

REVISED EDITION 2007

Advocacy Guidelines

Citizens Information Board



Advocacy Guidelines

Guiding Principles and Operating Procedures for the Delivery of
Advocacy Services through Community and Voluntary Organisations

Citizens Information Board

October 2007

These guidelines were initially developed in 2005 by Goodbody Consultants and the Citizens Information Board (then Comhairle) to help community and voluntary organisations develop high quality effective advocacy services. They have been revised in light of the experience of the Community and Voluntary sector projects.

Guidelines are available in alternative formats on request.

Foreword

The purpose of these Guidelines is to inform and guide organisations in the development of advocacy services that are funded and supported by the Citizens Information Board. The first edition was prepared in 2005 prior to the passing of the Citizens Information Act 2007 and the Disability Act 2005 and the associated Government strategy. An earlier report, *Developing an Advocacy Service for People with Disabilities (2004)* which was commissioned from Goodbody Economic Consultants, set out a strategic approach to developing these services, using three strands:

- A Personal Advocacy Service;
- A Programme of Support for Community and Voluntary Organisations;
- A Community Visitors Programme.

The Citizens Information Board first focused on the development and support of advocacy services in the community and voluntary sector and it commissioned Goodbody Economic Consultants to draft Guidelines that would shape the development of these services.

The process of drafting these Guidelines involved research and analysis of existing material by the consultants, consultation with relevant stakeholders and contributions from relevant Citizens Information Board staff. These Guidelines set out the issues that are seen as central to good practice. The revised version of the guidelines draws on the experience of the community and voluntary sector advocacy projects set up for people with disabilities and funded by the Citizens Information Board over the last three years. Feedback from these projects has led to some adjustments and additions. It is likely that other issues will arise as advocacy services develop so further revisions are planned. The Citizens Information Board has also produced an Advocacy Resource Pack which contains more detail on operational issues and is revised on an annual basis.

The development of high quality advocacy services to meet the needs of people with a disability poses continuing challenges for all involved in the services. I am confident that the Citizens Information Board, in partnership with community and voluntary organisations, will work to meet those challenges and that the services that are developing will achieve standards of best practice.

Chris Glennon
Chairman

Acknowledgements

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1 Introduction

1.1 Background

In recent years advocacy has become a focus of interest for people who are disadvantaged, with many seeing it as a way of enhancing equality of opportunity. In particular, it has become part of the new approach to disability, with much new disability legislation incorporating an advocacy element. In Ireland a limited amount of advocacy has begun to come on stream, particularly self-advocacy for people with disabilities. In the social service area the Citizens Information Services, which are supported by the Citizens Information Board, already provide one type of advocacy. They help people to negotiate complex information and to obtain their entitlements. They also support those taking appeals under social welfare, employment and equality procedures. In 2004, the Citizens Information Board (then Comhairle) commissioned Goodbody Economic Consultants to carry out a study to identify and examine the components of an advocacy service that would meet the needs of people with disabilities in Ireland. The resultant report, *Developing an Advocacy Service for People with Disabilities*, (Comhairle 2004), identified a three-stranded strategic approach to the development of an advocacy service. Such a service would comprise:

- A Personal Advocacy Service;
- A Programme of Support for Community and Voluntary Organisations; and
- A Community Visitors Programme.

The Citizens Information Act, passed in 2007, gives the Citizens Information Board (CIB) legislative responsibility for the development and delivery of advocacy services to people with disabilities, in particular the Personal Advocacy Service (PAS). This is in addition to the CIB's general advocacy role.

The Citizens Information Board is developing advocacy services following the recommendations of *Developing an Advocacy Service for People with Disabilities*. The Personal Advocacy Service (PAS) to be managed and delivered by the Citizens Information Board will provide a personal advocacy service to deal with the most complex advocacy cases. The Programme of Support for Community and Voluntary organisations has begun funding a number of organisations to provide advocacy services for particular groups. Finally, the Citizens Information Board, through its regional offices, will explore the possibility of setting up a Community Visitors Programme which will train and coordinate volunteers to visit residential facilities. The Community Visitors Programme will identify and report on issues for residents and may, where necessary, refer individuals to particular advocacy services.

Developing an Advocacy Service for People with Disabilities recommended that the community and voluntary sector advocacy programme be developed two years before the Citizens Information Board's Personal Advocacy Service comes on stream in order to develop capacity at an appropriate level and give existing organisations a sense of ownership of the new process. The first edition of these Guidelines was written as a guide to help community and voluntary organisations develop high quality, effective advocacy services. Since 2005 almost fifty projects have been funded. The Guidelines are now being reviewed in light of the experience of these disability advocacy projects.

