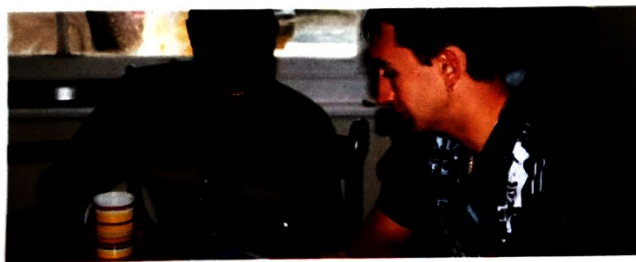


What is an IMCA?

An Independent Mental Capacity Advocate (IMCA) is someone instructed to both support and represent a person who lacks capacity to make certain serious decisions.

Their role is to gather information, provide support to the person concerned and make representations about that person's wishes, feelings, beliefs and values, at the same time as bringing to the attention of the decision-maker all factors that are relevant to the decision. They are also able to challenge the decision maker. The IMCA's report must be taken into account in the decision.

The lack of capacity may be temporary or permanent and will include people with dementia, with brain injury, learning disabilities as well as mental health needs, and those who are unconscious or barely conscious whether due to an accident, being under anaesthetic or as a result of other medical conditions.



What is the IMCA service?

The IMCA service is a statutory advocacy service, introduced in the Mental Capacity Act 2005. The purpose of the IMCA service is to help particularly vulnerable people who lack the capacity to make important decisions about serious medical treatment and changes of accommodation.

It is available to those people who have no family or friends to whom it would be appropriate consult about such decisions. The service was extended by regulation to include two further situations, these are adult protection cases and care reviews.

What are the Deprivation of Liberty safeguards?

The Mental Capacity Act Deprivation of Liberty Safeguards have been introduced to protect some of the most vulnerable adults who need to be cared for in hospitals or care homes and who need to be deprived of their liberty to protect them from harm. Under the Deprivation of Liberty Safeguards care homes and hospitals who propose very restrictive care plans will need to seek authorisation from the Local Authority or the Primary Care Trust before they can lawfully deprive someone of their liberty. Those people who have no family or friends who can be consulted about the plans will be supported by an IMCA.

In what situations should an IMCA be instructed?

In cases where a person who lacks capacity does not have friends or relatives to consult, decision-makers in local authorities and NHS Trusts (for example social workers and doctors) will have a duty to consult an IMCA where:

1) the decision is about serious medical treatment provided by the NHS (but excludes treatment regulated under Part 4 of the Mental Health Act 1983).

2) it is proposed by an NHS body or a Local Authority that the person be moved into long-term care of more than 28 days in a hospital or 8 weeks in a care home (where that accommodation or move is not a requirement of the Mental Health Act 1983).

3) an application is received by the Primary Care Trust or Local Authority from a care home or hospital for an authorisation of deprivation of liberty under the Deprivation of Liberty Safeguards.

4) residential care is being reviewed and there are disagreements between the care provider and purchaser as to the appropriate care plan; or a major change in the care plan which may affect quality of life within the accommodation is proposed, or there are clear indications that the person whose accommodation is being reviewed is unsettled or un-happy in their accommodation.

What will an IMCA do?

- An IMCA will uphold the principles on the Mental Capacity act.
- Represent and support the person who lacks capacity.
- Find out the wishes, values and beliefs of the individual and what decision they would make if they had the capacity to do so.
- Speak to those people who know the individual best to try and decide what decision they would have made.
- Ensure the person is involved in the decision making process as much as they are willing and able to do so.
- Access and take relevant copies of Health and Social records.
- Attend best interest meetings.
- Ask questions on behalf of the person they are representing.

How can an IMCA referral be made?

If you want information on IMCA referrals or to discuss IMCA referrals please contact Jan Gavin on:

Tel: 01983 559299

Mob: 07734448069

Fax: 08443 588877

IMCA referral forms can be found online:
www.southernadvocacyservices.com/IMCA

Southern Advocacy Services

Southern Advocacy Services, formerly The Isle of Wight Advocacy Trust, was established in 2003 in Newport on the Isle of Wight. We now offer a service across the South of England.

We aim to deliver a high quality and effective advocacy service tailored to the expressed needs and wishes of each individual client. We challenge discrimination and disadvantage and take positive action to ensure full participation by all groups and sections of the community.

We are an independent, not for profit, charity which supports a diverse range of vulnerable people, including people with mental health needs, people with learning disabilities, physical and sensory impairments and older people as well as carers.

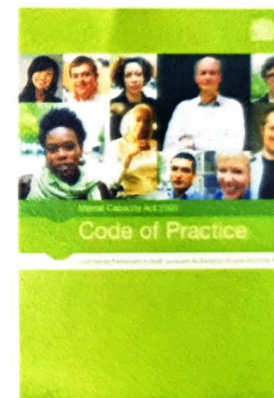
We ensure that vulnerable people are supported and enabled people to take part in decisions about their own care, make an impact on services which they use and influence other decisions which affect their own lives.

The service provides a combination of one-to-one specialist support, group work as well as support within residential care homes and community settings.



Southern Advocacy Services
it changed my life

An introduction to the role of an
Independent Mental Capacity
Advocate (IMCA)



Contact us on:

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Tel: 07734448069

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