



Decision Maker must take into account when making the decision. The Decision Maker may choose to disregard the information or recommendations, but would be expected to show the reason why they have done so.

If the IMCA is concerned about the decision that is finally made, or is concerned that the decision maker is not acting in the best interest of the person who lacks capacity, they may challenge the decision using existing procedures (eg. complaints procedures or the Court of Protection).

How can I find out more about the IMCA service?

You can find out more about the service and make a referral by contacting **OXFORDSHIRE ADVOCACY DEVELOPMENT GROUP** who provide the IMCA service for Oxfordshire.

Contact details

By phone:

 (01865) 767462


By email:

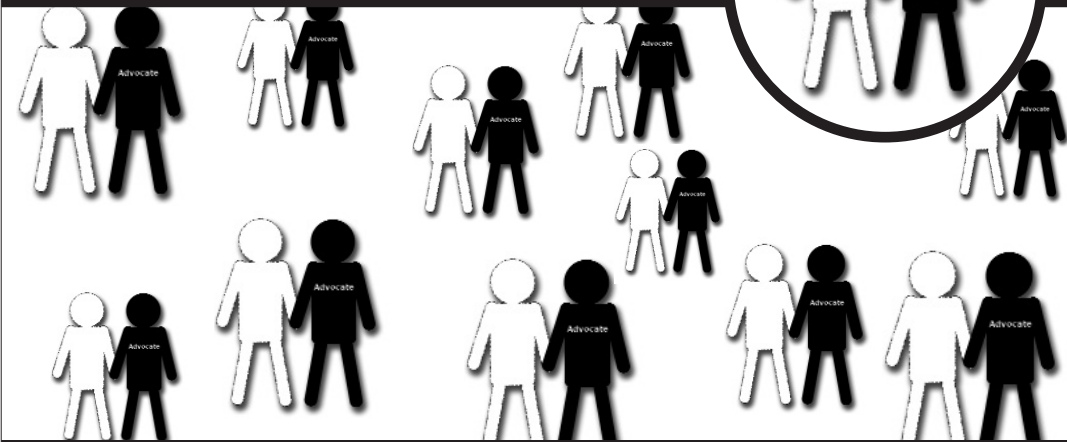
 imca@oadg.org.uk

By fax:

(01865) 761546

Address:

 Barton Neighbourhood Centre
Underhill Circus, Headington
Oxford, OX3 9LS



Independent Mental Capacity Advocacy Service

A Guide for Health & Care Staff



The Independent Mental Capacity Advocacy (IMCA) Service

Aim of the service

The IMCA service provides independent safeguards for people who are not able to make certain important decisions and who, at the time such decisions need to be made, have no-one to support them.

Who instructs an IMCA?

The person who instructs an IMCA is the professional who will have to make the final decision (the Decision Maker) about serious medical treatment or a change of accommodation, or is responsible for a care review or an adult protection case.

When should an IMCA be involved?

An IMCA **must** be involved and consulted, for people who:

- are 16 years old or over; and
- have been assessed as unable to make the necessary decision; and
- have no family or friends who it is appropriate to consult on their behalf.

whenever:

- an NHS body is proposing to provide serious medical treatment, or
- an NHS body or local authority is proposing to arrange a change of accommodation to a hospital or residential care **and**
 - the person will stay in hospital longer than 28 days, or
 - they will stay in the care home for more than eight weeks.

An IMCA **may** be instructed to support someone who lacks capacity to make decision about:

- Care reviews, where no appropriate other is available to be consulted.
- Adult protection cases, whether or not family, friends or others are available to be consulted.

Are there any exceptions?

The only exceptions to involving an IMCA in the above circumstances are where an urgent decision is needed; for example to provide emergency medical treatment to save the person's life, or when the person would be homeless unless they were provided with accommodation (eg. at a care home).

What will an IMCA do?

The IMCA may (as part of the role):

- Meet in private with the person who lacks capacity and make every effort to communicate with them
- Discuss with the Decision Maker and any other relevant professionals what is being proposed
- Listen to the views of anybody else who can give information about the wishes, feelings, beliefs and values of the person who lacks capacity
- Consult relevant records
- Check what support the person who lacks capacity has had to help them make the specific decision
- Find out about alternative options
- Write a report of their findings for the Decision Maker

Will the IMCA be part of the decision making?

The role of the IMCA will be similar in many ways to that of a concerned relative of the person who lacks capacity. They will not be part of the decision making, but will provide information that the

