

Case Study One: Mrs P – Cognitive impairment

Summary

Mrs P, who lived on her own, had been placed in a care home on discharge from hospital after a fall, as it was felt she was no longer able to look after herself. Mrs P has a dog called Maisy who she has a strong bond with and who was going to be taken in by the RSPCA as Mrs P's care home did not allow dogs. Following intervention by an Independent Mental Capacity Advocate (IMCA), it was recognised that she was being deprived of her liberty and the Deprivation of Liberty Safeguard assessment process was initiated. This resulted in Mrs P returning to live at home with her dog and a comprehensive package of care.

Background

Mrs P is an 82-year-old lady who has an unspecified cognitive impairment. She was living in a residential home and had been since being discharged from hospital recently. The social worker advised that Mrs P has not been managing at home for a long time. Mrs P is a hoarder and kept out-of-date food and was at risk of falls. Prior to Mrs P having a fall, being admitted into hospital and then into residential care, the social worker did not question Mrs P's capacity to make decisions about her accommodation and care and neither did her community psychiatric nurse (CPN) who was involved with Mrs P at home. Mrs P has a dog called Maisy, and her neighbour is currently looking after her.

The social worker advised that Mrs P did have a package of care at home, however this can be difficult as she would only let the carers in sometimes and she would be verbally aggressive to them. There have been a couple of incidents where Mrs P has 'lashed out' at carers. The social worker advised that in the past they have tried to implement mobile meals – however Mrs P has refused them. The social worker was of the view that Mrs P should reside in permanent residential care.

IMCA report

'I met with Mrs P at the care home. She spoke about her care needs identifying that she "falls over such a lot" and that she needed to use E45 cream for her back. She was also able to recall a recent conversation with her social worker who had advised her that she would be getting the RSPCA involved to look after her dog whilst she was at the care home. I ascertained from Mrs P that although she initially stated that she was hoping to stay at the care home, thinking it was "lovely", she also said that she was thinking of going back home to live.

Mrs P spoke about her dog and the importance to her of their relationship. She spoke about how she missed her dog. We spoke about the options available to her, such as remaining at the care home, or returning home with a package of care. Mrs P was able to tell me about the previous care package that she had and re-iterated that what was important to her was being with her dog. It was established that Mrs P's dog was unable to visit her at the home as there was a no dog policy at the home.'

Barriers

The main concern that came to light was a limited understanding of the Mental Capacity Act and Deprivation of Liberty Safeguards by the social worker and their understanding of the process they need to go through in order to make a best interests decision. Through regular telephone discussions with the social worker and

submission of the IMCA report, the IMCA was able to provide advice/guidance in relation to different aspects of the process. (For example, ensuring that capacity was being assessed properly and what needs to be considered when making the decision.)

The social worker had a week annual leave during the decision-making process period which potentially delayed Mrs P's return home.

Outcome

During initial contact with the social worker, it became apparent that Mrs P's actions and feelings were such that she was at risk of being deprived of her liberty. The IMCA therefore asked the social worker to ensure that the residential home make an application to the DoLS team. This application was made by the home. It was deemed that she was being deprived of her liberty at the home. Therefore the IMCA involvement was essential in preventing an unauthorised deprivation of liberty occurring and ensuring this assessment took place. Due to the best interests assessor input (as part of the DoLS application) and IMCA involvement, Mrs P returned home with a package of care.