



The Scottish Independent Advocacy Alliance

**Code of Practice  
for Independent Advocacy**



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*“Injustice anywhere is a threat to justice everywhere.”*

Martin Luther King Jr.

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## Introduction to the Code of Practice

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The *SIAA Principles and Standards for Independent Advocacy* outlined the philosophy that influences the advocacy movement in Scotland. The *SIAA Code of Practice for Independent Advocacy* builds on that document and gives details about what advocacy is and what advocates do and has been designed to be read and used alongside the *Principles and Standards for Independent Advocacy*.

### Why have a Code of Practice for advocacy?

The Code of Practice was developed by the SIAA because the Scottish advocacy movement wanted a document that explained in detail what advocacy was and what advocates do. The aim of this document is to show advocacy in action. This is a document that can be used to help train new advocates, help to refresh and re-motivate established advocates and help an organisation measure itself and check how well they are doing. It can also help advocates and advocacy organisations think through problems and dilemmas and hopefully find solutions. Also, it will help to remove the mystery that sometimes surrounds advocacy and help people who come into contact with advocacy to understand it better.

The aim of the *Code of Practice* is to make sure that the people who use advocacy are getting good quality advocacy but it is also to help protect and safeguard advocacy.

The SIAA set up a 'Good Practice Working Group' made up of individuals from the advocacy movement. The Group worked hard to make sure that this document covered the different types of advocacy and showed the variety of issues that advocates can get involved in. There was a lengthy consultation process and the Scottish advocacy movement were consulted at each stage of the document's development.

The Good Practice Working Group agreed that this should be an aspirational document; advocacy organisations are always growing and developing and this document is designed to help them become more confident and stronger organisations with increased credibility.

Some of the indicators will be difficult for all advocacy organisations to achieve. This may be for a number of reasons; it could be that the indicator does not apply to that particular organisation and that it is not relevant or

appropriate to what the organisation does. The aim of this document is to help all advocacy organisations think about the way they do advocacy and how they could improve themselves in order to better meet the needs of the people who use advocacy.

## Does the *Code of Practice for Independent Advocacy* apply to all types of advocacy?

The *Code of Practice* has been written to apply to all types of advocacy. Throughout Scotland advocacy organisations share the same core Principles. However, this document shows that they might do things in a slightly different way. The SIAA believes that this difference in approach is vital to the growth and development of the advocacy movement in Scotland. Through the indicators, the *Code of Practice* identifies the different responsibilities for the advocate, the advocacy organisation and collective advocacy.

The Code of Practice Working Group recognises that some of these responsibilities may be difficult to achieve for some individuals and organisations. This may be because the organisation does not have the right resources to enable it to do everything described in this document. Or it could be that the advocacy partner lacks capacity or has profound communication difficulties and therefore cannot communicate their needs, wishes and desires to the advocate. For example Principle 1, Standard 1.1 (c) states that: *the advocate must act on the issues agreed by their advocacy partner and at the pace appropriate to the advocacy partner's needs*. In the case of the advocacy partner lacking capacity or having communication difficulties then it should read *the advocate must act on the issues agreed by their advocacy partner and at the pace appropriate to the advocacy partner's needs, where possible*.

The Code of Practice Working Group felt that it was inappropriate to always add the proviso 'where possible' to every statement because that might mean that the strong message about the impact of advocacy could potentially be lost. However, it is important that anyone reading this document should bear in mind that sometimes it is not possible for an advocate to follow everything in this document. Where this is the case then it is important that the advocate receives the right level of support and guidance from the advocacy organisation to help them to advocate in the best way possible with the aim of enabling their advocacy partner have the best life possible.

## How to use the Code of Practice

This code is divided into four main sections covering the four Principles of independent advocacy.

-  **Principle 1:** *Independent advocacy puts the people who use it first*
-  **Principle 2:** *Independent advocacy is accountable*
-  **Principle 3:** *Independent advocacy is as free as it can be from conflicts of interest*
-  **Principle 4:** *Independent advocacy is accessible*

**Principles** are the core beliefs about independent advocacy. These are the ideas that guide everything that advocates and advocacy organisations do.

**Standards** outline what should happen in order to meet the Principles.

**Indicators** are the evidence of how advocates, advocacy organisations and collective advocacy workers meet each standard.

Each Principle is divided into sections covering the related Standards. For all these Standards there are sets of indicators for advocates, organisations and collective advocacy development workers.

The four Principles are colour coded. The page margins have this colour code and name the Principle. The different sets of indicators are identified by the following symbols:

-  Advocates
-  Organisations
-  Collective advocacy development workers

## Different types of advocacy

### **Citizen advocacy**

Citizen advocacy is when ordinary citizens are encouraged to become involved with a person who might need support in their communities. The citizen advocate is not paid and not motivated by personal gain. The relationship between the citizen advocate and their advocacy partner is on a one-to-one, long term basis. It is based on trust between the partner and the advocate and is supported but not influenced by the advocacy organisation. The advocate supports their partner using their natural skills and talents rather than being trained in the role. For a fuller explanation of citizen advocacy please go to page 8 at the end of this section.

### **Group or Collective advocacy**

Collective advocacy is where a group of people who are all facing a common problem get together on a formal basis to support each other over specific issues. Individual members of the group may also support each other over specific issues. The group as a whole may campaign on an issue that affects them all. A collective voice can be stronger than that of an individual, as groups are more difficult to ignore. Being part of a collective advocacy group can help to reduce an individual's sense of isolation when raising a difficult issue.

### **Peer advocacy**

Peer advocacy is when individuals share significant life experiences. The peer advocate and their advocacy partner may share age, gender, ethnicity, diagnosis or issues. Peer advocates use their own experiences to understand and empathise with their advocacy partner. Peer advocacy works to increase self awareness, confidence and assertiveness so that the individual can speak out for themselves, lessening the imbalance of power between the advocate and their advocacy partner.

### **Professional advocacy**

Professional advocacy is also known as one to one, individual or issue based advocacy. It is provided by both paid and unpaid advocates. An advocate supports an individual to represent their own interests or represents the views of an individual if the person is unable to do this themselves. They provide support on specific issues and provide information but not advice. This support can be short or long term.

## Citizen Advocacy

A citizen advocate is someone who is matched with a person who needs someone to be on their side. The person they are matched with is called their partner. Often the partner has no-one else in their life to watch out for them — often they have some difficulty communicating their wishes to other people, and may be quite socially isolated.

A citizen advocate is not paid, nor would they expect to receive any other financial or material benefit from being an advocate. They support their partner in an open-ended, usually long-term basis.

Citizen advocacy has developed a set of principles and practice. The principles and standards set out in this document for individual advocacy are also subscribed to by citizen advocacy organisations, although some of the terminology may be different. Citizen advocates do many of the things that other individual advocates do. However there are also some additional features which citizen advocacy organisations generally strive to achieve.

The main characteristics of citizen advocacy are:

- The relationship between the advocate and the partner is of central importance and is regarded as a beneficial outcome in itself
- The long-term nature of citizen advocacy means that advocates can get to know someone really well and therefore be in a relatively good position to understand the partner's interests and wishes from their viewpoint
- As well as focusing on particular issues, the citizen advocate has a role in supporting the person to make connections with other people and to be included in the community — they and their partner are free to choose from a range of roles and activities and do not have to account to the advocacy organisation for the activities which they and their partner have chosen to engage in (provided they are lawful and within the organisation's Code of Expectations)
- The advocacy relationship continues even if there are no particular problems to be sorted out — the advocate keeps a "watching brief", being there to see that the person's rights are upheld and trying to prevent problems from arising

- Advocates are only matched with one partner at a time
- Citizen advocacy organisations promote a view of citizen advocates as people who enter into freely-given mutually beneficial relationships with their fellow citizens, rather than people who provide a service to clients — for this reason they are generally referred to as “advocates” rather than “volunteers”, and advocates are supported in a non-directive manner rather than supervised
- The advocacy project is rooted in the local geographical community and aims to develop good links within it
- The advocacy organisation has a role in promoting a positive view of the group who receive advocacy, and demonstrating through citizen advocacy partnerships that partners contribute to their community
- Citizen advocacy staff give their attention to creating and supporting partnerships and raising the profile of advocacy and the rights of people for whom it advocates — they do not themselves engage in direct advocacy with people referred to the organisation
- Citizen advocates are encouraged to use their own personal networks and other people and organisations for support, not just the advocacy organisation.

Not all of these features are exclusive to citizen advocacy, but they are the main principles which citizen advocacy organisations are expected to follow, and which they would be evaluated against using a citizen advocacy evaluation tool such as CAPE (Citizen Advocacy Programme Evaluation).

*“A lot of bad things happen to people, not because workers are bad but because they are busy.”*

John O’Brien

## Principle 1

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# Independent advocacy puts the people who use it first

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### ✓ Standard 1.1

*Independent advocacy is directed by the needs, interests, views and wishes of the people who use it*

#### Advocates must:

- a** Explain to their advocacy partner what advocacy is and how it can help them. This may take place over a number of meetings depending on the type of advocacy and the advocacy partner's level of understanding and communication needs.
- b** Enable their advocacy partner to outline their expectations and record these in the advocacy agreement, which is regularly reviewed.
- c** Act on the issues agreed by their advocacy partner and at the pace appropriate to the advocacy partner's needs.
- d** Follow the agenda agreed with their advocacy partner, where possible, and not be influenced by others.
- e** Not let their personal opinions, choices and values interfere with their advocacy partner's choices. Advocates should be aware of their own prejudices.
- f** Try different ways of communicating and speak to significant others in that person's life where the advocacy partner has severe communication difficulties or lacks capacity.
- g** Help their advocacy partner to access accurate information from appropriate sources such as books, the internet or other people.

- Principle 1:** Independent advocacy puts the people who use it first
- Standard 1.1:** Independent advocacy is directed by the needs, interests, views and wishes of the people who use it
- 

## Advocates' examples:



### Indicator a

John visits his prospective advocacy partner Craig. John tells Craig about the advocacy organisation he works for, why it is independent and how the advocacy relationship works. He leaves an information leaflet about the organisation so that Craig can consider whether to use advocacy.

### Indicator a

Mark's citizen advocacy co-ordinator has met Justin, his prospective advocacy partner several times. During these meetings the co-ordinator has explained clearly what advocacy is, what citizen advocacy involves and given Justin a DVD about citizen advocacy. At their first meeting Mark goes over some of the information and discusses whether Justin would like him to be his citizen advocate.

### Indicators c and d

Sheila, the citizen advocate has spent some time getting to know her advocacy partner Daniel. She has realised, while meeting and chatting with Daniel over several weeks, that he feels attracted to other men but also seems to be uncomfortable about the way he feels. She has heard of a support group set up for people with learning difficulties who are in, or are interested in having, same sex relationships. Sheila tells Daniel about this group and tells him that if he is interested in going along to the group she will support him to contact them and to attend.

### Indicator f

Rifat, the advocate, visits Mary who has been referred by her daughter. Mary is in hospital and her doctor wants to discharge her to a care home. Mary is in the advanced stages of dementia and cannot say where she would like to move to. Rifat explains to Mary's daughter what independent advocacy is, how an advocacy partnership works and gives her a leaflet about the organisation.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.1:** Independent advocacy is directed by the needs, interests, views and wishes of the people who use it

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## Organisations must:

- h** Have policies as appropriate (see examples listed in Appendix 3).
- i** Have clear procedures on:
  - Induction
  - Preparation courses and ongoing support for citizen advocates
  - Training on independent advocacy and the role of the advocate
  - Continuing training
  - Support and supervision
- j** Ensure that all the information about their organisation and “what advocacy is” is available in different formats.
- k** Have and implement policies, procedures and guidelines for working with people with severe communication difficulties and those who lack capacity.
- l** Ensure advocates receive regular support and supervision or guidance.
- m** Ensure that it has clear ways of starting and ending advocacy relationships.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.1:** Independent advocacy is directed by the needs, interests, views and wishes of the people who use it

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## Organisations' examples:



### **Indicator j**

Information is available in community languages, Easy Read and audio versions. There is a duty placed on Local Authorities and Health Boards to provide translators or interpreters. The organisation has a Service Level Agreement that states the Local Authority or Health Board will support the organisation to produce accessible information.

### **Indicator k**

The Non-instructed Advocacy Policy includes the boundaries of the advocacy partnership and potential conflicts of interest for the advocate when safeguarding the person's rights.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.1:** Independent advocacy is directed by the needs, interests, views and wishes of the people who use it

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### Collective advocacy development workers must:

- n** Explain to the group what advocacy is and how it can help them.
- o** Ensure that they and group members are clear about their respective roles.
- p** Ensure that the work of the group is directed and prioritised by its members and at the pace set by the group.
- q** Ensure that their personal opinions, choices and values do not influence the decisions of the group.



### Collective advocacy development workers' examples:

#### **Indicators n and o**

Sarah visits a care home to talk to a group of residents who want to be involved in a residents group in order to raise issues collectively with the manager of the home. She explains to the group what collective advocacy is and what her role would involve. Sarah has taken standard leaflets and large print leaflets along to the meeting. A member of the group asks if he can have an audio version of the leaflet as he is blind. Sarah arranges this with her manager.

Notes

**Principle 1:** Independent advocacy puts the people who use it first

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✓ **Standard 1.2**

*Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them*



**Advocates must:**

- a** Help their advocacy partner to be aware of the different choices that they have and explore the consequences of making a particular choice. The advocate should consult with others as required, to ensure that they have all available information.
- b** Help their advocacy partner be involved in any relevant decision-making process.
- c** Be clear that any information recorded by them belongs to the advocacy partner and their partner agrees with what is recorded, wherever possible.
- d** Make sure that records are accessible and clear of jargon.
- e** Be able to show, where possible, how they communicate with their advocacy partner.
- f** Be clear that any information they keep complies with relevant data protection laws.
- g** Be clear that any information is not shared with a third party unless by agreement with the advocacy partner, except in cases where the advocacy partner intends to harm themselves or others — according to relevant laws.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.2:** Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them

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## Advocates' examples:



### Indicator a

Craig needs to take a lot of tablets each day. He asks John, his advocate, what they are all for. John tells Craig he doesn't know but could help him find out. They go to the local pharmacy where the pharmacist explains to Craig what each of his medicines is for.

### Indicator a

Alice tells Jack, her advocate, that she and her boyfriend, David, would like to leave the flats they live in and move in together. She tells Jack that they have wanted to be together for years but that her family doesn't want her to move in with David and that David's Social Worker agrees with Alice's family. Jack goes with Alice to meet David to tell him about advocacy. He is interested in having an advocate, so Jack speaks to his organisation. David gets an advocate, Keith. Keith and Jack work together with Alice and David to make sure that everyone listens to what they both want. After a few months they get a flat together.

### Indicator a

Rifat, the advocate, informs Mary's daughter that while she will listen to all those involved in Mary's care, it is Mary's known past and present wishes about the proposed move to the care home that are important. Rifat speaks to Mary's daughter about what Mary may have said about her future before the dementia got to the stage it is at now.

> *continued overleaf*

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.2:** Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them

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## Advocates' examples (continued):

### Indicator b and d

Phillip tells Ali, his advocate, that he needs someone to go with him to see his doctor because he wants to change his arthritis medication. Ali asks Phillip what has happened at previous visits to his doctor and takes notes. Phillip tells Ali that he feels that the doctor thinks he is stupid because he can't read and write like he used to and he would like Ali to explain to the doctor that the pills he is taking are giving him headaches. Ali reads his notes back to Phillip to make sure he has recorded all the issues.

