



Prifysgol Cymru
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University of Wales
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ECAY5003: The Evolving Landscape of Advocacy Provision Independent Professional Advocacy 2023

Trawsnewid Addysg; Trawsnewid Bywydau
Transforming Education; Transforming Lives



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Independent Professional Advocacy, Advocacy and Activism



Advocacy

Advocacy is using voice to support a specific cause by getting support from a person or group

Advocates work on behalf of an individual, group or organisation

Activism

Activism is using forceful actions to bring about change, typically social or political

Activists use methods such as protests, street marches, rallies, and strikes to intervene in the social, political, or economic environment.

Independent Professional Advocacy

Independent Professional Advocacy is provided to an individual when a person is legally entitled to an Advocate because of their circumstances.

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Types of Advocacy

Instructed Advocacy

- The individual tells the advocate what they would like them to say and do.
- The advocate's role is to work with the person to bring together what they have to say in a way that puts their point of view across clearly.
- The advocate supports them in what they want to achieve.

Non-Instructed Advocacy

- When someone doesn't have the capacity to tell the advocate what they want them to do, the advocate uses other approaches to make sure the individual's life choices aren't compromised.
- It could be that because of a brain injury, mental health issue, substance misuse or temporary unconsciousness, someone isn't able to make a decision for themselves.
- An advocate's job is to make sure their best interests are represented.

Statutory Advocacy

- Statutory advocacy means a person is legally entitled to an advocate because of their circumstances.
- This might be because they're being treated under the Mental Health Act or because they lack the mental capacity to make their own decisions.
- It also covers certain people who are in the care of the NHS or local authority, including prisoners.

Non- Statutory Advocacy

- These services continue to play an important role, providing advocacy where vulnerable people fall outside the eligibility criteria for statutory provision.

Self-Advocacy

- In self-advocacy, a person is able to assess a situation themselves, make choices about what they want and take steps to make it happen.
- They are able to communicate their views and preferences, and have these heard.

Paid Relevant Person's Representatives (PRPR)

- A Paid Relevant Person's Representative protects someone's interests when they lack the mental capacity to make some decisions for themselves and they have been deprived of their liberty to prevent them from coming to harm.
- The local authority appoints a PRPR when no friends or family are available to support the individual.



Independent Advocacy

What is Independent Advocacy?

Support and Representation

The facilitation of involvement

The Explanation of key Processes

Independent of local authority, social services and NHS.

Independent Advocacy: Principles and Purpose

Assist and Support

Speaking up/ Speaking out for themselves

Ensure that their 'voice is heard' – and listened to!

Assist Individuals to achieve their goals

Assist individuals to secure or access services

Independent Advocacy Pathways

Mental health

Mental Capacity

Adults

Children and Young people

Advocacy Pathways

- The focus areas of independent professional advocacy is within these four areas
- This is because of the legislation that states who is eligible for a statutory advocate.
- Providing a set field of focus for professionals within the field.
- There are many barriers that Independent Advocates can face.

Barriers To Independent Professional Advocacy



Resisting the idea of Independent Advocacy

- Some professionals, carers and family members may not understand how independent advocacy should work.
- They may also not understand the rights of the client/individual or the need to have an independent Advocate.
- This could mean that they may not respond appropriately, or they may resist working with the independent professional advocate.
- Independent advocacy is about changing the power imbalance and nature of the relationship between the professionals, carers and you when difficult decisions need to be made.

Overcoming the Barrier

- The Independent advocate, with permission, should continue to seek a response from those involved, this could involve taking any issues to a senior member of their team, or a colleague.
- Explaining the purpose of independent professions advocacy to individuals is an important aspect of practice
- Ensuring that any misunderstandings can be addressed.

'Shooting the Messenger'

- When the professionals, carers and other people who are acting on your behalf and in your 'best interests' are challenged. They may become defensive and try to exclude the independent professional advocate.
- They may do this by failing to keep the advocate involved or even refusing to deal with them, thereby dismissing the views of the individual within the decision-making process.

Overcoming the Barrier

- The Independent Advocate may acknowledge that all family, carers and other people who are acting on your behalf feel like they are working in the individual's best interest.
- The Independent Advocate may need to reinforce what their role is, and that the views of the individuals are vital, because it is the voice of the individual.
- If necessary, an independent advocate could make a formal complaint on an individual's behalf if they feel that the family, carers or other people are not listening to them.

'Paying Lip-Service'

- Professionals, carers and other people involved in the individual's life may agree to work with an independent advocate, but it may become apparent that no improvement to the individual's situation is taking place.
- This could be because other professionals feel concerned about the impact that independent professional advocacy may have on their work
- Or they may feel anxious about something negative they have done becoming known.