1.2 Organisation of the Guidelines

This Introductory section sets out the background to the Guidelines in terms of the new Disability and Citizens Information Acts and the report, *Developing an Advocacy Service for People with Disabilities*.

Section 2 begins by defining advocacy in the context of the proposed new services for people with disabilities. It goes on to discuss the essential features of a good quality service, encompassing the main principles of advocacy.

Section 3 considers key operating procedures for organisations delivering advocacy services.

Section 4 sets out the competencies needed in advocates. For the purposes of the Guidelines, persons seeking advocacy services are referred to as clients.

Sections 6, 7 and 8 contain lists of reference documents and the names of people and organisations consulted.

2 Definitions and Principles of Advocacy

2.1 Defining Advocacy

The development of advocacy services is a new and challenging opportunity for people with disabilities, the organisations that serve them and statutory bodies such as the Citizens Information Board. Advocacy can be a way of levelling the playing field and allowing people with disabilities to claim their entitlements, to access services and to have their voices heard. This is particularly important during the planning and funding of services targeted at them. It is also an opportunity for providers to ensure that services are flexible, responsive and person-centred.

Advocacy is a means of empowering people by supporting them to assert their views and claim their entitlements and where necessary representing and negotiating on their behalf. Advocacy can often be undertaken by people themselves, by their friends and relations, or by persons who have had similar experiences. Delivering a professional advocacy service means providing a trained person who, on the basis of an understanding of a client's needs and wishes, will advise and support that client to make a decision or claim an entitlement and who will, if appropriate, go on to negotiate or make a case for him/her.

Other types of advocacy exist and have great value in themselves but in general it is professional advocacy which the Guidelines consider.

The Citizens Information Act 2007 put advocacy on a statutory footing for the first time. This Act changes Comhairle's name to "the Citizens Information Board" and sets out the organisation's remit concerning advocacy. It envisages advocacy services as "supporting people with disabilities to identify and understand their needs and options, and secure their entitlements to social services." It sees the role of the advocate as assisting, supporting and representing the qualifying person with a disability to apply for and obtain a social service or to pursue a review or appeal. It also includes providing support and training to a qualifying person or his/her family to promote his/her best interests.

Social services are defined in the Act as: "any service provided by a statutory or voluntary body that is available... to the public...and includes but is not limited to, a service in relation to any of the following, health, social welfare, education, family support, housing, taxation, citizenship, consumer matters, employment and training, equality, asylum and immigration."

(Citizens Information Act 2007, Explanatory Memorandum)

Where possible the person should be supported to speak for him/herself rather than be assigned an advocate; nevertheless it is likely that clients will sometimes seek representation from an advocacy service in order to gain access to a range of social services. The Citizens Information Act 2007 makes special mention of application for an assessment of need and service statement (under the Disability Act 2005 provisions), access to health and other services and assistance with appeals.

2.2 Principles of Advocacy Practice

Advocacy, like other personal services to people who are disadvantaged, is underpinned by strong values and principles, both among practitioners and within the projects and organisations that employ them. One possible ethical framework is that of Beauchamp and Childress (1994) whose four principles are general guides that leave considerable room for judgement in specific cases. These principles are respect for the person's autonomy, equity, capacity to improve outcomes and the avoidance of harm.

In terms of the individual advocate these principles might translate into:

- Empowerment of the person with a disability where possible;
- Respect for the person and his/her wishes;
- Taking account of the person's best interests;
- Acting independently;
- Maintaining confidentiality;
- Acting with diligence and competence.

2.2.1 Empowerment of the person with a disability

Many people with disabilities are well equipped to make their own decisions, given the requisite information and advice; some may be well placed to act as advocates. However, a proportion of people with disabilities are at a disadvantage when claiming their entitlements or making important decisions, sometimes because of their vulnerability, sometimes because of the complexity of their needs or the formality of the process. Advocacy can provide these people with the support necessary to make their own decisions and choices or deal with official processes. Where people with disabilities depend on a single service provider, advocacy can help

ensure that their rights are safeguarded, by giving them the support of an independent person who will assist them to put their case as strongly as possible.

Empowerment is a process where, through the provision of information and support, people are enabled to assert their rights, make choices and decisions and contribute to wider policy making in the areas that affect their lives. Provision of basic information on an individual's rights and entitlements can in itself be hugely empowering. An advocate can build up a client's confidence simply by listening to and supporting the person in expressing an opinion or working through options for him/herself. An advocate can also advise on how to deal with official procedures and on the likely chances of success of a person's case or chosen course of action. The aim should be to assist clients to be as autonomous as possible, even if this is initially more time-consuming than direct representation.

