

## Response to Request for Information

Reference FOI 02556  
Date 20 July 2018

### ***Referrals for Independent Mental Capacity Advocacy (IMCA)***

#### **Request:**

I hope you might be able to help me with the request for information below. If you have the information to hand for tax year 2016/2017 as well as 2017/2018 I would appreciate both data sets if it is possible, otherwise just 2016/2017 is fine.

Please could you provide the name of the organisation commissioned to deliver Independent Mental Capacity Advocacy (IMCA)?

[Pohwer are the providers of IMCA Services in Wolverhampton.](#)

- a) If you hold data on the number of referrals made in the year 2016/2017 please could you provide information on how many times an IMCA was instructed in each decision:
- Long term Change of Accommodation
  - Serious Medical Treatment
  - Review of the Accommodation decisions
  - Safeguarding

Reasons for instruction	2016/17	2017/18
<a href="#">Long term change of accommodation</a>	40	66
<a href="#">Serious Medical Treatment</a>	20	25
<a href="#">Review of Accommodation decisions</a>	10	6
<a href="#">Safeguarding</a>	15	13

- b) If you hold data on the number of referrals made in 2016/2017, please could you provide information on how many times an IMCA DoLS was instructed within each of these:

- 39A DoLS process
- 39C DoLS process
- 39D DoLS process

[Your request for information has now been considered and the City of Wolverhampton Council is not obliged to supply the information you requested for the reasons set out below.](#)

[Section 17 of the Freedom of Information Act 2000 requires City of Wolverhampton Council, when refusing to provide such information \(because the information is exempt\) to provide you, the applicant with a notice which:](#)

- (a) states the fact,
- (b) specifies the exemption in question and
- (c) states (if that would not otherwise be apparent) why the exemption applies:

In relation to your particular request, the following exemption applies:

**Section 12 - Exemption where cost of compliance exceeds appropriate limit**

We can confirm that the Council holds information falling within the description specified in your request. However, Section 12 of the Freedom of Information Act 2000 allows a public authority to refuse a request if the cost of providing the information to the applicant would exceed the 'appropriate limit' as defined by the Freedom of Information.

The Regulations provide that the appropriate limit to be applied to requests received by local authorities is £450 (equivalent to 18 hours of work). In estimating the cost of complying with a request for information, an authority can only take into account any reasonable costs incurred in:

- (a) *Determining whether it holds the information,*
  - (b) *Locating the information, or a document which may contain the information,*
  - (c) *Retrieving the information, or a document which may contain the information,*
- and*
- (d) *Extracting the information from a document containing it.*

*For the purposes of the estimate the costs of performing these activities should be estimated at a rate of £25 per hour.*

The information appertaining to your request is not easily accessible and as such this information is not held as a distinct set able to be retrieved or reported on. To get the information would require a full scale look into all individual records. This would be a manual exercise and as such we believe that the aggregated time it would take to collate the information would be in excess of 18 hours (equivalent to a notional cost of £450).

- c) If you hold data on the number of challenges to decisions (formal complaints and s21A applications to Court of Protection) under the MCA made by IMCAs please could you provide these numbers for 2016/2017 as well? 0

## Referrals to independent advocacy under the Care Act 2014

I hope you can help me with the following request for information. I would like the data for 2016/2017 and 2017/2018 if you have both, if not just 2016/2017 would be great.

1. Please could you provide the name of the advocacy organisation(s) commissioned to provide advocacy under the Care Act 2014 for each the following groups:
  - i) the adult with (potential) care and support needs,
  - ii) carers of the adult with care and support needs
  - iii) young people in transition
  - iv) carers of young people in transition

'One Voice' is the Care Act (2014) Advocacy Provider in Wolverhampton.
2. If you hold data on the number of referrals made, please could you provide information on how many times a Care Act Advocate was arranged within:
  - i. a needs assessment (under section 9); **221**
  - ii. a carer's assessment (under section 10); **5**
  - iii. the preparation of a care and support plan or support plan (under section 25); **565**
  - iv. a review of care and support plan or support plan (under section 27); **397**

With regards to question below, the data for children's advocates is not reportable from our social care system therefore we can't answer (v, vi, vii).

- v. a child's needs assessment (under section 60);
  - vi. a child's carer's assessment (under section 62);
  - vii. a young carer's assessment (under section 65).

This information is not broken down by the current provider and therefore not available
3. If you hold data on the number of challenges to decisions (formal written complaints, number of cases brought for Judicial Review or applications to the Court of Protection) made by advocates, please could you provide this data as well.

Nil