

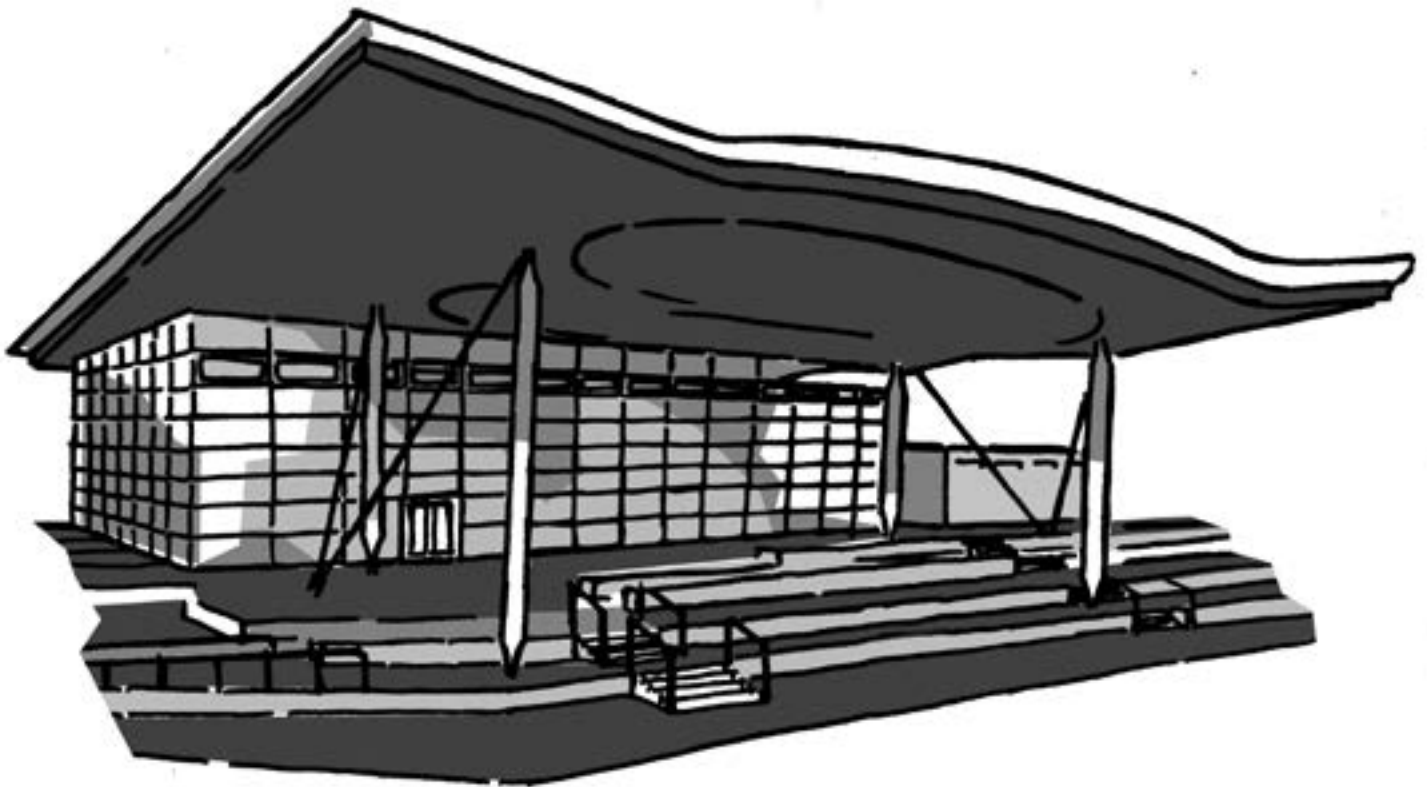


Llywodraeth Cymru
Welsh Government

Response Form

Implementing the Liberty Protection Safeguards: New regulations for Wales

Please tell us what you think by 7 July 2022

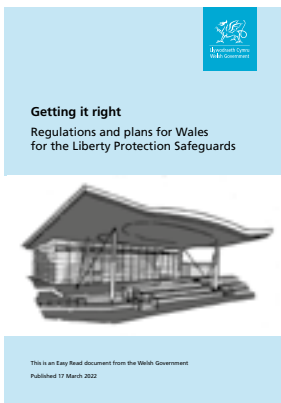


This is an easy read version of the questions from Welsh Government's consultation on new Regulations for Wales for the implementation of the Liberty Protection Safeguards

How to fill in this response form



This response form has questions about our draft [Regulations for Wales](#) that will support the implementation of the [Liberty Protection Safeguards](#).



