

Advocacy



Easy Read Document

**You and Your Care
Learning Disabilities**

What is the Mental Capacity Act



The Mental Capacity Act is a law made by government .



The Mental Capacity Act is for people over 16



The Mental Capacity Act is only for people who live in England and Wales.

What is the Mental Capacity Act



The Mental Capacity Act is a law that has many different parts to it.



It is very hard to understand, and most people need help to understand it.

One thing you could have to help is an advocate.



Anyone can have an advocate to help them and anyone could be an advocate.

What is advocacy?

Advocacy is taking action to help people:



say what they want to say
and make sure what they
have to say is heard.



make sure their human
rights are OK by using the
European Court of Human
Rights.



make sure they have
access to different choices
of information.

Advocacy also supports ways to make sure that you are treated properly by:



helping you understand what you are allowed to do.



helping you to speak up for yourself.



helping you to use your rights to make sure that anything about you involves you.

You can have an advocate if you need help to:



make changes to what you want to do with your life.



be valued and included in your community



be listened to and understood



help you to develop your confidence

What is an Independent Mental Capacity Advocate (IMCA)?



An IMCA is a special kind of advocate whose job is to protect your best interests.



not everyone can be one



you need to pass an exam called a Certificate and Diploma in Independent Advocacy.

Someone called a **Decision Maker** will decide if you need to have one.

Decision Maker - this means a person who has the final say about what happens.

This can be someone like:



a doctor



a social worker



a dentist

You will be given an IMCA by a decision maker if:
you lack capacity and have no family or close friends who
know you and could make the decision for you.

You do not have capacity if



you **cannot** understand
information



you **cannot** remember
information



you **cannot** weigh up
information.



you **cannot** let people know
what you choose

You must have an IMCA if:

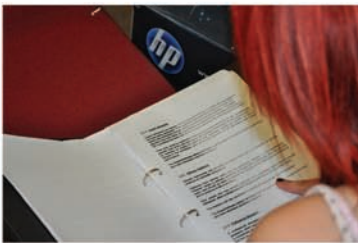


you need serious medical treatment

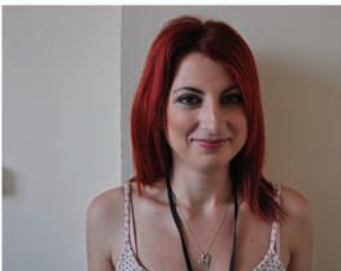


you need to be moved into a care home

You can have one for:



representing you at care reviews



adult protection cases.

In the past many people who lacked the capacity to make choices have not been listened to.
An IMCA makes sure that your rights are heard when you cannot say them or make choices for yourself by:



having someone to check
big decisions that are made



having your rights protected.



having someone say what is
right for you.

and

having someone who can tell
the decision maker what your
values and choices are.

How does an IMCA do what they do?

First



An IMCA gets told by a decision maker like a social worker, doctor or dentist that they are needed.

When they have been told and agree to help they can:



look at records to see what the person has said in the past



speaks to anyone who knows the person well. This could be someone like a carer, neighbour or friends



writes a report to say whether the decision is right for the person.



The IMCA will stand up for the person and say if they think the decision maker is not acting in the persons best interest.



This could be making sure they do not pick the cheapest or easiest choice.



The IMCA will make sure that the choice made is done as agreed

Who can help?

For help and advice about advocacy you can contact



Choice Advocacy
Rebecca House
Rebecca Street
Bradford BD1 2RX
01274 391691



Bradford and Airedal Mental
Health Advocacy Group
(BAMHAG)
1st Floor,
The Tradeforce Building
Cornwall Place,
Bradford BD8 7JT
01274 770118



Citizens Advice Bureau
George Street
Bradford BD1 5AA
0845 120 2909

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