

## **When should an Independent Mental Capacity Advocate (IMCA) referral be made for safeguarding issues?**

**Safeguarding adults from abuse** applies where the NHS body or Local Authority have commenced safeguarding procedures and the person lacks capacity regarding any of the protective measure being proposed. This is the only issue that the person can have family or friends appropriate and practical to consult and still have IMCA support, however it must be seen as being of 'particular benefit' to the individual. The referral should be made by the decision maker relating to the specific issue.

If the person at risk lacks capacity to consent to one or more of the protective measures being considered (or interim measures put in place), this guidance recommends that an IMCA should be instructed if one of the following applies:

1. Where there is a serious exposure to risk:
  - risk of death
  - risk of serious physical injury or illness
  - risk of serious deterioration in physical or mental health
  - risk of serious emotional distress.
2. Where a life-changing decision is involved and consulting family or friends is compromised by the reasonable belief that they would not have the person's best interests at heart.
3. Where there is a conflict of views between the decision-makers regarding the best interests of the person.
4. Where there is a risk of financial abuse which could have a serious impact on the person at risk's welfare. For example, where the loss of money would mean that they would be unable to afford to live in their current accommodation, or to pay for valued opportunities.

If you feel that your client needs the support of an IMCA, the link to our referral page is below:

<http://www.pohwernews.net/ourservices>