

## Always follow the

### 5 Mental Capacity Act (MCA) principles:-

- 1 Presume capacity; *and*
  - 2 Support the person to make the decision before doubting their capacity
  - 3 People are entitled to make unwise/eccentric decisions:  
\*doubt
  - 4 Best interest decision
  - 5 Least restrictive option
- \*If capacity is in doubt at this point and the person has a disorder of the mind, no matter how caused, use the mental capacity test overleaf

## Mental capacity test

Can the person:

- 1 Understand** the decision that needs to be made?
- 2 Retain** the information long enough to make that decision?
- 3 Use/weigh-up** the information?
- 4 Communicate** their decision the way they usually communicate?

Failing any one of the above means the person lacks capacity to make this particular decision at this time.

Now a **Best Interest Decision** can be made using the MCA Principle 4 checklist below.

## Best Interest checklist

- 1 Will the person** regain capacity?
- 2 Involve the person**
- 3 Consult all relevant people**
- 4 Consider all the information**
- 5 Do not make any assumptions**
- 6 Consider past, present & future**

This document was initially produced by The Rotherham NHS Foundation Trust who have kindly given NHSR CCG consent to amend and use

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