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Adults with Incapacity

The Adults with Incapacity (Scotland) Act 2000 was the first major piece of legislation in the UK to protect and enhance the care of adults deemed incapable of making decisions about their welfare, property or financial affairs because of mental disorder or inability to communicate.

Clinical experience and research literature^{1,2,3,4} suggest that there may be a lack of understanding among health professionals about the appropriate use of the Act and the assessment of capacity.

This module aims to:

- Promote a better understanding of the Act by health professionals. Provide guidance on the assessment of “capacity” as defined in the Act
- Provide guidance on medical treatment under Part 5 of the Act
- Provide guidance on issuing certificates of incapacity, and treatment plans under Section 47 of the Act
- Explain proxy consent, Continuing Power of Attorney, Welfare Power of Attorney, intervention Orders and Guardianship Orders.