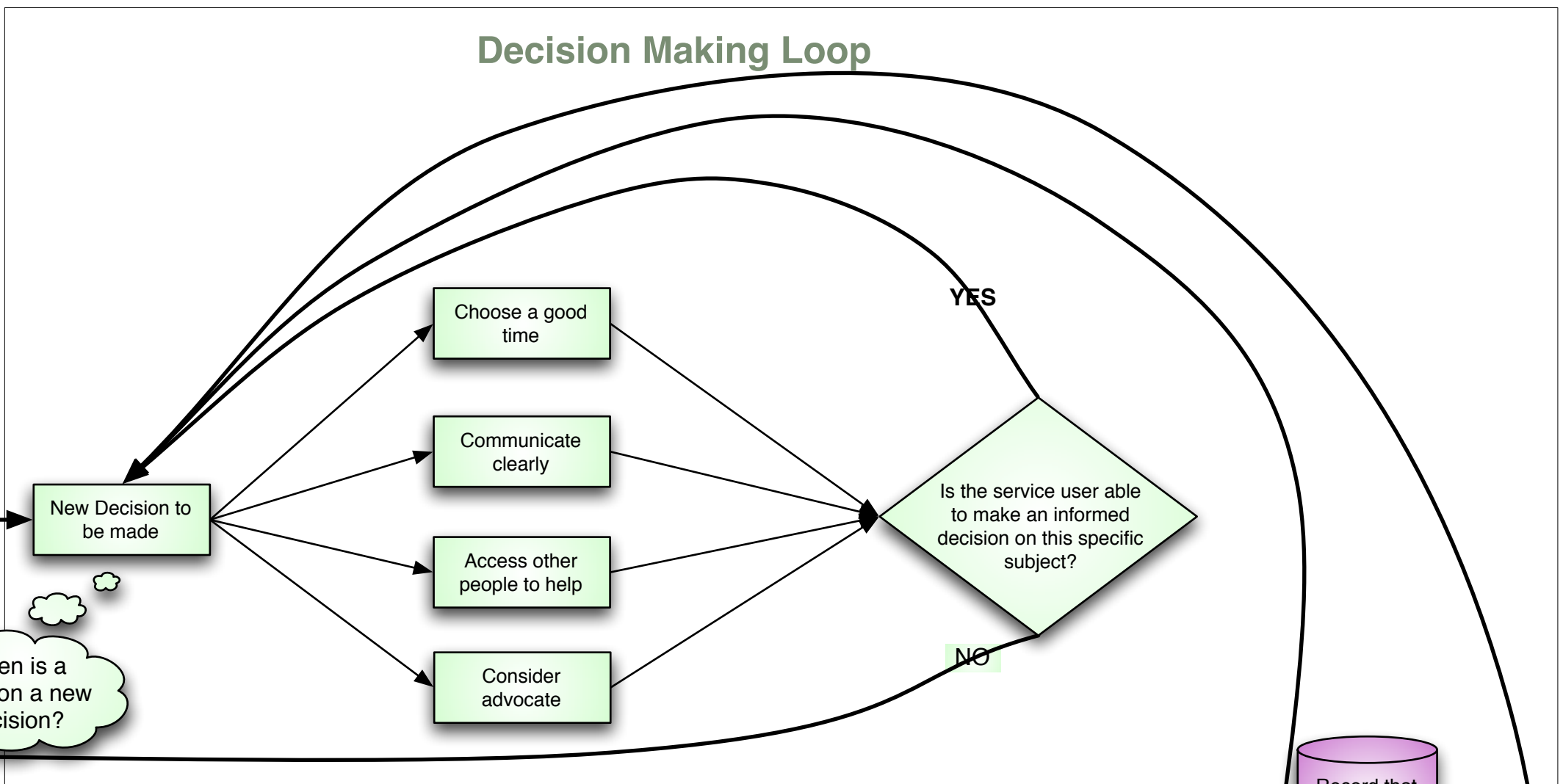
