



COMING HOME CARER SKILLS

Module 5: Putting the person first: choice and mental capacity

A short guide for family carers, with questions to write in

Coming Home Carer Skills. For England, Wales, Scotland and Northern Ireland

October 2026

About this course

Coming Home Carer Skills is our own free course for family carers. Its topics follow the 16 Care Certificate standards (2025) from Skills for Care, NHS England and Skills for Health. It is not the Care Certificate, it is not a qualification, and those organisations have not endorsed it.

This guide to Module 5, Putting the person first: choice and mental capacity, is correct at October 2026. We've written it in good faith as general information to help family carers. It isn't legal, financial or medical advice, and it can't teach practical skills such as moving someone or first aid. For those, ask the person's nurse or therapist, or find an in-person course. To the extent the law allows, we can't accept liability for any errors or omissions, or for decisions made on the strength of this guide. In a medical emergency call 999. If you need advice quickly, call NHS 111. In Northern Ireland, contact your GP out of hours service.

Published by Caresque Limited, company number 16160381. 124 City Road, London, England, EC1V 2NX.

Contents

01	Knowing the person	4
02	Asking first	6
03	Helping someone decide	8
04	Mental capacity in plain words	10
05	Best interests	12
06	Planning ahead	14
07	Get help	16
08	Your questions	18
09	Quick quiz	23
10	Answers	27
11	Sources	30

How to use this guide

This guide goes with the online module. Read one section at a time. There are questions near the end, with space to write, and example answers at the back.

If you are worried about someone's health, contact their GP. If you need advice quickly, call NHS 111. In Northern Ireland, contact your GP out of hours service. In an emergency, call 999.

01

Knowing the person



Putting the person first means building care around them: what they like, what matters to them, and how they want to live. It starts with knowing them well.

Ask about.

- What makes a good day, and a bad day?
- Their routines: when they like to get up, eat and go to bed.
- Food and drink they enjoy, and things they never want.
- What helps when they are worried or upset.
- Their faith, culture, music, hobbies and the people who matter to them.



Try this

Write a one-page profile. This is a short note, on one page, about the person. Write it with them, in their words if you can. Add a photo if they like. Moses and Abena's profile says she loves bright colours, gospel music and tea with milk and 2 sugars, and that she likes to dress slowly, in her own time.

Share it. With the person's agreement, give a copy to paid carers, a day centre, or a hospital if they go in. It helps people who do not know them yet.

Keep it up to date. Likes and needs change. Look at it again every few months.

This course is general information. It is not legal advice.

Sources (read 8 Oct 2026): NHS website, "Care and support plans" (a plan includes what is important to you), www.nhs.uk/social-care-and-support/help-from-social-services-and-charities/care-and-support-plans/; NHS website, "Communicating with someone with dementia", www.nhs.uk/conditions/dementia/living-with-dementia/communication/. The one-page profile is a common good practice idea, not a legal requirement.

02

Asking first



Before you help someone, ask them. This is called consent. It means the person agrees to what you do. It matters for small things, like helping with a coat, as well as big ones.

Ask, explain, then wait.

- Ask in simple words: "Shall I help you with your buttons?"
- Explain what you would like to do, one step at a time.
- Give them time to answer.

Look as well as listen. People do not always say yes or no in words. Look at their face and body. Do they smile, nod, reach out, pull away or go quiet?



Remember

If they say no. Stop. Try again a bit later, or in a different way. Perhaps another time of day, or another person helping. If something must be done for their health or safety and they keep saying no, talk to their GP, nurse or social worker.

Health care. Doctors and nurses must also ask for consent before examining someone or giving them care. If the person cannot decide, the part called "Best interests" explains what happens.

Do things with them, not to them. Even when someone needs a lot of help, let them do the parts they can, and let them choose how things are done.

