

Adult Social Care

Guide to Rule 1.2 Representatives



Easy read version



Updated May 2023

What is a Rule 1.2 Representative?



A 'Rule 1.2 Representative' is someone who speaks up for someone who can't make decisions for themselves. They speak up for them when:

- They cannot agree to limits on their freedom, and
- They cannot leave where they live (this is called being 'deprived of their liberty'), and
- An application is made to the Court of Protection to allow these restrictions.

This is called

Court of Protection Deprivation of Liberty.

What is a Court of Protection Deprivation of Liberty authorisation?



A 'Court of Protection Deprivation of Liberty' is when a court decides that someone should have limits on their freedom.

It explains what care and restrictions are allowed to keep the person safe.

It includes:

- It lasts for a set time (usually up to one year).



- Is made for one just person.





- Lists the rules and restrictions in place.



It may also say that:

- Carers can stop the person from leaving the place where they receive care.



- Carers can keep the person under close supervision and control what they can do. They can do this to keep the person safe from harm.

Who can be a Rule 1.2 Representative?



These people can be a Rule 1.2 Representative:



- An unpaid family member or friend.



- A paid professional, such as an advocate.



- A paid professional may be needed if there is not a suitable friend or family member to be the representative.



- Coventry City Council will decide who can be the Rule 1.2 Representative.

What does a Rule 1.2 Representative do?



The representative writes a letter to the court. The letter explains if they think it would be in the person's best interests to have a care and support package that includes limiting their freedom.

This includes:



- Looking at what is working and not working in the person's care and support package. Then looking to see if there are other available options.



- Thinking about whether any of the limits aren't needed, aren't suitable or should be changed.



- Telling the court what the person has said, and what they think about the care and support package.



- The Court finds out from the representative what is best for the person. They ask the representative to say whether they agree with the care or support plan, or not. Their answer should be based on what is best for the person.

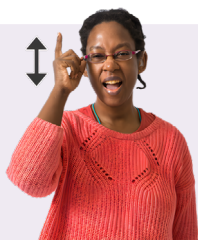
If the Court of Protection agrees to limiting a person's freedom, the Rule 1.2 Representative must:



Visit the person often, to ask them what their views and wishes are, and to check they are being cared for.



Check that their treatment and care gives them as much choice and freedom as it can.



Understand

Help the person to understand what the Court has decided, and how it affects them.



Support them to use their rights if they want to

Tell the Court if Coventry City Council does not ask for a review on time.

A review is needed if things change, for example:

- The person moves to a different place
 - The person dies
- The rules or restrictions around their care change



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Updated December 2025

