

1.1.5 Advocacy Support Policy and Procedure - Victoria

1.1.5.1 Purpose

Nepean Centre recognises the importance of maintaining the participant's right to use an advocate or representative of their choice. All actual and potential participants can select and involve an advocate or a chosen representative to participate or act on their behalf.

1.1.5.2 Scope

This policy applies to all participants, staff, volunteers, and stakeholders.

1.1.5.3 Definition

Advocacy is the 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 achieving social justice, improving a person's well-being, preventing abusive, harmful, and discriminatory treatment, or stopping unjust and unfair treatment from meeting their fundamental needs and interests.

Below is a list of six types of advocacies:

Type of Advocacy	Description
1. Individual	The advocacy aims to prevent or address instances of discrimination or abuse using a one-on-one approach.
2. Systemic	They are working to influence or secure long-term changes to ensure the collective rights and interests of people with disabilities.
3. Family/Carer	A family member or carer advocates to provide a voice on behalf of another family member or person they are responsible for the care of.
4. Citizen	Matches people with disabilities to volunteers.
5. Legal	Upholds the rights and interests of people with disabilities by addressing the legal aspects of discrimination, abuse and neglect.
6. Self-advocacy	Supports people with disabilities to advocate for themselves or as a group.

1.1.5.4 Policy

All participants have the right to use a chosen advocate to represent their interests and speak on their behalf.

Our staff will work cooperatively with the participant's nominated advocate and show the same respect to the advocate as shown to the participant. When the participants cannot advocate for themselves, it is Nepean Centre's policy to ensure that the participant's interests are represented and supported using a substitute decision-maker.

When a participant asks for a worker to be their advocate, a Conflict-of-Interest Declaration and Authority to act as an Advocate form must be completed, and the conflict must be managed and recorded in the Conflict-of-Interest Register. Management will not view the worker negatively but will be supported.

1.1.5.4.1 Advocacy principles

- Nepean Centre will ensure that all staff receive training in using advocates.
- Nepean Centre will maintain printed material on advocacy and advocacy services.
- Nepean Centre will maintain local advocacy resource/contact lists.
- Nepean Centre will act positively with any worker appointed as a participant's advocate.
- Nepean Centre will work cooperatively with any nominated advocate chosen by the participant and show the same respect to the advocate as is shown to the participant.
- Nepean Centre will utilise a governance system to enable Nepean Centre to identify where a participant needs advocacy.

1.1.5.5 Procedure

1.1.5.5.1 Initial assessment (participant without an advocate)

- Provide the participant with advocacy information.
- Explain to the participant their rights regarding advocacy as per the Nepean Centre's Service Agreement and Charter of Rights and the NDIS Practice Standards and Quality Indicators 2021.
- Nepean Centre will work cooperatively with any nominated advocate chosen by the participant and show the same respect to the advocate as is shown to the participant.
- Advise the participant that if they wish to utilise advocacy services, Nepean Centre can assist them in contacting any of these services.
- Provide the Authority to Act as an Advocate Form to the participant if they decide to utilise the services of an advocate. The completed and signed Form is stored in the participant's file.

- Provide the Third-Party Information Release Consent Form to the participant. The completed and signed Form is stored in the participant's file.
- Discuss and document any specific communication issues or protocols between the service and the advocate (email, phone, or other methods).
- Inform the participant they can add and withdraw approval for an advocate to act on their behalf.

1.1.5.5.2 Initial assessment (participant with advocate/representative)

Before initial assessment

- Ensure during initial contact with the participant that they are informed of their right to an advocate and record the advocate's details if they have one.
- Advise the participant of the need to complete the Authority to Act as an Advocate Form and provide the appropriate form.
- Contact the nominated advocate to ensure they are aware they are nominated and confirm they agree to advocate.
- Place the completed Authority to Act as an Advocate Form in the participant's file.
- Ensure the potential participant is aware of their advocacy rights, including the right to have an advocate present for all assessments, meetings and communication between themselves and Nepean Centre.
- Schedule the participant's initial assessment at a time and date to allow the advocate to be present.
- Arrange for an identified advocate to be present at the assessment.

At initial assessment

- Request the completion of the Authority to Act as an Advocate Form if it has not yet been provided. Explain to the participant that the form must be completed for Nepean Centre to formally recognise the nominated person as the participant's advocate.
- Gather information about the advocate, such as contact details and methodology.
- Explain that the participant has the right to change their advocate. In writing, the participant should document changes using the Authority to Act as an Advocate Form (Easy Read form available).

