

# How to refer to IMCA

The IMCA Team can be contacted on:

**01722 341851**

(Monday to Friday during office hours)

Please be ready to give

- full details of the person
- details of the decision maker
- the name of the professional who has assessed that the person lacks capacity to make this decision
- your name and contact details

Alternatively referrals can be made by post or fax. Referral forms can be accessed via our website.

**IMCA**  
**SWAN Advocacy Network**  
**26 Milford Street**  
**Salisbury**  
**Wiltshire**  
**SP1 2AP**

**Telephone: 01722 341851**  
**Email: [mail@swanadvocacy.org.uk](mailto:mail@swanadvocacy.org.uk)**  
**Fax: 01722 341379**  
**[www.swanadvocacy.org.uk](http://www.swanadvocacy.org.uk)**

Charity No. 1125679  
Company Registration No. 6599429

# IMCA

**INDEPENDENT  
MENTAL CAPACITY ADVOCATE**

**Independent  
Mental Capacity  
Advocacy  
in Wiltshire  
is provided by**

  
**Advocacy Network**

# The Mental Capacity Act 2005

## An IMCA must be instructed when

there is a decision being made about *either*

- serious medical treatment *or*
- long term accommodation

**and**

the person has a condition which is affecting their capacity to make this particular decision

**and**

the person has no relatives or friends whom it is appropriate to consult during the decision making process

## An IMCA may be instructed when

- there is concern about adult protection *or*
- there is a care/accommodation review

**and the person lacks capacity**

**In an adult protection case a person is still eligible for an IMCA even if they are befriended.**

# Deprivation of Liberty Safeguards (DoLS)

**In addition to this, when a request for an urgent or standard authorisation from a care home or a hospital is made for a person to be deprived of their liberty, an IMCA will be instructed to:**

1. represent people who are being assessed for an authorisation, or where a best interests assessor has been asked to assess whether there is an unlawful deprivation of liberty (Section 39A)

**and may be asked to:**

2. stand in as a person's representative for people who are subject to an authorisation when no other representative is available (Section 39C)
3. support a person subject to an authorisation and/or their representative when instructed to do so by a supervisory body, at the request of the person or their representative (Section 39D).

Referrals for our IMCA DOLS service can only be made by the supervisory body.