

## Working with an IMCA

- Following referral if the client is eligible for the service an IMCA will make contact with the Decision Maker within 3 working days.
- An IMCA will need to work quickly. We recognise that health and social care staff are extremely busy but would ask that you respond to requests for information as soon as possible.
- Once the IMCA has carried out their investigations they will write a report which must be taken into account when the best interests decision is being made.
- An IMCA may challenge the Decision-Maker if it is felt that the report has not been taken into account, or if they have concerns about the final decision made.

## How to make an IMCA referral

Referrals will be accepted from any third party. However, we can only take formal instructions from the Decision-Maker. A referral for DOLS must be made by the Supervisory Body. Following referral if the client is eligible for the service, an IMCA will make contact with

*the Decision Maker within three working days. For DOLS cases, the IMCA will make contact sooner. To make a referral get in touch with us by:*

**Telephone: 0300 323 0965**

**Fax: 0300 323 0966 or by Email:  
admin@advocacyfocus.org.uk**

**Text: 07886 744 634**

**54 Blackburn Road, Accrington,  
Lancashire, BB5 1LE**

## What if you're not eligible for an IMCA?

Other advocacy services are available in Lancashire and Blackburn with Darwen, get in touch with Advocacy Access to find out more on:

**Telephone: 0345 456 3210**

**Fax: 0300 323 0966**

**Textphone: 07886 744 634**

**contact@advocacyaccess.org.uk**

This service is available: Monday to Friday,  
9am to 5pm and Saturday 9am till 12pm



East Lancashire Advocacy Service trading as



## Independent Mental Capacity Advocacy Service (IMCA)

**For Lancashire, Blackburn with Darwen and Blackpool**

Statutory advocacy for those who lack capacity to make decisions about their care or treatment or are being deprived of their liberty

Last updated: April 2013

## What is an IMCA?

The IMCA Service is a statutory advocacy service, introduced in the Mental Capacity Act 2005, which aims to empower and protect people who lack capacity to make decisions for themselves.

Advocacy Focus, formerly known as East Lancs Advocacy, has been commissioned to provide IMCA services across Lancashire, Blackburn with Darwen and Blackpool.

## What is lack of capacity?

The act covers situations where someone is unable to make a decision because the way their mind or brain works is affected, for example by a long term illness or a disability. The lack of capacity may also be temporary because they are unconscious or barely conscious due to an accident, being under anaesthetic or as a result of other conditions such as the effects of drugs or alcohol.

## Who is eligible for the service?

- The Local Authority or NHS body has a responsibility to instruct an IMCA to help support particularly vulnerable people who lack the capacity to make important decisions about serious medical treatment and changes of accommodation and who have no family or friends that it would be appropriate to consult.
- Additionally, a referral may be considered for Safeguarding Adults Proceedings. (A person may still be eligible even though they have family and friends).
- A review of care or accommodation, where it is felt that the person would benefit from IMCA..
- When a hospital or care home has requested an authorisation about depriving a person of their liberty (39 a IMCA).
- A person is being deprived of their liberty and there is no-one temporarily to act as their representative (39 c IM-CA).
- Or the person who is being deprived of their liberty, or their representative, requests IMCA support (39 d IMCA).

## An IMCA will:

- Support a person who lacks capacity to participate in the decision making process.
- Ascertain as far as possible the person's wishes and feelings.
- Obtain and evaluate relevant information on behalf of the person.
- Consult with staff, professionals and others who know the person well.
- Ascertain alternative courses of action.
- Obtain a further medical opinion where necessary.
- Bring to the attention of the Decision-Maker all factors relevant to the decision.
- Audit the best interests decision making process.
- Challenge the Decision-Maker where appropriate.