

Draft

Dated: 26/11/2018

Index

A Few of Some off the Mental Health Acts of Law and Section + Case Files

- Mental Capacity Care Act 2014

- Mental Capacity Act 2005

- Mental Health Act 2007

- Mental Health Act 1983

- Mental Health Act 1959

- Human Rights Act 1998 section 2) 3) 4) 5) +

- Care Act 2014

- Care Standards Act 2000

- Criminal Justice Act 2003 "Mental Health Acts"

- The Criminal Justice Act, 1925.

The Criminal Justice Act, 1925.

<https://www.legislation.gov.uk/ukpga/Geo5/15-16/86/section/41>

- Criminal Procedure (Insanity and Unfitness to Plead) Act 1991

- Criminal Procedure (Insanity) Act 1964

- Domestic Violence Crime and Victims Act 2004

- Health and Social Care Act 2012

- **The Mental Deficiency Act 1913**

You

Sent by you:

is this act still in force: ● The Mental Deficiency Act 1913

Copilot

Using **the web**

Sent by Copilot:

No, the Mental Deficiency Act 1913 is no longer in force. [It was repealed by the Mental Health Act 1959¹. This act originally provided for the institutional treatment of individuals deemed “feeble-minded” or “moral defectives,” but its provisions were replaced and updated by later legislation¹.](#)

Is there anything specific you were curious about regarding this act?

- **Mental Treatment Act 1930**

is this act still in force: ● Mental Treatment Act 1930

Copilot

Using **the web**

Sent by Copilot:

No, the Mental Treatment Act 1930 is no longer in force. [It was repealed by the Mental Health Act 1959¹². The Mental Treatment Act 1930 was significant for allowing voluntary admissions to psychiatric hospitals and replacing the term “asylum” with “mental hospital”².](#)

Is there anything specific you were curious about regarding this act or mental health legislation in general?

- **Diagnostic and Statistical Manual of Mental Disorders**
<https://icd.who.int/browse11/l-m/en>

The National Assistance Act, 1948.

<https://www.legislation.gov.uk/ukpga/Geo6/11-12/29>

The National Health Service Act, 1946.

<http://www.legislation.gov.uk/ukpga/Geo6/9-10/81/enacted>

The National Health Service (Amendment) Act, 1949.

<http://www.legislation.gov.uk/ukpga/Geo6/12-13-14/93/contents>

National Health Service Act 2006

<https://www.legislation.gov.uk/ukpga/2006/41/contents>

The Partnership Act, 1890.

<https://www.legislation.gov.uk/ukpga/Vict/53-54/39/contents>

The Juries Act, 1870.

<http://www.legislation.gov.uk/ukpga/1974/23/enacted>

The Prison Act, 1952

<https://www.legislation.gov.uk/ukpga/Geo6and1Eliz2/15-16/52/contents>

The Criminal Appeal Act, 1907

Criminal Appeal Act 1995

<https://www.legislation.gov.uk/ukpga/1995/35/contents>

The Trial of Lunatics Act, 1883

<http://www.legislation.gov.uk/ukpga/Vict/46-47/38/section/2>

Prescription Act 1832

<https://www.legislation.gov.uk/ukpga/Will4/2-3/71/contents>

The Trial of Lunatics Act, 1883

<http://www.legislation.gov.uk/ukpga/Vict/46-47/38/section/2>

Medication act 1968

Medicines act 2012

Human medicines regulations 2017

Misuse of Drugs Act 2001

The London Government Act. 1939.

The London Government Act 2000

The Trustee Act, 1925

The Trustee Act, 2000

Madhouses Act 1832

Madhouses Act 1774

Lunacy Act 1890

Lunacy Act 1845

The Criminal Lunatics Act, 1884

The Criminal Lunatic Asylums Act, 1860

<https://www.princeton.edu/~graphicarts/2012/10/ward.html>

The Mental Deficiency Act 1913

The Mental Deficiency (Amendment) Act, 1925

Mental Treatment Act 1930

Marriage of Lunatics Act 1811

https://en.wikipedia.org/wiki/Marriage_of_Lunatics_Act_1811

County Asylums Act 1845

County Asylums Act 1808

Idiots Act 1886

The Court of Chancery Act, 1852.

The Pluralities Act, 1850

The Pluralities Act, 1838

<https://www.legislation.gov.uk/ukpga/Vict/1-2/106/contents>

<https://en.wikipedia.org/wiki/Benefice>

The Quarter Sessions Act, 1849

The Judgments Act, 1838

The Supreme Court of Judicature (Consolidation) Act, 1925

The Incumbents Resignation Act, 1871

The Consolidated Fund (Permanent Charges Redemption) Act, 1873

The Magistrates' Courts Act, 1952

The Sexual Offences Act, 1956

The Children and Young Persons Act, 1933

The Matrimonial Proceedings (Children) Act, 1958

The Police, Factories, &c. (Miscellaneous Provisions) Act. 1916

The Elementary School Teachers (Superannuation) Act, 1898

The School Teachers (Superannuation) Act, 1918

The Teachers (Superannuation) Act, 1925

The Education Act, 1944

The Education (Miscellaneous Provisions) Act, 1948.

The Education (Miscellaneous Provisions) Act 1948 was an Act of the UK Parliament that aimed to amend several existing education laws. Key provisions included:

- **Amendments to the Education Acts of 1944 and 1946:** These changes were intended to improve the administration and delivery of education.
- **Provisions for children incapable of receiving education:** This included amendments to the Mental Deficiency Act 1913.
- **Minimum age of employment:** Adjustments were made to the Children and Young Persons' Act 1933 regarding the minimum age for employment.
- **Provision of clothing:** [Local authorities were empowered to provide clothing for pupils who were unable to take full advantage of their education due to unsuitable or inadequate clothing¹².](#)

[The Act was repealed on November 1, 1996, by the Education Act 1996¹.](#)

Is there a specific aspect of this Act you are interested in?

The Law of Property Act, 1922

The Law of Property Act, 1925

The Settled Land Act, 1925

The Land Registration Act, 1925

[The Administration of Estates Act, 1925](#)

[The Agricultural Holdings Act, 1948](#)

[The Matrimonial Causes Act, 1950](#)

The Matrimonial Causes Act 1950 was a UK law that consolidated various enactments related to matrimonial causes in the High Court of England. It covered several key areas:

- **Divorce and Nullity:** The Act provided grounds for divorce, such as adultery, desertion, and cruelty. It also addressed the nullity of marriages.
- **Judicial Separation:** It allowed for judicial separation, which is a legal process by which a married couple could live apart without divorcing.
- **Maintenance and Property:** The Act included provisions for alimony and maintenance, ensuring financial support for spouses and children after separation or divorce.
- **Legitimacy and Validity:** [It dealt with declarations of legitimacy and the validity of marriages, as well as British nationality issues¹².](#)

Is there a specific aspect of this Act you are interested in?

Mental Health Intro History

The Madhouses Act 1774 created a Commission of the Royal College of Physicians with powers to grant licences to premises housing "lunatics" in London; Justices of the Peace were given these powers elsewhere in England and Wales.

Failure to gain a licence resulted in a hefty fine. Admission to a "madhouse" required certification signed by a doctor, and lists of detained residents became available for public inspection.

This Act was later considered ineffectual and was repealed by the Madhouses Act 1828, itself repealed shortly afterwards by the Madhouses Act 1832.

These Acts altered the composition of the Commission in several ways, such as including barristers in addition to doctors.

The Lunacy Act 1845 and the County Asylums Act 1845 together gave mental hospitals or "asylums" the authority to detain "lunatics, idiots and persons of unsound mind". Each county was compelled to provide an asylum for "pauper lunatics", who were removed from workhouses into the aforementioned asylums. The "Lunatic Commission" was established to monitor asylums, their admissions, treatments and discharges.

Both these acts were repealed by the Lunacy Act 1890. This introduced "reception orders", authorising detention in asylums.

These orders had to be made by a specialised Justice of the Peace and lasted one year. Thereafter, detention could be renewed at regular intervals by submission of a medical report to the Lunacy Commission.

The Mental Deficiency Act 1913 renamed the Lunacy Commission the "Board of Control" and increased the scope of its powers. The functions of the Board of Control were subsequently altered by the Mental Treatment Act 1930 and the National Health Service Act 1946.

The Lunacy Act 1890 was repealed following World War II by the Mental Health Act 1959.

This Act abolished the Board of Control, and aimed to provide informal treatment for the majority of people suffering from mental disorders, whilst providing a legal framework such that such people could, if necessary, be detained in hospital against their will. It also aimed to make local councils responsible for the care of mentally disordered people who did not require hospital admission.

However, like its predecessors, the 1959 Act did not provide clarity as to whether a legal order to detain a mentally disordered person in hospital also empowered the hospital to impose medical treatment against the person's wishes. It had become clear by the 1970s that a specific legal framework for medical treatments such as psychiatric medications, electroconvulsive therapy and psychosurgery was needed in order to balance the rights of detained persons with society as a whole.

The Mental Health Act 1983 was formally approved by the monarch on 9 May 1983 and came into effect on 30 September that year. It has been amended three times: first in 1995, again in 2001 (via remedial order, issued on the grounds of incompatibility with the European Convention of Human Rights under the Human Rights Act 1998 section 4), and once more in 2007.

Information

6 R's (Right Drug, Right Dose, Right Route, Right Time, Right Patient, Right Documentation) of Medication Safety.

The Five Rights of Medication Administration. One of the recommendations to reduce medication errors and harm is to use the "five rights": the right patient, the right drug, the right dose, the right route, and the right time.

7 rights of a patient

The Seven Rights

- Right Patient.
- Right Drug.
- Right Route.
- Right Dose.
- Right Time.
- Right Documentation.
- Right to Refuse.

Pom means in medication?

Any medicinal product that is not a Prescription Only Medicine or a General Sale List medicine is a Pharmacy medicine. There are, therefore, three classes of products under the Medicines Act 1968, namely: (1) General Sale List medicines (GSL). (2) Pharmacy medicines (P). (3) Prescription Only Medicines (POM).

What are the 6 principles of care?

There are six main principles behind the Standards: --

- Dignity.
- Privacy.
- Choice.
- Safety.
- Realising Potential.
- Equality and Diversity.
-

What are the 6 principles of safeguarding?

