



West of Berkshire

**Safeguarding Adults Board**

Reading, West Berkshire & Wokingham

# Mental Capacity Act Survey Results

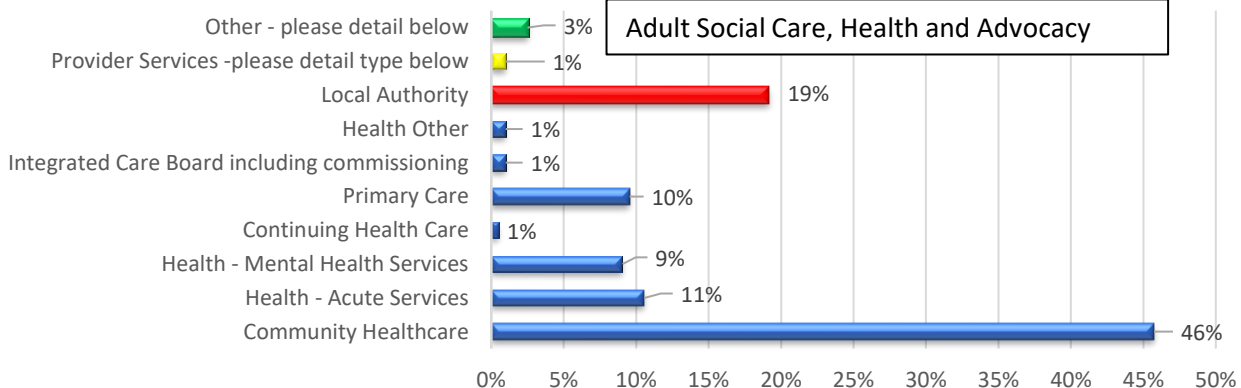
## June 2023

## How the Survey was carried out

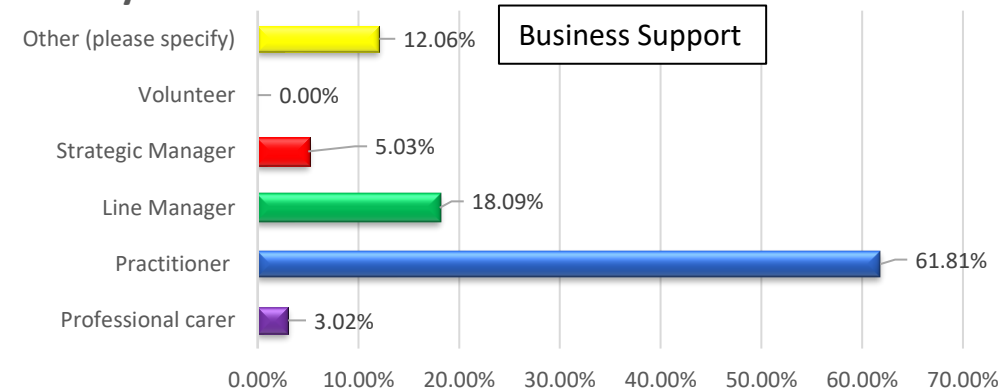
- Survey drafted using examples from other similar Board surveys
- Sent round to SAB members for comment before finalising
- Was an online survey hosted by West Berkshire Council
- Survey opened on the 29<sup>th</sup> March 2023 and closed on the 28<sup>th</sup> April 2023
- SAB members were asked to promote throughout their organisations
- There were 199 responses to the survey

# Who responded to the survey

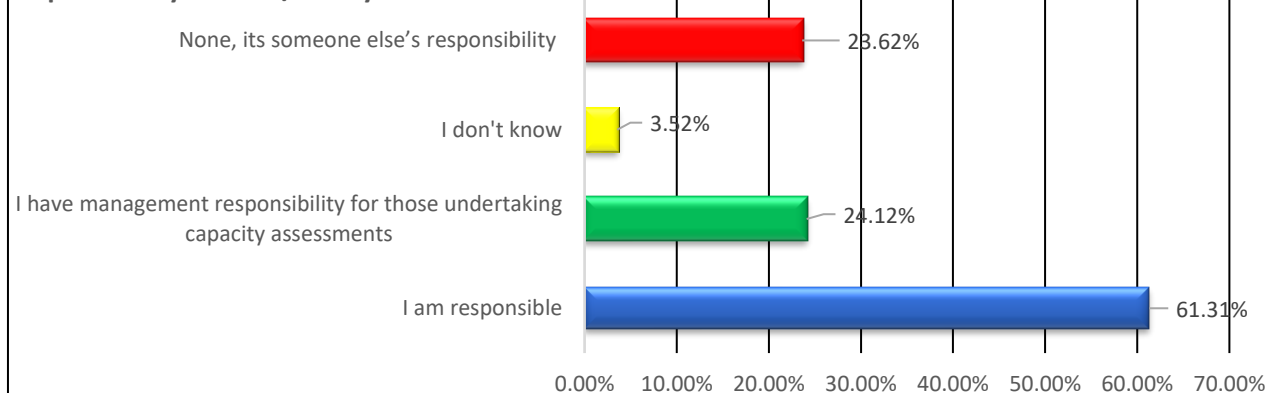
## What sector do you work in?



