

Mental Capacity Act Principles

- 1) Presume a person has capacity until established that it's lacking – for each decision
- 2) Take all practical steps to maximise a person's ability to make a decision
- 3) A person can make unwise choices without lacking capacity
- 4) If anyone lacks capacity, decisions must be made in their best interest...
- 5) ...and the least restrictive option for their rights and freedom used

Assessing Capacity

- 1) Have they got a temporary or permanent impairment of the mind or brain? If yes, then, they need to be able to:
 - a) Understand relevant information
 - b) Retain that information, to...
 - c) Use that information to reach a decision
 - d) Communicate that decision somehow

All capacity assessments where you have deemed a person to lack capacity must be recorded in writing as soon as possible.

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