



## Cumberland Council

### Post Specification

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| <b>Date</b>                    | <b>October 2023</b>           |
| <b>Post Group Number</b>       | <b>6624</b>                   |
| <b>Post Title</b>              | <b>Best Interest Assessor</b> |
| <b>Job Family</b>              | <b>PCD</b>                    |
| <b>Job Family Role Profile</b> | <b>PCD 12ii</b>               |
| <b>Final Grade</b>             | <b>PCD 13</b>                 |

To be read in conjunction with the job family role profile

#### Service Area description

The Service is responsible for delivering the Council's statutory obligations in respect of the Mental Capacity Act 2005, specifically relating to the Deprivation of Liberty Safeguards. The safeguards provide legal protection for those vulnerable people who are, or may become, deprived of their liberty within the meaning of Article 5 of the ECHR in a hospital or care home, whether placed under private or public arrangements. The service is responsible for receiving applications from care homes or hospitals seeking authorisation to deprive an individual of their liberty and who is believed to lack capacity to consent to the arrangements. The service must undertake or arrange the necessary assessments and determine if the criteria for deprivation are met.

#### Purpose of this post

1. To carry out Best Interests Assessments and reviews in accordance with the DoLS framework in a variety of settings and across different client groups.
2. To provide a point of expertise to operational colleagues and locality based BIA's in respect of DoLS.
3. To provide advice and guidance to Managing Authorities (Care Homes & Hospitals) in respect of their responsibilities contained within the Mental Capacity Act and DoLS framework.
4. To support the DoLS lead and Cumberland Council in the implementation of the Mental Capacity Act and Deprivation of Liberty Safeguards (DoLS) within agreed objectives and quality and performance standards.

#### Key job specific accountabilities

1. To carry out Best Interests Assessments in accordance with legislation, regulations, the DoLS code of practice and current case law to meet the Council's duties in relation to these safeguards to the residents of Cumbria where we, as the Supervisory Body, have responsibility for the individuals (whether placed in or out of the county).
2. To provide training, advice and support to health and social care professionals, as well as Managing Authorities (care homes and hospitals), customers and their families, to improve awareness, practice and processes.
3. To work in a multidisciplinary environment in partnership with County Council colleagues, health practitioners and the independent sector, to ensure DoLS authorisations are applied for where appropriate, in order to avoid unlawful detention.
4. To contribute to team and service development and delivery, to contribute to performance reports.
5. To coordinate DoLS assessments and manage own caseload, delivering results within agreed timescales.

| Please note annual targets will be discussed during the appraisal process                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                           |
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| Key facts and figures of the post                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                           |
| <b>Budget Responsibilities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | <ul style="list-style-type: none"> <li>N/A</li> </ul>                                                                                                                                                     |
| <b>Staff Management Responsibilities</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <ul style="list-style-type: none"> <li>To contribute towards the support and guidance of less experienced team members, students and other professionals from external agencies as appropriate</li> </ul> |
| <b>Other</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <ul style="list-style-type: none"> <li></li> </ul>                                                                                                                                                        |
| Essential Criteria - Qualifications, knowledge, experience and expertise                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>Successful completion of approved Best Interests Assessor training (with at least two years' post registration experience)</li> <li>Recognised qualification (either Social Work, Occupational Therapy, AMHP, Nursing or Chartered Psychologist). Current registration with the relevant professional body.</li> <li>Up to date ('refresher') training completed within the last 12 months, if qualified more than 12 months ago</li> <li>In depth knowledge of the Mental Capacity Act 2005 and related Code of Practice as well as the Deprivation of Liberty Safeguards and related Code of Practice. Knowledge and understanding of the Mental Health Act 1983.</li> <li>Good understanding of the Care Act 2014 and other relevant legislation related to the delivery of Adult Social Care Services.</li> <li>Understanding of Adult Safeguarding processes and procedures.</li> <li>Necessary skills to obtain, evaluate and analyse complex evidence and differing views and to weigh them appropriately in decision-making.</li> <li>Access to personal transport and ability to travel across Cumbria and out of county when required</li> <li>Ability to work with a high degree of independence and under pressure, delivering high quality assessments. Ability to plan and prioritise own work. Good time management and ability to work to deadlines.</li> <li>Excellent recording and report writing skills, ability to capture complex situations in a clear and concise form in accordance with legal requirements and good practice.</li> <li>Good verbal communication skills. Ability to engage with customers, families and other professionals in a clear, sensitive and helpful manner.</li> <li>Ability to weigh up risk in complex situations</li> <li>An ability to use case law and other relevant information in the field to update knowledge, procedures and decision-making.</li> <li>To undertake continuous professional development required to meet registration with the appropriate registering body. To seek opportunities for professional and personal development as identified and agreed in appraisal and ongoing supervision.</li> <li>Experience in working with adults with dementia or learning disabilities desirable.</li> <li>Current DBS check</li> <li>Working with sensitive and personal information in accordance with our information sharing policies and principles of confidentiality.</li> <li>Working in line with our health and safety policies and procedures, including lone working. To also work within the health and safety procedures of the Managing authorities when visiting customers.</li> <li>Ability to identify and challenge inappropriate practice and to challenge the decisions made by others where appropriate, promoting the wishes and the best interests of the customer.</li> <li>To contribute to team working and the development of actions to improve standards and outcomes for customers. To develop professional practice collaboratively with a wide range of stakeholders including senior colleagues.</li> </ul> |                                                                                                                                                                                                           |
| Disclosure and Barring Service – DBS Checks                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                           |
| <ul style="list-style-type: none"> <li>This post requires a DBS check.</li> <li>The level of check required is: <ul style="list-style-type: none"> <li>DBS Enhanced – Adults</li> </ul> </li> </ul>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                           |

| Job working circumstances                                                                                                                                                                                                                                            |                                                                                                                                       |
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| Emotional Demands                                                                                                                                                                                                                                                    | Some exposure to people who might be upset or angry. On occasions might be required to deal with conflict and to work under pressure. |
| Physical Demands                                                                                                                                                                                                                                                     | Travelling across the county (and sometimes outside) required.                                                                        |
| Working Conditions                                                                                                                                                                                                                                                   | Working with individuals who may display aggressive behaviour.                                                                        |
| Other Factors                                                                                                                                                                                                                                                        |                                                                                                                                       |
| <ul style="list-style-type: none"> <li>• May be required to work in the evenings and weekends (to undertake duties under the MCA 2005, for example, consulting interested parties, family members and relatives)</li> <li>• Hours of work can be flexible</li> </ul> |                                                                                                                                       |