Advocates and advocacy organisations should draw on positive images of disability and use language acceptable to people with disabilities.

2.2.2 Respect for the person and his/her wishes

The main role of advocacy is to support the client express views and to speak up for him/her where necessary. It is therefore essential for the advocate to understand the client's needs, wishes and choices, to act as far as possible in accordance with those wishes and to continually check back with the client during negotiations with providers or officials. Sometimes advocacy involves clarifying the client's wishes about possible services available to him/her and the advocate may need to explain or show alternative types of service to the client.

Advocates should recognise clients' rights to be mistaken, to change their minds, to take risks and seek outcomes not in their interests, while ensuring that they have explored with the client the likely consequences of actions and the rationale behind service decisions. It is also their role to help clients to decide which aspects of their desired option are non-negotiable (the bottom line) and which aspects they might be prepared to compromise on if their preferred result is impossible.

In a small number of cases an advocate may judge that a client's wishes are in serious conflict with his/her best interests or are outside the scope of the advocacy project. In such cases an advocate should discuss with the manager of the project how to proceed. Much depends on the issue, the type of advocacy offered and the other services and professionals available to the client. The advocate needs to consider the level of risk or harm to the client in pursuing his/her wishes.

A good quality advocacy service will place the person with a disability at its centre and will have procedures in place to evaluate conflicts between clients' wishes and their best interests. A client's decision to withdraw from an advocacy service or not to use a particular advocate should be respected.

2.2.3 Taking account of the client's best interests

In the vast majority of cases, advocates will follow the instructions of the client. However, cases occasionally arise where clients' expressed wishes are in conflict with what appears to be their best interests and the advocate may need to consult with a supervisor or manager in deciding how best to serve the client. Projects must operate within the law, within their own ethical framework and within a general "duty of care" ethos towards those using the service.

Some clients may lack the capacity to make decisions or may be unable to communicate decisions. Advocacy undertaken in these circumstances is described as "non-instructed advocacy" as the client is unable to give instructions. While advocates should make every effort to discover what the person's favoured course of action might be, using all possible means of communication, they may have to assess the person's capacity and take a "best interests" approach to ensure that the person's right to dignity and basic services is upheld. Such an assessment should involve meeting the client on a one-to-one basis, speaking to family, carers and staff and possibly looking for an independent professional opinion. Supported decision-making by the client should be used in any area possible.

There is a range of views on the validity of the "best interests" approach among advocacy practitioners. Some advocates are of the opinion that a "best interests" approach cannot be reconciled with an advocacy approach. However the priority for the CIB is to ensure that the most vulnerable clients have access to support from an independent person. It is the view of the Citizens Information Board that a "best interests" approach should be taken where necessary – e.g. in situations where there could be a danger to the client or others. This would always be decided on an individual basis – there should be no blanket "best interests" formula based on a particular disability or circumstances. Advocates should also be aware that while a "best interests" approach may be required in areas like medical treatment or where safety issues arise, they should seek to follow the person's wishes in other areas.

In formal decisions, non-instructed advocacy should ideally follow a statement of incapacity. In Ireland getting a formal assessment of capacity can be difficult. Apart from ward of court

procedures which place major limits on people's autonomy, no Irish legal process currently exists whereby the decision-making capacity of a person with an intellectual disability can be assessed or formal substitute decision making introduced. In practice, parents, carers and social service providers tend to make the decisions needed. However conflicts of interest are possible here and advocates will have to distinguish the client's interests from those of his/her family or carers. The Law Reform Commission has made proposals on different ways of dealing with these matters. It also sets out the elements to be considered in assessing a person's capacity to decide: for example, if they can envisage the consequences of different courses of action, or if they can retain and understand the necessary information.

In theory there should be clear boundaries between instructed and non-instructed advocacy but, in practice, advocates may follow the client's wishes on day-to day matters while using a "best interests" basis for major decisions. In such situations advocates should always take advice. Extreme care is always necessary when acting for someone who cannot instruct, as even the best-trained advocate carries some degree of bias. The initial presumption should always be that the person with a disability is competent.

2.2.4 Acting independently

One of the fundamental principles of advocacy is independence and this should be written into the advocate's contract of employment.

- The advocate's first loyalty is to the individual to be supported;
- The advocate needs the freedom to give honest and objective advice to the client;
- He/she should be able to pursue the client's interests with the service provider or government department without being compromised by external pressures;
- The advocate should be able to withdraw from a case where he/she believes independence is compromised – for example where a relative is involved as a client or where the advocate may have had a close relationship with a service;
- The advocate should remember that independence does not preclude negotiation or, in certain instances, collaboration;
- The advocate must manage boundaries in the important and useful relationships he or she has with social service providers.

