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## Best Interest Meeting - Checklist and Record



Suggested checklist and agenda developed from the British Psychological Society - 'Best Interests, guidance on determining the best interests of adults who lack capacity to make a decision (or decisions) for themselves' Section 3.

Best interest meeting checklist	Yes	No
Has an assessment of capacity been carried out?		
Identified as lacking capacity specifically for		
Evidenced within		
Has the assessment shown that the person lacks capacity to make the decision or decisions for themselves?		
Is the person likely at some time to gain capacity in relation to the matter in question?		
If YES, when is that likely to be?		
Evidence recorded within		
Has the person as far as reasonably practical been permitted and encouraged to participate?		
Is the decision to be made one that is allowed to be made under the Mental Capacity Act? (*See exclusions)		
Has an experienced Chairperson been appointed to Chair the Best Interest Meeting and record and distribute the outcome?		
Has someone been appointed as the note taker?		
Has the Chair ensured that all those mentioned in the statutory check list (if appropriate) have either been consulted or invited to attend the meeting? (e.g. Lasting Power of Attorney (LPOA) (welfare) Donee/Court of Protection deputy/other interested party)		
Is there a need to consider a referral for an IMCA?		
Has the Chair sent out an agenda?		
Are there any written statements such as Advance Decisions available that were made when the person had capacity?		
If applicable has there been a substituted judgement by either the LPOA (Welfare) Donee or a Court of Protection Deputy?		

**\* Exclusions such as:**

- To enter into a marriage or civil partnership
- To have sexual relations
- To a decree of a divorce being granted on two year separation
- To dissolving a civil partnership on the basis of two years' separation
- To a child being placed for adoption by an adoption agency
- To the making of an adoption order
- To the discharging of parental responsibilities on matters that do not relate to the child's property
- To give consent under the Human Fertilisation and Embryology Act
- Decisions about the proposed with-holding of withdrawal of artificial nutrition and hydration from a person in a permanent vegetative state or a minimally conscious state
- Cases involving organ or bone marrow donation by a person who lacks capacity to consent
- Cases involving non-therapeutic sterilisation of a person who lack capacity to consent
- Certain terminations of pregnancy



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**Best interest meeting record**

Best interests for:

Decision maker:

Consulted:

In attendance:

**1. Details of proposed intervention**

**2. Will capacity be regained in the future?**

**3. What are the benefits/justification for the intervention?**

**4. What are the risks / adverse effects of carrying it out?**



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**5. Is there a less restrictive option or any alternatives to consider?**

**6. What are the individual's wishes and feelings?**

**7. How has the person been involved in the decision making process?  
How has capacity been maximised?**

**8. How has information about the intervention been shared with them?**

**9. What are the views of other significant people involved in their life?**



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**10. Is there an advance directive?**

**Summary / Best interest decision:**

**Signed by Chair of meeting**

Name:  
Designation:  
Date and time: