



Independent charity based in Salford providing Advocacy, Advice, Training, Mindfulness and Garden Needs.



What is Advocacy?

Definition:

- * Advocacy is...

‘... making the case for someone or a group of people or helping them to express their own views, usually to defend their rights or promote their interests.

The concept has special relevance for people who are disadvantaged in some way and as a consequence are less able to speak for themselves’. (Killeen, 1996)

- * Advocacy is also:

a process of *empowerment*.

- * The Care Act creates a new statutory advocacy service in addition to IMHA and IMCA

About Us

In the Salford Area:

- * Independent Mental Health Act Advocacy (IMHA)
- * Community Advocacy
- * Care Act Advocacy
- * Welfare Benefits and Debt Advice
- * Mindfulness
- * Garden Needs

What is the Care Act?

- * New legal framework for **care and support** for adults and for those transitioning to adult services
- * **Focus: Wellbeing**
- * Strengthens Personalisation and Participation
- * Includes carers and the cared for
- * Places new responsibilities on local authorities and social services
- * Outlines best practice

Wellbeing

Wellbeing is the Overarching Principle of the Care Act 2014

The Well-being principle includes:

- * Dignity
- * Respect
- * Control
- * Empowerment
- * Places safeguarding on statute
- * Person Centred
- * Choice

Local Authorities' Duty to Refer

You Must refer to an Advocate if...

- * A person is undergoing an assessment , review, care planning or safeguarding enquiry/ safeguarding adults review (SAR).
- * **AND**, they have:
- * No-one appropriate to support them; and
- * They will have substantial difficulties being involved

Who is the Local Authority?

- * The onus is on the 'Local Authority' as a whole to refer
- * Not just social workers
- * Any professional involved in the care process who believes that the person meets the qualifying criteria for Care Act Advocacy

What is substantial difficulty?

Substantial difficulty in engaging with the local authority care and support processes

The Care Act defines 4 areas where a substantial difficulty might be found:

- * Understanding relevant information;
- * Retaining Information;
- * Using or weighing the information as part of engaging;
- * Communicating views, wishes and feelings

Who is and isn't an Appropriate Person?

Who is appropriate?

- * MUST be able to support the person's active involvement and fully support the person to be at the centre of the process
- * A carer who is not professionally concerned or remunerated
- * A family member
- * A friend

Who isn't appropriate?

- * If it becomes apparent throughout the process an appropriate person is having difficulties supporting the client
- * family member who lives at a distance and who only has occasional contact with the person
- * a friend who expresses strong opinions of their own prior to finding out those of the individual
- * Someone who the person is trying to gain independence from

You can also refer when there is an appropriate person if...

- * Individual disagrees with LA's choice of appropriate person
- * Disagreement between appropriate person and LA and they both agree an advocate would be beneficial
- * Safeguarding inquiry or investigation of AP

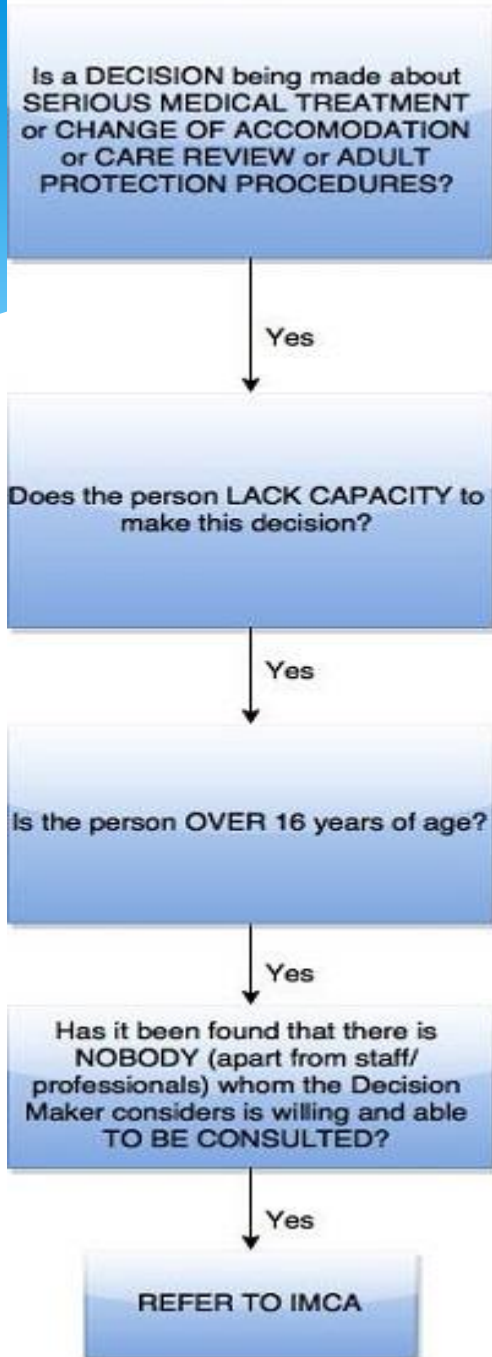
At times when there is an appropriate person an advocate should be referred to if the following is being considered:

