

MindOut Advocacy Service Code of Practice

WHAT IS THE CODE OF PRACTICE?

The Code of Practice is a set of guidelines for MindOut Advocates aimed at providing clarity, support and boundaries for their practice. The Code offers a clear description of what is and what is not expected of an advocate in their day to day work with service users. It should be read in conjunction with MindOut's Policies. Advocates will receive training and induction of the Code of Practice. It is the advocates' responsibility to raise any queries with their supervisor.

An effective Code of Practice can:

- Offer guidance to advocates in their role
- Inform service users of what they can realistically expect from their advocate
- Educate service providers, commissioners and others about the scope and limitations of the advocate's role
- Help to develop a better understanding of the training, supervision and support needs of advocates
- Raise awareness of the need for and benefits of independent advocacy for vulnerable people.

DEFINING AND PROMOTING KEY ADVOCACY PRINCIPLES

1. Clarity of Purpose

MindOut's Advocacy Service has clearly stated aims and objectives and is able to demonstrate how it meets the principles contained in MindOut's Advocacy Charter. The advocacy service will ensure that people they advocate for, service providers and funding agencies have information on the scope and limitations of the services role.

- Advocates should be clear about the nature and extent of their role. They should understand the boundaries of the advocacy roles and non-advocacy roles such as mediation and advice giving.
- Advocates should be up to date with all of MindOut's policies.
- Advocates should not act outside of these boundaries. Advocates should seek permission to refer people on to other agencies where appropriate.
- Advocates should be able to explain, in clear straightforward language, what advocacy is and isn't; why some people need advocacy; and the benefits advocacy can bring. They should be equipped to answer questions and deal with enquiries about advocacy.
- Advocates should be responsible for providing service users with a clear explanation of their role at the start of any new relationship.
- Advocates should provide written information about MindOut with a copy of the Code of Practice to other professionals, carers and service users if requested.

2. Independence

MindOut's Advocacy Service is structurally independent from statutory organisations and preferably from all service provider agencies. The advocacy services will be as free from conflict of interest as possible both in design and operation, and actively seek to reduce conflicting interests.

- Advocates should take all appropriate steps to avoid conflicts of interest occurring in their work with service users. Where conflict of interest does arise, it should be declared to the line manager and advice sought as to how to proceed.
- Advocates should be free to act according to the wishes and needs of service users. They should not be threatened, compromised, or harassed whilst carrying out their duties within agreed boundaries set out in the Code of Practice. Where such harassment does occur, this should be reported to the line manager at the earliest opportunity.
- Advocates should have a clear understanding of MindOut's Conflict of Interest Policy and must report any potential conflict of interest.
- MindOut will ensure that all contracts with commissioners re other funders contain a statement that advocacy services must be independent from statutory provision.

NB. Conflict of interest is defined as: "a situation in which someone in a position of trust...has competing professional and/or personal interests. Such competing interests can make it difficult to fulfil his or her duties fairly. Even if there is no evidence of improper actions, a conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly".

(Source : Wikipedia) In the context of advocacy services, conflict of interest includes but is not limited to: breach of confidentiality; abuse of trust; personal gain; divided loyalty (e.g. providing personal care and advocacy to the same person).

3. Putting People First

MindOut's Advocacy Service will ensure that the wishes and interest of the people they advocate for, instruct their work. Advocates should be non-judgmental and respectful of peoples' needs, views and experiences. Advocates will ensure that information concerning the people they advocate for is shared with these individuals.

- Advocates should ensure advocacy support is appropriate to the service users' needs and/or expressed wishes.
- Advocates should take instruction from service users wherever possible. Advocates should base their actions on mutually agreed plans and preferred outcomes, and work in partnership with service users to achieve this.
- Advocates due to the (at times) adversarial nature of the role may find themselves in opposition to other professionals. When this occurs advocates must ensure they conduct themselves professionally at all times employing courtesy and respect

(3.1) Instructed Advocacy

- Gathering and presenting up to date and accurate information to help service users make informed choices but NOT giving advice.

- Listening to service users and discussing options but NOT imposing views or opinions
- Talking to and corresponding with family members or other professionals with the service user's permission but NOT making decisions or choices on behalf of service users.
- Representing the person's expressed views and wishes but NOT taking action independently of the service user.
- Agreeing a plan of action and identifying initial outcomes and timescales but not being prescriptive or inflexible

(3.2) **Non-instructed advocacy**

- Where a service user cannot give clear instruction, taking time to get to know them and building a picture of their preferences and lifestyle including their cultural background.
- Seeking appropriate alternative forms of communication which enable the service user to express views and choice.
- Ensuring the person's fundamental human rights are respected and upheld at all times.
- Challenging service providers and decision makers in order to promote a person centred approach.
- Acting as a 'witness' or observer in the settings in which the service user spends time.

4. Empowerment

MindOut's Advocacy Service will support self-advocacy and empowerment through its work. People who use the scheme should have a say in the level of involvement and style of advocacy support they want. The advocacy services will ensure that people who want to, can influence and be involved in the running and management of the service.

- Advocates should ensure that service users are aware of when and how they can be contacted and any limitations to this contact (e.g. not at weekends).
- Advocates should inform service users of their right to request a change of advocate (within the constraints of the scheme), or terminate the contact with the advocate, at any time. If a service user is unhappy with the advocate's approach to a particular issue, the advocate should consider adapting their approach as appropriate within the terms of the Code of Practice.
- Advocates should be open and transparent about their methods of advocating with service users. Advocates should recognise the existing skills of service users, and support people to develop new skills and the confidence to speak for themselves.
- Advocates should provide service users with information about how they can give feedback to the advocacy scheme about its work and how to get involved in the wide activities of the organisation if they wish.