Before you answer the questions, please read the main easy read document: Regulations and plans for Wales for the Liberty Protection Safeguards.



Please try to explain your answers. And give your own thoughts and ideas too.



You may need support to read and understand this document. Ask someone you know to help you.

Words in **blue** writing may be hard to understand.



Llywodraeth Cymru
Welsh Government

Where the document says **we**, this means **Welsh Government**.

Please send this form back to us by 7 July 2022.



By post:

Mental Health & Vulnerable Groups
Welsh Government
Cathays Park
Cardiff
CF10 3NQ



By email:

MentalHealthandVulnerableGroups@gov.wales



Or you can fill in the response form on our **website**:

www.gov.wales/liberty-protection-safeguards



Llywodraeth Cymru
Welsh Government

How we will use the information you give us

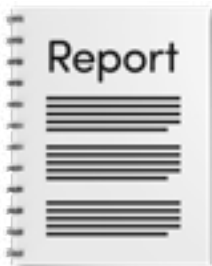
Welsh Government will be looking at your answers in this response form.



Sometimes we ask other organisations to help us make decisions. They may also see the answers that people gave in the response forms.



We will make sure we follow the law when we use your information.



We will write a report about what people said.



We might write some people's answers in full, with their names and part of the address (such as the town where you live) in the report or on the internet.



When you send us your answers, please tell us if you do **not** want us to write your name and address in the report or on the internet.



The data protection laws give you the right to:

- Know what information we have about you and how you can see it.
- Make us change any mistakes in the information about you.
- Ask us **not** to use the information in some cases.
- Ask us to delete the information we have about you in some cases.
- Move the information about you somewhere else in some cases.
- Complain to the Information Commissioner's Office.



If you would like to know more about how your information is kept and used please contact us at:

Data Protection Officer
Welsh Government
Cathays Park
Cardiff
CF10 3NQ



Email: Data.ProtectionOfficer@gov.wales



You can also contact the Information Commissioner's Office:

Wycliffe House
Water Lane
Wilmslow
Cheshire
SK9 5AF

Tel: **01625 545745** or **0303 123 1113**

Website: www.ico.org.uk

At the end of this document there is a list of words or phrases that have a particular meaning.

About you

Your name:

If you are answering for an organisation, name them here:

Your email address:

Your home address:

Do you want your name on the answers we send out?

Yes

No

Questions

The Mental Capacity Act 2005 (Independent Mental Capacity Advocates) (Wales) (Amendment) Regulations 2022

Please look at pages 15 to 19 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 1:

Do you agree that the role of the IMCA under the LPS is clear?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

The Mental Capacity (Deprivation of Liberty: Eligibility to Carry out Assessments, Make Determinations and Carry out Pre-Authorisation Reviews) (Wales) Regulations 2022

Please look at pages 3 to 7 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 2:

Do you agree that we have clearly explained who can carry out the checks, decisions and pre-authorisation reviews?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 3 to 7 of the easy read document
'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 3:

Do you agree with who has been chosen to be able to carry out checks and make decisions?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

**Please look at pages 3 to 7 of the easy read document
'Getting it right' on the Regulations for Wales.**

www.gov.wales/liberty-protection-safeguards

Question 4:

Do you agree that the rules that people must follow if they have a financial interest help the cared-for person?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

The Mental Capacity (Deprivation of Liberty: Training and Criteria for Approval as an Approved Mental Capacity Professional) (Wales) Regulations 2022

Please look at pages 8 to 14 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 5:

Do you agree that the role of the Approved Mental Capacity Professional is clear?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 8 to 14 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 6:

Do you agree that the rules make it possible for Approved Mental Capacity Professionals to do their work properly?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 8 to 14 of the easy read document
'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 7:

Do you agree with the way that Approved Mental Capacity Professionals are given permission to work?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at our Plain English Summary of our workforce plans.
www.gov.wales/liberty-protection-safeguards

Question 8:

Approved Mental Capacity Professionals will receive training based on their experience.

Do you agree with our training plans?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 8 to 14 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 9:

Do you agree with the following?

- AMCPs will need to have 18 hours of further training each year.

