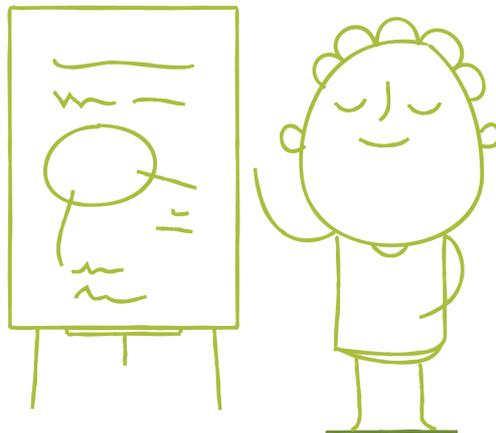


# **CARE CERTIFICATE**

## **SUPPORTING INFORMATION**

### **STANDARD 9**

**Awareness of mental health, dementia  
And learning disability**



## Mental health

Up to 1 in 4 people will experience mental health problems at some point in their lives. For many people these will be mild to moderate difficulties caused by traumatic events such as redundancy, bereavement or money worries. The feelings experienced may feel intense, but are usually temporary. With the right support, people will be able to make positive steps towards recovery.

Some people will experience more serious problems with their mental health. These types of mental health issues often occur as gradual changes that a person may not at first notice. They might start to behave strangely, or have thoughts or beliefs they didn't have before.

Some examples of mental illnesses: anxiety disorders, depression, bipolar disorder, psychosis, schizophrenia, personality disorders (some literature disputes whether a personality disorder is actually a mental illness).

Signs of mental health problems include:

- Being anxious and irritable
- Being depressed (having a low mood for a long time)
- Finding it difficult to concentrate or remember things
- Sleeping less or too much
- Mood swings
- Finding it difficult to manage everyday life
- Becoming suspicious and paranoid
- Changing how you behave around people (e.g. isolated and withdrawn)
- Having suicidal thoughts
- Believing that your family and/or friends want to do you harm
- Believing that people or organisations are out to get you
- Experiencing hallucinations
- Believing that you have special powers or are on a mission
- Excessive spending and/or problems managing your money

## Dementia

The term dementia is used to describe the symptoms that occur when the brain is affected by certain diseases and conditions. One of these conditions is Alzheimer's disease.

It is important to know what the early warning signs of dementia are, so you can recognise these in service users and report them.

Possible signs of dementia include:

- Memory loss that interferes with the tasks of everyday life
- Forgetting about recent conversations and events
- Becoming slower to grasp new ideas
- Losing the thread of what's being said
- Confusion
- Showing poor judgement
- Struggling to make decisions
- Losing interest in people and activities
- Anxiety and agitation
- Difficulties with balance
- Low mood
- Repeating what they have just said without realising

People with dementia may:

- Be unsure who you are even if they have met you before
- Feel confused as to why you are there
- Have changeable moods
- Forget things that have happened
- Imagine things have happened that have not
- Forget what day/date/time it is

You may need to support the person by:

- Talking about familiar subjects
- Suggesting what to do next instead of relying on the service user
- Trying different approaches e.g. singing if talking isn't working

## **Learning disabilities**

A learning disability is a reduced intellectual ability, resulting in difficulty with everyday activities e.g. housework, personal care, socialising, managing money etc.

A learning disability affects someone for their whole life.

People with a learning disability often take longer to learn new skills and may need support with this. Understanding complex information and interacting with other people may also be difficult for the person.

The level of support someone needs depends on the severity of their learning disability. Someone with a mild learning disability may only need support with things like getting a job, whereas someone with a severe learning disability may need full-time care and support, and they may also have physical disabilities.

People with a diagnosis such as Downs Syndrome or autism may also have a learning disability.

