

# Barwon disAbility Resource Council



**ASSERT  
4 ALL**

A DIVISION OF BDRC  
48 McKillop Street, Geelong Vic 3220

**including Assert 4 All**

## POLICY MANUAL

This Policy Manual is divided into the following parts:

Part 1 Governance

Part 2 Services (Operational)

- General Management
- **Advocacy**
- Disability Support Fund (DSF)
- Green Pie plan management

Part 3 Staffing

Part 4 Occupational Health and Safety

## **PART 2 – SERVICES (OPERATIONAL) ADVOCACY**

Version 5: 5 July 2015

Ratified by BDRC Board of Management: 8 July 2015

Date of review: 10 February 2016

## **CONTENTS: PART 2 - SERVICES (OPERATIONAL) ADVOCACY**

For policies below see Part 2 – Services (Operational) – GENERAL section:

Introduction

Statement of purpose

Guiding principles

Vision

Indigenous Custodians acknowledgement

Policy review

The above policies should be read in conjunction with policies in this section.

<b>1. Service Access – Accessing Advocacy</b>	Page 5
1.1 Eligibility criteria	Page 5
1.2 Service entry	Page 5
1.3 Referral to Assert 4 All	Page 7
1.4 Meeting with clients	Page 8
1.5 Priority of service	Page 9
1.6 Conditions of service delivery	Page 10
1.7 Fees and charges	Page 11
1.8 Exit procedures	Page 11
1.9 Networking and engaging alternative services	Page 12
1.10 Referral to other services	Page 13
1.11 Access and engagement	Page 13
<b>2. Individual needs</b>	Page 13
2.1 Rights approach	Page 13
2.2 Client directed approach	Page 16
2.3 Communication support and family consultation	Page 16
2.4 Empowerment	Page 17
<b>3. Decision making and choice</b>	Page 17
3.1 Rights and responsibilities	Page 17
3.2 Active participation	Page 18
3.3 Additional support	Page 20
3.4 Accessible information	Page 20

3.5	Role of family members and carers in decision making	Page 21
3.6	Participation	Page 21
<b>4.</b>	<b>Privacy, confidentiality and dignity</b>	Page 22
4.1	BDRC Privacy Policy	Page 23
4.2	Gathering of personal information – advocacy clients	Page 26
4.2.1	Intake and other phone calls/meetings	Page 26
4.2.2	Provision of information	Page 27
4.2.3	Collection of advocacy information	Page 27
4.2.4	Handling and disclosure of collected information	Page 27
4.2.5	Handling of information when advocacy ceases	Page 30
4.2.6	Statistics and case studies	Page 30
4.3	Maintenance of personal information – advocacy clients	Page 30
4.3.1	Assert 4 All’s paper client filing system	Page 30
4.3.2	Electronic files and IVO (advocacy database)	Page 31
4.3.3	Accessing personal information	Page 32
4.4	Making a complaint about a breach of privacy	Page 35
<b>5.</b>	<b>Participation and Integration</b>	Page 35
5.1	Statement of purpose	Page 36
5.2	Community participation	Page 36
5.2.1	Community education	Page 36
5.2.2	Self-advocacy	Page 37
5.2.3	Information	Page 39
5.2.4	Accessible formats	Page 39
5.3	Systemic advocacy	Page 39
5.3.1	Liaison with other relevant community organizations	Page 40
<b>6.</b>	<b>Valued Status</b>	Page 41
6.1	Promoting the abilities of people with a disability	Page 41
6.2	Support and encouragement to enhance valued status	Page 41
6.3	Promotion of valued status by Assert 4 All	Page 42
6.4	Wellbeing	Page 42

## **7. Complaints and Disputes**

7.1	Assert 4 All's commitment to complaint process	Page 43
7.2	Assert 4 all's internal complaint/feedback mechanism	Page 44
7.3	Review of Assert 4 All complaints/feedback mechanism	Page 45
7.4	Right to make a complaint	Page 46
7.5	Process of complaints	Page 46
7.6	Protocols for dealing with clients and others who are at risk of suicide	Page 51
7.6.1	Procedures	Page 52
7.6.2	Police welfare check	Page 54
7.6.3	Support for staff member	Page 54
7.6.4	Counselling for staff following an event	Page 55
7.6.5	Staff training	Page 55
7.6.6	Policy review	Page 55

## **8. Agency management (see Governance section )**

## **9. Staff recruitment, employment and training (see Staffing section)**

## **10. Protection of human rights and freedom from abuse** Page 56

10.1	United Nations Convention on the Rights of People with Disabilities (CRPD)	Page 56
10.2	Proactive action regarding abuse and neglect	Page 56
10.3	Proactive strategy for preventing abuse and neglect	Page 57
10.4	The Assert 4 All human rights checklist	Page 58

Appendix 1	Client advocacy intake form	Page 61
Appendix 2	Exit survey	Page 64
Appendix 3	Service evaluation survey BM/GP	Page 68
Appendix 4	Request for advocacy or information	Page 73
Appendix 5	Consent for sharing personal information	Page 75
Appendix 6	Advocacy action plan	Page 76
Appendix 7	Client feedback form BM/GP	Page 78
Appendix 8	Advocacy information booklet	Page 79
Appendix 9	Glossary of terms, relevant to communication	Page 90
Appendix 10	Service evaluation survey Geelong	Page 95
Appendix 11	Advocacy Code of conduct	Page 101

## 1. **Service Access – Accessing advocacy**

Each client with disability has opportunities to access advocacy on the basis of relative need and available resources.

### 1.1 **Eligibility criteria**

Barwon Disability Resource Council (BDRC) offers individual advocacy support to people with a disability of any age within the catchment area of BDRC's contracted advocacy services, that currently includes the Barwon part of the Barwon South West region, Surf Coast (part including Torquay, Anglesea and surrounds), Golden Plains and Moorabool Shire (Bacchus Marsh and surrounds only).

BDRC's advocacy program operates under Assert 4 All (Barwon disability Resource Council, trading as Assert 4 All).

People are deemed eligible for Assert 4 All advocacy assistance if they:

- have an acquired brain injury, physical, intellectual, sensory, psychiatric, neurological, learning or other disability
- are carers or family members of a person with a disability,

and need advocacy assistance to identify resources and entitlements, express their views, or resolve a problem.

### 1.2 **Service entry**

Upon initial contact with BDRC/Assert 4 All, the Assert 4 All "Information for Advocacy Clients" booklet should be provided to prospective clients. This booklet includes the following information:

- What is this information for?
- Who does Assert 4 All help?

- Does help from Assert 4 All cost anything?
- Who works for our service?
- What can Assert 4 All help me with?
- How does Assert 4 all know and understand what I need?
- What happens when I first make contact with Assert 4 All?
- What happens if the Assert 4 All staff are busy?
- What if Assert 4 All cannot assist?
- Client Rights and Responsibilities
- Why does Assert 4 All keep information about clients?
- Assert 4 All, Privacy and You
- What happens to any information collected about me?
- How safe is my file?
- Who will have access to my Assert 4 All file
- What information does Assert 4 All collect about me?
- Can I access my own file?
- What should I do if I feel that my privacy has been breached?
- Who runs the service?
- Are you unhappy with our service?
- Do you have any suggestions to improve our service?
- Can someone be with me when I make a complaint?
- Should I only complain when it is really serious?
- Who will know about the complaint?
- Assert 4 All Policies
- Feedback about Assert 4 All Service.