Six Principles of Adult Safeguarding: --

- Empowerment. People are supported and encouraged to make their own decisions and informed consent. ...
- Prevention. It is better to take action before harm occurs. ...
- Proportionality. The least intrusive response appropriate to the risk presented. ...
- Protection. ...
- Partnership. ...
- Accountability.

Useful Links: --

<http://studymore.org.uk>

Diagnostic and Statistical Manual of Mental Disorders

Psychiatrists in the UK tend to use the World Health Organisation's International Classification of Diseases (ICD) system to diagnose mental health conditions, rather than DSM, which is used in the US

- **Diagnostic and Statistical Manual of Mental Disorders**
- **(ICD) system / Uk**

ICD-11: --

For Mortality and Morbidity Statistics (ICD-11 MMS)

2018 version: --

<https://icd.who.int/browse11/l-m/en#/http%3a%2f%2fid.who.int%2fid%2fentity%2f1516623224>

06 Mental, behavioural or neurodevelopmental disorders

Neurodevelopmental disorders

01	Disorders of intellectual development	6A00
02	Developmental speech or language disorders	6A01
03	Autism spectrum disorder	6A02
04	Developmental learning disorder	6A03
05	Developmental motor coordination disorder	6A04
06	Attention deficit hyperactivity disorder	6A05
07	Stereotyped movement disorder	6A06
08	Primary tics or tic disorders	8A05.0
09	Secondary neurodevelopmental syndrome	6E60
10	Other specified neurodevelopmental disorders	6A0Y
11	Neurodevelopmental disorders, unspecified	6A0Z

06 Mental, behavioural or neurodevelopmental disorders

Schizophrenia or other primary psychotic disorders		
12	Schizophrenia	6A20
13	Schizoaffective disorder	6A21
14	Schizotypal disorder	6A22
15	Acute and transient psychotic disorder	6A23
16	Delusional disorder	6A24
17	Symptomatic manifestations of primary psychotic disorders	6A25
Substance-induced psychotic disorders		
18	Secondary psychotic syndrome	6E61
19	Other specified schizophrenia or other primary psychotic disorders	6A2Y
20	Schizophrenia or other primary psychotic disorders, unspecified	6A2Z
<u>Catatonia</u>		
21	Catatonia associated with another mental disorder	6A40
22	Catatonia induced by psychoactive substances, including medications	6A41
23	Secondary catatonia syndrome	6E69
24	Catatonia, unspecified	6A4Z
<u>Mood disorders</u>		
Bipolar or related disorders		
Depressive disorders		
25	Symptomatic and course presentations for mood episodes in mood disorders	6A80
<u>Mood disorders</u>		
Substance-induced mood disorders		
26	Secondary mood syndrome	6E62
27	Other specified mood disorders	6A8Y
28	Mood disorders, unspecified	6A8Z
<u>Anxiety or fear-related disorders</u>		
29	Generalised anxiety disorder	6B00
30	Panic disorder	6B01
31	Agoraphobia	6B02
32	Specific phobia	6B03

33	Social anxiety disorder	6B04
34	Separation anxiety disorder	6B05
35	Selective mutism	6B06
<u>Anxiety or fear-related disorders</u>		
Substance-induced anxiety disorders		
36	Hypochondriasis	6B23
37	Secondary anxiety syndrome	6E63
38	Other specified anxiety or fear-related disorders	6B0Y
39	Anxiety or fear-related disorders, unspecified	6B0Z
<u>Obsessive-compulsive or related disorders</u>		
40	Obsessive-compulsive disorder	6B20
41	Body dysmorphic disorder	6B21
42	Olfactory reference disorder	6B22
43	Hypochondriasis	6B23
44	Hoarding disorder	6B24
45	Body-focused repetitive behaviour disorders	6B25
<u>Obsessive-compulsive or related disorders</u>		
Substance-induced obsessive-compulsive or related disorders		
46	Secondary obsessive-compulsive or related syndrome	6E64
47	Tourette syndrome	8A05.00
48	Other specified obsessive-compulsive or related disorders	6B2Y
49	Obsessive-compulsive or related disorders, unspecified	6B2Z
<u>Disorders specifically associated with stress</u>		
50	Post-traumatic stress disorder	6B40
51	Complex post-traumatic stress disorder	6B41
52	Prolonged grief disorder	6B42
53	Adjustment disorder	6B43
54	Reactive attachment disorder	6B44

55	Disinhibited social engagement disorder	6B45
56	Other specified disorders specifically associated with stress	6B4Y
57	Disorders specifically associated with stress, unspecified	6B4Z
<u>Dissociative disorders</u>		
58	Dissociative neurological symptom disorder	6B60
59	Dissociative amnesia	6B61
60	Trance disorder	6B62
61	Possession trance disorder	6B63
62	Dissociative identity disorder	6B64
63	Partial dissociative identity disorder	6B65
64	Depersonalization-derealization disorder	6B66
65	Secondary dissociative syndrome	6E65
66	Other specified dissociative disorders	6B6Y
67	Dissociative disorders, unspecified	6B6Z
<u>Feeding or eating disorders</u>		
68	Anorexia Nervosa	6B80
69	Bulimia Nervosa	6B81
70	Binge eating disorder	6B82
71	Avoidant-restrictive food intake disorder	6B83
72	Pica	6B84
73	Rumination-regurgitation disorder	6B85
74	Other specified feeding or eating disorders	6B8Y
75	Feeding or eating disorders, unspecified	6B8Z
<u>Elimination disorders</u>		
76	Enuresis	6C00
77	Encopresis Elimination disorders, unspecified	6C01 6C0Z
<u>Disorders of bodily distress or bodily experience</u>		
78	Bodily distress disorder	6C20
79	Body integrity dysphoria	6C21

80	Other specified disorders of bodily distress or bodily experience	6C2Y
81	Disorders of bodily distress or bodily experience, unspecified	6C2Z
<u>Disorders due to substance use or addictive behaviours 1 OF 2</u> Disorders due to substance use		
82	Disorders due to use of alcohol	6C40
83	Disorders due to use of cannabis	6C41
84	Disorders due to use of synthetic cannabinoids	6C42
85	Disorders due to use of opioids	6C43
86	Disorders due to use of sedatives, hypnotics or anxiolytics	6C44
87	Disorders due to use of cocaine	6C45
88	Disorders due to use of stimulants including amphetamines, methamphetamine or methcathinone	6C46
89	Disorders due to use of synthetic cathinones	6C47
90	Disorders due to use of caffeine	6C48
91	Disorders due to use of hallucinogens	6C49
92	Disorders due to use of nicotine	6C4A
93	Disorders due to use of volatile inhalants	6C4B
94	Disorders due to use of MDMA or related drugs, including MDA	6C4C
95	Disorders due to use of dissociative drugs including ketamine and phencyclidine [PCP]	6C4D
96	Disorders due to use of other specified psychoactive substances, including medications	6C4E
97	Disorders due to use of multiple specified psychoactive substances, including medications	6C4F
98	Disorders due use of unknown or unspecified psychoactive substances	6C4G
99	Disorders due to use of non-psychoactive substances	6C4H
100	Catatonia induced by psychoactive substances, including medications	6A41
101	Other specified disorders due to substance use	6C4Y
102	Disorders due to substance use, unspecified	6C4Z
<u>Disorders due to substance use or addictive behaviours 2 OF 2</u> Disorders due to addictive behaviours		
103	Gambling disorder	6C50
104	Gaming disorder	6C51

105	Other specified disorders due to addictive behaviours	6C5Y
106	Disorders due to addictive behaviours, unspecified	6C5Z
<u>Impulse control disorders</u>		
107	Pyromania	6C70
108	Kleptomania	6C71
109	Compulsive sexual behaviour disorder	6C72
110	Intermittent explosive disorder	6C73
<u>Substance-induced impulse control disorders</u>		
111	Gambling disorder	6C50
112	Gaming disorder	6C51
113	Secondary impulse control syndrome	6E66
114	Body-focused repetitive behaviour disorders	6B25
115	Other specified impulse control disorders	6C7Y
116	Impulse control disorders, unspecified	6C7Z
<u>Disruptive behaviour or dissocial disorders</u>		
117	Oppositional defiant disorder	6C90
118	Conduct-dissocial disorder	6C91
119	Other specified disruptive behaviour or dissocial disorders	6C9Y
120	Disruptive behaviour or dissocial disorders, unspecified	6C9Z
<u>Personality disorders and related traits</u>		
121	Personality disorder	6D10
122	Prominent personality traits or patterns	6D11
123	Secondary personality change	6E68
<u>Paraphilic disorders</u>		
124	Exhibitionistic disorder	6D30
125	Voyeuristic disorder	6D31

126	Pedophilic disorder	6D32
127	Coercive sexual sadism disorder	6D33
128	Frotteuristic disorder	6D34
129	Other paraphilic disorder involving non-consenting individuals	6D35
130	Paraphilic disorder involving solitary behaviour or consenting individuals	6D36
131	Paraphilic disorders, unspecified	6D3Z
<u>Factitious disorders</u>		
132	Factitious disorder imposed on self	6D50
133	Factitious disorder imposed on another	6D51
134	Factitious disorders, unspecified	6D5Z
<u>Neurocognitive disorders</u>		
135	Delirium	6D70
136	Mild neurocognitive disorder	6D71
137	Amnestic disorder	6D72
<u>Dementia</u>		
138	Secondary neurocognitive syndrome	6E67
139	Other specified neurocognitive disorders	6E0Y
140	Neurocognitive disorders, unspecified	6E0Z
<u>Mental or behavioural disorders associated with pregnancy, childbirth and the puerperium</u>		
141	Mental or behavioural disorders associated with pregnancy, childbirth and the puerperium, without psychotic symptoms	6E20
142	Mental or behavioural disorders associated with pregnancy, childbirth or the puerperium, with psychotic symptoms	6E21
143	Mental or behavioural disorders associated with pregnancy, childbirth and the puerperium, unspecified	6E2Z
144	Psychological or behavioural factors affecting disorders or diseases classified elsewhere	6E40
145	Mental disorder affecting disorders or diseases classified elsewhere	6E40.0
146	Psychological symptoms affecting disorders or diseases classified elsewhere	6E40.1
147	Personality traits or coping style affecting disorders or diseases classified elsewhere	6E40.2

148	Maladaptive health behaviours affecting disorders or diseases classified elsewhere	6E40.3
149	Stress-related physiological response affecting disorders or diseases classified elsewhere	6E40.4
150	Other specified psychological or behavioural factors affecting disorders or diseases classified elsewhere	6E40.Y
151	Psychological or behavioural factors affecting disorders or diseases classified elsewhere, unspecified	6E40.Z

Secondary mental or behavioural syndromes associated with disorders or diseases classified elsewhere

152	Secondary neurodevelopmental syndrome	6E60
153	Secondary psychotic syndrome	6E61
154	Secondary mood syndrome	6E62
155	Secondary anxiety syndrome	6E63
156	Secondary obsessive-compulsive or related syndrome	6E64
157	Secondary dissociative syndrome	6E65
158	Secondary impulse control syndrome	6E66
159	Secondary neurocognitive syndrome	6E67
160	Secondary personality change	6E68
161	Secondary catatonia syndrome	6E69
162	Delirium due to disease classified elsewhere	6D70.0
163	Other specified secondary mental or behavioural syndrome	6E6Y
164	Secondary mental or behavioural syndrome, unspecified	6E6Z

End:

ICD Revision 10 (1990)

ICD-10 is the 10th revision of the International Statistical Classification of Diseases and Related Health Problems (ICD), a medical classification list by the World Health Organization (WHO).

