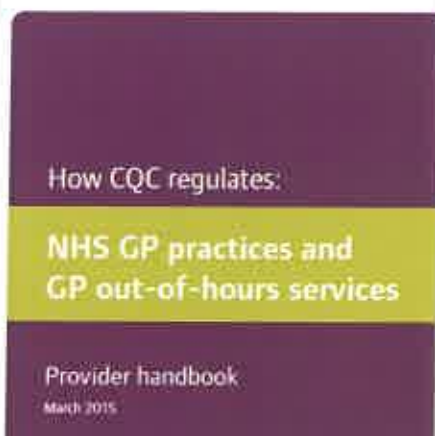


Consent and the Mental Capacity Act for CCGs and GPs



Care Quality Commission-

March 2015 New GP inspection handbook

'we will look at how and when mental capacity is assessed and, where people lack mental capacity for a decision, how that decision is made and recorded in compliance with the MCA.'

'The importance of this is reflected in our inspections. We have a specific KLOE about consent, which takes account of the requirements of the Mental Capacity Act.'

If your CCG is inspected this week by the CQC and the inspectors ask to look at records of patients with a serious or profound learning disability or advanced dementia will they be able to find evidence of assessments of capacity and best interests under the Mental Capacity Act?



Valuing every voice, respecting every right: Making the case for the Mental Capacity Act

The Government's response to the House of Lords
Select Committee Report on the Mental Capacity Act 2005

HM Government report – June 2014

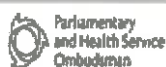
'GPs have a crucial role to play in implementing the MCA...

Awareness and implementation among GPs is increasingly important given the emphasis on choice and patient-centred care... The RCGP recognises it is now the responsibility of all health and social care professionals to assess capacity in any person with an impairment of properly recorded or a disturbance in their functioning of their mind or brain.'



Lord Dyson, Master of the Rolls, Court of Appeal [2013] EWCA Civ 69

'As I have said, the Mental Capacity Act does not impose impossible demands on those who do acts in connection with the care or treatment of others. It requires no more than what is reasonable, practicable and appropriate.'



Report by the Health Service
Ombudsman for England of an
investigation into a complaint
made by Ms B

Health Service Ombudsman - July 2013

'I find that Dr L's decision not to prescribe Mr H liquid forms of medication was inappropriate because he did not act in line with the Mental Capacity Act.... He did not assess Mr H's capacity to make a decision about his own treatments or medications. Nor did he take any of the required actions that could have led him to reach a 'best interests' decision on Mr H's medications.'

Dr L is a GP who changed medication for a person with a severe and profound learning disability. His failure to record an assessment of capacity and best interests led to a fine by the Ombudsman and an order for the GP to undergo further training on the Act.

The Mental Capacity Act governs the care and treatment of people who are not able to give their consent. It covers any person from the age of 16 upwards who because of an impairment or disturbance of the functioning of the mind or brain is not able to give consent to care or treatment. (this includes anyone with dementia, learning disability, brain injury, infection, mental health problem)

See overleaf for information on books, posters, App and training for CCGs and NHS staff.

Consent and the Mental Capacity Act for CCGs and GPs

Do you know about the law on consent and mental capacity?

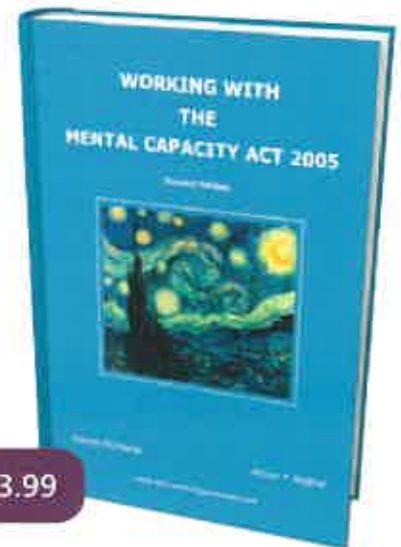
Do you know how to record assessments of capacity and best interests?

Are you ready for the CQC?

BOOK - Working with the Mental Capacity Act 2005 (2nd Edition)

This book is one of the best selling guides to the Act and offers a clear and practical description of the legislation. Both authors have direct experience of working with people who lack capacity and they train extensively to health and social care staff on the Act across the country. The book includes chapters on all key parts of the Act, frequently asked questions, pro-formas showing how to use the Act in practice, tables and flowcharts to explain particular parts of the Act, case law and information on the interaction between the Act and Mental Health Act.

Authors: Steven Richards & Aasya F Mughal
130 pages - A4 - Paperback ISBN: 978-0-9552349-3-4
Order from: Amazon.co.uk or Waterstones.com



£13.99

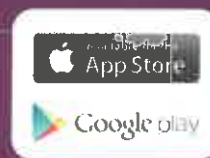
MOBILE APP - for iPhones, iPads, Android and Tablets

The Mental Capacity Act goes mobile with the essential pocket guide to the legislation. The App provides a practical overview of all the key parts of the Act and is available whenever and wherever you need it.

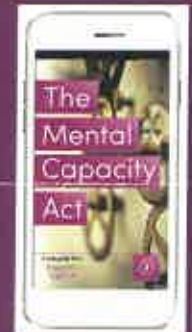
Search for 'Mental Capacity Act'

at the App Store or Google play

Produced by BooksWise Publications Ltd



£2.99



WALLCHART

This bestselling wallchart is used by CCGs, GP practices, NHS Trusts and local authorities across the country. A necessity for all health and social care settings – wards, health centres, care homes and social services offices. It highlights essential information on all key areas of the legislation. A2 size (42 x 59cm)

Order from: admin@matrixtrainingassociates.com or tel: 01256 398 928



£8.50



TRAINING

Edge training and consultancy have extensive experience of providing training for CCGs, GP practices and the the NHS on the Mental Capacity Act and consent to treatment. All courses are tailored to the needs of the specific participants and focus on practical use of the Act. Our courses are highly rated by clinicians and all trainers are experts in their field.

See our website www.edgetraining.org.uk for details or contact admin@edgetraining.org.uk