Services are provided in a manner sensitive to the needs, age, gender, cultural, language and religious background of each individual client.

Entrance to the service is based on criteria of relative need and available resources. Assert 4 All's process of assessment and referral ensures equitable access by clients. The Advocacy Intake Worker will assess relative need and urgency, with three levels of need –

- Urgent/crisis eg abuse or neglect

- If advocacy undertaken as soon as possible, may avert crisis or the issue is time driven
- Important.

### **1.3 Referral to Assert 4 All**

Referral for advocacy support can be made by: self referral, a carer, a family member, an advocate, a friend, other interested person, a support worker or any service provider representative.

Referrals are accepted by telephone, letter, fax, email or attendance at an Assert 4 All office.

The service aims to resolve issues affecting individuals with disabilities.

Positive outcomes will be aimed for, in consultation with the client:

- providing individuals with information and advocacy support
- referral to appropriate services
- making representation to service providers or other relevant bodies
- taking issues to government departments and Ministers
- instigating proceedings in the Equal Opportunity Commission and other tribunals, commissions and ombudsman
- Any other means as appropriate

There are no limits to the number of times that a client can access services provided by Assert 4 All. Relative need criteria will be applied to all requests for service. Service will only be refused to those individuals who do not meet the target group criteria. An individual may test their eligibility against these target criteria at any time.

Assert 4 All is a voluntary service for clients and provides advocacy services on a client's voluntary basis only.

A service will not be provided by Assert 4 All unless consent is obtained from the individual, guardian, or in cases of where the person is deemed unable to provide individual consent, a family member, a case manager or other appropriate person.

#### **1.4 Meeting with clients**

Interviews will preferably be held at an Assert 4 All office. Meetings, in the individual's home, or other venue suitable to the client may be arranged, if the client cannot meet at an Assert 4 All office. In arranging other meeting venues, client privacy and confidentiality will be an important consideration.

Meetings will only occur in the individual's home if the client cannot meet outside the home, due to their disability. Advocates will meet with another staff member, or staff member from another agency, present when meeting with a client in the individual's home, for the first meeting.

Every effort will be made to encourage the client to meet at an Assert 4 All office or other suitable location. Taxi vouchers or public transport fares, to meet with the advocate and return home only, can be provided in exceptional circumstances, where clients would be unable to meet due to financial issues in attending the Assert 4 All office or other suitable meeting place.

For meetings after the first meeting and where clients cannot attend the Assert 4 All office, advocates should discuss this issue with the Executive Officer and always advise other staff at the Assert 4 All office of their location and expected meeting finishing time.

Staff occupational health and safety will be taken into account, while still making every effort to assist individuals who cannot meet in the Assert 4 All office.

## 1.5 Priority of service

In determining priority of service, Assert 4 All will take into consideration the critical nature of the client's situation determined by individual assessment. If the service is unable to assist the person it will ensure that information on, and assistance with alternatives is given.

Where there are competing claims for access to the service, priority of service will be determined by the Advocacy Intake Officer according to the following criteria:

- i) Individuals who belong to the following groups:
  - People who have multiple disabilities.
  - Women.
  - People from indigenous communities.
  - People from non-English speaking backgrounds.
  
- ii) People whose issues are more urgent will receive priority of access, including:
  - A vital service, for example, accommodation or income support that is at immediate risk.
  - A client needs assistance with a serious criminal matter, for example sexual assault.
  - A vital court hearing or meeting is to be held that may have a significant impact on the client's life.
  - A client is in extreme distress and advocacy intervention has the potential to alleviate this.
  - The unfair treatment of a client is extreme or likely to have a serious effect on many others.

- iii) People who have heightened vulnerability because of the nature or extent of their disability will also receive priority of access.

Members of BDRC or Assert 4 All do not have priority of access over non-members.

## **1.6 Conditions of service delivery**

Provision of service proceeds through the following stages:

- Request for advocacy by individual or on individual's behalf
- Response by Assert 4 All Administrative Officer, completing a request for service form and client is advised that the Advocacy Intake Officer will contact them
- Information (generally verbal) is given to the client by the Administrative Officer regarding the recording of information and the intake process
- Advocacy Intake Officer contacts client and completes the Client Advocacy Intake form (Appendix 2.1)
- The intake process includes a discussion with the client regarding a summary of the issue and confirm whether it is an advocacy issue
- If it is not an advocacy issue, appropriate referral will be made by the Advocacy Intake Officer
- The Advocacy Intake Officer will make a decision, based on Assert 4 All's priority of service (see 1.5 of this policy document) as to the client's relative need, and inform the assigned advocate of the priority of service
- An advocate will be allocated to the case
- An authorisation form to be signed by the client
- A planned outcome is developed by the advocate under direction of the client, including an advocacy action plan and self-advocacy components, if applicable.
- Client to identify to whom information may be disseminated by the advocate.
- A prioritisation by the advocate of the case in relation to other current cases that advocate is working on, and relative need
- Referral to other services (if appropriate)

## **1.7 Fees and charges**

Assert 4 All provides advocacy services free of charge.

## **1.8 Exit procedures**

The advocacy service for a client will close:

- at the client's request
- when a positive outcome for the client on the advocacy issue is obtained
- when the client agrees that a positive outcome is not achievable.
- when the client decides not to continue or decides to pursue an alternative type of resolution.
- when the service can no longer effectively assist the client. The service will assist the client to pursue alternatives if this is possible.
- If the client displays behaviour to or about the staff that is threatening in nature and where all reasonable steps have been taken to reduce the effects of this behavior. The behavior has been documented and it has been determined by the Executive Officer that there is an unacceptable risk to staff members.

The advocacy worker and person receiving advocacy support will discuss the reason for the service closure. The advocacy worker should invite the person to contact Assert 4 All if the issue recurs or if a further issue arises.

No individual case is ongoing, although some cases may be long-term and clients may access the service as often as necessary.

After closure of service, clients will be provided with, and invited to complete and return, Assert 4 All Exit Survey (Appendix 2.2) Assistance will be offered

by another staff member within BDRC to complete the feedback form if this is required, or support person will be sought from another service.

If an individual prefers to complete the service evaluation form at home, then this will be supported. An envelope will be provided for the return of the form, or the client will be emailed a form and they can complete it by email. The name of the client does not need to be provided on the form.

Assert 4 All Exit surveys and service evaluation survey forms (Appendix 2.3) will be sent out via mail or email to individuals who have not or are unable to attend an Assert 4 All office.

Closure of cases includes the following:

- a discussion with the client regarding achievement of the desired outcome
- review of the Advocacy Action Plan by the client and advocate
- confirmation of the outcome and closure of the case with the client
- referral of the client to other services, if appropriate.
- A letter or email sent by the Assert 4 All advocate to confirm closure
- Discussion with the Assert 4 All Executive Officer
- Advice to the Assert 4 All Executive Officer of any systemic issues arising from the individual advocacy issue.