### Indicator b

Justin has lived all his life in an institution and has not had the opportunity to have the same life experiences that most people take for granted. In supporting Justin to make a decision about where to live, Mark understands that Justin is apprehensive about living in his own home. Mark and Justin have many long discussions over several months about the consequences of all the options. When they attend Justin's planning meeting, Mark is clear that his role is to support Justin to tell people what his choice is.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.2:** Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them

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### Organisations must:



- h** Have a policy and procedures on the use of advocacy agreements and assigning appropriate advocates.
- i** Ensure any advocacy agreement is accessible and available in a format suitable for the advocacy partner.
- j** Ensure advocates receive training in their role, how to review the relationship with their advocacy partner or group and how to record information.
- k** Ensure advocates receive regular support and supervision or guidance to make sure they are clear about their role.
- l** Ensure that advocates can access up to date, relevant information.
- m** Have a clear way of gathering advocacy partners' views on the impact of the advocacy they receive.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.2:** Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them

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## Organisations' examples:

### **Indicator h**

A manager ensures advocacy partners are matched with an appropriate advocate. The manager considers gender, age, experience, specialised knowledge and other factors to meet expressed wishes of the advocacy partner or to ensure the advocate has the necessary knowledge for a specific issue.

### **Indicator j, k and l**

The organisation ensures that their training and induction is appropriate to the roles the advocates have within the organisation. As laws change, training is given to help the advocates understand how these changes affect their role.

### **Indicator j**

The organisation provides training for all advocates on keeping clear records and not using jargon in those records. The training shows examples of good and bad practice. In the good practice example the advocate clarifies with their partner what it is they want them to do — *“go with me on Tuesday to see my doctor. I want to tell her that I need to have my medicine changed because it is giving me a sore head.”* An example of bad practice would be the advocate writing *“Phillip asked me to go to the GP meet on 04/04/06 at HC. The meet. is re side effects of meds.”* This contains jargon and short-hand and is not accessible.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.2:** Independent advocacy helps people to have control over their lives and to be fully involved in decisions which affect them

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### Collective advocacy development workers must:



- n** Support the group in sharing and discussing their views.
- o** Help the group get as much information as they can in order to make informed choices.
- p** Support individuals within the group.
- q** Be clear that any information that is recorded belongs to the group, is clear and free of jargon and complies with the relevant data protection laws.
- r** Support the group to access accurate information from appropriate sources such as books, the internet and other people.

### Collective advocacy development workers' examples:



#### **Indicators n and o**

Sarah, the collective advocacy development worker, visits residents in a care home who are interested in forming a residents' group. Sarah tells the residents about her role. The group agrees that Sarah should take notes and that Jane will chair the meeting. The first issue the group wants to talk to the manager about is having a designated smoking room in the home. Everyone has something to say and Sarah asks specific questions about what they would like to do about it and how. It is agreed that three members of the group will ask to meet with the manager of the care home to discuss this issue. As it will be the first meeting, Sarah agrees to go with them.

**Principle 1:** Independent advocacy puts the people who use it first

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✓ **Standard 1.3**

*Independent advocacy tries to make sure that people's rights are protected*



**Advocates must:**

- a** Participate in training on the different laws that apply to what they do.
- b** Keep up-to-date with changes to the law and policy, as appropriate.
- c** Know how to apply the law to what they do.
- d** Act within the law.
- e** Act in a professional manner at all times.
- f** Help their advocacy partner to get as much information as they can to make informed choices.
- g** Try to have their advocacy partner's rights recognised.
- h** Ask the appropriate people to explain why an action is being taken.
- i** Know the relevance of the law and policy, what their advocacy partner's rights are and know how to access appropriate information.

- Principle 1:** Independent advocacy puts the people who use it first
- Standard 1.3:** Independent advocacy tries to make sure that people's rights are protected
- 

## Advocates' examples:



### Indicators a, b and c

Craig asks John, his advocate, if he can refuse to go into a care home. Craig tells John that his doctor has spoken to Craig's son about him not managing to take his medicine and that they think he should move into a home. Craig doesn't want to do this. Craig also tells John that his son has told him if he refuses to go, the doctor can go to court to get the Sheriff to send him to a home. John has had training on the Adults with Incapacity (Scotland) Act 2000 and knows that if someone has the capacity to make decisions the Act does not apply. John asks Craig if he would like to speak to someone about what has happened. On Craig's instruction, John contacts the local Social Work office and a Social Worker arranges to meet with Craig and John to discuss the issues.

### Indicator c

Mary has just been assessed as incapable of making decisions about her care and treatment. Rifat, Mary's advocate, understands the Adults with Incapacity (Scotland) Act 2000 and that Guardianship may be important in eventually deciding where Mary will stay once she is discharged from hospital. Mary's children have told Rifat that Mary has written a 'personal statement' stating that when she gets older she would want to return to Skye where she was born. Rifat understands that the "past and present wishes" principle of the Act is important. She has been told that there has been a change to the Act, and that she can now go to court to tell the Sheriff about Mary's personal statement to add weight to the family's wishes that if Mary has to go into a care home, then it will be a care home on Skye.

> *continued overleaf*

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.3:** Independent advocacy tries to make sure that people's rights are protected

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## Advocates' examples (continued):

### **Indicator f**

Justin's Social Worker feels it would be in Justin's best interests to have a financial guardian put in place. Mark, the advocate, checks out the implications of this for Justin and goes over these with him. Mark also checks out who would act in this role and of the potential costs to Justin. Again he goes over these with Justin.

### **Indicator i**

Jane is 16 and wants to leave school but there is pressure from both family and teachers to stay on. Her citizen advocate, Miriam, informs her that she has the same right as everyone else to leave school at 16 and that she could support her to look at other options that are available and explore any difficulties that may arise.

**Principle 1:** Independent advocacy puts the people who use it first  
**Standard 1.3:** Independent advocacy tries to make sure that people's rights are protected

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### Organisations must:



- j** Ensure that advocates undertake training or preparation on relevant laws.
- k** Provide training or preparation on the *Principles and Standards for Independent Advocacy* and the *Code of Practice*.
- l** Ensure that all advocates are kept up to date with changes in relevant legislation.
- m** Ensure that advocates undertake preparation and ongoing training as required by the organisation's policies and procedures.
- n** Have ways of checking whether advocacy helps to protect people's rights.

### Organisations' examples:



#### **Indicator j**

The citizen advocacy organisation provides a preparation course for all new citizen advocates. This includes exercises to explore values and to illustrate that people who need an advocate have the same rights as everyone else. The course also includes an overview of laws which might be relevant. More detailed information or training on this is provided to each individual citizen advocate depending on the needs, issues and situation of their advocacy partner.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.3:** Independent advocacy tries to make sure that people's rights are protected

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### Collective advocacy development workers must:

- o** Participate in training on the different laws that apply to the work that they do.
- p** Keep up-to-date with changes in the law and policy, as appropriate.
- q** Know how the law applies to the group they are supporting.
- r** Act within the law.
- s** Act in a professional manner at all times.
- t** Know about relevant law and policy, including what the rights of the group are.
- u** Try to make sure the group understands its rights.



### Collective advocacy development workers' examples:

#### Indicators p and t

Sarah, the collective advocacy development worker, knows that a new smoking ban has been enforced and that some places may be exempt. She realises that this could have a major impact on what the residents group want to achieve — a designated smoking room in the care home. She asks her manager for the name of the new Act and looks it up on the internet. It has a flowchart that lets her see that a designated smoking room may be allowed within the Act. She also knows a colleague who can come and explain the Act and which aspects of it apply to the care home.

Notes

**Principle 1:** Independent advocacy puts the people who use it first

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✓ **Standard 1.4**

*Independent advocacy values the people who use it and always treats people with dignity and respect*



**Advocates must:**

- a** Always treat their advocacy partner with dignity and have respect for what their advocacy partner wants.
- b** Be clear about what their advocacy partner wants them to do.
- c** Keep their partner informed of anything that might affect them, where appropriate, and do not keep information from them.
- d** Not do anything their partner does not want them to do, except in certain circumstances laid out in the law and the organisation's policies.
- e** Not make value judgements about their advocacy partner or what they want to do.
- f** Not be influenced by views and wishes of significant others in their advocacy partner's life.
- g** Give their partner space and time to say what they think.
- h** Give their partner the opportunity to have their say in a number of ways.
- i** Always show their partner in a positive and respectful way.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.4:** Independent advocacy values the people who use it and always treats people with dignity and respect

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## Advocates' examples:



### Indicator a

Jane's citizen advocate, Miriam, challenges staff as to why Jane's private medical information is announced in an informal way to a review group of over ten people including teachers, Social Workers, and care staff.

