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| Unit Title: Awareness of the Mental Capacity Act 2005 | | |
| URN: L/504/8409 |  |  |
| Credit Value: 3 |  |  |
| Level: 3 |  |  |

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|  | **Assessment Method** | **Evidence Ref.**  **Page number, Method** | **Assessor Decision**  **Sign and Date** |
| **You must be able to:** | | | |
| **1 Understand the importance of the Mental Capacity Act 2005** | | | |
| 1.1 Explain why legislation is necessary to protect the rights of individuals who may lack the capacity to make decisions for themselves |  |  |  |
| 1.2 Describe the factors which may lead to an individual lacking the capacity to make a particular decision for themselves |  |  |  |
| 1.3 Explain how the Mental Capacity Act 2005,  • empowers people to make decisions for themselves  • protects people who lack capacity by placing them at the heart of the decision making process |  |  |  |
| 1.4 Describe why effective communication is important when working with a person who may lack capacity to make a particular decision for themselves |  |  |  |
| **2 Understand the key elements of the Mental Capacity Act 2005** | | | |
| 2.1 Define the 5 statutory principles included in the Mental Capacity Act 2005 |  |  |  |
| 2.2 Describe when a worker must comply with the Mental Capacity Act 2005 |  |  |  |
| 2.3 Explain how the Mental Capacity Act 2005 gives legal protection to workers providing care and treatment for someone who lacks capacity |  |  |  |
| 2.4 Explain ‘capacity’ as defined in the Mental Capacity Act 2005 |  |  |  |
| 2.5 Explain ‘best interests’ as defined in the Mental Capacity Act 2005 |  |  |  |
| 2.6 Explain what actions needs to be taken to ensure a worker acts in an individual’s ‘best interests’ |  |  |  |
| 2.7 Identify whose responsibility it is to assess ‘capacity’ and ‘best interests’ |  |  |  |
| 2.8 Identify the type of ‘day to day’ decisions a worker may find themselves making on behalf of a person who lacks capacity to make those decisions themselves |  |  |  |
| 2.9 Explain the circumstances when an Independent Mental Capacity Advocate (IMCA) should be appointed |  |  |  |
| 2.10 Explain how the Mental Capacity Act 2005 can assist a person to ‘plan ahead’ for a time when they may not have capacity to make certain decisions |  |  |  |
| **3 Understand ‘restraint’ as defined in the s6(4) Mental Capacity Act 2005** | | | |
| 3.1 Identify the range of actions that amount to restraint |  |  |  |
| 3.2 Identify the factors which make restraint lawful under the Mental Capacity Act 2005 |  |  |  |
| 3.3 Describe the circumstances where the restrictions or restraint being used amount to a person being ‘deprived of their liberty’ |  |  |  |
| 3.4 Describe the actions that are necessary to ensure that a person is lawfully ‘deprived of their liberty’ |  |  |  |
| 3.5 Explain why a worker should raise their concerns with their supervisor / manager when they think a person may be being ‘deprived of their liberty’ |  |  |  |
| **4 Understand the importance of complying with the Mental Capacity Act 2005 Code of Practice when working with individuals who lack capacity** | | | |
| 4.1 Explain the legal status of the Mental Capacity Act 2005, Code of Practice |  |  |  |
| 4.2 Explain the purpose of the Mental Capacity Act 2005, Code of Practice |  |  |  |
| 4.3 Explain how the Mental Capacity Act 2005 Code of Practice effects the day to day activities of a worker when making decisions for individuals who lack the capacity to make those decisions for themselves |  |  |  |

**Learner declaration of authenticity:**

I declare that the work presented for this unit is entirely my own work.

Learner signature: Date:

**Assessor sign off of completed unit:**

I confirm that the learner has met the requirements for all assessment criteria demonstrating knowledge and skills for this unit.

Assessor name:

Signature: Date: