

Deprivation of Liberty Pathway for Children aged below 16 Years

Step 1. Identify if a child is being subject to restrictions more than would be expected for another child of their age. If the child is at risk of harm discuss with your manager within 1 working day, if the matter is not urgent discuss with your manager within 5 working days

Step 2. Management decision to be completed on the child's case file to evidence that the Storck Components have been considered, and detail if the child is being deprived of their liberty.

Step 3. If the decision is made that the child is not deprived of their liberty, agree a date with your line manager in which this decision will be reviewed and record this on the child's case file

Step 4. If the decision is made that a child is being deprived of their liberty, consider the intended outcome of the arrangements, and if these can be revised to not amount to a deprivation of liberty for the child. If they cannot, move to step 5.

Step 5. Consider if the parents have capacity to consent to the restrictions in place. If the parent can provide valid consent and the restrictions are proportionate set a date for this to be reviewed with your manager and recorded on the child's case file. There should be a review in any case 6 months before the child's 16th birthday. If the parents do not have capacity, then move to step 6.

Step 6. Service Manager and Independent Chair (if applicable) to be notified that a child is being deprived of their liberty, agreement to be sought for legal advice within 1 working day.

Step 7. Arrange to receive legal advice. The timescale for this will vary depending on the urgency of the circumstances for each child, timescale for ascertaining legal advice to be agreed with your service manager and recorded on the child's case file.

Step 8. If the outcome following legal advice is that there is not a deprivation of liberty, set a review date for this decision with your manager.

Step 9. If the outcome following legal advice is that there is a deprivation of liberty submit an application to Court for a deprivation of liberty order, timescale for this will be agreed with Legal and the Service Manager.

Deprivation of Liberty Pathway for Children aged 16 and 17 Years Old

Step 1. Identify if a child is being subject to restrictions more than would be expected for another child of their age. If the child is at risk of harm discuss with your manager within 1 working day, if the matter is not urgent discuss with your manager within 5 working days

Step 2. Management decision to be completed on the young person's case file to evidence that the Storck Components have been considered, and detail if the young person is being deprived of their liberty.

Step 3. If the decision is made that the young person is not deprived of their liberty, agree a date in which this decision will be reviewed and recorded on the child's case file.

Step 4. If the decision is made that a young person is being deprived of their liberty, consider the intended outcome of the arrangements and if these can be revised to not amount to a deprivation of liberty for the young person. If they cannot, move to step 5.

Step 5. Consider if the young person can give consent to the restrictions in place. If they can and the restrictions are proportionate set a date for this to be reviewed with your manager and recorded on the young person's case file. If they do not have capacity then move to step 6.

Step 7. If there is **any doubt** about the young person's capacity to consent, complete a Capacity Assessment to establish if the young person has capacity to give informed consent to the restrictions that are in place.

Step 6. Service Manager and Independent Chair (if applicable), to be notified that a young person is being deprived of their liberty, agreement to be sought for legal advice within 1 working day.

Step 7. Arrange to receive legal advice. The timescale for this will vary depending on the urgency of the circumstances for each child, timescale for ascertaining legal advice to be agreed with your service manager and recorded on the child's case file.

Step 9. If the outcome following legal advice is that there is not a deprivation of liberty, set a review date for this decision with your manager.

Step 9. If the outcome following legal advice is that there is a deprivation of liberty submit an application to Court for a deprivation of liberty order, timescale for this will be agreed with Legal and the Service Manager.