### Indicators a and f

John, the advocate, has been approached by Craig's son and doctor. They want to make sure that John understands that it is much safer for Craig to move to a care home as he is struggling to cope at home on his own. John acknowledges the concerns they have but informs them that Craig has stated that he does not want to move to a care home and has the right to refuse to move. John suggests that there may be alternative ways of meeting his care needs. John informs them that he will support Craig to pursue this.

### Indicators d and f

The residential accommodation that Justin is currently living in is closing. Justin's brother thinks the alternative accommodation Justin is being offered is not suitable for him. He wants Mark, the advocate, to tell Justin that he shouldn't take up this offer. Mark knows that a number of options were discussed with Justin and that this is the one he has chosen. With Justin's permission, Mark phones Justin's brother to explain that this is Justin's choice. He also takes the opportunity to remind Justin's brother that the role of an advocate is not about giving advice or influencing the person's choices.

> *continued overleaf*

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.4:** Independent advocacy values the people who use it and always treats people with dignity and respect

---

## Advocates' examples (continued):

### **Indicator h**

Mary lives in a care home and suffers from dementia. Her advocate, Rifat, is approached by the Social Worker involved in the case conference during a break. She tells Rifat that she heard her mention a personal statement that Mary had written previously. She asks Rifat not to raise this as it will have no bearing on the decision and that she thinks Mary may have written the statement when she no longer had capacity to make these decisions. Rifat knows that her role is to represent Mary's views and wishes. When the meeting begins again, Rifat raises the issue of the personal statement and provides a copy for all present. Mary's daughter states that this was written several years ago when her mother had capacity and Rifat states that it should be considered as it is about Mary's past wishes. Rifat makes a note in Mary's advocacy file of what took place.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.4:** Independent advocacy values the people who use it and always treats people with dignity and respect

---

### Organisations must:



- j** Have a policy on and actively implement equal opportunities and respect for diversity.
- k** Ensure everyone in the organisation has training or preparation on equal opportunities, respect and dignity.
- l** Take all complaints seriously and make every effort to find a satisfactory outcome.
- m** Show the people who use the organisation in a positive and respectful way.

### Organisations' examples:



#### **Indicator j**

The organisation ensures that all its practices are based on equality regardless of race, disability, gender, belief, religion, sexual orientation and age. The organisation regularly reviews its policies and processes to make sure that they comply with changes to equality laws.

#### **Indicator k**

The organisation encourages people to look at their values and actions in relation to the work they do. All members of the organisation are given training on how to challenge attitudes and practices that are contrary to equal opportunities and respect for diversity.

**Principle 1:** Independent advocacy puts the people who use it first

**Standard 1.4:** Independent advocacy values the people who use it and always treats people with dignity and respect

---



### Collective advocacy development workers must:

- n** Be clear about what the group wants them to do and keep a clear record of it.
- o** Always treat group members with dignity and respect.
- p** Not make value judgements about the group, its members or what they want to do.
- q** Ensure all group members can have their say.
- r** Not do anything the group does not want them to do, except in certain circumstances laid out in the law and the organisation's policies.
- s** Give individual group members space and time to say what they think.
- t** Give group members the opportunity to have their say in a number of ways.



### Collective advocacy development workers' examples:

#### **Indicator n**

Sarah, the collective advocacy development worker, is supporting a group of residents in a care home who have asked for a designated smoking room for residents. The care home manager approaches Sarah about the request. He states that he has concerns for the health of staff and residents. He says that, although it may be more difficult for some residents to go outside, it makes more sense to have a designated area outside the care home. Sarah acknowledges his concerns but reiterates that the designated room may be allowed under the new Act and that she intends to help the group to pursue their wish.

Notes

*“Advocacy is about addressing the imbalance of power”*

## **Independent advocacy is accountable**

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### ✓ Standard 2.1

*Independent advocacy is accountable to the people who use it*



#### Advocates must:

- a Be accountable to their partner and the advocacy organisation.
- b Act on the issues agreed by their advocacy partner and at the pace appropriate to the advocacy partner's needs.
- c Use accessible language and communication methods when speaking with their advocacy partner and recording any issues.
- d Ensure that everyone they support knows how to make a complaint about the advocacy they receive.
- e Ensure that, when advocating for people who lack capacity or are not able to communicate clearly, they work according to relevant legislation, the past and present wishes of their partner and observations of their partner's responses to different situations. They may also need to consider the views of friends and family.
- f Safeguard the rights of their advocacy partner and inform others of their advocacy partner's rights. This is particularly important in situations where their advocacy partner has severe communication difficulties or lacks capacity.

**Principle 2:** Independent advocacy is accountable

**Standard 2.1:** Independent advocacy is accountable to the people who use it

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## Advocates' examples:



### **Indicator a and b**

John is 24 and would like his citizen advocate, Murdo, to support him to move out of his parents' home and into his own flat. John tells Murdo that he has a good relationship with his parents, which is really important to him. They then raise the issue with his parents, they are against the idea. John thinks that it is important to listen to his parents' views. Murdo reassures John he will support him in whatever he chooses to do.

### **Indicator b**

Craig's brother wants Craig to go into a care home because he believes he isn't coping by himself. Craig tells John, the advocate, that his doctor has spoken to Craig's son about him not managing to take his medicine and that they think he should move into a home. John keeps Craig informed about what his doctor and son have been saying. He reassures Craig that he is there to support him to achieve the outcome that he wants. He explains to Craig that he told his son and doctor about Craig's rights in these circumstances and checks that Craig still wants to stay in his own home.

### **Indicator e**

Mary lives in a care home and suffers from dementia. A conference is arranged to consider Mary's future care. After the case conference Rifat, Mary's advocate, discusses with Mary's daughter what happened at the meeting and clarifies what one or two of the professionals were talking about on specific issues. Rifat assures Mary's daughter that she will continue to insist that the personal statement and Mary's past wishes are considered by all involved in the case until a decision is made.

**Principle 2:** Independent advocacy is accountable

**Standard 2.1:** Independent advocacy is accountable to the people who use it

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### Organisations must:

- g** Have a rigorous recruitment or selection policy which will include the need for references and Disclosure in order to protect the safety of the people who use advocacy.
- h** Have a policy on entering into an advocacy partnership, including who controls the relationship and the information, and how the partnership can be ended.
- i** Make sure that people using the organisation can say what they think about the support they receive.
- j** Provide appropriate training and clear guidelines on what advocacy is, including how to safeguard a person's rights, especially in situations where the advocacy partner has severe communication difficulties or lacks capacity.
- k** Provide training for advocates and other members of the organisation on power and empowerment.
- l** Have policies and procedures for the line management or support of advocates, including support and supervision or guidance, training and personal development.
- m** Be able to show that the organisation is supporting the community of interest by monitoring and evaluating their work, including the community involvement, on a regular basis and providing reasonable information to funders.
- n** Have a policy on user involvement at all levels of the organisation and ensure that anyone from the community who wants to become involved has that opportunity, subject to the Memorandum and Articles or Constitution of the organisation.

> *continued opposite*

**Principle 2:** Independent advocacy is accountable

**Standard 2.1:** Independent advocacy is accountable to the people who use it

---

### Organisations must (continued):



- o** Be able to show transparency by making relevant policies, procedures, annual reports and audited accounts available to the public.
- p** Ensure that the organisation is independently evaluated at least once every three years.

### Organisations' examples:



#### **Indicators g and h**

The citizen advocacy project has a clear policy, in line with the Citizen Advocacy Programme Evaluation (CAPE), that the citizen advocacy partnerships are independent of, but supported by, the organisation. Partnerships are controlled by the two people involved and will continue for as long as the two individuals want to be involved. The project carries out a disclosure check and takes up two references for every new advocate.

