

Unit Title: **Independent mental capacity advocacy**

Unit sector reference: ADV 305
 Level: 4
 Credit value: 12
 Guided learning hours: 35
 Unit expiry date: 28/02/2015
 Unit accreditation number: F/502/3295

Unit purpose and aim

The unit aims to support candidates to develop the practical skills and knowledge required to provide Independent Mental Capacity Advocacy (IMCA) support within the Mental Capacity Act 2005.

| Learning Outcomes | Assessment Criteria | Exemplification |
|--|---|-----------------|
| <p>The learner will:</p> <p>1 Understand and use the Mental Capacity Act</p> | <p>The learner can:</p> <p>1.1 Explain key principles of the Mental Capacity Act 2005</p> <p>1.2 Analyse powers within the Mental Capacity Act 2005</p> <p>1.3 Use research skills to identify a range of provisions within the Mental Capacity Act 2005</p> <p>1.4 Explain who may be affected by the Mental Capacity Act 2005 and why</p> <p>1.5 Use the Code of Practice</p> | |
| <p>2 Provide Independent Mental Capacity Advocacy (IMCA)</p> | <p>2.1 Use the Mental Capacity Act 2005 to identify when there is a duty and a power to instruct an IMCA</p> <p>2.2 Analyse the role and responsibilities of an IMCA</p> <p>2.3 Summarise rights afforded to an IMCA</p> | |

| Learning Outcomes | Assessment Criteria | Exemplification |
|--|--|-----------------|
| | <p>within the Mental Capacity Act 2005</p> <p>2.4 Prioritise a range of case work</p> <p>2.5 Assess a range of potential challenges which IMCAs can face in practice</p> <p>2.6 Resolve practice dilemmas</p> <p>2.7 Evaluate the differences between IMCA and general Advocacy</p> <p>2.8 Assess and resolve conflicts of interest</p> <p>2.9 Summarise the role of commissioners</p> <p>2.10 Commit to using supervision</p> <p>2.11 Signpost qualifying people to other services</p> | |
| 3 Work with the decision maker | <p>3.1 Identify the decision maker</p> <p>3.2 Identify good practice in partnership working between the decision maker and the IMCA</p> <p>3.3 Resolve a range of dilemmas and challenges which may be faced</p> <p>3.4 Use referral processes which identify legal requirements for accepting a new client</p> <p>3.5 Evaluate the correctness of the assessment of capacity</p> <p>3.6 Identify the requirements for accepting referral when family are involved</p> <p>3.7 Identify which IMCA service is responsible to represent an individual in different geographical areas</p> <p>3.8 Respond to decision makers who do not practice partnership working</p> <p>3.9 Present to decision makers on what an IMCA can contribute</p> | |
| 4 Challenge decisions made by the decision maker | 4.1 Map out the decision making process within each area an IMCA may | |

| Learning Outcomes | Assessment Criteria | Exemplification |
|---|--|-----------------|
| | <p>be involved</p> <p>4.2 Raise concerns during the decision making process</p> <p>4.3 Highlight concerns after the decision is made</p> | |
| 5 Work with people who lack capacity | <p>5.1 Use a range of methods to communicate with people who lack capacity</p> <p>5.2 Use non instructed advocacy to identify the wishes and preferences of people receiving IMCA support</p> <p>5.3 Use strategies to work with people with dementia or learning disabilities</p> <p>5.4 Ascertain the wishes and preferences of people who lack capacity</p> | |
| 6 Work with accommodation and care review referrals | <p>6.1 Research information and establish options</p> <p>6.2 Evaluate the differences and similarities in a range of types of accommodation</p> <p>6.3 Identify a range of possible care packages to enable people to stay at home</p> <p>6.4 Assess the suitability of types of accommodation to individuals</p> <p>6.5 Assess the impact the decision will have on the individual</p> <p>6.6 Use a range of information sources to suggest alternative courses of action</p> <p>6.7 Explain the function of a range of regulatory bodies</p> | |
| 7 Work with serious medical treatment referrals | <p>7.1 Summarise the criteria for serious medical treatment</p> <p>7.2 Research and gather information</p> <p>7.3 Assess the impact the decision will have on the individual</p> <p>7.4 Use a range of information sources to suggest alternative</p> | |

