

Supported Decision Making: Brain injury case managers' experience of mental capacity and the mental capacity act

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BABICM

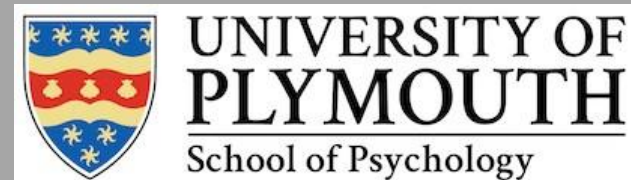
British Association of Brain Injury Case Managers



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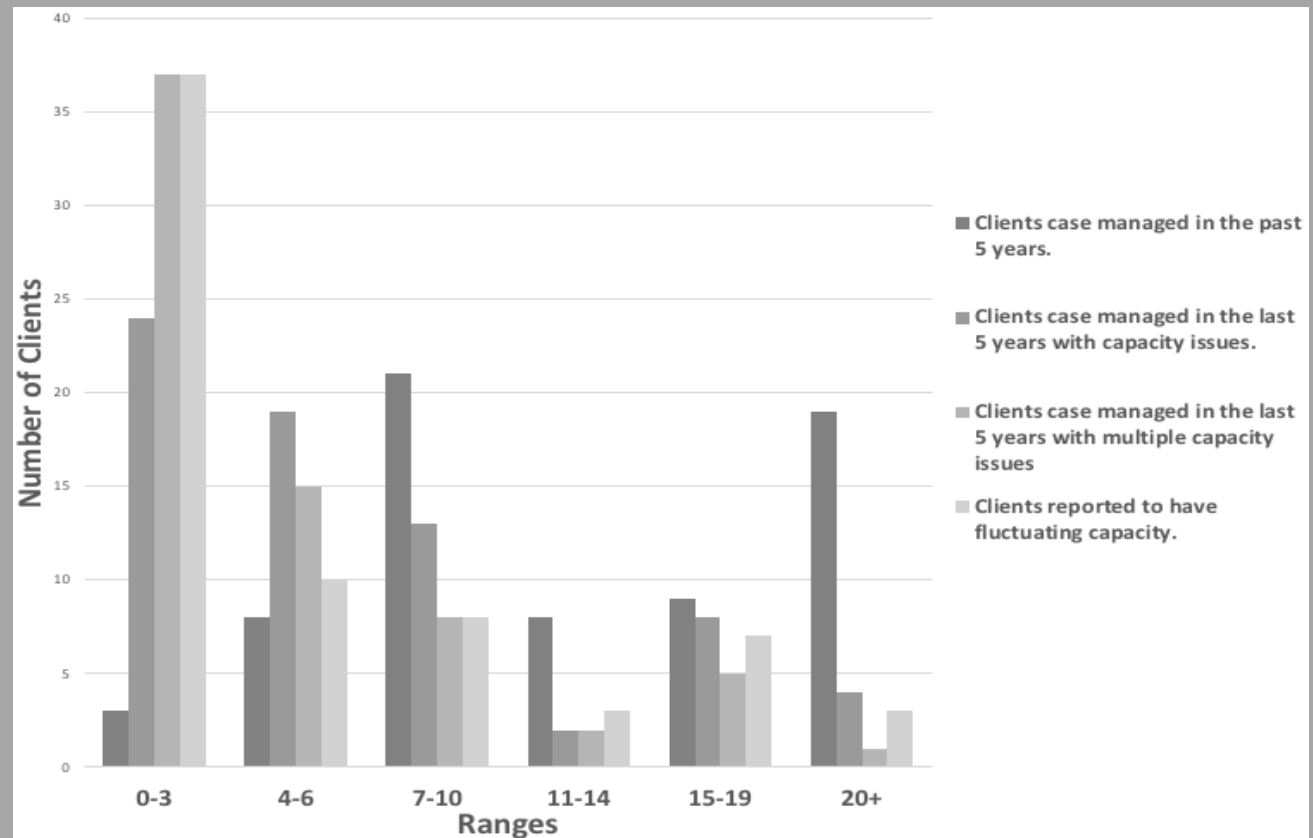
The Survey...