#### **Indicator o**

Every year the organisation has an Annual General Meeting to which it invites advocacy partners, staff, volunteers, funders and other agencies.

**Principle 2:** Independent advocacy is accountable

**Standard 2.1:** Independent advocacy is accountable to the people who use it

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### Collective advocacy development workers must:

- q** Use accessible language and communication methods when speaking with the group and recording any issues.
- r** Safeguard the rights of the group and inform others of the group's rights if need be.
- s** Support the group to be open about the way it makes decisions.
- t** Support the group to think regularly about the way it works and how this could be improved.
- u** Support members to influence the work of the group.
- v** Ensure that they are guided by the feedback they receive from the group.
- w** Not do anything that breaks the law or endangers the health and safety of the group.

**Principle 2:** Independent advocacy is accountable

**Standard 2.1:** Independent advocacy is accountable to the people who use it

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Collective advocacy development workers' examples:



**Indicator q, s, u and v**

Sarah, the collective advocacy development worker, is supporting a group of residents in a care home who have asked for a designated smoking room for residents. Sarah supports the group by taking notes of the discussion and records the decision agreed by the group to meet with the manager about having a designated smoking room.

## Principle 2: Independent advocacy is accountable

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### ✓ Standard 2.2

*Independent advocacy is accountable under the law*

#### Advocates must:

- a Be aware of and act within the law at all times.
- b Be aware that they might have to break their advocacy partner's confidentiality, if the law or the organisation's policies say so, if their advocacy partner intends to harm themselves or others, or if the advocate has information that the person's health and safety is in danger from the actions of others.
- c Know what the organisation's policies and procedures are if they are aware of their advocacy partner being in danger of harm or intending to break the law.

**Principle 2:** Independent advocacy is accountable

**Standard 2.2:** Independent advocacy is accountable under the law

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## Advocates' examples:



### **Indicator a**

Justin has always wanted to drive a car. Justin asks Mark, his advocate, if he can drive his car around the supermarket car park late one evening. Mark knows that Justin doesn't have a driving license. Mark tells Justin that they can't do this, but that they can explore other options, such as contacting the local car racing track.

### **Indicator b**

Craig tells John, his advocate, that if his son and the doctor won't listen to what he is saying and respect what he wants, then he is going to take all his pills, go to sleep and not wake up. John asks Craig why he is telling him this and what he wants John to do with this information. Craig tells John that he is the only person that listens to what is being said and respects his point of view. John asks if he can contact his Social Worker so that Craig can tell her how he feels about his son and his doctor. Craig tells John that he can't tell anyone. John then tells Craig that he will have to tell his manager as he cannot keep this information to himself. Craig asks John why he has to tell anyone. John goes over the organisation's confidentiality policy again with Craig. The policy states that an advocate cannot keep this sort of information to themselves and that they have to speak to their manager about what should happen next. John phones his manager. They discuss the issue then decide to take action in line with the advocacy organisation's policy on confidentiality. Before contacting Craig's Social Worker, John's manager comes to meet with Craig to tell him what they are going to do.

**Principle 2:** Independent advocacy is accountable

**Standard 2.2:** Independent advocacy is accountable under the law

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### Organisations must:

- d** Comply with the law and have policies in accordance with the law.
- e** Provide appropriate training or preparation on policies and procedures for all members of the organisation.
- f** Keep up to date with relevant laws and change policies and procedures accordingly.



### Organisations' examples:

#### **Indicators d and f**

The organisation has policies and procedures that are appropriate for the type of advocacy they provide. The organisation undertakes a regular review of all policies and procedures and updates these in line with changes to the law and best practice.

**Principle 2:** Independent advocacy is accountable

**Standard 2.2:** Independent advocacy is accountable under the law

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### Collective advocacy development workers must:



- g** Be aware of and work within the law at all times.
- h** Be aware of how the law might affect the group they support and their rights as a group.
- i** Be aware of the organisation's policy on confidentiality if a member of the group intends to harm themselves or others or intends to break the law, or if the worker has information that an individual's health and safety is in danger from the actions of others.
- j** Know what the organisation's policies and procedures are if they are aware of the group or members of the group being in danger of harm or intending to break the law.
- k** Ensure that they do not assist the group to break the law.

### Collective advocacy development workers' examples:



#### **Indicator k**

Sarah, the collective advocacy development worker, is supporting a group of residents in a care home who have asked for a designated smoking room for residents. The group are waiting to meet with the care home manager to discuss this. Sarah has been told by members of the group that they do not want to have to go outside to smoke and want to smoke in the group meeting. Sarah reminds the group that they cannot do this as it is illegal to smoke in an indoor public space unless it is a designated smoking room.

## Principle 2: Independent advocacy is accountable

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### ✓ Standard 2.3

*Independent advocacy is effectively managed*

#### Advocates must:

- a Act within the *Principles and Standards for Independent Advocacy* and *Code of Practice* and the policies and procedures of the organisation.
- b Be aware of who the organisation is funded to provide advocacy for.
- c Be clear on what their role and responsibilities are and the role and responsibilities of their manager or co-ordinator.

**Principle 2:** Independent advocacy is accountable

**Standard 2.3:** Independent advocacy is effectively managed

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## Advocates' examples:



### **Indicator c**

As part of her advocacy training Andrea, the volunteer advocate, attends several training sessions where she learns about what advocacy is, the skills that are needed such as communication and what her role and responsibilities will be. She also attends a training session about the organisation and the roles and responsibilities of the advocacy co-ordinator.

**Principle 2:** Independent advocacy is accountable

**Standard 2.3:** Independent advocacy is effectively managed

---



### Organisations must:

- d Have their own Constitution and independent management structure.
- e Seek funding from a variety of sources.
- f Have clear guidelines on what happens if a member of the organisation breaches the organisation's policies and procedures, or endangers the health and safety of another.
- g Have a grievance and disciplinary policy and procedures in place and ensure that advocates are aware of these.
- h Have a referral policy which reflects the community they are funded to provide advocacy for.
- i Ensure that all members of the organisation receive training and information about the Service Level Agreement or Funding Contract and who the community of interest is.
- j Be able to show that the organisation's finances and other resources have been used for what they were intended, by producing annual reports and regular financial statements.
- k Have a policy and procedures for keeping files and records of the advocacy partnerships which comply with relevant legislation, including who the information belongs to and what happens to files and records when the advocacy partnerships end.
- l Ensure that any advocacy agreement complies with the law and the *Principles and Standards for Independent Advocacy and Code of Practice*.
- m Have a clear way of prioritising requests for advocacy and where possible, offer a choice of advocate.
- n Ensure all employees are paid a living wage.
- o Recognise trade union membership and ensure all employees have information on union membership.

**Principle 2:** Independent advocacy is accountable

**Standard 2.3:** Independent advocacy is effectively managed

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## Organisations' examples:



### **Indicator i**

The organisation produces an outline of the area they work in showing their geographical boundaries, who their funders are and what types of advocacy are funded by each one. The outline can be used to show who the community of interest is and which advocates work in a particular area or type of advocacy. The outline can also be used as a training tool to provide information about the Service Level Agreement.

### **Indicator h and i**

Training provided by the organisation is linked to the organisation's policies and procedures. All new members of the organisation receive an induction, which covers the organisation's policies and procedures, and includes an explanation of who the funders are and what the funding is for. The organisation makes sure that the boundaries of the advocacy relationship and conflicts of interest are covered during the induction of new members, as well as in support and supervision sessions with paid and unpaid staff.

### **Indicator l**

The organisation ensures that advocacy agreements comply with the law.

**Principle 2:** Independent advocacy is accountable

**Standard 2.3:** Independent advocacy is effectively managed

---

 Collective advocacy development workers must:

- p** Work within the *Principles and Standards for Independent Advocacy* and *Code of Practice* and the policies and procedures of the organisation.
- q** Be aware of who the organisation is funded to provide advocacy for.
- r** Be clear on what their role and responsibilities are.