There will always be some limits on independence. While some advocates may be self employed, the majority will be employed by an organisation. In an Irish situation the likelihood is that the advocate will be employed by one organisation and funded possibly by a number of others. Independence is easier to maintain where an advocate works for a dedicated advocacy service (one that does not undertake any other activity) or for an agency that does not provide other services to people with disabilities. Where the employer is a service provider there is almost inevitably conflict of interest for the advocate - the most obvious example being where a client brings a complaint against another staff member.

Conflicts of interest can also happen where a close friend or family member advocates on behalf of another. Where an advocacy project becomes involved in family negotiations, it is important to make the advocate's role clear to everyone involved and to keep the client's wishes and needs paramount. Where circumstances are difficult, it is possible to be distracted by the unmet needs of other family members.

At review meetings with service providers or at assessment of need meetings it is the advocate's responsibility to put the client's point of view as strongly as possible, even where the advocate knows that the statutory service may not be able to accede to all the client's demands. Advocates may often work alongside social services or service providers, while maintaining their independence and stressing their specific role. In review/tribunal situations professionalism demands that advocates maintain a distance with acquaintances from the statutory sector, so that the client sees them as independent.

Independence for services will be dealt with under 2.3.

2.2.5 Maintaining confidentiality

Advocates have a primary obligation to maintain confidentiality with regard to their clients as this is crucial in developing trust. They must avoid any disclosure of client details except within the project. In the rare cases where disclosure may be necessary they should make every effort to gain the client's consent.

During the first interview advocates should set out for clients the project's confidentiality policy and the situations where disclosure is mandatory. They should also explain the case recording system and how client data is stored.

2.2.6 Acting with diligence and competence

Advocates need to be effective in their work. This usually means adopting a case management approach, making a plan and following up on actions and contacts so that the service offered is efficient and timely. Ideally, a service agreement should be made with the client. An advocate should pursue all possible paths to services and/or redress and, along with the client, should set out a practical timetable for actions to these ends. However, if no resolution is possible, the case should be closed with the possibility of review after a given period. In some developmental cases, the advocate will work intensively with a number of clients over a set period (for example, for 3-6 months where a change of housing is planned) but will scale back involvement after this.

2.3 Principles of Good Advocacy Practice for Organisations

Community and voluntary groups initiating advocacy projects will have a commitment to the values in 2.2. They will also seek to ensure that:

- The advocacy project seeks to empower people with disabilities;
- The advocacy project has a clear purpose and specific target group;
- Members of the target group have equal access to the service;
- The service provided is independent and the potential for conflicts of interest is reduced;
- Advocates are trained, supported and supervised to agreed standards;
- Mediated rather than adversarial processes are used where possible;
- Confidentiality and data protection policies are developed;
- Projects follow best practice in terms of governance and financial transparency.

2.3.1 Empowerment for clients

The principle of empowerment has a number of practical applications for advocacy projects. Ideally potential client groups should participate in shaping how the service is run and be represented on the Steering Group. They should also be involved in the planning, policy development and recruitment processes. Where possible, publicity material, outside consultations and client feedback mechanisms should include their input. If former clients wish to participate in the project without being identified, this should be facilitated. Service user guides and leaflets

should make the project's aims widely known.

Although the main aim of projects is to provide a representative advocate, supporting and promoting self advocacy should be a guiding principle in the work undertaken with clients. Where appropriate, specific supports can be offered to self advocacy groups and to individuals for this purpose.

2.3.2 Clear purpose

Organisations providing advocacy need to be clear about the scope of the service they can provide, the type of advocacy, their own orientation, the target group and the service's geographical limits.

Issues of eligibility will be covered in Section 3.

2.3.3 Equal access to the service offered

The issue of access to advocacy is important, as clients who need it most may be more vulnerable and less empowered than others. For people to have access to an advocacy service they must know that it exists, how it relates to their needs and how and where to obtain it. Premises must also be accessible, information available in different formats and there should be a flexible approach to ways of delivering the service. Promotion of advocacy should be undertaken wherever possible.

Major accessibility issues arise for disabled people who live in institutions or who live in remote rural areas. Those who live in institutions may have very significant disabilities, may have communication or mental capacity difficulties and may be completely dependent on one service provider. They may be unable to travel to a centralised service. Similar transport problems may arise for people with disabilities in rural areas.

Advocacy projects need to publicise their existence and services in ways that meet the particular needs of their target customers. Help-lines and outreach are possible accessibility strategies. Where advocacy services are aimed at people with profound or multiple learning difficulties, advocacy organisations need to cooperate with care staff to facilitate these clients. They may need to earmark particular days or times to run outreach advocacy services for people with particular needs. It may also be necessary to set aside a proportion of time for urgent cases.

