



NAS Organisation Code of Practice

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THE NATIONAL ADVOCACY SERVICE

Code of Practice

Within this Document, Organisation refers to the National Advocacy Service for People with Disabilities (NAS) which incorporates both NAS and PAS.

This document is only valid when accessed from www.advocacy.ie.

1. MISSION STATEMENT

The National Advocacy Service for People with Disabilities (NAS) provides an independent, confidential, and free, issues-based representative advocacy service that works exclusively for the person with a disability using the service and adheres to the highest professional standards.

In addition, the organisation provides an independent, confidential and free Patient Advocacy Service that works to support and empower all patients in public acute hospitals and HSE Operated Nursing homes through the (i) HSE Complaints Process 'Your Service Your Say' and (ii) in the aftermath of Patient Safety Incidents. While the primary culture of Patient Advocacy is empowerment advocacy, where this is not possible, representative advocacy may be provided where additional advocacy support is required to allow for the persons needs to be met.

2. VISION STATEMENT

Our vision is to work towards a society that ensures the full participation of persons with disabilities. We recognise the capacity of persons with disabilities to make their own decisions equally with others, in accordance with United Nations Convention on the Rights of People with Disabilities (UNCRPD).

We recognise the right of all people to support, guidance and information when issues arise in relation to their care and treatment in public acute hospitals and HSE operated Nursing Homes which may lead to their wish to complain about their treatment or care or seek answers in the aftermath of a patient safety incident.

We identify the core human rights as being dignity, autonomy, equality and independence.

3. CORE VALUES

The NAS organisation has adopted five Core Values which inform its work.

1. Independence

The NAS organisation works with the person independently of others and free from all conflicts of interest. The Patient Advocacy Service is entirely independent of the HSE. The advocacy process is led and guided by the person.

2. Autonomy

The NAS organisation represents and empowers people in a balanced, fair and transparent manner and supports the right of the person to self-direction/determination (i.e., to be in control of their own life) and to make informed decisions based on their will and preferences.

3. Equality/Citizenship

The NAS organisation supports the right of every person to assert and enjoy their human rights, to participate in society as an equal citizen and to fulfil their full potential within a life of their own choosing.

4. Respect

The NAS organisation works with everyone in a way which demonstrates respect for the person as an individual and for their privacy, dignity and autonomy.

5. Empowerment

The NAS organisation aims to empower and facilitate people to be an active participant in actions or decisions which affect their life, through the way in which the advocacy process is carried out as well as the outcomes it seeks to achieve.

CODE OF PRACTICE OF THE NATIONAL ADVOCACY SERVICE

4. CODE OF PRACTICE - PURPOSE

The purpose of this Code of Practice is to ensure that the five Core Values of the NAS organisation are consistently reflected in the way in which the organisation carries out its work by setting out basic standards for the organisation's advocacy practice and the management and administrative practices which support it.

The Code of Practice should be read in conjunction with the NAS Organisational Policies and Procedures which provide more detail on how specific aspects of the organisation's work should be carried out, in accordance with the Core Values. NAS organisation staff are bound by this Code of Practice and adhere to NAS Organisation Policies and Procedures.

The Code of Practice is for all NAS organisation staff to assist them in carrying out their work. It may also be useful:

- to inform people about what they can expect from the organisation and the services provided (an information guide is also available);
- to inform and educate service providers, family members and other people who come into contact with the NAS organisation about the basis on which staff work;
- to assist managers with training, support and supervision and service review and monitoring.

5. CODE OF PRACTICE – VALUES AND STANDARDS

This Code of Practice sets out the standards to which the NAS organisation provides empowerment and representative advocacy, which are directly informed by the Core Values. The Code of Practice focuses not only on the NAS organisation's responsibilities in relation to the provision of empowerment and representative advocacy, but that all NAS organisation staff carry out their role in a manner consistent with the Code.

VALUE 1: INDEPENDENCE

The NAS organisation works with the person independent of others and free from all conflicts of interest. The advocacy process is led and guided by the person affected by the issue(s).