 Collective advocacy development workers' examples:

**Indicators p and q**

When Serge, the collective advocacy development worker, was recruited, as part of his induction he attended training on a number of areas, including the *Principles and Standards for Independent Advocacy* and details of their roles and responsibilities within the organisation.

Notes

*"A small group of thoughtful people could change the world. Indeed it's the only thing that ever has."*

Margaret Mead

## Principle 3

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# Independent advocacy is as free as it can be from conflicts of interest

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### ✓ Standard 3.1

*Independent advocacy cannot be controlled by a service provider*

#### Advocates must:

- a Be aware of the Service Level Agreement or Funding Contract of the organisation and the organisation's policies and procedures.
- b Be clear about their role as an advocate and where their responsibilities lie, including the boundaries of relationships with people other than their advocacy partner.
- c Understand that they must not take the side of the service provider or try to influence their partner's wishes on behalf of the service provider.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.1:** Independent advocacy cannot be controlled by a service provider

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### Advocates' examples:



#### **Indicator c**

Mark, the advocate, is attending a care planning meeting with Justin to discuss his care arrangements following discharge from hospital. Justin wishes to return home. It is decided that the only option available which will meet Justin's needs is for him to be admitted to a residential care home. There are a range of care homes which could meet Justin's needs and the Social Work Manager asks Mark to work with Justin to find out which care home he would prefer. Mark explains that, as Justin does not want to move into any care home, he cannot do this.

#### **Indicator c**

Rashida, a young woman diagnosed with severe autism and learning difficulties, attends a residential school for people with Autism. She is due to leave next year and, with encouragement from the service provider, she contacts the local advocacy organisation to ask for advocacy to help her represent her views at forthcoming planning meetings. She meets Fiona, the advocate, and they discuss what could be decided at the meetings. Rashida feels it is important to have all the options available presented to her. However, Rashida's key worker from school tells Fiona that Rashida won't cope with too many choices. Fiona asks Rashida how she would like her options presented and they agree that they will look at only one option a week. Rashida feels that this helps her to take control of the situation.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.1:** Independent advocacy cannot be controlled by a service provider

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## Organisations must:

- d** Have their own Constitution and independent management structure.
- e** Ensure that staff and volunteers of service providers and funders are not full members of the Board of Directors or Management Committee of the organisation.
- f** Ensure that any Service Level Agreement or Funding Contract is made in accordance with the *Principles and Standards for Independent Advocacy* and *Code of Practice* and that it does not contradict these. This will prevent service providers or funders influencing the work of the organisation.
- g** Have recruitment or selection policies and procedures that reflect the need to minimise conflicts of interest and comply with the law.
- h** Have clear policies and procedures in place about the things that advocates do and what to do in situations where service providers may try to direct the work of the advocates.
- i** Ensure that the organisation has, and implements, a policy on the management of potential conflicts of interest and has a register of interest, that all members of the organisation complete and update regularly.
- j** Provide training and guidance for all members of the organisation on recognising potential conflicts of interest.
- k** Make sure that service providers are aware of what advocacy is and what the professional boundaries are.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.1:** Independent advocacy cannot be controlled by a service provider

---

## Organisations' examples:



### Indicator f

The organisation's Service Level Agreement states that the organisation will provide advocacy for adults over 18 who receive social services. Halfway through the financial year, the commissioner tells the organisation that they must prioritise older people with housing issues instead, as this has been flagged up as an area of greater need. The organisation asks that the Service Level Agreement is changed to reflect this. The commissioner refuses. The organisation refuses to change the priority from people who receive social services to older people with housing issues.

### Indicators h and k

The service manager of a housing association phones to speak to a citizen advocacy co-ordinator regarding concerns about a tenant having a citizen advocate. They make suggestions as to what an advocate should do and how they should carry out their role. The co-ordinator listens to their concerns and reassures them where possible. However the co-ordinator also makes it clear that the advocacy relationship will develop based on what the advocate and partner decide is best. The co-ordinator reassures the service manager of the ability of the advocate and of the organisational checks carried out on the advocate.

### Indicator j

The citizen advocacy organisation spends time during the advocate preparation course looking at boundaries. It is clear that the boundaries for each partnership are set by the two people in that partnership. Time is spent during the course helping advocates to consider issues including values and boundaries.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.1:** Independent advocacy cannot be controlled by a service provider

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### Collective advocacy development workers must:

- l** Be aware of the Service Level Agreement or Funding Contract of the organisation and the organisation's policies and procedures, including the boundaries of relationships with people other than members of the group they support.
- m** Be clear about their role and where their responsibilities lie.
- n** Not be employed by a service provider.
- o** Ensure that staff of a service provider are not full members of a group as part of their work.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.1:** Independent advocacy cannot be controlled by a service provider

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### Collective advocacy development workers' examples:



#### **Indicator o**

A number of people who receive visiting support from a mental health service decide they wish to set up a collective advocacy group. The manager of the service tells the prospective group members that one of the support workers will support the new group. Group members refuse as they want support which is independent of the service.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

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✓ **Standard 3.2**

*Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do*

 **Advocates must:**

- a** Be clear about their role and responsibilities.
- b** Follow the organisation's policies and procedures and the *Code of Practice for Independent Advocacy*.
- c** Only act within the boundaries of their role descriptions and those of the organisation.
- d** Refer back to their line manager or co-ordinator if unsure about what they are being asked to do.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.2:** Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do

---

## Advocates' examples:



### Indicators a and c

Craig asks John, his advocate, to help him paint his kitchen as he can't manage it himself. John explains this is not part of an advocate's role. John explains that as part of his role he can help him find someone to do the painting for him.

### Indicator c

Oisin has a citizen advocate, Ralf. There is a dispute between Oisin's health care provider and his social care provider as to who is responsible for funding part of Oisin's transport plan. As Oisin's advocate, Ralf is clear that it is not his role to sort out the differences between the service providers. His role is to make sure that Oisin's views are acknowledged and that the dispute does not hinder Oisin in any way.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.2:** Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do

---



### Organisations must:

- e** Have a clear Constitution, Mission Statement, policies and procedures and job or role descriptions for everyone involved in the organisation and ensure that these are regularly reviewed.
- f** Ensure that all members of the organisation receive training on what advocacy is and is not.
- g** Ensure that all members of the organisation have clear job or role descriptions.
- h** Not enter into any agreement or work that is contrary to the *Principles and Standards for Independent Advocacy* and *Code of Practice*.
- i** Be eligible to join the Scottish Independent Advocacy Alliance for support, guidance and training, subject to membership criteria.
- j** Produce information to tell people about advocacy.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.2:** Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do

---

## Organisations' examples:



### **Indicator g**

The manager of an organisation is told by an advocate that they have been asked to undertake an Essential Lifestyle Plan for their advocacy partner. The manager tells the advocate that although they can contribute to the planning, they cannot undertake the planning themselves, as this is not part of an advocate's role.

### **Indicator j**

The organisation provides training for Social Workers on the role of advocacy in protecting vulnerable people's rights. The organisation does not provide training on equality and diversity as this can be accessed from other organisations.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.2:** Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do

---



### Collective advocacy development workers must:

- k** Be clear about their role and responsibilities.
- l** Follow the organisation's policies and procedures and the *Code of Practice for Independent Advocacy*.
- m** Only act within the boundaries of their job or role descriptions and those of the organisation.
- n** Refer back to their line manager if unsure about what they are being asked to do.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.2:** Independent advocacy and promoting independent advocacy are the only things that independent advocacy organisations do

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### Collective advocacy development workers' examples:



#### Indicators k and m

Sarah, the collective advocacy development worker, is supporting a group of residents in a care home. Noor, a member of this group, approaches Sarah after a meeting. He tells her that he needs someone to support him to go out shopping and that no staff member has been available to take him in the past month. He asks Sarah if she would go with him to the shops. Sarah explains that she cannot go shopping with him as this is not part of her role. She tells him about the local individual advocacy organisation and explains that they could help him to speak to the care home manager about getting a staff member to go out with him on a regular basis.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

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### ✓ Standard 3.3

*Independent advocacy looks out for and minimises conflicts of interest*

#### Advocates must:

- a Be aware of their relationships with other people who may be connected professionally or personally to their advocacy partner and be conscious of the possible consequences of entering into relationships that may compromise their advocacy role.
- b Be aware of the boundaries set by the organisation and what will happen if these boundaries are not upheld.
- c Declare any potential conflict of interest to the organisation and, if appropriate, inform their advocacy partner.

