|  |  |
| --- | --- |
| Email: | Name.surname@surreycc.gov.uk |

|  |  |  |
| --- | --- | --- |
| Address line 1 |  | Surrey County Council |
| Address line 2 |  | Woodhatch Place |
| Address line 3 |  | 11 Cockshot Hill |
| Address line 4 |  | RH2 8AE |
| Address line 5 |  |  |
|  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  | Insert Date |

Dear Insert Name

**Subject: Deprivation of Liberty Authorisation - Local Authority application to Court**

I am writing to inform you that in accordance with legislation and as advised, Surrey County Council will be making an application to the Court for a Deprivation of Liberty authorisation for your child.

**Why are we doing this?**

Your child’s Social Worker has completed a Mental Capacity Assessment which has concluded that your child cannot consent to their current (or proposed) care and support arrangements. As your child is now over the age of 16, legally neither parents nor the Local Authority can consent to any safeguards amounting to deprivations. Court oversight is required to authorise these deprivations.

The Court will ensure that any deprivations are necessary, proportionate, and respect your child’s human rights. Necessary restrictions may include locking doors, 2:1 supervision, and CCTV monitoring.

We recognise the significant role that parents play in overseeing and managing their children’s lives, which will continue into adulthood for most disabled children and we’re committed to continue working with you as your child approaches adulthood. This application is not a reflection of your parenting or care of your child. It is a legal requirement for vulnerable children, ensuring their safety and promoting positive outcomes. Existing restrictions will remain unchanged, or a care plan will be provided for new residential settings, outlining the measures necessary to safeguard, protect and promote positive outcomes for your child.

**What do you need to do?**

No action is required from you at this time. We will submit a statement and care plan to the Court, including your views. We will share these documents with you and notify you of the Court hearing date, expected within one month. You can make representations to the Court and seek legal representation if desired.

Please find enclosed some useful information from MENCAP and Research in Practice that goes into more detail about Mental Capacity and Deprivation of Liberty.

[mental capacity act resource pack\_1.pdf (mencap.org.uk)](https://www.mencap.org.uk/sites/default/files/2016-06/mental%20capacity%20act%20resource%20pack_1.pdf)

[joint\_deprivation-of-liberty-and-young-people\_web.pdf (researchinpractice.org.uk)](https://www.researchinpractice.org.uk/media/rurpghvh/joint_deprivation-of-liberty-and-young-people_web.pdf)

If you have any questions, please do not hesitate to contact your child’s Social Worker.

Yours sincerely

 (Insert Name)

**Team Manager**

**cc. Surrey Legal Services**