- * where exercising the assessment or planning function might result in placement in NHS-funded provision in either a hospital for a period exceeding four weeks or in a care home for a period of eight weeks or more and the local authority believes that it would be in the best interests of the individual to arrange an advocate;
- * If proposed care plan would lead to a deprivation of liberty, an advocate must be involved this could be either an ICAA or an IMCA

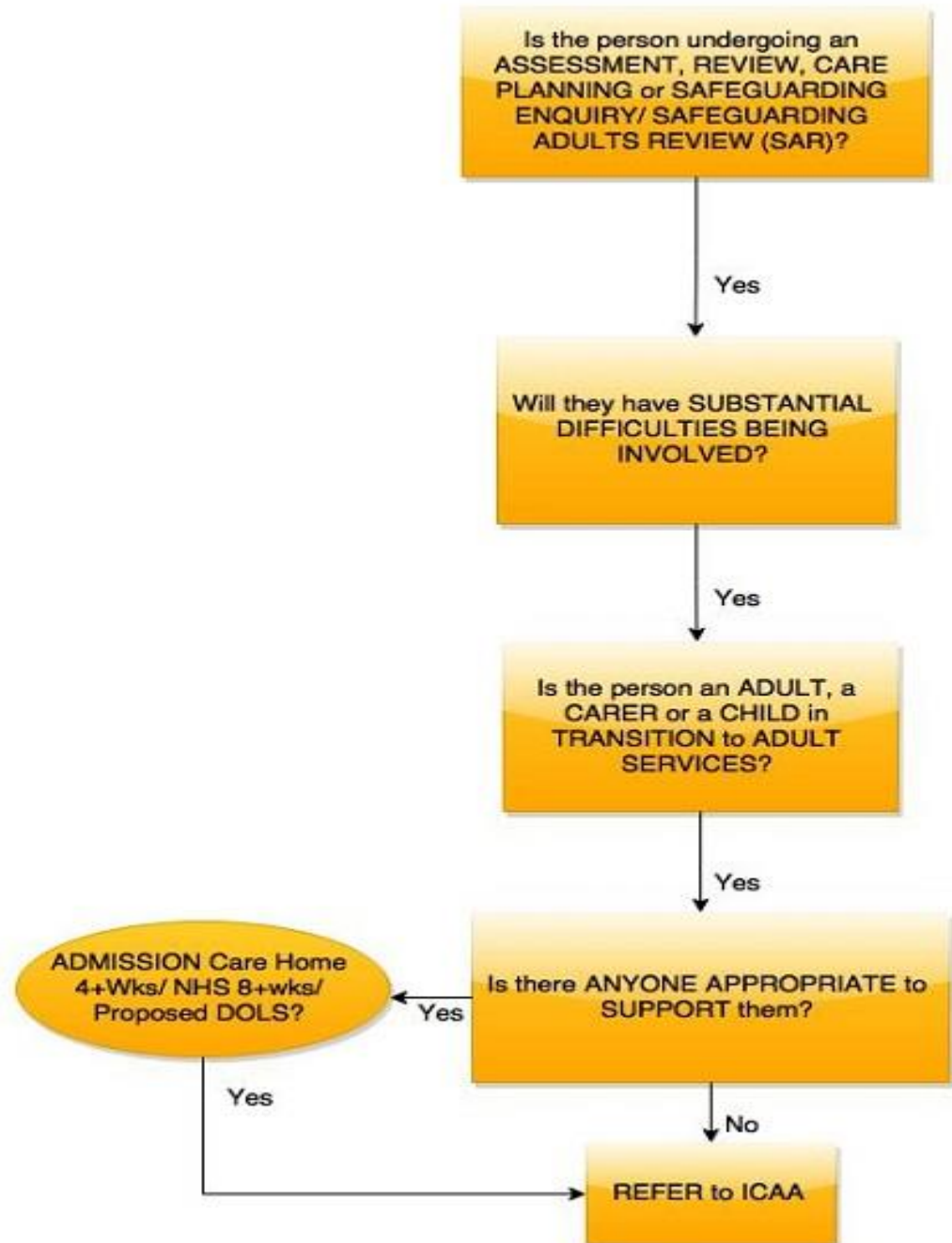
Referrals Process

- * Does the person need an appropriate person AND is there an appropriate person?
- * Responsibility of the local authority to make appropriate referrals to Care Act Advocacy
- * Referrals can be made via the referral form on our website at <http://www.mindinsalford.org.uk/advocacy/care-act-advocacy/>

IMCA



ICAA



What We Will Do

We will:

- * Provide a confidential and independent service
- * Support and represent the person
- * Facilitate their involvement in the key processes and their interactions with the LA and other organisations
- * Access records if necessary and appropriate
- * Send a report to LA if we have concerns about the LA's actions, decision or proposed outcome

What We Won't Do

We won't:

