



MENTAL CAPACITY ACT 2005

Raising Awareness of the Act Amongst Private and Voluntary Sector Providers of Social Care

National Care Association

45-49 Leather Lane

London

EC1N 7TJ

Contact: Sheila Scott, Chief Executive

Tel: 0207 831 7090

Fax: 0207 831 7040

E-Mail: Sheila@nca.gb.com

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Following on from the award of the contract to NCA by SCIE to raise awareness amongst social care workers of the Mental Capacity Act National Care Association held three seminars in 2008.

Each registered care provider in England received an invitation by email. (Section 2)

There was a steady response of care proprietors and managers registering to attend the seminars.

Additionally there were a significant number of responses from people who could not attend but who wished to receive further information.

The seminars were held at:

- Holiday Inn, in Elstree on Wednesday 20th February
- Bath Race Course on Tuesday 18th March
- Leeds University on Wednesday 26th March

Faxes were sent to care providers in the surrounding areas two weeks before the event as a final reminder to register for the event.

The seminars were highly successful, with around 100 delegates registered to attend each one.

The seminar Programmes sought to address both the legal implications of the Act as well as examining the challenges that care providers and their staff might face.

Speakers Included;

Nadra Ahmed of the National Care Association
Keith M Lewin from Brunswick LLP Solicitors
David Waters from Care Homes Insurance Services
Stewart Cartwright from Care Asset Management
Sheila Scott of the National Care Association

A copy of the agenda which was the same for each event is attached (Section 3)

A copy of the presentation of Keith Lewin is attached (Section 4)

A copy of Sheila Scott's Presentation is attached (Section 4)

Stewart Cartwright spoke about matters relating to the managing of money for people who might lack capacity and power of attorney

David Waters addressed the wider aspects of risk management and responsibilities within the act.

Nadra Ahmed spoke about the latest developments in care.

A pack of information was sent to the 33 people who had registered an interest but who were unable to attend. The pack contained copies of all the presentations.

Each delegate that attended the seminars received a pack of information including a copy of the Department for Constitutional Affairs "Guide to the Mental Capacity Act for Health and Social Care Staff" The pack also contained signposts to other helpful information such as the code of practitioners and training materials.

The seminars themselves were very successful. Delegates stayed for the duration of the seminar. There was engagement and lively debate at times and many questions.

As always there was concern at the high amount of paperwork generated by the Act but as the protection given by the Act both to service users and providers of care was explained, then the delegates could see the benefits to them of putting in place the systems to ensure that they were meeting their obligations.

National Care Association provided added value to this project because they held seven other seminars at the beginning of 2008. Each of these seminars had a session on the Mental Capacity Act which continued the effort to raise awareness of the Mental Capacity Act.

The Mental Capacity Act seminar held in Leeds on 26th March faced some difficulties. The weather on the day was absolutely awful and this compounded by a serious accident on one of the approach roads to Leeds meant many delegates were unable to reach the destination due to the weather and the accident.

We were able to offer those people a place on the four NCA seminars that were held in April and May, which many people took up, and we also sent out information to all non attendees.

The one major area of concern for all delegates was the Deprivation of Liberty Safeguards which are being implemented in 2009.

This is particularly true because there is a difference of interpretation between the legal profession and the representatives of care providers on how the safeguards will be applied.

This is a matter that could have further examination and a leaflet for all care providers, explaining the Department Of Health's position on the Deprivation Of Liberty Safeguards would be helpful.

This project was very successful and there may need to be further seminars to address the concerns of providers about the Deprivation on Liberty Safeguards.

Appendix 1

Attendees at the three seminars

Elstree	92
Bath Race course	125
Leeds University	62
Packs sent to people who asked for information as they were unable to attend	<u>33</u>
Total	313