- Mixed methods survey – eight Quantitative questions; 19 Qualitative questions.
 - Dichotomous questions; 4- and 5- point Likert scales; Comment boxes.
- 93 BICMs took part
 - 66.7% fully completed the survey; 33.3% partially completed.
- All BICMs that took part had experience in case managing clients with ABI within the past five years.



Results:

- Average of 7 clients ($SD = 5.7$) with capacity issues.
- Average of 5 clients ($SD = 4.9$) with multiple capacity issues.
- Average of 6.5 clients ($SD = 9.6$) with fluctuating Capacity.



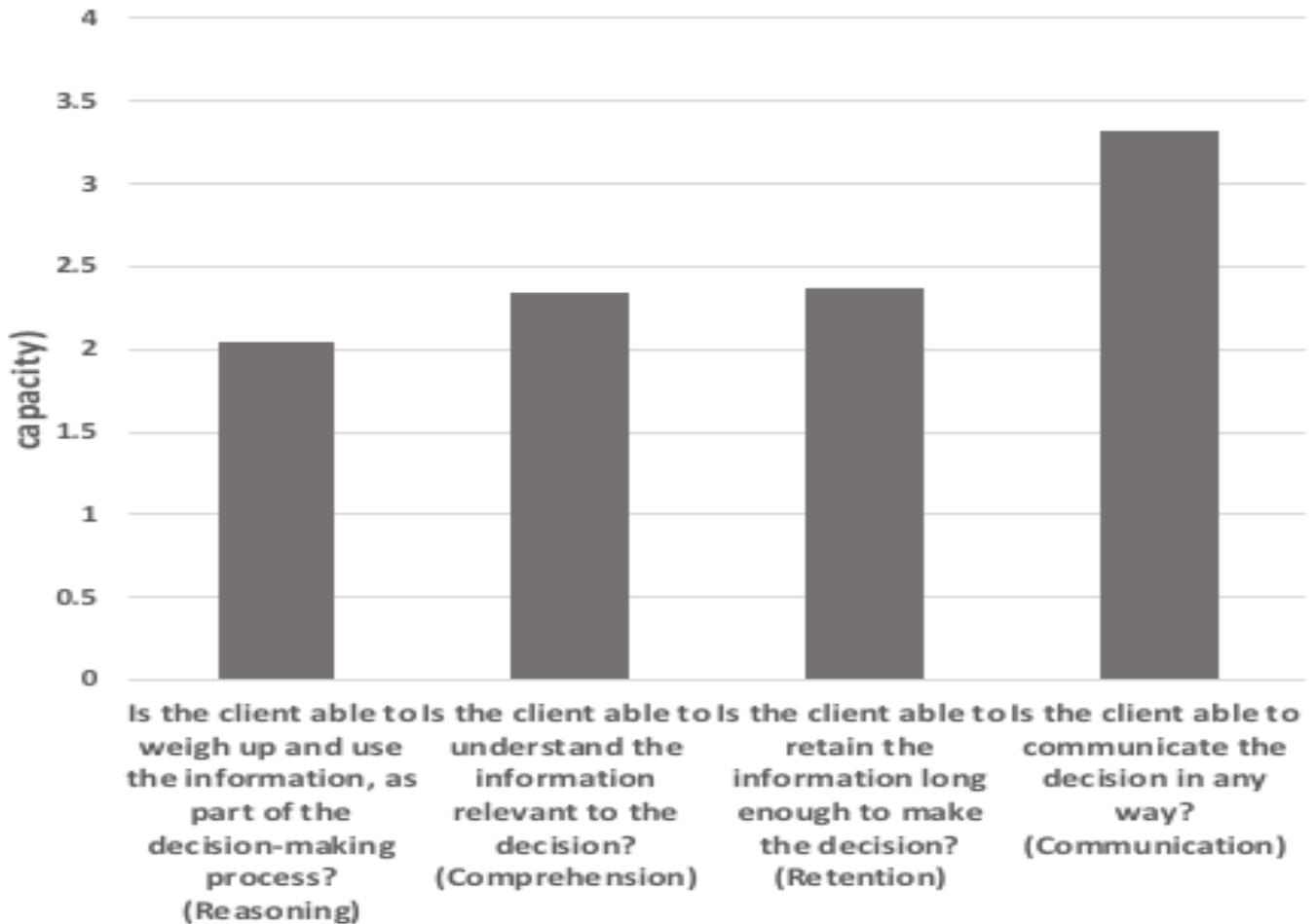
The Survey...