- * Provide Advice;
- * Make decisions on behalf of the person;
- * Judge a person's actions or beliefs;
- * Make Capacity Assessments
- * Mediate
- * Act on Instruction of the Local Authority

Advocacy Duty to Report

If an Advocate has concerns about how the LA has acted, regarding a decision made or an outcome proposed; then

- * Duty on the Advocate to write a report outlining the concerns to the LA
- * LA should convene a meeting with the advocate and consider their concerns
- * LA should provide a written response to the advocate

People's Rights

- * Care Act Advocacy is Rights based advocacy
- * Ensuring the person receives all care they are entitled to

Advocacy will promote a person's right to:

- * Wellbeing
- * Participation
- * Personalisation
- * Choices and Options
- * Protection
- * Human Rights

Benefits of Care Act Advocacy

- * Enables individuals to participate who would not otherwise be able to
- * Individual becomes empowered, receives services they are entitled to; feels supported;
- * The individual's care becomes personalised

Benefits to professionals:

- * Unique perspective – independent
- * Services are more effective and less likely to break down
- * The advocate provides the support so that the individual is fully involved

Case Studies

- * There was risk of a client's funded hours for care and support being cut
- * Client had not been sleeping
- * They were very anxious about the process and what the outcome might be
- * Advocate provided support and expertise
- * The client told us they felt far less anxious
- * They were fully involved in the assessment process
- * Funded hours were not cut as this would have been in detriment to the client's wellbeing

Exercise: Referral to IMCA or ICAA?

- * Charles is resident in a respite care home.
- * He has a forthcoming Care Review Meeting
- * Charles is asked to decide whether he wants to move from the respite care home to a long term care home, or would he like to return home.
- * Charles understands the information he is presented with and he remembers it the next day when asked by staff.
- * Charles says he has decided to go home because 'all long-term care homes are evil' and he would 'die immediately' if admitted.
- * The staff invite Charles' eldest son, who has historically been involved in decisions about Charles' care and treatment to the Care Review Meeting.
- * Should Charles be referred to Advocacy?
- * If so, should it be Independent Mental Capacity Act Advocacy (IMCA) or Independent Care Act Advocacy (ICAA)?

Care Act or IMCA?



Who We Work With

- * Salford Resident Adults with Care and Support Needs, including:
 - Transition from adolescent to adult services
 - Dementia
 - Detention in prison
 - Being discharged from hospitals

Other Care Act Advocacy Providers:

- * Salford Carers' Centre – working with Carers

<http://salfordcarerscentre.co.uk/>

- * Salford Being Heard – working with those with Learning Difficulties

- * Advocacy Experience

<http://www.advocacyexperience.com/our-services/imca> (in relation to IMCA)

**Care Act Advocacy
Referral Form**
Client

Name	Date of Referral
Telephone Number	Address
E-mail	
Date of Birth	Postcode

Eligibility

The client has been assessed as having no-one appropriate to support them Yes No

OR A prolonged period in hospital or a care home is being considered for the client, and an advocate could help them Yes No

OR A potential Deprivation of Liberty has been identified Yes No

Please briefly justify why any family or close friends would not be appropriate

The client has difficulty with

Understanding relevant information	<input type="checkbox"/>	Retaining information	<input type="checkbox"/>
Using and weighing information	<input type="checkbox"/>	Communicating views, wishes and feelings	<input type="checkbox"/>

Please help us understand the causes of and how these difficulties affect the client

Client Group

Mental Health	<input type="checkbox"/>	Physical & Sensory	<input type="checkbox"/>	Learning Disability	<input type="checkbox"/>
Over 60	<input type="checkbox"/>	Dementia	<input type="checkbox"/>	Other	<input type="checkbox"/>

Care and Support Process

Needs Assessment	<input type="checkbox"/>	Safeguarding – Enquiry	<input type="checkbox"/>
Care and Support Planning	<input type="checkbox"/>	Safeguarding – Adult Review	<input type="checkbox"/>
Care and Support Review	<input type="checkbox"/>	Initial Information / Enquiry	<input type="checkbox"/>

Please detail the issues the client faces and where they are in these processes

Capacity

Does the client have capacity? Yes No

If no, please give details of capacity assessment and extent

Has an IMCA previously been involved with the client? Yes No

Client Medical Details

Any relevant medical details

GP Name	Practice Address
Telephone Number	

Does the person currently present any current risk of harm to themselves or others (please detail) Yes No

Risk Details (please include anything that may affect potential home visits)

Referrer

Agency	Worker Name
Position	Relationship to Client
Telephone Number	E-mail

Has the person provided their consent to be contacted by the advocate? Yes No

Other People Involved

(eg, professionals, carers, family members, close friends etc)

Name	Position / Agency / Relation	Contact Details

Referral forms and process

Referral forms found on the website under Independent Care Act
Advocacy: www.mindinsalford.org.uk

Send to: advocacyhub@mindinsalford.org.uk

Contact Details

Tel: 0161 212 4880

Advocates

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Training

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