



POLICY NO:

DATE OF IMPLEMENTATION: August 2014

APPROVED BY: Committee of Management

VERSION NO: 1

REVIEW DATE: August 2017

DATE: August 2014

Participant Advocacy Policy

1.0 Introduction:

ConnectAbility Australia is committed to pursuing the rights and principles of equality, independence, choice and inclusion that underpin a person-centred philosophy. In achieving this goal, ConnectAbility acknowledges that some participants may need assistance to understand issues fully and to voice individual needs and concerns.

The *United Nations Convention on the Rights of Persons with Disabilities* and the *National Disability Strategy* promotes social and economic inclusion for people with a disability. The availability of high quality, accurate, appropriate and timely information is a key determinant of how well a person can plan and make decisions that affect their lives.

ConnectAbility recognises and supports that participants have the right to choose to involve an advocate to act on their behalf and promote, protect and ensure their full and equal enjoyment of all human rights enabling community participation.

2.0 Purpose:

The purpose of this Policy is to provide an overarching framework for recognition and engagement with advocates who are working with participants to ensure that the rights and wishes of the individual participant are adequately informed and at the centre of the decision making process.

The policy is also intended to provide guidance for staff on the key elements of advocacy framework and the requirements of staff to implement.

3.0 Scope

The scope of this policy covers all of the activities and operations of ConnectAbility Australia.

For the purposes of this document, the term participant refers to all potential, current and previous participants of ConnectAbility.

An advocate is a person, who with the agreement and authority of the participant represents their interests. An advocate may be a family member, a friend, another professional or a formal advocacy service.

4.0 Definitions:

- **Advocate:** An advocate is a person who supports a consumer to protect and promote their rights and interests. An advocate can, with the consumer's permission, negotiate on a consumer's behalf or support the consumer to negotiate for themselves. An advocate does not conciliate or arbitrate between an organisation and consumer. An

advocate 'stands beside' a consumer to support them to make their own decisions. An advocate is an important resource for a consumer in situations where a consumer feels confused, overwhelmed, intimidated or under confident. An advocate can be a family member, friend or an outside organisation.

5.0 Principles:

In order to exercise choice and maximise independence, people require access to accurate information that will help them manage their own lives, understand their options, manage issues and grievances, access community, and engage on topics of interest.

ConnectAbility recognises that for a person to become inclusive they may require their family, friends, colleagues and other important people in their life have access to information so they can better support and interact to achieve real social inclusion.

ConnectAbility adopts the following principles to assist people using the service to increase their knowledge, connections and capabilities.

- empower people to communicate their own preferences to enable informed planning and decision making;
- facilitate inclusion for people using the service, their family and carers, in the community;
- respond to identified information and communication modes/needs that contribute to improving outcomes for people with a disability, their families and carers;
- improve the cultural appropriateness of format and content of information for Aboriginal and Torres Strait Islander people with a disability using the service so that they have greater choice in community participation;
- improve the cultural appropriateness of format and content of information for people with a disability from a culturally and linguistically diverse background using the service so that they have greater choice in community participation;
- include and value families and carers as part of the ConnectAbility support system;
- inform the broader community to develop its knowledge and understanding of issues affecting people with a disability using the service, their families and carers; and
- ensure the delivery of high quality information services to people using the service, their families, carers and other important people from their support network.

6.0 Policy Statement

ConnectAbility acknowledges that any participant of our services has the right to seek support of an advocate or advocacy agency to help with all aspects of service delivery provided by ConnectAbility or from other service providers.

Whenever possible participants will be supported and encouraged to self-advocate, but whenever possible, we will facilitate access for a person to an advocate should a person using the service wish us to do so.

It is identified that the level of support from participants will vary and be dependent upon the needs and approval of each participant. The role of advocate may be undertaken by more than one individual / organisation.

ConnectAbility will ensure that advocates are identified and included within the individual record of each participant.

Any communication with the nominated advocate will be undertaken in a timely, open and transparent manner and consistent with the approval of each participant.

Information on the role and services offered by advocacy agencies will be readily available and supported by the organisation to enable access by participants or their families if required or requested.

Consistent with Code of Ethics and Practice, staff of ConnectAbility should not be identified as an advocate for any participant of ConnectAbility in either any aspects of service delivery between the participant, ConnectAbility or any third party person / organisation.

