

### 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

<i>aspiring futures SA</i>	the trading name of Embry Care Services Pty Ltd ABN: 79 646 526 310
<i>Advocacy</i>	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.

### 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 (See attachment 1)
- 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

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.

## 4.0 PROCEDURE

### 4.1 Participant Meeting (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.
- At Intake meeting 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 Participant Meeting (participant with advocate/representative)

- Prior to meeting contact the nominated advocate to ensure they are aware they are nominated and confirm that they agree to advocate
- Advise the participant of the need to complete the Authority to Act as an Advocate Form and provide the appropriate form to the participant
- Place the completed Authority to Act as an Advocate Form in the participant's file in Care Diary
- 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 *aspiring futures SA*
- Schedule the participant's meeting at a time and date to allow the advocate to be present
- 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
- 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

## 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

## 8.0 RESPONSIBILITIES

**The Director** is responsible for:

- ensuring that this policy is made available for all employees to access and is reviewed every 2 years.

**Leadership Team** are responsible for:

- That training and printed material available for staff members.
- Promoting opportunity and availability for advocacy around participant meetings and critical decision making .

**Service Coordinators** are responsible for:

- Communicate the Policy to support workers and ensure it is followed.
- Ensure opportunity for advocates is made available whenever participant or guardian request.

**Employees** are responsible for:

- awareness of this policy and for following it.

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
V2.1	Comprehensive Review and Responsibility section added	Nov 2024	Director	Nov 2026

## Attachment 1:

### 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>
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>
Mental Health Australia	<a href="http://mhAustralia.org">mhAustralia.org</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 Advocacy and Complaints Service of South Australia Inc (DACSSA)	<a href="#">Disability Advocacy &amp; Complaints Service of SA</a>