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

-
- The training will be agreed by either Social Care Wales or a local authority in Wales.

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

**Please look at pages 8 to 14 of the easy read document
'Getting it right' on the Regulations for Wales.**
www.gov.wales/liberty-protection-safeguards

Question 10:

Do you agree that the rules will help local authorities work with others to make sure there are enough Approved Mental Capacity Professionals?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

The Mental Capacity (Deprivation of Liberty: Monitoring and Reporting) (Wales) Regulations 2022

Please look at pages 20 to 23 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 11:

Do you agree that we are clear about how we plan to monitor and report on the LPS?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 20 to 23 of the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 12:

Do you agree that our plans for monitoring and reporting help protect people's rights and keeps them safe?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

General questions on the LPS in Wales

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 13:

Do you agree that the four sets of Regulations protect the rights of the person?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at the Summary of the costs, benefits and impacts of the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 14:

We have a summary that gives an idea of the costs, benefits and impacts of the LPS in Wales. Do you agree with the way we have looked at these costs, benefits and impacts?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at pages 1 to 5 of the Plain English document on our plans for monitoring and reporting on the LPS for Wales.

www.gov.wales/liberty-protection-safeguards

Question 15:

We have suggested that new information should be collected to check that the LPS is working well. This will be called the National Minimum Data Set for Wales. Do you agree that we are looking to collect the right information?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 16:

Do you think our ideas will have any good impacts on children's rights?

Do you think our ideas will have any bad impacts on children's rights?

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 17:

Do you think our ideas will have any effect on protected groups of people? For example:

- people of different ages
- people from different ethnic backgrounds
- disabled people
- pregnant women
- people with different religions or beliefs
- men and women.

Do you think our ideas will have any good impacts on protected groups?

Do you think our ideas will have any bad impacts?

Please look at pages 1 to 6 of the Plain English document on our plans for workforce and training on the LPS for Wales.

www.gov.wales/liberty-protection-safeguards

Question 18:

Welsh Government is also developing a separate Workforce Plan and Training Framework.

Do you agree that the Workforce Plan and Training Framework will help staff make sure that care is planned with the needs of the person in mind?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 19:

Do you think our ideas will have any good impacts on the Welsh language?

Do you think our ideas will have any bad impacts on the Welsh language?

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 20:

Do you think our ideas will give people a chance to use Welsh and treat the Welsh language the same as the English language?

Strongly Agree

Somewhat Agree

Neither Agree nor Disagree

Somewhat Disagree

Strongly Disagree

You can add any more information here about this question.

Please look at the easy read document 'Getting it right' on the Regulations for Wales.

www.gov.wales/liberty-protection-safeguards

Question 21:

How do you think the Regulations could be changed to have a positive effect on the Welsh language?

Question 22:

Is there anything else you would like to say?

Thank you.

Words and phrases with special meanings

Appropriate Person

A relative, friend, person with power of attorney or a court deputy. It is someone the person knows who supports them.

Approved Mental Capacity Professional (AMCP)

Under the Liberty Protection Safeguards checks must be done before plans that deprive a person of their liberty are authorised. Sometimes (for example – if the person lives in an independent hospital or who does not agree with the care plans being put in place) this check will be carried out by an Approved Mental Capacity Professional.

Assessments

These are checks by professionals that are needed to agree if someone may need their freedom restricted to support their care and treatment.

Authorisation

Where the Responsible Body agrees that someone can have their freedom restricted to support their care and treatment.

Best interests assessor

Under the Deprivation of Liberty Safeguards, the person who writes a report to tell the supervisory body if someone needs a Deprivation of Liberty Safeguards Authorisation.

Capacity	Capacity or Mental Capacity is the ability to make certain decisions for yourself.
Determinations	A decision by a professional about an assessment.
Deprivation of Liberty	Stopping someone from doing things and restricting their freedom.
Independent Mental Capacity Advocate	A person who gets to know the person or the appropriate person. They support them to be involved, can speak for them and can challenge the decision.
Monitoring Body	In Wales, Healthcare Inspectorate Wales, Care Inspectorate Wales or Estyn.
Pre-authorisation checks	Checks that must be done before plans that deprive a person of their liberty are authorised.
Regulations	A law.
Responsible Body	This is either the health board or local authority in Wales that authorises if someone's freedom can be restricted to support their care and treatment.