#### Advocates' examples:

##### **Indicators a and c**

June, the advocate, tells her manager that she has accepted another part time job with Social Work. June is aware of the conflict of interest and asks for her details to be put into the organisation's register of interest.

##### **Indicators a, b and c**

Simone is concerned because she wants to continue to act as a citizen advocate for Bobbi, but she also wants to go back and work for the health service. She feels that this may cause a conflict of interest and call her independence into question. She talks things through with her citizen advocacy co-ordinator and they conclude that the conflict of interest will be minimised because Bobbi lives in a different Health Board area to where Simone is going to be working.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.3:** Independent advocacy looks out for and minimises conflicts of interest

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### Organisations must:



- d** Have a clear policy on what constitutes a potential conflict of interest and maintain a register of interest of all its Management Committee or Board of Directors, staff, volunteers and citizen advocates.
- e** Provide training, guidance and information to all its staff and volunteers about conflicts of interest and what they mean regarding the independence of the organisation in the context of the *Principles and Standards for Independent Advocacy* and *Code of Practice*.
- f** Ensure that members of the organisation are aware of the boundaries and relationship policy and what it will mean if the policy is breached.
- g** Ensure that nothing in the Service Level Agreement or Funding Contract contradicts the *Principles and Standards for Independent Advocacy* and *Code of Practice* in order to prevent service providers or funders influencing the work of the organisation.

### Organisations' examples:



#### **Indicator d**

The organisation has a clear policy on what constitutes a potential conflict of interest and maintains a register of interest of all its Management Committee, staff and volunteers. The register is updated regularly. The Management Committee are asked to make a conflict of interest statement at the start of each committee meeting. Advocates are asked about potential conflicts of interest at support and supervision sessions.

**Principle 3:** Independent advocacy is as free as it can be from conflicts of interest

**Standard 3.3:** Independent advocacy looks out for and minimises conflicts of interest

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### Collective advocacy development workers must:

- h** Be able to show that everyone involved in the work of the group is as free as they can be from conflicts of interest.
- i** Ensure that members and support staff are aware of possible conflicts of interest and have procedures for managing them.
- j** Ensure that members are aware of boundaries in all the relationships they establish in their role as representatives of the group.
- k** Be aware of boundaries in all the relationships they establish in their work.
- l** Be aware of their relationships with other people who may be connected professionally or personally to the group they support and be conscious of the possible consequences of entering into relationships that may compromise their role.

### Collective advocacy development workers' examples:

#### **Indicator l**

Sarah, the collective advocacy development worker who is supporting a group of residents in a care home, has a friend, Francesca, who has just started work as a Social Worker in the Older Persons Team. Sarah and Francesca agree that they will not discuss anything to do with the care home outside of working hours.

Notes

*"Our lives begin to end the day we  
become silent about things that matter."*

Martin Luther King Jr.

## Independent advocacy is accessible

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### ✓ Standard 4.1

*Independent advocacy reaches out to the widest possible range of people, regardless of ability or life circumstances*



### Advocates must:

- a Support their advocacy partner whatever the person's abilities, skills and life experiences.
- b Be aware of their opinions, prejudices and discriminatory practices, and actively work to minimise these in their advocacy partnerships.
- c Fulfil their role within all the policies and procedures of the organisation.
- d Be clear that advocacy is free to the people that use it.
- e Be clear what the organisation's policy is about accepting gifts.
- f Be flexible about where they meet their advocacy partner.
- g Promote the organisation and independent advocacy in the course of their work.

**Principle 4:** Independent advocacy is accessible

**Standard 4.1:** Independent advocacy reaches out to the widest possible range of people, regardless of ability or life circumstances

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### Advocates' examples:



#### **Indicators a, b and f**

Mark, the citizen advocate, is aware that Justin really likes football. Mark has never liked football and thinks it is a waste of time and money. Justin wants Mark to go with him to a football game. Mark thinks about whether or not to go but decides to put his values to one side and agrees to go to the match with Justin.

#### **Indicator e**

Davina has been helped by her advocate, Maya, at meetings with the Benefits Agency to sort out her benefit entitlements. She is very grateful and buys Maya a pair of earrings. Maya explains that although she appreciates the thought, she cannot accept them as the advocacy organisation has a policy stating that advocates are not permitted to accept gifts from their advocacy partners.

#### **Indicator a**

John is an adult with Asperger's Syndrome living in his own home. He is very wary of new people and social situations but would really like an advocate. He contacts a local advocacy organisation. He then speaks to Deka, an advocate, on the telephone. They agree to communicate with each other by phone and email at first, until John feels able to meet Deka face to face.

**Principle 4:** Independent advocacy is accessible

**Standard 4.1:** Independent advocacy reaches out to the widest possible range of people, regardless of ability or life circumstances

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### Organisations must:

- h** Ensure that advocacy is free to the people who use it.
- i** Have policies and procedures in place that will ensure that the organisation will actively seek out hard to reach people and specific groups, especially the most vulnerable people in that community.
- j** Have accessible information about the organisation and independent advocacy which is made available to all parts of the community.
- k** Ensure, where possible, that venues are not used which might cause individuals to feel excluded from taking part.
- l** Ensure that everyone in the organisation promotes the organisation and independent advocacy when attending events at a local and a national level.
- m** Provide training for everyone in the organisation who promotes the organisation and independent advocacy.
- n** Have accessible offices or meeting places or use accessible meeting rooms where people can be involved, including the person's own home if this is required.
- o** Have joint working protocols or relationships with other organisations that work with vulnerable and hard-to-reach people in the community, and, where necessary, provide training and awareness-raising for staff of these organisations and members of the public.
- p** Regularly review the promotion of the organisation and actively use different methods to reach the most vulnerable members of the community.
- q** Ensure that the organisation has systems in place to monitor their referral process to make sure that the most vulnerable people in their community have the opportunity to access independent advocacy.

**Principle 4:** Independent advocacy is accessible

**Standard 4.1:** Independent advocacy reaches out to the widest possible range of people, regardless of ability or life circumstances

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## Organisations' examples:



### **Indicator i**

The citizen advocacy organisation has an open referral policy but also has a policy of seeking out people who might be in need of an advocate. This has included visiting isolated nursing homes in their area and spending time in the library where they are aware there are people who might be in need.

### **Indicator k**

An organisation has been asked to help local people establish a collective advocacy group. The co-ordinator knows that some of those interested in joining the group are members of different religious faiths. The co-ordinator changes the venue of the first meeting from a local church hall to a community centre to ensure that none of the members feel excluded.

**Principle 4:** Independent advocacy is accessible

**Standard 4.1:** Independent advocacy reaches out to the widest possible range of people, regardless of ability or life circumstances

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### Collective advocacy development workers must:

- r** Ensure that advocacy is free to people who use it.
- s** Be aware of their opinions, prejudices and discriminatory practices, and actively work to minimise these in their work with the group.
- t** Work within all the policies and procedures of the organisation.
- u** Be clear what the organisation's policy is about accepting gifts.
- v** Promote the organisation and advocacy in the course of their work.
- w** Try to reach out to particular marginalised people within the community who could be members of the group.
- x** Try to welcome and include a range of people as members of the group.



### Collective advocacy development workers' examples:

#### **Indicator s**

Sarah, the collective advocacy development worker, is supporting a group of residents in a care home which has asked for a designated smoking room for residents. Sarah believes that it would be better for group members if they did not smoke as she thinks that their health would be improved. She also believes members waste their money buying cigarettes. She knows though that her role is to support the group to put forward their point of view and that she must not do or say anything which might influence them and so does not tell the group what her views are.