If there is a dispute regarding the closure of a client's case, the service's complaints procedure should be followed.

## **1.9 Networking and engaging alternative services**

Assert 4 All is an active member of the Barwon, Moorabool and Golden Plains communities and has a wide range of associations and partnerships. Assert 4 All will continue to develop and strengthen such relationships order to increase service opportunities and choices and decision making for people with disabilities, and to work towards bringing about systemic change.

## **1.10 Referral to other services**

Assert 4 All will refer requests for advocacy support to other advocacy organisations or other appropriate services with permission from the individual, or their representative, if Assert 4 All is unable to respond to a request. Referrals to other community organisations will be made when it is appropriate and after discussion with the individual requesting service. Any documentation required by the service to which we are referring will be completed by Assert 4 All with client consent.

### **1.11 Access and engagement**

BDRC will support clients' right to access transparent, equitable and integrated services. BDRC will ensure that the advocacy service has a clear and accessible point of contact.

BDRC will deliver all advocacy services in a fair, equitable and transparent manner. Clients will be supported to access services most appropriate to their needs through timely, responsive service integration and referral.

## **2. Individual needs**

Each person with disability receives advocacy that is designed to meet their individual needs and interests.

### **2.1 Rights approach**

Assert 4 All recognises the individuality of every client and the right of each individual to have their needs met in the most appropriate and least restrictive manner, including:

- Clients will receive an advocacy service to address their individual problem or issue.

- Decision making regarding action will be made by the client or the client's representative, if appropriate and according to the client's wishes.
- Assert 4 All will ensure that the service meets individual needs through assessment, evaluation and development of an individual advocacy action plan for each client by the assigned advocate taking into account their age, gender, ethnicity and cultural, family and religious background.
- The advocacy action plan will detail the advocacy issue, the objective (what the individual wants from the advocacy support), strategies, timelines, outcomes, and evaluation.
- The client and key family members (where appropriate) will be involved in the development of an individual advocacy action plans.
- Staff will ensure that clients wherever possible, be actively involved in all aspects of the advocacy process, in an effort to facilitate development of self-advocacy skills.
- The advocate will write progress case notes on a regular basis outlining the progress of each action and any issues which require resolution. These notes will be dated by the advocate. Only information pertinent to the advocacy issue will be noted in the client's file. The relevant information will also be entered into Assert 4 All's advocacy data base, IVO.
- Action will only be taken with the full knowledge and consent of the client. Client files will reflect and document this process.
- A new advocacy action plan on the same advocacy issue will be developed if a client's needs change. Advocacy assistance will take place within time frames agreed by Assert 4 All and the client, and outlined in the advocacy action plan.
- A copy of the action plan will be offered to the individual and a copy

stored in a locked filing cabinet on Assert 4 All premises.

- Assert 4 All will ensure the advocacy service is meeting the individual needs of each client.
- Privacy, dignity and confidentiality also applies to advocacy action plans. All client files are confidential and can be accessed only by the Advocacy worker, the client and other advocacy staff including the Executive Officer if this is required to meet clients' needs. An exception to this is where a court may subpoena a file. Also, the client may permission for their file to be accessed as a willing participant in an external audit by arrangement with the agency's funding body.
- The service will provide information to clients about other advocacy support services, and other community services and facilities that may be able to meet his or her needs.
- Staff will be familiar with anti-discrimination legislation including disability, gender, race, religion, Aboriginality, and non-English speaking background.
- Staff will liaise with appropriate services as required to assist with the cultural and language needs of people from a non-English speaking background.
- Staff have access to interpreters to be present during face-to-face or telephone meetings, when assisting people from a non-English speaking background.
- Staff have access to the NRS for people who are deaf or have a hearing or communication requirement.
- Staff have access to cross-cultural training to assist when supporting people from non-English speaking background.

- All staff will have access to relevant training on disability standards, disability advocacy standards and relevant legislation and organizational policies.
- The advocacy service will be evaluated by the Executive Officer, Board of Management members and clients to ensure individual needs are met. Client surveys and consultations will assist in this process.

## **2.2 Client directed approach**

Assert 4 All operates a client-directed approach when supporting an individual.

An advocate may give advice on the range of options a person might have to choose from. The client decides which course of action they desire to pursue. Staff will not influence a client's decisions but assist and support the client to have all available information and discuss information and options.

## **2.3 Communication support and family consultation**

Where a client with a disability requires support to communicate their needs, family members or carers may be consulted when making planning decisions.

If there are occasions when advocacy is required by a client and concerns have been raised about the ability of a family member or carer to properly represent an individual's choices. In these cases, where decisions would not fall within those of guardianship or administration, an advocate or project worker should firstly include, where possible the wishes of broader family members and personal networks that are significant to the client in the decision making process.

Assert 4 All has a duty of care to learn as much as possible about a client, in order to assisting in the planning of a course of action which would best reflect that individual's wishes, based on the types of decisions he or she has made in the past. Planned actions should also be rights and dignity focused.

All alternative communication methods should be used, or explored, to assist the individual and if secondary advice is required to assist the individual to communicate with an advocate, an appropriate organization, eg Communication Rights Australia should be contacted.

If significant decisions need to be made about an individual's major life choices, and the advocate has thoroughly exhausted all alternatives with regard to seeking the opinion of the client, then the Office of the Public Advocate should be contacted with regard to the possibility of an application being made to the Victorian Civil Administrative Appeals Tribunal for an independent decision on the most appropriate course of action, such as the appointment of a guardian or administrator.

The Executive Officer should be consulted in any decisions regarding clients with complex communication needs, where it has not been possible to ascertain the opinion of the client.

## **2.4 Empowerment**

BDRC's advocacy service will promote and uphold people's rights. BDRC staff will ensure that clients understand their rights and responsibilities, with respect to advocacy decisions and other areas of their life, if required and appropriate.

BDRC's advocacy service will assist individuals to exercise their rights and responsibilities with respect to advocacy and other areas of their life.

## **3. Decision making and choice**

Each person with disability has the opportunity to participate as fully as possible in making decisions about the advocacy activities undertaken.

### **3.1 Rights and responsibilities**

Assert 4 All actively supports each individual client to:

- Make personal choices and decisions
- Identify, choose and exercise as much control as possible over daily lifestyle choices
- Exercise as much control as possible over personal finances
- Access technology, aids, equipment and services that increase and enhance independence and decision making
- Control over personal possessions
- Ensure changing needs, aspirations and choices are met
- Actively participate in all major decisions affecting themselves
- Involve family and friends of choice to assist with making decisions and choices
- Access alternative advocacy or other independent supports to assist with making decisions and choices

### **3.2 Active participation**

Assert 4 All is committed to giving people with disabilities choice and decision making in the affairs that affect their lives, through access to membership of BDRC and participation in the Board of Management, should they wish to nominate, and/or other sub-committees or project advisory committees of BDRC.

To facilitate involvement, people with disabilities are:

- Eligible for ordinary membership of BDRC.
- Eligible to be nominated and elected to the Board of Management.
- Informed about BDRC's activities through reports provided by the Chairperson and staff members at any general meetings.
- Informed about issues and services through the production of a regular newsletter
- Informed about issues and services through updates to organisation's

website.

