

Covert Medication Briefing

1. Background

The Calderdale Safeguarding Adults Board (CSAB) has produced guidance on Covert Medication in order to help practitioners comply with the law in this area.

<https://safeguarding.calderdale.gov.uk/wp-content/uploads/2022/08/Covert-medication-Policy-Calderdale.pdf>

2. Why is it important?

The guidance aims to ensure that practitioners follow the prescribed process when considering the administration of covert medication. This will help protect people's right to refuse medication and ensure that decisions made about people who lack capacity to consent to medication are made in their best interests. A recent legal case [COP case 2016](#) ruled that covert medication is a serious interference with a person's autonomy and right to self-determination under [Article 8 ECHR](#). It is likely to be a contributory factor giving rise to the existing Deprivation of Liberty. Practitioners who do not act within the law may face legal / disciplinary action.

3. Who is the guidance for?

The guidance is relevant to all agencies and people involved in the prescribing and administration of medication. It will be of particular relevance to the GP's, Care Homes and Homecare staff and agencies and social workers.

4. What is covert medication?

When medicines are administered in a disguised format without the knowledge or consent of the person received in them, for example, in food or drink.

5. What does the guidance say?

A competent adult has the legal right to refuse treatment, even if the refusal will adversely affect his or her health or shorten his or her life. Before deciding to administer medication covertly you must:

- Consider whether the medication can be given without the need for covert administration
- Review medication (GP)
- Conduct a capacity assessment
- Hold a best interest discussion involving all relevant parties
- Obtain advice from a pharmacist
- Consider deprivation of liberty implication
- Document and review decisions

6. What should I do if I have further questions?

Contact your agency's safeguarding lead.

7. Resources

[NICE Guidance Covert Medication Quality Statement](#)

[SCIE Deprivation of Liberty Safeguards guide.](#)

[Deprivation-of-Liberty-Safeguards-and-you-Easy-Read.pdf](#)