It contains codes for diseases, signs and symptoms, abnormal findings, complaints, social circumstances, and external causes of injury or diseases.

Work on ICD-10 began in 1983, in 1990 it was endorsed by the Forty-third World Health Assembly, and was first used by member states in 1994.

The British Psychological Society (BPS) ... of 'schizophrenia' or 'personality disorder'

F00 to F09: Organic, including symptomatic, mental disorders

F00 Dementia in Alzheimer's disease

F01 Vascular dementia

F02 Dementia in other diseases classified elsewhere

F03 Unspecified dementia

F04 Organic amnesic syndrome, not induced by alcohol and other psychoactive substances

F05 Delirium, not induced by alcohol and other psychoactive substances

F06 Other mental disorders due to brain damage and dysfunction and to physical disease
 F07 Personality and behavioural disorders due to brain disease, damage and dysfunction
 F09 Unspecified organic or symptomatic mental disorder
 F10-F19 Mental and behavioural disorders due to psychoactive substance use
 F10 Mental and behavioural disorders due to use of alcohol
 F11 Mental and behavioural disorders due to use of opioids
 F12 Mental and behavioural disorders due to use of cannabinoids
 F13 Mental and behavioural disorders due to use of sedatives or hypnotics
 F14 Mental and behavioural disorders due to use of cocaine
 F15 Mental and behavioural disorders due to use of other stimulants, including caffeine
 F16 Mental and behavioural disorders due to use of hallucinogens
 F17 Mental and behavioural disorders due to use of tobacco
 F18 Mental and behavioural disorders due to use of volatile solvents
 F19 Mental and behavioural disorders due to multiple drug use and use of other psychoactive substances
 F20 to F29 Schizophrenia, schizotypal and delusional disorders
 F20 Schizophrenia
 F21 Schizotypal disorder
 F22 Persistent delusional disorders
 F23 Acute and transient psychotic disorders
 F24 Induced delusional disorder
 F25 Schizoaffective disorders
 F28 Other nonorganic psychotic disorders
 F29 Unspecified nonorganic psychosis
 F30 to F39: Mood [affective] disorders
 F30 Manic episode
 F31 Bipolar affective disorder
 F32 Depressive episode
 F33 Recurrent depressive disorder
 F34 Persistent mood [affective] disorders
 F38 Other mood [affective] disorders
 F39 Unspecified mood [affective] disorder
 F40-F48 Neurotic, stress-related and somatoform disorders
 F40 Phobic anxiety disorders
 F41 Other anxiety disorders
 F42 Obsessive-compulsive disorder
 F43 Reaction to severe stress, and adjustment disorders
 F43.0 Acute stress reaction
 F43.1 Posttraumatic stress disorder
 F43.2 Adjustment disorders
 F43.8 Other reactions to severe stress
 F43.9 Reaction to severe stress, unspecified
 F44 Dissociative [conversion] disorders
 F45 Somatoform disorders
 F48 Other neurotic disorders
 F50 to F59 Behavioural syndromes associated with psychological disturbances and physical factors
 F50 Eating disorders
 F51 Nonorganic sleep disorders
 F52 Sexual dysfunction, not caused by organic disorder or disease
 F53 Mental and behavioural disorders associated with the puerperium, not elsewhere classified
 F53.0 Mild mental and behavioural disorders associated with the puerperium, not elsewhere classified
 Postnatal depression NOS
 Postpartum depression NOS
 F53.1 Severe mental and behavioural disorders associated with the puerperium, not elsewhere classified
 Puerperal psychosis NOS
 F54 Psychological and behavioural factors associated with disorders or diseases classified elsewhere
 F55 Abuse of non-dependence-producing substances
 F59 Unspecified behavioural syndromes associated with physiological disturbances and physical factors
 F60 to F69: Disorders of adult personality and behaviour
 F60 Specific personality disorders
 F60.0 Paranoid personality disorder
 F60.1 Schizoid personality disorder
 F60.2 Dissocial personality disorder
 F60.3 Emotionally unstable personality disorder

F60.4 Histrionic personality disorder
 F60.5 Anankastic personality disorder
 F60.6 Anxious [avoidant] personality disorder
 F60.7 Dependent personality disorder
 F60.8 Other specific personality disorders
 F60.9 Personality disorder, unspecified
 F61 Mixed and other personality disorders
 F62 Enduring personality changes, not attributable to brain damage and disease
 F63 Habit and impulse disorders
 F64 Gender identity disorders
 F65 Disorders of sexual preference
 F65.0 Fetishism
 F65.1 Fetishistic transvestism
 F65.2 Exhibitionism
 F65.3 Voyeurism
 F65.4 [Paedophilia](#)
 F65.5 Sadomasochism
 F65.6 Multiple disorders of sexual preference
 F65.8 Other disorders of sexual preference
 F65.9 Disorder of sexual preference, unspecified
 F66 Psychological and behavioural disorders associated with sexual development and orientation
 F68 Other disorders of adult personality and behaviour
 F69 Unspecified disorder of adult personality and behaviour
 F70 to F79 Mental retardation
 F70 Mild mental retardation
 F71 Moderate mental retardation
 F72 Severe mental retardation
 F73 Profound mental retardation
 F78 Other mental retardation
 F79 Unspecified mental retardation
 F80 to F89: Disorders of psychological development
 F80 Specific developmental disorders of speech and language
 F81 Specific developmental disorders of scholastic skills
 F82 Specific developmental disorder of motor function
 F83 Mixed specific developmental disorders
 F84 Pervasive developmental disorders
 F88 Other disorders of psychological development
 F89 Unspecified disorder of psychological development
 F90 to F98 Behavioural and emotional disorders with onset usually occurring in childhood and adolescence
 F90 Hyperkinetic disorders
 F91 Conduct disorders
 F92 Mixed disorders of conduct and emotions
 F93 Emotional disorders with onset specific to childhood
 F94 Disorders of social functioning with onset specific to childhood and adolescence
 F95 Tic disorders
 F98 Other behavioural and emotional disorders with onset usually occurring in childhood and adolescence
 F99 to F99 Unspecified mental disorder

End:

Act of Law

- **Madhouses Act 1832**

The madhouse Act 1832 describes the London (England) body for regulating private madhouses.

- **Madhouses Act 1774**

The Madhouses Act 1774 (14 Geo. 3 c.49) was an Act of the Parliament of Great Britain, which set out a legal framework for regulating "madhouses" (insane asylums).

Num	Act of Law	Regulation	Section
N/a			
End			

Act of Law

- **Lunacy Act 1890**

The lunacy Act 1890 required an additional 'reception order', generally referred to as 'legal certification.'

- **Lunacy Act 1845**

The preceding legislation, the Lunacy Act of 1845, required only two medical certificates signed by qualified medical doctors for admission to lunatic asylums.

Num	Act of Law	Regulation	Section
N/a			
End			

Act of Law

- **The Mental Deficiency Act 1913**

The Mental Deficiency Act 1913 was an act of the United Kingdom which made provisions for the institutional treatment of people deemed to be "feeble-minded" and "moral defectives".

"It proposed an institutional separation so that mental defectives should be taken out of Poor Law institutions and prisons into newly established colonies."

Num	Act of Law	Regulation	Section
N/a			
End			

Act of Law

- **Mental Treatment Act 1930**

The Mental Treatment Act 1930 was an Act of the Parliament of the United Kingdom that permitted voluntary admission to, and outpatient treatment within, psychiatric hospitals.

It also replaced the term "asylum" with "mental hospital."

It was repealed by the Mental Health Act 1959.

Num	Act of Law	Regulation	Section
N/a			
End			

Act of Law

- **Idiots Act 1886**

The Idiots Act 1886 (49 Vict.c.25) was an act of Parliament of the United Kingdom. It was intended to give facilities for the care, education, and training of Idiots and Imbeciles".

The Act made, for the first time, the distinction between "lunatics", "idiots", and "imbeciles" for the purpose of making entry into education establishments easier and for defining the ways they were cared for.

Num	Act of Law	Regulation	Section
N/a			
End			

Act of Law

- **County Asylums Act 1845**

- **County Asylums Act 1808**

The County Asylums Act 1808 formed mental health law in England and Wales from 1808 to 1845. Notably, the Asylums Act established public mental asylums in Britain.

It permitted, but did not compel, Justices of the Peace to provide establishments for the care of pauper lunatics, so that they could be removed from workhouses and prisons.

The Act is also known as Mr. Wynn's Act, after Charles Watkin Williams-Wynn, member of parliament for Montgomeryshire, who promoted the act.

Num	Act of Law	Regulation	Section
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N/a

End

Act of Law

Mental Capacity Care Act 2014

- **Mental Capacity Care Act 2014**
- Mental Capacity Act 2005

<https://www.gov.uk/government/publications/care-act-statutory-guidance/care-and-support-statutory-guidance>

Under the Care Act 2014, local authorities must: carry out an assessment of anyone who appears to require care and support, regardless of their likely eligibility for state-funded care. focus the assessment on the person's needs and how they impact on their wellbeing, and the outcomes they want to achieve.