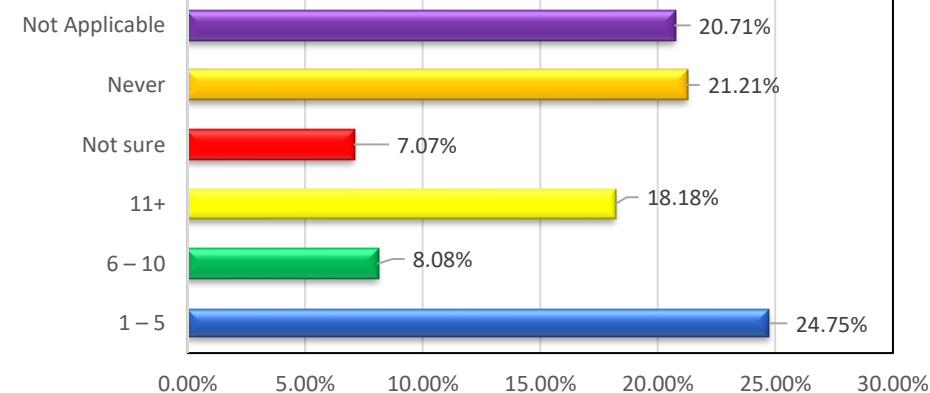
## What is your role?



## In your role, what responsibility do you have in relation to assessing capacity for a person in your care/ who you work for?



## How many times have you undertaken a capacity assessment in the last 6 months?

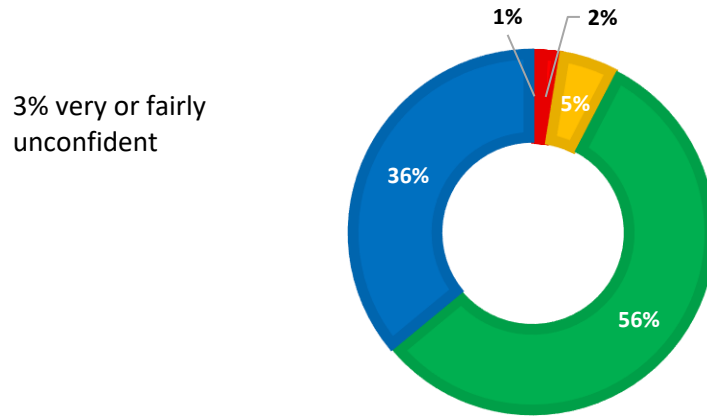


- 70% of responses came from health roles, mainly in community health, followed by Local Authorities
- There were no responses from: Ambulance Services, Care Homes, Housing, Police or voluntary care sector.
- Majority of responses were from practitioners which was defined as: social worker, care manager, nurse, Dr, OT that do not have line management responsibility.
- 85% of responses came from those that were responsible for or management responsibility to carry out MCA assessments.
- 42% of responses have not carried out an MCA assessment in the last six months

# Confidence in practice – duty of care, assessing capacity, fluctuating capacity

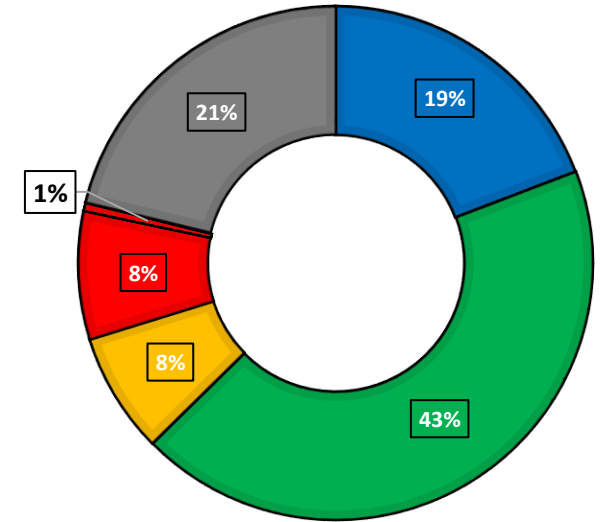
## ARE YOU CONFIDENT IN YOUR UNDERSTANDING OF THE TERM 'DUTY OF CARE' AND WHO THIS APPLIES TO?

Very unconfident Fairly unconfident Not sure Fairly confident Very confident



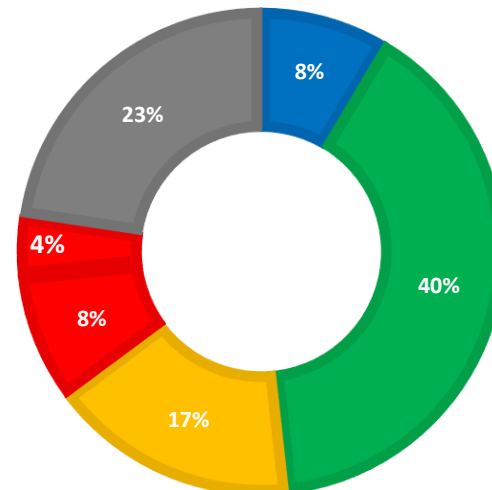
## HOW CONFIDENT ARE YOU IN ASSESSING CAPACITY?

