 2005 and Codes of Practice including MCA/DOLS compliance issues and the changes in the law with the introduction of the Liberty Protection Safeguards.<br/>Good working knowledge of case law, relevant recent research and governmental and corporate initiatives<br/>Good working knowledge of adult safeguarding issues<br/>Good working knowledge of community DOLS applications to the Court of Protection</p> <p>Working knowledge of compliance with General Data Protection Regulations.<br/>Awareness of legislation relating to Equal Opportunities and KCC equality and diversity policies, procedures and legislation.</p>                                                                                                                                                                                                                                                                                                            |
| <p><b>Kent Values and Cultural Attributes</b></p>                                                                                                                                                                                                                                                                                     | <p><b>Kent Values:</b></p> <ul style="list-style-type: none"> <li>• We are <b>brave</b>. We do the right thing, we accept and offer challenge</li> <li>• We are <b>curious</b> to innovate and improve</li> <li>• We are <b>compassionate</b>, understanding and respectful to all</li> <li>• We are <b>strong together</b> by sharing knowledge</li> <li>• We are all <b>responsible</b> for the difference we make</li> </ul> <p>Our values enable us to build a culture that is:<br/> <b>Flexible/agile</b> - willing to take (calculated) risks and want people that are flexible and agile<br/> <b>Curious</b> - constantly learning and evolving<br/> <b>Compassionate and Inclusive</b> - compassionate, understanding and respectful to all<br/> <b>Working Together</b> - building and delivering for the best interests of Kent<br/> <b>Empowering</b> - Our people take accountability for their decisions and actions<br/> <b>Externally Focused</b> - Residents, families and communities at the heart of decision making</p> <p>(If this document is being used for recruitment purposes, examples of Behaviours which support the Kent Values will need to be demonstrated within the context of this post)</p> |
| <p>The post holder must be a currently qualified and practising BIA. The BIA professional qualification is stipulated by legislation, including the requirement to undertake annual DOLS refresher training. The post holder must apply training and emerging case law to their ongoing assessment work for highly complex cases.</p> |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**Kent Behaviours**

Co-operate with partners and colleagues to achieve common goals.  
Understand the priorities and work within the agreed timescales.  
Speak and act professionally at all times.