



## One minute guide

### Safeguarding and Advocacy

July 2024

**Care Act Advocate** – When a person has substantial difficulty in engaging in assessment and/or safeguarding processes, and there isn't anyone (a relative or friend) appropriate who can support the person to be fully involved, an independent person must be appointed by the Local Authority (CCC). The independent advocate must not be someone who is paid to provide care or treatment for the person or an organisation that is paid by the council to carry out assessments, care and support plans or reviews.

**Independent Mental Capacity Advocate (IMCA)** - For People aged 16 and over who have been formally assessed to be lacking mental capacity and have no appropriate friends or family to consult, an IMCA must be instructed when:

- A decision must be made on their behalf about providing, withdrawing or withholding of serious medical treatment
- A decision must be made on their behalf about long term accommodation in hospital, residential nursing or other supported care environment

An IMCA may be instructed when:

- it is proposed to take protective measures under adult protection procedures (over 18). It is unlikely a referral to the IMCA service will be required when a Service User is already working with a Generic Advocate
- the responsible body are reviewing the accommodation arrangements for a person who lacks capacity and there are no friends and family that it would be appropriate to consult

**Independent Mental Health Advocate (IMHA)** - Provided for people who qualify as follows:

- People being detained under a Section of the Mental Health Act\* or are on leave of absence from hospital
  - People on conditional discharge and restricted patients
    - Those subject to Guardianship
    - Those on Supervised Community Treatment
  - Those being considered for a section 57 treatment
- People under 18 and being considered for a Section 58A treatment like electroconvulsive therapy

\*This does not include emergency and short-term detentions such as those made under Sections 4, 5(2), 5(4), 135 or 136

An IMHA should help people to:

- Understand their rights and the rights others have in relation to them
- Find information, including information about any treatment and the legal authority for providing that treatment
- Have a voice in decisions affecting them by supporting them to speak out, or by representing their views, choices and opinions.

**Independent Sexual Violence Advocate (ISVA)** - Works closely with the person who has been subject to rape or sexual assault to help them understand the criminal justice system.

**Independent Domestic Violence Advocate (IDVA)** - Works closely with the person to assess the level of risk, discuss protective measures and implement protection plans.

**Citizen Advocate (also known as Community Advocacy)** - This is any advocacy that is not a legal right. A Citizen Advocate is someone who volunteers their time to support and 15 [www.staffordshire.gov.uk](http://www.staffordshire.gov.uk) represent the person. The advocacy can be delivered by professional advocates, or in some areas by citizens or peer advocates. They can support you to:

- Find information so you can make choices and sort out problems
- Change your services if you want to
- Know about your rights and make sure they are respected
- Make difficult decisions
- Make a complaint if you are not happy about something

Coventry City Council is responsible for ensuring there is sufficient provision of independent advocacy to meet its statutory obligations with access restricted to eligible individuals only. Access is referral via a designated officer within a care management team in Health or Social Care.

**Voiceability is the Coventry City Council commissioned provider for Care Act, IMHA and IMCA advocacy. There is an online referral form accessed via the webpage: <https://www.voiceability.org/make-a-referral> and the helpline email address is: [helpline@voiceability.org](mailto:helpline@voiceability.org)**

Call **0300 222 5947** if you need to discuss the referral.

**Independent Domestic Violence Advocate (IDVA):** Refer by contacting **Coventry Domestic Violence and Abuse Partnership** on **0800 035 5309** or visit <http://www.crasac.org.uk/crisis-support-and-advocacy>

**Independent Sexual Violence Advocate (ISVA):** Refer by contacting **Coventry Rape and Sexual Abuse Centre (CRASAC)** helpline on **024 7627 7777** or visit <http://www.crasac.org.uk/crisis-support-and-advocacy>

**Feedback from adults who have been supported by an independent advocate during a recent safeguarding intervention.**

Mr X asked the Advocate to support him when meeting with the Social Worker saying, "I feel better when you are there".

Ms X said "When I have an advocate, I feel more safe".