Standard 1.1: Independent, representative and empowerment advocacy is led and guided by the will, preferences and rights of the people who use the service

NAS organisation Staff

- a) work exclusively for the person using the advocacy service supporting them and their wishes, respecting their confidentiality and sharing all relevant information with them.
- b) share only that information that is relevant to the advocacy issue(s) with relevant and appropriate third parties and with the consent of the person, where possible. Where, relevant to the advocacy support provided, they do not have direction from the person around sharing information they will use recognised approaches to assess what needs to be shared to progress the advocacy issue(s) at hand. Only in exceptional circumstances will information be shared against a person's wishes, in order to meet legal responsibilities (either specific statutory requirements or to prevent immediate and significant harm to the person or to others). NAS organisation staff will inform the person where such situations arise.
- c) are not influenced or compromised in carrying out their independent, empowerment or representative advocacy role by any other party.
- d) are alert to the situations where this may arise and avail of appropriate support and guidance from their line Manager in dealing with such situations.

Standard 1.2: Independent, representative and empowerment advocacy looks out for and minimises conflicts of interest

NAS organisation Staff

- a) understand the concept of conflict of interest and are vigilant for situations in which conflict of interest may arise.
- b) clearly and consistently explain their role to all stakeholders in order to establish clarity of expectations and boundaries.
- c) act in accordance with the NAS organisation Conflict of Interest Policy.
- d) consult with their line manager about any potential, or perceived potential, conflict of interest in a timely way and in accordance with the NAS organisation Conflict of Interest Policy.
- e) tell the person seeking independent advocacy about any actual or potential conflict of interest.

- f) ensures comprehensive policy and procedures around conflict of interest are in place.
- g) supports NAS organisation staff to identify and appropriately manage conflicts of interest.

VALUE 2: AUTONOMY

The Service supports the right of the person to self-direction/determination (i.e. to be in control of their own life) and to make informed decisions based on their will and preference.

Standard 2.1: Independent representative and empowerment advocacy aims to support people to have greater control over their lives and to maximise their involvement in decisions or actions which relate to their advocacy goals

NAS organisation Staff

- a) aim to build a working relationship with the person and to understand, respect, represent and empower the person's will and preferences.
- b) seek to involve the person in all aspects the advocacy process.
- c) keep the person informed throughout the process.
- d) access and/or assist the person to access relevant information about available choices.
- e) aim to present information in ways that assist the person to consider and weigh options and possible consequences in order to make their own informed decisions and choices.
- f) support the person to be directly involved in decision-making processes which affect them.
- g) ensure that all practicable efforts are made to remove any barriers to communication and to employ whatever methods or resources might assist communication.
- h) Assume every person's capacity in line with the Assisted Decision Making (Capacity) Act 2015.

VALUE 3: EQUALITY/CITIZENSHIP

The NAS organisation supports the right of every person with a disability and every person who wishes to make a complaint and seek answers in relation to their care in a public acute hospital or HSE operated Nursing Home to assert and enjoy their human rights, to participate in society as an equal citizen and to fulfil their full potential within a life of their own choosing.

Standard 3.1: Independent, representative and empowerment advocacy tries to ensure that people's rights are upheld

NAS organisation Staff

- a) work to protect and uphold the human rights of the person.
- b) work to uphold the person's rights and status as a citizen.
- c) work to uphold the person's right to participate in the communities of their choosing. Support the person's right to take considered risks and experience failure.
- d) Support the person's right to make complaints and seek answers when things go wrong.
- e) work to ensure equality through due process for the person, making full use of internal and external redress mechanisms where necessary and seeking further advice and support as required.
- f) maintain up-to-date knowledge of relevant policy and law and seek further advice where necessary.
- g) ensure, through following policies on conflict of interest and case escalation, that they are able to appropriately pursue matters where rights restrictions or violations are observed.

NAS organisation Management

- a) ensures that NAS organisation staff receive appropriate training and/or can access expertise as necessary in relation to rights, policy and law.
- b) ensures that NAS organisation staff are fully supported by the organisation, in accordance with the Case Escalation and Conflict of Interest Policies, when dealing with other organisations and institutions in relation to rights restrictions or violations.

Standard 3.2: The NAS Organisation, and all its publications and communications, are accessible to the people who may wish to use the service

NAS organisation Staff

- a) make every effort to communicate with a person using the person's preferred communication style.
- b) explain the service as clearly as possible and as often as required.

