



NAS ADVOCACY CODE OF PRACTICE

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THE NATIONAL ADVOCACY SERVICE

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 using the service and adheres to the highest professional standards.

VISION STATEMENT

Our vision is to work towards a society that ensures the full participation of persons with disabilities. We identify the core human rights as being dignity, autonomy, equality and independence. 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).

CORE VALUES

NAS has adopted five Core Values which inform its work.

1. Independence

NAS works with the person independently of others and free from all conflicts of interest. The advocacy process is led and guided by the person.

2. Autonomy

NAS 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

NAS 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

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

5. Empowerment

NAS aims to facilitate the person to be an active participant in 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

CODE OF PRACTICE-PURPOSE

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

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

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

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

CODE OF PRACTICE – VALUES AND STANDARDS

This Code of Practice sets out the standards to which NAS provides representative advocacy, which are directly informed by the five Core Values. The Code of Practice focuses on NAS responsibilities in relation to the provision of representative advocacy but all NAS staff carry out their role in a manner consistent with the Code.

VALUE 1: INDEPENDENCE

NAS works with the person independent of others and free from all conflicts of interest. The advocacy process is led and guided by the person.

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

NAS Staff

- a) work exclusively for the person using the advocacy service – supporting them, expressing 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 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 staff will inform the person where such situations arise.
- c) are not influenced or compromised in carrying out their independent, 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 Regional Advocacy Manager in dealing with such situations.

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

NAS 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 Conflict of Interest Policy.
- d) consult with their Regional Advocacy Manager about any potential, or perceived potential, conflict of interest in a timely way and in accordance with Conflict of Interest Policy.
- e) tell the person seeking independent, representative advocacy about any actual or potential conflict of interest.

NAS Management

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

VALUE 2: AUTONOMY

NAS 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 advocacy aims to support people to have greater control over their lives and to maximise their involvement in decisions which relate to their advocacy goals.

NAS Staff

- a) aim to build a working relationship with the person and to understand, respect and represent the person's will and preferences. This will usually involve spending time with the person in their various environments.

- b) seek to involve the person in the advocacy process as much as they wish to be involved.
- 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.

VALUE 3: EQUALITY/CITIZENSHIP

NAS 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...

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

NAS Staff

- a) work to protect and uphold the human rights of the person.
- b) 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.
- c) 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.
- d) maintain up-to-date knowledge of relevant policy and law and seek further advice where necessary.
- e) 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 Management

- a) ensures that NAS staff receive appropriate training and/or can access expertise as necessary in relation to rights, policy and law.
- b) ensures that NAS staff are fully supported by NAS, 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: NAS, and all its publications and communications, are accessible to the people who may wish to use the service.

NAS 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 Lone Working Policy.

NAS 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 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 Advocacy is available to those who need it and services are allocated in a fair way.

NAS Staff

- a) have an understanding of direct and indirect discrimination and do not discriminate directly or indirectly against any person who may need independent, representative advocacy.
- b) apply NAS policy and procedure in relation to enquiries, access and eligibility and prioritisation.
- c) clearly outline the access and eligibility criteria of NAS, 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, state the expected waiting period and keep the person updated on this.

NAS Management

- e) 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.
- f) ensures that policies and procedures are equality-proofed and do not directly or indirectly discriminate against any person or group.
- g) ensures that NAS 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 Staff

- a) promote the service in residential services, day services and isolated communities.
- b) promote the advocacy service through varied channels.
- c) develop relationships with people living in residential services who may need independent, representative advocacy support.
- d) develop relationships with statutory and voluntary organisations to increase enquiry pathways.

NAS Management

- e) regularly examine NAS 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

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

Standard 4.1. Independent, representative advocacy values the people who use the service and always treats them with dignity and respect.

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Date: January 2017

NAS 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). They will inform the person where such situations arise.

Standard 4.2: Independent, representative advocacy is accountable to the people who use the service

NAS Staff

- a) understand they are accountable to the person they are supporting and to NAS.
- 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 ECMS and on the NAS clients' database 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 Management

- h) monitors who engages with NAS, including how cases are prioritised, and uses this information to identify gaps and inform development.
- i) actively seeks feedback from people who engage with NAS and incorporates this into planning and service delivery.
- j) have a clear, effective and accessible complaints policy and procedure.

Standard 4.3: Independent, representative advocacy is accountable under the law

NAS Staff

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- 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 Bill 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 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 advocacy is effectively managed

NAS Staff

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

NAS Management

- c) ensures NAS 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

NAS 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. NAS aims to facilitate the person to be an active participant in the advocacy process to the degree that they wish.

NAS 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 assisting the person in 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.

NAS Management

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