

The Mental Capacity (Amendment) Act 2019 Update

The Mental Capacity (Amendment) Act 2019, which received Royal Assent in May last year was due to be implemented on 1st October 2020 and the introduction of the Liberty Protection Safeguards (LPS) which will replace the Deprivation of Liberty Safeguards (DoLS). The Government announced on the 16th July 2020 that this will now be expected in April 2022.

The announcement is here: <https://www.parliament.uk/business/publications/written-questions-answers-statements/written-statement/Commons/2020-07-16/HCWS377/>. And a summary, with some of the implications, is here: <https://www.mentalcapacitylawandpolicy.org.uk/liberty-protection-safeguards-new-eta-april-2022/>.

Radox test kits recall

NHS Test and Trace have been notified that some test kits produced by Radox laboratories may not meet the required safety standards for coronavirus testing. Alongside the Lighthouse Laboratories, NHS Test and Trace has a separate contractual arrangement with Radox laboratories. As a precautionary measure and while they investigate further, NHS Test and Trace are requesting that all settings pause the use of Radox test kits with immediate effect and until further notice. The risk to safety is low and test results from Radox kits are not affected. They will be supporting all testing settings to receive replacement kits as soon as possible. This request only applies to unused Radox test kits, which are clearly marked with that name. Used Radox test kits can still be collected for processing as normal. All other kits from NHS Test and Trace can continue to be used for testing.

£62 million to help discharge people with learning disabilities or autism into the community

- People with learning disabilities or autism who could be better supported in their community will have their discharges from hospital accelerated. Funding will be given to local councils to accelerate discharge of patients with learning disabilities or autism (or both) from mental health hospitals into the community
- The funding can be spent on costs associated with discharge, including establishing community teams, funding accommodation and staff training
- A new independent oversight panel has been set up to improve care and support for inpatients with learning disabilities or autism

The Health and Social Care Secretary Matt Hancock has called for a renewed focus to ensure people with learning disabilities or autism are discharged promptly from hospital back into the community. More details can be read [here](#).

Preparing for a challenging winter 2020/21

There is a need for urgent preparation to mitigate the risks of a particularly challenging winter 2020/21 said the [Academy of Medical Sciences](#) in their report published on 14th July. Preparing for a challenging winter 2020/21 highlights that a potential new wave of COVID-19, combined with a backlog of patients needing NHS care following the first wave and a possible flu epidemic, poses a serious risk to health in the UK. It stresses that 'intense preparation' is urgently needed throughout the rest of July and August to reduce

the risk of the health service being overwhelmed and to save lives this winter. This includes:

- Minimising transmission of coronavirus in the community, with a public information campaign for all, as well as advice tailored to individuals and communities at high risk
- Reorganising health and social care staff and facilities to maintain COVID-19 and COVID-19-free zones, and ensure there is adequate PPE, testing and system-wide infection-control measures to minimise transmission in hospitals and care homes
- Increasing capacity of the test, trace and isolate programme to cope with the overlapping symptoms of COVID-19, flu and other winter infections
- Establishing a comprehensive, near-real-time, population-wide surveillance system to monitor and manage a winter wave
- Guarding against the worst effects of flu with a concerted effort to get people at risk, and health and care workers safely vaccinated