Very confident  
Fairly confident  
Not sure  
Fairly unconfident  
Very unconfident  
Not Applicable – do not assess capacity



## HOW CONFIDENT ARE YOU IN ASSESSING CAPACITY WHEN THE INDIVIDUAL HAS OR MAY HAVE FLUCTUATING CAPACITY?

Very confident  
Fairly confident  
Not sure  
Fairly unconfident  
Very unconfident  
Not Applicable – do not assess capacity



A 5 point scale from very confident to very unconfident was used.

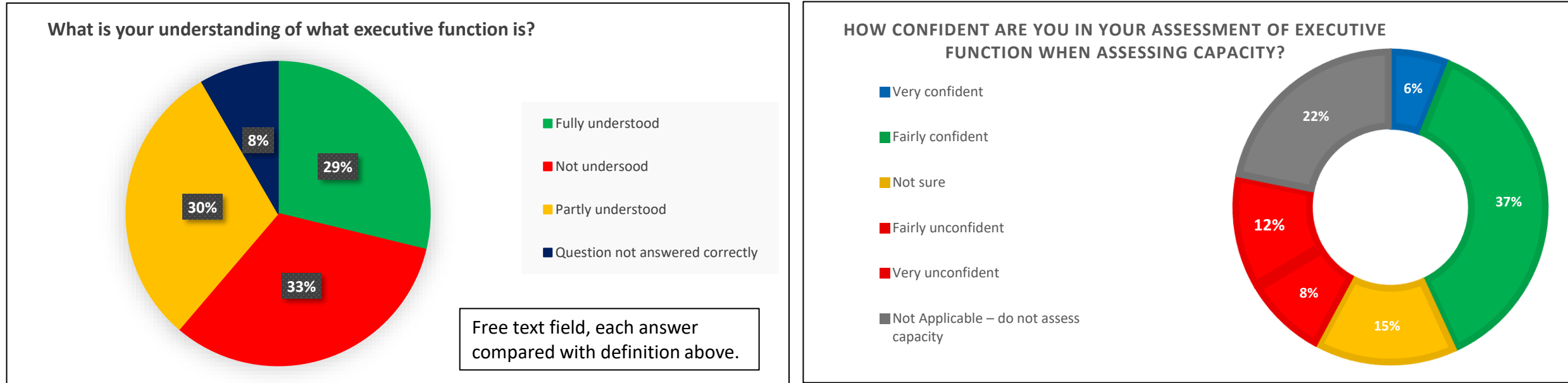
Responders are most confident in their understanding of duty of care.

17% of responders were very or fairly unconfident or unsure in assessing capacity.

29% of responders were very or fairly or unconfident or unsure in assessing capacity where there is fluctuating capacity.

# Executive function

Executive function is an umbrella term used to describe a set of mental skills that are controlled by the frontal lobes of the brain. When executive function is impaired, it can inhibit appropriate decision-making and reduce a person's problem-solving abilities. Planning and organisation, flexibility in thinking, multi-tasking, social behaviour, emotion control and motivation are all executive functions. - Taken from [executive-functioning-grab-sheet-mca-guidance\\_v10\\_apr2021.pdf \(lancshiresafeguarding.org.uk\)](https://www.lancshiresafeguarding.org.uk/executive-functioning-grab-sheet-mca-guidance_v10_apr2021.pdf)



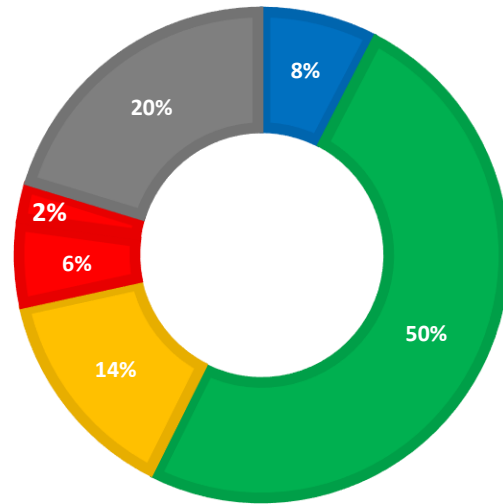
Examples of some responses (taken at random) with how they were rated

- *Executive function is an umbrella term used to describe a set of mental skills that are controlled by the frontal lobes of the brain* – Fully understood
- *A set of skills would assist someone in decision making* – Partly understood
- *Weighing up of information* – not understood
- *The frontal lobe controls most of this in the brain. It relates to higher decision-making processes and is a bit like an executive running the brain like they might run a company* – Fully understood
- *Ability to perform tasks and retain information, process instructions etc.* - Partly understood
- *Not heard* - not understood

# Confidence in practice – managing risk, decision specific MCA's, documentation

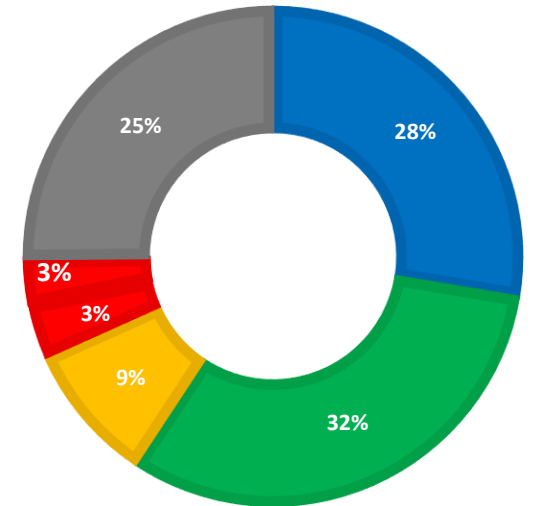
## HOW CONFIDENT ARE YOU IN MANGING RISK WHERE THE INDIVIDUAL IS MAKING AN UNWISE DECISION?

