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Participant Advocacy and Support

Life Choice is committed to the principles of respecting and protecting the legal and human rights of individuals and their right to services.

To this end Life Choice supports the right of participants to use an advocate of their choice to negotiate on their behalf. This may be in relation to assessment, reviews, complaints or any other communication between the participant and this organisation. The organisation will work co-operatively with any advocate nominated by a participant and treat them with respect.

Life Choice is also committed to providing participants with advocacy and support when it is requested.

Record of policy development

Version	Date approved	Date for review
2020/3	September 2022	September 2024

Responsibilities and delegations

This policy applies to	All staff
Specific responsibilities	<p>Leaders must inspire trust at all times and role model Life Choices values and integrity. They must have a clear vision for the future; develop strategies that will achieve Life Choice goals and engage all stakeholders to join them on the journey. Leaders have the responsibility to monitor, check and ensure all elements of the policy are implemented within their area of responsibility. Leaders are responsible for ensuring employees attend training and development in the area of participant engagement, advocacy, support and feedback.</p> <p>Employees are responsible for ensuring that the principles and components within this policy are applied in their daily work and that employees attend and participate in training and development in this area.</p> <p>Individuals, families and other stakeholders are encouraged to provide feedback to the organisation regarding its processes and practices to learn and improve on what it does.</p>
Policy approval	Quality & Risk Committee

Policy context – this policy relates to:

Standards	NDIS Practice Standards and Quality Indicators NDIS Code of Conduct Human Services Standards National Standards for Disability Services
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Legislation	Disability Act Disability Discrimination Act
References	Yooralla National Disability Services
Organisation policies	Participant Service Charter Privacy Policy Participant Rights Policy Choice and control Policy
Forms, record keeping, other documents	Participant Service Charter Authority to Act as an Advocate form

Definitions

Advocacy is a process that supports a participant's voice, including but not limited to:

- Promoting and protecting legal and human rights;
- Empowering disadvantaged individuals and groups;
- Increasing an individual or group's control over goods and services;
- Being responsive to, and emphasising, an individual or group's needs and wishes;
- Challenging stereotypes and stigma;
- Overcoming barriers that restrict opportunities;
- Supporting an appropriate societal and service delivery response to individuals or groups; and
- Supporting a better quality of life for a person or group.

An **advocate** or **support person** is a person nominated by the participant to promote the rights of the participant and communicate his or her views and preferences. An advocate may attend meetings with the participant and help him or her raise issues or complaints with a service provider. The advocate or support person takes direction from the participant and does not override their choices or decisions.

Procedure

Supporting advocacy

The Chief Executive Officer (CEO) will be responsible for ensuring:

- all staff receive training in the use of advocates
- ensure services/programs maintain printed material on relevant advocacy and advocacy services
- maintain local advocacy resource/contact lists

Life Choice understands that the right of participants to formal and informal advocacy, including carers and other support persons, is linked to the Universal Declaration of Human Rights. Life Choice promotes and embraces this human rights philosophy.

Life Choice supports:

- the participant's right to use an advocate of their choice; and
- interactions with any advocate or support person nominated by a participant.

Providing participants with information

The CEO will ensure participants and potential advocates are informed via appropriate formats (including verbally and in writing) about their right to use an advocate and the role of an advocate when the participant is:

- Assessed and re-assessed for services
- Oriented to the service or program
- Refused service

Or if:

- They want to make a complaint about the service
- A staff member believes an advocate may be beneficial to the participant

The CEO is required to ensure that participants are aware of their rights to use an advocate in relation to the service, including having their advocate present for all assessments, meetings and communication between themselves and the organisation.

If the participant is unsure whether they may want to nominate a person as an advocate, they are to be provided with information (in an appropriate format) on various specialist advocacy organisations that may be able to assist them. If they would like to contact any of these organisations the CEO or their delegate will be able to assist them to make contact.

It is the responsibility of the relevant coordinator at the time of first contact with the participant to discuss any communication issues or requirements.

If a participant has an advocate it is the relevant coordinator's responsibility to discuss and document any specific communication issues or protocols to be used between the service and the participant's advocate. The name and contact details of the advocate are to be included in the participant's personal record.

Staff will not disclose any information about the participant to an advocate, when the participant is not present, unless the participant has provided their permission to do so.

Life Choice ascertains the areas or life domains in which the participant wishes the advocate/support person to be involved and respects the participant's wishes.

Life Choice also respects the participant's right to change his/her/their advocate, or change his/her/their mind about having an advocate involved in the service received from Life Choice.

Working with advocates (when a participant has nominated an advocate)

Where a participant has identified or nominated an advocate the relevant coordinator must:

- Record the advocates details in the participant's personal record
- Ensure the participant is aware of their advocacy rights including the right to have an advocate present for all assessments, meetings and communication between themselves and the organisation
- Ensure the advocate knows they have been nominated as an advocate and agrees to this
- Ensure any identified advocate is present at assessments and meetings
- Communicate and work co-operatively with the advocate
- Communicate comprehensively with a participant's advocate and involve them in the support and service planning

- Ensure that the participant knows they have the right to change their advocate at any time. Any changes should be documented with written confirmation from the participant using the Authority to Act as an Advocate form.

If an authorised representative is acting on behalf of a participant, the organisation will require proof of representative authority.

Authorised representatives include:

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

Proof of representative authority will be sighted, and a copy of that document placed in the participants file. Proof of authority includes Guardianship or Administration order or Enduring/ Medical Power of Attorney.

Providing advocacy and support

Where a participant does not have an identified or nominated advocate and they request assistance from the organisation, the request will be considered by the relevant Leader. Life Choice will facilitate a referral for the participant to be matched with an advocacy service. However, the type of individual advocacy and support that can be provided will be dependent on the organisation's capability and resources.

End of document
