



Mental Capacity (Amendment) Act

Liberty Protection Safeguards Implementation



28th September 2020

Dear LPS Stakeholders,

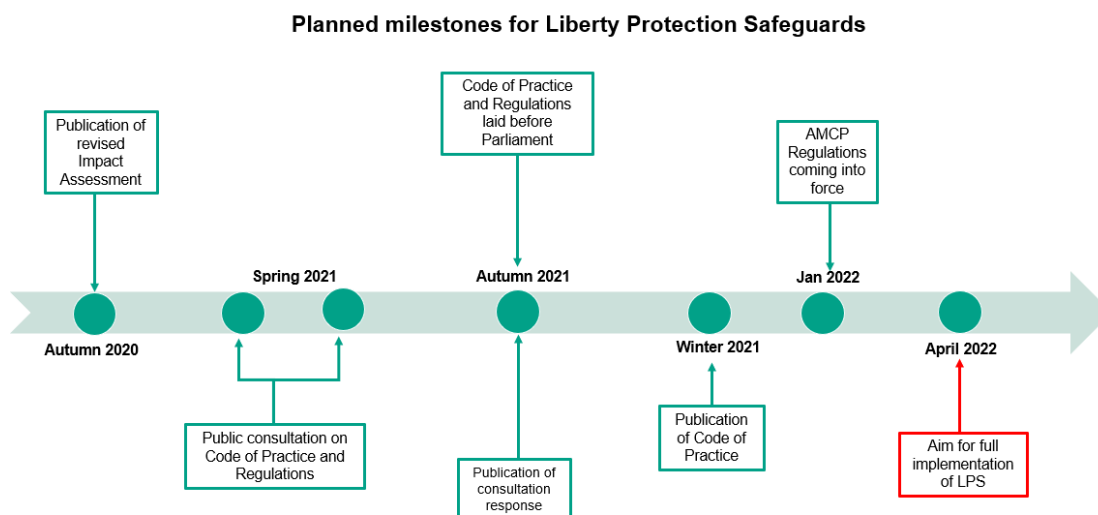
We're pleased to share the second edition of the LPS newsletter with you. We're planning to update you on the progress of LPS implementation, roughly every two months.

[LPS Team updates](#)

Since our last message to you in July, the DHSC LPS Policy team has grown. We are pleased to announce the recent appointment of Laura Mackenzie who has re-joined the team to lead on the regulations and Code of Practice. We're also joined by Sophie Rogers who will be working on the Code of Practice and Peter Dixon who will be working on LPS workforce policy, DoLS policy and LPS project management.

[LPS Timeline](#)

We've created a high-level timeline for LPS implementation below, taking into account the revised aim for implementation of LPS by April 2022. Working backwards from then, there is a lot to do, with the next significant milestone being the publication of the Code of Practice and six regulations for consultation, expected in Spring 2021. Developing these publications will be our key priority through the autumn. This timeline is provisional and subject to change – it gives a rough idea of planned progress to April 2022.



Code of Practice

We are working closely with the Ministry of Justice to ensure the LPS implementation work aligns with the review of the Mental Capacity Act Code of Practice. Following the revised LPS target implementation date, to ensure that the principles of the Mental Capacity Act 2005 ('MCA') are embedded in LPS, the Government aims to combine the LPS Code with the updated MCA Code to produce one joint Code of Practice for public consultation in 2021.

Governance Group

We are planning to restart the LPS Steering Group to collaborate with us on key policy and implementation decisions needed for LPS. We aim to restart the Group this Autumn as we focus on the development of the Code of Practice, the regulations and outstanding policy decisions ahead of consultation. The Group will be important in providing oversight of the Department's work to deliver LPS, as shown in the timeline above, drawing on expertise from the health, social care and education sectors. We have been in touch with Steering

Group members ahead of this newsletter to confirm membership and ensure the Group provides the right coverage of the relevant sectors.

Factsheets

Along with these bi-monthly newsletters, we will also be sharing 'LPS factsheets' that were developed with the help of stakeholders prior to the pandemic. These are intended to present an overview of key aspects of LPS, in straightforward language. We hope they will be useful in refreshing peoples' memories of the key principles of the LPS system, as set out in the Mental Capacity (Amendment) Act (MC(A)A) 2019.

Our first factsheet provides an overview of some of the key changes introduced by the MC(A)A 2019. You're welcome to share the newsletter and the factsheet with your colleagues and networks. We would like to thank all those who worked with the Department to develop the factsheets, your time and input is appreciated.

We are working on alternative formats for future newsletters and factsheets, to allow you to share them with colleagues more easily. As ever, we welcome your feedback on the content and encourage you get in touch with us at lps.cop@dhsc.gov.uk with any queries or requests for new additions to the newsletter.

DHSC LPS policy team, September 2020