

Information Sheet

Top Tips for Mental Capacity Assessments



- ◇ There is a presumption of capacity
- ◇ Individuals must be supported to make decisions about treatments/ placements
- ◇ Individuals can make unwise decisions and must not be treated unfairly
- ◇ Must be timed and decision specific
- ◇ An individual could be unwell now however that does not mean they won't be able to make a decision tomorrow
- ◇ An individual should be over the age of 16 years
- ◇ Consent **MUST** be obtained for all care, treatment, intervention and life changing decisions (Inc. Residential/Nursing Home)
- ◇ If an individual lacks capacity and a decision needs to be made, the decision **MUST** be made in 'Best Interests' – this decision can be made by the most appropriate professional e.g. medic, nurse, social worker etc. (Can be the lead decision maker but must still consult), Relative, Independent MCA (Mental Capacity Advocate) – family or carers must be consulted and a formal meeting convened for 'weighty decisions' unless immediate necessary care is required.
- ◇ Least restrictive option should be chosen
- ◇ Does the individual communicate, understand, retain and verbalise it?
 - For advice on Mental Capacity, please contact
 - Shirley Heath (Head of Adult Safeguarding)
 - or Helen Markey (Adult Safeguarding Manager)
 - on 0300 123 1161 Ext 3771



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