

What is IMCA

IMCA stands for Independent Mental Capacity Advocate and we are statutory advocates providing independent representation and a safeguard for the most vulnerable members of the community.

IMCAs work within the Mental Capacity Act 2005 (MCA) and are required by law to be independent of any Local Authority or Primary Care Trust.



How to contact the IMCA service?

Tel: 020 7358 7007

Email: imca@ch1889.org

Website: 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 Mental Capacity Advocacy (IMCA)



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Independent Mental Capacity Advocacy (IMCA)

IMCAs work with clients whom have been formally assessed as lacking capacity to make certain decisions for themselves, and, excluding Safeguarding Adults cases, have no appropriate willing or able family or friends to support and represent them around that specific decision.

IMCAs have legal rights to meet a client in private, and access and take copies of relevant records; their role is to ensure the clients' rights are upheld, and any decision made on their behalf adheres to the Best Interests checklist contained within MCA.

IMCAs also have the right to challenge decisions and ultimately can apply to the Court of Protection for a judge to make the final decision.

There are two statutory reasons for Local Authority or NHS where they MUST make a referral for IMCA to represent a client whom lacks capacity and they are:

- ✓ **Serious Medical Treatment**
- ✓ **Long Term Change of Residence**

There are two discretionary powers to make a referral for IMCA to represent a client whom lacks capacity and they are:

- ✓ **Safeguarding Adults**
- ✓ **Accommodation Care Review**

IMCAs are also involved in representing clients during the process and after granting of Deprivation of Liberty Safeguards or DOLS:

DOLS provide legal protection for vulnerable people whom may become deprived of their liberty in a care home or a hospital.

The safeguards ensure all people in this situation have a right to independent representative to uphold their rights, and ensure decisions taken are in their best interests.

IMCAs work with clients whom have no friend or family member to act as their representative during the process but can also work with clients after a DOL has been granted. IMCAs can also work with clients' representatives to provide support and information when addressing issues related to the DOL

For more information on IMCA eligibility criteria please contact us or visit our website for our factsheet

**020 7358 7007 between 9am to 5pm
Monday to Friday or email us at
imca@ch1889org**

How to Recognise a Potential IMCA Client

- ✓ Over 16
- ✓ Not being cared for or treated under the Mental Health Act
- ✓ Diagnosis of an impairment of the mind or brain
- ✓ Trouble retaining information
- ✓ No appropriate friends or relatives to lend support
- ✓ Decisions to be made about long term accommodation or medical treatment
- ✓ Safeguarding Adults alert regarding abuse
- ✓ Care review called regarding accommodation issues

A person may agree to the proposed decision but if they lack capacity then a referral still must be made where statutory requirement is met.