## **Models of disability**

Over the years, a number of 'models' of disability have been developed. The two most common are:

- The medical model – this looks at what is 'wrong' with the person. It views disability as a 'problem' which belongs to the person with the disability. It doesn't view the disability as a concern to anyone other than the individual affected. It doesn't consider what the person needs. This results in low expectations and leads to people losing independence, choice and control in their lives.
- The social model – looks at the ways in which society disables people by designing everything to meet the needs of the majority who are not disabled. It says that disability is caused by the way society is organised, rather than by a person's impairment or difference. The social model recognises that there is much that society can do to reduce and remove the disabling barriers.

People with disabilities developed the social model because the medical model did not explain their personal experience of disability or help to develop more inclusive ways of living. When barriers are removed, people with disabilities can be independent and equal in society, with choice and control over their own lives.

Here's an example to illustrate the different models: A wheelchair user is unable to get into a building because of some steps. The medical model would suggest that this is because of the person's disability and wheelchair, rather than the steps. The social model would view the steps as a disabling barrier and a ramp would be added to the entrance so that the wheelchair user could access the building.

## **Early detection and diagnosis**

Early detection of mental health needs, dementia or learning disabilities is important for many reasons. It enables individuals to get the right treatment and find the best sources of support, as well as make decisions about the future.

For example, it may not be clear why someone has problems with memory or a change in behaviour. These problems may be because of dementia, or may be down to other reasons such as lack of sleep, low mood, medication or physical illness. The uncertainty can be distressing for the individual, their family and friends. Whilst a diagnosis may be devastating, an explanation of what the problem is, and what can be done about it, can empower people and reduce some of the anxiety.

Mental health conditions, if left untreated, can be seriously debilitating, affecting not just the person, but their family and friends. Early detection enables prompt treatment, which can keep the condition from getting worse or lasting a long time.

A learning disability can be diagnosed at any time. A child may be diagnosed at birth, or a parent or professional may notice a delay in their development. For some people it may be many years before they receive a diagnosis, while others may never receive a diagnosis at all. Even with a diagnosis, it is often not possible to say why someone has a learning disability. Getting a diagnosis can be a very difficult and emotional experience for families, but is often the first step in accessing the care and support required for the future.

## **Mental Capacity Act**

The Mental Capacity Act (MCA) is a law designed to protect and empower individuals who may lack the capacity to make decisions about their care and treatment. It applies to people aged 16 and over.

People who lack capacity may be living with:

- Dementia
- A severe learning disability
- A brain injury
- A mental health problem
- The impact of a stroke

However, just because a person has one of these conditions does not necessarily mean that they lack the capacity to make a specific decision.

The MCA has 5 key principles which emphasise the fundamental concepts and core values of the Act. You must always bear these in mind when you are working with, or providing care or treatment for people who lack capacity.

### ***The five principles are:***

1. Every adult has the right to make his or her own decisions and must be assumed to have capacity to do so unless it is proved otherwise. This means that you cannot assume that someone cannot make a decision for themselves just because they have a particular medical condition or disability.
2. People must be supported as much as possible to make their own decisions before anyone concludes that they cannot make their own decisions. This means that you should make every effort to encourage and support the person to make the decision for him/herself.
3. People have the right to make what others might regard as unwise or eccentric decisions. Everyone has his or her own values, beliefs and

preferences, which may not be the same as those of other people. You cannot treat them as lacking capacity for that reason.

4. Anything done for or on behalf of a person who lacks mental capacity must be done in the person's best interests.
5. Anything done for, or on behalf of, people without capacity should be the least restrictive of their basic rights and freedoms. This means that when you do anything to or for a person who lacks capacity you must choose the option that is in their best interests and interferes the least with their rights and freedom of action.

### **What is Mental Capacity?**

Having mental capacity means that a person is able to make their own decisions. The MCA says that a person is unable to make a particular decision if they cannot do one or more of the following four things:

- Understand information given to them
- Retain that information long enough to be able to make the decision
- Weigh up the information available to make the decision
- Communicate their decision – this could be by talking, using sign language or even simple muscle movements such as blinking an eye or squeezing a hand

Everyone can have problems making decisions now and again, but the Mental Capacity Act (MCA) is specifically designed to cover situations where someone is unable to make a decision because their mind or brain is affected, for instance, by illness or disability, or the effects of drugs or alcohol.