Num	Act of Law	Regulation	Section
01	Mental Capacity Care Act 2014	1. Promoting wellbeing.	1.1, 1.2, 1.3, 1.4; --

02	Mental Capacity Care Act 2014	Definition of wellbeing.	1.5,1.6; --
03	Mental Capacity Care Act 2014	Promoting wellbeing.	1.7,1.8,1.9,1.10,1.11,1.12, 1.13,1.14; --
04	Mental Capacity Care Act 2014	The importance of beginning with the assumption that the individual is best-placed to judge the individual's wellbeing.	a)
05	Mental Capacity Care Act 2014	The individual's views, wishes, feelings and beliefs.	b)
06	Mental Capacity Care Act 2014	The importance of preventing or delaying the development of needs for care and support and the importance of reducing needs that already exist.	c)
07	Mental Capacity Care Act 2014	The need to ensure that decisions are made having regard to all the individual's circumstances.	d)
08	Mental Capacity Care Act 2014	The importance of the individual participating as fully as possible.	e)
09	Mental Capacity Care Act 2014	The importance of achieving a balance between the individual's wellbeing and that of any friends or relatives who are involved in caring for the individual.	f)
10	Mental Capacity Care Act 2014	The need to protect people from abuse and neglect.	g)
11	Mental Capacity Care Act 2014	The need to ensure that any restriction on the individual's rights or freedom of action that is involved in the exercise of the function is kept to the minimum necessary.	h) 1.15, 1.16, 1.17: --
12	Mental Capacity Care Act 2014	Independent living.	1.18, 1.19: --
13	Mental Capacity Care Act 2014	Wellbeing throughout the Care Act.	1.20, 1.21, 1.22, 1.23, 1.24,1.25,1.26: --
14	Mental Capacity Care Act 2014	The role of the Principal Social Worker in care and support.	1.27: --
15	Mental Capacity Care Act 2014	The local authority role in supporting principal social workers.	1.28,1.29,1.30: --
16	Mental Capacity Care Act 2014	Principal social workers and safeguarding.	1.31; --
17	Mental Capacity Care Act 2014	2. Preventing, reducing or delaying needs.	2.1,2.2,2.3,2.4,2.5: --
18	Mental Capacity Care Act 2014	Prevent: primary prevention/promoting wellbeing. "Case Study: LinkAge programme."	2.6: --
19	Mental Capacity Care Act 2014	Reduce: secondary prevention/early intervention.	2.7,2.8: --
20	Mental Capacity Care Act 2014	Delay: tertiary prevention/formal intervention.	2.9,2.10,2.11: --
21	Mental Capacity Care Act 2014	Intermediate care and reablement.	2.12,2.13,2.14,2.15: --
22	Mental Capacity Care Act 2014	Carers and prevention.	2.16, 2.17: --

<u>The focus of prevention</u>			
23	Mental Capacity Care Act 2014	Promoting wellbeing. “Case Study”	2.18,2.19: --
24	Mental Capacity Care Act 2014	Developing resilience and promoting individual strength. “Case Study”	2.20, 2.21, 2.22: --
25	Mental Capacity Care Act 2014	Developing a local approach to preventative support. “Case Study: Midland Heart’s reablement service”	2.23, 2.24, 2.25, 2.26, 2.27, 2.28, 2.29, 2.30, 2.31: --
26	Mental Capacity Care Act 2014	Working with other partners to focus on prevention.	2.32, 2.33, 2.34, 2.35, 2.36: --
27	Mental Capacity Care Act 2014	Identifying those who may benefit from preventative support.	2.37, 2.38, 2.39, 2.40, 2.41: --
28	Mental Capacity Care Act 2014	Helping people access preventative support.	2.42, 2.43, 2.44, 2.45, 2.46, 2.47: --
29	Mental Capacity Care Act 2014	Assessment of adults’ and carers’ needs.	2.48, 2.49, 2.50, 2.51, 2.52, 2.53, 2.54: --
30	Mental Capacity Care Act 2014	Charging for preventative support. “Case Study”	2.55, 2.56, 2.57, 2.58, 2.59, 2.60, 2.61, 2.62, 2.63: --
31	Mental Capacity Care Act 2014	3. Information and advice.	3.1, 3.2, 3.3, 3.4, 3.5, 3.6, 3.7: --
32	Mental Capacity Care Act 2014	Terminology.	3.8, 3.9, 3.10: --
33	Mental Capacity Care Act 2014	The duty to establish and maintain a service.	3.11, 3.12, 3.13, 3.14: --
34	Mental Capacity Care Act 2014	The audiences for the information and advice service.	3.15, 3.16, 3.17: --
35	Mental Capacity Care Act 2014	Access to and quality of information and advice.	3.18, 3.19, 3.20, 3.21, 3.22: --
36	Mental Capacity Care Act 2014	What should be provided – information and advice content.	3.23, 3.24: --
37	Mental Capacity Care Act 2014	When information should be provided.	3.25, 3.26: --
38	Mental Capacity Care Act 2014	Accessibility of information and advice.	3.27, 3.28, 3.29, 3.30, 3.31: --
39	Mental Capacity Care Act 2014	Proportionality of information and advice.	3.32, 3.33, 3.34, 3.35: --
40	Mental Capacity Care Act 2014	Financial information and advice.	3.36, 3.37, 3.38, 3.39, 3.40, 3.41, 3.42: --
41	Mental Capacity Care Act 2014	Understanding care charges.	3.43: --
42	Mental Capacity Care Act 2014	Ways to pay	3.44: --
43	Mental Capacity Care Act 2014	Money management	3.45: --

44	Mental Capacity Care Act 2014	Making informed financial decisions.	3.46 3.49: --
45	Mental Capacity Care Act 2014	Facilitating access to independent financial information and advice.	3.50, 3.51, 3.52: --
46	Mental Capacity Care Act 2014	Information and advice on adult safeguarding.	3.53, 3.54: --
47	Mental Capacity Care Act 2014	Complaints.	3.55: --
48	Mental Capacity Care Act 2014	Reviewing and developing a plan or strategy.	3.56, 3.57, 3.58, 3.59, 3.60, 3.61, 3.62, 3.63, 3.64, 3.65, 3.66, 3.67, 3.68, 3.69, 3.70: --
49	Mental Capacity Care Act 2014	4. Market shaping and commissioning of adult care and support. “This chapter provides guidance on section 5 of the Care Act 2014 and covers.”	4.1, 4.2, 4.3, 4.4, 4.5: --
50	Mental Capacity Care Act 2014	Definitions. “Market shaping”	4.6: --
51	Mental Capacity Care Act 2014	Definitions. “Commissioning”	4.8: --
52	Mental Capacity Care Act 2014	Definitions. “Procurement”	4.9: --
53	Mental Capacity Care Act 2014	Definitions. “Contracting”	4.10, 4.11: --
<u>Principles of market-shaping and commissioning</u>			
54	Mental Capacity Care Act 2014	Focusing on outcomes.	4.12, 4.13, 4.14, 4.15, 4.16, 4.17, 4.18, 4.19, 4.20: --
55	Mental Capacity Care Act 2014	Promoting quality. “Example: Ensuring provision of appropriate services.”	4.21, 4.22, 4.23, 4.24, 4.25, 4.26, 4.27, 4.28, 4.29, 4.30, 4.31, 4.32: --
56	Mental Capacity Care Act 2014	Supporting sustainability.	4.33, 4.34, 4.35, 4.36: --
57	Mental Capacity Care Act 2014	Ensuring choice.	4.37, 4.38, 4.39, 4.40, 4.41, 4.42, 4.43, 4.44, 4.45, 4.46, 4.47, 4.48, 4.49, 4.50: --
58	Mental Capacity Care Act 2014	Co-production with stakeholders.	4.51: --
59	Mental Capacity Care Act 2014	Developing local strategies.	4.52, 4.53, 4.54, 4.55, 4.56, 4.57, 4.58, 4.59, 4.60, 4.61, 4.62, 4.63, 4.64, 4.65, 4.66, 4.67, 4.68: --
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60	Mental Capacity Care Act 2014	Understanding the market.	4.69, 4.70, 4.71, 4.72, 4.73,

			4.74, 4.75, 4.76, 4.77, 4.78, 4.79: --
61	Mental Capacity Care Act 2014	Facilitating the development of the market. “Case Study Facilitating the market”	4.80, 4.81, 4.82, 4.83, 4.84, 4.85, 4.86, 4.87, 4.88: --
62	Mental Capacity Care Act 2014	Promoting integration with local partners.	4.89, 4.90, 4.91, 4.92, 4.93: --
63	Mental Capacity Care Act 2014	Securing supply in the market and assuring its quality and value for money through contracting.	4.94, 4.95, 4.96, 4.97, 4.98, 4.99, 4.100, 4.101, 4.102, 4.103, 4.104, 4.105, 4.106, 4.107, 4.108, 4.109: --
64	Mental Capacity Care Act 2014	Further information/best practice.	4.110, 4.111, 4.112: --
65	Mental Capacity Care Act 2014	5. Managing provider failure and other service interruptions. This chapter provides guidance on: -- Sections 19 and 48 to 57 of the Care Act 2014 The Care and Support (Business Failure) Regulations 2015.	5.1, 5.2, 5.3: --
66	Mental Capacity Care Act 2014	Definitions.	5.4, 5.5: --
67	Mental Capacity Care Act 2014	Service interruptions because of business failure.	5.6 5.7, 5.8, 5.9, 5.10, 5.11, 5.12, 5.13, 5.14, 5.15, 5.16: --
68	Mental Capacity Care Act 2014	Business failure involving a provider in the CQC oversight regime.	5.17, 5.18, 5.19, 5.20: --
69	Mental Capacity Care Act 2014	Business failure involving a provider not in the CQC oversight regime.	5.21, 5.22: --
70	Mental Capacity Care Act 2014	Administration and other insolvency procedures.	5.23: --
71	Mental Capacity Care Act 2014	Service interruptions other than business failure.	5.25, 5.26, 5.27, 5.28, 5.29, 5.30, 5.31, 5.32, 5.33: --
72	Mental Capacity Care Act 2014	The link with local authorities’ duties in respect of market shaping.	5.34, 5.35: --
73	Mental Capacity Care Act 2014	The need for contingency planning.	5.36, 5.37, 5.38, 5.39, 5.40, 5.41: --

