

## Qualification Unit

This unit forms part of a regulated qualification.

**Unit Title:** Mental Capacity in Adult Care

**Unit Reference Number:** H/652/0818

**Level:** Five (5)

**Credit Value:** Three (3)

**Minimum Guided Learning Hours:** 20

Learning Outcome (The Learner will):	Assessment Criterion (The Learner can):
1. Understand mental capacity and consent	1.1 Interpret key provisions of <b>legislation, codes of practice and policy</b> regarding mental capacity and how these relate to the service
	1.2 Evaluate own role in applying and upholding key principles of mental capacity legislation and code of practice
	1.3 Explain the support available when mental capacity needs to be assessed and how to access this support
	1.4 Evaluate own role in the assessment of risk in situations where an individual's capacity is a concern
	1.5 Evaluate practices which support individuals' ability to provide valid consent
	1.6 Assess own and team members' <b>development needs</b> relating to mental capacity and their practice
2. Understand the use and impact of <b>restrictive practices</b>	2.1 Assess what is meant by 'restrictive practices', ' <b>restraint</b> ' and 'deprivation of liberty' and how they apply to practices within own work setting
	2.2 Evaluate the <b>legal and ethical</b> considerations of restricting an individual's rights and freedoms

2.3	Evaluate <b>own responsibilities</b> in relation to restrictive practices and deprivations of liberty
2.4	Explain <b>appropriate and proportionate</b> responses to restrictions on an individual's rights and freedoms
2.5	Evaluate the potential <b>impacts</b> of restrictive practices on <b>individuals</b> and <b>others</b>
2.6	Evaluate how person-centred, outcomes-based practices can mitigate the use of restrictive practices
2.7	Assess own and team members' <b>development needs</b> relating to the use of restrictive practices

**Assessment Requirements**

This unit must be assessed in accordance with Skills for Care & Development assessment principles guidance.

This is a knowledge-based unit.

Knowledge evidence may be generated outside of the work environment, but the final assessment and decision must show application of knowledge within the real work environment.

**Indicative Content**

<b>LO1</b>	<p><b>AC1.1</b> <b>Legislation, codes of practice and policy:</b> including, but not limited to:</p> <ul style="list-style-type: none"> <li>• Mental Capacity Act 2005</li> <li>• Human Rights Act 1998</li> <li>• Safeguarding Adults</li> <li>• Dignity in Care</li> <li>• Deprivation of Liberty Safeguards 2009</li> <li>• Care Act 2014</li> <li>• Making Safeguarding Personal.</li> </ul> <p><b>AC1.6</b> <b>Development needs:</b> including but not limited to: best Interest decisions, decision-maker responsibilities, maximising capacity and their role in assessment.</p>
<b>LO2</b>	<p><b>Restrictive practices:</b> includes any practice or intervention that limits the rights or freedoms of an individual.</p> <p><b>AC2.1</b> <b>Restraint:</b> including, but not limited to, covert medication (sometimes referred to as 'hidden restraint').</p> <p><b>AC2.2</b></p>

**Legal and ethical:** including but not limited to:

- Statutory principles of the Mental Capacity Act 2005
- Duty of Care
- Deprivation of Liberty Safeguards
- Individuals' wishes
- Advance decisions
- Decision-making authorities - Lasting Power of Attorney or Court of Protection request
- Best interest decisions.

### **AC2.3**

**Own responsibilities:** to include how to apply for an authorisation.

### **AC2.4**

**Appropriate and proportionate:** appropriate - necessary and justified, proportionate - the least restrictive option possible to meet the intended outcome. Learners may include key principles, but are not limited to:

- rights-based approach
- proportionality
- justification and evidence
- review and monitoring
- leadership
- accountability
- person centred care.

### **AC2.5**

**Impacts:** may include, but are not limited to, impacts on safety, dignity, relationships and wellbeing of individuals. Learners may also wish to consider the impact on team members responsible for implementing restrictions.

**Individual:** a person accessing care and support. The individual, or individuals, will normally refer to the person or people that the learner is providing care and support for.

**Others:** in this context, others refers to adult care workers who are required to restrict an individual's rights or freedoms.

### **AC2.7**

**Development needs:** including but not limited to: best Interest decisions, decision-maker responsibilities, maximising capacity and their role in assessment.