

7. Advocacy Provider in Knowsley

n-compass Knowsley Advocacy Hub - Tel: 0300 3030 624
Web: Knowsley Advocacy Hub | n-compass
Email: referral@Knowsleyadvocacyhub.org.uk
Opening hours: 9.00am to 5.00pm Monday to Friday
Referral Form August 23.pdf (n-compass.org.uk)

If you think a person at risk would meet the criteria for a Safeguarding enquiry: **Knowsley Multi Agency Safeguarding Hub, (MASH)** call **0151 443 2600**, or visit **Knowsley Safeguarding Adults** [Knowsley Safeguarding Adults](#)

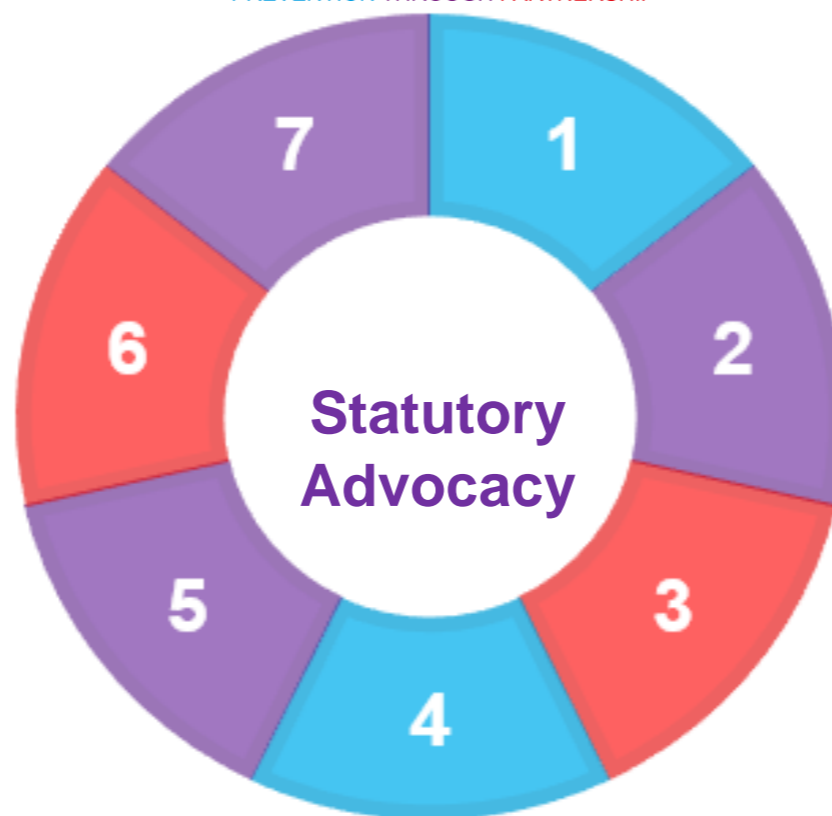
[Mental-capacity-act-code-of-practice.pdf](#) / [Care and Support Statutory Guidance](#)

7 MINUTE BRIEFING Statutory Advocacy



**KNOWSLEY
SAFEGUARDING
ADULTS BOARD**

PREVENTION THROUGH PARTNERSHIP



1. What is Advocacy?

Advocacy is taking action to help people say what they want, uphold their rights, represent their needs, and wishes and support them to access the services they need.

Advocacy promotes social inclusion, equality, and social justice. Advocates work with people to help them have the life they want to live by exploring their options and supporting them to make or be involved in decisions that are important. Advocacy is free to anyone who is eligible.

Advocates are highly skilled individuals who are impartial and knowledgeable in the Acts and frameworks that aim to promote wellbeing and keep people safe.

2. Why is Advocacy Important in Safeguarding?

Advocates have a significant part to play in safeguarding adults from abuse and neglect.

Advocacy is preventative, advocates being involved in decisions and processes helps people to resolve issues and situations before they escalate. In safeguarding enquiries, it is important that the person is supported if they meet the statutory criteria in what can be a worrying process that sometimes requires difficult decisions to be made.

An adult who may have been affected by abuse or neglect may be upset, scared, embarrassed making the process more difficult for them to navigate, so the support of an independent advocate is crucial to help them understand the situation and obtain the outcome they want.

3. The Care Act 2014 & Advocacy

The Care Act 2014 Statutory Guidance (7.4) states that:

- There is a **duty** to arrange an Independent Advocate for adults to enable those who may otherwise have
 - (1) "substantial difficulty" in being involved if there is
 - (2) "no appropriate individual available to support and represent the person's wishes".
- The local authority has a **duty** to instruct an Independent Care Act Advocate if the person meets the criteria above

4. The Mental Capacity Act 2005 & Advocacy

The MCA Code of Practice Chapter 10 states that:

- An IMCA **must** be instructed, and then consulted, for people lacking capacity who have no-one else to support them (other than paid staff), whenever: an NHS body is proposing to provide serious medical treatment, or an NHS body or local authority is proposing to arrange accommodation (or a change of accommodation) in hospital or a care home, and the person will stay in hospital longer than 28 days, or – they will stay in the care home for more than eight weeks.
- An IMCA **may** be instructed to support someone who lacks capacity to make decisions concerning care reviews, where no-one else is available to be consulted; **whether or not** family, friends or others are involved.

5. The Mental Health Act 1983 & Advocacy

The MHA Code of Practice chapter 6 states:

- Independent mental health advocates (IMHAs) provide an additional safeguard for patients who are subject to the Act.
- They support patients to exercise their rights and ensure they can participate in the decisions that are made about their care and treatment.
- They do not replace any other advocacy or support services and work in conjunction with other services.
- They help qualifying patients to obtain relevant information and to understand their position including their rights and aspects of their treatment.

6. Deprivation of Liberty Safeguards

Persons being deprived of their liberty have a statutory right to a representative either a family member or friend, or a paid representative, for the life of the authorisation.

The Supervisory Body **must** instruct an RPR (Relative Person's Representative), and if no appropriate person can be found they will request that an advocate acts as RPR.

RPR's will visit person who is deprived of their liberty and ensure conditions of the Dol are being met, explain the purpose and duration of the Dol to the person, obtain their views, wishes and feelings and request a review or access court if necessary.