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CSAB MCA week of action: Day 2 Individuals are supported to make decisions

Cumberland Council sent this bulletin at 20-06-2023 08:00 AM BST

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The banner features the Cumbria Safeguarding Adults Board logo on the left, which includes a stylized 'X' made of blue and purple lines and the text "Cumbria Safeguarding Adults Board". In the center, the text "5 minute briefing" is written in a large, bold, blue font. On the right, there is a large, stylized 'X' made of blue and purple lines. Below the main text, there is a green horizontal bar containing a white Twitter icon and the handle "@cumbriasab". At the bottom right, the date "20th June 2023" is displayed in a dark blue font.

Principle 2: Individuals are supported to make their own decisions

Welcome to day 2 of our MCA week of action. Today we will share information and resources in respect of Principle 2 of the MCA which states that individuals should be supported to make their own decisions.

This refers to *all* reasonable adjustments to support understanding, enable retention, facilitate communication and weigh-up a specific decision. To make assessments accessible and inclusive, you should carefully consider our approach to engagement, whether the user needs to be supported with assisted or augmentative communication aids, and maybe even consider including breaks in the assessment to make the process easier for them.

Other factors to consider include ensuring the assessment is conducted at the best time of day and that it is held in a quiet, low-stimulus environment to minimise distractions. If communication aids are required, these should be prepared in advance, and the format of questions adjusted based on the service user's needs – for example, if braille resources are required, or even a translator.

This list is by no means exhaustive, and will vary very much on a case-by-case basis.

It is important to bear in mind here that the steps we take to support capacity ***should in no way*** lead the individual towards a particular outcome. The service user should be provided with all available options and should not be influenced by the preference of others.

[Mental Capacity Act Code of Practice](#)

Practicable steps for people with communication difficulties

This [webinar](#) from the SCIE series focusses on enacting the second principle of the Mental Capacity Act for people with communication difficulties. It explores who might need supported decision-making, what supported decision-making for people with communication difficulties might look like in practice, how Speech & Language Therapists can help, and what other professionals can do when a Speech & Language Therapist is not available to provide support.



There are case studies included to demonstrate best practice and provide information on useful tools and further learning opportunities.

National Mental Capacity Act Forum

The National MCA Forum have recorded a series of webinars, An Introduction to Communication Difficulties and Supported Decision-Making will support practitioners with practical information when assessing the capacity of individuals who may have communication difficulties. Watch the webinar, access slides and resources [here](#).

Diamond standard care for people with a Learning Disability



people with a learning disability.

This week is also Learning Disability Awareness week and so we are also promoting the importance of assessing capacity and supported decision making for those adults with a learning disability. You can view a [PowerPoint Presentation](#) which describes the commitments to the Learning Disability Diamond Standards developed by the North East and Cumbria Learning Disability Network to support NHS Trusts which makes a commitment to deliver high quality, reasonably adjusted care to

Reasonable adjustments for adults with a learning disability



Reasonable adjustments are small changes that can help people with a learning disability be treated equally. The law says that reasonable adjustments should be put in place.

The individual has the right to ask for reasonable adjustments if they have an appointment relating to their health. Reasonable adjustments could be the way that the professionals work with them or things they need when attending appointments. Every person is different and will need different changes but there are some which are more common.

Mencap have produced a short video regarding reasonable adjustments. In the [short film](#), volunteers from the project Getting It Right - From The Start share some of the small changes that can be made to help people with a learning disability access healthcare services.

Use of Advocacy



Advocates can play an important role in supporting people to make their own decisions.

CSAB have published a [A Quick Guide to...Advocacy](#) where you can find out more information.

Learning from recent SARs highlighted missed opportunities where a referral could have been made for an Independent Mental Capacity Advocate (IMCA). It is important that professionals are clear when they should refer for an IMCA and that any assessment should be time and decision specific, you can read the learning from the Jessica SAR [here](#).

What an Independent Advocate?

Watch this [short video](#) illustrating the role of an IMCA supporting individuals.

Podcast - How to support decision making?



You can find out more about Principle 2 and how to maximise a person's decision making capacity. This includes what you can do to support and resources (aids, equipment etc) to help a person make a decision.

The focus should be on enablement and making small adjustments to ensure the person is involved in the decision making.

Watch the podcast [here](#)

Join the lunch and learn session today: Principle 2 - Reasonable Adjustments

Today's lunch and learn session will explore what are reasonable adjustments. The session will commence at 2pm aiming to finish by 2:45pm. [Click here to join the session](#)

Resources

CSAB are sharing learning resources for practitioners for personal development and can also be useful during team meetings and/or supervision sessions.

CSAB MCA learning zone

You will find a range of resources and information on our [website](#)



Social Care Institute for Excellence

SCIE have produced a whole series of short learning videos for practitioners based on the 5 principles of the MCA. Watch [here](#)

MCA easy read guide

You can access an MCA easy read guide and summary [here](#)

GP guide to capacity and consent to treatment

[You can watch the short video here.](#) The video uses Jean's story, to illustrate how GPs can assess mental capacity to consent to treatment. Jean has dementia and needs medical treatment.

CQC guidance for providers

When something goes wrong in health and social care, the people affected and staff often say, "I don't want this to happen to anyone else." These 'Learning from safety incidents' resources are designed to do just that. Each one briefly describes a critical issue - what happened, what CQC and the provider have done about it, and the steps you can take to avoid it happening in your service.

[Regulation 11](#) requires that care and treatment of people using services must only be provided with the consent of the relevant person. For more information read Capacity & Consent from CQC [here](#).

Legal advice and guidance

39 Essex Street Chambers has developed an unrivalled set of resources for those seeking to apply and understand the Mental Capacity Act 2005, as well as to understand the place of mental capacity within the law more generally. There is a dedicated MCA section of the website which gathers together sets of resources which you can [access](#).

Edge Training Ltd resources

There are a series of briefings and information sheets intended to support practitioners working with the MCA. This includes case law updates, guidance and templates find out more [here](#)

Get in touch!

For more information please contact us:

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