- c) actively promote the service and seek out people who may not be able to easily reach the service.
- d) are flexible in making the service available at a time and place suitable for the person, subject to the NAS organisation Lone Working Policy and subject to public health guidance that may be in place at any given time.

NAS organisation Management

- e) provides all written publications in plain English.
- f) makes alternative formats available on request and produces material designed for people who use the service in Easy To Read format.
- g) makes Sign Language interpretation available on request.
- h) makes interpretation and translation to other languages available where practicable.
- i) supports NAS organisation staff efforts to work in situations where communication is difficult through appropriate policies and procedures, toolkits, assistive devices, training and support.

Standard 3.3: Independent representative and empowerment Advocacy is available to those who need it and services are allocated in a fair way

NAS organisation Staff

- have an understanding of direct and indirect discrimination and do not discriminate directly or indirectly against any person who may need independent, representative and empowerment advocacy.
- b) apply the NAS organisation policy and procedure in relation to enquiries, access and eligibility and prioritisation.
- c) clearly outline the access and eligibility criteria of NAS and the Patient Advocacy Service, explain the boundaries of the advocacy service and decline inappropriate cases sensitively and clearly with appropriate signposting and explanation of how to appeal the decision.
- d) where a waiting list is in operation, the person will be kept updated on this on a regular basis.

- a) ensures that comprehensive policies and procedures around enquiries, access and eligibility and prioritisation are in place and that there is an appropriate appeals mechanism for refusal or discontinuance of service.
- b) ensures that policies and procedures are equality-proofed and do not directly or indirectly discriminate against any person or group.
- c) ensures that NAS organisation staff are fully supported in applying policies and procedures around enquiries, access and eligibility and prioritisation.

Standard 3.4: The Service is proactive in seeking out people who have difficulty in getting a service and who may not be able to enquire or seek advocacy support

NAS organisation Staff

- a) promote the service in relevant settings appropriate to the service, e.g., residential services, day services, isolated communities, acute hospitals, hospital groups and representative/peer advocacy forums.
- b) promote the advocacy service through varied channels.
- c) develop relationships with people living in residential services who may need independent, representative or empowerment advocacy support.
- d) develop relationships with statutory and voluntary organisations to increase enquiry pathways.

- e) regularly examine NAS organisation policies, procedures and practices to ensure that they do not have the effect of excluding people with particular types or levels of disability or who live in particular settings.
- f) monitor gaps in service provision and proactively work towards solutions, taking into account available resources and existing unmet need.
- g) promote the advocacy service through varied channels.
- h) provide information to agencies or individuals who are potential sources of enquiries.
- i) work in partnership with statutory and voluntary organisations to increase enquiry pathways.

VALUE 4: RESPECT

The Service works with the person in a way which demonstrates respect for the person as an individual and for their privacy, dignity and autonomy.

<u>Standard 4.1</u> Independent, representative and empowerment advocacy values the people who use the service and always treats them with dignity and respect

NAS organisation Staff

- a) explain their role clearly to the person they are working with at the outset of the relationship and as required, in the manner most suited to that person's preferred communication style.
- b) give people space and time to express their views, recognising that some people need considerable extra time to establish communication.
- c) always respect the privacy and dignity of each person by the way they relate to them.
- d) do not do anything the person does not want them to do. Only in exceptional circumstances will decisions or actions be taken that conflict with a person's wishes, in order to meet legal responsibilities (either specific statutory requirements or to prevent immediate and significant harm to the person or to others). Staff will inform the person where such situations arise.

<u>Standard 4.2:</u> Independent, representative and empowerment advocacy is accountable to the people who use the service

NAS organisation Staff

- a) understand they are accountable to the person they are supporting and to the NAS organisation.
- b) are easily contactable by the person within appropriate hours, which are clearly explained to the person.
- c) record all work and documentation on the relevant case management databases as appropriate. (except where In Camera rule applies).
- d) review their advocacy plan with the person on a regular basis.
- e) share any information they have received about the person with the person.
- f) ensure everyone they support knows how to make a complaint about the advocacy they receive.
- g) participate in regular case review and supervision to monitor work progress and ensure self-reflection.

NAS organisation Management

h) monitors who engages with the NAS organisation, including how cases are prioritised, and uses this information to identify gaps and inform development.