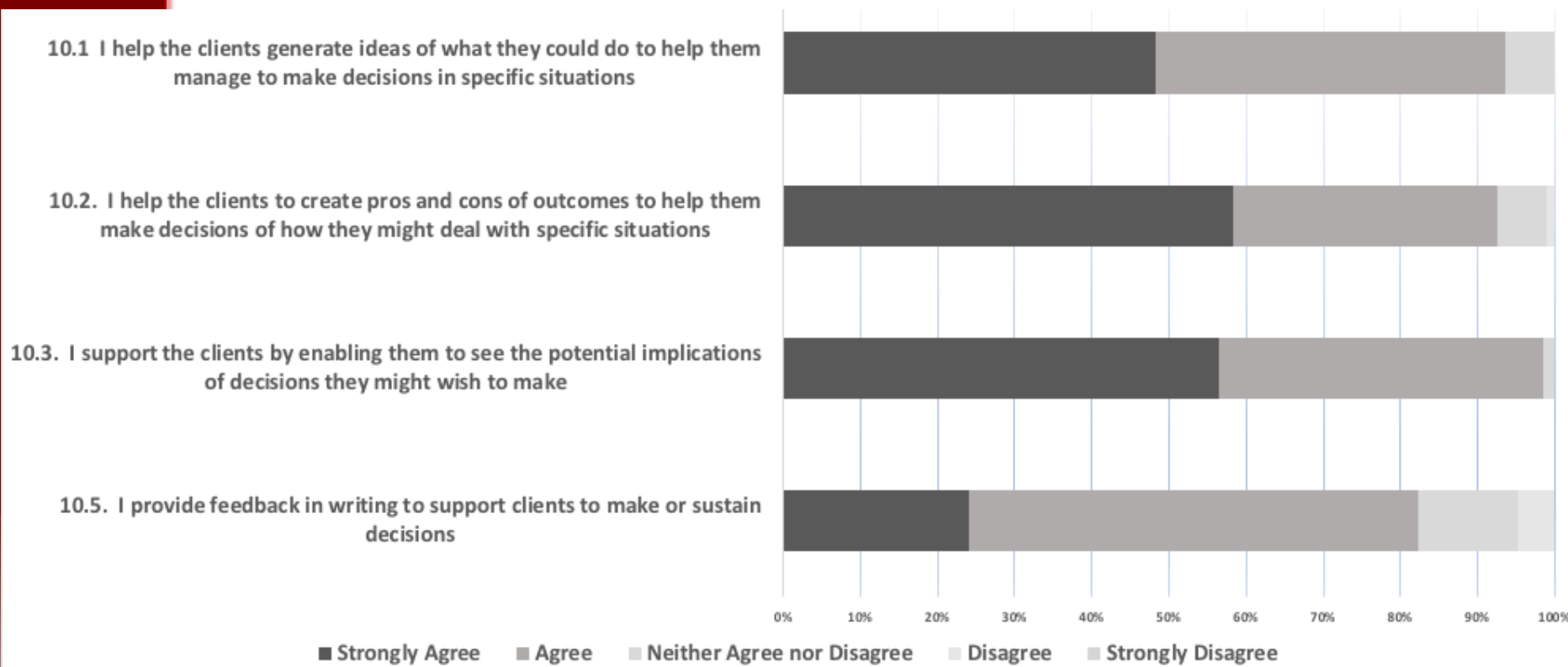
- 63.2% of BICMs reported having disagreements with other professionals/ services regarding the outcome of a capacity assessment.
- Social Services, Health Professionals, Independent Mental Capacity Assessors (BICMs), Psychologists, and Insurance Assessors.