Overcoming the Barrier

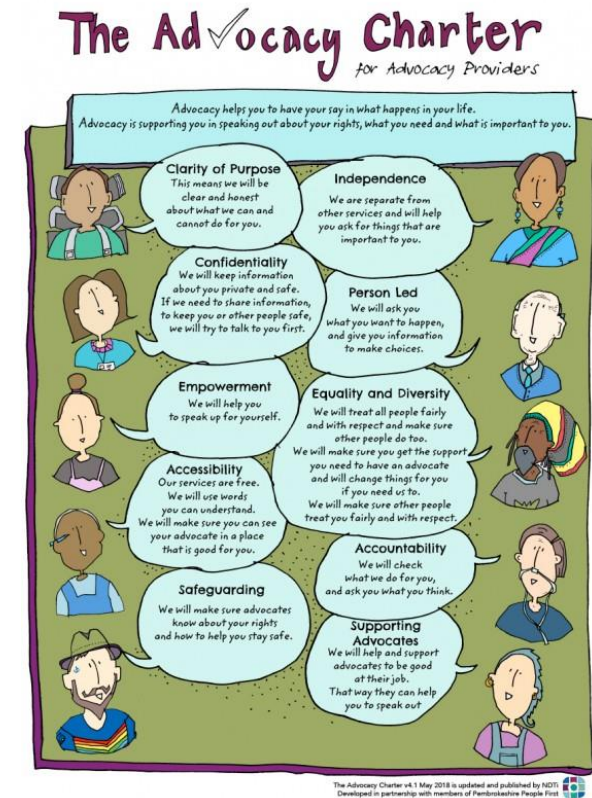
- The independent advocacy should quickly become aware that this is an issue and address it in a way that both ensures the views of the individual are acknowledged and that the person 'paying-lip service' is made aware of the unacceptable behaviour.

Task

- Can you think of any other barriers that Independent professional Advocates could face?

The Advocacy Charter

- The Advocacy Charter is a document that defines and promotes key advocacy principles
- Published in 2002 by Action for Advocacy and has been widely accepted throughout England and Wales
- The Charter aims to support people to say what they want, secure their rights, pursue their interests and obtain the services they need



Principles of Independent Professional Advocacy

Advocacy Principles

Independent Advocacy puts the people who use it first

Independent Advocacy is accountable

Independent Advocacy is as free as it can be from conflicts of interest

Independent Advocacy is accessible

Advocacy Principles

Clarity Purpose

- What have you been contracted to do?

Safeguarding

- Priorities identified and known by an Independent Advocate

Confidentiality

- Does this conflict with data sharing and care reviews?

Equality and Diversity

- What about equity?

Empowerment

- Person Centred Practice

Clarity and Purpose

As an independent professional advocate, it is important to clarify the contract/mandate that you have obtained.

Ensuring what is expected from you as an advocate, and the service that you provide.

This allows Individuals using the service to evaluate the support that they receive
Ensure that the advocate is clear about their job role, including the boundaries.

It is easier for appropriate referrals to be made, and to ensure that funding intended independent advocacy is used in precisely that way.

Safeguarding

Clear policies and procedures will be in place to ensure safeguarding issues are identified and acted upon.

Advocates will be supported to understand the different forms of abuse and neglect, issues relating to confidentiality and what to do if they suspect a client is at risk.

Confidentiality

Confidentiality is a cornerstone of independent advocacy

It establishes a relationship of trust that enables people to tell their stories and explore the options available to them.

Confidentiality should not be a barrier to the supervision and support of advocates.

It is essential that services have a clear confidentiality policy which is regularly reviewed

It is equally important that people who come to the advocacy service are given clear information about what confidentiality means and the circumstances under which it will not be possible to maintain confidentiality.

Equity and Diversity

As well as complying with equality legislation (The Equality Act 2010)

It is expected that advocacy services take proactive steps to ensure equitable and easy access to them

Having equal opportunities policies is only part of the process.

Proactive efforts must be made in implement such policies to remove barriers and deliver accessible and equitable services.

Empowerment

Advocacy services need to be focused on the person they are working with.

One way of achieving this is to ensure that people who do, or may, use the advocacy services have meaningful influence over the direction of that service

As advocacy is about increasing the amount of control that people have over their own lives,

Advocacy services need to ensure they are working in a way that fosters independence.

It is important to create a culture that promotes individual empowerment and to develop methods to determine outcomes with clients and measure the effectiveness of the advocacy relationship

Discussion

- Are these Key Concepts achievable?
- Have they been always been respected?

Mandate

Mandate

- Advocacy requires a mandate to be able to perform the duties stipulated within Chapter 10 of the Social Services and Wellbeing (Wales) Act 2014.
- This could be given:
 - Verbally
 - In writing
 - By law (age and stage related)
 - Mental health and wellbeing decision

Mandate

- "Advocacy is taking action to help people say what they want, secure their rights, represent their interests and obtain services they need. Advocates and advocacy schemes work in partnership with the people they support and take their side. Advocacy promotes social inclusion, equality and social justice"

(Action for Advocacy's Advocacy Charter)

Assumed Mandate

- Contemporary advocacy studies explore the potential validity of 'assumed mandate' where a cause cannot speak for itself, accept in terms that humans are only just beginning to understand.
- Arguing then that an assumed mandate is essential if everyone is to play their part in tackling climate change,
- The responsibility in addressing human behaviours rests with all; therefore,
- Climate change provides an ideal opportunity for all to assume a mandate and to speak up and speak out, should we feel sufficiently motivated to act.

Permissions and Authority - Hierarchy

Institutional Authority

- Actual
- Perceived

Authority via position

- Job role/title/agency relinquished

Natural Authority

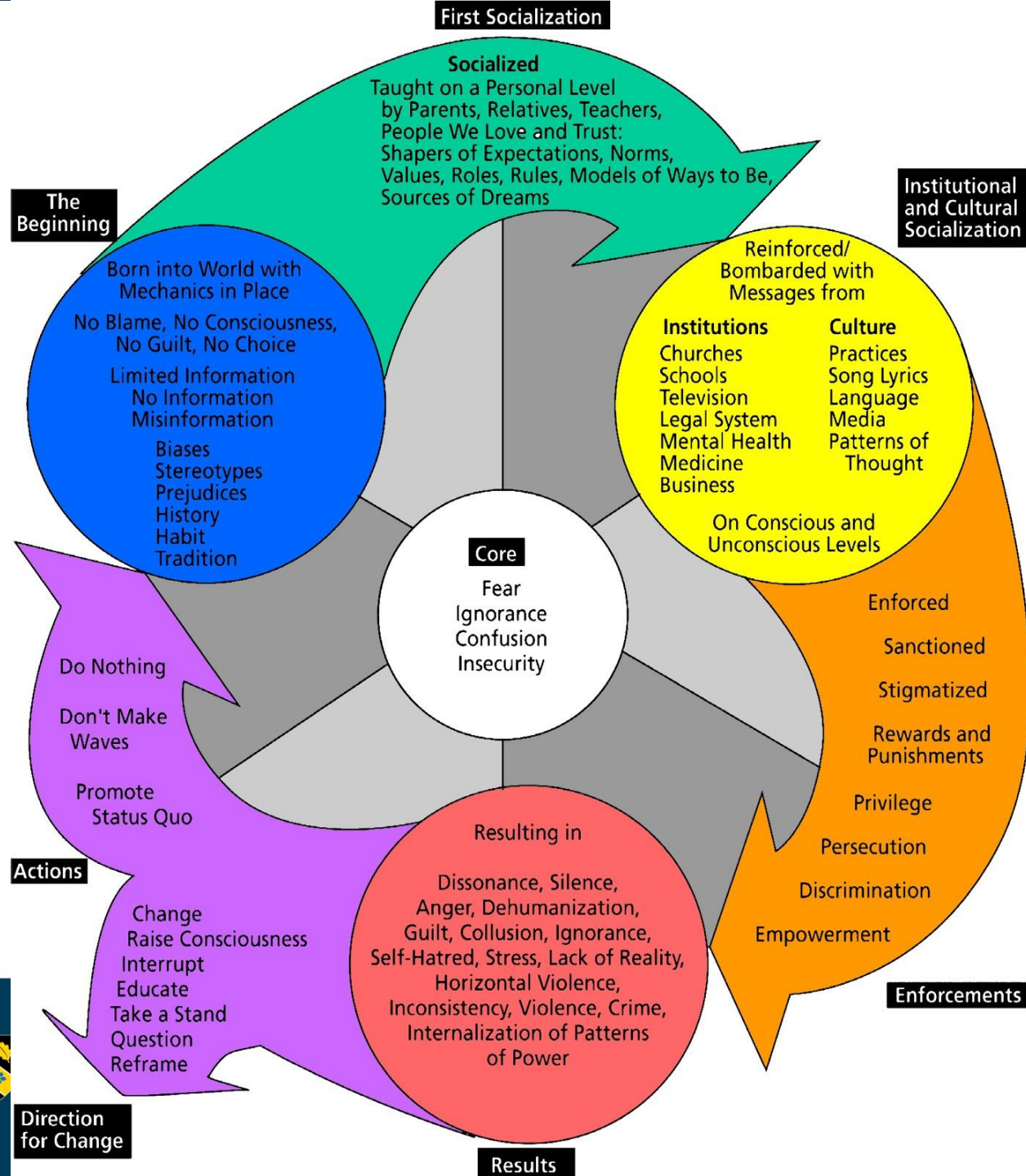
Authority by power

Moral authority

Religious authority (Natural authority)

Can WE initiate Change

- To:
 - Vary
 - Alter
 - Modify
 - Create an essential difference from an original position/identity or rule/behaviour
 - Thomson (2006) suggests that we must have a direction for change.



Thompsons PCS Model

(Thomson, 2006)



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TASK

- Please take time to consider and discuss the claims and assertions made and implied in this version of Thomson's (2006) PCS model.
- Consider how this might be used as a 'lens' through which to critically explore an area of advocacy that is of interest to you (see Assessment 1 & 2).