| Learning Outcomes | Assessment Criteria | Exemplification |
|--|---|-----------------|
| | <p>courses of action</p> <p>7.5 Obtain a second medical opinion where appropriate</p> <p>7.6 Explain the importance of seeking a second medical opinion</p> <p>7.7 Identify risks, benefits and ethical issues connected to medical treatments</p> <p>7.8 Explain the process of referral in medical systems to access treatment</p> | |
| 8 Work with adult protection referrals | <p>8.1 Identify the different stages at which the IMCA may be instructed within Adult Protection Procedures</p> <p>8.2 Identify a range of situations the IMCA may represent the individual during adult protection meetings</p> <p>8.3 Analyse and use local and national adult protection procedures</p> <p>8.4 Use the guidelines for IMCA in adult protection proceedings referrals</p> <p>8.5 Research and gather information</p> <p>8.6 Attend meetings where necessary</p> <p>8.7 Identify a range of protection plans which may be formulated within Adult Protection strategy meetings</p> <p>8.8 Summarise the issues involved in communicating with families in adult protection cases</p> | |
| 9 Construct an IMCA written report that meets statutory requirements | <p>9.1 Identify a range of issues that should be addressed within an IMCA report</p> <p>9.2 Identify what should never be in an IMCA report</p> <p>9.3 Write an IMCA report</p> <p>9.4 Identify good practice in recording case work</p> <p>9.5 Explain the impact of data protection legislation</p> | |

| Learning Outcomes | Assessment Criteria | Exemplification |
|-------------------|--------------------------|-----------------|
| | on the recording of work | |

Assessment

This unit needs to be assessed in line with the Skills for Care and Development QCF Assessment principles.

This unit is competence based. This means that it is linked to the candidate's ability to competently perform a range of tasks connected with their work. This unit may be assessed using any method, or combination of methods, which clearly demonstrates that the learning outcomes and assessment criteria have been met. This unit requires workplace assessment of occupational competence.

Assessment decisions for competence based learning outcomes (eg those beginning with 'Be able to') must be made in a real work environment by an occupationally competent assessor. Any knowledge evidence integral to these learning outcomes may be generated outside of the work environment but the final assessment decision must be within the real work environment.

Competence based assessment must include direct observation as the main source of evidence.

Guidance on assessment and evidence requirements

OCR does not stipulate the mode of delivery for the teaching of the content of this unit. Centres are free to deliver this unit using any mode of delivery that meets the needs of their candidates. Centres should consider the candidates' complete learning experience when designing learning programmes.

The nature of this unit means that most of the evidence must come from real work activities. Simulation can only be used in exceptional circumstances for example:

Where performance is critical or high risk, happens infrequently or happens frequently but the presence of an assessor/observer would prevent the Independent Advocacy relationship developing.

Simulation must be discussed and agreed in advance with the External Verifier.

The evidence must reflect, at all times, the policies and procedures of the workplace, as linked to current legislation and the values and principles for good practice in independent advocacy.

Required sources of performance and knowledge evidence:

Direct Observation and/or Expert Witness Testimony are the required assessment method to be used to evidence some part of this unit.

If the assessor is unable to observe the candidate s/he will identify an expert witness in the workplace who will provide testimony of the candidate's work-based performance. The assessor or expert witness will observe the candidate in real work activities and this is likely to provide most of the evidence for the assessment criteria for this unit

Other sources of performance and knowledge evidence:

The assessor will identify other sources of evidence to ensure the most reliable and efficient mix of evidence gathering methods from the list below. This will ensure that all learning outcomes and assessment criteria are met and that the consistency of the candidate's performance can be established.

- Work products
- Professional discussion
- Candidate/ reflective accounts
- Questions asked by assessors
- Witness testimonies
- Projects/Assignments/RPL
- Case studies

National occupational standards (NOS) mapping/signposting

This unit maps to the Health and Social Care standards.

NOS can be viewed on the relevant Sector Skills Council's website or the Occupational standards directory at www.ukstandards.co.uk

Functional skills signposting

This section indicates where candidates may have an opportunity to develop their functional skills.

Functional Skills standards can be viewed at <http://www.qcda.gov.uk/15565.aspx>

| Functional Skills Standards | | | | | |
|-----------------------------|---|--------------|--|--|---|
| English | | Mathematics | | ICT | |
| Speaking and Listening | ✓ | Representing | | Use ICT systems | ✓ |
| Reading | ✓ | Analysing | | Find and select information | ✓ |
| Writing | ✓ | Interpreting | | Develop, present and communicate information | ✓ |

Additional information

For further information regarding administration for this qualification, please refer to the OCR document '*Administrative Guide for Vocational Qualifications*' (A850).

This unit is a shared unit. It is located within the subject/sector classification system 01.3 Health and Social Care.