

# APPENDIX 1

## EATING AND DRINKING WITH ACKNOWLEDGED RISK PATHWAY CAPACITY INFORMATION GATHERING TOOL



### WHAT IS THIS TOOL?

This tool provides a structured way for Speech and Language Therapists to consider systematically whether an adult requires a formal assessment of their capacity for decision making. It is designed to support professionals to consider key factors relating to an adult's capacity at an early point and record that information. It consists of two main parts and an appendix:

- **Part 1** – Captures standard biographical information about the adult for whom there is a query about capacity; the reason for the decision to refer for assessment; the presence of current risks to the adult; the adult's views; and any practical

Are there any known risks to staff?			
What are the key decisions facing the adult for which capacity is being queried?			
Who was consulted in forming your opinion of the adult's decision-making ability? (e.g. family, POA, MDT)			
Name	Relationship with Adult	Contact Details	View

### PART 2

Q: Does the adult have a cognitive impairment and/or mental health condition (diagnosed or suspected) or he/she is unable to communicate because of a physical disability?	Yes	No	Not Sure	For example: dementia, learning disability, brain injury, personality disorder, neurological condition, mental illness etc.	Condition

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If you have answered No to this question a capacity assessment is not applicable, however an adult may still be unable to safeguard themselves and appropriate Adult Support and Protection measures should be considered.

Q1: Do you consider the adult able to understand the information relevant to the decision? Has this information been provided in way that he/she is able to understand?	Yes	No	Not Sure	For example: a lady with learning disabilities who has never managed her own finances may need to receive information in an accessible manner. Information may need to be repeated.	Supporting Evidence
					Eg. Yes, the information has been presented in different formats and the person has shown a consistent understanding
Q2: Do you consider the adult able to retain the information for long enough to use it in order to make a choice or an effective decision?	Yes	No	Not Sure	An adult may need to be asked on several occasions to confirm the consistency of their response. Where a person has difficulty remembering the decision but answers consistently this makes their decision valid.	Supporting Evidence
					Eg. Yes, the person has shown they can retain the information for several days between sessions (Provide dates?)
Q3: Do you consider the adult able to use	Yes	No	Not Sure	This may include understanding the	Supporting Evidence

or weigh information about the decision as part of the process of making the decision?				<i>consequences of the decision for themselves and others and weighing up the possible outcomes in order to arrive at a decision.</i>	<b>Yes, able to give pros and cons</b>  Pros – XXXX  Cons- XXXX  These could be set and the same for all assessments ?
Q4: Do you consider the adult able to communicate the decision?	Yes	No	Not Sure	<i>Every effort should be made to facilitate communication including talking mats, sign language, interpreter, engaging Speech and Language Therapy etc.</i>	Supporting Evidence
					Eg. Yes they can use their Grid pad 3 to communicated clear responses
Q6: Have efforts been made to support the person to make the decision themselves?	Yes	No	Not Sure	<i>Interventions can be used to improve an individuals'</i> <ul style="list-style-type: none"> <li>• Ability to make decisions'</li> <li>• Memory or attention</li> <li>• Ability to organise and process information e.g. Speech and Language Therapy, Advocacy, Assisted Communication Aids, Translators and neuropsychology</li> </ul>	Supporting Evidence
					Eg: written advice given +/- Easy access format  Communication aid assessment and provision

**Summary and further information**

<b>Signature</b>		<b>Date Assessment Completed</b>	
<p>Once you have been through questions 1-6 on at least 2 occasions, please discuss the findings with your patient's MDT/GP/Consultant and include family/ POW as appropriate. This discussion should enable a decision to be made regarding the patient's capacity or highlight a need for a formal capacity assessment to be carried out.</p> <p>Sign/date this form and record the outcome within the adult's records</p>			

**Acknowledgement:** Adapted from documentation in use in NHS Forth Valley, NHS Lothian and City of Edinburgh Council.