

Best Interests Assessor

Unit Title	Best Interests Assessor		
Unit Code			
Unit Abbreviation			
Level of Study	7		
Credit Value	30	ECTS Value	15
Home Department	Social Care and Social Work		
Home Faculty	Faculty of Health, Psychology and Social Care		
Unit Co-ordinator	Pete Cooling		
Key Words	Critical thinking & analysis, developing critical & evidence based practice, complexity, risk & change, professional development, deprivation of liberty, Human Rights, Mental Health Act, Mental Capacity Act and decision-making.		

Unit Description

Brief Summary	<p>The aim of this unit is to provide the necessary legislative frameworks and accompanying principles required for practitioners to undertake the statutory role of Best Interest Assessor (BIA). The BIA is responsible for deciding whether a person is deprived of their liberty as defined by Article 5 of the ECtHRs, whether it is in their best interests and for how long an authorisation should last. In order for practitioners to be qualified as BIAs their respective Supervisory bodies will need to be satisfied that they are able to undertake assessments at the standard set in the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008. Similarly, practitioners will need to demonstrate the six areas of capability as defined by the College of Social Work (TCSW).</p>
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Indicative Content	<p>The content will allow practitioners to covers the law and policy requirements for the Best Interest Assessor role under the Deprivation of Liberty Safeguards (Mental Capacity Act 2005). The course will focus on the core skills and knowledge required, as defined by the appropriate regulations, in order for a supervisory body to be satisfied that the candidate is competent to perform the role and to ensure practitioners remain research minded in their application. The unit will also allow the study of organisational cultures and their impact upon decision making and inter professional practice</p> <p>The curriculum will address a number of specific areas. Underpinning these areas will be the key themes of mental capacity, best interest decision making and law relating to the European Court of Human Rights.</p> <p>The curriculum will include:</p> <ol style="list-style-type: none"> 1. Exploration of the legislation, case law and policy related to mental capacity and the deprivation of liberty. 2. A critical analysis of the interface between the Mental Capacity Act 2005, Mental Health Act 1983 (amended) and the Human Rights Act 1998. 3. Exploration of the roles and responsibilities of agencies and professionals involved within the decision making process, including the skills of a Best Interest Assessor. 4. The application of critical analysis in order to understand models of incapacity and supported decision-making. 5. The application of reflection and critical analysis to examine practice with service users and families where issues of mental capacity and human rights are central to care planning.
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Learning Outcomes

Unit Learning Outcomes	<p>On successful completion of this unit students will be able to:</p> <ol style="list-style-type: none"> 1. Systematically apply in practice, knowledge of the relevant legislative frameworks, associated guidance and policy relating to mental capacity, mental disorder and the deprivation of liberty. 2. Critically demonstrate an understanding of the roles and responsibilities of the Best Interest Assessor, Mental Health Assessor and other professionals involved in the decision making process and understand what constitutes a deprivation of liberty. 3. Critically analyse and apply the ability to promote the rights, dignity and self-determination of people who may lack capacity within a culturally competent decision making process. 4. Critically analyse and apply the ability to make informed, independent best interest decisions within the context of a Deprivation of Liberty Safeguards assessment which demonstrates the ability to obtain, evaluate and analyse complex evidence and differing views and to weigh them appropriately in the decision making process. 5. Systematically apply in practice an ability to keep appropriate records and to provide clear and reasoned reports in accordance with legal requirements and good practice.
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Assessment