- i) actively seeks feedback from people who engage with the NAS organisation and incorporates this into planning and service delivery.
- j) have a clear, effective and accessible complaints policy and procedure.

<u>Standard 4.3:</u> Independent, representative and empowerment advocacy is accountable under the law

NAS organisation Staff

- a) work within the law.
- b) understand their legal responsibilities in relation to safeguarding and work within the relevant policies.
- c) are alert to legal arrangements which may be already in place (e.g. Ward of Court, Enduring Power of Attorney, Barring or Protection orders, Mental Health Act orders, arrangements under the Assisted Decision-Making (Capacity) Act 2015 when it comes into force etc.) and work appropriately to promote the person's rights, will and preferences within these parameters or to challenge these arrangements through the appropriate channels.
- d) do not assist anyone to break the law.

NAS organisation Management

- e) ensures appropriate policy and procedures are in place where specifically required by law.
- f) ensures policy and procedure accurately reflects current law and is regularly reviewed and updated.

Standard 4.4: Independent representative and empowerment advocacy is effectively managed

NAS organisation Staff

- a) work within this Code of Practice and NAS organisation Policies and Procedures including the NAS organisation Access and Eligibility Criteria.
- b) inform their line Manager of any conflict of interest or other concern arising in a particular case.

- c) ensures NAS organisation staff receive appropriate support, supervision and training.
- d) ensures appropriate case management policies and procedures are in place, are reviewed regularly, and are followed.

VALUE 5: EMPOWERMENT

The Service aims to facilitate the person to be an active participant in decisions affecting them, through the way in which the advocacy process is carried out as well as the outcomes it seeks to achieve.

Standard 5.1 The Service aims to facilitate the person to be an active participant in the advocacy process to the degree that they wish.

NAS organisation Staff

- a) support the right of the person to be in control of their own life and to make informed decisions based on their will and preference.
- b) do not do anything the person does not want them to do. Only in exceptional circumstances will decisions or actions be taken that conflict with a person's wishes, in order to meet legal responsibilities (either specific statutory requirements or to prevent immediate and significant harm to the person or to others). They will inform the person where such situations arise.
- c) recognise the person's legal capacity and in all cases aim to support the person to exercise their legal capacity.
- d) support the person to identify as a rights holder and to assert their human rights.
- e) communicate in the way the person finds most suitable.
- f) work at the pace of the person.
- g) seek to involve the person in the process as much as they wish to be involved.
- h) assist the person to build their capacity to participate in the process, if the person wishes.
- i) when representing or empowering the person through external processes take every appropriate opportunity to promote the right of the person to participate directly and highlight the changes in process which that would require.

- a) ensures that NAS organisation policies and procedures support NAS organisation staff to work in a way which is empowering to the person, including supporting adequate allocation of time.
- b) ensures that NAS organisation policies and procedures are reviewed regularly in light of feedback on the experience of people using the service and feedback from other stakeholders.

Appendix 1 – Easy to Read Code of Practice

NAS Organisation Code of Practice

How NAS & The Patient Advocacy Service promise to work with you









The National Advocacy Service for People with Disabilities = **NAS** for short.

NAS

NAS supports people with disabilities with representative advocacy.

This means NAS Advocates can act on a person's behalf to tell others what they would like, or help them to tell others what they would like.



The Patient Advocacy Service is another part of NAS. This is a special service for people who would like to make a complaint about their treatment in a public hospital or HSE nursing home.



The Patient Advocacy Service Advocates can help people with making a complaint through 'Your Service, Your Say' HSE policy or around safety incidents.

	= WE for short
	1. How we work with people
	We are an Independent service.
	This means we do not work for any of the
	services that might be in your life, such as a
	Health Service, Mental Health Service or
	Disability Service.
	We are Free .
	This means that it does not cost you any money
	to work with us
I	We are a Confidential service.
	This means we will not share our work together
	with other people, without your permission.
	The only time we share information without your
	permission is if;
	- We think someone
STO	(child or adult) might be in danger
ABUS	- We think you might
105	be in danger or
Rules	- The law tells us we
	have to.
	There are rules about this which we have to
NAS Organisation Code of Practice	Page 16

	follow.
	We will talk with you about this more if we need
	to do this.
	We are a Person Centred service.
	This means we are guided by you
	We know that people can make their own
	decisions unless other special arrangements are
	in place, for example, if someone is a Ward of
	Court.
Plan	We work to help people be included in decisions.
	We work to make sure people's rights are respected.
Complaints Policy	We know that everyone has a right to support and information if they are not happy with their care and want to make a complaint.



