

## What is the Tasmanian Aged Care and Rehabilitation Clinical Network?

The Aged Care and Rehabilitation Clinical Network is a group of members (largely clinicians) who want to work together across the boundaries of the sectors, to deliver more integrated, consistent, and evidence based services to people needing aged care and rehabilitation in Tasmania.

## Aim of the Clinical Network

The aim of the Aged Care and Rehabilitation Clinical Network is to increase the involvement of clinicians, service providers, and consumers in the state wide planning, delivery, evaluation and improvement of aged care and rehabilitation services in Tasmania.

NOW	UNDER DEVELOPMENT	FUTURE
Aged Care and Rehabilitation	Chronic Conditions	Critical Care
Cancer Care	Emergency Care	Urology Services
Palliative Care	Homecare and Childcare Services	
	Primary Mental Health	
	Respite Services	

## Capacity Toolkit Project

*The Capacity Toolkit is based on the NSW Department of Justice and Attorney General's Capacity Toolkit.*

The Tasmanian Capacity Toolkit is a resource for government and community workers, professionals, families and carers.

The toolkit aims to:

- provide information about the definition of capacity.
- provide primary principles on which the concept of capacity is assessed.
- outline when a capacity assessment may be needed.
- present guidelines for assessment of capacity to assist in conducting timely and consistent assessments across different decision domains.
- Provide information and resources facilitating capacity assessment.
- provide information about assisted decision making where possible.
- give information on what to do if there is a dispute about capacity.

## What is decision-making capacity?

The Individual must:-

- ✓ understand the facts
- ✓ understand the main choices
- ✓ weigh up the consequences
- ✓ communicate their decision

## When do I assess capacity?



- concern about the ability of an adult to make a decision for themselves
- look for triggers

## Capacity assessment trigger

- Demonstrated behaviour “risk of harm”, inconsistent with past behaviour.
- Suspected impaired decision making.
- Previous attempts to solve problem have failed.
- Substitute decision maker may solve problem.

## Assessing capacity

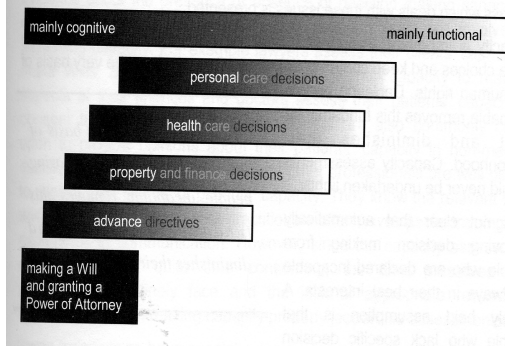
Use the 6 capacity assessment principles:

1. Always presume a person has capacity
2. Capacity is decision specific
3. Don't assume a person lacks capacity based on appearances
4. Assess the person's decision-making ability – not the decision they make
5. Respect a person's privacy
6. Substitute decision making is a last resort - consider assisted decision-making

## What types of decisions ?



Figure 1.1 The cognitive and functional parts in different domains



## 1. Presume capacity

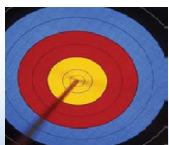
- Everyone is free to make their own decisions – self determination
- Balance protection of health and safety
- Think about culture, language and religion



If you challenge a person's capacity give reasons based on fact

## 2. Capacity is decision-specific

Assess capacity for EVERY decision EVERY time



- People can have capacity to make some decisions but not others

- Capacity can fluctuate

## 3. Don't assume lack of capacity due to appearances

Do not make assumptions based on:

- appearance
- age
- disability
- behaviour
- language skills, or
- any other condition



To do so may be unlawful discrimination.

## 4. Always assess the person's decision-making ability: not the decision they make

Dignity of risk

Question the decision if it:

- puts them at risk
- is very different to usual



## 5. Respect privacy

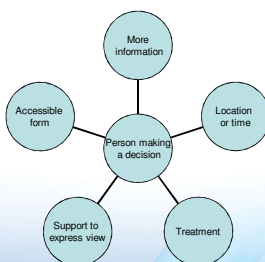
When assessing a person's capacity, you are dealing with their personal information.

'Personal information' generally means any information or opinion about a person that can identify that person.

Ask the person for consent to:

- collect
- use
- pass on information

## 6. Assisted decision-making



How can I access the Tasmanian Capacity Toolkit?

[www.clinicalnetworks.dhhs.tas.gov.au](http://www.clinicalnetworks.dhhs.tas.gov.au)

### Next Steps

- 1) Develop fact sheets to publicise capacity toolkit to target groups: consumers, health professionals, lawyers.
- 2) Education package to disseminate and present to target groups.
- 3) Consensus with legal groups as to best way to proceed.
- 4) Course for accreditation of capacity assessors?