- Eligible to be a member of sub-committees developing the service's policies and undertaking evaluation of the service.
- Eligible to be a member of Project Advisory Committees, for various projects that BDRC/Assert 4 All may be involved in and including systemic advocacy.
- Provided with a number of methods in which they may access the service through a number of referral sources. These may include family members, carers, support workers, other organisations and self-referral.
- Encouraged to choose the goals, strategies, actions and time frames to be included in the action plan.
- Invited to participate in the organisation's annual self-assessment process, which provides an opportunity to express concerns and ideas and to participate in the future direction of BDRC/Assert 4 All.
- Encouraged to raise concerns or complaints via the organisation's grievance procedure where an individual may be unhappy with any part of the service.

Attendant care, note-taker, note reader, interpreter or other appropriate supports will be provided at meetings when necessary.

Assert 4 All promotes independence by providing the level of support necessary to achieve a positive outcome and encourage the development of self-advocacy skills.

Policies, procedures and other documentation, including client handbooks will be available in alternative formats upon request.

The members and clients of BDRC/Assert 4 All will be invited to be involved in making decisions about the operations of BDRC as part of a consultative

process including Strategic Planning days, Annual General Meetings, Board of Management meetings, self assessment reviews/consultations and via the organisation's website.

### **3.3 Additional support**

People with disabilities requesting advocacy from Assert 4 All, may be accompanied at any time by additional support persons of their choice including, family member, support worker or other person when attending meetings with staff.

Advocates will work with other formal advocates such as legal representatives or representatives from the Office of the Public Advocate, if requested by the client. At all times staff should advocate the client's wishes, choices and client's own decisions.

### **3.4 Accessible information**

Assert 4 All provides each client with accessible information in a range of formats to facilitate understanding and ensure informed decision making and choice.

The range of accessible information formats that can be made available at Assert 4 All include: Braille printing, NRS, Compic communication boards, plain English versions of documents, interpreters, screen-reader program audio documents.

As a matter of policy, Assert 4 All produces all information in basic, accessible formats. This includes using large, clear font in high contrast for all documents and emails.

The following information relating to BDRC/Assert 4 All will be made available in the most appropriate accessible format for any client who requests it:

- Legal rights, entitlements and obligations under the Disability Act 2006 (Vic)

- Services offered by BDRC/Assert 4 All
- Making a complaint to BDRC/Assert 4 All
- Making a complaint about BDRC/Assert 4 All to the Disability Services Commissioner or to the Complaints Resolution and Referral Service
- Access to independent support to assist with making decisions and choices
- Any other relevant information requested by a client.

When BDRC/Assert 4 All is not able to provide for a specific communication requirement, appropriate measures will be made to acquire the relevant resource so that it will be available for the client and for future clients.

As part of each staff member's professional development, Assert 4 All will provide training opportunities about changes to communication technology and the use of this technology.

### **3.5 Role of family members and carers in decision making**

Where practicable, and where this accords with client's wishes, members of a client's family, or their carer should be included in decision-making. Clients should be supported in including whomever they consider significant in their lives in planning and decision making.

### **3.6 Participation**

BDRC Advocacy service and staff will support clients to exercise choice and control in advocacy, self advocacy and in life decisions.

Advocacy staff will support clients to actively participate in their community by identifying goals and pursuing opportunities, within their Advocacy Action Plan and can include those related to health, education, training and employment.

Where possible BDRC advocacy staff will involve family and friends as appropriate in the advocacy work related to the client.

BDRC advocacy staff will encourage clients to maintain and strengthen connections to their cultural, spiritual and language connections, including

connections to their Aboriginal and Torres Strait Islander culture and community. This may occur through the Advocacy Action plan and through appropriate referrals to other organisations.

BDRC staff will assist clients to develop, sustain and strengthen their independent life skills, through development of self advocacy skills and support in their self advocacy efforts.

#### **4. Privacy, dignity and confidentiality**

The right of each person with disability to privacy, dignity and confidentiality is recognized and respected by BDRC/Assert 4 All.

All staff will be fully informed about this requirement during the recruitment process and have signed a Privacy and Confidentiality Agreement. Staff will be reminded of this during staff exit procedure.

All staff will be made aware that both Privacy and Confidentiality have to be provided for clients at all times. Staff should also know the difference between Privacy and Confidentiality.

Privacy relates to a person. Confidentiality relates to information/data about an individual.

Privacy is about protecting a client's personal information. Personal information is any individually identifying information about a client but could also include the details of the agency officers involved. It could be information that Assert 4 All collects, uses, stores or passes onto a third party.

Privacy is often understood as a 'right' and clients reasonably expect that their rights will be upheld by Assert 4 All. Assert 4 All will take all steps necessary to protect personal information from loss, unauthorised access, use, disclosure or any other misuse when staff handle it.

Confidentiality is often requested by clients and complainants. Staff will understand the difference between a request for confidentiality and a request for assurance that private information will be handled appropriately.

Confidentiality is designed to protect information by controlling what happens to it. An assurance of confidentiality means the organization will control and how and when that information is used. Confidentiality is rarely absolute and

can be affected by Assert 4 All's statutory obligations and principles of natural justice.

The BDRC Privacy Policy (see Services – Operational – Policy 8. Services – Privacy Policy) is to be adhered to by all Board of Management members, staff and volunteers. The BDRC Privacy Policy, with additional information regarding Assert 4 All advocacy clients is repeated below.

#### **4.1 BDRC Privacy Policy**

BDRC is committed to protecting the privacy of personal information which the organisation collects, holds and administers. Personal information is information which directly or indirectly identifies a person.

Board of Management members, staff and volunteers will keep all BDRC's sensitive business information confidential at all times.

All Board of management members, staff and volunteers will sign a Privacy and Confidentiality Agreement, before carrying out duties for BDRC, and comply with these policies and procedures.

BDRC collects and administers a range of personal information for the purposes of advocacy and other community service. The organisation is committed to protecting the privacy of personal information it collects, holds and administers.

BDRC is bound by Victorian Privacy Laws, the Information Privacy Act 2000, as well as other laws, which impose specific obligations when it comes to handling information including the National Privacy Principles of the Commonwealth Privacy Act (1988) and the Health Records Act 2001 (Vic). The organisation has adopted the respective Privacy Principles contained in the Victorian Privacy Laws as minimum standards in relation to handling personal information.

In broad terms this means that we:

- Collect only information which the organisation requires for its primary function;
- Ensure that stakeholders are informed as to why we collect the information and how we administer the information gathered;
- Use and disclose personal information only for our primary functions or a directly related purpose, or for another purpose with the person's consent;
- Store personal information securely, protecting it from unauthorised access; and
- Provide stakeholders with access to their own information, and the right to seek its correction.

BDRC will adhere to the Procedures outlined below.

## **Procedures**

### **Collection**

BDRC will:

- Only collect information that is necessary for the performance and primary function of BDRC.
- Notify stakeholders about why BDRC collects the information and how it is administered.
- Notify stakeholders that this information is accessible to them.

### **Use and disclosure**

BDRC will:

- Only use or disclose information for the primary purpose for which it was collected or a directly related secondary purpose.
- For other uses BDRC will obtain consent from the affected person.

