

Appendix 2: Checklist for preparing to assess the mental capacity of someone with a learning disability

Think about the person being assessed

1. ☐ Do they have health issues that may affect their concentration (for example, flu)?
2. ☐ Is this the best time of day to assess their capacity? Some people concentrate better at certain times of the day and religious observances may have an impact.
3. ☐ Are they taking medication that could affect their concentration during the assessment?
4. ☐ Have you set aside enough time to do the assessment at the pace that works for the person and to answer their questions? You can have a second conversation with someone to make sure that they have understood what you are talking to them about.
5. ☐ Has a significant event occurred recently in their life (for example, bereavement/changing accommodation) or a more subtle event (for example, being upset by a friend)?

Communications needs

6. ☐ How does the person usually communicate? (for example, Makaton, their first language, assistive technology)
7. ☐ Does the person usually access assistance from others? If so, could that person be present during the assessment? If not, who can assist you in this situation?
8. ☐ Does the person need someone to sign or interpret for them? If so, arrange for an interpreter or signer to be present.
9. ☐ Does the person use hearing aids or glasses? If so, check they are wearing them before the assessment.
10. ☐ Have you prepared how you will give information in simple language when carrying out the assessment, avoiding jargon or acronyms? You may want to prepare communication aids such as Easy Read information or pictures to help you explain a procedure.
11. ☐ Has the person or their family/carer asked for more information or information in a different format, and have they been given it?

Environment

12. ☐ Is the environment where you will carry out the assessment free from noise and distractions?