










Finding Out If People Can Make Decisions

A summary of some research into the Mental Capacity Act

   	<h3>What is the Mental Capacity Act?</h3> <p>The Mental Capacity Act (MCA) is a new law that started in 2007.</p> <p>Capacity is about being able to make your own decisions. This might be an everyday decision like what to wear, or a big decision like where you want to live.</p> <p>The new law says that everyone must be helped as much as possible to make his or her own decisions. But when someone finds it difficult to make a particular decision, another person may have to make it for them.</p> <p>Before they do this, they have to check whether the person is able to make the decision. This is called an 'assessment of capacity'.</p>
 	<h3>The research</h3> <p>Before the MCA became law, we (the Mental Health Foundation with the Foundation for People with Learning Disabilities) did some research about how support services find out if people are able to make their own decisions.</p> <p>16 services took part in the research. These were a mix of services supporting people with mental health problems, people with learning disabilities and older peoples' services.</p>

 	<p>What people who work for services told us</p> <p>73 people who work for these services told us how they find out if the people they support can make decisions</p> <p>They were asked what ‘mental capacity’ means. Most agreed that it is about being able to make a decision. Many said it is also about understanding what may happen because of a decision or action.</p> <p>They told us the reasons why they sometimes have to check if a person is able to make a decision:</p> <ol style="list-style-type: none"> 1. The person often has problems making decisions 2. Something bad happened because of a decision the person made in the past 3. There is an important decision to be made 4. As part of a care plan or a review 5. The person has a disability or a mental health problem 6. Something changes that affects how the person makes decisions.
	<p>What people who sometimes have difficulties making decisions told us</p> <p>27 people who get help from the services talked to us about making decisions.</p> <p>Most of them felt happy making day-to-day decisions, like what to buy at the supermarket. But some people felt it was sometimes hard to make even small decisions.</p>



Most people were happy with how much they were involved in making decisions. Some were not happy because they did not feel involved.



Some people said they had good experiences of people making decisions for them because it had stopped them worrying about it.

Others talked about bad experiences of people making decisions for them. This had made them feel uncomfortable, useless, annoyed, angry and frustrated.



What really helps people make their own decisions is:

- communicating in a way that suits them
- being listened to
- having someone to help them who they know and trust.



What family carers told us





We talked to 6 family carers.

Most of the carers said the person they care for makes everyday decisions on their own.



A few carers sometimes guide the person to make a choice.

Some of the carers also said they sometimes make decisions for the person they care for. This was usually when there was an important decision to be made.

	<p>What who have had an assessment of capacity told us</p> <p>Most of the people we spoke to had not had an assessment of capacity.</p> <p>People who talked about the Mental Capacity Act thought it was good. Many liked the part about having an advocate – someone to speak on behalf of others.</p>
  	<p>To sum up</p> <p>The main messages from people who work in services were:</p> <ul style="list-style-type: none"> • They want to know more about the Mental Capacity Act and how it affects what they do. • They want help about the best way to find out if someone can make decisions • They want information about the Mental Capacity Act that is clear <p>The main messages from people who sometimes need to help to make decisions were:</p> <ul style="list-style-type: none"> • They should be helped to say what they want and need in the way that makes them feel most comfortable • They should be helped to make decisions on their own • Good support from paid workers is helpful when people need to make a decision.



The main messages from carers were:

- Most carers like the support they get from services
- Services should know more about what family carers' lives are like.



For more information about this project, you can visit www.mentalhealth.org.uk, telephone the Mental Health Foundation Research Team on 020 7803 1100 or email us at mhf@mhf.org.uk