### **Data quality**

BDRC will:

- Take reasonable steps to ensure the information we collect is accurate, complete, up-to-date, and relevant to the functions we perform.

### **Data security and retention**

BDRC will:

- Safeguard the information we collect and store against misuse, loss, unauthorised access and modification.
- Only destroy records in accordance with ***Administration & Records Management Policy***.

### **Openness**

BDRC will:

- Ensure stakeholders are aware of BDRC's Privacy Policy and its purposes.
- Make this information freely available in relevant publications and on the organisation's website.

### **Access and correction**

BDRC will:

- Ensure individuals have a right to seek access to information held about them and to correct it if it is inaccurate, incomplete, misleading or not up-to-date.

### **Anonymity**

BDRC will:

- Give stakeholders the option of not identifying themselves when completing evaluation forms or opinion surveys.

### **Making information available to other service providers**

BDRC:

- Can only release personal information about a person with that person's expressed permission. For personal information to be released, the person concerned must sign a release form.
- Can release information to third parties where it is requested by the person concerned.

### **Commitment to privacy**

BDRC staff will be mindful of the following:

- a) Recognising the need for privacy and individual differences in the extent to which privacy is desired, while always maintaining legislative requirements
- b) Attempting to organise meetings at places and times which are suitable for clients and staff
- c) Seeking only the information, which is needed for developing an appropriate advocacy action plan or for the provision of service
- d) Respecting confidentiality.

### **Responsibility**

BDRC's Board/Committee of Management is responsible for adopting this policy.

BDRC's Board/Committee of Management, Executive Officer and all staff members, contractors and volunteers are responsible for the implementation of this policy.

BDRC's Executive Officer is responsible for monitoring changes in Privacy legislation and for reviewing this policy as and when the need arises.

## **4.2 Gathering of personal information – advocacy clients**

### **4.2.1 Intake and other phone/calls meetings**

The intake phone call/interview, advocacy meetings and any other follow-up phone calls or meetings should take place in a setting that provides privacy and confidentiality.

#### **4.2.2. Provision of information about Assert 4 All**

Information about Assert 4 All and relevant contact details of their assigned advocate is provided to the client at or following intake. This includes the “Information for Advocacy Clients” booklet that has a section called “Assert 4 All, Privacy and You”.

#### **4.2.3 Collection of advocacy information**

All information provided to Assert 4 All regarding the individual will be strictly confidential. The advocate will ensure that the client is aware of the reasons why information is being collected. Wherever possible, Assert 4 All will collect information directly from the individual. Assert 4 All staff will endeavour to ensure that information that is collected is relevant, accurate, up-to-date and complete prior to it being used.

Where an individual is under the age of 18 years of age, information will be collected from a parent or guardian in conjunction with the client.

Information collected is to be used solely to obtain resolution of the individual's problem.

The client has the right to withhold information at any time. Assert 4 All will assist the client in advocacy matters, as best it can, without the disclosure of information withheld.

#### **4.2.4 Handling and disclosure of collected information**

Information from or to other agencies regarding the individual is only to be obtained after the individual signs the Assert 4 All form called “Consent for Sharing Personal Information” (Appendix 2.4). Only information to assist in the

resolution of the individual's problem will be requested from, or given to other agencies or persons. The individual will be advised of whom this information is going to and for what purpose.

Original documents that belong to clients will not be held on file. Such documents will be returned to clients after they have been perused and photocopies have been made for the file with the client's consent. Photocopies of any documents generated by Assert 4 All on behalf of clients, and responses to such documents addressed to Assert 4 All will be provided to clients as soon as practicable.

Fax numbers should be checked by staff prior to sending information and a follow up phone call made to confirm receipt.

Transfer of client information via email will only be utilised if necessary to expedite the advocacy issue and with client consent. Assert 4 All email files are to be password protected. All emails sent by Assert 4 All staff are to have a clause advising that

“This email, and any attachment, is intended solely for the named addresses and may be subject to legal and or other professional privilege. This email, including any attachments may contain private or confidential information. If you think you may not be the intended recipient, or you may have received this email in error, please contact the sender immediately and delete all copies of this email. If you are not the intended recipient, please do not reproduce any part of this email or disclose its contents to any other party.”

Information about an individual will be on Assert 4 All's secure computer database and/or in a locked filing cabinet in the Assert 4 All office.

Notes recorded on the Assert 4 All database and other client documents on Assert 4 All computers, are to be protected by password and are subject to the same requirements as written notes.

Working notes pertaining to service users that do not need to be kept

permanently are to be shredded.

In general, one advocate will have primary responsibility for the management of each case and will be the only person accessing the file. However, where that advocate deems it to be necessary, relevant information from a client's file may be shared with or made accessible to another Assert 4 All staff member in the interests of efficient and effective service delivery.

Only staff with the 'need to know' will have access to information held on individuals by the service. Information may be discussed when a staff member needs advice from another staff member, or when a staff member working with an individual is going to be unavailable due to taking leave, or other reason.

Client case files and issues may be discussed at Assert 4 All Advocacy Team Meetings, to report progress to the Executive Officer and the Advocacy Team, to seek clarification or the best way to assist a client. All steps will be taken to de-identify client information as much as possible.

Staff members will be sensitive when discussing personal details regarding clients with other staff members.

Individuals will have access to, or can obtain a copy of their information by making an appointment with the Advocate who is handling their issue. Clients have the right to correct personal information if necessary.

If a file is ordered by subpoena the client (if possible) and Executive Officer will be notified and only information ordered by subpoena released. In this instance the information may be photocopied.

If consent cannot be given by the client regarding the client's file, BDRC must ensure that it has considered how best to protect privacy, dignity and confidentiality of the client.

### **4.2.5 Handling of information when advocacy ceases**

When advocacy support ceases, it is necessary for information to be stored for a period of time as defined by Assert 4 All – a minimum of seven years, or longer if legally required. Disposal of information will take place according to the choice of the client. If the client cannot be contacted the file will automatically be shredded.

### **4.2.6 Statistics and case studies**

Statistics may be gathered about clients who use Assert 4 All for the purpose of service planning, accountability and provision of systemic advocacy services. However this information will be used sensitively and in a manner that does not identify individuals.

Case studies used for the purpose of community education must not contain information that will cause a client to be identified (ie identifying information may be altered to protect the privacy of the client). If there is any concern that such information might identify an individual, Assert 4 All should seek the client's consent and fully explain to what use the information will be put.

## **4.3 Maintenance of personal Information – advocacy clients**

Assert 4 All has a client computer base (IVO) and a paper client filing system.

### **4.3.1 Assert 4 All's paper client filing system**

Assert 4 All's paper client filing system is comprised of client files kept in locked filing cabinets.

An individual paper file will be created for each client following an initial interview.

A client file should be kept of client contact that includes:

- File number

- File checklist
- Request for advocacy or information intake enquiry form
- Client advocacy intake form
- Advocacy action plan
- Consent for sharing personal information form
- Correspondence, including reports/information from other agencies.
- Case notes
- Exit survey
- Any information regarding change in circumstances of the client

Files will be stored in the appropriate, locked filing cabinet when not in use.