- Very confident
- Fairly confident
- Not sure
- Fairly unconfident
- Very unconfident
- Not Applicable – do not assess capacity



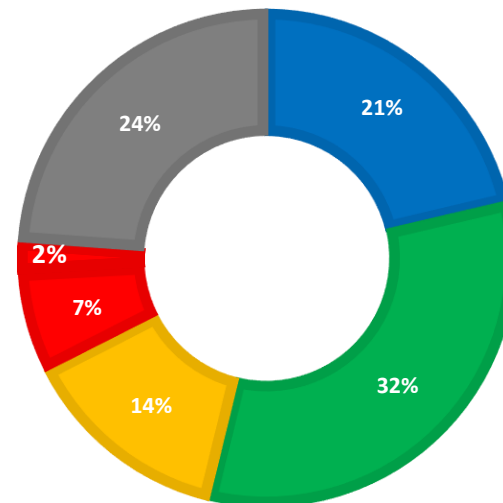
## ARE YOU CONFIDENT IN YOUR PRACTICE THAT WHEN COMPLETING CAPACITY ASSESSMENTS THAT THESE ARE ALWAYS DECISION SPECIFIC?

- Very confident
- Fairly confident
- Not sure
- Fairly unconfident
- Very unconfident
- Not Applicable – do not assess capacity



## HOW CONFIDENT ARE YOU IN YOUR PRACTICE IN KNOWING WHAT TO RECORD WHEN DOCUMENTING A CAPACITY ASSESSMENT?

- Very confident
- Fairly confident
- Not sure
- Fairly unconfident
- Very unconfident
- Not Applicable – do not assess capacity



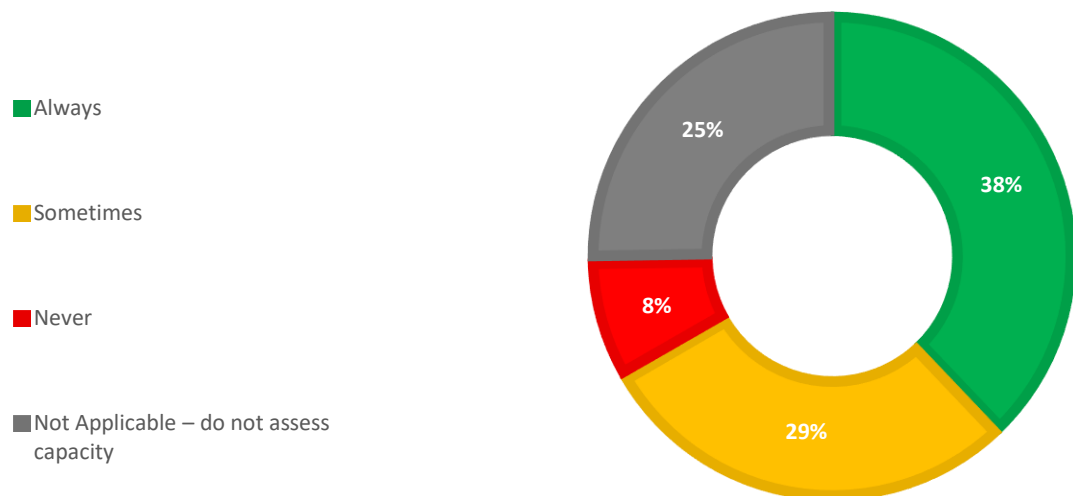
58% of responders were very confident or confident in managing risk when an unwise decision was being made, 22% were very, fairly unconfident or unsure.

60% of responders were very confident or confident in their practice that MCA's were always decision specific, with 15% were very, fairly unconfident or unsure.

53% of responders were very confident or confident in their practice in documenting MCA's, with 23% were very, fairly unconfident or unsure.

