

Introduction to Mental Capacity Act

A one day course

This course provides an introduction to the Mental Capacity Act (MCA) 2005 and a refresher for those who may not have attended training for a number of years. It explores the human rights basis of the Act, the protections and rights it provides to vulnerable people plus the responsibilities it places on those working with them. It aims to provide an introductory overview so that staff can feel confident they are respecting the rights of service users. The course will also challenge some of the myths, assumptions and misconceptions surrounding consent and capacity.

The course aims to raise awareness and promote understanding of how the Act and its supporting Code of Practice impact on day-to-day treatment and care practice. The outline course content is:

- Why is the MCA important and who does it affect?
- The five core principles of the Act
- The general rules relating to consent
- How to assess capacity to make a decision
- What is “best interests” and how is it determined?
- Who can make decisions about vulnerable people?
- Restriction and restraint
- Planning ahead
- The right to an advocate
- Criminal offences

WHO IS IT FOR?

This course is designed for frontline treatment and care staff (qualified and unqualified), and their leaders and managers, where roles include looking after vulnerable adults aged over 16.

Learning objectives

By the end of this workshop delegates will:

- Be aware of legal responsibilities under MCA and the implications for their practice
- Understand the principles of the MCA and the knowledge to apply them in everyday care practice
- Understand how lack of capacity is determined
- Be able to use a framework for supporting and involving people when making decisions
- Recognise how the provisions in the Act and Code of Practice helps keep people safe
- Understand how the Mental Capacity Act supports human rights

- Have explored with colleagues how human rights principles inform good practice when supporting people to make decisions
- Have planned what else they need to do to improve their knowledge and understanding of how best to provide care and support to people

Timetable (may be subject to amendment)

Session 1 Mental Capacity Act – introduction & overview
 Create agenda board
 Reflective practice sheets
 Human rights basis of the Act
 The Act's 5 key principles
 Case study

Session 2 The consent framework
 How to assess a person's capacity to make a decision
 What is best interests?
 How to undertake a best interests assessment
 Levels of responsibility
 Case study

Session 3 Restriction and restraint – when is this allowed and what are the boundaries?
 When might restriction and restraint become deprivation of liberty?
 Advance decision making
 Case study

Session 4 The right to an advocate
 Criminal offence
 Revisit agenda board
 Sources of further information
 Discussion and questions
 Case study

Learning Outcomes

On completion of this course, participants will be able to:

- Understand the rights of service users and responsibilities of those caring for them in relation to decision making
- Feel confident about applying these rights in practice