It is acknowledged that at times ConnectAbility staff will be asked to attend meetings in a professional capacity to present information on behalf of the participant or organisation. In these circumstances it is expected that this representation will be restricted to the management team positions and be undertaken consistent with the scope of their position within the organisation.

We will not disclose any information about the person to an advocate, when the person is not present, unless we have the person's express permission to do so. If a person wishes us to disclose information to an advocate they will be required to complete an Information Disclosure to Advocate Form (**see Appendix 2**).

7.0 Procedures

7.1 Advocacy in relation to ConnectAbility

At the first point of contact, participants should be advised of their right to have someone represent their interest and to assist them with part or all aspects service delivery, this includes planning, review, complaints and disputes.

Staff should ensure that the participant is aware of their right to use an advocate, and regularly reminded of this opportunity. This information should be explained as part of the Planning and Review Policy.

We will ensure participants understand the role of an advocate as well as their right to use an advocate in relation to our organisation (**see Appendix 1**). The person will be informed, both verbally and in writing about their right to use an advocate and the role of an advocate when the person is:

- Transitioned and orientated to the service;
- Refused service;

Or if:

- They wish to make a complaint about the service;
- A staff member believes an advocate may be beneficial to the person.

Participants will be provided information regarding available advocacy services at any time, if requested, and ConnectAbility will assist with a referral if requested.

Information regarding available Advocacy Services will be generally available within the foyer area of the ConnectAbility offices.

Confirmation of the name and contact details of advocates should be established and maintained in the persons client information records. These details should be maintained regularly and can be changed at any time at the participant's request.

7.2 Advocacy in relation to another organisation

ConnectAbility can provide limited individual advocacy to people using the service, in relations to another organisation, where such advocacy falls within the scope of our service delivery, case-coordination, information provision and referral roles. When a person requires more comprehensive advocacy support we will refer them, whenever possible, to another organisation that will provide more comprehensive advocacy support (**see Section 10.0**).

7.3 Staff and volunteer orientation and training

Staff and Volunteer orientation and training programs will include:

- Definition and roles of advocate
- Person's rights in regards to advocate
- How to work with a person and their advocate
- How to encourage and support the use of advocates
- Confidentiality in relation to advocates
- Documentation of advocates
- Information on relevant advocacy services and their services

8.0 Responsibilities

The **CEO** is responsible for maintaining this policy, its related procedures and associated documents.

The **Operations Manager** is responsible, and will be held accountable for the following:

- Ensuring the policy is effectively implemented across the service;
- Monitor staff compliance with the requirements of the policy
- Ensure training and information is provided to staff to carry out this policy

The **Support Delivery Coordinators/Support Planner** are responsible and accountable for the following:

- Ensuring staff are familiar with the requirements of the policy, and have sufficient skills, knowledge and ability to meet the requirements.
- Ensuring all records on participant Advocates are maintained in a timely and accurate manner.

All **Staff** and **Volunteers** will be held accountable for the following:

- Complying with the requirements of this policy.

9.0 Equity and access considerations

Employees, volunteers and students are to ensure that services are provided with sensitivity to, and awareness of, people with culturally diverse or indigenous backgrounds, and cultural practices. This is to be carried out without deviating from ConnectAbility's Participant Advocacy - policy and procedure or legislative responsibilities. Information provided to a person, their family/carer, person responsible or other support person about advocacy, legal rights, options and support services, must be provided in a format that suits their individual communication needs.

10.0 Quality assurance mechanisms

Supports provided by ConnectAbility Australia must be underpinned by a quality framework that ensures consistency and a high level of quality care and support for participants, their families and carers. ConnectAbility Australia acknowledges that it will be required to undertake third party verification of their performance against the NSW Disability Service Standards (NSW DSS), prior to June 30, 2015.

ConnectAbility Australia's adopted Standards Policy framework must be informed by human rights principles, refer to nationally consistent standards, clear accreditation mechanisms, sound compliance and monitoring systems, and information readily available to participants, families and carers to inform them of minimum quality expectations.

11.0 Communication

Communication about this policy should be implemented in a way that suits each person with regard to their cultural background e.g. use of an interpreter or easy to read documents.