The type of decisions that are covered by the MCA will range from day-to-day decisions such as what to wear or eat, through to more serious decisions such as where to live, whether to have a certain medical procedure or control of finances.

It may be the case that a person lacks capacity to make a particular decision at a particular time because their brain or mind is affected, for instance, by illness or disability, or the effects of drugs or alcohol. It may be the case that the person lacks capacity to make a particular decision at a particular time but this does not mean that a person lacks all capacity to make any decisions at all.

### **Best Interests**

If a person has been assessed as lacking capacity, then any action taken or decision made for or on behalf of that person must be made in his or her best interests (Principle 4).

The person who has to make the decision is known as the 'decision-maker' and will normally be the carer responsible for the day to day care of the individual, or a professional such as a doctor, nurse or social worker where decisions about treatment, care arrangements or accommodation have to be made.

## What is 'best interests'?

Working out what is in someone else's best interests may be difficult, and the Act requires people to follow certain steps to help them work out whether a particular act or decision is in a person's best interests. In some cases, there may be disagreement about what someone's best interests really are.

As long as the person who acts or makes the decision has followed the steps to establish whether a person has capacity, and done everything they reasonably can to work out what someone's best interests are, the law should protect them.

A person trying to work out the best interests of a person who lacks capacity to make a particular decision should:

### **Encourage participation**

- Do whatever is possible to permit and encourage the person to take part, or to improve their ability to take part, in making the decision

Identify all relevant circumstances

- Try to identify all the things that the person who lacks capacity would take into account if they were making the decision or acting for themselves

Find out the person's views

- Try to find out the views of the person who lacks capacity, including the person's past and present wishes and feelings – these may have been expressed verbally, in writing or through behaviour or habits.
- Any beliefs and values (e.g. religious, cultural, moral or political) that would be likely to influence the decision in question.
- Any other factors the person themselves would be likely to consider if they were making the decision or acting for themselves.

### **Avoid discrimination**

- Not make assumptions about someone's best interests simply on the basis of the person's age, appearance, condition or behaviour.

Assess whether the person might regain capacity

- Consider whether the person is likely to regain capacity (e.g. after receiving medical treatment). If so, can the decision wait until then?

### **If the decision concerns life-sustaining treatment**

- Not be motivated in any way by a desire to bring about the person's death. They should not make assumptions about the person's quality of life.

#### Chapter 5

#### Consult others

- If it is practical and appropriate to do so, consult other people for their views about the person's best interests and to see if they have any information about the person's wishes and feelings, beliefs and values. In particular, try to consult anyone previously named by the person as someone to be consulted on either the decision in question or on similar issues.
- Anyone engaged in caring for the person such as close relatives, friends or others who take an interest in the person's welfare.
- Any attorney appointed under a Lasting Power of Attorney or Enduring Power of Attorney made by the person.
- Any deputy appointed by the Court of Protection to make decisions for the person.

For decisions about major medical treatment or where the person should live and where there is no one who fits into any of the above categories, an Independent Mental Capacity Advocate (IMCA) must be consulted.

When consulting, remember that the person who lacks the capacity to make the decision or act for themselves still has a right to keep their affairs private – so it would not be right to share every piece of information with everyone.

#### Avoid restricting the person's rights

- See if there are other options that may be less restrictive of the person's rights.

#### *Take all of this into account*

- Weigh up all of these factors in order to work out what is in the person's best interests.

### **Lasting Power of Attorney**

Anyone with capacity may appoint a trusted person to make decisions on their behalf, should they lack capacity in the future.

## **Advance Statements**

An Advance Statement is a written statement that sets down a person's preferences, wishes, beliefs and values about their future care. It is not legally binding. Advance statements provide guidance when best interest decisions need to be taken for someone who lacks capacity.

An Advance Statement may include:

- Religious and spiritual beliefs
- Preferred place of care
- Preferences around personal care
- Practical issues, such as care of a pet