Sources (read 8 Oct 2026): NHS website, "Consent to treatment" (this means agreeing to a test, an examination or care from a doctor or nurse; consent can be given in words, in writing or without words, such as holding out an arm, and an adult who can decide may say no),

www.nhs.uk/tests-and-treatments/consent-to-treatment/; Mental Capacity Act Code of Practice (England and Wales), paragraph 3.14 (choose the time of day when the person thinks most clearly; it may take several tries),

www.gov.uk/government/publications/mental-capacity-act-code-of-practice

03

Helping someone decide



Many people, including people living with dementia, can make their own choices with the right support. Before anyone decides for them, help them decide for themselves.

**Tip****Tips.**

- Pick their best time of day. Many people think more clearly in the morning.
- Pick a quiet, familiar place, with the radio or TV off.
- Keep it simple. Offer 2 choices, not 10.
- Show the real things, or pictures, as well as using words.
- Give them time. Do not rush them, and do not answer for them.
- Use the way they communicate best, such as hearing aids, glasses, writing things down, or an interpreter.
- Ask someone they trust to help explain, if they would like that.
- If the decision can wait, and they may be able to decide later, wait.

Small choices count. What to wear, what to eat, when to get up, and what to do today are all real decisions. Making them helps people feel in charge of their own life.

Sources (read 8 Oct 2026): NHS website, "Mental Capacity Act" (helping people make their own decisions), www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Mental Capacity Act Code of Practice (England and Wales), paragraphs 3.12 to 3.14 (place and time), www.gov.uk/government/publications/mental-capacity-act-code-of-practice

04

Mental capacity in plain words



Mental capacity means being able to make a particular decision for yourself, at the time it needs to be made.

One decision, at one time. Someone may be able to choose their clothes, but find a decision about their savings very hard. Capacity can also change from day to day, or hour to hour.

England and Wales. The law is the Mental Capacity Act 2005. It is the law about making decisions for people aged 16 and over who may not be able to make them. Its main ideas include:

- Assume the person can make their own decision, unless it is shown that they cannot.
- Help them to decide first, in every way you can.
- A person is not unable to decide just because their choice seems unwise.

Scotland. The law is the Adults with Incapacity (Scotland) Act 2000. Anything done for an adult who cannot decide must benefit them, limit their freedom as little as possible, take account of their past and present wishes, take account of the views of their nearest relative and main carer, and encourage them to use their own skills.

Northern Ireland. The Mental Capacity Act (Northern Ireland) 2016 is only partly in force. Ask your Health and Social Care Trust, or a solicitor, how it applies to you.



Get help

Big decisions, and health worries. For decisions such as where to live, money or health care, ask a professional, such as the GP or a social worker, to assess whether the person can decide. If memory or confusion is getting worse slowly, talk to their GP. If you need advice quickly, call NHS 111. In Northern Ireland, contact your GP out of hours service. If someone suddenly becomes confused, call 999.

Sources (read 8 Oct 2026): Mental Capacity Act Code of Practice (England and Wales), paragraphs 4.42 and 4.51 (complex decisions may need a professional view, such as from the GP or a social worker), www.gov.uk/government/publications/mental-capacity-act-code-of-practice; Mental Capacity Act 2005, sections 1 and 68, www.legislation.gov.uk/ukpga/2005/9/section/1 and www.legislation.gov.uk/ukpga/2005/9/section/68; NHS website, "Mental Capacity Act", www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Adults with Incapacity (Scotland) Act 2000, section 1, www.legislation.gov.uk/asp/2000/4/section/1; Department of Health (Northern Ireland), "Mental Capacity Act", www.health-ni.gov.uk/topics/mental-capacity-act; NHS website, "Sudden confusion", www.nhs.uk/conditions/confusion/; nidirect, "GP out of hours service", www.nidirect.gov.uk/articles/gp-out-hours-service

05

Best interests



Sometimes a person cannot make a particular decision, even with help.

England and Wales. Any decision made for them, or anything done for them, must be in their best interests. This means:

- Help them take part as much as they can.
- Think about what they would want: their past and present wishes, their feelings, and their beliefs and values.
- Do not make assumptions because of their age, how they look or their illness.
- Ask whether they might be able to decide later. If so, could it wait?
- Talk to the people who know them: family, carers, and anyone they have named. If there is an attorney or a deputy, talk to them.
- Choose the option that limits their freedom the least.