# Supported Decision Making

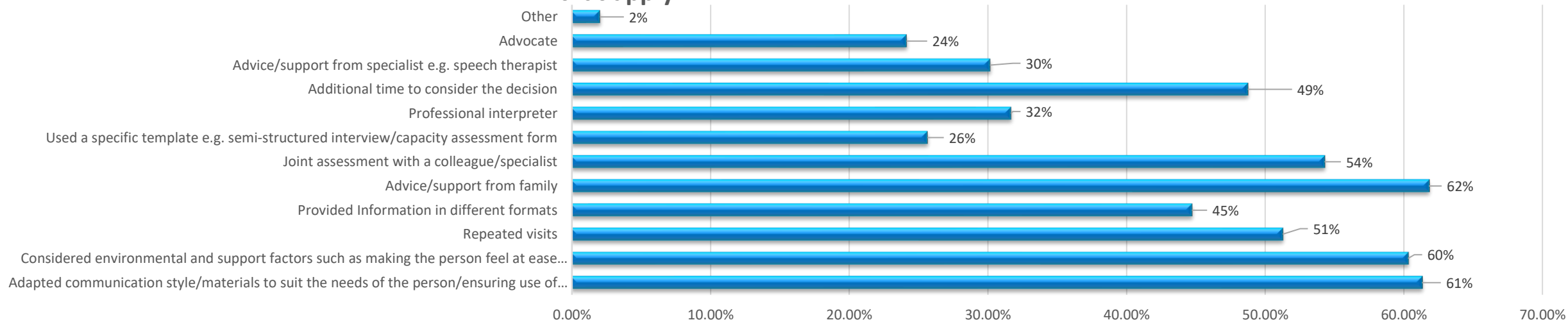
HOW OFTEN DO YOU PROVIDE RELEVANT SUPPORT IN ORDER TO ENHANCE SOMEONE'S CAPACITY TO MAKE THEIR DECISION?



Only 38% of respondent always provided relevant support in order to enhance someone's capacity to make their decision. 8% never provide this. It should be noted that answers may have considered when they consider an individual to have capacity which will skew the outturn.

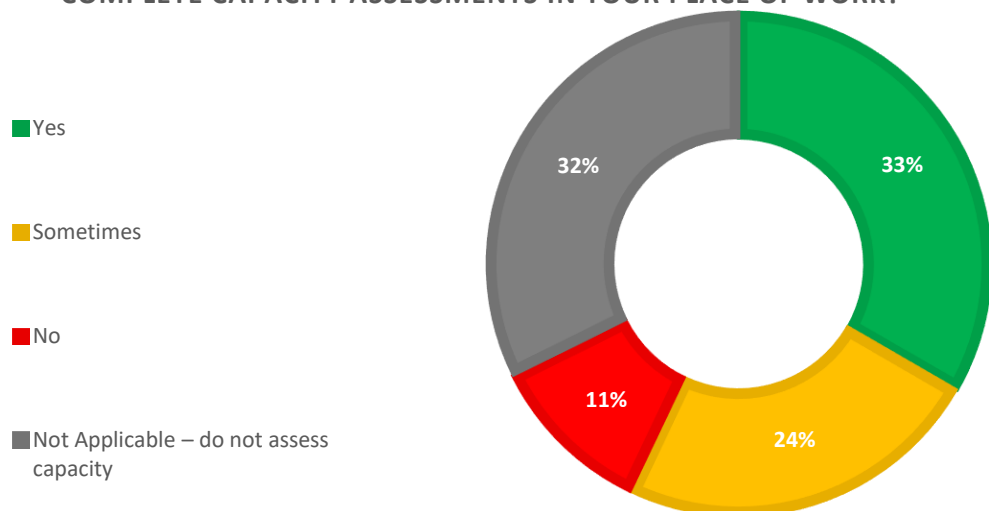
The table below details what form of support they have used, less than 30% of those answered, Advocate and or specific template. Only 30% looked for advice and support from a specialist and 32% from an interpreter.

What forms of support have you used to enhance someone's capacity to make their decision? – please select all that apply



## Barriers in completing MCA's

DO YOU FEEL YOU ARE GIVEN TIME AND SUFFICIENT SUPPORT TO COMPLETE CAPACITY ASSESSMENTS IN YOUR PLACE OF WORK?

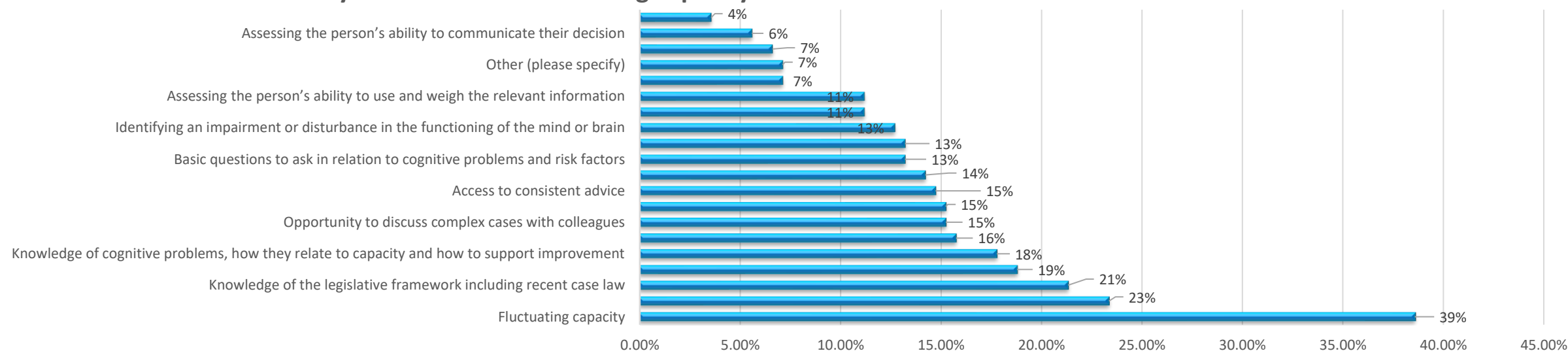


33% of respondents feel that they have enough time and support to complete MCA's 35% do not (sometimes or no).

