



POLICY - ADVOCACY

ID No: FBCNW-10-14

Version: 7.0

- Applies to:
- All Employees and Contractors
- Applicable Standards:
- Aged Care Quality Standards
 - NDIS Quality Standards
 - Charter of Aged Care Rights
 - National Aged Care Advocacy Program (NACAP)
- Applicable Legislation:
- Aged Care Act 1997
 - Disability Discrimination Act 1992 (Cth)
 - Anti-Discrimination Act 1998 (Tas)
 - National Disability Insurance Scheme Act 1998
 - Guardianship and Administration Act 1995 (Tas)

Family Based Care Tasmania (the Association, FBC) is committed to the principles of respecting and protecting the legal and human rights of individuals and their right to services.

To this end the Association fully supports the right of clients 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 client and FBC.

FBC will work constructively and co-operatively with any advocate nominated by a client and treat them with respect. FBC is also committed to providing clients with advocacy and support when it is requested.

Definitions

Advocacy is a process that supports a client'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 client to promote the rights of the client and communicate their views and preferences. An advocate may attend meetings with the client and help them raise issues or complaints with a service provider. The advocate or support person takes direction from the clients and does not override their choices or decisions.

Responsibilities

The CEO is responsible for ensuring:

- all staff receive training in the use of advocates, and
- all business units maintain printed material on relevant advocacy and advocacy services.

Executive Managers will ensure clients 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 a client is:

- Assessed and re-assessed for services;
- Oriented to the service or program;
- Refused service;
- If they wish to make a complaint about FBC, or
- A staff member believes an advocate may be beneficial to the client.

Working with advocates

Where a client has identified or nominated an Advocate, employees must:

- Record the advocate's details in the client's TRACCS file;
- Ensure the client 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 client's advocate and involve them in the care and service planning;
- Ensure that the client knows they have the right to change their advocate at any time.

Proof of Authority

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

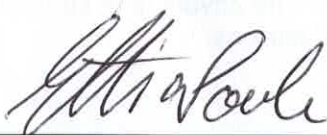
Authorised representatives include:

- Attorneys under Enduring Powers of Attorney;
- Administrators and Guardians under the Guardianship and Administration Act 1995; and
- A person otherwise empowered by clients to act or make decisions in their best interests (such as an advocate from Advocacy Tas).

The proof of representative authority is to be sighted, and a copy of that document placed on the client's TRACCS file.

Proof of authority includes Guardianship or Administration order or Enduring Power of Attorney.

Authorised by:



President of the Board

Date:

18/9/23