**Remember**

Who decides? It depends on the decision. The law calls this person the decision-maker. For everyday care, it is usually the carer helping at the time, which may be you. For health care, it is the doctor or nurse giving that care. For a care plan, health and social care staff, such as a social worker, may decide together. If the person has a registered attorney, or a deputy, for that kind of decision, they decide.

Scotland. The law uses its own principles instead (see "Mental capacity in plain words"): the action must benefit the person, be the least restrictive option, and take account of their wishes and the views of people close to them.

Northern Ireland. Ask your Health and Social Care Trust, or a solicitor.

Hamza, a social worker, met Moses and Abena about more help at home. Abena has always loved company, so they agreed to try a lunch club twice a week.

Sources (read 8 Oct 2026): NHS website, "Mental Capacity Act" (best interests), www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Mental Capacity Act 2005, section 1, www.legislation.gov.uk/ukpga/2005/9/section/1; Mental Capacity Act Code of Practice (England and Wales), paragraphs 5.8 to 5.11 (who the decision-maker is), www.gov.uk/government/publications/mental-capacity-act-code-of-practice; Adults with Incapacity (Scotland) Act 2000, section 1, www.legislation.gov.uk/asp/2000/4/section/1

06

Planning ahead



A power of attorney is a legal document. It lets someone choose a person they trust, called an attorney, to make decisions for them if one day they cannot. It must be made while they can still decide.

England and Wales: lasting power of attorney. There are 2 types: health and welfare, and property and financial affairs. You can make one or both. You must be 18 or over and able to make the decision. It must be registered with the Office of the Public Guardian before it can be used.

Scotland. A continuing power of attorney covers money and property. A welfare power of attorney covers care and personal decisions, and can only be used once the person cannot make those decisions. A solicitor or doctor must meet the person before they sign. It must be registered with the Office of the Public Guardian (Scotland).

Northern Ireland: enduring power of attorney. This covers money, property and financial affairs. It does not cover health and welfare decisions. It must be set up while the person is able to decide. It must be registered with the Office of Care and Protection if the person is becoming unable to manage their affairs.



Get help

Without a power of attorney. In England and Wales, a relative may need to apply to the Court of Protection to become a deputy. In Scotland, someone may need to apply to court for a guardianship or intervention order. In Northern Ireland, ask a solicitor or the Office of Care and Protection.

Write down wishes, too. While they can still decide, a person can write down what matters to them for their future care. For example, their faith, where they would like to be cared for, or who will look after their dog. The NHS calls this an advance statement. They can give a copy to family, and ask for a copy to be kept in their medical notes.

Sources (read 8 Oct 2026): NHS website, "Advance statement about your care wishes",

www.nhs.uk/conditions/end-of-life-care/planning-ahead/advance-statement/;

GOV.UK, "Make, register or end a lasting power of attorney",

www.gov.uk/power-of-attorney; GOV.UK, "Deputies: make decisions for

someone who lacks capacity", www.gov.uk/become-deputy; mygov.scot,

"Power of attorney", www.mygov.scot/power-of-attorney; mygov.scot, "Setting

up guardianship", www.mygov.scot/guardianship; nidirect, "Managing your

affairs and enduring power of attorney", [www.nidirect.gov.uk/articles/](http://www.nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney)

[managing-your-affairs-and-enduring-power-attorney](http://www.nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney)