Summative Assessment	<table border="1"> <thead> <tr> <th>Element</th> <th>Type</th> <th>Weighting</th> <th>Learning outcomes assessed</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Presentation</td> <td>40%</td> <td>1, 3</td> </tr> <tr> <td>2</td> <td>Written assignment (final element)</td> <td>60%</td> <td>2,,4, 5</td> </tr> </tbody> </table>				Element	Type	Weighting	Learning outcomes assessed	1	Presentation	40%	1, 3	2	Written assignment (final element)	60%	2,,4, 5
	Element	Type	Weighting	Learning outcomes assessed												
	1	Presentation	40%	1, 3												
2	Written assignment (final element)	60%	2,,4, 5													
Employability & Sustainability Outcomes	Outcomes			Element of Assessment												
	<i>Employability</i>															
	Apply skills of critical analysis to real world situations within a defined range of contexts. (E)			1 & 2												
	Demonstrate a high degree of professionalism. (E)			1&2												
	Express ideas effectively and communicate information appropriately and accurately using a range of media including ICT. (E)			1&2												
	Develop working relationships using teamwork and leadership skills, recognising and respecting different perspectives. (E)			1&2												
	Manage their professional development reflecting on progress and taking appropriate action. (E)			1&2												
	Find, evaluate, synthesise and use information from a variety of sources. (E)			1&2												
	Articulate an awareness of the social and community contexts within their disciplinary field.			1&2												
	<i>Sustainability</i>															
	Use systems and scenario thinking.			1&2												
Engage with stakeholder/interdisciplinary perspectives.			1&2													
Description of each element of Assessment	<p>The unit is assessed by completion of a summative 3,000-word assignment and a presentation.</p> <p>Within the summative assignments, students will be required to use a case study from practice in order to demonstrate their understanding of the issues relating to the role of BIA. The 30-minute presentation will focus on issues relating to capacity and the application of the appropriate legislative framework including the Deprivation of Liberty Safeguards. The written assignment will focus on a critical evaluation of what constitutes a deprivation of liberty along with evidence of complex decision-making.</p> <p>The formative assessment will include case study preparation for the summative written assignment.</p> <p>Each assessment element enables students to demonstrate understanding of the requirements for relevant practitioners to meet the standards for Best Interest Assessors as outlined in TCSW capability framework.</p>															

Mandatory Learning & Teaching Requirements	Students need to meet the eligibility requirements set by the Mental Capacity (Deprivation of Liberty: Standard Authorisations, Assessments and Ordinary Residence) Regulations 2008.
Minimum Pass Mark	Students need to achieve 50% in both elements

Learning Activities

Breakdown of Student Learning Activity	Type of Activity	%
	Summative Assessment	20
	Directed Study	30
	Student-centred Learning	50

Learning Resources

Books recommended for purchase by students	<p>Dept of Constitutional Affairs. (2007). <i>Mental Capacity Act 2005; Code of Practice</i>. London: TSO.</p> <p>Dept. of Health (2008) <i>Code of Practice: Mental Health Act 1983</i>. London: TSO.</p> <p>Dept. of Health (2008). <i>Deprivation of liberty safeguards: code of practice to supplement the main Mental Capacity Act 2005 code of practice</i>. London: TSO.</p>
Essential Reading/ Resources	<p>Barber, P., Brown, R., & Martin, D. (2009). <i>Mental Health Law in England and Wales</i>. Exeter: Learning Matters.</p> <p>Brown, R., Barber, P., & Martin, D. (2009) <i>The Mental Capacity Act 2005: A Guide for Practice</i>. Exeter: Learning Matters.</p> <p>Jones, R. (2012). <i>Mental Capacity Act Manual</i>. (5th Edn.). London: Sweet and Maxwell.</p> <p>Jones, R. (2013). <i>Mental Health Act Manual</i>. (16th Edn.). London: Sweet and Maxwell.</p> <p>Tew, J. (Ed). (2005). <i>Social Perspectives in Mental Health: Developing Social Models to Understand and Work with Mental Distress</i> London: Jessica Kingsley.</p>
Further Reading/ Resources	<p>Brown R (2008) <i>The AMHP's Guide to Mental Health Law</i>. Exeter: Learning Matters.</p> <p>Bui, K. (2002). <i>Racism and Mental Health; Prejudice and Suffering</i>. London: Jessica Kingsley.</p>

	<p>Coppock, V., B, Dunn, B. (2010). <i>Understanding Social Work Practice in Mental Health</i>. London: Sage.</p> <p>Coppock, V., & Hopton, J. (2000). <i>Critical Perspectives on Mental Health</i>. London: Routledge.</p> <p>Department of Health. (2002). <i>Women's Mental Health: Into the Mainstream</i>. London: DOH.</p> <p>Department of Health. (2003). <i>Delivering Race Equality</i>. London: DOH.</p> <p>Dept. of Health (2008) Reference Guide to the Mental Health Act 1983 as Amended by the Mental Health Act 2007</p> <p>DoH (2007) <i>Best Practice in Managing risk</i>. London: National Risk Management Programme</p>
Specialist ICTS Resources	None
Additional Requirements	None

Administration

JACS Code	L500
HESA Academic Cost Centre	
Date of Approval	12 June 2014
Date of Most Recent Consideration	
Unit External Examiner	
Unit Assessment Board	