

The ethics of using assistive technology

Just Checking is a simple, web-based assessment tool that helps you get the right support to the right people at the right time. Sometimes family members, service users or staff have questions or concerns about the monitoring or 'surveillance' of someone's activities; this information is designed to help you with the ethical considerations when deciding to use the system.

How does it work?

The system provides objective evidence for decision-making. Sensors in the main rooms of a property generate a chart of activity, which is accessed via a secure website.

Do I need consent to install the system?

You should always seek permission to install the Just Checking system in a person's home. However, the person may lack sufficient capacity to decide if they are happy for the system to be installed. A simplified explanation may help- there are downloadable leaflets on our website.

The Mental Capacity Act

The Mental Capacity Act¹ works on the principle that the person has capacity unless proved otherwise. A person has capacity for this decision if it is clear that they can, without duress:

- understand and believe the information;
- remember it for long enough to weigh and balance it;
- make and express a judgement.

If the person has made an informed choice this must be respected, even if unconventional.

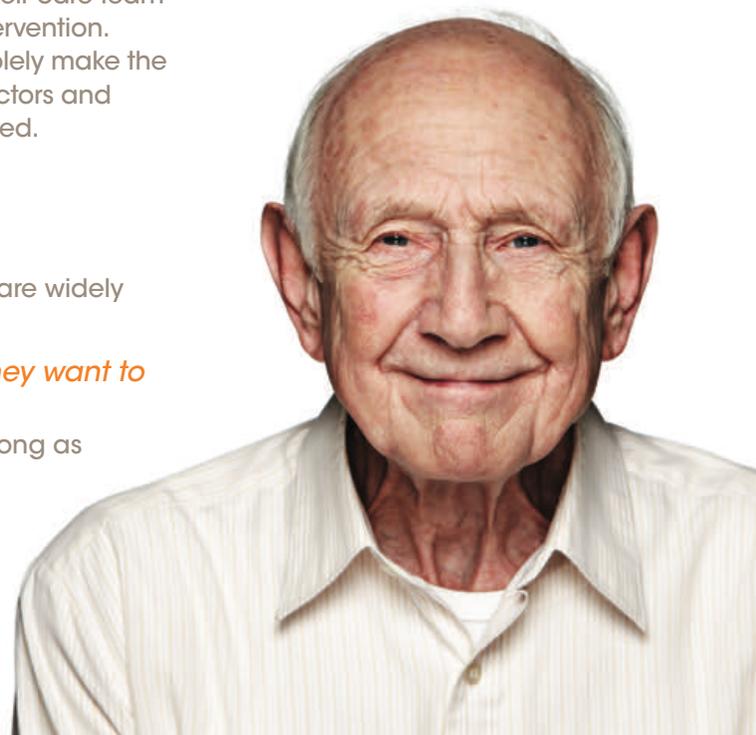
If the person lacks capacity then the decision is made by their care team under the principles of best interests and least restrictive intervention. Relatives would inform this process, although they cannot solely make the decision for the individual. There may be spiritual, cultural factors and relevant advance directives which also need to be considered.

Ethical principles

In making a best interests decision, four ethical principles² are widely used in health and social care.

Autonomy - *people should be able to decide what they want to do, or have done to them*

Most people would prefer to stay in their own home for as long as possible. Young adults may have aspirations to have their own home. Sometimes it is the concerns of relatives or neighbours about safety or behaviour that undermines a person's autonomy.



Activity monitoring allows individuals to demonstrate their capabilities and have more control over the support they receive, and may afford greater privacy than carers calling to check several times a day.

Beneficence - we should do good for the people we care for

Provision of care services which meet the needs of a person, including monitoring to confirm these needs, would usually be beneficent. Just Checking often brings a new perspective on the capabilities of the person being monitored, allowing real person-centred care packages, and improved quality of care. There are often more options for supporting people in their own home and reducing unwanted dependence on professional services or family members.

Non-maleficence - doing no harm, maintaining dignity, while respecting decisions.

In the case of Just Checking, the system is passive and requires no physical interference, nor the wearing of any device.

Justice - fair adjudication between conflicting claims.

In this context 'justice' refers to fairness in allocating finite resources. Just Checking helps to make sure that care is right sized- not too little, or too much. Putting in care when it is not needed undermines autonomy and reduces the resources available for future claimants. Just Checking ensures that care packages are efficient, cost effective and meeting an individual's needs.

Deprivation of Liberty Safeguards

Restrictions or restraint can take away a person's freedom and so deprive them of their liberty. The Deprivation of Liberty Safeguards are an amendment to the Mental Capacity Act 2005 to ensure that people in care homes, hospitals and supported living are looked after in a way that does not deprive them of their liberty.

Those planning care should always consider all options, which may or may not involve restricting the person's freedom, and should provide care in the least restrictive way possible. However, if all alternatives have been explored and the hospital, care home or local authority administering the supported living arrangements believes it is necessary to deprive a person of their liberty in order to care for them safely, then they must get permission to do this by following strict processes.

Activity monitoring helps professionals to understand how someone can continue to be supported in the least restrictive way.

As with all interventions, there is a judgement to be made. In some circumstances, use of this type of technology might not be appropriate, but it is essential to consider the ethics of the alternatives, and to make a considered judgement.

Need more information?

The European Project, ASTRID³ produced a useful guide for care professionals, and there is guidance on the AT Dementia website⁴, and from the Social Care Institute for Excellence (SCIE)⁵. If you would like to discuss further, please contact us and we will put you in touch with one of our occupational therapists.

References

- 1 The Mental Capacity Act, Easy Read Summary at www.dca.gov.uk/menincap/mca-summary.pdf
- 2 Beauchamp, T.L., Childress, J.F. (2001) Principles of Biomedical Ethics, 5th ed. New York: Oxford University Press.
- 3 Marshall, M. (ed) (2000) ASTRID: A guide to using technology within dementia care. Hawker Publications, London.
- 4 Wey, S. (2007) The ethical use of assistive technology, at www.atdementia.org.uk
- 5 Social Care Institute for Excellence (2010) Ethical Issues in the Use of Telecare downloadable from: www.scie.org.uk/publications/reports/report30.pdf
At a glance guide at: www.scie.org.uk/publications/atagance/atagance24.asp

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