

Assessing Mental Capacity during Covid-19

Mental Capacity Act (MCA) and Deprivation of Liberty are **unchanged** by the Coronavirus Act.

The principles and practice of the MCA **must** continue to be followed; this includes the two-stage capacity assessment by the relevant decision maker (assessor).

If an assessor **cannot access** the cared for person during C-19, this presents a challenge to ensuring a robust capacity assessment.

Assessors need to;

- be **creative and proportionate** in their method(s) of undertaking the assessment
- **justify** the method used
- demonstrate reasonable **judgement** in the interpretation of the evidence available

Professionals need to work **collaboratively** to facilitate capacity assessments to ensure the human rights of the cared for person are not diminished.

If there is no alternative, professionals can use personal smartphones to facilitate assessments if it is **reasonable to do so** and any available security measures (such as PIN codes) have been utilised.