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Mean Response (1 most likely to demonstrate a lack of capacity, 4 least likely to demonstrate a lack of capacity)





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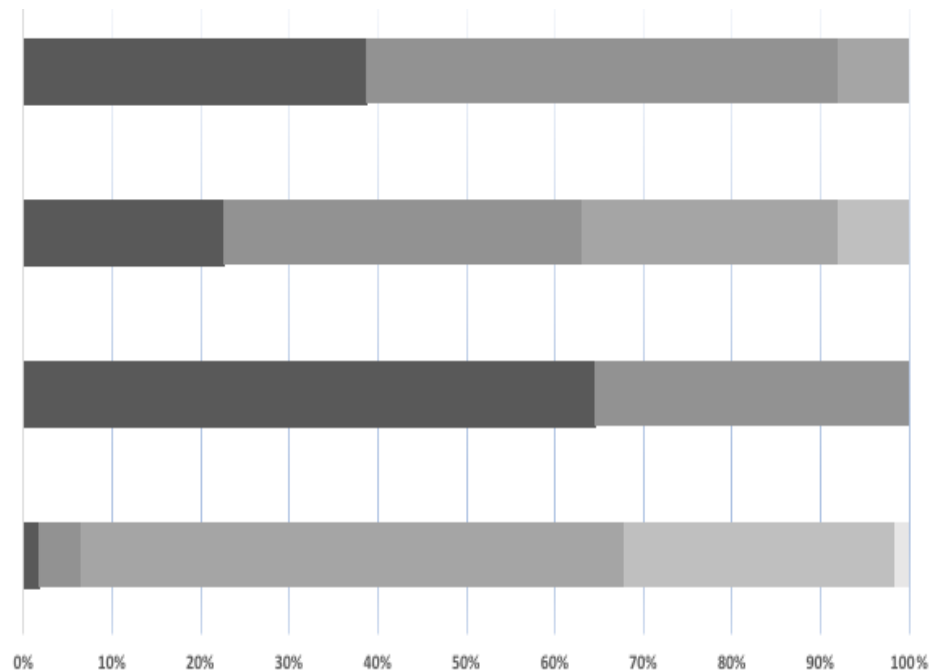
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10.4. I support the clients by engaging trusted family members or others into conversations regarding decisions

10.6. I believe a client's wishes and feelings are the most important factor in decision making

10.7. Knowing a client and their family well helps me support decision making

10.8. Family members are best placed to support decision making



■ Strongly Agree ■ Agree ■ Neither Agree nor Disagree ■ Disagree ■ Strongly Disagree



