

Case study prompts

What is the decision (s) to be made?

If more than one decision there should be separate recordings of responses. Anything with an 'and' in the sentence usually means more than one decision.

When does the decision need to be made?

Is the decision urgent or can it wait until the person is better prepared?

What are the salient points of the decision that the person needs to understand?

The salient points relate directly to the decision at hand. Do not overburden the person with too much information and be mindful of relevancy to the decision to be made. E.g. in relation to consenting to a safeguarding enquiry, it is not relevant how happy the person is about the food at the care home. The may come later during the enquiry, but it is not relevant to the immediate decision.

Does the person have an impairment that gives you reasonable belief they **may** lack capacity to make the decision?

Having an impairment does not automatically mean the person lacks capacity, but it may give an indication of how information should be presented, or any communication difficulties that need to be taken into account. E.g. someone may have memory problems, but if given sufficient time and appropriate help, they can remember and give a relevant response.

What is the impairment?

What help can be offered to the person to enable them to make the decision / what practicable steps do you need to take to comply with principle 2?

Practicable steps includes:

making sure the salient points of the decision are clear and directly relevant to the decision to be made;

making sure the person is not disadvantaged due to lack of information about their needs by the person undertaking the enquiry;

using communication they understand; being mindful of the environment;

being mindful of the nature of the alert that could cause anxiety;

seeing the person at a time that is best for them (if possible);

If you need to assess capacity:

Who should be involved in the capacity assessment?

Do you know enough about the person to undertake the assessment?

What considerations are needed to complete the 2 stage test?

How will you record your findings?

Who will you share them with?

Correct as of 05/2017