5. Supporting Advocates

MindOut's Advocacy Service will ensure advocates are prepared, trained and supported in their role and provided with opportunities to develop their skills and experience.

- Advocates should make full use of and contribute to:
 - ongoing training and personal development opportunities
 - one to one supervision with the line manager
 - annual appraisal against agreed targets
 - group support and networking opportunities with other advocates
 - opportunities for reflection and analysis of their own practice.
 - specialist support such as external supervision or counselling as required and available.
- Advocates should ensure they have access to, and know how to use, a wide range of information resources such as books, journals and the Internet which are accurate and up to date.
- Advocates should be aware of MindOut's Whistle blowing policy and be supported to make use of this where appropriate.

6. Confidentiality

MindOut's Advocacy Service will have a written policy on confidentiality, stating that information known about a person using the scheme is confidential to the scheme and any circumstances under which confidentiality might be breached.

- Advocates should be fully conversant with MindOut's Confidentiality Policy and be able to explain it in straightforward language.
- Advocates should at all times observe and respect the right to confidentiality of service users within the policy of the organisation. In line with best practice this will generally mean that:
 - a. Advocates should be honest with the service user about the level of confidentiality they can realistically guarantee. This means explaining any conditions under which confidentiality may be breached (e.g. harm to self or others, abuse) and the means by which this may occur.
 - b. Advocates should be clear that they receive supervision and will be required to discuss their work with their line manager on a regular basis.
 - c. Notwithstanding the above exceptions advocates should not share information about a service user with others without that individual's permission. Where permission cannot be obtained, information should only be shared to promote the person's views, wishes and concerns.
 - d. Advocates should inform the service user about all actions taken on their behalf.
 - e. Advocates should avoid colluding with hearsay and speculation about a service user.
- Advocates should ensure that all written information kept on a service user is securely stored and routinely updated and checked for accuracy. Service users should have access to this information as requested.

7. Accessibility

The advocacy services will aim to ensure that its premises, policies, procedures and publicity materials promote access for the whole community.

- Advocates should not make a charge to service users for their services.
- Advocates should respond positively to requests from services users to meet in places and at times which are mutually convenient. Where necessary, the advocate should make arrangements for accessible meeting places which are acceptable to the service user.
- Advocates should adhere to MindOut's risk management and health and safety policies and report any breaches of policy to their line manager at the earliest opportunity.
- Advocates should make every effort to ensure that information they have gathered on behalf of their service user is accessible and understandable to them.

8. Accountability

MindOut's Advocacy Services has in place systems for the effective monitoring and evaluation of its work. All those who use the services will have a named advocate and a means of contacting them.

Advocates should operate within the law at all times e.g. not colluding in giving false information to Benefits Agency, and ensure they adhere to the Code of Practice. Advocates are accountable on different levels, including to their organisation and the service user. In practice this means that:

- Advocates should keep accurate and up to date written records of action taken and progress made within their work. Service users should be kept informed of and involved in all aspects of the advocacy process.
- Advocates should comply with the Data Protection Act and ensure service users monitoring information is routinely collected and fed back to the organisation.
- Advocates should not hold money or possessions belonging to a service user. In the exceptional circumstances where there is no alternative but for the advocate to do so, proper records and receipts should be kept and the line manager must be notified of any such transactions at the earliest opportunity.
- Advocates should not accept gifts other than one-off, inexpensive items, which can be shared with the team, e.g a box of chocolates, biscuits etc and should be declared to the line manager. Further gifts should be declined, and an explanation given to the service user.
- Advocates should not make promises to service users, or make claims for themselves which they cannot substantiate.
- Advocates should conduct themselves in a professional and responsible manner in all dealings with service users, carers and other service workers. Where disputes do arise, these should be referred to the line manager at the earliest opportunity.
- Advocates must adhere to MindOut's Boundaries Policy

9. Equal Opportunity

MindOut has a written equal opportunities policy that recognises the need to be proactive in tackling all forms of inequality, discrimination and social exclusion.

MindOut's Advocacy Service will have in place systems for the fair and equitable allocation of advocate's time.

- Advocates should be fully conversant with MindOut's equal opportunities policy and be able to explain it to others in straightforward language. Advocates should adhere to this policy at all times.
- Advocates should be clear that MindOut's Advocacy service welcomes service users regardless of race, cultural background, disabilities, sexual orientation, age, gender or religious background. Where a service user expresses a preference for advocates with particular skills, knowledge or attributes, this should be referred to the line manager.

10. Complaints

MindOut has a written policy describing how to make complaints or give feedback about the service or about individual advocates. Where necessary, the service will enable people who use it to access external independent support to make or pursue a complaint.

- Advocates should be fully conversant with MindOut's complaints procedure and be able to explain it in straightforward language.
- Advocates should ensure that service users are made aware of their right to make a complaint about the advocate or advocacy service. This may involve giving service users a copy of the service's complaints leaflet; explaining the various stages of the complaints process to them at the start and during the course of their relationship; and being open to criticisms and suggestions without becoming defensive.
- MindOut's Advocacy Service will take all complaints, whether written or verbal seriously and will respond promptly.
- Where the complaint is from another service worker (e.g. G.P, Care Coordinator) or a relative of the service user, the same high standards of professional conduct should apply.
- All complaints received by the advocate in the course of their work, whether verbal or written, should be passed on to their line manager at the earliest opportunity.