This policy talks about different things that we hold as really important.

We call these values.





2. Our Values are

Independence, autonomy, equality, respect and empowerment



 Independence This means we work only with the person and not for any other service or person.





 Autonomy This means we work in a way that supports the person to be in control of their own life.

We also support people to make decisions based on their wishes.



 Equality This means we work to make sure people's rights are respected and they are treated the same to everybody else.



 Respect This means that everyone who uses our service will be treated in a nice, fair and respectful way.





 Empowerment This means we work in a way that supports the person to be included in our plan together.

We also work to make sure the person is included in the decisions about their life as much as possible.



We follow these values in all our work.

To help our staff do this, we made some rules for them to follow. We call these **standards**.



3. About this policy

This policy talks about our values and standards



This policy:

- Helps Advocates with their work
- Helps managers support staff and plan for the service
- Helps people understand what to expect from the service
- Helps other service understand how we work.



1

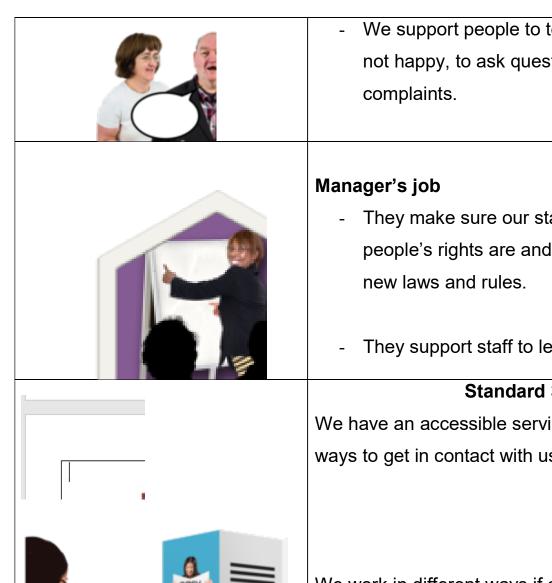
This policy explains each value and standards in more detail. There are 5 in total.

We will also explain what each value means for how our staff work with the person

	4. Our Values and Standards
	Value 1: Independence This means we work only with the person and not for any other service or person.
	Standard 1.1
	All our advocacy support is guided by the person.
	What does this mean?
3	- We work only for the person using our
	service and support them and their wishes.
The same of the sa	- We share all information with the person.
	- We only share information that is important to our plan with other people.
	We will ask for a person's permission to do this.
Rules	- The advocate will speak to their manager if they cannot follow these rules
	Standard 1.2
	All our advocacy support looks out for and
	reduces conflict of interest.
	This means we always look out for any reasons it
	would not be a good idea for us to work on an

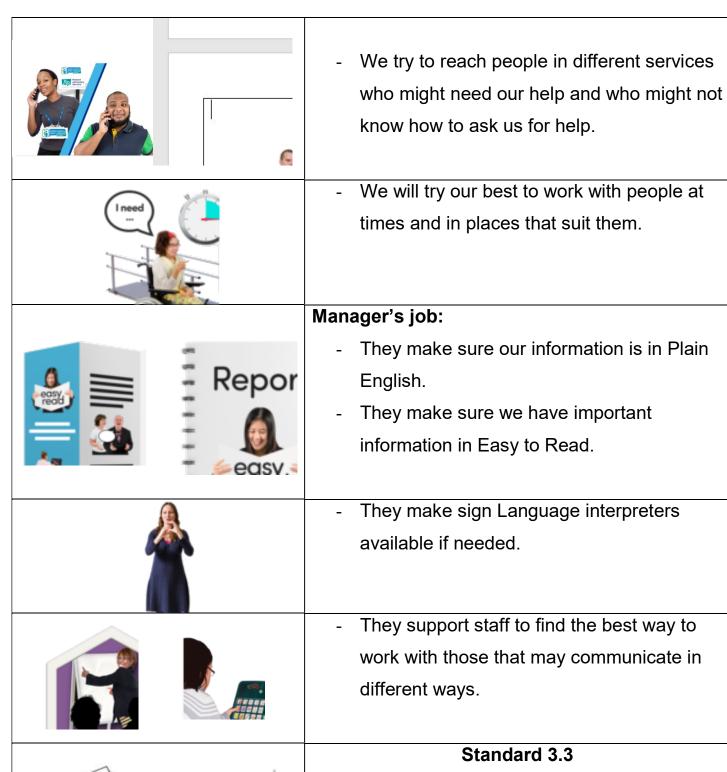
	issue.
	What does this mean?
<u> </u>	- Before working together, advocates will talk
	with people about their job.
- 105	- The advocate will speak to their manager if
Rules	they cannot follow these rules.
	Value 2: Autonomy
	This means we work in a way that supports the
	person to be in control of their own life and to
	make decisions based on their wishes.
	Standard 2.1
	We support people have more control over their
	lives.
	We make sure people are included in the decisions and actions towards their advocacy goals.
ein.	What does this mean?
	- We get to know the person and what is
	important to them.
	- We Include the person in making the plan
My Plan	and keep them up to date on what is
	happening.
More Info Here	- We find out information about your choices.