The benefits of advocacy need to be promoted among health and social service workers and carers as they may be the gatekeepers for people with very significant disabilities.

2.3.3 An independent service with potential for conflicts of interest reduced

Independence is a guiding principle of an advocacy service and should be safeguarded in all policies. One of the main aims of an advocacy service is to provide the client with an understanding of services, their remit, and how to manage interactions with them. Therefore advocacy should be developed in such a way as to minimise possible conflicts of interest. The advocate's independent perspective and support for the client in an agreed course of action are the main "added value" factors that such a service brings to the person with a disability.

Conflicts of interest may arise in a number of different areas including:

- With statutory social services;
- With service-providers;
- With family members.

There are always limitations on an organisation's independence so agencies need to be aware of the potential for conflicts of interest and build in independence for advocates at the planning stage. To minimise the potential for conflicts of interest to arise, it is best to deliver advocacy through an independent organisation and to have the project overseen by a Steering Group. The Citizens Information Board believes that a partner agency is necessary to ensure independence where an organisation delivering advocacy also provides care or training services to people with disabilities.

The overseeing role of a broad steering group with wide ranging representation from local groups is important in safeguarding independent advocacy. Steering groups have a responsibility to question any partiality that appears in the advocacy service – for example, if it leans too much towards one service provider, seems to deal only with certain types of issue, or does not seem to uncover any complaints.

2.3.4 Training, support and supervision for advocates

An advocacy service depends fundamentally on the competence and integrity of the people it employs. It is important that good recruitment procedures are in place, that those recruited have

the competence to do the job and that the position is not filled until such a person presents. References should always be carefully checked. Garda vetting must be sought where vulnerable clients are involved and should be good practice for all projects.

The service should provide appropriate and continuing training to its advocates and have robust management structures in place. Because advocacy work is frequently undertaken alone, regular review meetings (in most cases weekly) between advocate and line manager are important. Projects need to ensure that the advocate receives adequate support and supervision so that he/she continues to operate effectively. Good review and debriefing procedures and access to expert advice are ways of doing this. Some advocacy projects encourage advocates to use a form of external supervision – similar to that undertaken by counsellors. Links with other advocates should also be encouraged.

Organisations should make arrangements for administrative/reception support for advocates. A good support worker can be a valuable part of the advocacy team.

2.3.5 Mediated solutions where possible

In general, advocacy projects should favour mutually agreed and negotiated solutions to cases, where this can be done without compromising the rights of clients. Advocates should first support clients to use informal resolution processes, then attempt to negotiate before going through formal processes. Often, negotiated solutions are more comprehensive and sustainable, especially where parties will continue to have contact, as in the case of a person with a disability and a service provider. Mediation can often offer a quicker, less expensive and more informal resolution. However, there are situations where the client's rights can only be protected by formal review or appeal processes and, in such cases, advocacy should support the person to undertake such processes.

2.3.6 Confidentiality and data protection policies

Every organisation delivering advocacy services should have a confidentiality policy and advocates should be trained in how it is to be applied. Usually such a policy means that advocates must not disclose personal information about clients to others without their consent. Most confidentiality policies allow for internal discussions between advocate and supervisor/manager to occur and for confidentiality to be breached in cases where there is a serious risk to the client or to a third party, or where there is a legal obligation to disclose (as in some cases of child abuse).

In any of these cases the advocate should first:

- Consult with their manager or supervisor;
- Inform the client;
- Attempt to get the client's consent to disclosure.

Where the client is unable to give consent, the advocate should consider what is in their best interests and act accordingly. As far as possible this policy should be explained to clients at the first meeting.

A related area is data protection. Good case recording practices require projects to record information about clients (with their consent), and consequently under the Data Protection Acts, projects have an obligation to keep this information secure.

Putting confidentiality and data protection policies in place will not only act as a safeguard for the client, but also engender trust in the advocate and the organisation as a whole. Policies of confidentiality developed by advocacy services should apply to current and former clients alike and must take account of exceptions necessary for legal or ethical reasons. Where the same organisation provides other services – for example, day-care or training, advocacy case records should be kept separately.

2.3.7 Governance and financial transparency

Corporate governance concerns the system of structures and processes needed to manage and monitor an enterprise. Advocacy projects will be accountable to both clients and funders. Complaints procedures must be in place to safeguard the client and the guidelines set by funding agencies must be followed in terms of the service provided and financial reporting and auditing. Projects should have relevant insurance in place.