07

Get help



- **England and Wales:** Office of the Public Guardian, for lasting powers of attorney and deputies.
www.gov.uk/government/organisations/office-of-the-public-guardian .
Make or register a lasting power of attorney:
www.gov.uk/power-of-attorney
- **Scotland:** Office of the Public Guardian (Scotland), for powers of attorney and guardianship. www.publicguardian-scotland.gov.uk
- **Northern Ireland:** Office of Care and Protection, for enduring powers of attorney. nidirect explains: www.nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney
- **Your council:** for care decisions and a social worker. Find your council: www.gov.uk/find-local-council . In Northern Ireland, contact your Health and Social Care Trust (www.nidirect.gov.uk/contacts/health-and-social-care-trusts).
- **A solicitor:** for legal advice. England and Wales: solicitors.lawsociety.org.uk ; Scotland: www.lawscot.org.uk/find-a-solicitor/ ; Northern Ireland: www.lawsoc-ni.org
- **Carers UK helpline:** 0808 808 7777 (free). Advice for carers in all four nations. www.carersuk.org

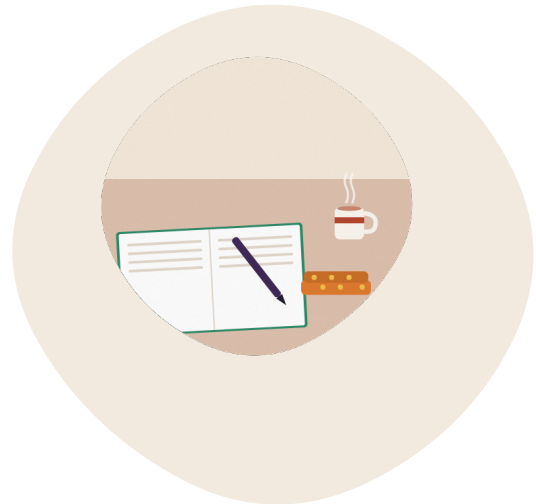


Get help

Worried about someone's health? Contact their GP. If you need advice quickly, call NHS 111 (or go to 111.nhs.uk). In Northern Ireland, contact your GP out of hours service (www.nidirect.gov.uk/articles/gp-out-hours-service). **If someone suddenly becomes confused, or is in danger now, call 999.**

08

Your questions



Write here

Write your answers in the boxes. Take your time, and come back to them whenever you like. There are example answers at the back of this guide to compare with your own.

1. Write five things that make a good day for the person you care for.

2. How does the person show you yes or no, apart from words?

3. Big decisions are hard for your dad in the evening. How could you help him make a choice about his care?

4. Think of a choice the person you care for can still make for themselves. How can you help them keep making it?

5. In your own words, what does "mental capacity" mean?

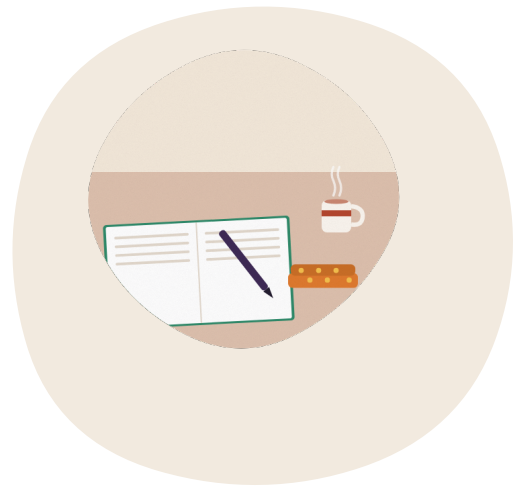
6. If the person could not make a decision, what would they want you to think about? Write down their wishes, feelings or beliefs that matter most.

7. Does the person have a power of attorney in place? If not, who could you ask about it?

8. Who would you talk to if you were worried that the person could not make a big decision, such as where to live?

09

Quick quiz



Tick one answer for each question. The answers, with the reasons, are at the back of this guide.

