

Top Tips for Supported Decision Making and Mental Capacity Assessment

In no particular order the following are top tips provided by professionals working in health and social care:

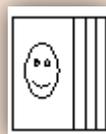


When providing relevant information to the person, don't be afraid to use crudely drawn pictures (for example stick men) if this is what you feel will work best for the person. Be creative with the resources that are available to you!

If you are given conflicting information about the best way to communicate with the person make sure you test out all of the methods suggested so that you can make your own judgement.

Don't worry if the person's preferred method of communication seems illogical to you-if it works for them and is reliable go with the flow (for example, the use of unusual signs, gestures or sounds).

If you establish a new preferred method of communication or something new about the person through supporting them to make a decision make sure that their assessment, Care and Support Plan, or care plan is updated to reflect this so that others can use this new information to continue supporting them.



If a person normally uses objects of reference to support their decision making make sure you use the object of reference that is familiar to them-do not substitute it for a similar object, or an object that you think is more logical, or a photograph as this may reduce their ability to make the decision.

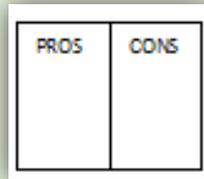


Don't be afraid to meet the person in an unusual place if this is what makes them more comfortable (for example in a coffee shop, or a supermarket café)- just be mindful of the level of distraction and privacy.

Where it is appropriate to do so ask carers and support workers to assist you in any assessment in regards to retention, especially when the assessment is being completed over an extended timeframe. The person may respond much better with the involvement of someone they trust or may behave differently, which could be an indicator that they lack capacity or that they simply find it too hard to talk to you about their decision.

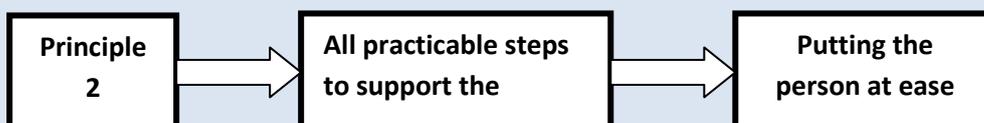
If someone does have specific communication needs and the best way to communicate is not clear, you should always delay making any major or complex decisions until appropriate support is in place (for example a SALT to assess best communication).





Use a basic pro's and con's list to support the person to weigh up the available options and test their ability to use the relevant information.

Don't be pressurised into allowing someone to be part of an assessment or supported decision making if the person has told you (or it is suggested from their behaviour) that they do not want them to be there. Use Principle 2 of the Mental Capacity Act to explain the importance of making the person comfortable to facilitate the likelihood that they can make their own decision, and ask for support from a manager if you need it.



Don't be afraid to challenge the practice of others (appropriately) if it is clearly not in line with the principles and requirements of the Mental Capacity Act. Seek support from your manager about how best to do so but DO NOT act in a way that takes away someone's right to make their own decision on the basis of a flawed assessment by another person.

Seek the support of colleagues who may be more experienced in assessing capacity to get some top tips or use a resource they may have from a previous assessment. Also, make sure that you share your own good practice examples so that others can learn from you.