3 Planning and Developing an Advocacy Service

3.1 Purpose and Planning

Advocacy organisations will seek to develop effective services in an efficient, transparent and accountable manner, in consultation with customers. Quality will depend on the care taken in a number of operational areas. These include:

- Planning the scope and quality of service;
- Consultation with representative client groups;
- Customer service approach;
- Prioritisation of cases;
- Eligibility of clients;
- Case management;
- Grievance and complaints procedures;
- Good employment practices;
- Accountability;
- Monitoring and evaluation;
- Performance indicators.

3.2 Scope and Quality of Service

Organisations should be clear about the type of advocacy service they propose to offer and how it relates to the definition in the Citizens Information Act 2007 – assisting, supporting and representing the qualified person to apply for and obtain a social service, pursuing any right of review or appeal on behalf of the qualifying person; providing support and training to a qualified person or a member of his/her family in certain circumstances.

Specific voluntary and community organisations are well placed to tailor a service to the particular requirements of their members. Organisations should also decide which type of advocacy they are able to provide, given their resources and expertise – most groups will concentrate on a professional case-based service but some may develop self-advocacy or peer advocacy as well with a back-up expert, and others may organise citizen advocacy to complement the professional work.

A Customer Service Action Plan can be one way of achieving clarity, giving clients and other stake holders a clear indication of the scope of the service and the standards sought.

3.3 Consultation with Representative Client Groups

Organisations planning an advocacy service should consult with potential client groups to ensure that the service accords with their wishes. Steering groups should include people with disabilities and their families. The Customer Service Action plan mentioned in 3.2 should be adjusted after consultation with user groups.

3.4 Customer Service Approach

Clients seeking an advocacy service are likely to be more marginalised than others. Some may have had negative experiences with services. It is important therefore that services are welcoming and not unduly formal in their approach. For many clients the advocacy service is a way to another service so procedures should be kept to a minimum. Projects should liaise with their local Citizens Information Service and hold a range of up-to-date information on topics likely to be relevant to clients. Eligibility criteria should be explained to prospective clients.

3.5 Prioritisation of Cases

When demand exceeds the supply, organisations must prioritise clients and their needs in an equitable manner. A Priority of Access policy should be developed with criteria including:

- Urgency of client's needs;
- The likely benefits to the client from having an advocate;
- The risk of harm to the client, if he/she is not given an advocate;
- Whether alternative advocacy services are available to the client;
- Need for representation at a review or assessment of need;
- Wider relevance of an individual case.

Projects will endeavour to serve different clients as fairly as possible. As the HSE rolls out the assessment of need procedures, projects may need to consider what priority they will give to clients preparing for this process.

3.6 Eligibility of Clients

The community and voluntary sector advocacy programme as set out in *Developing an Advocacy Service for People with Disabilities* envisages a variety of organisations providing different types of advocacy to different groups of clients with disabilities. The basic eligibility criterion is likely to be that a client is a qualifying person under the meaning of the Disability Act 2005.

"Disability in relation to a person, means a substantial restriction in the capacity of the person to carry on a profession, business or occupation in the State or to participate in social or cultural life in the State by reason of an enduring physical, sensory, mental health or intellectual impairment."

The level of demand for advocacy services is unknown, but organisations may not immediately be able to meet all requests for advocates. Within the specific target group chosen - for example, people with learning disabilities- organisations may need to prioritise those with the highest level of need, bearing in mind that disability may interact with other forms of disadvantage. It is important that those most vulnerable and most in need of support are not overlooked in favour of those most capable of asking for help or those referred by health or social-care workers.

3.7 Case Management

Case management is an important component of a professional advocacy service and providers should have written procedures on case management. These procedures should cover:

- The initial interview, explanation of the service, agreement of client and decision to proceed;
- The development of advocacy plans;
- Focus of the advocacy;
- Case recording;
- Outcome and exit and referral procedures;
- Compliance with data protection procedures.

In citizen advocacy the procedures will be different as there will not necessarily be a process to complete. However, records should cover ongoing cases, issues arising and review summaries.

3.7.1 The application and intake process

An initial interview should establish:

- The reason a client is requesting advocacy;
- Whether the client is eligible for the service offered by the organisation;
- The urgency of the case;
- The client's need for advocacy service support;
- Alternative sources of assistance.

A decision should then be made as to whether to take on the case, offer background information and support or refer to another agency such as the Citizens Information Service. If advocacy is to be offered, the project's policy on confidentiality and record-keeping should be explained.

3.7.2 Developing advocacy plans

Once a client is offered a service, a plan should be drawn up outlining the issue involved, the type of advocacy support required and the likely stages of the case. Such a plan would detail the client's desired outcome and the probable timeframe. This will promote efficiency and ensure some sharing of expectations. In many cases the advocacy required may be short-term – for example, clarity on priorities when approaching an assessment of need interview, support at the interview and a review of outcomes afterwards. In more long-term cases, the advocate should continually check back with the client and develop a strategy with likely timelines for actions and responses. In some situations, the plan may centre on quality of life outcomes.