1. What does putting the person first mean?

- ☐ Doing what is quickest for you
- ☐ Building care around what matters to the person
- ☐ Doing what the neighbours suggest
- ☐ Making all their choices for them

2. You are about to help your dad with his coat. What should you do first?

- ☐ Just do it quickly
- ☐ Ask him, and explain what you would like to do
- ☐ Wait until he is asleep
- ☐ Ask the neighbour

3. Your mum says no when you offer to help her wash. What should you do?

- ☐ Do it anyway
- ☐ Stop, and try again later or in a different way
- ☐ Shout until she agrees
- ☐ Never offer again

4. Big choices are hard for Abena. Which is the best way to help her choose lunch?

- ☐ List 10 dishes quickly
- ☐ Show her 2 plates of food and give her time
- ☐ Choose for her
- ☐ Ask her in a noisy room

5. What does mental capacity mean?

- ☐ How clever someone is
- ☐ Being able to make a particular decision at the time it needs to be made
- ☐ How good someone's memory is
- ☐ Having an illness

6. Under the Mental Capacity Act 2005, what must you assume first?

- ☐ That the person can make their own decision, unless it is shown they cannot
- ☐ That older people cannot decide
- ☐ That people with dementia cannot decide
- ☐ That the carer always decides

7. Which law covers mental capacity in Scotland?

- ☐ The Adults with Incapacity (Scotland) Act 2000
- ☐ The Mental Capacity Act 2005
- ☐ The Equality Act 2010
- ☐ There is no law in Scotland

8. When working out someone's best interests, what should you think about?

- ☐ Only what is easiest for you
- ☐ Their past and present wishes, feelings and beliefs
- ☐ Their age only
- ☐ What the neighbours think

9. In England and Wales, what is a lasting power of attorney?

- ☐ A legal document that lets you choose someone to make decisions for you if you cannot
- ☐ A bank card
- ☐ A letter from the GP
- ☐ A type of benefit

10. Morag lives in Scotland. Which kind of power of attorney covers care and personal decisions there?

- ☐ A welfare power of attorney
- ☐ An enduring power of attorney
- ☐ A lasting power of attorney
- ☐ A council tax form

10

Answers



Your questions

There are no wrong answers to most of these questions. These are examples to compare with your own.

1. There are no wrong answers. For example: a lie-in, a favourite breakfast, music they love, a phone call with a friend, choosing their own clothes, a short walk, or a programme they enjoy. Share these with anyone who helps them.
2. For example: a smile or a frown, nodding or shaking their head, reaching out or pulling away, going quiet, or getting restless. Watching for these helps you know whether they agree.
3. Talk about it at his best time of day, perhaps the morning. Keep it simple, offer 2 options, use pictures or the real things, give him time, and do not rush him. If you can, wait until he is ready.
4. For example: choosing clothes, meals, music or when to get up. You can help by offering simple choices, giving time, laying things out where they can see them, and not taking over.
5. Being able to make a particular decision for yourself, at the time it needs to be made. It is about one decision at one time. You start by assuming the person can decide, and help them first.

6. For example: staying at home, being near family, their faith, food they like, keeping their dog, or not wanting a fuss. In England and Wales, these all count in deciding their best interests. In Scotland, their wishes must be taken into account too.

7. England and Wales: a lasting power of attorney, registered with the Office of the Public Guardian. Scotland: a continuing power of attorney, a welfare power of attorney, or both, registered with the Office of the Public Guardian (Scotland). Northern Ireland: an enduring power of attorney, for money and property only. It is registered with the Office of Care and Protection when the person is becoming unable to manage their affairs. A solicitor or Carers UK (0808 808 7777) can help.

8. Talk to their GP or social worker, who can assess whether they can make that decision. Your council, or your Trust in Northern Ireland, can help with care decisions. If someone suddenly becomes confused, call 999.

Quick quiz

1. Building care around what matters to the person. Putting the person first means care is built around what matters to them.

2. Ask him, and explain what you would like to do. Always ask first and explain. This is called consent.

3. Stop, and try again later or in a different way. If they say no, stop. Try again later, or in a different way.

4. Show her 2 plates of food and give her time. Offer 2 simple choices, show the real things, and give her time.

5. Being able to make a particular decision at the time it needs to be made. Mental capacity is about being able to make a particular decision, at the time it needs to be made.

6. That the person can make their own decision, unless it is shown they cannot. You must assume a person can decide unless it is shown that they cannot.

7. The Adults with Incapacity (Scotland) Act 2000. In Scotland, the law is the Adults with Incapacity (Scotland) Act 2000.