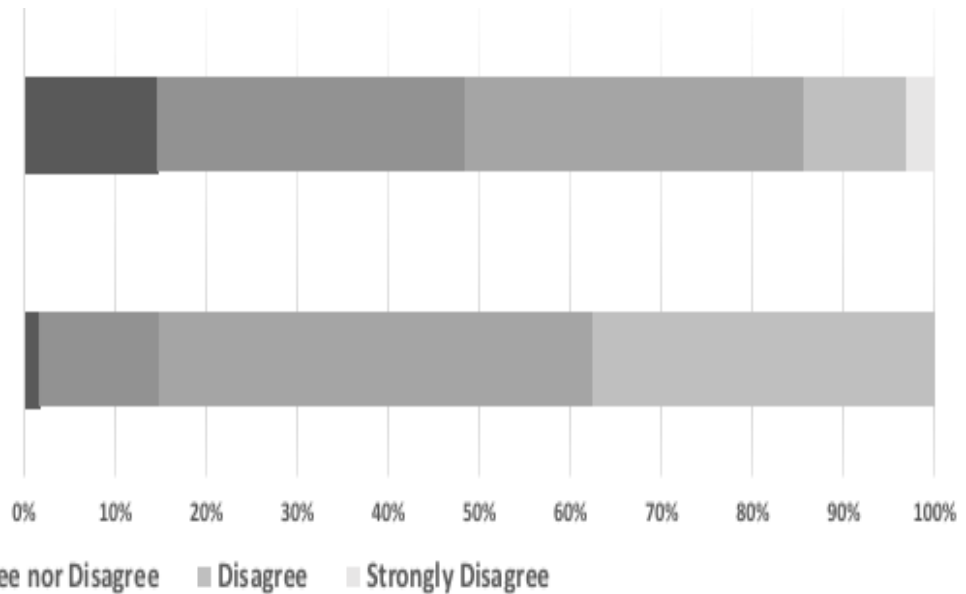
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10.9. My relationship is the main factor in supporting people make decisions

10.10. I make a defined written agreement with my client about my role in supporting decision making



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Qualitative Responses:

Issues with the Mental Capacity Act

Isolated Consultations

Intellectual Awareness

Assessors lack of knowledge of ABI

Welfare

Decisions regarding care

Financial Management

Vulnerability within the community

Living Arrangements

Independent Living

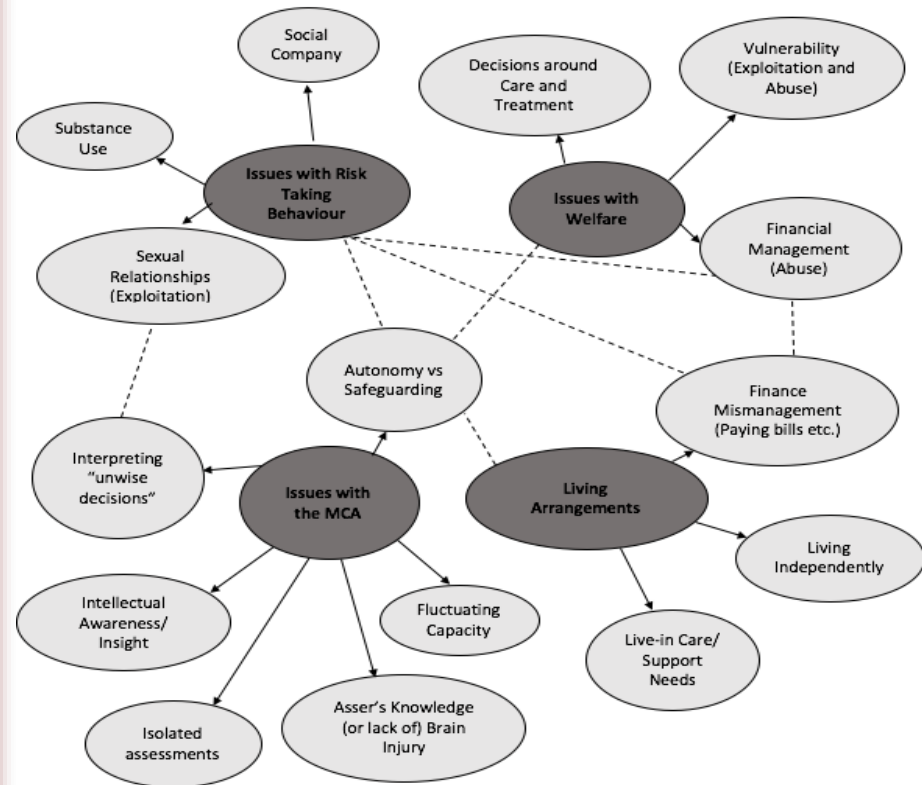
Financial Mismanagement

Risk-Taking Behaviour

Engagement in Sexual Relationships

Substance Use

The Company Kept



Key Points:

Disagreements between professionals' can leave clients in vulnerable positions without the appropriate safe guards in place.