3.7.3 Focus of the Advocacy

Many clients present with multiple problems and differing needs. It is the advocate's job to categorise these and decide (along with the client) which are most urgent. For example, where a client has housing, employment and relationship issues, client and advocate might decide to tackle the employment side first. Keeping a clear focus can assist the client in learning how to

deal with problems. It also helps the client to see the process as time-limited – and thus different from a general support service.

3.7.4 Case recording

Good case records are essential to an efficient service. An effective system would record the initial advocacy plan, all actions taken by the advocate and the client, all contacts between the advocate and the client, the outcome of the advocacy, and any further referrals made.

Good records will facilitate the organisation's management and support systems, maintain continuity, provide ease of monitoring and statistics and help in the assessment of staff training needs. Furthermore, good records can protect both advocate and client in the event of a complaint. Records should remain confidential to the advocacy service and should be kept for a specified period before being destroyed. Clients - or their agreed representatives - should be offered access to their records.

3.7.5 Exit and referral procedures

Case management policies should encompass exit and referral procedures. A plan and a time-frame will allow advocate and client to recognise when a particular issue has been resolved. After the final meeting a case summary should note the completion of the advocacy plan and any referrals made. If an issue has not been resolved despite the use of all available contacts and procedures, the case should be closed with the possibility of further contact if new circumstances arise. Where a client needs ongoing support, the advocate should refer him/her to a relevant local group. The advocate should consult with his/her supervisor or manager for confirmation of this decision. The final case summary will document the avenues explored and the resulting outcome. If appropriate, the client should be advised of options such as the Ombudsman and the Courts.

It is important for projects to develop a policy on how and when they will close cases – particularly where a high degree of support has been given.

3.8 Grievance and Complaints Procedures

A grievance and complaints policy is essential to an advocacy service. This will give recourse to dissatisfied clients, act as a safeguard for them against abuse or unfair treatment and allow organisations to improve their procedures. A complaints policy needs to provide a degree of formality along with ease of access for clients. Complaints procedures should operate at different levels, starting with an informal resolution process, then a more formal process involving direct access to the head of the service, and finally independent mediation by an outside agency. There should also be a procedure for a person to appeal an initial decision not to offer an advocacy service.

3.9 Good employment practices

A project that employs one or more advocates needs to consider its duties as an employer. It must comply with Employment, Equality and Health and Safety law and must ensure that the person appointed has the competence to do the job. It must make available training, a safe workplace, appraisal procedures and support from colleagues.

3.10 Accountability

Acceptance of funding implies accountability to the funder on how monies are spent. In this instance, organisations which receive funding from the Citizens Information Board to provide advocacy services should follow Citizens Information Board procedures on reporting and keeping of accounts. By maintaining high standards of governance and by producing annual reports and accounts as required, they demonstrate a high level of accountability.

3.11 Monitoring and Evaluation

In a new area like advocacy, monitoring and evaluation are particularly important. Even with careful planning, it is difficult to know at the outset what type of service will be most effective. Organisations will want to ensure that their services are meeting identified needs and the Citizens Information Board will seek to establish that the funding given is used to greatest effect. For these reasons organisations will be asked to co-operate with an external evaluation of funded advocacy services to provide evidence of their effectiveness.

However, organisations should have their own monitoring and evaluation measures in place to complement and assist the external process. These should start with the regular reports which organisations receiving funding from the Citizens Information Board will be obliged to submit. Brief half-yearly reports will be required. These should include numbers of enquiries, numbers of cases undertaken and completed, referrals and financial summaries.

An annual report will set out the organisation's advocacy work in more detail, describing outcomes in terms of improvements in people's lives, as well as detailing demographic characteristics of clients, profile of clients' needs, referrals and complaints. This annual report will also highlight areas which gave rise to a disproportionate number of clients or of queries, and any policy issues arising. The reporting template developed by the Citizens Information Board for the Community & Voluntary Sector Programme expands on some of these.

Reporting procedures should monitor the following areas:

- Number and complexity of advocacy cases undertaken;
- The effectiveness of the advocacy process;
- The empowerment aspects of the service;
- Improvements in the life of the person with disability;
- Regular feedback from clients on their experience of the service;
- Identification of social policy issues arising from individual cases.

