

JOB DESCRIPTION

Job Title:	Best Interest Assessor		
Directorate:	People Directorate	Salary:	£41,771 - £47,181 FTE plus £729 London Weighting and £963 Essential Car User Allowance
Section:	Commissioning	Grade:	BG-F SCP 31 - 36
Location:	Times Square	Work Style:	Hybrid

Key Objectives of the role

- To undertake autonomous statutory assessments under the Deprivation of Liberty Safeguards.
- To provide an independent review of restrictive care arrangements, ensuring they comply with relevant legislation (Mental Capacity Act 2005, Human Rights Act 1998, and Mental Health Act 1983, amended 2007) and promote service users' rights and welfare.
- To promote the understanding of the Mental Capacity Act 2005 and Deprivation of Liberty Safeguards, across the health and social care sector, including service users, carers, colleagues and managing authorities.
- Promote equality as an integral part of the role, use a strength-based approach and treat everyone with fairness and dignity.
- Encourage, develop and maintain effective working relationships with service colleagues and those in a wide range of partner agencies and services. Promote multi-disciplinary working partnerships, sometimes acting as a liaison between the council and other health and social care partners.

Designation of post and position within departmental structure



Daily and monthly responsibilities

- To undertake Deprivation of Liberty Safeguards assessments in care homes and hospitals. Where possible, to challenge and redress discrimination and inequality in all its forms.
- To respect individuals' qualities, abilities and diverse backgrounds, promote the rights, dignity and self-determination of individuals who might be deprived of their liberty.
- Ensure to keep up to date with the relevant legislation and developments in order to undertake statutory duties within the Care Act 2014, Mental Health Act 1983 and 2007, Mental Capacity Act 2005, Human Rights Act 1998 and other legislation, national and local policy/practice guidance. Contribute to any safeguarding enquiries as required.
- To keep appropriate records and to provide clear, accurate, timely and reasoned reports in accordance with legal requirements and best practice.
- To obtain, evaluate and analyse complex evidence and differing views and to weigh them appropriately in decision making.
- To apply understanding on a range of models of mental capacity, including the contribution of physical, developmental and social factors and implications of mental incapacity for people who use social care or health services.
- To consult, liaise and negotiate with those involved in Best Interests Assessments, including 'the relevant person', family, friends, those involved in the person's care, IMCA, representative, lasting power of attorney or deputy, and representatives from the managing authority.
- To assert a best interest's perspective throughout the assessment and to make and present properly informed independent decisions.
- To provide a report that explains their decision and their reasons for it. If they do not

support deprivation of liberty, then the report should aim to be useful to the commissioners and providers of care in deciding on future action such as recommending an alternative approach to treatment or care in which deprivation of liberty could be minimised.

- To recommend someone appropriate to be appointed as the relevant person's representative where deprivation of liberty is to be authorised.
- To contribute to upholding and developing best practice within the Mental Capacity Act/Deprivation of Liberty Safeguards.
- To support with DoLs processes including monitoring the incoming of referrals and responding to enquiries or queries.
- Such other duties as may from time to time be necessary and compatible with the nature of the post.

Scope of role

- To undertake autonomous statutory assessments under the Deprivation of Liberty Safeguards and provide an independent review of restrictive care arrangements, ensuring they comply with relevant legislation (Mental Capacity Act 2005, Human Rights Act 1998, and Mental Health Act 1983, amended 2007) and promote service users' rights and welfare.
- To work closely with the Lead DOLS/Senior Social Worker to ensure that the service runs smoothly. This is a small team of 3 core staff and you will be expected in the Senior DOLS Lead or the Dols Referral Officer's absence to carry out additional key tasks within the DOLS process, to ensure the smooth running of the service.
- There is no direct budgetary responsibility but there is an expectation for the post holder to be financially aware.
- Commitment to the Council's Equal Opportunities policy at all times.
- Commitment to working within the bounds of the Data Protection Act and GDPR legislation at all times.
- Such other duties as may from time to time be necessary, compatible with the nature of the post. It should be noted that the above list of main duties and responsibilities is not necessarily a complete statement of the final duties of the post. It is intended to give an overall view of the position and should be taken as guidance only

PERSON SPECIFICATION

KEY CRITERIA	ESSENTIAL	DESIRABLE
Skills and qualifications	<p>Registered Social Work Qualification (Social Work England), Occupational Therapist, Psychologist, or Nurse with 2 years post qualifying practice</p> <p>Best Interest Assessor Qualification (with current legal update)</p> <p>Safeguarding level 2</p>	
Competence Summary (Knowledge, abilities, skills, experience)	<p>Post qualifying experience in social work and BIA work spanning a range of complexity and client groups in adult services (with recent experience of completing these assessments i.e. within the last year).</p> <p>Experience and knowledge of DoLS practice and relevant legislative framework and national policies.</p> <p>At least 2 year's experience of undertaking best interest assessments and of advising Adult Social Care managers where issues have arisen or a Section 21a challenge is being made to the Court of Protection.</p> <p>Effective interpersonal and negotiation skills in order to communicate effectively with relevant persons, colleagues and partner agencies.</p> <p>Experience of applying training and emerging case law to their ongoing assessment work</p> <p>Experience of initiating and maintaining good professional working relationships with partner agencies and other stakeholders (health and social care).</p> <p>Ability to balance a person's right to autonomy and self-determination with their right to safety and to respond proportionately.</p>	Knowledge/experience of LAS.

Computer literate with the ability to produce a high standard of assessment and written report, using evidence-based practice and case law.

Ability to make informed, independent best interest decisions within the context of a Deprivation of Liberty Safeguards (DoLS) assessment.

Ability to effectively assess risk in complex situations, and use analysis to make proportionate decisions.

Ability to prioritise and work effectively on own initiative as well as part of a team.

Able to work under pressure and open to feedback and challenges from other professionals in this complex area of work

High level of working knowledge of MCA/DOLS and other relevant legislation

High level working knowledge of directorate and corporate policies, procedures and practice

Good understanding of joint working with partner agencies

Good working knowledge of case law, relevant recent research, and governmental and corporate initiatives

Good working knowledge of adult safeguarding issues and Care Act Section 42 statutory safeguarding responsibilities.

Good working knowledge of community DOLS applications to the Court of Protection

Understand the need for data protection and confidentiality and the need for timely and accurate recording.

	Understanding of and commitment to the requirements of safeguarding children, young people, vulnerable adults and promoting their welfare.
Work-related Personal Requirements	<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> <p>Able to work in a busy and demanding environment. Equipment is provided for home working with essential travel for service needs. Occasional office attendance in Bracknell is necessary.</p> <p>Able to cope with and adapt to changing circumstances and priorities.</p> <p>The post holder must hold a full UK driving licence (or valid equivalent). Non-UK licences must be converted to UK licences in the first six months of employment.</p>
Other Work Requirements	<p>A satisfactory enhanced Disclosure and Barring Service check.</p> <p>This role has been identified as public facing in accordance with Part 7 of the Immigration Act 2016; the requirement to fulfil all spoken aspects of the role with confidence in English applies.</p> <p>This post is exempt from the Rehabilitation of Offenders Act 1974</p>
Role models and demonstrates the Council's values and behaviours	<p>Our values define who we are. They outline what is important to us. They influence the way we work with each other – and the way we serve our residents and engage with our communities.</p> <p>We make our values real by demonstrating them in how we behave every day.</p>

All staff should hold a duty and commitment to observing the Council's Equality & Dignity at Work policy at all times. Duties must be carried out in accordance with relevant Equality & Diversity legislation and Council policies/procedures.