Lack of knowledge of ABI, particularly insight and executive dysfunction is a reason for these discrepancies.

“Weighing up and using” most likely to demonstrate capacity issues.

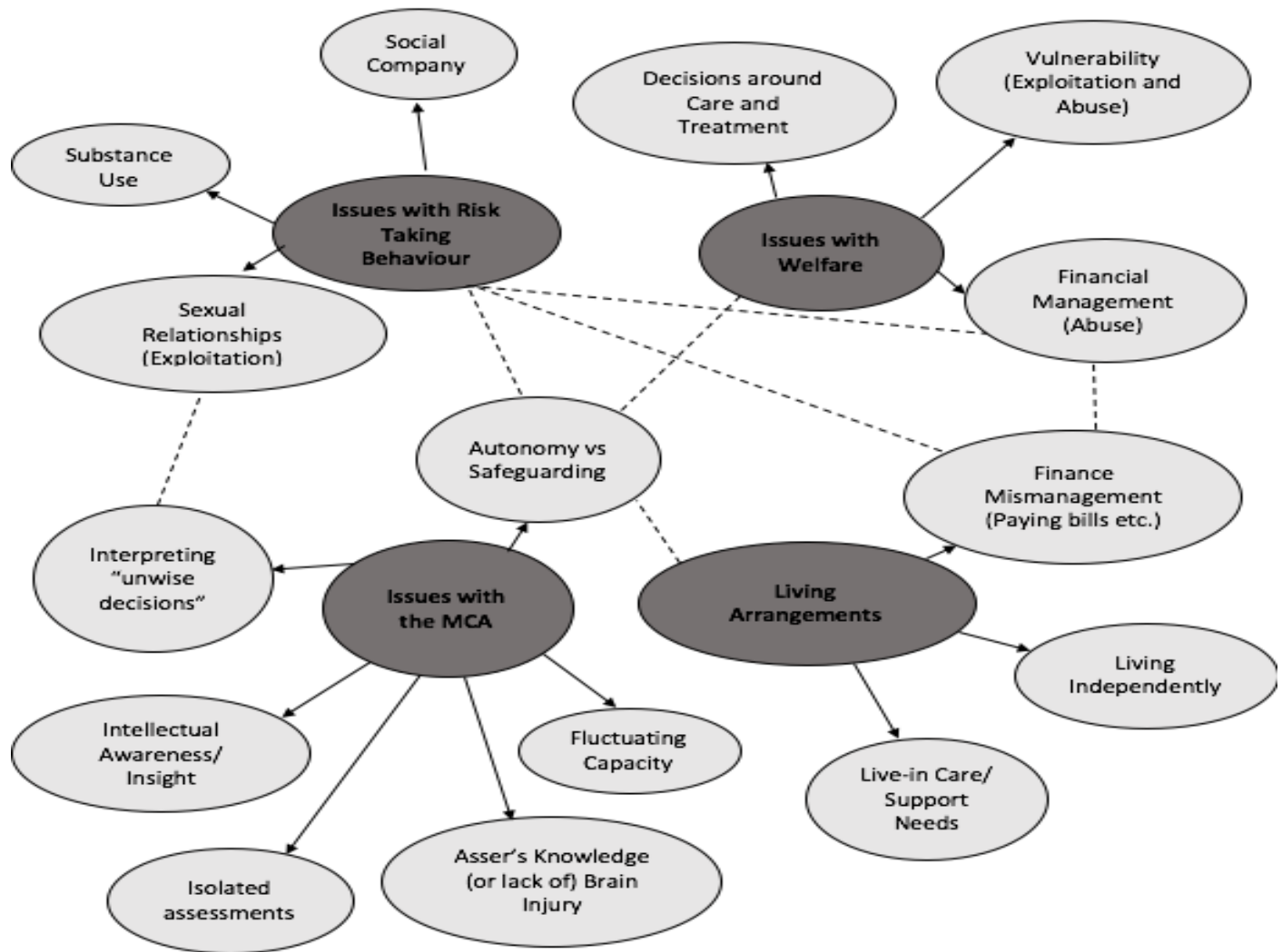
Lack of knowledge of the client, their family, and their situation