The 5 main barriers in relation to completing MCA's are (respondents were able to select more than 1):

1. Fluctuating capacity
2. Knowledge of the legislative framework including recent case law
3. Knowledge of cognitive problems, how they relate to capacity and how to support improvement.

### What are the main barriers for you in relation to assessing capacity?

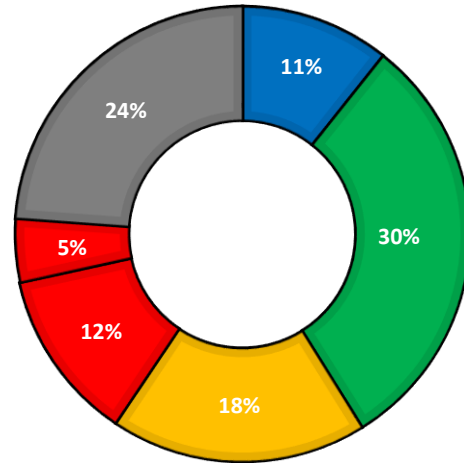




# Advocacy

## HOW CONFIDENT ARE YOU IN YOUR UNDERSTANDING OF THE CRITERIA FOR REFERRING TO ADVOCACY SERVICES?

- Very confident
- Fairly confident
- Not sure
- Fairly unconfident
- Very unconfident
- Not Applicable



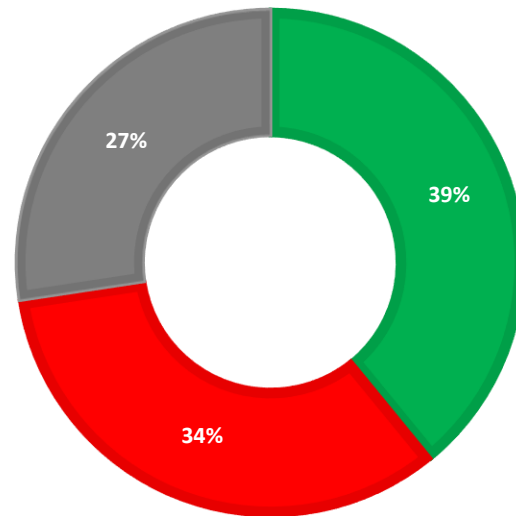
In understanding the criteria for responding to advocacy services, 5% of respondents were very unconfident, with a further 12% stating they were unconfident. In total 35% of responders were either unconfident or not sure in the criteria for responding to advocacy services.

34% of respondents do not know how to refer to advocacy services.

Only 34% of responders have referred to advocacy services for which 28% had to wait for input or continued without advocacy support.

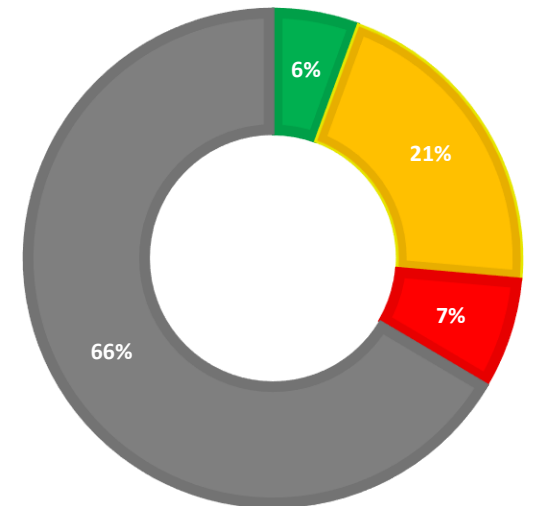
## DO YOU KNOW HOW TO REFER A CASE TO ADVOCACY SERVICES?

- Yes
- No
- Not Applicable



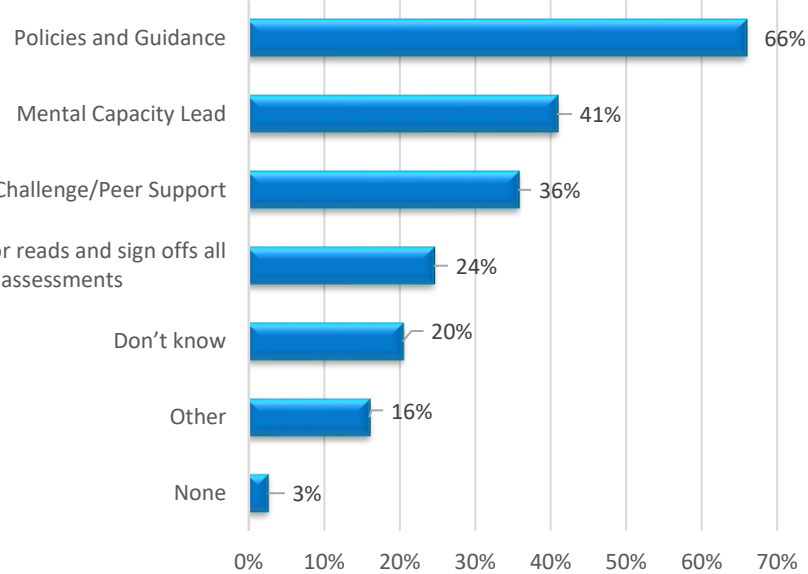
## HOW ACCESSIBLE/TIMELY IS ADVOCACY SUPPORT WHEN YOU HAVE MADE A REFERRAL?