First contact and identifying needs
This section includes the following chapters

6. Assessment and eligibility
7. Independent advocacy

74	Mental Capacity Care Act 2014	Assessment and eligibility. This chapter provides guidance on: -- Sections 9 to 13 of the Care Act 2014 ● “Care and Support (Assessment) Regulations 2014.”	6: --
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		“Care and Support (Eligibility Criteria) Regulations 2015.”	
75	Mental Capacity Care Act 2014	Assessment.	6.1, 6.2, 6.3, 6.4, 6.5, 6.6, 6.7, 6.8: --
76	Mental Capacity Care Act 2014	The purpose of an assessment. “Thought the Process”	6.9, 6.10, 6.11, 6.12: --
77	Mental Capacity Care Act 2014	Needs assessment.	6.13, 6.14, 6.15: --
78	Mental Capacity Care Act 2014	Carer’s assessment.	6.16, 6.17, 6.18, 6.19: --
79	Mental Capacity Care Act 2014	Refusal of assessment.	6.20, 6.21: --
80	Mental Capacity Care Act 2014	First contact with the authority.	6.22, 6.23, 6.24, 6.25, 6.26, 6.27, 6.28, 6.29: --
81	Mental Capacity Care Act 2014	Supporting the person’s involvement in the assessment.	6.30, 6.31, 6.32: --
82	Mental Capacity Care Act 2014	Independent advocates.	6.33, 6.34: --
83	Mental Capacity Care Act 2014	Appropriate and proportionate assessments.	6.35, 6.36, 6.37, 6.38, 6.39, 6.40, 6.41, 6.42 a), b), c) 6.43: --
84	Mental Capacity Care Act 2014	Supported self-assessment.	6.44, 6.45, 6.46, 6.47, 6.48, 6.49, 6.50, 6.51, 6.52, 6.53: --
85	Mental Capacity Care Act 2014	Safeguarding.	6.54, 6.55, 6.56, 6.57: --
86	Mental Capacity Care Act 2014	Fluctuating needs.	6.58, 6.59: --
87	Mental Capacity Care Act 2014	Focusing on preventing needs.	6.60, 6.61, 6.62: --
88	Mental Capacity Care Act 2014	Considering the person’s strengths and capabilities. “Considering the person’s strengths: a case study”	6.63, 6.64: --
89	Mental Capacity Care Act 2014	Whole family approach.	6.65, 6.66, 6.67, 6.68, 6.69, 6.70, 6.71, 6.72, 6.73: --
90	Mental Capacity Care Act 2014	Combining assessments.	6.74: --
91	Mental Capacity Care Act 2014	Integrated assessments.	6.75, 6.76, 6.77, 6.78, 6.79: --
92	Mental Capacity Care Act 2014	NHS Continuing Healthcare.	6.80, 6.81, 6.82, 6.83: --
93	Mental Capacity Care Act 2014	Roles and responsibilities.	6.84: --
94	Mental Capacity Care Act 2014	Training.	6.85, 6.86, 6.87, 6.88, 6.89, 6.90: --
95	Mental Capacity Care Act 2014	Assessment for people who are deafblind,	6.91, 6.92, 6.93, 6.94, 6.95, 6.96, 6.97: --

96	Mental Capacity Care Act 2014	Record keeping.	6.98: --
97	Mental Capacity Care Act 2014	Delegating assessments.	6.99: --
98	Mental Capacity Care Act 2014	Eligibility.	6.100, 6.101: --
99	Mental Capacity Care Act 2014	What is the national eligibility threshold for adults needing care?	6.102: --
100	Mental Capacity Care Act 2014	Interpreting the eligibility criteria.	6.104: --
101	Mental Capacity Care Act 2014	As a result of the adult's needs, the adult is unable to achieve 2 or more of the outcomes set out in the regulations.	6.105, 6.106 a), b), c), d), e), f), g), h), i), j)
102	Mental Capacity Care Act 2014	As a consequence, there is, or there is likely to be, a significant impact on the adult's wellbeing. "Case Study 1: John (eligible)" "Case study 2: Dave (not eligible)"	6.107, 6.108, 6.109, 6.110, 6.111 Eligibility decision process. 1. Needs 2. Outcomes 3. Wellbeing 6.112: --
103	Mental Capacity Care Act 2014	Fluctuating needs.	6.113, 6.114: --
104	Mental Capacity Care Act 2014	Considering needs met by carers in eligibility determinations.	6.115: --
105	Mental Capacity Care Act 2014	What is the national eligibility threshold for carers?	6.116, 6.117: --

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106	Mental Capacity Care Act 2014	The needs arise as a consequence of providing necessary care for an adult.	6.118, 6.119: --
107	Mental Capacity Care Act 2014	The effect of the carer's needs is that any of the circumstances specified in the Eligibility Regulations apply to the carer. "Examples of how to interpret the criteria"	6.120, 6.121, 6.122, 6.123, 6.124, 6.125, 6.126, 6.127, 6.128: --
100	Mental Capacity Care Act 2014	Carers' eligibility decision process. 1. Needs 2. Outcomes 3. Wellbeing "Case Study 1: Deirdre (not eligible)" Caring responsibilities Outcomes Impact on wellbeing Decision: Eligible Next actions "Case study 2: Sam (eligible)"	6.129: --
101	Mental Capacity Care Act 2014	Fluctuating needs.	6.130, 6.131, 6.132: --
102	Mental Capacity Care Act 2014	What must local authorities do after the eligibility determination?	6.132, 6.133, 6.134: --
103	Mental Capacity Care Act 2014	7. Independent advocacy.	7.1, 7.2, 7.3, 7.4, 7.5: --

104	Mental Capacity Care Act 2014	Advocacy and the duty to involve.	7.6, 7.7, 7.8, 7.9: --
105	Mental Capacity Care Act 2014	Judging 'substantial difficulty' in being involved.	7.10, 7.11: --
106	Mental Capacity Care Act 2014	Retaining information.	7.12: --
107	Mental Capacity Care Act 2014	Communicating their views, wishes and feelings. "Case Study"	7.14, 7.15, 7.16: --
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100	Mental Capacity Care Act 2014	Assessment of needs.	7.17, 7.18, 7.19, 7.20, 7.21, 7.22, 7.23: --
101	Mental Capacity Care Act 2014	Safeguarding enquiries and safeguarding adult reviews (SARs) "Case Study Lynette"	7.24, 7.25, 7.26, 7.27, 7.28: --
103	Mental Capacity Care Act 2014	Continuity of care and ordinary residence. "Consequences for local authorities"	7.29: --
104	Mental Capacity Care Act 2014	Care and support reviews	7.30, 7.31: --
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105	Mental Capacity Care Act 2014	An appropriate individual to facilitate the person's involvement. "Case study: Janice" "Case study" "Case study: Jacinta" "Case study: Brian"	7.32, 7.33, 7.34, 7.35, 7.36, 7.37, 7.38, 7.39, 7.40, 7.41, 7.42: --
106	Mental Capacity Care Act 2014	Who can act as an advocate? -- 1. A suitable level of appropriate experience. 2. Appropriate training. 3. Competency in the task. 4. Integrity and good character. 5. The ability to work independently of the local authority or body carrying out assessments, planning or	7.43: --
107	Mental Capacity Care Act 2014	Arrangements for regular supervision.	7.44, 7.45: --
108	Mental Capacity Care Act 2014	The role of the independent advocate. "Case study: Kate"	7.46, 7.47, 7.48, 7.49: --
109	Mental Capacity Care Act 2014	Representing.	7.50, 7.51, 7.52: --
110	Mental Capacity Care Act 2014	The role of the local authority in supporting the advocate.	7.53, 7.54, 7.55, 7.56, 7.57, 7.58: --
111	Mental Capacity Care Act 2014	Availability of advocacy services to people in the area.	7.59, 7.60, 7.61, 7.62, 7.63, 7.64, 7.65, 7.66: --
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112	Mental Capacity Care Act 2014	8. Charging and financial assessment.	8.1, 8.2, 8.3: --
113	Mental Capacity Care Act 2014	Common issues for charging.	8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10: --
114	Mental Capacity Care Act 2014	Capital limits.	8.11, 8.12, 8.13, 8.14: --
115	Mental Capacity Care Act 2014	Carrying out a financial assessment.	8.15, 8.16, 8.17, 8.18, 8.19, 8.20, 8.21a): --
116	Mental Capacity Care Act 2014	‘Light-touch’ financial assessments.	8.22, 8.23, 8.24, 8.25, 8.26: --
117	Mental Capacity Care Act 2014	Deprivation of assets and debts.	8.27, 8.28, 8.29, 8.30: --
118	Mental Capacity Care Act 2014	Charging for care and support in a care home.	8.31, 8.32, 8.33, 8.34, 8.35: --
119	Mental Capacity Care Act 2014	Choice of accommodation	8.36, 8.37: --
120	Mental Capacity Care Act 2014	Charging for care and support in other care settings including a person’s own home.	8.38, 8.39, 8.40, 8.41, 8.42 8.43, 8.44, 8.45, 8.46, 8.47, 8.48: --
121	Mental Capacity Care Act 2014	Charging for support to carers.	8.49, 8.50, 8.51, 8.52, 8.53, 8.54, 8.55: --
122	Mental Capacity Care Act 2014	Requesting local authority support to meet eligible needs.	8.56, 8.57, 8.58, 8.59, 8.60, 8.61, 8.62, 8.63, 8.64: --
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125	Mental Capacity Care Act 2014	9. Deferred payment agreements. “Note 1” Definitions	9.1, 9.2: --
126	Mental Capacity Care Act 2014	Introduction	9.3, 9.4, 9.5, 9.6: --

