

Advocacy Support Policy and Procedure

POLICY PURPOSE AND SCOPE

This Policy provides a guide about the way in which the organisation assists service users to access independent services to support them in planning and decision making.

This policy applies to all staff, volunteers and stakeholders.

DEFINITIONS

Word	Definition
Advocacy:	is active support for a cause or position and in this context, it is an expression of support for a person who may find it difficult to speak for him or herself. It may include matters such as achieving social justice, improving a person's well-being, prevention of abusive or discriminatory treatment, stopping unjust and unfair treatment, so that a person's fundamental needs and interests can be met.

POLICY

Disability advocacy is acting, speaking or writing to promote, protect and defend the human rights of people with disability. The NDIS is about choice and control.

The Australian Government, and some state and territory governments, fund independent advocacy to help people with disability who face complex challenges or are unable to advocate for themselves, and do not have family, friends or peers who can support them as informal advocates, to access advocacy support. Refer to Caddens Care Disability Advocacy Info Sheet.

An independent advocate, in relation to a person with disability, means a person who:

- Is independent of the organisations providing supports or services to the person with disability; and
- Provides independent advocacy for the person with disability, to assist the person with disability to exercise choice and control and to have their voice heard in matters that affect them; and
- Acts at the direction of the person with disability, reflecting the person with disability's expressed wishes, will, preferences and rights; and
- Is free of relevant conflicts of interest

Caddens Care will also provide all participants with a list of government funded Disability Advocacy Services.

The types of Advocacies

- **Individual Advocacy:** a one-on-one approach, aiming to prevent or address instances of discrimination or abuse.
- **Systemic Advocacy:** working to influence or secure long-term changes to ensure the collective rights and interests of people with disability.

- **Family Advocacy:** when a parent or family member advocates with and on behalf of a family member with disability.
- **Citizen Advocacy:** matches people with disability with volunteers.
- **Legal Advocacy:** upholds the rights and interests of individual people with disability by addressing the legal aspects of discrimination, abuse and neglect.
- **Self-Advocacy:** supports people with disability to advocate for themselves, or as a group.

PROCEDURE

Supporting advocacy

The Caddens Care Director (or their delegate) will be responsible for ensuring:

- All staff receive training in the use of advocates
- Maintenance of printed materials on relevant advocacy services for distribution to service users
- Maintenance of local advocacy resources/contact lists
- Providing service users with information about how to access an advocate
- Information on the use of advocates is included in the Service User Handbook and is explained to each service user at the point of first contact or as soon as practical.

Caddens Care staff will provide service users with names of local advocacy services available and respect their choice of advocate.

Staff will ensure service users are aware of their right to use an advocate and remind them of this option whenever appropriate, including when a complaint is lodged, or the staff member believes an advocate may be beneficial to the service user.

Appointment of advocates

- Service users wishing to use an advocate should inform Caddens Care in writing of the name of the person they wish to negotiate on their behalf and the capacity in which the person can act. Service users should complete the Authority to Act as an Advocate form.
- Service users may change their advocate at any time and inform us in writing using the Authority to Act as an Advocate form. If a service user has difficulty completing this form, a staff member will assist them or refer them to an advocacy agency that can assist them in this task.
- Completed authority forms are kept in the service user's record.
- Whenever a participant experiences trauma or reports an incident of violence, abuse, neglect, exploitation, or discrimination we must provide, or at least offer access to, an independent advocate. Until such time that we can obtain an independent advocate, a suitable person will be appointed as in interim measure, and this must be in agreement with the participant or their nominated representative.

Guidelines for advocates

Guidelines for advocates are detailed on the Authority to Act as an Advocate form; this is given to the service user and explained to them if they wish to appoint an advocate.

Working with advocates

Where a service user has identified and nominated an advocate Caddens Care will:

- Ensure the advocate knows they have been nominated as an advocate and for what purpose.
- Ensure any identified advocate is present at assessment, planning, review or other relevant meetings.
- Communicate and work cooperatively with the advocate; and
- Communicate comprehensively with the advocate in accordance with the service user's wishes and involve them in the care and service planning.

If an authorised representative is acting on behalf of a service user, Caddens Care staff will require proof of the representing authority. Authorised representatives include:

- Guardians
- Attorneys under enduring powers of attorney
- Agents under the Medical Treatments Act 1988
- Administrators under the Guardianship and Administration Act 1986
- A person otherwise empowered by the service user to act or make decisions in their best interest.

Proof of representative authority will be sighted, and a copy of the documentation placed in the service user's record.

RELATED DOCUMENTS

- Authority to Act as an Advocate
- Advocacy Information Insert.

REFERENCES

- National Disability Insurance Agency
- NDIS Practice Standards and Quality Indicators 2018
- Disability Inclusion Act and Regulation 2014
- Privacy Act (1988)
- Privacy Act 1988 (Cth)
- Australian Human Rights Commission Act 1986 (Cth)