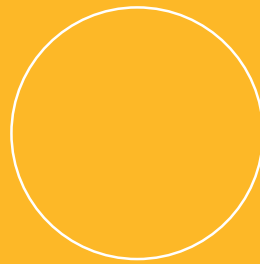


Making decisions about your health, welfare or finance



Who decides when you can't?

The Mental Capacity Act 2005

Every day we make decisions about lots of things in our lives.

Being able to make decisions on your own is called having mental capacity.

Some people find making decisions difficult either all of the time or some of the time.

- A learning disability
- Dementia
- A mental health issue
- A brain injury or a stroke

The Mental Capacity Act affects people in these situations aged 16 and over.

The Mental Capacity Act is a new law about decision making. It will help you make decisions for yourself.

The Mental Capacity Act will affect people's families and carers. It will also affect professionals such as health and social care staff.



The Mental Capacity Act could affect a lot of different decisions.

For example –



money matters



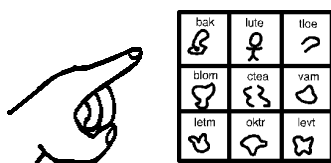
medical treatment



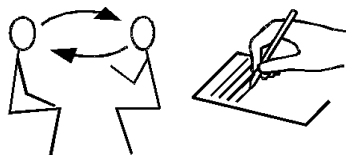
social care

WHAT HAPPENS IF I AM UNABLE TO MAKE DECISIONS FOR MYSELF?

The Mental Capacity Act will help protect you if you can't make some decisions for yourself. The Act says that you should be given help to make your own decisions.



You should be given the chance to tell people what you want in your own way. You may want to use symbols or photographs.



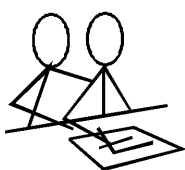
Someone will assess whether you can make decisions on your own.

This person doing this will depend on the type of decision being made. They may be a Care Manager or Doctor, for example.



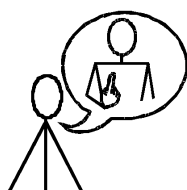
The person will look at whether you can make your own decisions.

If someone has to make decisions for you they should still involve you as much as possible.



The person should act in your best interest.

The new law has a checklist of things that people must think about when deciding on someone's best interest.



An Independent Mental Capacity Advocate (IMCA) is someone who can talk for you if you need help making decisions.

CAN I PLAN FOR MY FUTURE?

If you have Capacity to make decisions now you can help plan for your future. You can do this in 2 ways.

1. The Mental Capacity Act says that you can choose someone to make decisions for you about certain things if you can't make decisions for yourself

These may be decisions about



Health



care

and



money



(LPA)

This person is called a Lasting Power of Attorney (LPA)

You can put limits on the power that the Attorney has.

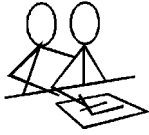
2. You can make an Advance Decision to refuse treatment if there is a particular medical treatment that you do not want in the future.



There are rules about making an Advance Decision.

It is a good idea to talk to a nurse, doctor or other carer if you want to make an Advance Decision.

HOW WILL THE METAL CAPACITY ACT AFFECT MY CARERS OR FAMILY?



The new law tells family members and carers that they must help you make your own decisions.

You need to be supported in talking for yourself as much as possible.



Your family and carers must give you information using words or pictures that you understand.

If you cannot make some decisions for yourself the Act tells families and carers when and how they can make decisions for you.



A doctor will need to talk to your family or carer when making a decision about medical treatment.



A care manager will need to talk to your family or carer when thinking about residential care for you.

What else does the Mental Capacity Act do?



The Court of Protection decides what is best for people who can't decide for themselves.

The Office of the Public Guardian can help if you need your rights to be protected.

It is against the law for anyone to treat you badly or neglect you.

HOW CAN I FIND OUT MORE?

Ealing Council:



020 8825 8000



www.ealing.gov.uk

General information and links to leaflets that explain the Mental Capacity Act in more detail.

Ealing Primary Care Trust:



020 8893 0303



www.ealingpct.nhs.uk

Ealing Hospital NHS Trust:



020 8967 5000



www.ealinghospital.org.uk