



The Mental Capacity Act and People with Learning Disabilities

Steve Hardy, Theresa Joyce

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A person with learning disabilities has the same rights as any other citizen and this includes having autonomy and control over their life. However, historically this has not always been the case and many people with learning disabilities have had little choice and were often assumed as lacking the capacity to make their own decisions. Over the last 30 years policy throughout the UK has strived to ensure equal rights for people with learning disabilities, including the right to make their own decisions. The introduction of the Mental Capacity Act (MCA) (2005) in England and Wales sought to ensure that the decision-making rights of all vulnerable people were upheld and that there was due legal process for those who had difficulty making particular decisions. This training manual has been specifically written to support health and social care professionals in understanding the MCA, how it specifically relates to people with learning disabilities, and the roles and responsibilities of those supporting and working individuals. This pack aims to: empower people with learning disabilities to make their own decisions and ensure the rights of those who lack capacity are upheld build confidence in staff's own skills in using the act in practice develop practical skills in contributing to and completing capacity assessments in regards of a wide range of decisions develop confidence in participating and making best interest decisions develop the required knowledge to meet inspection requirements.

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