



Ministry
of Justice



Department
of Health

Action required by:

- MCA leads in NHS organisations
- MCA leads in local authorities
- MCA leads in care providers
- MCA leads in legal services providers
- MCA leads in high street banking providers
- MCA leads in third sector organisations

15 January 2015

Dear Colleagues and Friends,

National Mental Capacity Forum

I wrote to you on 25 November 2015, introducing myself as the Chair of the Government's new National Mental Capacity Forum (letter attached at Annex B).

The initial focus of my work has been meeting with professionals and those affected by the Act from the widest possible range of organisations to understand their concerns and hear their suggestions for improvement. This phase will culminate in February when we hold two "Listening Events" for members of the public in both London and Birmingham.

With these insights gathered, we can turn our attention to action.

As such, on **15 March 2016**, I will be hosting the new Forum's "**National Mental Capacity Action Day**". I am grateful to the Royal College of Anaesthetists for offering to host us at their London base.

The purpose of the Action Day is to:

- Profile current best practice from around England and Wales
- Identify MCA improvement priorities for the coming year
- Gather commitments from attendees for projects and work to improve MCA implementation at the front-line.

Ahead of the Action Day I need your input. I want to hear from you as to work you have been party to over the last year that has sought to raise awareness and improve implementation of the MCA.

This does not have to be a large programme of work. There are some very small projects that are making a difference and there are others across sectors that are changing approaches nationally. I hope that all projects – large and small – will want to share their experiences with others and showcase their work.

A simple template for submissions is providing at Annex A. But feel free to provide information in the format you find simplest.

Your submissions should be specific and contain some indication of your evaluation of its success. For example, *“we worked with GPs to improve awareness of the MCA”* is less helpful than *“we held an information session for GPs in their surgery. Facts about the MCA and capacity assessment case studies were discussed. The GPs reported the session helped build their confidence in supporting those who lack capacity”*.

Your submission should be sent to Niall.Fry@dh.gsi.gov.uk before the end of February 2016 (the earlier the better). It is our intention to collate all your submissions and publish them to help spread best practice. Copies will also be sent to Ministers at the Department of Health and Ministry of Justice who are keen to see the results of our endeavours and keen to understand where best practice in the country exists.

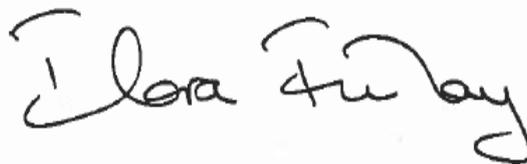
I would be very pleased to hear from individuals working in the MCA or through governance groups you may belong to. But certainly I would expect that all dedicated MCA governance groups in England and Wales submit this information as a priority over the coming weeks.

The National MCA Action Day is expected to be heavily over-subscribed. We have space for a maximum of 150 people and will need to ration places to ensure a good geographical spread and range of professionals. If you would like to attend the event, please express your interest when you return your submission. A summary of the event and plans going forwards will of course be prepared and circulated to all of you.

Due to the high demand, without a submission as described above, we will not be able to make a space at the National Mental Capacity Action Day available to you. If you are new to post and so cannot identify work undertaken in the last year, a submission as to work planned (again, specific work) will suffice. I should let you know that we do not have a budget for travel expenses for this event. Also, be assured that those of you who submitted material in response to my letter of 25 November 2015 need not do so again.

Thank you for your assistance, I look forward to hearing from you soon. With your input, I am greatly excited by the role the new National Mental Capacity Forum can play in supporting you to improve implementation of the MCA.

Yours sincerely,

A handwritten signature in black ink that reads "Ilora Finlay". The signature is written in a cursive, flowing style.

Baroness Ilora Finlay
Chair, National Mental Capacity Forum

ANNEX A

Submission for National Mental Capacity Action Day

1. Title of project:

2. Principal authors/ owner/ contact point:

3. Email address & telephone number:

4. Project detail

a. Method (what was done) (Max. approximately 150 words):

b. Results / evaluation (Max. approximately 50 words):

5. Would you like to attend the Action Day? YES / NO

6. Would you be prepared to present this project on the day? YES / NO

7. Project area classification

Please put an X against boxes that apply to your project (no limit)

Hospital care		Dementia	
GP care		Learning disability	
Social care		Other mental health	
Voluntary sector		Palliative care	
Financial services		Advance planning, LPAs	
Police		Commissioning	
Legal		Training	
Community health care		For professionals	
Nursing & care home		For public & service users	
Acute care			
Chronic care			
Emergency care			

8. We intend to produce a catalogue of all submissions for presentation to Ministers and wider circulation to the sector as a compendium of best practice and innovative ideas. This may also be published on line.