- Very good and prompt support
- Good but had to wait for their input
- Had to continue assessments without advocacy support
- Not Applicable – have not referred to advocacy services

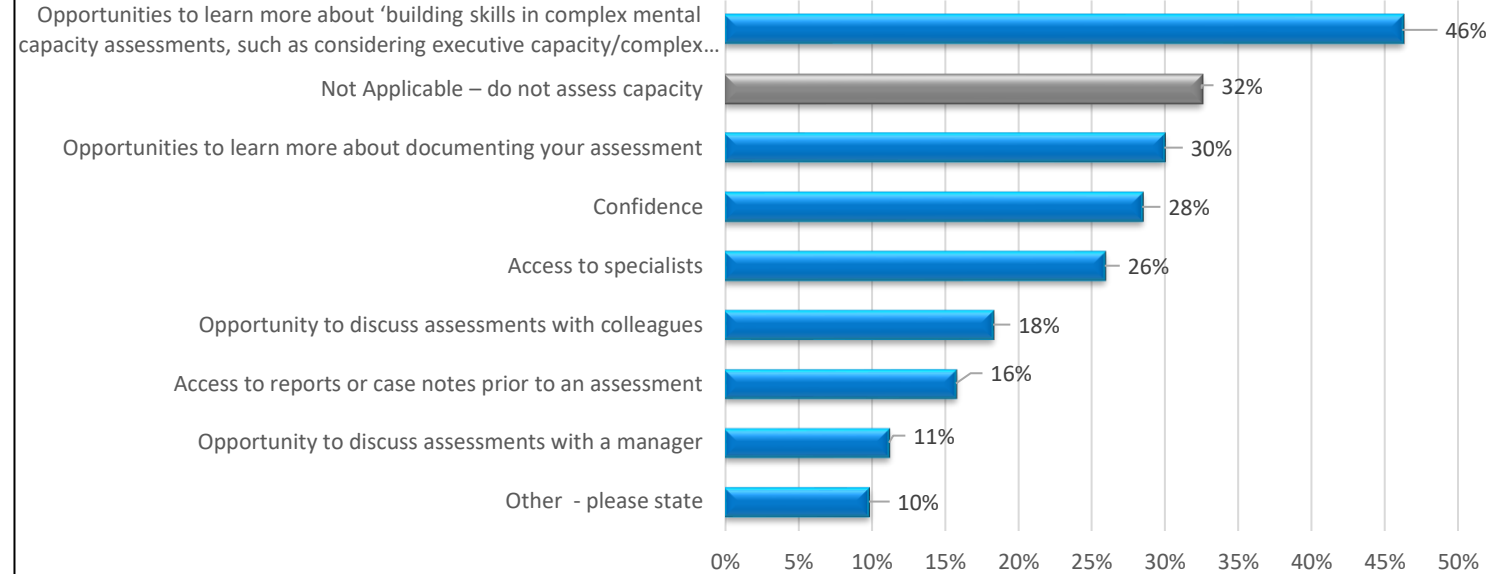


# Training and additional support

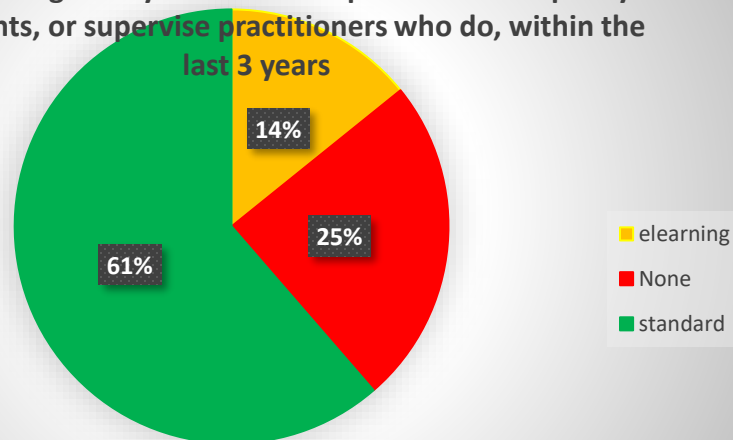
Does your organisation have the following to support you in completing capacity Assessments? – Please select all that apply



What development needs do you have / support & help you would like in relation to assessing capacity? – Please select all that apply



What training have you had to complete mental capacity assessments, or supervise practitioners who do, within the last 3 years



A free text box was supplied for this answer, which were summarised into 3 categories:

Standard – have had mandatory training/updates, and face to face training

Elearning – online training only

None – have had no training at all

Some responses stated that MCA training was not required which has been added to none. There appears to be a variety of training options across the partnership.

23% of respondents responded don't know or none. The other sections included answers like N/A or very individual responses that could not be grouped into an analysis.

