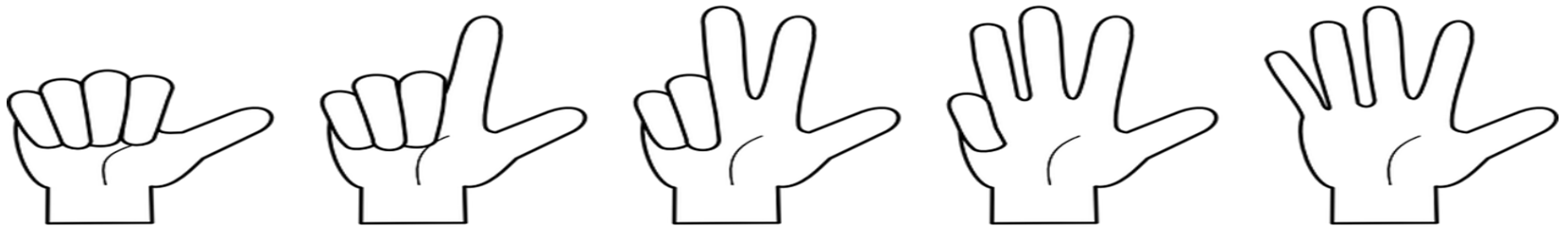




Helping People to Make **Decisions**

Putting the Mental Capacity Act 2005 into Practice



What is capacity ?

Mental capacity means being able to make your own decisions

We all make decisions, big and small, every day of our lives and most of us are able to make these decisions for ourselves

Capacity is decision and time



specific



You need to start by thinking that **I** can make this decision at this time unless you have a good reason to doubt it

Principle 1 of the MCA - A person 16 years and over must be **assumed** to have capacity unless it is established that they lack capacity

*I may need a lot of help to make **my** decision and you need to think about*


- *What is going to help **me** make the decision?*
- *How do I make **my** decisions ?*
- *What are **my** strengths ?*
- *How long do I need to make **my** decision?*

Principle 2 of the MCA - Take all **practicable** steps to help the person to make the decision before it is decided that they lack capacity

My decision may surprise you and not be what you expect or want to



3- Principle 3 of the MCA - A person is not to be treated as unable to make a decision merely because he/she has made is an **unwise** decision



What to do for the best?

*If **I** can't make this decision at this time you must involve **me**, the relevant people in **my** life, check **my** wishes, feelings, think about how **I** live **my** life & what is best for **me** – what is in **my** best interests*

Principle 4 of the MCA -An act done or decision ,under the act on or on behalf of a person who lacks capacity must be done , or made in his best **interests**



Don't forget **my**
human **rights** and
freedom

I need the least
restrictive option
that is still in **my**
best interests

Principle 5 of the MCA -A person doing anything for or on behalf of a person who lacks capacity should consider options that are **less restrictive** of their basic rights and freedoms while meeting the identified need

Key principles....

Capacity Assumed

Practicable Steps

Unwise decisions

Best interests

Less restrictive option