	T
Plan	- We understand that people can make their own decisions unless other special arrangements are in place, for example, if someone is a Ward of Court.
Equality	Value 3: Equality This means we work to support people to stand up for their rights and to be treated equally.
complaints Complaints	We support people who would like to make a complaint and get answers about their treatment in a public hospital or HSE nursing home.
	Standard 3.1 We ensure people's rights are being respected.
	What does this mean?
	What does this mean? - We work to protect people's rights.



We support people to tell others if they are not happy, to ask questions and make They make sure our staff know what people's rights are and can get training on They support staff to learn. Standard 3.2 We have an accessible service. There are lots of ways to get in contact with us. We work in different ways if a person communicates differently. What does this mean? We ask people about the best way to communicate together. We have accessible information available

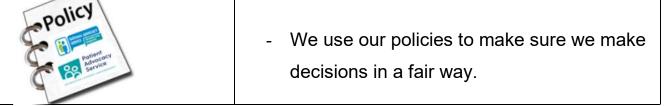
for people if this is their preference.



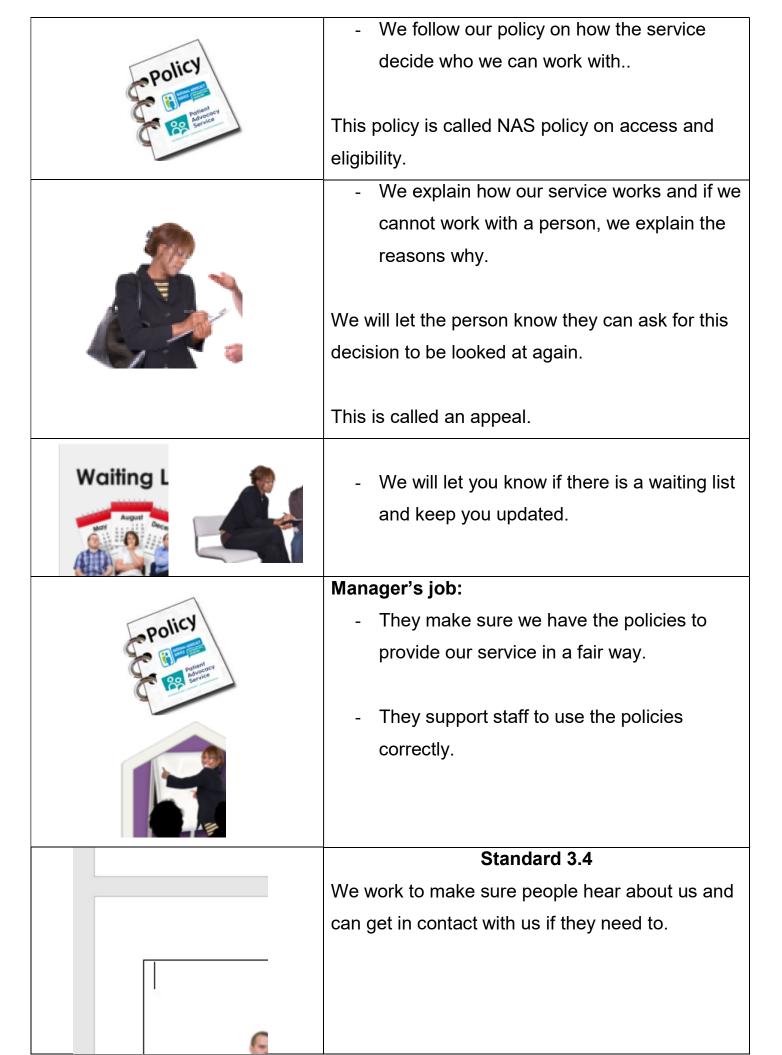
They support staff to find the best way to work with those that may communicate in