Advocates and the Executive Officer may hold keys to the project's filing cabinets holding client files. A spare key will be kept locked in another filing cabinet, to be accessed for emergency purposes by the Executive Officer or Administrative Officer (for example – staff health and safety issue when attending a client meeting).

Files removed from the office should be placed inside a plain manila folder or equivalent, which does not identify the client.

Files must not be left in public places. Where it is necessary for a file to be left in a vehicle, the vehicle must be locked and the file kept in the boot.

Files being transported between offices, or used at a satellite office, will be secured in a padlocked portable filing case.

#### **4.3.2 Electronic files and IVO (advocacy database)**

All computers, laptops, mobile phones and other electronic devices that contain client files will be kept safely by advocacy staff.

All computers, laptops, mobile phones and other electronic devices will be password protected and the password known to the user (and a copy kept in a

locked cabinet in the Assert 4 All office to be used for emergency purposes only).

All client files kept on IVO will be password protected and the password known to the user (and a copy kept in a locked cabinet in the Assert 4 All office to be used for emergency purposes only).

### **4.3.3 Accessing personal information**

Clients have a right to view their file or other records held about them. However there are some circumstances when access must or may be refused. Openness, access for clients and correction of information are important privacy principles that Assert 4 All adheres to.

Circumstances that may mean a client will be refused access to their file or other records include:

- a) when providing access would pose a serious and imminent threat to the life or health of any person, for example bodily injury, threat to mental health, illness or death. Imminent threat means the threat is about to happen.
- b) when providing access would pose a serious threat. The serious threat does not have to be imminent. It could happen at any time.
- c) when access may unreasonably impact the privacy of other individuals. All effort will be made by Assert 4 All to delete other individuals personal information from the document before it is released to the individual, including any identifying information. If it is not possible to delete information of other individuals, Assert 4 All will not provide access to that file.
- d) when a request for access is frivolous or vexatious. Assert 4 All will take a narrow approach to this exception and make every effort to reasonably allow access to an individual's file and records. The Executive Officer will determine whether the request could be reasonably viewed as frivolous or vexatious. This could include requests that are trivial and made for amusement's sake; or made as a means of pursuing

some unrelated grievance against the organization; or repeated requests for access to the same personal information.

- e) in circumstances where legal dispute resolution proceedings are underway or anticipated and where discovery would not grant access to the personal information.
- f) when access would prejudice negotiations and that access to an individual's information, would show Assert 4 All's intentions and would prejudice or interfere in some negative way in Assert 4 All's negotiations with the individual.
- g) when access would be unlawful and if Assert 4 All were to provide access to personal information, it would be a breach of confidence under the law, for example a breach of legal professional privilege.
- h) when Assert 4 All is required by law to refuse access by a State or Commonwealth law, it must refuse access.
- i) when access to information would prejudice an investigation of unlawful activity, or where unlawful activity is reasonably suspected, for example fraud or theft, and access would prejudice investigations into that activity.
- j) when Assert 4 All is requested by an enforcement body not to provide an individual with access to certain personal information when that information itself will prejudice an investigation carried out by, or on behalf of, an enforcement body or a security function.

Assert 4 All will provide access to information after receiving a request within 14 days. If it is not possible for Assert 4 All to provide this information within 14 days because of the amount of personal information requested or complexity of the request, the client will be advised and Assert 4 All will provide this information within 30 days.

Assert 4 All will provide a written decision to the client and include any

reasons for refusal of access. If this decision is required in alternative formats, Assert 4 All will provide this.

Assert 4 All will use a mutually agreed (by the client and Assert 4 All) intermediary if reasonable. Assert 4 All will also agree to provide access to information to an advocate, authorized by the client and of the client's choice.

Assert 4 All will not charge any fee for information access provided to a client or for requesting information access.

Assert 4 All will take reasonable steps to correct information about an individual where that information is not accurate, up-to-date and complete.

If Assert 4 All and a client are unable to agree about whether personal information is accurate, up-to-date and complete, Assert 4 All must, at the request of the client take reasonable steps to associate with the personal information the individual's claim that it is not accurate, complete and up-to-date.

Assert 4 All will give a client its reasons for denying access or refusing to correct personal information. Assert 4 All should endeavour to tell the individual which exception under the National Privacy Principles 6.1, it is relying on to refuse access. However, this would not be required where such a disclosure would prejudice an investigation against fraud or other unlawful activity.

Any client who is not satisfied with a decision about access to their file may make a complaint to the Chairperson of BDRC. The client may contact the Victorian Privacy Commissioner or the Office of the Australian Information Commissioner. The client may also contact Health Services Commissioner, if the matter relates to health information. Health information is defined to include information about the physical, mental or psychological health of an individual, and can include personal information collected in providing an individual with a health service. The client could also contact the Disability Services Commissioner or the Complaints Resolution and Referral Service.

Records will be kept by Assert 4 All of all privacy information requests, detailing the date on which access was provided, the form of access and to whom the information was provided. These records will not be kept on individual client files, but in a separate, secure file by the Executive Officer.

#### **4.4 Making a complaint about a breach of privacy**

An individual has the right to make a complaint about a breach of privacy in relation to that individual's personal information. Any personal or sensitive information must be handled in accordance with the Victorian Information Privacy Act 2000, the Health Records Act 2001 or the Privacy Act 1988 (Commonwealth), as applicable. An individual has a right to complain if he or she believes there has been a breach of privacy.

The Executive Officer at BDRC is the Privacy Officer and will maintain and update privacy policy at BDRC and Assert 4 All (with approval by the BDRC Board of Management) and promote compliance by all staff, Board members and volunteers.

The Executive Officer is the contact person for complaints and other compliance matters relating to privacy.

If a client believes that BDRC or Assert 4 All has breached their privacy, they should follow the complaints procedure as outlined in this manual. If the matter remains unresolved, an individual can lodge a formal complaint with the Victorian Privacy Commissioner, the Office of the Australian Information Commissioner, the Health Commissioner (if related to a health issue), the Disability Services Commissioner or the Complaints Resolution and Referral Service.

## **5. Participation and Integration**

Each person with disability is supported and encouraged to participate and be involved in the community.

## **5.1 Statement of Purpose**

BDRC's Statement of Purpose "Promoting rights, social and economic inclusion for all" should be the basis for all advocacy work.

BDRC, including Assert 4 All promotes this statement of purpose widely, including on the website [www.bdrc.org.au](http://www.bdrc.org.au). The website also includes information articles and systemic advocacy to encourage clients to participate and be involved in their local community. Assert 4 All advocates will also display the Assert 4 All banner at relevant events. The Assert 4 All newsletter is published regularly and will provide information to clients and the local community.

## **5.2 Community Participation**

A key principle underlying BDRC's and Assert 4 All's philosophy is the importance of the development of community attitudes, infrastructure and resources to facilitate the involvement of persons with disabilities in all aspects of community life.

Assert 4 All aims to foster inclusion, participation and integration through the following community education, support of self-advocacy groups, provision of information to the community and systemic advocacy.

