

# ADVOCACY

## Policy Statement

Burke and Beyond is committed to promoting and protecting the human and legal rights of people with a disability and respects the right of people to self advocate or access an advocate or advocacy agency to represent them.

Staff members are to encourage and assist a participant to access an advocate and/or interpreter when the participant has requested an advocate and/or interpreter, or where the need for an advocate and/or interpreter has been perceived.

## Objective

To ensure staff members promote the right of a participant to access an advocate where a participant is unable to effectively represent him or herself, and/or an interpreter where a participant cannot speak or understand English, and/or is hearing impaired or deaf.

## Scope

All staff, management and volunteers.

## Policy Details

The following definitions outline the types and roles of people involved with advocacy.

**Advocate** An advocate is a person who, with explicit authority, represents another person's interests.

**Advocacy** is speaking, acting, and writing, with minimal conflict of interest, on behalf of the best interests and rights of a disadvantaged person or group to promote, protect, and defend their welfare and justice.

**Informal Advocate** may be parents, siblings, relatives, friends who take on advocacy roles.

**Formal Advocate** generally refers to an organisation that employs people to perform advocacy roles.

**Interpreter** is a person who provides a clear channel of communication between parties. Providing counselling or advice to parties is not the role of an interpreter.

**Systems Advocate** An organisation or professional advocate who can act for a disadvantaged individual or group of individuals in an institutional setting.

**Legal Advocate** a nominated advocate, whose role has legal status, for example holding an Enduring Power of Attorney.

## Who can be an advocate?

Advocacy is the process of standing alongside an individual who is disadvantaged, and speaking out on their behalf in a way that represents the best interests of that person. If a participant of our agency has asked you to be their advocate, this means they would like you to act on their behalf. You may be a family member or friend of the person, or a member of an advocacy service. Participants and prospective advocates should be aware that interpreters cannot be used as advocates, as they have a distinct role to play in interpreting communication between two or more parties.

## Responsibilities as a participant advocate

Being an advocate may mean their attendance or involvement could be required during assessments and reviews of the participant's personalised plan, or should the participant want a representative to communicate or negotiate with us on his/her behalf regarding access to their personal information; lodging a complaint; or any issue related to our service performance. Participants are free to change their advocates whenever they wish.

## Burke and Beyond Staff:

- Are to be vigilant and sensitive to the support needs of people from culturally and linguistically diverse backgrounds, special need groups, the elderly, children and young people.
- Promote rights at participant meetings across the organisation
- A resource for advocate and interpreter agencies available in the community

## POLICY

- Maintain networks and positive working partnerships with advocate and interpreter agencies
- Are to promote participant's rights, remind participant's of these rights, and initiate or facilitate necessary action as needed.
- Provide information to participants on their rights and responsibilities, advocate's role and agencies, and the opportunity to choose and nominate a formal or informal advocate.
- Ensure participants are aware that they may change or withdraw a nominated advocate at any time.
- Encourage participants and their nominated advocate (interpreters engaged as required) opportunities to participate in decision making processes, including accessing service, individual planning, and complaints.
- Work collaboratively with all parties, with the participant's best interests being the focus of primary importance.
- Obtain participant/parent/significant other's consent to make a referral on the participant's behalf.
- Where a person is requesting any information in relation to a participant, staff members are to confirm the person has been given authority, or has a right to the information, and obtain consent for release of information.
- Where a request to obtain personal information is received refer to Community Services Manager

### Checks for advocates

As an advocate of a participant they should be aware of the following and to ensure that:

- the participant has given written authority for the advocate to act on his/her behalf
- they inform Burke and Beyond that they are acting as the participant's advocate
- they always act in the best interests of the participant
- The advocate should ensure that the participant is aware of any issues and developments in relation to services they receive
- the participant is kept informed of any developments where they are representing their interests
- The advocate should ensure that the participant is engaged as much as possible in the final decision making process
- they encourage the participant to provide feedback to them about the services they are receiving
- they advise the service about any changes in participant circumstances and any concerns about changing participant needs
- they are prepared to relinquish the role of advocate should the participant wish this
- they avoid representing them in circumstances where there may be a conflict of interest, and
- they do not act as an interpreter for the participant while acting in an advocacy role

### ADMINISTRATION:

Continuous Improvement:	Improvements to this document can be made by completing a suggestion and improvement form, attaching any suggested amendments and forwarding to your manager and/or the Quality Advisor for review.				
Standards	Human Service Standards- Empowerment, Access and Engagement, Well Being & Participation. National Disability Standards- Rights, Participation & Inclusion, Individual Outcomes, Feedback & Complaints				
Internal reference document:	Model of Support policy. Access, Planning, Provision & Review procedures. Participant Handbook- "How things work at Burke and Beyond"				
Position Approving Document:	Chief Executive Officer				
Position Responsible for Document	Community Services Manager				
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