

## What is the IMCA SERVICE?

IMCA is a key aspect of the Mental Capacity Act, 2005. The Act places a responsibility on Local Authorities to ensure that people who are considered to lack capacity have access to an independent advocate when decisions are being made about them in situations where:

- An NHS body is providing, withdrawing or stopping serious medical treatment
- An NHS body or local authority is proposing a stay in a care home of more than 8 weeks
- A person will stay in hospital longer than 28 days

Referrals may also include accommodation reviews and safeguarding adult cases

Leaflets in other formats and languages are available on request. Visit [www.seap.org.uk](http://www.seap.org.uk)

Designed 09.2010

## Complaints Comments Compliments

SEAP is committed to providing high quality advocacy support to clients, and to working effectively with service providers. However we recognize that sometimes things go wrong. If you have a complaint about our service, please ask for a copy of our complaints procedure. If you would like to make a comment, or compliment us, please contact us. The contact details are below.

**IMCA**  
Riverside Business Centre  
River Lawn Road  
Tonbridge  
Kent TN9 1EP

Phone: 01892 543870  
Fax: 01732 783596  
Email: [kent.imca@seap.org.uk](mailto:kent.imca@seap.org.uk)

Your VOICE Your RIGHTS Your CHOICE

Registered Office: 7th Floor, Cavendish House,  
Breeds Place, Hastings, East Sussex TN34 3AA  
Tel: 0330 440 9000 Fax: 01424 204687 Email: [info@seap.org.uk](mailto:info@seap.org.uk)  
Web: [www.seap.org.uk](http://www.seap.org.uk) and [www.advocacytraining.org.uk](http://www.advocacytraining.org.uk)

Registered Charity No. 1080679. Registered in England & Wales. Company No. 3963421.



## IMCA SERVICE

Independent Mental  
Capacity Advocacy

Kent & Medway

## What does an IMCA do?

- Supports the person who lacks capacity and represents their likely views to those responsible for making decisions
- Obtains and evaluates information
- Ascertains the person's wishes and feelings, as far as possible
- Recommends alternative courses of action  
- e.g. different care arrangements
- Seeks a further medical opinion, if necessary

## Who is eligible for the IMCA Service?

- Those who are assessed to lack capacity by decision-makers, in relation to the specific decision at the time it needs to be made
- Those who have no family or friends who are willing and able to represent their likely views

## IMCA (INDEPENDENT MENTAL CAPACITY ADVOCACY SERVICE)

### How do IMCAs work?

Advocates will work with the person lacking capacity, to try and establish their views and to involve them in the decision-making process as much as possible. They will also speak with people who may have information about the person's views, beliefs, and preferences, and will consult any written information such as case-notes and reports, or directions which the person may have given before they lacked capacity.

IMCA staff do not have decision-making responsibility, but they will write a report which outlines their findings on the likely views of the person, detailing how they arrived at their recommendations; and decision-makers have a responsibility to give full consideration to the contents of the report. IMCA staff can appeal if they believe a decision has been made without due weight being given to the advocate's report.

SEAP recognises the need to provide a rapid response to referrals in order to avoid unnecessary delays to the decisions which need to be made, and will respond to all requests as quickly as possible.

### How to Refer

Referrals will usually be made by health and social care staff.

You can download a referral form from our website: [www.seap.org.uk/imca](http://www.seap.org.uk/imca)  
or telephone: **01892 543870**

### An IMCA is

- Independent of the person making the decision
- Able to meet the person concerned in private
- Able to see all relevant health, social services and care home records
- Able to request an additional medical opinion

## When is it not appropriate to refer to the IMCA service?

- When serious medical intervention is required immediately, for example, in life-threatening circumstances (a referral may still be made once the emergency has passed)
- When the treatment is regulated by Part 4 of the Mental Health Act
- Where it is necessary to provide accommodation urgently
- Where restrictions are placed on an individual's accommodation under the Mental Health Act