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127	Mental Capacity Care Act 2014	Qualifying criteria for deferred payment agreements. “Note 2” “Note 3” “Note 4”	9.7 a), b), c), d) 9.8 a), b), c), d) 9.9: --
128	Mental Capacity Care Act 2014	Types of deferred payment agreement.	9.10, 9.11, 9.12, 9.13: --
129	Mental Capacity Care Act 2014	Permission to refuse a deferred payment agreement. “Note 5”	9.14, 9.15, 9.16 a), b), c) 9.17: --
130	Mental Capacity Care Act 2014	Circumstances in which local authorities may stop	9.18, 9.19, 9.20

		deferring care costs or making payments under a loan-type agreement. “Case study 1”	a), b), c), d) (i), (ii) 9.21, 9.22: --
131	Mental Capacity Care Act 2014	Information and advice. “Case study 2”	9.23, 9.24, 9.25, 9.26, 9.27, 9.28, 9.29, 9.30, 9.31, 9.32, 9.33, 9.34, 9.35: --
132	Mental Capacity Care Act 2014	How much can be deferred?	9.36, 9.37, 9.38 a), b), c) 9.39: --
133	Mental Capacity Care Act 2014	Equity Limit. “Case study 3: The equity limit”	9.40, 9.41, 9.42, 9.43, 9.44, 9.45: --
134	Mental Capacity Care Act 2014	Contributing to care costs from other sources. “Case study 4”	9.46, 9.47, 9.48, 9.49, 9.50, 9.51: --
135	Mental Capacity Care Act 2014	Care costs.	9.52, 9.53: --
136	Mental Capacity Care Act 2014	Sustainability. “Case study 5”	9.54, 9.55, 9.56, 9.57, 9.58, 9.59, 9.60, 9.61: --
137	Mental Capacity Care Act 2014	Obtaining security.	9.62, 9.63, 9.64, 9.65, 9.66, 9.67, 9.68: --
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143	Mental Capacity Care Act 2014	10. Care and support planning.	10.1, 10.2, 10.3, 10.4, 10.5: --
144	Mental Capacity Care Act 2014	Definitions.	10.6, 10.7, 10.8, 10.9: --
145	Mental Capacity Care Act 2014	What does it mean to ‘meet needs’? “Case study: Using discretionary powers to meet needs”	10.10, 10.11, 10.12, 10.13, 10.14, 10.15, 10.16, 10.17, 10.18: --
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147	Mental Capacity Care Act 2014	Relationship with other services.	10.21, 10.22, 10.23, 10.24, 10.25: --
148	Mental Capacity Care Act 2014	Needs met by a career.	10.26: --
149	Mental Capacity Care Act 2014	Other considerations.	10.27: --
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152	Mental Capacity Care Act 2014	Production of the plan. “Case study: Fluctuating needs”	10.33, 10.34, 10.35, 10.36, 10.37, 10.38, 10.39, 10.40, 10.41, 10.42, 10.43, 10.44, 10.45, 10.46, 10.48: --
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154	Mental Capacity Care Act 2014	Authorising others (including the person) to prepare the plan jointly with the local authority.	10.55, 10.56, 10.57, 10.58: --
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156	Mental Capacity Care Act 2014	Minimising and authorising deprivation of liberty (DOL) for people who lack capacity.	10.67, 10.68, 10.69, 10.70, 10.71, 10.72: --
157	Mental Capacity Care Act 2014	Combining plans.	10.73, 10.74, 10.75, 10.76, 10.77, 10.78, 10.79, 10.80: --
158	Mental Capacity Care Act 2014	Sign-off and assurance.	10.81, 10.82, 10.83, 10.84, 10.85, 10.86, 10.87: --
159	Mental Capacity Care Act 2014	Protecting property of adults being cared for away from home.	10.88, 10.89, 10.90, 10.91, 10.92, 10.93, 10.94: --

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161	Mental Capacity Care Act 2014	The personal budget.	11.7, 11.8, 11.9: --
162	Mental Capacity Care Act 2014	Elements of the personal budget.	11.10, 11.11, 11.12, 11.13, 11.14: --
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191	Mental Capacity Care Act 2014	13. Review of care and support plans. This chapter provides guidance on section 27 of the Care Act 2014 and covers: ● review of the care and support plan, support plan. ● keeping plans under review generally ● planned and unplanned review ● considering a request for a review of a care plan, support plan ● considering a review ● revision of the care and support plan, support plan ● timeliness and regularity of reviews	13.1, 13.2, 13.3, 13.4, 13.5, 13.6, 13.7, 13.8, 13.9: --
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Review of the care and support plan, support plan

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198	Mental Capacity Care Act 2014	Timeliness and regularity of reviews. “Links to external resources”	13.31, 13.32, 13.33, 13.34: --

Safeguarding

199	Mental Capacity Care Act 2014	14. Safeguarding. This chapter provides guidance on sections 42 to 46 of the Care Act 2014 and covers: ● adult safeguarding: what it is and why it matters ● abuse and neglect ● understanding what they are and spotting the signs ● reporting and responding to abuse and neglect ● carers and adult safeguarding ● adult safeguarding procedures ● local authority’s role and multi-agency working ● criminal offences and adult safeguarding ● safeguarding enquiries ● Safeguarding Adults Boards ● Safeguarding Adults Reviews	14.1, 14.2, 14.3, 14.4, 14.5, 14.6: --
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215	Mental Capacity Care Act 2014	Criminal offences and adult safeguarding. “Case study” “Case study” “Information gathering” Principles for local decision-making process:	14.83, 14.84, 14.85, 14.86, 14.87, 14.88, 14.89, 14.90 14.91, 14.92: --
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<u>Integration and partnership working</u>			

This section includes chapters 15,16, 17 and 18 and has information on:

- 15. Integration, cooperation and partnerships
- 16. Transition to adult care and support
- 17. Prisons, approved premises and bail accommodation
- 18. Delegation of local authority functions

246	Mental Capacity Care Act 2014	15. Integration, cooperation and partnerships.	15.1, 15.2: --
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Strategic planning

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251	Mental Capacity Care Act 2014	Integrated management or provision of services. “Case study: Promoting the integration and social care with regards to carers support in Torbay and Southern Devon Health and Care NHS Trust”	15.13, 15.14
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263	Mental Capacity Care Act 2014	Housing to support prevention of needs.	15.60, 15.61, 15.62, 15.63, 15.64: --
264	Mental Capacity Care Act 2014	Integrating information and advice on housing. “Case study: Putting health back into housing”	15.65, 15.66, 15.67, 15.68: --
265	Mental Capacity Care Act 2014	Working with employment and welfare services.	15.69, 15.70, 15.71, 15.72, 15.73: --
266	Mental Capacity Care Act 2014	Sources of information.	15.74 , 15.75: --
267	Mental Capacity Care Act 2014	16. Transition to adult care and support. This chapter provides guidance on: Sections 58 to 66 of the Care Act The Care and Support (Children’s Carers) Regulations 2014. This chapter covers: • when a transition assessment must be carried out • identifying young people who are not already receiving children’s services • adult carers and young carers • features of a transition assessment • cooperation between professionals and organisation • providing information and advice once a transition assessment is completed • provision of age appropriate local services and resources • after the young person in question turns 18 • combining EHC plans with care and support plans after the age of 18 • continuity of care after the age of 18 • safeguarding after the age of 18 • ordinary residence and transition to higher education • transition from children to adult NHS Continuing Healthcare	16.1, 16.2, 16.3, 16.4, 16.5: --
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272	Mental Capacity Care Act 2014	Features of a transition assessment.	16.25, 16.26, 16.27, 16.28 16.29, 16.30, 16.31, 16.32, 16.33, 16.34, 16.35, 16.36, 16.37, 16.38, 16.39, 16.40: --
273	Mental Capacity Care Act 2014	Co-operation between professionals and organisations. “Case study: Person-centred transition planning, involving multiple agencies - Matthew’s story:”	16.41, 16.42, 16.43, 16.44, 16.45, 16.46, 16.47, 16.48, 16.49, 16.50: --
274	Mental Capacity Care Act 2014	On completion of the transition assessment – providing information and advice. “Links to example templates of transition plans:”	16.51, 16.52, 16.53, 16.54, 16.55, 16.56, 16.57, 16.58: --
275	Mental Capacity Care Act 2014	Provision of age-appropriate local services and resources.	16.59 16.60 16.61: --
276	Mental Capacity Care Act 2014	After the young person or carer turns 18.	16.62, 16.63, 16.64: --
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278	Mental Capacity Care Act 2014	Continuity of care after the age of 18.	16.67, 16.68, 16.69, 16.70, 16.71, 16.72, 16.73, 16.74: --
279	Mental Capacity Care Act 2014	Safeguarding after the age 18.	16.75: --
280	Mental Capacity Care Act 2014	Ordinary residence and transition to Higher Education.	16.76, 16.77, 16.78, 16.79: --
281	Mental Capacity Care Act 2014	Transition from children to adult NHS Continuing Healthcare. “Links to external resources”	16.80, 16.81, 16.82, 16.83: --
282	Mental Capacity Care Act 2014	17. Prisons, approved premises and bail accommodation. This chapter covers: ● information sharing ● assessments of need ● assessments of a carer’s needs	17.1, 17.2, 17.3, 17.4, 17.5, 17.6, 17.7, 17.8, 17.9, 17.10, 17.11, 17.12, 17.13, 17.14, 17.15, 17.16: --

