**Best Interests Decision – Best Practice Example 1**

**Describe the decision that needs to be made:**

Be as specific and accurate as you can.

1. A best interests decision can only be made once the person has been deemed to lack capacity for the decision in question.
2. The decision should be delayed wherever appropriate - e.g. if it is likely the person will regain capacity.

Decision around whether a long term placement at xxx (residential home) would be in Es best interests.

**List all of the options available to the person for example:**

* For E to remain resident at xxx on a long term basis.
* For E to return home.

In considering the options take account of:

* **What are the person's past and/or present wishes or feelings relation to the decision?**

E has stated that she would be happy to remain at xxx and although she did state

that, 'there's no place like home', she did also say that she was lonely at home and that she liked having the company of others.

* **What are the person's values and/or beliefs that relate to the decision (including cultural or religious considerations)?**

Prior to her dementia E was very house proud and also ensured that she was always clean and well dressed. Since the onset of her dementia E’s ability to manage her needs in this area has deceased. Prior to her dementia E would not have wished to be seen to be in this situation and this poses a risk to her personal dignity. E attends xxx (church) and has done so for a number of years, her Christian Faith is important to her as are her friendships with others who attend the church. This means that xxx is a good location for her if she is to remain in 24 hour care as it is close to the church she attends and the community she has lived in for most of her life.

* **Are there any other factors that the person would to be considered as part of the decision making process?**

No other factors.

* **What are the risks and benefits of each option?**

|  |
| --- |
| **Option One - Long term placement at xxx:**  |
| **Risks:** |
| This would mean E moving out of the home she has lived in for around 18 years and this could cause emotional distress.  |
| Most restrictive option in terms of E's freedom. |
| **Benefits:** |
| E's care needs can be met more effectively by staff at xxx as they will have more time to support her to wash and ensure she is wearing clean clothes. |
| If E were to have another fall staff would be able to support her or call emergency services on her behalf. |
| E will benefit from having the company of others. |
| E will no longer become distressed when people try to support her to ensure her home is clean.  |

|  |
| --- |
| **Option Two - For E to return home:**  |
| **Risks:** |
| E would be at greater risk if she were to have another fall as she is unable to raise the alarm herself or call emergency services.  |
| E would be unable to meet her needs around personal care and has been reluctant to accept support at home.  |
| E has previously had an incident where she set her microwave on fire and this could be a risk if she were to try to use her microwave at home again.  |
| E's mental health could deteriorate further due to a lack of interaction with others. |
| **Benefits:** |
| Least restrictive option. |
| E would be able to return to her own home in an environment which she is familiar. |

If an independent Mental Capacity Advocate (IMCA) has been instructed, summarise their involvement below.

* N/A

**Consultee Relationship Views/Comment:**

* SO (Cousin by marriage and POA): SO feels that it is in Es best interest to remain resident at xxx as she has been struggling to cope at home and when support is offered has become upset and agitated.
* EP (Cousin and POA): EP is in agreement with SO and feels that it would be in Es best interests to remain at xxx. She feels that Es dementia is progressing and that she is finding it harder to keep herself safe at home.

**Clearly state the decision reached and explain your rationale for it:**

1. *If there is disagreement consider the options outlined in the MCA Code of Practice: Involve an advocate*
2. *Get a second opinion or attempt some form of mediation*
3. *Pursue a complaint through the organisation's formal procedures*
4. *Approach the Court of Protection for a decision where all other attempts to resolve the disagreement have failed (seek legal advice)*

All involved feel that it would be in Elizabeth's best interests to remain resident at xxx due to the issues which have been raised when she was living at home. These being:

1. E was unable to keep her home clean without support and would become upset and agitated when support was offered/given.
2. E has had a number of falls at home and is unable to remember how to use her lifeline pendant to get help in these situations.
3. E is no longer able to use kitchen appliances safely and although she has had her gas cooker isolated, she has also set her microwave on fire. If this were removed, this would leave E with no cooking facilities at home.
4. E had not had a bath or shower for eighteen months prior to her most recent fall and had refused to have one when SO or carers offered support in this area. She had also worn the same clothes for several days and refused to change them, meaning that SO had had to throw underwear away as it was no longer usable.
5. E has a history of depression as well as her diagnosis of dementia. EP and SO both feel that Es lack of interaction with others whilst she was at home was having a negative impact on her mental health. E told me during assessment that she did sometimes feel lonely at home. Since being resident at xxx, staff have been able to spend more time with E and ensure that she has had a wash and is wearing clean clothes. She says that she likes having the company and is happy to remain at xxx.

I feel that due to the risks around safety at home and the fact that E would be unable to raise the alarm if she were to have another fall, as well as the issues surround her personal care and ability to maintain her home environment, a long term placement in a 24 hour care setting would be in Es best interests.

**Describe any circumstances in which a review of the decision would be necessary. Include the details of any review (date, location etc)**

Placement will be reviewed annually providing there are no concerns. If for any reason xxx were no longer to meet Es needs a review would also be required or if E or her family were at any time unhappy with the placement.

**Who will tell the person the decision is about what the outcome is?**

I will inform SO once the placement has been agreed at panel and will also inform xxx (residential home).

I will ask home manager to inform E that this decision has been made.

**Signature:**

**Date** 10-Apr-2018