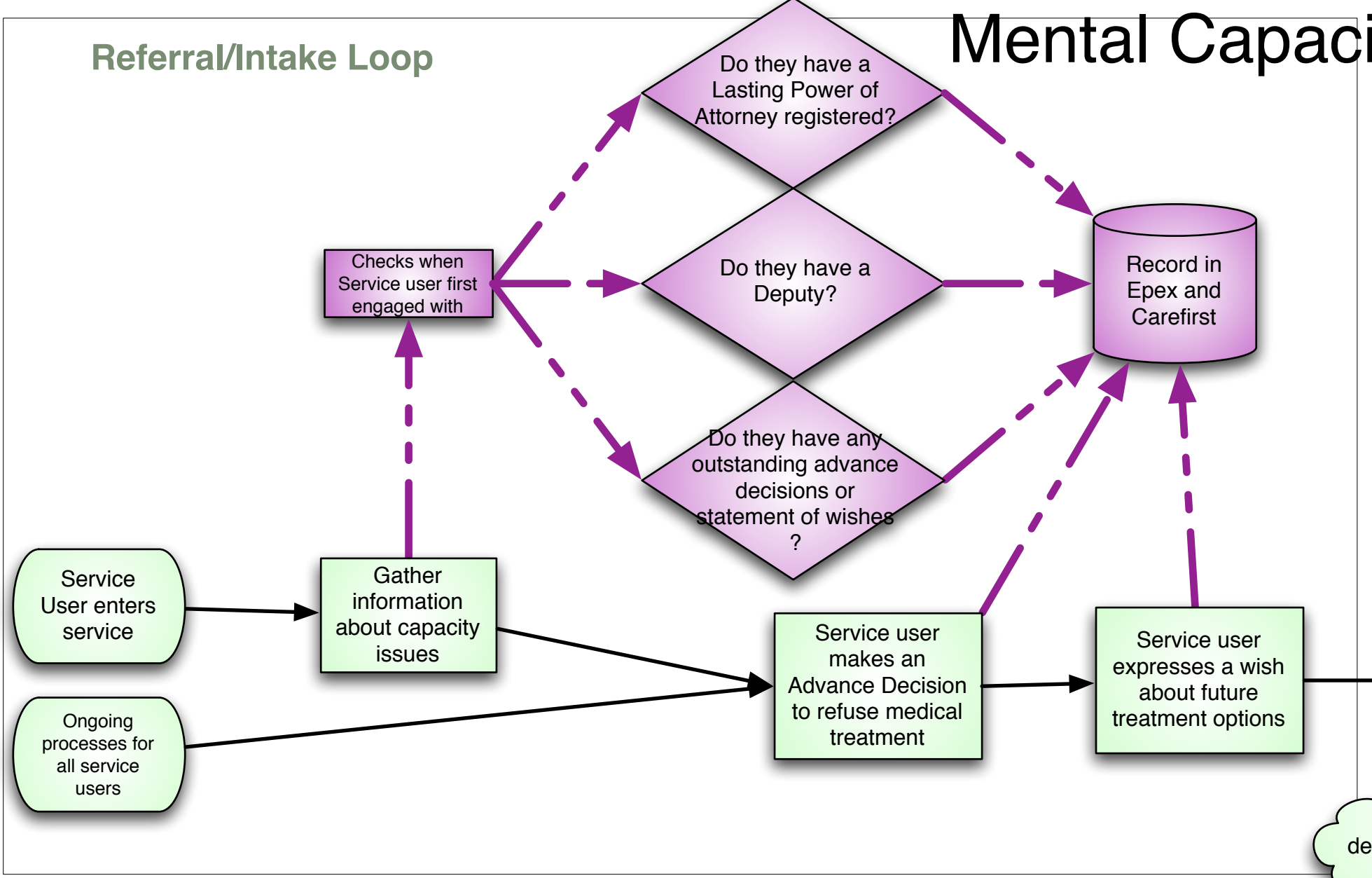


