
IMCA Guidance Notes for Decision Makers

Introduction

The IMCA services experience so far clearly indicates that accurate referral information is critical. The information is 'screened' to establish whether the person meets the criteria for the IMCA service, and where they do, process and allocate referrals quickly and safely to ensure the person gets IMCA support at the earliest opportunity.

In light of this, Advocacy Experience has produced this guidance for referrers. Anybody can refer to the IMCA service; however the IMCA must gain instruction from the decision maker involved. We strongly encourage decision makers to make the referral directly where possible to save time gaining instruction from a decision maker.

In making your referral we would ask you to be guided by the following principles outlined in the Mental Capacity Act.

1. A person must be assumed to have capacity unless it is established that they lack capacity.
2. A person is not to be treated as unable to make a decision unless all practical steps to help him to do so have been taken without success.
3. A person is not to be treated as unable to make a decision merely because he makes an unwise decision.
4. An act done, or decision made, under this Act must be done, or made, in his best interests.
5. Before the act is done, or the decision is made, regard must be had to whether the purpose for which it is needed can be effectively achieved in a way that is less restrictive of the person's rights and freedom of action.

IMCA Criteria

To be eligible for the IMCA service, the person must meet **all** the criteria as outlined on the referral form.

- 1) The person lacks capacity to make a particular decision at a particular time.
- 2) The decision to be made is about:
 - Serious Medical Treatment
 - Long-term change in accommodation
 - Care review in relation to accommodation only
 - Adult Protection
- 3) The person has no family or friends to represent them or be consulted with or the decision maker deems the family inappropriate to consult with and the reason for this decision is documented.

Referral Area

Advocacy Experience is commissioned to deliver IMCA services within specific LA's, it is essential that when making the referral the person is currently residing in one of the specified areas on the form. If your local authority is not on our list, Advocacy Experience is not the commissioned IMCA provider for that area. (Please see the DH web site for a full list of IMCA providers and contact details).

Contact Details of the Decision Maker

It is important that we know the full contact details of the decision maker, as they are the key link for the IMCA service.

Contact Details of the Client

It is important that we know where the person is currently residing so we can arrange to visit them.

Decision to Be Made

It is important that we know which decision needs to be made, if the decision is not on the referral criteria list (for example someone requires support with financial issues) then it is not appropriate for IMCA.

Additionally Advocacy Experience also needs to know if there are a number of decisions to be made for the person, for example there may be a decision around moving a person and also Adult Protection Proceedings might have been instigated. Advocacy Experience will accept and monitor this as 2 referrals and therefore will require 2 referral forms with the necessary information regarding each decision.

Assessment of Capacity

This is the gateway to the IMCA service; please outline that an assessment of capacity has been completed and provide the outcome of the assessment. The criteria is clear in stating the person must lack capacity to make the particular decision; we request assessment of capacity information for this reason.

Friends & Family

The IMCA is a safeguard for those people who lack capacity, who have no-one close to them who 'it would be appropriate to consult'. (This apart from adult protection cases where this criterion does not apply.) The safeguard is intended to apply to those people who have little or no network of support, such as close family or friends, who take an interest in their welfare or no-one willing or able to be formally consulted in decision making processes.

General Points

The decision maker is the best placed person to make the referral.

If you are not using the on-line referral system please type out the information on the referral form. If you do hand write the referral form please could you write clearly and attach additional sheets where necessary.

If the decision maker is not the one filling out the referral it is important that the decision maker is informed that a referral has been made so the IMCA service can contact him/her at the earliest opportunity.

How to Refer to the IMCA Service

Please complete the IMCA referral form and send to Advocacy Experience by:



Email: imca@advocacyexperience.com



Fax: 01925 651400

Advocacy Experience Ltd, 4 Harvard Court, Quay Business Centre, Warrington WA2 8LT

www.advocacyexperience.com