This policy will be:

- communicated to the key internal and external stakeholders of ConnectAbility;
- communicated to ConnectAbility Australia staff through professional development opportunities;
- accessible through ConnectAbility Australia's internal intranet and website.

12.0 Review of Policy

This policy will be regularly reviewed as contextual drivers within the disability services sector continue to evolve. ConnectAbility Australia may make changes to this policy and procedures from time to time to improve the effectiveness of its operation. Generally this entire policy will be reviewed in consultation with people using the service, their families and carers, committee and staff every 3 years.

13.0 Useful Contacts and Services

- **Disability Advocacy (DA) NSW**
Telephone contact: 02 4927 0111 OR 1300 365 085
Provide individual advocacy services to people with a disability who have serious and urgent problems.
- **Indigenous Disability Advocacy Service (IDAS)**
Telephone Contact: 1300 114 327
Provide individual advocacy services to Indigenous people with disabilities, their families and carers who have serious and urgent problems.
- **Multicultural Disability Advocacy Association of NSW (MDAA)**
Telephone Contact: 4927 0111 or 1800 629 072
Provide individual advocacy services to people with disabilities, their families and carers from non-English speaking backgrounds.
- **Intellectual Disability Rights Service (IDRS)**
Telephone Contact: 1800 666 611
The IDRS provides telephone advice on a range of legal issues and representation in priority areas such as criminal law, care and protection and guardianship.

14.0 Other Related Policies / Documents

- Code of Ethics and
- Planning and Review
- Individualised Funding
- Complaints Management
- Privacy Policy
- Freedom from Abuse
- Service Access and Exit

Version	Date	Author	Reason	Sections
1	August 2014	Bryan McLoughlin	New Policy Approved by CoM	All

Appendix 1:

Using an advocate information for people using ConnectAbility

Policy guiding the use of this information: Participant Advocacy Policy

An advocate is someone who can support you to:

- make decisions for yourself
- make your voice heard
- stand up for your rights
- protect and promote your interests

An advocate can be a family member, friend or organisation.

People often use an advocate in a situation where they feel confused, overwhelmed, intimidated or under-confident. Sometimes people use advocates to speak on their behalf or support them to speak for themselves.

We encourage you to use an advocate when dealing with our organisation if you feel confused, overwhelmed, intimidated, under-confident or if you think an advocate would be useful. For example, you could use an advocate if you want to make a complaint or when you are assessed for services.

You can choose your own advocate or we can advocate or we can assist you (wherever possible) to find one. You can change your advocate, or stop using an advocate, at any time.

We will not share information with your advocate if we do not have your permission to do so. If you want us to share information with your advocate when you are not present you must give us written permission by completing a form. If you want to stop using your advocate or if you want to change your advocate please let us know so we can change the details on your Client Information Sheet.

Organisations who can assist you with advocacy or provide you with an advocate are:

- **Disability Advocacy (DA) NSW**
Telephone contact: 02 4927 0111 OR 1300 365 085
Provide individual advocacy services to people with a disability who have serious and urgent problems.
- **Indigenous Disability Advocacy Service (IDAS)**
Telephone Contact: 1300 114 327
Provide individual advocacy services to Indigenous people with disabilities, their families and carers who have serious and urgent problems.
- **Multicultural Disability Advocacy Association of NSW (MDAA)**
Telephone Contact: 4927 0111 or 1800 629 072
Provide individual advocacy services to people with disabilities, their families and carers from non-English speaking backgrounds.
- **Intellectual Disability Rights Service (IDRS)**
Telephone Contact: 1800 666 611
The IDRS provides telephone advice on a range of legal issues and representation in priority areas such as criminal law, care and protection and guardianship.



Appendix 2

Advocate or Other Nominated Person Information Disclosure Form

Policies guiding the use of this form: Participant Advocacy & Privacy and Confidentiality

Date: ____/____/____

I [person's name] _____

give ConnectAbility Australia permission to share the following information with

[advocate or nominated person name/contact details] _____

I understand that I can change my advocate/nominated person or stop using an advocate/nominated person at any time.

I understand that I can use an advocate/ nominated person without giving the organisation consent to share information about me with the advocate/ nominated person.

I understand that I can withdraw my permission, at any time, for the organisation to share information with my advocate/ nominated person. I understand that I can do this by informing the organisation and changing this form.

Person's Signature: _____

Date: _____