

# 'WORKING WITH THE MENTAL HEALTH ACT & THE MENTAL CAPACITY ACT'

With the introduction of the Mental Capacity Act in 2007, PCT staff will face the challenge of working with two pieces of legislation that could directly affect their clients. The two Acts, though separate in themselves, interact with each other in several important areas. From October 2008, this interaction will increase with the introduction of amendments to the Mental Health Act. An understanding of this interaction is vital to ensure compliance with the statutory requirements of the Acts. Professionals will, for some clients, face a dilemma of which Act to choose to provide the most appropriate care and treatment. In other cases, both Acts will be used simultaneously for the same client.

This course provides an opportunity to explore in detail the interaction and overlap between these two Acts and how services will be affected.

## WHO IS THE COURSE FOR?

PCT staff that work with clients with mental health problems or learning disabilities. Commissioners of mental health and learning disability services.

## SUMMARY OF CONTENT

- Crossover between the two Acts
- The Mental Health Act 2007 and its relationship to the Capacity Act
- Treatment - which Act to choose and when?
- Using both Acts together – when and why?
- Restraint – Mental Health Act or Mental Capacity Act?
- Detention via the Capacity Act
- ECT and capacity – new rules
- Impact of Advance Decisions, Lasting Powers of Attorney etc
- New duties placed on mental health services
- Existing policies and procedures affected by the new legislation
- Case studies showing the interaction between the Acts

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This Course is available as an 'in house' commissioned training programme for up to 30 people.

Further details can be obtained from



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