1.1.5.5.3 Working with advocates

- Identify the existence of an advocate on the participant's file.
- Discuss and document any specific communication issues or protocols between the service and the advocate.
- Communicate with a participant's advocate and involve them in goal setting, planning service responses, and referrals for additional or alternative services.
- Provide the advocate with ongoing information regarding the health and well-being of the participant, as agreed.
- Ensure that all on-call staff are aware of the participant's advocate.

1.1.5.5.4 Continuing work with advocates

- During reassessments, visits, or meetings, provide participants with written and verbal information that reminds them of their right to have (or change) an advocate.
- Remind participants of their right to have (or change) an advocate during each annual review of services or written communication.
- Communicate and work cooperatively with advocates.
- Refer participants assessed as 'not able to manage their service' (and who have no other advocate) to the Victorian Government Office of the Public Advocate, as appropriate.

Note: A web link accessing disability advocacy services is available. As a postcode, town or suburb is required to be entered to access services, Nepean Centre will guide and assist participants. Go to [Disability Advocacy Finder](#) on the Department of Social Services website.

1.1.5.6 Related documents

- Conflict of interest Declaration
- Conflict of interest Register
- Staff Training Record
- Staff Training Plan
- Training Attendance Register – In-house
- Training Register
- Authority to Act as an Advocate Form
- Third-Party Information Release Consent Form

1.1.5.7 References

- Disability Act 2006 (VIC)
- Disability (NDIS Transition) Amendment Act 2019 (VIC)

- Information Privacy Act 2000 (VIC)
- Privacy and Data Protection Act 2014 (VIC)
- Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)
- Disability Services Act 1986 (Commonwealth)
- Disability Discrimination Act 1992 (Commonwealth)
- Privacy Act 1988 (Commonwealth)
- National Disability Strategy 2010-2020
- NDIS Practice Standards and Quality Indicators 2021

1.1.5.8 Advocacy information

Organisations	Websites
Australian Centre for Disability Law	disabilitylaw.org.au
Autism Asperger's Advocacy Australia (A4)	a4.org.au
The Autistic Self Advocacy Network of Australia and New Zealand	asan-au.org
Blind Citizens Australia	bca.org.au
Brain Injury Australia	braininjuryaustralia.org.au
Children and Young People with Disability Australia	cyda.org.au
Deaf Australia	deafaustralia.org.au
Deafness Forum of Australia	deafnessforum.org.au
Disability Advocacy Network Australia (DANA)	da.org.au
First Peoples Disability Network (FPDN)	fpdn.org.au
Human Rights Council of Australia	hrca.org.au
Inclusion Australia (National Council on Intellectual Disability - NCID)	inclusionaustralia.org.au
Intellectual Disability Rights Service (IDRS)	idrs.org.au
Mental Health Australia	mhaustralia.org
National Disability Services	nds.org.au
National Ethnic Disability Alliance (NEDA)	neda.org.au
People With Disability Australia	pwd.org.au
Physical Disability Australia (PDA)	pda.org.au
Short Statured People of Australia	sspa.org.au
Women with Disabilities Australia (WWDA)	wwda.org.au

1.1.5.8.1 Victorian advocacy providers

Advocacy Providers	Website
Action on Disability in Ethnic Communities (ADEC)	adec.org.au
Action for More Independence & Dignity in Accommodation (AMIDA)	amida.org.au
Association for Children with a Disability (ACD)	acd.org.au
Blind Citizens Australia	bca.org.au
Communication Rights Australia (CAUS)	caus.com.au
Deaf Victoria	deafvictoria.org.au
Disability Justice Advocacy (DJA)	justadvocacy.com
Disability Discrimination Legal Service (DDLs)	communitylaw.org.au
Disability Resources Centre (DRC)	drc.org.au
Independent Mental Health Advocacy (IMHA)	imha.vic.gov.au
Office of the Public Advocate	publicadvocate.vic.gov.au
STAR Victoria	starvictoria.org.au
Valid	valid.org.au
Victorian Mental Illness Awareness Council – VMIAc	vmiac.org.au
Women with Disabilities Victoria (WDV)	www.wdv.org.au