

Making decisions - Mental capacity act Easy read leaflet March 2009



What is mental capacity?

Having mental capacity means being able to make your own decision about something.



What is the mental capacity act?

This is a new law about decision making.



It will help you make decisions for yourself.



It will help you to plan for the future when you might not be able to make your own decisions.

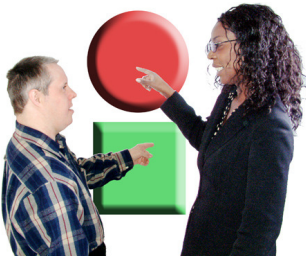


It will also help to protect you if you can't make some decisions for yourself.



What does the act say?

Here are some important things people must do and think about when using the act.



Start off by thinking that everyone can make their own decisions



Give the person all the support they need to help them make decisions.



No one should be stopped from making a decision just because someone else thinks it is wrong or bad.



When someone does something or decides something for another person, they must not limit the person's own freedom or rights.



How does it work?

Before someone can make a decision for you, they need to be sure that you cannot make the decision yourself.



There are two questions that they need to answer.

- Does the person have a difficulty that affects the way their brain or mind works?
- Does this problem mean that the person cannot make the decision at that time?



They can only make a decision for you if the answer is yes to both questions.



If someone has to make a decision for you because you cannot make it yourself, they must decide what is in your best interests.



To work out what is in your best interests they must:

- listen to what you want
- ask people who know you, and
- make sure you are involved if possible.



There is a checklist for doing this.



No one can decide what is in your best interests just because of:

- how old you are
- how you look
- how you behave.



Some decisions can never be made for you. These are:

- whether or not to get married
- whether or not to have sex
- placing a child for adoption
- voting in an election.

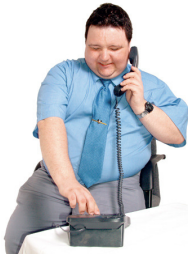


For more information

This is only some of the information about mental capacity act. To find out more you can contact:



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