



CS - Advocacy Policy and Procedure

Dept/Service: (CO)
Client Support

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Stage: Issued



Policy Statement:

Underpinning all CODA Inc (CODA) services is a commitment to ensuring that clients, and their identified support networks are at the very centre of decision making in matters related to their needs and life choices. We expect that all staff will treat each person with dignity and respect as an individual and value their unique contribution. CODA believe that each person should be encouraged and supported to participate in their community to the fullest extent that they wish, and we recognise the importance of disability advocacy in ensuring the human and legal rights of people with disabilities are promoted and protected.

CODA recognises and supports the right of clients to use an advocate when communicating with the organisation, and will be proactive in supporting the needs and aspirations of people with a disability during service planning, and service delivery and welcomes an external advocate in any and all feedback and complaint interactions regarding the client experience.

All staff working at CODA actively promote individual rights to freedom of expression, self-determination and decision making. This policy and procedure also provides current information and support to people with a disability and their family regarding the range of advocacy services available to them.

Process Steps:

1 CODA Advocacy Support and Definitions

CODA will promote and support advocacy under the categories listed below:

CODA will:

- **Self Advocacy** - encourage and promote independence for self representation.
- **Systemic Advocacy** - advocate for change in systems within the community that may affect clients
- **Parent/Family Advocacy** - assist families of clients to represent their interests in the community and within government
- **Citizenship Advocacy** - represent client rights to equal status in the community
- **Legal Advocacy** - support clients to access skilled professionals to represent and defend their human and legal rights
- **Individual Advocacy** - ensure that clients understand the role of an advocate as well as their right to use an advocate in matters related to CODA.

Responsibilities

Links

Process Steps:

An advocate can be defined as someone who pleads for, intervenes, or speaks on behalf of an individual or groups to protect and promote their rights and interests. They can (with the client's permission), negotiate on the client's behalf or support them to negotiate for themselves. An advocate does not conciliate or arbitrate between organisation and client, but 'stands beside' the client to support them to make their own decisions. An advocate is an important resource for a client in situations where a client feels confused, overwhelmed, intimidated or under confident. An advocate can be a family member, friend or an external organisation.

An advocate can assist by:

- Ensuring client's rights are maintained
- Ensuring the client actively participates in the decision-making process where the outcome affects their lives
- Resolving problems or complaints in relation to services.

All staff are responsible to assist clients access information about advocacy and available advocacy services.

Staff members within CODA will not become advocates representing a client in relation to services provided by this organisation.

Responsibilities

Links

2 Provision of Information

During the initial contact for new clients the CODA intake team will explain the principles of advocacy and provide clients and their families/carers with a copy of the CODA Advocacy brochure. A client handbook appropriate to the service being accessed containing further information is provided when services commence.

The written information provided to clients and families/carers includes:

- Their right to an advocate
- What an advocacy service does
- Contact details for local advocacy services.

(CO) HR - Operations Manager
(CO) Human Resources

3 Advocacy in relation to CODA supports

The individual with a disability is the primary customer. Whilst recognising their importance, the person's family is the secondary customer. Staff members cannot be an advocate for a client in relation to issues they have with the organisation. Staff will ensure there is accessible information available to support clients to make contact with an advocate.

(CO) HR - Operations Manager
(CO) Human Resources

Process Steps:

CODA will ensure clients understand the role of an advocate as well as their right to use an advocate in relation to engagement with CODA. The client will be informed about their right to use an advocate and the role of the advocate when the client is:

- Oriented to services and programs
- Assessed and reassessed for services or at support plan review
- Refused service

Or if:

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

Residential services

To promote and develop skills in self-advocacy, clients will be supported to hold regular house meetings. These meetings will provide residents with the opportunity to make decisions about their daily lives such as menus, duty rosters for residents, daily routines, staffing supports etc. Clients will also be provided with the opportunity to raise issues they may be having in relation to the building, or within the household i.e. with staff or other residents.

Individual and Community Based Support

- There may be occasions where CODA needs to engage advocacy in the person's best interests against the wishes of the family. Staff will seek guidance from their supervisor and/or the Operations Manager. The ongoing relationship will be supported wherever possible.
- Staff will seek support and supervision when there are conflicts between the individual and family wishes from their supervisor or the Operations Manager
- If the matter is complex, it will be referred to an advocate appropriate to the conflict

4 Authorised Representatives

If an Authorised Representative is acting on behalf of a client, CODA will require proof of representative authority.

Authorised Representatives include:

- Guardians
- Attorneys under Enduring Power of Attorney legislation
- Appointed Decision makers under the Victorian Medical Treatment Planning and Decisions Act 2016
- Administrators under the *Guardianship and Administration Act 1986*
- A person otherwise empowered by the client to act or make decisions in the best interest of the person

Responsibilities

Links

Process Steps:**Responsibilities****Links**

Proof of the Representative Authority will be sighted and a copy of the document placed on the clients file. Proof of authority includes Guardianship or Administration order, or Enduring/Medical Power of Attorney or designated Decision Maker.

5 Organisation Advocacy

CODA Board members and staff can be involved in partnerships and networks which advocate for an improved environment, service provision and systems on behalf of people with a disability and/or their carers external to the organisation in consultation with the CEO. The Operations Manager, CEO and Board Chairperson are the only authorised spokespersons for the organisation.

6 Funded Advocacy Agencies in Victoria

The Victorian Government helps to promote the participation and voice of people with a disability by funding disability advocacy and self-advocacy organisations.

There are a range of organisations funded through the Office for Disability's Disability Advocacy Program. A CODA staff member can assist the client and/or their carer to research and contact local and/or disability specific advocacy services.

7 NDIS and the National Disability Advocacy Program (NDAP)

There are a range of supports available to assist people with a disability accessing the NDIS with decision making. The National Disability Advocacy Program (NDAP) is one of these. The NDAP can help with general access and support issues. The NDAP can also assist with issues that may arise with the National Disability Insurance Scheme or with support providers. The NDAP can also help people with a disability develop self-advocacy skills.

The NDAP can:

- help people to build capacity to identify their needs and goals
- ensure that people understand their rights and responsibilities
- make sure that people understand their decisions and how they will affect their life
- provide support with reviews.
- provide contact with a support person if client/participant is seeking a review of a NDIS decision

To find out more about the NDAP, please visit the NDAP page on the Department of Social Services web site.

Quality Document References:

Client Rights & Responsibilities Charter: Official Position Statement -(CO) Governance
CS - Client Rights & Responsibilities Charter: Official Position Statement -(CO) Governance (Not
Issued - In Draft)

Quality Document References:

CS - Individual Rights & Decision Making: Policy -(CO) Client Support

References to Standards and Legislation:

- NDIS:** Provider Governance & Operational Mgt

NDIS: Rights and Responsibilities

NDIS: Rights and Responsibilities
- :2.5 Feedback and Complaints Management

:1.1 Person Centred supports

1:Core Module: Rights and Responsibilities

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