

Mental Capacity Act (MCA)



Mental Capacity Act 2005 Full Course

MCA Fundamentals & Learning Pack

Volume discounts available for annual licences—please call for more information

This online training course on the Mental Capacity Act has been developed in association with the Department of Health. Its purpose is to update anyone with an interest in the mental health sector with the provisions of the new Mental Capacity Act.

All candidates will receive a certificate upon completion.

Course units include:

- Introduction to the Mental Capacity Act
- Determining Capacity
- Making Decisions: Providing Care
- The Code of Practice
- The MCA in Practice
- Protection and Supervision

The course provides the required key facts and includes quizzes and tests within each unit and a formal assessment at the end to check learning and understanding. On completion, staff will be equipped with the necessary knowledge to carry out their duties competently and with confidence.

Background

The Mental Capacity Act 2005 will have a direct impact on about two million people in England and Wales and many more informal carers - and will be particularly relevant to older people with mental health problems.

Those most likely to be affected include people with dementia, people with learning disabilities and people with mental health problems. The Act also has major implications for those in the caring professions. A code of practice with new roles and responsibilities will be introduced across all health and social care professions.

Please contact us on 0114 281 3746 for more information



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For case studies targeting practitioners in Residential, Acute, Mental Health, Community and Primary Care see our Mental Capacity Act Specialist Units e-learning course.

Problem

The issues of mental capacity and addressing the needs of people affected by a lack of capacity have been characterised by the absence of guidance and consistency. Firstly, there is confusion about what constitutes a lack of capacity. Secondly, the legitimate authority of those acting on behalf of people lacking capacity is unclear. Both these factors are compounded by a lack of consistency in the law and the way it is applied. The absence of a standard set of rules often makes it very difficult to plan and build in safeguards when it comes to health, welfare and financial matters.

Solution

The Mental Capacity Act clarifies the situation and introduces a new framework including a code of practice with decision-making mechanisms designed to ensure protection and consistency. Guidance is now widely available and training resources are being updated to cover the changes and the new framework. This e-learning course will help to facilitate these changes directly and enable staff to carry out their duties competently - and the cost per staff member is very low.

Learning Objectives

On completion of this course learners will be able to:

- Describe the five core principles of the Act
- Describe the assessment process for establishing capacity
- Identify the key elements of consultation and engagement when establishing a person's best interests
- Apply the procedures for resolving disputes
- Identify where their organisation needs to modify its policies to include the provisions of the Act
- Explain the Code of Practice and how it affects working practices.

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The Act replaces Part 7 of the Mental Health Act 1983 and the whole of the Enduring Powers of Attorney Act 1985. A new Court of Protection, with more comprehensive powers, replaces the previous Court of Protection.

- The Act requires that a decision to act on someone's behalf should only be taken where the person lacks capacity and where such actions are in that person's best interests.
- Advance decisions are made where decisions about appropriate care and treatment are required whilst the person concerned still has the capacity to consent to them. However, there are very specific conditions for these advance decisions to be **valid** and **applicable**.
- The Act creates new criminal offences of ill-treatment and wilful neglect for certain people responsible for acting in the individual's best interests. Staff need to be aware of the safeguards in place for carers and service users who feel the need to lodge a complaint, so that they can be advised appropriately.
- The Act also creates a new public office - the Public Guardian - with a range of functions that contribute to the protection of people who lack capacity.
- A key function of the Public Guardian includes keeping a register of Lasting Powers of Attorney and Enduring Powers of Attorney.
- The Act will generally only affect people aged 16 or over and provides a statutory framework to empower and protect people who may lack capacity to make some decisions for themselves.

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