Notes

*"First they ignore you, then they laugh at you, then they fight you, then you win."*

Mohandas Gandhi

## Appendix 1 — Advocacy is, advocacy is not

### **Advocacy is...**

- about standing alongside people who are in danger of being pushed to the margins of society.
- about standing up for and sticking with a person or group and taking their side.
- a process of working towards natural justice.
- listening to someone and trying to understand their point of view.
- finding out what makes them feel good and valued.
- understanding their situation and what may be stopping them from getting what they want.
- offering the person support to tell other people what they want or introducing them to others who may be able to help.
- helping someone to know what choices they have and what the consequences of these choices might be.
- enabling a person to have control over their life but taking up issues on their behalf if they want you to.

**Advocacy is not...**

- making decisions for someone.
- mediation.
- counselling.
- befriending.
- care and support work.
- consultation.
- telling or advising someone what you think they should do.
- solving all someone's problems for them.
- speaking for people when they are able to express a view.
- filling all the gaps in someone's life.
- acting in a way which benefits other people more than the person you are advocating for.
- agreeing with everything a person says and doing anything a person asks you to do.

## Appendix 2 — Glossary

### **Advocate**

An advocate helps people express their views and make informed decisions. An advocate helps people to find out information, explore options and decide for themselves what they want. Advocates can be a voice for the person and encourage them to speak out for themselves.

There are different kinds of advocacy, though they all share things in common. Advocates will never tell people what to do, or allow their own opinions to affect the support they provide. All advocacy tries to increase confidence and assertiveness so that people can start speaking out for themselves.

Independent advocates are as free from conflicts of interest, as possible.

### **Advocacy**

The process of standing alongside another, speaking on behalf of another and encouraging the person to speak up for themselves. Advocacy can help address the imbalance of power in society and stand up to injustice.

### **Advocacy agreement**

An Advocacy Agreement explains, for example, what the person can expect from their advocate, what issues they want the advocate to support them with, the contact details of the advocate, what happens at the end of the advocacy partnership and the advocacy organisation's complaints process.

### **Advocacy partner**

The person who uses advocacy. Some advocacy organisations use the term 'client' or 'service user'.

### **AGM**

Annual General Meeting, a meeting held once a year for organisations that are a registered charity or company. At this meeting representatives are elected on to the Management Committee or Board of Directors.

### **Capacity**

Ability to reason, make decisions and consider choices, express views and receive and understand information. The law assumes that people have capacity unless a doctor's assessment shows that a person lacks capacity.

## **Commissioner**

Usually representatives from the Local Authority or Health Board who fund advocacy.

## **Community of interest**

The group of people that the advocacy organisation has been set up to support, for example, people with learning difficulties or mental health issues.

## **Conflict of interest**

Anything that could get in the way of an advocate being completely loyal to their advocacy partner. For example, it would not be appropriate for an advocate volunteering for a mental health advocacy organisation to also work in the local psychiatric hospital, because this would affect their ability to be on the side of the advocacy partner. It would also affect their relationships with hospital staff. Other conflicts of interest could include relationships as well as financial investments.

## **Dementia**

Dementia is the loss (usually gradual) of mental abilities such as thinking, remembering, and reasoning. It is not a disease, but a group of symptoms that may accompany some diseases or conditions affecting the brain. There are many different types of dementia, each with their own causes. The most common dementia symptoms include loss of memory, confusion and changes in personality, mood and behaviour.

## **Discriminatory practices**

Anything that an organisation or individual does that directly or indirectly shows prejudice or favouritism towards an individual or group of people.

## **Diversity**

Differences, for example, in age, gender, sexuality, race, ethnicity, language, nationality or religion among various groups, at different levels such as within a community, organisation, or nation.

## **Equal opportunities**

The prevention, elimination or regulation of discrimination between people on the grounds of, for example, gender, marital status, race, disability, age, sexual orientation, language, social origin or other personal attributes, including, but not limited to, religious beliefs or political opinions.

## **Financial guardian**

A guardian appointed by the court with property and/or financial powers to act or make decisions on behalf of another adult.

## **Funding contract**

The agreement, usually between Local Authority or Health Boards and the advocacy organisation, which outlines how much funding the organisation receives, which geographical areas will be covered, who the advocacy is for and how long the funding is for. (Also see Service Level Agreement)

## **Independent advocacy organisation**

Advocacy organisation that is structurally, financially and psychologically separate from service providers and other services.

**Structurally** — an independent advocacy organisation is a separate organisation in its own right. For example, they are registered as a charity or company and have their own Management Committee or Board of Directors. Everyone involved in the organisation recognises that they are separate and different from other organisations and services.

**Financially** — an independent advocacy organisation has its own source of funding that does not cause any conflicts of interest and that does not compromise the work it does. (See conflict of interest)

**Psychologically** — Everyone involved in the organisation knows that they are only limited in what they do by the principles of independent advocacy, resources and the law. It is important to recognise that although there may be conflicts of interest present, psychological independence is vital.

## **Jargon**

Words that have special meanings that are only understood by certain people. For example: MHO (Mental Health Officer), CPN (Community Psychiatric Nurse), OT (Occupational Therapist), CTO (Compulsory Treatment Order).

## **Register of interests**

A register lists any conflicts of interest that people who are involved in the organisation have. The level of information recorded in the register will be decided by the organisation. The organisation will decide who is able to access this information in accordance with relevant legislation, such as the Data Protection Act 1998.

## **Safeguard**

Ensuring that people's rights are protected.

## **Service Level Agreement**

The agreement, usually between the Local Authority or Health Boards and the advocacy organisation, which outlines how much funding they receive, which geographical areas will be covered, who the advocacy is for and how long the funding is for.

## **Service provider**

A person or organisation involved in giving support or care services to an individual.

## **Service User**

The person who uses advocacy. Some advocacy organisations use the term 'client' or 'advocacy partner'.

## **Support and supervision**

Reflective practice, problem-solving, peer support, individual support and guidance for all members of staff and volunteers in an organisation. Supervision should be a positive experience for all and should take place regularly.

## **Third party**

A person or organisation not directly connected with the advocacy partnership.

## Appendix 3 — Policies and Procedures

- Absence Management Policy
- Abuse and Neglect Policy
- Access to Employee Data Policy
- Accident Reporting Policy
- Advocacy Partnership/Relationship Policy
- Annual Holidays Policy
- Appraisal Procedure
- Assigning the Appropriate Advocate Policy
- Breastfeeding Policy
- Bullying and Harassment Policy
- Case Management/Recording Policy
- Code of Conduct Policy
- Comments, Feedback and Complaints Policy
- Compassionate Leave Policy
- Confidentiality Policy
- Conflicts of Interest Policy
- Data Protection Policy
- Disciplinary Policy
- Employment/Volunteer Contract
- Equal Opportunities Policy
- Finance Policy
- Gifts Policy
- Grievance Policy
- Guidance for Dealing with Difficulty
- Harassment Policy
- Health and Safety Policy
- Induction Policy

- Internet Procedure
- Lone Working Policy
- Maternity and Paternity Policy
- Monitoring, Review and Evaluation Policy
- Non-instructed Advocacy Policy
- Personal and Professional Development Policy
- Respect for Diversity Policy
- Procedure on Seeking Hard to Reach People
- Protection of Vulnerable People Policy
- Recruitment of Ex-offenders Policy
- Recruitment/Selection Policy
- Redundancy Policy
- Referral Policy
- Relationship Policy
- Risk Assessment Policy
- Self Harm Policy
- Smoking Policy
- Substance Abuse Policy
- Support and Supervision Policy
- Temporary Employees Policy
- Training/Preparation Policy
- Volunteering Policy
- User involvement Policy
- Whistle blowing Policy

This is not an exhaustive list of policies. An organisation may have different policies depending on the way that they practice advocacy or the community that they provide advocacy for. It is advisable to review policies on an annual basis.

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