

**Our service is free, independent and confidential.**

The advocate works on the person's behalf, taking instruction from the individual.

We also work with people lacking capacity, for example where a person cannot express their views and wishes by any means.

We ensure that their needs are considered, their interests are represented, their rights are respected, and that they receive services to which they are entitled.

**How to get advocacy support**

An advocate can get involved at any stage in the care and support process but it is beneficial for them to be involved as early as possible.

If you believe you, or someone you know, may be eligible for advocacy support, please contact your local Social Work Team.

They will then assess whether the relevant person is entitled to an advocate and will contact us if they decide you/they are.



**How to contact the Advocacy service?**

**Tel:** 020 7358 7007

**Email:** [imca@ch1889.org](mailto:imca@ch1889.org)

**Website:** [ch1889.org](http://ch1889.org)

**Address:**

Advocacy  
Cambridge House  
Print Works  
22 Amelia Street  
London SE17 3PY

**If you require this information in different languages or formats, please contact the service.**

**Charity number:** 265103  
**Company number:** 1050006

**Kingston upon Thames**

**Independent Advocacy under the Care Act**



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**Website:** [ch1889.org](http://ch1889.org)

## Independent Advocacy under the Care Act

### What is an advocate?

An advocate supports people to be as fully involved as possible in decisions which affect their lives. They work with people to ensure their views, wishes and feelings are communicated and heard, speaking on their behalf where necessary.

Advocates can help people to:

- ✓ Understand their situation;
- ✓ Access and understand information;
- ✓ Explore choices and options;
- ✓ Communicate their views, wishes and feelings;
- ✓ Make sure their rights are respected;
- ✓ Make a complaint or challenge a decision they are unhappy with.

### What is Care Act advocacy?

From 1st April 2015, local authorities have to make sure that a person is fully involved when their social care and support needs are being assessed, planned and reviewed. The new Care Act entitles certain people to an independent advocate to help them be as involved as possible.

### Who is entitled to an advocate?

The Local Authority must arrange an advocate for the following people:

- ✓ Adults who need care and support and are having their needs assessed, planned or reviewed;
- ✓ Adults who are the subject of a Safeguarding Enquiry or a Safeguarding Adult Review because they are at risk of abuse or neglect;
- ✓ Children or young carers who are approaching the 'transition' to adult social care when their needs are being assessed;
- ✓ Carers of both adults and children in transition'.

The Local Authority only has to arrange an advocate if the person satisfies two conditions:

- ✓ They are likely to have substantial difficulty being involved in the care and support process; and
- ✓ They do not have anyone else appropriate to support them – such as family, a carer or friend.

If a person satisfies these two conditions, they have a right to advocacy support no matter what their living situation; whether they live at home, in a care home, in hospital or are in prison.

A person will be considered to have substantial difficulty being involved in decisions about their care and support if they find one or more of the following very difficult:

- ✓ Understanding relevant information;
- ✓ Using or weighing up the information;
- ✓ Retaining the information;
- ✓ Communicating their views, wishes and feelings.

### How can our advocacy service help?

Our Care Act Advocacy service provides an advocate to those who would like an advocate's support and who are entitled to one. The advocate ensures that the person's views and feelings are heard and their rights upheld and respected.

They work to ensure that, wherever possible, the person is central to decisions being made about them.

### Who decides if a person is entitled to an advocate?

The Local Authority is required under the Care Act to decide if a person is entitled to an advocate.

### An Advocate supports a person:

- ✓ To understand the assessment, care and support planning, and review processes;
- ✓ To understand and secure their right to social care services;
- ✓ To explore care and support options so they can decide which best meets their needs and wishes;
- ✓ To prepare for their care assessment, review meeting or safeguarding enquiry;
- ✓ To communicate their wishes and feelings to those carrying out an assessment or developing a care and support plan;
- ✓ To challenge how their care and support needs are being met - for example if part of their care package is withdrawn or reduced or they feel they have been unreasonably refused assessment or review.

**For more information please call us on 020 7358 7007 between 9am to 5pm Monday to Friday or email us at [imca@ch1889org](mailto:imca@ch1889org)**