Decisions are interconnected

Unwise decision making

Resources





Interview study

- 12 Participants from the original survey, self-selecting.
- Semi-structured interviews based on eliciting further information from survey responses.

Orthographic transcription

Thematic analysis

Mixed thematic approach

Deductive framework – pre-constructed themes

← Top-down

Inductive framework – new themes

← Bottom-up

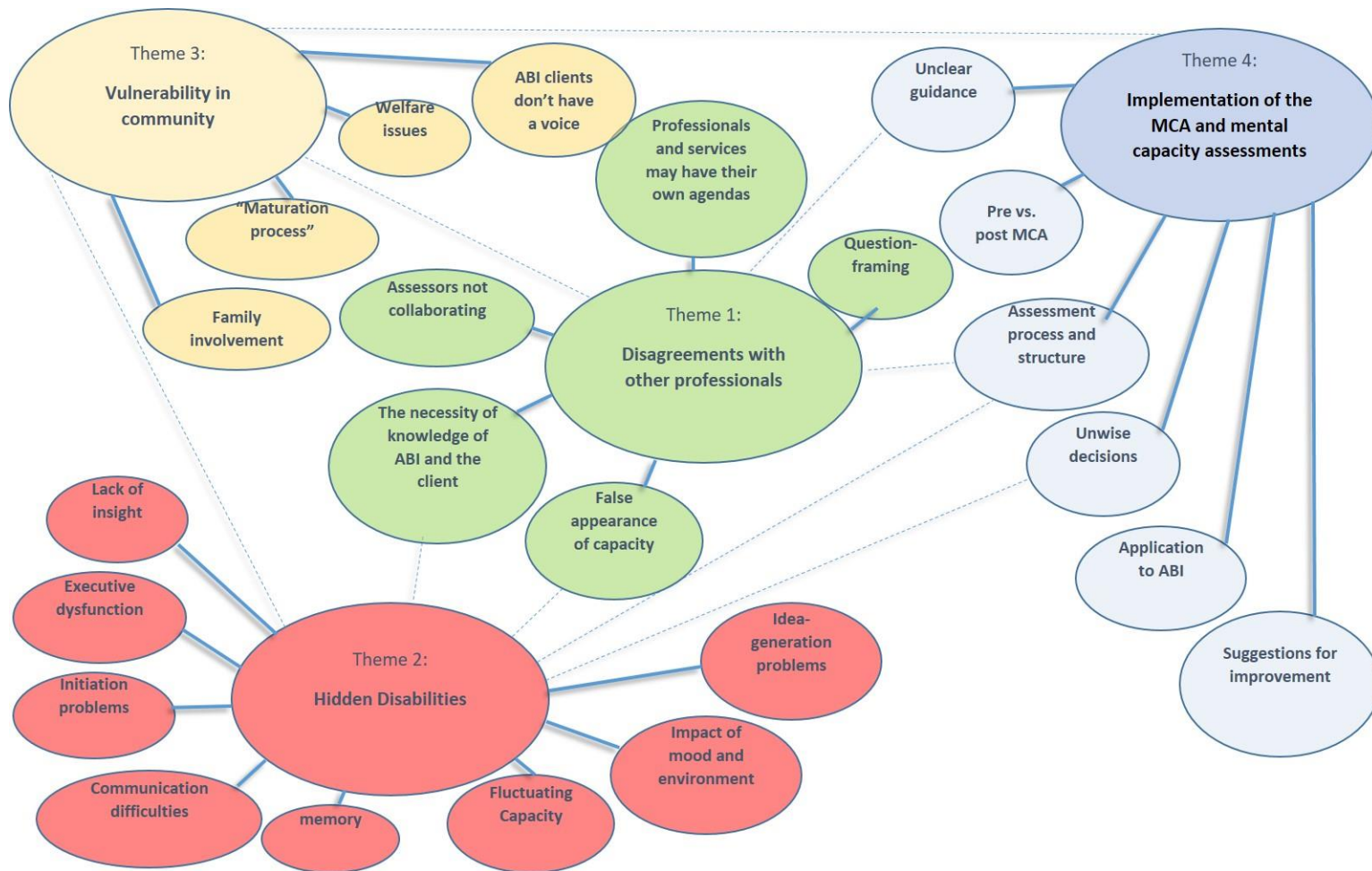


Themes

1. Disagreements with other professionals
2. Hidden Disabilities
3. Vulnerability in the community
4. Implementation of the MCA and mental capacity assessments



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1. Disagreements with other professionals

“We couldn’t apply for funding, we had to wait months before another person came out to come to the pretty obvious conclusion that this person does not have capacity”. (Interview participant (P)2).

“I don’t think it [the MCA] does equip people and [...] we hear again and again “well, the MCA said we have to assume there’s capacity until its proven otherwise and I’ve not seen any evidence otherwise” and we’re arguing “but you don’t know this person! You don’t know how their brain injury manifests and you’ve never spent time with them” [...] it is really frustrating that it’s not entirely clear with front-line professionals”

2. Hidden Disabilities

“Lack of insight, executive issues, processing information...generating ideas and problem solving, and seeing the implications of the decision in reality. Prospective decision making can be tricky...Fluctuations of mood, effects of anxiety, rigidity of thinking and lack of empathy impacts on decisions”. (S50).

“You might say to a client “oh what do you want to eat today?” and they’ll say “oh I’m not hungry” but actually it’s not because they’re not hungry it’s because they can’t generate an idea of what they might want to have [...] if you went to them and said “would you like pizza or pasta today?” they’ll go “I want pizza” because you’re generating that idea and they’re making a choice.” (P9).

3. Vulnerability in the community