Mental Capacity Act Flowchart

© Jeremy Patton 2006 23rd Nov 2006
OK to COPY!

All Service Users



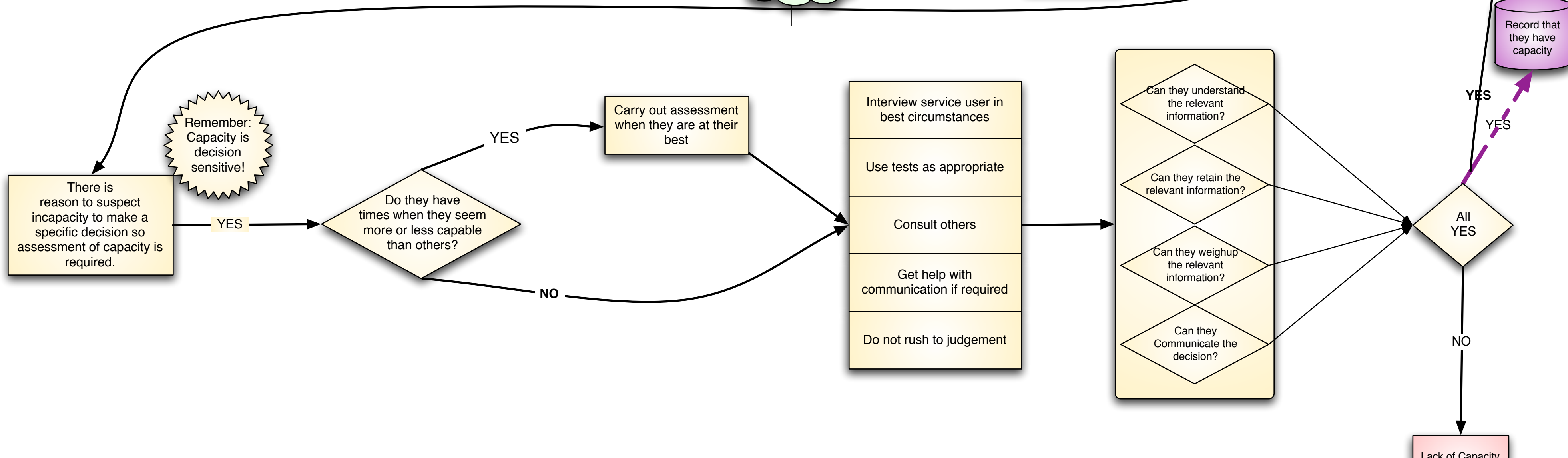
Principles

- 1 Assume Capacity
- 2 Help people have capacity
- 3 People are entitled to make unwise decisions
- 4 Decisions for person without Capacity: Best Interests
- 5 Least Restrictive

Diagnostic Test

- a Impairment or disturbance of mind/brain
- b Can be Permanent or Temporary
- c Age, appearance Condition does not by itself establish lack of capacity

Assessing Capacity



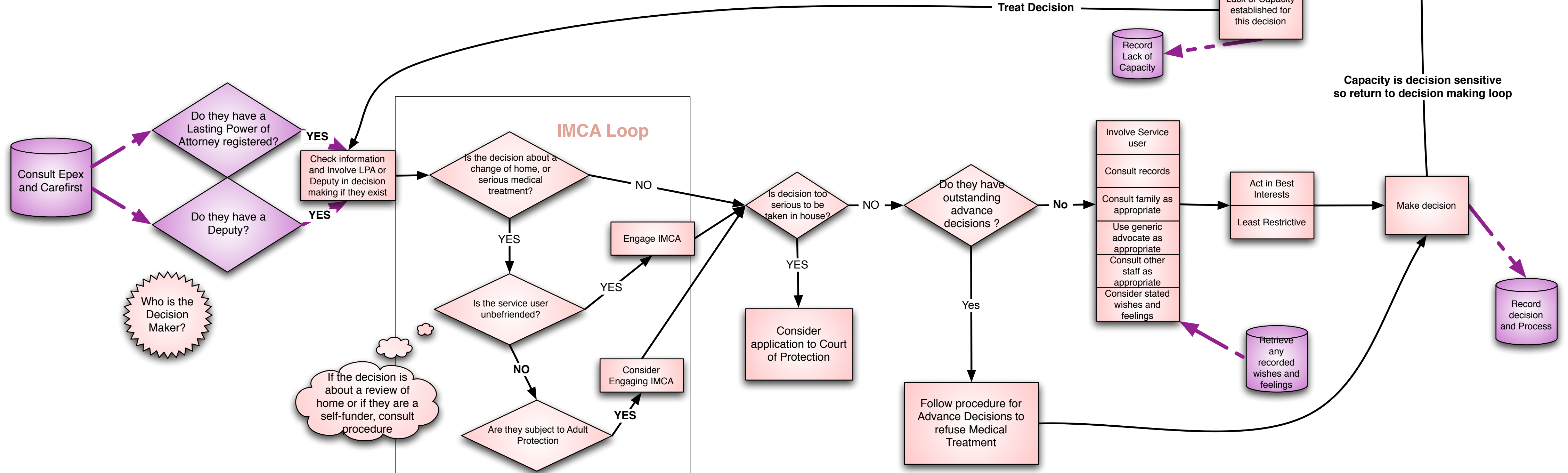
Assessing Capacity

- 1 No single test, use range of tools
- 2 Decision Sensitive
- 3 Don't rush.
- 4 Don't push through decision when capacity is lowest

Functional Test

- Unable to understand relevant information
- Unable to retain information
- Cannot use or weigh information
- Cannot communicate decision

Without Capacity



Capacity is decision sensitive so return to decision making loop

If the decision is about a review of home or if they are a self-funder, consult procedure

Who is the Decision Maker?