

Mental Capacity Act (2005) Subgroup

National Safeguarding Adults Awareness Week – Monday 20th – Friday 24th November 2023

The Ann Craft Trust is working in partnership with Safeguarding Adults Boards across the country, to promote National Safeguarding Adults Week 2023.

Derby and Derbyshire Safeguarding Adults Boards are coordinating a practice development week to present briefing events focussing on the Mental Capacity Act 2005. These briefings will provide attendees with knowledge to promote awareness, discussion and reflection on how practice can be adapted to promote the six principles of Safeguarding Adults: Empowerment, Prevention, Proportionality, Protection, Partnership and Accountability.

All sessions are **FREE** to professionals working with Derby and Derbyshire residents.

[Introducing the theme of MCA and Safeguarding Adults including local learning from audits and SARs & National Learning Themes](#)

This webinar has been designed to introduce the concept of a Safeguarding Adults Review (SAR) when an adult with care and support needs has died or suffered serious harm, and it is suspected or known that the cause was neglect or abuse (including self-neglect) and there is concern that agencies could have worked better to protect the adult.

The content will analyse outcomes with particular reference to professional practice with direct work with the individual and the Mental Capacity Act 2005

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MCA: Increasing confidence in assessing capacity, DoLS and Court of Protection

There are two sessions which will aim to provide a basic understanding of:

- The Mental Capacity Act- Why is it important.
- Deprivation of Liberty.
- Completing capacity assessments and best interest decisions.

[MCA and Fluctuating Capacity](#)

Workshop content: This session will cover:

- The practical and legal elements of completing a mental capacity assessment.
- Discuss common errors which can come up when completing a mental capacity assessment.
- Explain Fluctuating Capacity.
- Explore case law in relation to fluctuating capacity.
- Discuss how issues of Fluctuating Capacity has featured in a number of SAR's.

MCA, Safeguarding Adults and Engagement with Adults

The workshop will be interactive and provide an opportunity to explore the following areas:

- The challenges that arise when trying to gain access to adults in the community.
- Responding to and managing the safeguarding risks when there is no contact and/or withdrawal of contact with services.

Navigating access and/or contact barriers when a capacity assessment for the adult is indicated.

[MCA and Trauma informed Practice](#)

Workshop content:

- 5 Principles of Section 1 of the Mental Capacity Act
- Considering capacity – links to trauma
- What is Trauma (basic introduction)
- Trauma informed practice – what??
- Impact of Trauma on decision making
- Avoiding Trauma-driven decisions
- Why PTSD makes learning a challenge.

Useful Resources and Links:

- [Mental Capacity Act](#)
- [Mental Capacity Act 2005: post-legislative scrutiny](#)
- [The Mental Capacity Act And Executive Capacity In Practice - Safeguarding on the Front Line 2022](#)
- [Capacity Guide](#)
- [The situation seems risky to me](#)
- [The Mental Capacity Toolkit](#)
- [When mental capacity assessments must delve beneath what people say to what they do](#)
- [Deprivation of Liberty Safeguards \(DoLS\)](#)