

Mental Capacity Assessment

All adults have the right to make their own decisions and are assumed to have the mental capacity to do so, regardless of any diagnosis such as dementia, learning disability or mental illness etc. All adults have the same rights as all other citizens, but some may need support to make their decisions known.

Some people will lack the mental capacity to make some decisions and so those decisions will have to be taken for them. This is why in those situations, an assessment must be made for each decision – because people do not lose all rights to make all decisions.

Adult Details:		
SURNAME:	Dr/Mr/Mrs/Ms	Date of Birth:
FIRST NAME:	Marital Status:	SWIFT:
Home Address:		
Postcode:	Home Telephone No:	

Details of Person Assessing Capacity:		
Name:	Profession/Role:	
Office Address:	Contact Number:	
Assessment Completed on:	Day;	Month; Year;

Description of the Decision to be made:

Mental Capacity Definition

A person lacks capacity in relation to a matter if at the material time he is unable to make a decision for himself in relation to the matter because of an impairment of, or a disturbance in the functioning of, the mind or brain.

To help determine if a person lacks capacity to make particular decisions, the Act sets out a two-stage test of capacity

Section 2(1)
 of the Act &
 Code of
 Practice 4.3
 Code of
 Practice
 4.10

Mental Capacity Assessment

STAGE 1 (Evidence and Overview)

Record the evidence which has led you to believe that the person lacks capacity at this time:

All adults must be given practical and appropriate support to help them make their decision for themselves. (Code of Practice 4.13). Please describe the actions taken:

STAGE 2 (Test of Functioning)

- Does the adult understand the information relevant to the decision?
- Can the person retain the information?
- Can the person use or weigh the information to arrive at a choice?
- Can the person communicate the decision?

Yes	No
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

If the answer to any of the above 4 questions is NO then it is likely that the adult does not have capacity to make this decision.

Outcome of the test of functioning – complete either section 1 or 2

- 1** From my assessment it is my opinion that this adult **lacks** the capacity to make **this** decision

Go to section 3

Assessor Name

Signature

OR

- 2** From my assessment it is my opinion that this adult **has capacity** to make this decision

No further action required

Assessor Name

Signature

- 3a** Does the person have an EPA

No Yes (Give Details)

- 3b** Does the person have an LPA

No Yes (Give Details)