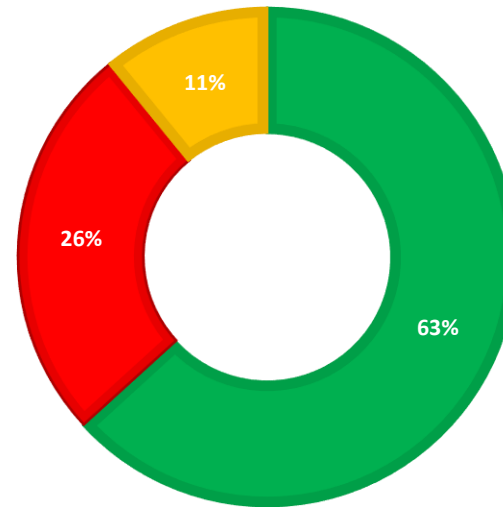
# Professional Challenge

DO YOU HAVE THE CONFIDENCE AND KNOW HOW TO RAISE CONCERNS REGARDING OTHER PROFESSIONALS' DECISION MAKING IN CAPACITY ASSESSMENTS?

■ Yes

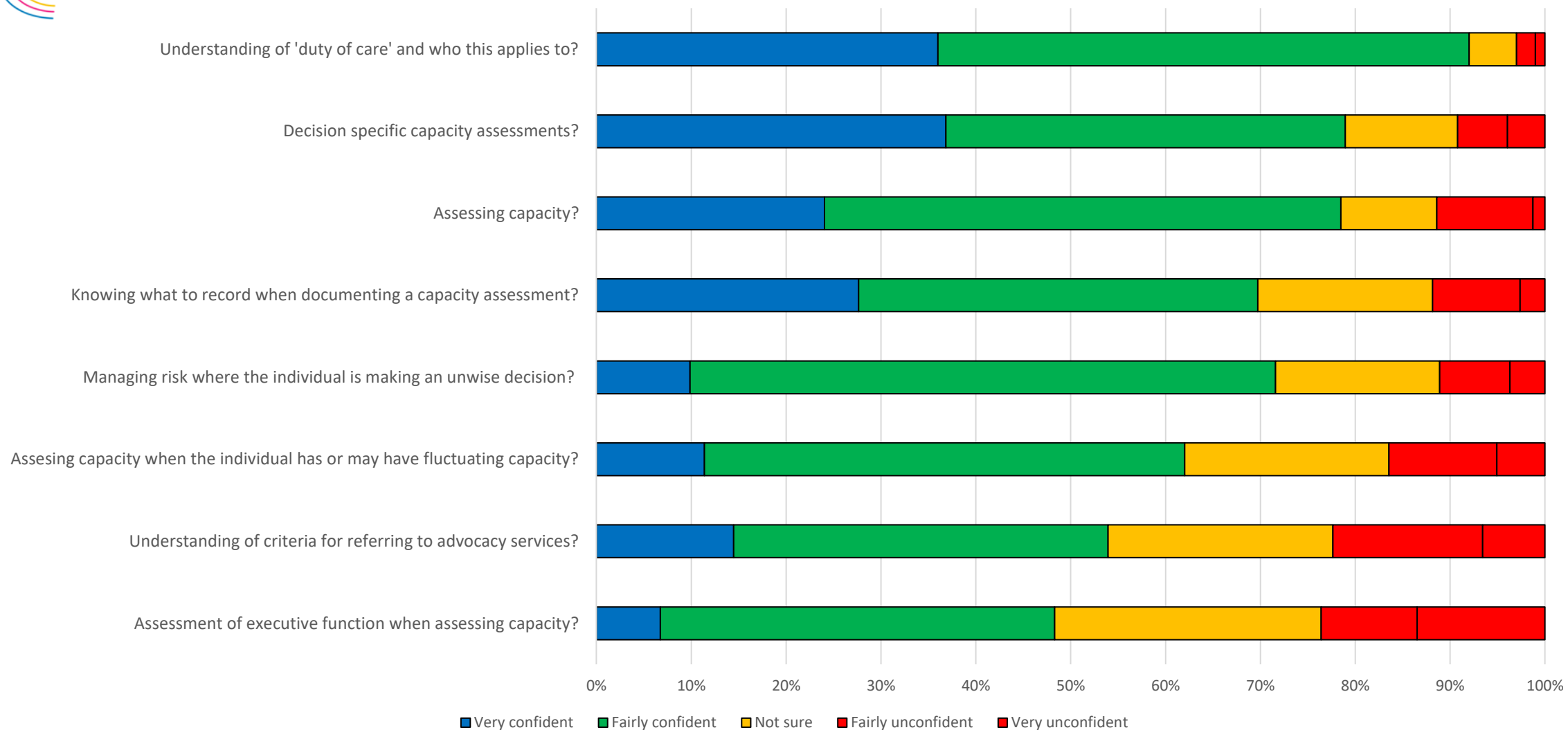
■ No

■ Sometimes





## Comparing Confidence in Practice



## Next steps for the SAB

Priority 2: Embedding a good understanding of Mental Capacity Act within the practice of our statutory partners.

Discuss