		• charging and assessing financial resources • next steps after assessments • direct payments and deferred payment agreements • continuity of care and support when an adult move or is released • partnerships and interdependencies • end of life care • safeguarding adults at risk of abuse or neglect • transition from children to adult care and support • independent advocacy support • complaints • standards and assessments <u>Definitions</u> A) Prison B) Approved Premises C) National Offender Management Service (NOMS) D) National Probation Service (NPS) and Community Rehabilitation Companies (CRCs) E) Her Majesty's Inspectorate of Prisons for England and Wales (HMI Prisons) F) Her Majesty's Inspectorate of Probation for England and Wales G) Prisons and Probation Ombudsman (PPO)	
283	Mental Capacity Care Act 2014	Assessments of need.	17.17, 17.18, 17.19, 17.20, 17.21, 17.22, 17.23, 17.24, 17.25, 17.26, 17.27, 17.28: --
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286	Mental Capacity Care Act 2014	Next steps after assessment.	17.31, 17.32, 17.33, 17.34, 17.35, 17.36, 17.37, 17.38: --
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289	Mental Capacity Care Act 2014	People leaving prison: ordinary residence.	17.48, 17.49, 17.50, 17.51: --
290	Mental Capacity Care Act 2014	Partnerships and interdependencies.	17.52, 17.53, 17.54: --
291	Mental Capacity Care Act 2014	End of life care.	17.55, 17.56, 17.57, 17.58: --
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295	Mental Capacity Care Act 2014	Care leavers.	17.65, 17.66, 17.67: --
296	Mental Capacity Care Act 2014	Independent advocacy support.	17.68, 17.69: --
297	Mental Capacity Care Act 2014	Complaints and appeals.	17.70, 17.71, 17.72, 17.73: --
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299	Mental Capacity Care Act 2014	18. Delegation of local authority functions. This chapter covers: ● overview of the policy ● local authorities retain ultimate responsibility for how its functions are carried out ● importance of contracts ● which functions may not be delegated ● the difference between outsourcing a legal function and activities relating to the function ● conflicts of interest	18.1, 18.2, 18.3, 18.4, 18.5, 18.6, 18.7: --
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301	Mental Capacity Care Act 2014	Which care and support functions may not be delegated? “Integration and cooperation” “Adult safeguarding” “Power to charge”	18.17, 18.18, 18.19, 18.20, 18.21, 18.22: --
302	Mental Capacity Care Act 2014	Conflicts of interest.	18.23, 18.24: --
303	Mental Capacity Care Act 2014	Conflict of interest relating to making direct payments. “Case Study: Delegation of local authority care and support functions”	18.25, 18.26: --

Moving between areas: inter-local authority and cross-border issues

This section contains chapters:

- 19. Ordinary residence**
- 20. Continuity of care**
- 21. Cross-border placements**

304	Mental Capacity Care Act 2014	19. Ordinary residence. This chapter covers: ● how ordinary residence affects the legal framework in the Care Act ● how to determine ordinary residence	19.1, 19.2, 19.3, 19.4: --
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		• change in approach to determining ordinary residence disputes following the Supreme Court Judgment in R (on the application of Cornwall Council) v Secretary of State for Health • determining ordinary residence when a person moves into certain types of accommodation out of area • disputes between local authorities and the process for seeking a determination by the Secretary of State for Health or appointed person • further information around ordinary residence and relevant scenarios (see annexes H)	
305	Mental Capacity Care Act 2014	How does ordinary residence affect the provision of care and support?	19.5, 19.6, 19.7, 19.8, 19.9, 19.10, 19.11: --
306	Mental Capacity Care Act 2014	How to determine ordinary residence.	19.12, 19.13, 19.14, 19.15, 19.16: --
307	Mental Capacity Care Act 2014	Change in approach to determining ordinary residence disputes following the Supreme Court Judgment in R (on the application of Cornwall Council) v Secretary of State for Health.	19.17, 19.18, 19.19, 19.20, 19.21, 19.22: --
308	Mental Capacity Care Act 2014	Cases where a person lacks capacity to decide where to live.	19.23, 19.24, 19.25, 19.26, 19.27, 19.28, 19.29, 19.30, 19.31, 19.32, 19.33, 19.34, 19.35, 19.36: --
309	Mental Capacity Care Act 2014	Looked after children transitioning to adult social care services.	19.37, 19.38, 19.39: --
310	Mental Capacity Care Act 2014	Accommodation to which deeming provisions do not apply.	19.40, 19.41: --
311	Mental Capacity Care Act 2014	Historic matters. “Case studies; where a person lacks capacity to decide where to live” “Case studies: Transition from accommodation under the 1989 Act to accommodation under the 2014 Act”	19.42: --
312	Mental Capacity Care Act 2014	Persons of no settled residence. “Case study: Persons of no settled residence”	19.43, 19.44, 19.45: --
313	Mental Capacity Care Act 2014	Ordinary residence when arranging care and support in another area.	19.46, 19.47, 19.48, 19.49, 19.50, 19.51, 19.52, 19.53, 19.54, 19.55, 19.56, 19.57, 19.58: --
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315	Mental Capacity Care Act 2014	Mental health after-care.	19.62, 19.63, 19.64, 19.65, 19.66, 19.67, 19.68: --

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320	Mental Capacity Care Act 2014	Process for seeking a determination. The Department of Health and Social Care Social Care Oversight Team 3rd Floor 39 Victoria Street Westminster London SW1H 0EU	19.80, 19.81, 19.82, 19.83, 19.84, 19.85, 19.86, 19.87: --
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368	Mental Capacity Care Act 2014	Other registers. “Links to other relevant guidance and documentation”	
369	Mental Capacity Care Act 2014	23. Transition to the new legal framework. This chapter covers: ● transition to the new legal framework in financial year 2015 to 2016 for people receiving care and support ● status of previous assessments and eligibility determinations under the Care Act ● the role of care planning and review in implementation ● preparing for the funding reforms in April 2020	23.1, 23.2, 23.3: --

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Annexes

This section contains:

Annex A: Choice of accommodation and additional payments
Annex B: Treatment of capital
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Annex D: Recovery of debts
Annex E: Deprivation of assets
Annex F: Temporary and short-term residents in care homes
Annex G: The process for managing transfers of care from hospital for patients with care and support needs
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Annex I: Repeals and revocations
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Annex A: Choice of accommodation and additional payments
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choice of accommodation when arranging care and support in an accommodation setting
making additional payments for preferred accommodation

Annex A: Choice of accommodation and additional payments

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Defining capital:			
411	Mental Capacity Care Act 2014	What is capital?	5), 6) a), b), c), d), e), f), g) (i), (ii), (iii), (iv), (v), (vi) h) 7)
412	Mental Capacity Care Act 2014	Cases where it is not clear whether a payment is capital or income.	8) a), b) 9)
413	Mental Capacity Care Act 2014	Who owns the capital? “Example of capital dispute: 1” “Example of capital dispute: 2”	10), 11), 12), 13)
414	Mental Capacity Care Act 2014	Calculating the value of capital.	14) (a), (b) 15), 16), 17), 18), 19)
415	Mental Capacity Care Act 2014	Assets held abroad.	20), 21), 22)
416	Mental Capacity Care Act 2014	Capital not immediately realisable.	23)
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417	Mental Capacity Care Act 2014	Upper and lower capital limits.	24) (a), (b) 25), 26)
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419	Mental Capacity Care Act 2014	Notional capital.	28), 29)

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421	Mental Capacity Care Act 2014	Property disregards. “Example of emotional attachment to a property” “Example of occupying a property when not physically present”	34) (a), (b) (i), (ii) (c) (i), (ii), (iii) 1), 2), 3) 35) (a), (b), (c), (d), (e), (f), (g) (h), (i), (j), (k), (l), (m), (n) (o), (p), (q), (r), 36), 37) (a), (b) 38), 39), 40), 41)
422	Mental Capacity Care Act 2014	Discretionary disregard. “Example of local authority discretion to apply a property disregard” “Example of local authority discretion to apply a property disregard where the qualifying person moves into the property after the resident entered the care home” “Example of local authority discretion to apply a property disregard”	42), 43), 44)
423	Mental Capacity Care Act 2014	‘12-week property disregard’ “Example of the end of a property disregard” “Example of an unexpected change in financial circumstances”	45) (a), (b) 46)
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			(a), (b) (ii) (c), (d), (e), (f), (g)
425	Mental Capacity Care Act 2014	‘52-week disregard’ “Example of a disregard for 52 weeks”	48) a) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii), (xiv), (xv) b) (i), (ii), (iii) c)
426	Mental Capacity Care Act 2014	‘2-year disregard’.	49) a), b)
427	Mental Capacity Care Act 2014	Other disregards.	50) a), b), c) 51), 52)
428	Mental Capacity Care Act 2014	Treatment of investment bonds.	53), 54)
429	Mental Capacity Care Act 2014	Capital treated as income.	55) a), b) (i), (ii), (iii)
430	Mental Capacity Care Act 2014	Earnings.	56)
431	Mental Capacity Care Act 2014	Income treated as capital.	57) a), b), c), d) (i), (ii), (iii), (iv) e), f)
432	Mental Capacity Care Act 2014	Capital available on application.	58) a), b), c), d) 59) a) (i), (ii), (iii), (iv) b) 60), 61)

Annex C: Treatment of income.

433	Mental Capacity Care Act 2014	This annex covers the treatment of income when conducting a financial assessment in all circumstances. This is divided into: • Care homes • All other settings	1), 2), 3)
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434	Mental Capacity Care Act 2014	Common issues.	4), 5), 6), 7) a), b) 8), 9) (a), (b), (c), (d), (e), (f), (g) (h), (i), (j), (k) 10) (a), (b), (c) 11), 12) (a), (b) 13)
435	Mental Capacity Care Act 2014	Benefits.	14), 15) (a), (b), (C), (d), (E) 16) (a), (b), (c), (d), (e), (f), (g) (h), (i), (j), (k), (l), (m) 17), 18)
436	Mental Capacity Care Act 2014	Annuity and pension income.	19) (a), (b) 20), 21), 22), 23) (a), (b) 24) (a), (b), (c), (d), (e), (f) 25), 26) (a), (b), (c)
437	Mental Capacity Care Act 2014	Mortgage protection insurance policies.	27) a), b), c) 28)
438	Mental Capacity Care Act 2014	Other income that must be fully disregarded.	29) (a), (b), (c), (d), (e), (f), (g) (h), (i), (j), (k), (l), (m), (n) (o), (p), (q), (r), (s), (t), (u) (v), (w), (x), (y) (i), (ii), (iii), (iv) (v), (vi), (vii) (viii), (ix), (x), (xi) (xii), (xiii), (xiv)
439	Mental Capacity Care Act 2014	Savings credit.	30)
440	Mental Capacity Care Act 2014	Charitable and voluntary payments.	31), 32)
441	Mental Capacity Care Act 2014	Partially disregarded income. “For individuals” “For couples”	33) (a), (b)
442	Mental Capacity Care Act 2014	Notional income.	34), 35)
443	Mental Capacity Care Act 2014	Example of notional income.	36), 37)
444	Mental Capacity Care Act 2014	Example of notional income in relation to new	38)

