

# The Paraplegic and Quadriplegic Association of SA Inc



## Client - Advocacy Policy and Procedures

### Statement

The Paraplegic and Quadriplegic Association of South Australia Incorporated (PQSA) respects the right of all clients to engage an advocate. On the request of the client PQSA will provide assistance to clients to help them locate an appropriate advocate that will ensure the client has support that is meaningful and allows them the right to participate and make decisions that ensure they obtain quality outcomes.

Approved by: 	Date: September 2019
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**The Paraplegic and Quadriplegic Association of SA Inc.(PQSA) is incorporated under the *Association Incorporation Act 1985 (SA)* and conducts its business through operating Divisions, namely Lifestyle Support and HomeCare+.**

*Please note that printed copies are not able to be controlled and the Shared Drive should always be referred to for the most current version.*

## **SCOPE**

Compliance with this policy is a condition of appointment for all workers engaged to provide services on behalf of PQSA.

## **DEFINITIONS**

**Advocate** – A person who publicly supports another person.

An advocate is someone who:

- acts on the client's instructions
- supports and encourages the client
- works solely on the client's behalf
- speaks on the client's behalf to promote the client's ideas and interests.

An advocate may be a relative, carer, friend, neighbour or from an advocacy/disability service.

**Client** – a person who receives services from any division of PQSA.

**Worker** – for the purpose of this policy is a person who carries out work in any capacity for a person conducting a business or undertaking including work as an employee, contractor or subcontractor, an employee of a contractor or sub-contractor, an employee of a labour hire company, an outworker, apprentice or trainee.

## **RESPONSIBILITIES**

It is the responsibility of PQSA to communicate the contents of this policy to all workers and clients on a regular basis.

## **POLICY**

PQSA accepts and promotes the rights of a client to appoint an advocate.

Where the client wishes to be assisted or represented by an advocate, PQSA are committed to supporting them in that decision, and will assist, if appropriate, to engage an advocate.

## **PROCEDURES**

**In the event of a client requesting an advocate, the worker will:**

- reinforce that PQSA supports the use of an advocate and will provide timely information in an appropriate format, to help the client make an informed decision and understand their rights in relation to the appointment of an advocate
- ask for the name of the person or the agency that will be advocating on behalf of the client and record this information on the client's file
- make the appropriate referral to a recognised advocacy agency if the client does not know how to do this
- obtain confirmation from the client, either in writing or over the telephone, that they are happy to be contacted by the advocate to ensure that there is no breach of privacy; this information is to be recorded in the client's file.

## **The role of an advocate**

An advocate can be involved in supporting and assisting a client, or contacting PQSA directly with the client's permission, in a variety of ways, including:

- supporting the client to ensure their rights are upheld
- accessing information about the client from PQSA
- attending meetings or discussions which may impact on the services the client receives
- assisting the client to provide accurate information to PQSA
- assisting the client to make a complaint about the services provided by PQSA.

## **Advocacy services in South Australia**

PQSA workers and clients of PQSA can source local principle advocacy service providers via the state government website:

<https://www.sa.gov.au/topics/care-and-support/carers/complaints-and-advocacy>

Clients of PQSA who receive funding and supports under the National Disability Insurance Scheme (NDIS) in particular, or who need access to effective disability advocacy that promotes their human rights can also seek this support through the Department of Social Services National Disability Advocacy Program:

<https://www.dss.gov.au/our-responsibilities/disability-and-carers/program-services/for-people-with-disability/national-disability-advocacy-program-ndap>

## **RELATED LEGISLATION**

- Disability Service Act 1993
- National Disability Standards
- Equal Opportunity Act (SA) 1984
- Privacy Act 1988
- Privacy Regulations 2013
- Australian Privacy Principles

## **SUPPORTING PQSA DOCUMENTATION**

- Client Rights and Responsibilities Statement
- Complaints - Concern Management Policy and Procedures (Client Complaints)
- Client - Decision Making Choice Policy and Procedures
- Code of Conduct and Ethical Behaviour
- Privacy - Private Information Policy and Procedures
- Information Sharing Guidelines
- Confidentiality Policy and Procedures
- WHS&E Duty of Care Policy and Procedures

## **BREACHES OF THIS POLICY**

A **breach** of this policy is grounds for disciplinary action, up to and including termination of employment. Ignorance of these procedures will not generally be accepted as an excuse for non-compliance. Only in extreme circumstances, and where such ignorance can be demonstrated to have occurred through no fault of the individual concerned, will PQSA accept such an argument.

## **DISTRIBUTION AND REVIEW**

PQSA will ensure all persons engaged to provide services either paid or unpaid will be aware of this policy and will have easy access to it in an appropriate format. All policies are to be reviewed on a periodic basis or when legislation or government policy determines.