3.12 Performance Indicators

As advocacy develops, organisations will develop key performance indicators for these areas in collaboration with the Citizens Information Board. These will cover the more qualitative aspects of advocacy as well as the case management and financial sides. The feedback element is important as it gives an indication of client satisfaction and allows concerns to be raised outside the formal complaint system. From an organisational viewpoint regular monitoring encourages good record keeping and is a valuable planning tool for management, enabling the organisation to build on the experience of practice by adjusting the service offered.

4 Competencies of Advocates

4.1 Background and Education

This section outlines the key areas of competence necessary for advocates and is designed to aid organisations in drawing up job specifications. As advocacy is a new area, potential recruits are likely to come from a variety of professions where they will have had experience of dealing with people as clients. A high level of personal integrity and respect for others is essential for an advocate.

In general, advocates will be expected to have a third-level standard of education. A minimum of three years experience in a relevant area is also desirable, as good judgement is one of the key qualities needed. It is likely that advocates will be drawn from a number of different employment sectors, including (but not limited to), health service provision, social work, customer service, community development, counselling, legal or mediation services or job coaching. It would not be appropriate to stipulate particular types of qualification or experience, although specific training in advocacy, for example the Higher Certificate in Advocacy Studies from Sligo Institute of Technology, would be an advantage.

Community and voluntary groups should attempt to promote diversity among advocates and should particularly encourage the recruitment of suitable advocates with disabilities.

4.2 Competencies needed

The following competencies are likely to be needed:

- Communication skills;
- Personal effectiveness in terms of sound judgement;
- Interpersonal effectiveness;
- Customer service skills;
- Analytical thinking;
- Knowledge of social services/disability area;
- Work management skills.

4.2.1 Communication Skills

The qualities needed here include:

- Listening skills;
- Ability to express ideas clearly;
- Ability to tailor language to the person or situation;
- Ability to assert an unpopular viewpoint in an unthreatening way;
- Ability to find formulas that allow compromise.

4.2.2 Personal Effectiveness

Advocates need to have a sense of their own capacities, limitations and need for self-development; they need the ability to make sound judgements and to maintain commitment despite obstacles or setbacks. They also need a consciousness of the possibility of benefit or harm to clients from actions taken and the ability to deal non-judgementally with clients and services. Advocates need to be resourceful, resilient and able to deal with difficult issues on their own.

4.2.3 Interpersonal Effectiveness

The advocate's role involves dealing with many different people under a wide range of circumstances. An advocate needs to be sensitive to others; assertive when arguing and justifying a position; able to negotiate and mediate; able to build and maintain a network of personal contacts and handle conflict in a positive manner.

4.2.4 Customer Service Skills

Advocacy is essentially a customer service in the sense of being person-centred and responsive to what the individual wants. Advocates need to understand the rights, needs and perspectives of the clients and have the ability to maintain a professional level of courtesy and respect even where clients' behaviour is difficult or emotional. They need to be able to assist people who have difficulty articulating problems by explaining the advantages and disadvantages of potential solutions.

4.2.5 Analytical Thinking

Advocates need to think strategically and creatively to find solutions. They need the ability to make a judgement on conflicting accounts and to weigh up the possible consequences of actions taken. They need to be flexible in judging the best solution for the person concerned and be able to use case precedents. On an organisational level they need the ability to review their work critically.

4.2.6 Knowledge

An effective advocate needs to be familiar with the following areas:

- The institutional structures and practices for delivering social and disability services in Ireland;
- Rights and entitlements of people with disabilities;
- Government policies and strategies on disability;
- The disability sector and the social and medical models;
- Advocacy's potential role in improving access to social services.

4.2.7 Work Management/Other Skills

Advocates also need case management, work prioritisation, record-keeping and review skills. These are important as cases build up and they have to balance contrasting duties and decide which to put first. Computer skills and the ability to undertake administrative tasks related to the project are also important.

5 Conclusion

These guidelines were put in place to direct the first practitioners in a new professional area. We have reviewed them in the light of the first few years' operation of advocacy and further reviews are planned. The main changes have been made in two areas – that of independence and conflicts of interest. We have also re-emphasised the need for projects to support clients to undertake advocacy on their own behalf where this is a possibility.

More detailed policies on operational matters are to be found in the Advocacy Resource Pack, which is given to all new projects funded under the Citizens Information Board's Community and Voluntary sector programme.

As advocacy in Ireland is at still at an early stage, these Guidelines should be considered work in progress and thoughtfully applied to the work of the projects. We welcome feedback on their usefulness.

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7 Appendix One

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8 Appendix Two

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The Citizens Information Board is the statutory body which supports the provision of information, advice and advocacy on the broad range of social and civil services to the public. It provides the Citizens Information website and supports the voluntary network of Citizens Information Services and the Citizens Information Phone Service.

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