

## 1.0 POLICY PURPOSE AND SCOPE

*aspiring futures SA* recognises the importance of ensuring the participant’s right to use an advocate or representative of their choice is maintained. All participants, both actual and potential, can select and involve an advocate or a chosen representative to participant or act on their behalf at any time.

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

## 2.0 DEFINITIONS

*aspiring futures SA* – the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310

*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 wellbeing, preventing abusive and discriminatory treatment, or stopping unjust and unfair treatment from meeting a person’s fundamental needs and interests. Below is a list of six types of advocacies:

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

## 3.0 POLICY

All participants have the right to use an advocate of their choice. This advocate can represent their interests and speak on their behalf regarding any aspect of the supports or services they receive.

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

### 3.1 Advocacy Principles

*aspiring futures SA* will:

- Ensure that all staff receive training in the use of advocates
- Maintain printed material on advocacy and advocacy services
- Maintain local advocacy resource/contact lists
- Work cooperatively with any nominated advocate chosen by the participant and show the same respect to the advocate as is shown to the participant
- Utilise a governance system to enable our staff to identify when a participant needs advocacy

## 4.0 PROCEDURE

### 4.1 Initial Assessment (participant without an advocate)

- Discuss the participant's right to appoint an advocate at any time and to have an advocate present to speak on their behalf
- Provide the participant with advocacy information
- Explain to the participant their rights regarding advocacy as per the *aspiring futures SA* Service Agreement and Charter of Rights and the NDIS Practice Standards and Quality Indicators 2021
- Advise the participant that if they wish to utilise advocacy services, *aspiring futures SA* 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 participants folder in Care Diary.
- Provide the Third Party information. Release Consent Form to the participant. The completed and signed form is stored in the participant's file in Care Diary
- Discuss and document any specific communication issues or protocols between the service and the advocate (email, phone or other methods)
- Inform the participant that they can withdraw approval for an advocate to act of their behalf at any time

### 4.2 Initial Assessment (participant with advocate/representative)

#### 4.2.1 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 to the participant
- Contact the nominated advocate to ensure they are aware they are nominated and confirm that they agree to advocate
- Place the completed Authority to Act as an Advocate Form in the participant's file in Care Diary
- 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 *aspiring futures SA*
- 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

#### 4.2.2 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 *aspiring futures SA* to 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 at any time. Changes should be documented in writing by the participant using the Authority to Act as an Advocate Form

#### 4.3 Working with Advocates

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

#### 4.4 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 via written communication
- Communicate effectively and work cooperatively with advocates
- Refer participants assessed as "not able to manage their service" (and who have no other advocate) to the South Australian 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, *aspiring futures SA* will guide and assist participants. To access, go to [www.disabilityadvocacyfinder](http://www.disabilityadvocacyfinder) on the Department of Social Services website.

#### 5.0 POLICY REVIEW AND FEEDBACK

This policy and procedure will be reviewed at least every two (2) years by the Director (or their delegate) or in response to legislative triggers. Reviews will incorporate staff, participants, and other stakeholder feedback where relevant.

#### 6.0 RELATED DOCUMENTS

Position Requirements & Training Matrix  
Training Attendance Register – In House  
Authority to Act as an Advocate Form  
Third-Party Information Release Consent Form

## 7.0 REFERENCES

Information Privacy Principles (SA)  
Disability Inclusion Act 2018 (SA)  
Human Rights and Equal Opportunity Commission Act 1986 (Commonwealth)  
Privacy Act 1988 (Commonwealth)  
Disability Services Act 1986 (Commonwealth)  
Disability Discrimination Act 1992 (Commonwealth)  
National Disability Strategy 2010 – 2020  
NDIS Practice Standards and Quality Indicators 2021

Version Control				
Version No.	Summary of Changes	Date Approved	Approved By	Review Date
V0.1	Draft	Mar 2022		
V1.0	Initial Release	Apr 2022	Director	Apr 2024
V2.0	Changes based on ProviderPlus release V2.12, logo and formatting update	Dec 2022	Director	Dec 2022

## Advocacy Information

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

### South Australia advocacy providers

Advocacy Provider	Website
Disability South Australia	<a href="http://Disability_SA">Disability_SA</a>