Our advocacy support is available to those who need it and services are provided in a fair way.



What does this mean?



What does this mean? We visit different services and meet different people to tell them about us. We have different tools to help people learn about us for example we have booklets, videos, easy to read information and a website. Manager's job: They work to make sure all people that need advocacy support hear about us. Make sure that other services know about NAS so they can tell others that may need advocacy support. Value 4: Respect Our service works with the person in a way that shows respect for the person. Standard 4.1 We treat everyone who uses our service in a nice, fair and respectful way. What does this mean? We ask people about the best way to communicate together. We explain our job and how we work. We give the person time to tell their story and explain their wishes.

	- We treat the person in a way that is nice, fair and respectful.
	- We will only do what the person asks.
	Standard 4.2
DI II -	Our advocacy support is accountable
RULES	This means we explain how we work and how we
	make decisions.
2	We will answer questions you may have about
	our work.
	What does this mean?
	- We will explain why we work in the way we do.
My Plan	- We will explain to the person what work we
	are doing on their behalf.
	- We keep the person up to date on our plan.
Color	- We make sure the person knows how to contact us.

	- We make sure the person knows how to
	make a complaint if they want to.
	 We follow the rules of the service for
Rules	recording our work.
	Manager's job:
	- They keep a look out for gaps in our service
	and come up with solutions.
Our advocate; MARY; has completed their	- They ask people who use our service to let
know what you think about the National A	us know what they think so we can
us to change and improve how we work. If trust to support you to fill this form in.	improve.
	- They make sure a person can make a
Complains	complaint if they want to.
	Standard 4.3
2.3	Our service is accountable under the law
	There are special rules, called laws which we
∼ ★ EU	have to follow.
₩ ± Law	
	What does this mean?
	- We are aware of and understand the rules
* FU	we have to follow.
Law	
Plan	- Staff follow these laws at all times.
	otan follow those laws at all tillies.

	- Staff check if there are special legal
	arrangements they should know about
	when working with the person.
	- If so, staff follow these special
	arrangements for example if a person is a
	Ward of Court.
<u> </u>	- Staff cannot help someone break the law.
	Manager's job:
Policy	- They make sure we have correct policies to
Polising V	do our work.
C. Co	
1 - 2 - 1 - 1 - 1 - 2 - 1 - 3 - 1 -	Standard 4.4
	Our service is managed correctly
CR	
	What does this mean?
	- We use this Code of Practice and other
	policies to show us how to work best.
	- We speak with the manager if there is a
	problem coming up in our work.
	problem coming up in our work.
	problem coming up in our work.



Manager's job:

- They support staff in their work and provide training.
- Make sure staff have the policies they need to do their work.





Value 5: Empowerment

This means we work in a way that supports the person to be included in the decisions about their life.



We also work in a way to make sure the person is included in our work together.



Standard 5.1

We work to support the person be involved in the advocacy plan as much as they want to.





What does this mean?

 We ask people about the best way to communicate together.



 We support the person's right to be in control of their own life and makes their own decision.



 We understand that each person can make their own decision unless another special arrangement is in place, for example, if someone is a Ward of Court.

	 We support the person to be involved in the advocacy work, if they wish to be.
	- We support the person to be included in the
My Plan	process and let others know what changes
E S	would make this happen.
	Manager's job:
	- They make sure our policies guide staff to
	work in a way that supports the person to
	be involved in the process.
Our advocate; MARY; has completed the know what you think about the National A	- They make sure we get feedback from
us to change and improve how we work. If trust to support you to fill this form in.	those that use our service and use this
and the dappert you to mit and to mit.	feedback to improve our service.