Do you consent to your submission being included and published?

YES NO

If no, do you consent for your submission to be published if anonymised?

YES NO

Please return to Niall.Fry@dh.gsi.gov.uk



25 November 2015

Dear Colleagues and Friends,

National Mental Capacity Forum

As you will by now have probably heard, I have been appointed Chair of the Government's new National Mental Capacity Forum (NMCF). I am delighted to have been chosen to lead this hugely important work, passionate as I have always been to further the rights of individuals who struggle to have their voice heard in society.

Both prior and subsequent to the announcement of my appointment, many of you have been in touch to express your enthusiasm and desire to play a part in the work of the new Forum and to contribute your expertise to our shared aims. While we have a significant challenge ahead in terms of realising the potential benefits of the Mental Capacity Act (MCA) for individuals, the passion of people such as you reaffirms my belief that together we can achieve significant improvements.

I wanted to write to you now to reassure you that all your contributions will be gratefully accepted but to ask you to bear with us while we get the new Forum up and running. Those of you I have already been able to meet will know that I am determined that this new Forum will be different from the usual national-level type group. The new Forum cannot be simply a collection of people meeting once a quarter around a table in London, revisiting the now much discussed poor implementation of the MCA but struggling to effect real change.

The Forum must be action-focussed and be rooted in the "front-line" reality experienced by individuals affected by the Act. I will not rush to establish formal physical structures for the Forum before first establishing the outcomes we wish to achieve and identifying individuals and groups of individuals who can work in between any formal meetings to progress improvements for service-users.

With this in mind, the Forum's first initiative will be to convene our "Voice of the Person Group" the purpose of which is to really hear what matters to those affected by the Act and to ensure their needs drive our subsequent work. Our second initiative will be to hold a listening event in February for the public and front-line professionals to hear their concerns as to difficulties with the Act. Our third initiative, scheduled for late spring will bring together different professional groups to help progress targeted work designed to improve front-line implementation.

I would stress that, informed by what really matters to the people we seek to support, the real work of the Forum will be undertaken by you. As I say, the Forum will not be simply a quarterly meeting, rather a movement of likeminded people who wish to see the benefits of the MCA brought to individuals.

Under the umbrella of the Forum it is my real hope that enthusiastic individuals such as you will reach out to other like-minded people, identify collaborative projects and kick-on with these. While the new Forum has no direct financial support to offer, we can draw on great expertise and others' resources to help make your projects a success.

With this in mind, I ask you now for your suggestions as to potential projects you wish to pursue in your areas.

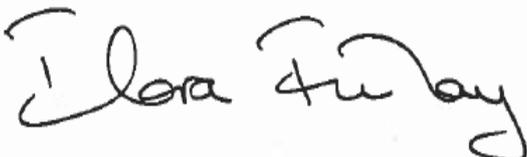
A few bullet points are fine but please do try and identify some of the specifics of what you wish to do and what the intended outcomes are. Please send these to NMCF1@justice.gsi.gov.uk as and when you have them ready.

You will next hear from us in February when we issue the Forum's first newsletter providing information on our emerging priorities and initiatives and highlighting the potential projects you have identified. But please do not wait for us! As I say, it will be you that really drives improvement and I would encourage you to seek out opportunities and pursue these without delay.

I continue to seek out opportunities to gather views on challenges and most importantly, potential corrective actions. Do get in touch if you have events planned at which I could attend to hear the views of those actively working to implement the Act. Clearly I will not be able to attend all such events – the time allocated to my role by the Government is not great – but I would value information on potential opportunities to build my understanding of obstacles to greater MCA implementation. All correspondence should be sent in the first instance NMCF1@justice.gsi.gov.uk

Thank you for your support. I look forward to working with you on this exciting endeavour.

Yours sincerely,

A handwritten signature in black ink that reads "Ilora Finlay". The signature is written in a cursive, flowing style with a large initial 'I' and a long, sweeping tail on the 'y'.

Baroness Ilora Finlay
Chair, National Mental Capacity Forum