8. Their past and present wishes, feelings and beliefs. Their wishes, feelings and beliefs all count, and they should take part as much as they can.

9. A legal document that lets you choose someone to make decisions for you if you cannot. It lets you choose someone you trust to decide for you, if one day you cannot.

10. A welfare power of attorney. In Scotland, a welfare power of attorney covers care and personal decisions. A continuing power of attorney covers money and property.

11

Sources

Every source was read on 8 October 2026. Each section also lists its own sources at the end.

- **Section 1. Knowing the person.** NHS website, "Care and support plans" (a plan includes what is important to you), www.nhs.uk/social-care-and-support/help-from-social-services-and-charities/care-and-support-plans/; NHS website, "Communicating with someone with dementia", www.nhs.uk/conditions/dementia/living-with-dementia/communication/. The one-page profile is a common good practice idea, not a legal requirement.
- **Section 2. Asking first.** NHS website, "Consent to treatment" (this means agreeing to a test, an examination or care from a doctor or nurse; consent can be given in words, in writing or without words, such as holding out an arm, and an adult who can decide may say no), www.nhs.uk/tests-and-treatments/consent-to-treatment/; Mental Capacity Act Code of Practice (England and Wales), paragraph 3.14 (choose the time of day when the person thinks most clearly; it may take several tries), www.gov.uk/government/publications/mental-capacity-act-code-of-practice
- **Section 3. Helping someone decide.** NHS website, "Mental Capacity Act" (helping people make their own decisions), www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Mental Capacity Act Code of Practice (England and Wales), paragraphs 3.12 to 3.14 (place and time), www.gov.uk/government/publications/mental-capacity-act-code-of-practice

- Section 4. Mental capacity in plain words.** Mental Capacity Act Code of Practice (England and Wales), paragraphs 4.42 and 4.51 (complex decisions may need a professional view, such as from the GP or a social worker), www.gov.uk/government/publications/mental-capacity-act-code-of-practice; Mental Capacity Act 2005, sections 1 and 68, www.legislation.gov.uk/ukpga/2005/9/section/1 and www.legislation.gov.uk/ukpga/2005/9/section/68; NHS website, "Mental Capacity Act", www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Adults with Incapacity (Scotland) Act 2000, section 1, www.legislation.gov.uk/asp/2000/4/section/1; Department of Health (Northern Ireland), "Mental Capacity Act", www.health-ni.gov.uk/topics/mental-capacity-act; NHS website, "Sudden confusion", www.nhs.uk/conditions/confusion/; nidirect, "GP out of hours service", www.nidirect.gov.uk/articles/gp-out-hours-service
- Section 5. Best interests.** NHS website, "Mental Capacity Act" (best interests), www.nhs.uk/social-care-and-support/making-decisions-for-someone-else/mental-capacity-act/; Mental Capacity Act 2005, section 1, www.legislation.gov.uk/ukpga/2005/9/section/1; Mental Capacity Act Code of Practice (England and Wales), paragraphs 5.8 to 5.11 (who the decision-maker is), www.gov.uk/government/publications/mental-capacity-act-code-of-practice; Adults with Incapacity (Scotland) Act 2000, section 1, www.legislation.gov.uk/asp/2000/4/section/1
- Section 6. Planning ahead.** NHS website, "Advance statement about your care wishes", www.nhs.uk/conditions/end-of-life-care/planning-ahead/advance-statement/; GOV.UK, "Make, register or end a lasting power of attorney", www.gov.uk/power-of-attorney; GOV.UK, "Deputies: make decisions for someone who lacks capacity", www.gov.uk/become-deputy; mygov.scot, "Power of attorney", www.mygov.scot/power-of-attorney; mygov.scot, "Setting up guardianship", www.mygov.scot/guardianship; nidirect, "Managing your affairs and enduring power of attorney", www.nidirect.gov.uk/articles/managing-your-affairs-and-enduring-power-attorney



Coming Home

Less to hold in your head.

www.cominghomecare.app