

**Job Description**

**Job Title**: Independent Mental Capacity and Care Act Advocate

**Accountable to**: Head of Services

**Responsible to:** Advocacy Hub Manager

**Reporting to**: Care Act Team Leader

**Location**: Gaddum Centre, hospital and community settings

**Salary**: NJC scale 25 £22,212

**Hours:** 35 hours a week with expectation to provide shared duty cover.

**Job Summary**

The Independent Mental Capacity and Care Act Advocate is responsible to the Advocacy Manager and is responsible for responding to advocacy referrals under the Mental Capacity Act and the Care Act as necessary.

**Job Purpose**

To provide independent advocacy support to people who lack capacity in line with the MCA Code of Practice.

To support and represent adults who lack capacity in matters relating to or connected with their deprivation of liberty in line with the Mental Capacity Act and the Deprivation of Liberty Safeguards Code of Practice.

To provide independent Care Act advocacy support to people who have substantial difficulty being involved in Care Act processes in line with the Care Act Independent Advocacy Statutory Guidance.

**Main Duties and Responsibilities**

**Providing Advocacy support to individuals under the Mental Capacity Act**

* To receive and undertake IMCA referrals as required by the advocacy manager in a timely manner.
* To support and represent people who are deemed to lack capacity and are eligible for an IMCA under the MCA code of practice.
* To meet with service users preferably in private
* To ascertain where possible users wishes and feelings about key decisions using a range of communication methods which best suit the person.
* To examine health and social records whilst respecting a person’s rights in relation to confidentially.
* To consult with relevant parties who can provide information about the persons values, beliefs and wishes.
* To ascertain alternative courses of action which could be considered, particularly those which are least restrictive.
* To ensure actions are in line with the MCA’s Code of Practice
* To challenge the decision maker where necessary through the appropriate route.
* To act as litigation friend in circumstances where decisions need to be challenged through the court of protection and where there are no other alternatives in exercising a person rights.
* To attend best interest meetings.
* To provide advocacy support and representation to people who are deprived of their liberty in line with the DoLs Code of Practice.

**Providing Advocacy Support to individuals under the Care Act**

* To receive and undertake Care Act Advocacy referrals as required by the advocacy manager in a timely manner
* To support and represent people who have substantial difficulty and are eligible for an Independent Care Act Advocate under the Care Act
* To meet with service users, preferably in private
* To obtain and provide information to users to support them to understand care act processes such as assessments, support planning and reviews
* To ascertain users wishes, views and feelings using a range of communication methods which best suit the person
* To challenge any actions or decisions which are not compliant with the Care Act
* To support users to be fully involved in their assessment and support planning in a meaningful way.
* Support and encourage users to self-advocate
* Liaise and negotiate with a range of professionals with users or on their behalf where appropriate
* To support user through the safeguarding adults process
* To obtain and provide information to users to support them to exercise their rights under relevant legislation.

**Reporting**

* To keep accurate and up to date casework records and statistical information.
* To contribute to the production of monthly and quarterly reports as requested.
* To prepare and submit high quality IMCA reports using the reports template to decision makers.
* To write letters and/or submit complaints with service users and on their behalf where appropriate.
* To prepare and submit high quality Care Act Advocacy reports to the local authority where local authority practice or decisions need to be challenged under the Care Act.

**Training and development**

* To keep up to date with relevant policy, legislation and case law relating to the role.
* Attend and participate in training as required
* Effectively engage in supervision
* Effectively engage in team meetings
* Effectively engage in peer support discussion with members of The Hub team.
* Work towards relevant National Advocacy Qualifications as required.

**Other duties**

* To adhere to Manchester Advocacy Hub and Gaddum Centre Policies and Procedures
* To be aware of personal safety and security when carrying out work.
* To promote the work of the Manchester Advocacy Hub
* To attend user forum meetings as required.
* To adhere to Gaddum Centre’s Safeguarding Adults policy and report any concerns regarding an individual’s safety.
* To maintain privacy and confidentiality in line with Gaddum Centre’s policies and procedures
* To respond to enquiries and call coming into the Hub in a professional and knowledgeable way
* To identify other advocacy issues and direct user to appropriate support and information in order to exercise their rights and access services

The details contained in this job description, particularly the principal accountabilities, reflect the content of the job at the date the job description was prepared. It should be remembered, however, that it is inevitable that, over time, the nature of individual jobs will change; existing duties may be lost and other duties may be gained, without changing the general character of the duties, or the level of responsibility entailed. Consequently, this job description may be revised from time to time.

All staff are expected to work within all Gaddum Centre policies and procedures.