		pension flexibilities.	(a), (b), (c), (d), (i), (ii) (e)
445	Mental Capacity Care Act 2014	Disability-related expenditure. “Example of disability related expenditure”	39), 40) (a), (b), (c) (i), (ii), (iii), (iv), (v), (vi), (vii), (viii), (ix), (x), (xi), (xii), (xiii) 41)
446	Mental Capacity Care Act 2014	Care homes.	42)
447	Mental Capacity Care Act 2014	Personal expenses allowance.	43), 44), 45), 46) a), b), c), d), e)
448	Mental Capacity Care Act 2014	All other settings.	47)
449	Mental Capacity Care Act 2014	Minimum income guarantee.	48), 49), 50)
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450	Mental Capacity Care Act 2014	This annex covers: • the principles underpinning the approach to debt recovery • options for debt recovery • processes around debt recovery	1), 2), 3), 4), 5)
451	Mental Capacity Care Act 2014	Principles underpinning the approach to debt recovery.	6), 7), 8), 9), 10)
452	Mental Capacity Care Act 2014	Timing of debt recovery.	11)
453	Mental Capacity Care Act 2014	Options to recover debt. a) Negotiating an agreement: b) Mediation: c) Arbitration:	12), 13), 14), 15), 16)
454	Mental Capacity Care Act 2014	Diminishing or lack of mental capacity.	17), 18), 19), 20), 21)
455	Mental Capacity Care Act 2014	Recovering debt and deferred payment agreements.	22), 23), 24), 25), 26)
456	Mental Capacity Care Act 2014	Issuing a claim and subsequent enforcement through the county court.	27)
457	Mental Capacity Care Act 2014	Getting started.	28), 29), 30), 31), 32), 33), 34)
458	Mental Capacity Care Act 2014	What next?	35), 36), 37), 38), 39), 40)
459	Mental Capacity Care Act 2014	Receiving a county court judgment or order.	41)
460	Mental Capacity Care Act 2014	Enforcing the judgment or order.	42), 43), 44), 45), 46), 47),

			48)
461	Mental Capacity Care Act 2014	Other routes.	49)
462	Mental Capacity Care Act 2014	Further information. A summary of those already referred to in this guidance and others that may be of use are listed below: • EX301: I'm in a dispute – what can I do? • EX302: How do I make a court claim? • EX304: I've started a claim in court – what happens next? • EX305: and EX306: Small claims track, fast track and multi-track claims in civil courts • EX321: I have a judgment but the defendant hasn't paid • EX325: Third-party debt and charging orders – how do I ask for an order? • EX50: Civil and family court fees	50)
463	Mental Capacity Care Act 2014	Complaints.	51)

Annex E: Deprivation of assets

This annex covers:

- the deprivation of capital in order to avoid or reduce care and support charges
- the deprivation of income in order to avoid or reduce care and support charges

The purpose of this annex is to provide local authorities with detailed guidance on how to respond when they suspect that a person has deliberately deprived themselves of assets in order to avoid or decrease the amount they are asked to pay towards any care and support charges. For the purposes of this section, 'assets' mean capital and/or income.

464	Mental Capacity Care Act 2014	Setting the context.	1), 2), 3), 4),5)
465	Mental Capacity Care Act 2014	What is meant by deprivation of assets?	6), 7)
466	Mental Capacity Care Act 2014	Has deprivation of capital occurred? (a) a trust deeds (b) deed of gift (c) receipts for expenditure (d) proof that debts have been repaid “Example of where deprivation has not occurred” “Example of assets to be considered” “Example of assets to be considered”	8), 9) (a), (b), (c), (d), (e), (f), (g) 10), 11) (a), (b) 12)
467	Mental Capacity Care Act 2014	Has deprivation of income occurred?	13), 14), 15) (a), (b), (c) 16)
468	Mental Capacity Care Act 2014	Local authority investigations.	17)
469	Mental Capacity Care Act 2014	What happens where deprivation of assets has	18), 19), 20)

		occurred?	
470	Mental Capacity Care Act 2014	Recovering charges from a third party. “Example of liability of a third party”	21), 22), 23)
Annex F: Temporary and short-term residents in care homes This annex covers how to undertake a financial assessment of someone who is temporarily placed in a care home			
471	Mental Capacity Care Act 2014	Setting the context.	1), 2), 3)
472	Mental Capacity Care Act 2014	Who is a temporary resident?	4), 5), 6), 7)
473	Mental Capacity Care Act 2014	Charging.	8)
474	Mental Capacity Care Act 2014	Assessing ability to pay.	9)
475	Mental Capacity Care Act 2014	Capital.	10) (a), (b) 11)
476	Mental Capacity Care Act 2014	Income and earnings.	12), 13), 14), 15), 16), 17) 18), 19), 20)
Annex G: The process for managing transfers of care from hospital for patients with care and support needs			
477	Mental Capacity Care Act 2014	This annex covers: • overview of the requirements of the regulations. • legibility of notices. • assessment notices (including content, withdrawal and time to carry out assessment.) • interaction with NHS Continuing Healthcare. • discharge notices (including content, withdrawal and timing of discharge notice.) • delayed discharge reimbursement. • days exempt from payment liability. • ordinary residence. • dispute resolution. • sign-off of data between the NHS and local authority. • reporting of all delayed transfers of care days. • data and information. • patient and carer consultation. • patient choice.	1), 2)
478	Mental Capacity Care Act 2014	Legibility of notices.	3), 4)
479	Mental Capacity Care Act 2014	Assessment notices. “In order to consider NHS Continuing Healthcare, the NHS body must either:” “Where the NHS considers that the patient may	5), 6), 7), 8) a), b), c), d) a), b), c)

		have a need for NHS Continuing Healthcare (b and c above), it must, before issuing an Assessment Notice, have:”	a), b), c)
480	Mental Capacity Care Act 2014	Timescales for NHS to issue an assessment notice.	9) 10), 11)
481	Mental Capacity Care Act 2014	Content of assessment notice. “The assessment notice must include the following:”	12), 13), 14) (a), (b), (c), (d) 15), 16)
NOTICE OF REQUEST FOR Assessment under The Care and Support (Discharge of Hospital Patients) Regulations 2014			
482	Mental Capacity Care Act 2014	Timescales for local authorities’ responsibilities to carry out assessments. “Example 1” “Example 2”	17), 18), 19), 20), 21)
483	Mental Capacity Care Act 2014	Assessment notice withdrawal.	22), 23), 24)
484	Mental Capacity Care Act 2014	Discharge notices.	25), 26), 27)
485	Mental Capacity Care Act 2014	Content of a discharge notice.	28)
486	Mental Capacity Care Act 2014	Timing of discharge notice. “Example 1” “Example 2”	29), 30), 31), 32), 33)
487	Mental Capacity Care Act 2014	Withdrawal of discharge notice.	34), 35), 36), 37), 38)
488	Mental Capacity Care Act 2014	Delayed discharge reimbursement.	39), 40), 41), 42), 43), 44)
489	Mental Capacity Care Act 2014	Days exempt from payment liability.	45), 46), 47)
490	Mental Capacity Care Act 2014	Ordinary residence.	48)
491	Mental Capacity Care Act 2014	Dispute resolution.	49), 50)
492	Mental Capacity Care Act 2014	Sign-off of data between the NHS and local authority.	51)
493	Mental Capacity Care Act 2014	Reporting of all DTOC days.	52)
494	Mental Capacity Care Act 2014	Data and information.	53)
495	Mental Capacity Care Act 2014	Patient and carer involvement.	54)
496	Mental Capacity Care Act 2014	Other relevant considerations.	55)
Annex H: Ordinary residence			
497	Mental Capacity Care Act 2014	People with ‘urgent needs’	1), 2), 3), 4), 5), 6), 7)
498	Mental Capacity Care Act 2014	People who are party to deferred payment agreements.	8), 9), 10), 11), 12), 13)

499	Mental Capacity Care Act 2014	People who are accommodated under the 12-week property disregard.	14), 15), 16), 17), 18), 19), 20)
500	Mental Capacity Care Act 2014	People who have sufficient funds to pay for their own care and accommodation. “Example 1: people who are arranging and paying for their care home placement” “Example 2: a local authority uses discretionary powers to meet a person’s needs by arranging a care home in another local authority area”	21), 22), 23)
501	Mental Capacity Care Act 2014	NHS Continuing Healthcare.	24), 25), 26), 27)
502	Mental Capacity Care Act 2014	Example: a person is discharged from NHS Continuing Healthcare.	28), 29), 30)
503	Mental Capacity Care Act 2014	British citizens resuming permanent residence in England after period abroad.	31), 32), 33), 34)
504	Mental Capacity Care Act 2014	Armed forces veterans and the families of armed forces personnel.	35), 36), 37)
505	Mental Capacity Care Act 2014	Young people in transition from children’s services to adult care and support.	38), 39)
506	Mental Capacity Care Act 2014	Care leavers and the 1989 Act.	40), 41), 42), 43), 44), 45)
507	Mental Capacity Care Act 2014	Other provisions under which an ordinary residence determination can be sought Schedule 3 to the Care Act 2014.	46), 47), 48), 49), 50)
508	Mental Capacity Care Act 2014	The Mental Capacity Act 2005 Deprivation of Liberty Safeguards. “Example: moving from hospital to a care home under a standard authorisation”	51), 52), 53), 54), 55), 56), 57), 58), 59), 60), 61), 62), 63)
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Mental Capacity Care Act 2005

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<http://www.legislation.gov.uk/ukpga/Eliz2/7-8/72>

“The Act is divided into ten parts”

1. Application of the Act
2. Compulsory admission to hospital and guardianship
3. Patients concerned in criminal proceedings or under sentence
4. Consent to treatment
5. Mental Health Review Tribunal
6. Removal and return of patients within the United Kingdom
7. Management of property and affairs of patients
8. Miscellaneous functions of Local Authorities and the Secretary of State
9. Offences
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Each of these ten parts are divided into "sections", which are numbered continuously throughout the Act. In total, there are 149 sections in the Act.

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17	Mental Health Act 2007	Regulations as to approvals in relation to England and Wales.	17.
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18	Mental Health Act 2007	Approved mental health professionals.	18.
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26	Mental Health Act 2007	Civil partners.	26.
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35	Mental Health Act 2007	Authority to treat.	35.
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38	Mental Health Act 2007	Organisation.	38.
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54	Mental Health Act 2007	Consequential provisions.	54.

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