

# Bitesize Briefing: Executive Dysfunction & MCA

## 1 What is Executive Dysfunction?



**Executive Dysfunction** refers to difficulty with the brain's 'control centre' skills, such as the ability to plan, organise, make decisions and follow through with actions. When these skills are impacted, a person might struggle to start tasks, stay focused, adapt to changes, or turn intentions into actions.



### Links to the Mental Capacity Act (2005):

Under the MCA, a person may be assessed to 'lack capacity' if they are unable to:

Understand relevant information.

Retain that information long enough to make a decision.

Weigh up the information to make an informed decision.

Communicate their decision clearly.



## 2

### Executive Dysfunction in Safeguarding Contexts

#### Impaired Judgement and Decision-Making

*Impaired executive functioning may cause an adult to make choices that compromise their safety or wellbeing. They may be unable to respond appropriately to emergencies or recognise risky situations, or be unable to manage and prioritise daily tasks that promote their wellbeing. This weakened capacity can increase vulnerability to abuse and neglect, including self-neglect.*

#### Impaired Impulse Control

*Someone with executive dysfunction may act without considering the consequences, thereby increasing their vulnerability to harm or exploitation. Impulsivity can also impair an adult's ability to question or adequately protect themselves from abuse or neglect.*

Someone with executive dysfunction may appear to have capacity because they can 'talk the talk'. However, if they cannot 'walk the walk' (e.g. follow through on actions) they may be at greater risk of harm.



#### Dependency on Others

*Executorial capacity (the ability to carry out specific tasks/actions) may be compromised, leading to reliance on others to provide support. These relationship dynamics can increase the risk of abuse or neglect, due to perceived vulnerability.*



### Executive Function Animated Video

Worcestershire Safeguarding Adults Board

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## Reduced Working Memory

Someone with executive dysfunction may forget important appointments, safety instructions, or to take medication. Reduced attention and working memory may also mean that they don't recognise early warning signs of abuse – such as grooming – until the damage is done.



## Emotional Regulation Difficulties

Someone with executive dysfunction may experience heightened stress or frustration, which can lead to conflict and increased vulnerability. Trauma compounds executive dysfunction; individuals who have experienced trauma commonly exhibit heightened impulsivity, poor planning and hyper vigilance, which can undermine their ability to identify abusive patterns and make effective plans to protect themselves/seek help.

## 3 Executive Dysfunction & Mental Capacity

### **X** Misconception

Someone with executive dysfunction automatically lacks capacity under the Mental Capacity Act (2005).

### **✓** Reality

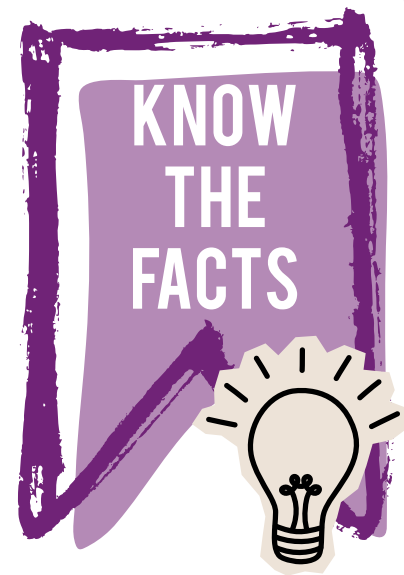
Someone with executive dysfunction does not automatically lack capacity under the MCA, **because capacity is decision-specific and time-specific**. A person may have difficulty with planning, organisation and impulse control, but still be able to understand, weigh up, and communicate about a particular decision.

### **X** Misconception

Someone who makes unwise decisions lacks capacity.

### **✓** Reality

Unwise decisions do not equate to incapacity. Whilst someone with executive dysfunction might make impulsive or risky decisions, making an unwise decision does not mean they automatically lack capacity. Executive dysfunction often means the person needs additional support to demonstrate capacity; if this support enables them to understand, retain, weigh up and communicate their decision – even if it is unwise – they have capacity



## Principles of MCA

- 1 Presume capacity unless proven otherwise.
- 2 Make all practical efforts to help individuals understand and communicate a decision.
- 3 Unwise decisions do not imply incapacity; people are allowed to make decisions that others may consider unwise.
- 4 Any decision made on someone's behalf must be in their best interests.
- 5 Interventions should infringe on rights and freedom as little as possible – always aim for the least restrictive option.

## 4 Further Learning & Development



Free E-Learning  
An Introduction to  
the Mental  
Capacity Act  
(2005).

