**Name:**  |  **Date of Birth:**  |  **Room Number:**  
---|---|---

## Mental Capacity Assessment

### The decision to be made

<table>
<thead>
<tr>
<th>Date:</th>
<th>Time:</th>
<th>Details of decision to be made:</th>
</tr>
</thead>
</table>

### Mental capacity assessment

The Mental Capacity Act (2005) says a service user is unable to make a particular decision if after all appropriate help and support to make the decision has been given to them they cannot:

<table>
<thead>
<tr>
<th></th>
<th>Details:</th>
</tr>
</thead>
<tbody>
<tr>
<td>„understand the information being given to them?</td>
<td></td>
</tr>
<tr>
<td>„retain the information?</td>
<td></td>
</tr>
<tr>
<td>„weigh up the information available to make the decision?</td>
<td></td>
</tr>
<tr>
<td>„communicate a decision?</td>
<td></td>
</tr>
</tbody>
</table>

Record how the decision was communicated (it can be written down or expressed in non verbal ways):

### Impairment of the brain

Does the service user have an impairment of, or a disturbance in, the functioning of the mind or brain (permanent or temporary)?

Details:

### Outcome of the Mental Capacity Assessment

On the balance of probabilities, there is a reasonable belief that the service user **has** / **has not** got the capacity in relation to this decision (please delete as applicable)

### Consent from Lasting Power of Attorney/Deputy

I have written Lasting Power of Attorney/Deputy for health and welfare for ....................................................... and I give my consent for the proposed examination, care, treatment or support, taking into account any relevant Advance Decision To Refuse Treatment

<table>
<thead>
<tr>
<th>Print name of person with written LPA:</th>
<th></th>
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</thead>
</table>

### Best Interests Checklist

If the service user does not have capacity, consider:

1. Consider all relevant circumstances *past and present wishes/statements/beliefs/values (including any advance decisions)*
2. Consulting others (e.g. carers, relatives, attorneys)
3. Can the same result be achieved in a less restrictive way
4. Can the decision wait until the service user can make it themselves
5. Has the service user been encouraged to participate in the decision
6. The decision should not be made based solely on age, appearance, behaviour or condition
7. If the decision is about life sustaining treatment, do not be motivated by a desire to bring about the service user’s death

Detail any restrictions in the action taken and whether a deprivation of liberty application may (or may not) be required:

Deprivation of Liberty form completed (if appropriate) ☑

If the service user does not have a written Lasting Power of Attorney then the responsible healthcare professional must sign below once a best interests decision has been made.

I am confirming that I am in agreement with the examination, care, treatment or support proposed and that a decision has been made in the service user’s best interests

<table>
<thead>
<tr>
<th>Signature:</th>
<th>Print Name:</th>
<th>Job title:</th>
<th>Date/Time:</th>
</tr>
</thead>
</table>

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The Mental Capacity Act 2005 (MCA) contains 5 principles:
1. Assume the service user has capacity unless proven otherwise
2. Do not treat the service user as incapable of making a decision unless all practicable steps have been taken to help them
3. The service user should not be treated as incapable of making a decision because their decision may seem unwise
4. Always do things, or take decisions for the service user without capacity, in their best interests
5. Before making a decision on the service user’s behalf, consider whether the outcome could be achieved in a less restrictive way

An assessment should be carried out if there are concerns that a service user does not have capacity to make a decision at this present time. This form should be used to assist in the assessment of capacity; it should not detract from the use of professional expertise. If in doubt about mental capacity please seek further professional advice. For information regarding the Mental Capacity Act 2005: http://www.legislation.gov.uk/ukpga/2005/9/pdfs/ukpga_20050009_en.pdf