



Rights for housing and support Making decisions about where you live

Making decisions about where you live



If staff are helping you to decide where to live, they must follow another law called the **Mental Capacity Act**.



The Mental Capacity Act applies if you are in England or Wales.



If you live in Scotland or Northern Ireland, the law is different.



The Mental Capacity Act is about helping people make decisions about their life.

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The Mental Capacity Act says staff must follow 5 rules.

Staff must:

1



Assume you can make your own decision about something, unless it is shown that you can't.

2



Give you as much help as you need to make your own decision.

3



Allow you to make an unwise decision, if you understand what you are doing.

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4



Find a way of doing things which gives you as much freedom as possible, if you cannot make a decision for yourself.

5



Find a way of doing what needs to be done that is right for you.



If you can't make a decision about signing or ending an agreement to rent a home, the only people who can do this for you are:



- Someone you have formally chosen to make decisions for you about things that belong to you.

This is called a Lasting Power of Attorney.

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- Someone who has been chosen by a court to make decisions for you about things that belong to you.

They are called a Deputy.

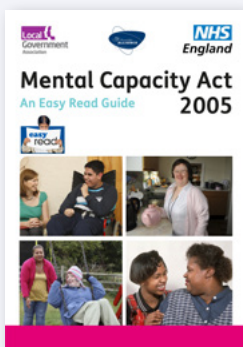


- A court which makes decisions when people can't decide for themselves.

This is called the Court of Protection.



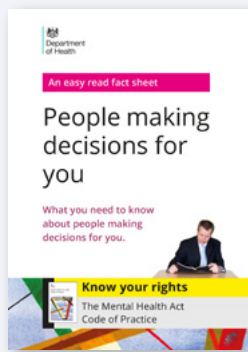
Staff in public bodies must follow the Mental Capacity Act and the Human Rights Act when they are helping you decide where to live.



There is Easy Read guide to the Mental Capacity Act:

<https://www.careengland.org.uk/sites/careengland/files/Mental%20Capacity%20Act%202005%20easy%20read%20guide.pdf>

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There is an Easy Read guide about people who make decisions for you: <https://assets.nhs.uk/prod/documents/MH-CoP-Decisions-for-you.pdf>

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