“Client being used as an unpaid sex worker, extremely vulnerable in the community...drug using client who was sex working to fund her habit and other people’s” (S32).

“I had a client who [...] wanted to change the [...] care provider and [...] the social worker was like fighting against him [...] he wasn’t really being listened to at all [...]asked me to come in and [...] get his voice heard so we did that and the agency was changed then but [...] if he didn’t have my help he could have just been left with an agency he wasn’t happy with” (P12).

3. Welfare Issues

“we would routinely pick people up that have been discharged home with absolutely no support and they are left to fend for themselves really, in terms of trying to access services and they don't even know what to ask for”

“People with a brain injury don't have a voice”

1. Issues with the MCA and assessments

“Assessors are often not aware of or misunderstand the difference between someone with ABI stating they can perform a task and actually being able to initiate and carry through when left to their own devices”

“Most of the brain injury barely comes into it in the in the code of practice it’s all [...] dementia, people with learning disability, and the sorts of capacity issues that I deal with my clients so, ‘does this person have capacity to be buying cocaine from the dealer that rings him?’ ‘Does this person have capacity to enter into a sexual relationship with a girl and does [...] he appreciate whether or not she’s under 16? [...] there’s nothing about any of that.” (P6).

4. Disagreements with other professionals

“The biggest issue is people carrying out assessments who don’t actually have any knowledge or understanding of brain injury”

“because case managers are working in the private sector sometimes we are seen as outsiders, particularly within social services, it can get quite argumentative”

Conclusions

The findings highlight the need for changes to the way mental capacity assessments are conducted and the need for training for professionals in the hidden effects of ABI.



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Thank you

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