Best Interests Decision Making
applies only when someone lacks mental capacity

1. Do not discriminate- avoid assumptions

2. Does the decision need to be made now?
   Might the person regain capacity?

3. Consult with others including family and friends, care providers and other professionals involved

4. Is there a LPA (or deputy)
   Is the decision within their power to make?
   Is there an advance decision to refuse medical treatment?

5. Involve the IMCAs if appropriate (unbefriended, and decisions about serious medical treatment or care environment). Take the IMCAs views into account

6. Find out what values and beliefs the person holds, take these into account

7. Be person centred, involve the person in the decision

8. Do a balance sheet approach for all options considered, i.e. benefits and disadvantages. Avoid risk adverse approaches

9. Does the best interests, care or treatment involve the person being deprived of their liberty rather than merely restricted?

DoLS apply if:
The person is 18y or over, lacks capacity about their care or treatment for which they now need to be deprived of their liberty
Has a mental disorder
The Mental Health Act can’t be used
The Acid test applies
Location, Location, Location gives process for authorisation

10. Every best interests decision must be recorded and justify how this is the least restrictive approach and in the person’s best interests