

UNIT SPECIFICATION				
Unit title		THE MENTAL CAPACITY ACT 2005 IN PRACTICE		
Level	Level 7	Credit value	20 (10 ECTS)	
Is this a common unit?		No	Expected contact hours for unit	30
Pre and co-requisites None				
Aims To enable health and social care practitioners to demonstrate they have enhanced knowledge and skills to advance their practice capability when working in complex situations. The aim of this unit is to enable students to develop: <ul style="list-style-type: none"> • An advanced level of capability in working with people who use health and social care services, their carers and families; • Critical and analytical skills in systematically developing their own practice when working in complex situations; • The ability to work across organisational and professional settings in exercising professional judgment and responsibility; • Advanced capability in decision making and managing conflict and risk 				
Intended learning outcomes (ILOs) Having completed this unit the student is expected to: <ol style="list-style-type: none"> 1. Critically evaluate the Mental Capacity Act 2005 and related Codes of Practice 2. Demonstrate the skills necessary to obtain, evaluate and analyse complex evidence and differing views and to weigh these appropriately in decision-making 3. Demonstrate the skills to critically reflect and critical analyse their own practice with service users and families where issues of mental capacity and human rights are central to care-planning 				
Learning and teaching methods The taught component uses a variety of methods building on student's professional experience, skills and knowledge. Learning and teaching methods include lectures, discussion groups, reflection on practice and guided independent study. Unit guides and specific reading materials will be designed to enable students to continue in the professional development of their existing knowledge base and maximise opportunities to advance their professional practice. Core text, and encouragement to read widely, will also provide foundation knowledge for students to analyse and advance their professional practice. Bournemouth University's online learning resources will be used for student learning and support. Other sources of information will include programme handbook and regulations.				
Assessment				
Formative assessment/feedback Guided study session materials are provided for each unit and they will be followed up with informal class discussions and group feedback on work undertaken. Students will have the opportunity to reflect on their work and discuss with peers. Quizzes and practice case studies will be used throughout and group feedback provided as an ongoing element of the programme.				

<p>Summative assessment ILOs 1 to 3 will be assessed by 100% coursework</p>	<p>Indicative assessment Coursework will focus on the students planning, implementation and analysis of a complex situation that examines the student's professional practice at a structural and individual level and evidences reflective applied learning (3000 words)</p>
<p>Indicative unit content</p> <ul style="list-style-type: none"> • The legislative framework for working with adults where mental capacity is an issue • Assessment of capacity in vulnerable individuals • Understanding of and ability to make decisions in circumstances where people are unable to make them for themselves • Professional values and ethics in advancing human rights • Critical reflection on complex practice • Reviewing knowledge and theoretical frameworks relevant to professional practice • Developing a systematic use of knowledge and skills to support problem solving in complex and unpredictable situations • Understanding of and working with diversity • Interprofessional and collaborative working in professional practice • Other legislation relevant to the professional role e.g. Human Rights, Community Care, Equality and Diversity • National and local policies, guidance and procedures relating to mental capacity functions. 	
<p>Indicative learning resources</p> <p>Ashton, G, & Bielanska, C. 2014. Elderly people and the Law 2nd Edition. Bristol: Jordans.</p> <p>Ashton, G. 2015. Mental capacity; law and practice. 3rd Edition. Bristol: Jordans.</p> <p>Bartlett, P. & Sandland, R., 2014. Mental Health Law: Policy and Practice. 4th Edition. Oxford: OUP.</p> <p>Barber, P., Brown, R. & Martin, D. 2015. The Mental Capacity Act 2005; A Guide for Practice 3rd Edition. Exeter: Learning Matters.</p> <p>Bogg, D. 2010. Values and Ethics in Mental Health Practice. Essex: Learning Matters.</p> <p>Bogg, D. 2016 Report Writing. 2nd ed. (Social Work Pocketbooks) Oxford. OUP.</p> <p>Department of Constitutional Affairs. 2007. Mental Capacity Act 2005; Code of Practice. London: TSO.</p> <p>Department of Health. 2014. Positive and Proactive Care: Reducing the need for restrictive interventions. London: DH.</p> <p>Emmett, C., Poole, M., Bond, J. and Hughes, J.C. 2013. Homeward bound or bound for a home? Assessing the capacity of dementia patients to make decisions about hospital discharge: Comparing practice with legal standards. International Journal of Law and Psychiatry, 36, 73-82.</p> <p>Fook, J., & Gardner, F, 2007. Practising critical reflection: A resource handbook. Oxford: Open University Press.</p> <p>Graham, M & Cowley, J. 2015. A Practical guide to Mental Capacity Act 2005: Putting the Principles of the Act into Practice. London: Jessica Kingsley.</p> <p>Hale, B. 2017. Mental Health Law 6th Edition. London: Sweet & Maxwell</p> <p>House of Lords Select Committee on the Mental Capacity Act 2005 (2014) Mental Capacity Act 2005: Post-Legislative Scrutiny. Report of session 2013-14. London: TSO.</p> <p>Jacob, R., Gunn, M. & Holland, A. (Eds). 2013. Mental Capacity Legislation: Principles and Practice. London: Royal College of Psychiatry.</p> <p>Johns, R. 2014. Capacity and Autonomy. Basingstoke: Palgrave Macmillan.</p> <p>Kong, C. 2017. Mental capacity in relationship: Decision making, dialogue and autonomy. Cambridge. CUP</p>	

Manthorpe, J., Samsi, K. and Rapaport, J. 2012. 'More of a leg to stand on': Views and usage of the Mental Capacity Act 2005 among staff of local Alzheimer's Society and carer organisations. *Aging and Mental Health*, 16(1), 102-109.

Ministry of Justice. 2008. Mental Capacity Act 2005 Deprivation of Liberty Safeguards Code of Practice to supplement the main MCA 2005 Code of Practice. London: TSO.

Rolfe, G., Freshwater, D., & Jasper, M., 2010. *Critical reflection in practice: generating knowledge for care* 2nd edition. Basingstoke: Palgrave MacMillan.

Ruck Keene, A. (Ed). 2015. *Assessment of Mental Capacity* 4th edition. The British Medical Association & The Law Society. London: The Law Society.

Ruck-Keene, A., Edwards, K., Eldergill, A. & Miles, S. 2018. *The Court of Protection Handbook: a user's guide*. 2nd Revised Edition. London. Legal Action Group.

Thompson, N. 2016. *Anti-discriminatory Practice; equality, diversity and social justice* 6th Edition. London: Palgrave MacMillan.

Thurston, J 2015 *A Practitioner's Guide to Powers of Attorney* 9th Edition. London: Bloomsbury.

Williams, V., Boyle, G., Jepson, M., Swift, P., Williamson, T., and Heslop, P. (2014). Best interests decisions: professional practices in health and social care. *Health and Social Care in the Community*, 22(1), 78-8.

Williamson, T & Daw, R. 2013. *Law, values and practice in mental health nursing*. Maidenhead. OUP.

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