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Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be as effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

4

An act done, or decision made, under this Act for or on behalf of a person who lacks capacity must be done, or made, in his best interests.

3

A person is not to be treated as unable to make a decision merely because he makes an unwise decision.

2

A person is not to be treated as unable to make a decision unless all practicable steps to help him to do so have been undertaken without success.

1

A person must be assumed to have capacity unless it is established that they lack capacity.

Hampshire Mental Capacity Toolkit

Part D – Risk Assessment

Best Interests Decision – Risk assessment

See your local risk policy guidance

Person's name _____ Address _____ Client Ref - CareDirector/ NHS number _____
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<p>What is the best interests decision/option that is being risk assessed?</p>

<p>1. What are the potential benefits?</p>	
<p>2. How likely are these to be achieved?</p>	
<p>3. What could go wrong? Is there a possibility that anyone may be harmed?</p>	
<p>4. a) How likely is this to occur? b) if something went wrong, what would the severity of the outcome be?</p>	
<p>5. What are the existing factors which promote benefit and reduce the chances of anything going wrong?</p>	
<p>6. What additional actions would promote benefits and reduce the chances of something going wrong?</p>	
<p>7. What risks will remain after action plan is in place?</p>	

<p>Decision maker:</p>	<p>Date:</p>
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