### **5.2.1 Community Education**

- conducting workshops on disability issues as required and as resources allow
- speaking at TAFE colleges, schools and universities
- running training sessions for government and other service provider workers as required and as resources allow
- writing and distributing media releases on current issues that relate to

## advocacy and people with disabilities

- convening conferences and consultations as required and as resources allow, and in partnership with other organizations as appropriate.
- organizing events, eg the Alcoa Access Awards organised by Assert 4 All since 2003 and to be held biennially, as funding allows. These events will be targeted at the business and community sector, to encourage provision of accessible premises, information and social inclusion for all and to raise awareness of accessibility issues.
- organizing access maps, eg the Alcoa Geelong Access Map, organised by Assert 4 All biennially. These access maps show gradients, accessible parking, accessible toilets, landmarks, seating and other features.

At all times, people with disabilities are invited and encouraged to take part in the community education process.

### **5.2.2 Self Advocacy**

Assert 4 All promotes advocacy in the following ways, by:

- Encouraging clients to engage in self-advocacy wherever possible, alongside their appointed Assert 4 All advocate, using the Assert 4 All Self-Advocacy Training Manual. Assert 4 All advocates will work through the training manual, as appropriate with the client, while working with them on a particular advocacy issues, concentrating on their training needs and in a self-paced style. In summary, the Self-Advocacy Training Manual covers the following topics:
  - what is self-advocacy
  - making choices and decisions
  - speaking up; knowing your rights
  - respecting the rights of others
  - knowing your responsibilities

- defining assertiveness
  - recognizing assertiveness
  - asserting your likes and dislikes
  - developing networks
  - reasons why it might be hard to speak up
  - how do you feel when you do not speak up
  - making complaints.
- Offering support to existing self-advocacy groups
  - Assisting in the establishment of new self-advocacy groups in the region, providing there is a recognized need for that group.

Depending on the requirements of the particular self-advocacy group, support may include:

- providing information and advice
- assistance in preparation of submissions for funds
- running workshops
- assistance to become incorporated, if appropriate
- auspicing groups, if appropriate and approved by BDRC Board of Management
- identifying issues
- hosting visits by state-wide disability groups and other community groups.

Assert 4 All aims to assist and support clients to represent their own interests as active participants in the community as any other person.

### **5.2.3 Information**

Assert 4 All provides information about services and activities available in the community and assists clients to access these.

Assert 4 All promotes client access to mainstream services by networking with these services so as to raise their awareness and understanding of the rights and needs of people with disabilities. Assert 4 All also displays information at the Geelong office about other services in the area and can provide information to clients in other areas where Assert 4 All carries out advocacy.

Assert 4 All advocates for policies, programs and strategies that empower and advance the rights and interests of people with disabilities.

### **5.2.4 Accessible formats**

Assert 4 All will provide information in plain English. Assert 4 All has an audio version of its brochure available to clients. Assert 4 All has access to a local Braille printer and can provide information in Braille. Assert 4 All will provide copies of any information in an accessible format suitable to the client on request.

## **5.3 Systemic Advocacy**

Assert 4 All provides systemic advocacy, according to the BDRC Statement of Purpose that states:

To address systemic issues affecting people with disabilities.

Assert 4 All carries out systemic advocacy, where funded to do so. Assert will document all requests for systemic advocacy and target those of relative need, as far as resourcing allows.

Systemic Advocacy will come under the responsibility of the Executive Officer, and if funding allows a systemic advocate will be appointed.

Systemic Advocacy will focus on:

- Regional issues that affect people with disabilities in the communities in which Assert 4 All works;
- State and Federal issues that affect people with disabilities in the communities in which Assert 4 All works. Assert 4 All will liaise with other appropriate advocacy and community agencies to bring about change and work in partnership with other appropriate organizations.
- Issues that are important to people with disabilities, their families and carers and that have been brought to the attention of Assert 4 All by people with disabilities, particularly those issues that focus on urgent matters that affect quality of life for people with disabilities.

### **5.3.1 Liaison with other relevant community organizations**

Liaison with other relevant community organizations, including ethnic organizations and aboriginal organizations will occur. Diversitat is a major ethnic organization, representing 42 affiliated communities, representing 45,000 residents in the Geelong and South Western region. Diversitat also covers Golden Plains Shire. Assert 4 All regularly meets with Diversitat representatives through a number of forums, including G21 and Committee for Geelong and advocates and workers will meet regarding client related matters. In Moorabool Shire (Bacchus Marsh), Assert 4 All liaises by Ballarat Regional Multicultural Council.

Assert 4 All liaises with Wathaurong Aboriginal Co-operative for Geelong and Bacchus Marsh. Assert 4 All also organizes regular training for advocacy staff in cultural awareness.

## **6. Valued Status**

The intrinsic value of each person with disability is recognized and each person is supported and encouraged to enhance their valued status in the community.

### **6.1 Promoting the abilities of people with a disability**

Assert 4 All promotes the value of people with disabilities by:

- encouraging people with disabilities to become members of BDRC and members of the BDRC Board of Management
- employing people with disabilities, according to Assert 4 All's policies
- working in partnership with clients to resolve issues, the client having the role of directing the resolution process
- encouraging the media to present a positive image of people with disabilities
- providing information and support to individuals to access arts, sports, and leisure services in the community
- strongly encouraging services in the community to adopt access policies for people with disabilities
- conducting community awareness projects.

### **6.2 Support and encouragement of people to enhance valued status**

Assert 4 All places a strong emphasis on self-advocacy principles and upholds the valued status of people with disabilities in every aspect of its philosophy, management and promotion of the service. The service encourages people with disabilities to enhance their lives by supporting and promoting their abilities through the provision of training and assistance so that people with

disabilities may strive to self-advocate their own interests and abilities in the community.

Assert 4 All will provide its advocacy assistance from accessible premises and will make necessary modifications to enable all people of all abilities to physically access the service safely and easily.

Assert 4 All has service evaluation and feedback mechanisms in place which facilitate ongoing client appraisal and input.

### **6.3 Promotion of valued status by Assert 4 All**

Assert 4 All promotes the abilities of people with disabilities by encouraging their contribution to its newsletter and website.

Assert 4 All contributes to public debates on disability issues and raises the profile of these issues by: participation in community consultation groups, writing submissions on appropriate matters and being an active and vocal member of the local community.

Assert 4 All participates in local advisory committees of councils and other committees, including disability related and non-disability related committees, to improve the valued status of people with disabilities. Assert 4 All participates in various forums, including workshops as presenters and participants and promotes the abilities of people with disabilities in these forums.

Assert 4 All has a particular interest in accessibility for all and advises other community organizations on appropriate accessible meeting venues in the local area.

### **6.4 Wellbeing**

BDRC Advocacy will adopt a strengths-based and early intervention approach to service delivery that enhances clients' wellbeing. Intake, the first advocacy

meeting and Advocacy Action plan highlight the client's strengths and outlines what component of the advocacy work the client can undertake, with support from advocacy staff.

The Advocacy Action plan enabled individuals to participate in this assessments of their strengths, risks, wants and needs with the support of BDRC advocates. This plan clearly outlines goals and strategies to achieve goals.

