

FOI 0222/2025 Response

1. Do you have a policy (or policies) which outlines the responsibilities of health and care professionals and the Trust towards a patient who has an Advance Decision to Refuse Treatment (ADRT) or Lasting Power of Attorney (LPA) for Health and Welfare?

This document might include:

- How an ADRT/LPA should be used in decisions about a person's treatment,
- What to do if there are doubts about the validity and/or applicability of the document,
- How to involve Health and Welfare Attorneys when making treatment decisions
- How or when decisions will be referred to the Court of Protection

If yes, please share a copy with us in any available format.

Please see attached Advanced Decision Policy, and note that a Section 40 exemption of the Freedom of Information Act 2000 has been applied.

This therefore means that staff members names and signatories have been removed as we do not routinely release their personal information.

2. In the event that a patient or family member, or someone using the Trust's services has a concern about the implementation of an Advance Decision to Refuse Treatment (ADRT) or a Lasting Power of Attorney (LPA) for Health and Welfare, does the Trust/Health Board have a documented process or course of action that would be provided to the person to allow them to resolve their concerns?

If yes, please share a copy with us.

If this information is covered within a policy you have included in the response above, please leave blank.

Please see attached Advanced Decision Policy, and note that a Section 40 exemption of the Freedom of Information Act 2000 has been applied.

This therefore means that staff members names and signatories have been removed as we do not routinely release their personal information.

3. Do you have a named individual who is responsible for overseeing the Trust's compliance with the Mental Capacity Act 2005?

Please note that there is no legal requirement for a named individual for the Mental Capacity Act.

However, compliance with the MCA is within the Head of Mental Health Legislation role.

Note that the Head of Mental Health Legislation (MHL) reports to the Associate Medical Director for MHL, and the Executive Medical Director for MHL.