Advocacy action plans are regularly reviewed with clients through phone calls, emails and meetings to ensure that the plan is updated and evaluated. Exit from the service is planned with the advocate and occurs when the issue is resolved, or is unable to be resolved, or the client has made decisions not to pursue a previous course of action.

All advocacy services are provided in a safe environment for all people, free from abuse, neglect, violence and/or preventable injury, as evidenced in this policy manual.

## **7. Complaints and Disputes**

Each person with a disability, who has a complaint or dispute with the advocacy agency, is encouraged to raise it, and have it resolved without threat of retribution.

### **7.1 Assert 4 All's commitment to complaint process**

Assert 4 All and BDRC, will:

- Encourage the raising of complaints regarding any area of dissatisfaction with the agency, without any fear of retribution

- Create an atmosphere whereby complaints are viewed proactively as an opportunity for improvement
- Provide an accessible, accountable and transparent process for the management of complaints
- Enable people with disability to access independent support as needed throughout a complaints process
- Ensure the satisfactory closure of the complaint through an open and transparent process.
- Provide an accessible and effective complaint process for people with a disability, taking into consideration that people with disability may feel less empowered to make a complaint.

## **7.2 Assert 4 All's internal complaint/feedback mechanism**

Assert 4 All's internal complaint/feedback mechanism will provide:

- A commitment at all levels of the agency to resolving the complaint at the local level, demonstrated by effective dissemination of policies that recognize the positive and important roles of complaints to increase the satisfaction of clients and enable continuous agency improvement.
- Fairness to all concerned, including the complainant, the agency and the person complained about. This includes availability of support or appropriate referral to provide support to ensure that the complainant can make the complaint effectively and does not suffer retribution or intimidation as a result.
- Accessible information about the process in a variety of formats including plain English and large print, which is promoted both internally and externally. There will be flexible methods of making complaints, with

assistance available to complainants as necessary.

- A response process, including full, impartial and timely investigation of all aspects of the complaint and fair and reasonable remedies where warranted.
- An effective mechanism that addresses individual complaints and uses the information collected to improve overall delivery of advocacy and address systemic and recurring problems.

### **7.3 Review of Assert 4 All complaints/feedback mechanism**

- The Assert 4 All complaints/feedback mechanism will be reviewed regularly to ensure that it is meeting the needs of people with disability. This review will occur when this policy is reviewed at Board of Management and staff meetings and at other times as required.
- The Assert 4 All system will demonstrate:
  - Openness and accountability – so people with disability can judge for themselves whether the system is working effectively
  - Privacy, dignity and confidentiality for people who are making complaints, in accordance with Assert 4 All Privacy Policy
  - External referral where a complaint cannot be resolved by Assert 4 All's internal process. This may involve an alternative dispute resolution procedure such as mediation, or referral to another appropriate avenue for resolving the complaint, such as an appeal procedure or other legal remedy.
  - Co-operation with external complaint resolution agencies where a person with disability has approached the external agency, in the investigation of complaints. External complaints mechanisms can include the Complaints Resolution and Referral Agency (CRRS), the

National Abuse and Neglect Hotline, the Disability Services Commissioner, the Australian Human Rights Commission, Victorian Equal Opportunity the Office of the Information Commissioner or other advocacy agencies.

- Assert 4 All will refer clients to other advocacy agencies for support during the complaints process, if this support is requested.

## **7.4 Right to make complaint**

Assert 4 All ensures that clients have the right to make complaints about the service and to have complaints dealt with fairly, promptly and without retribution.

Assert 4 All will inform clients, staff and Board of management members about the complaints and disputes policy.

Complainants have the right to be represented by an independent advocate of support person of their choice in complaint or dispute resolution process.

Where any person chooses to raise a complaint or dispute or concern informally, they may do so. Informal mechanisms may include explanation, mediation and conciliation between relevant parties.

Assert 4 All may request that the complainant put the complaint in writing, if it is unclear about the exact nature of the complaint. Assert 4 All will be mindful of individual's accessibility requirements and will take the complaint in whatever form it is submitted, so long as the aspects of the complaint are clear. Assert 4 All will refer individual complainants to a service that may assist them if they need assistance to lodge a complaint.

The service will maintain the client's interests as the priority in the resolution of a complaint.

## **7.5 Process of complaints**

BDRC/Assert 4 All maintains a complaints reporting system which registers complaints made, dates, the action taken at each stage, the timeframe, the outcome and who is responsible for each action. Any staff member or Board member who receives a complaint must ensure that the complaint is recorded on this system.

Board and staff members fully support the effective resolution of complaints and will act to encourage staff, members, clients and others to make full use of the system.

If a client lodges a complaint, the following procedures will apply:

- Step 1. The Executive Officer will be notified of all complaints for information, action and resolution.
- Step 2. The staff member to whom the complaint is first made will log the complaint on the on-line Disability Services Commission (DSC) Annual Complaints Reporting (ACR) tool.

This tool is the only BDRC/Assert 4 All complaints reporting system used for all complaints. All client information is de-identified and the DSC will only receive complaints that are relevant to State funded advocacy. Other complaints including Commonwealth funded advocacy and other projects will be logged onto this same system.

The Executive Officer as Administrator of the BDRC/Assert 4 All online complaints reporting system has access to all staff logged complaints and will confirm all complaints are accurately recorded.

- Step 3. The Executive Officer will contact the complainant and ask if the complainant would like to discuss the matter.
- Step 4. If the complainant does not wish to discuss the complaint with the

Executive Officer, or if the problem cannot be resolved by the Executive Officer, the client should ask for the complaint to be referred to the BDRC Board, or address a written complaint marked “Private and Confidential” to BDRC as follows:

The Chairperson, Board of Management  
 Barwon disAbility Resource Council  
 48 McKillop Street  
 Geelong VIC 3220

Communications regarding complaints must not be addressed to individual BDRC Board members and all communications must be sent via Barwon disAbility Resource Council/Assert 4 All. The Executive Officer will refer the matter to the Board for action within seven days.

BDRC will attempt to resolve the matter by offering a meeting between the complainant and nominated Executive members of the BDRC Board as soon as possible (within seven days). The complainant and the BDRC Board may negotiate as to whether any member of BDRC who is the subject of a complaint may attend the meeting.

Step 5. If the matter remains unresolved, BDRC will offer to arrange a conciliation conference as soon as possible. The following people will be invited to attend the conciliation conference:

- The complainant and/or their nominated advocate or representative;
- Any support person that the complainant requires to be present;
- Nominated members of the BDRC Board;
- The Executive Officer and/or any member of BDRC involved in the matter; and
- An independent conciliator agreed to by the client and BDRC.

The independent conciliator shall chair the conference. The aim of the conciliation conference will be to negotiate a settlement of the matter that is satisfactory to all parties. At the conciliation conference relevant information

will be sought from the parties involved with full consideration to the confidentiality of information. Minutes of the proceedings of the conciliation conference will be taken and all parties to the conference will be provided with a copy of the minutes and informed in writing (or other appropriate means) of the outcomes of the conference, including actions to be taken, if any, and time frames for action.

Also included with this information will be the names, contact addresses and telephone numbers of some of the major organisations that the complainant may contact if they are not satisfied with the outcome of the conciliation conference and wish to take the matter further.

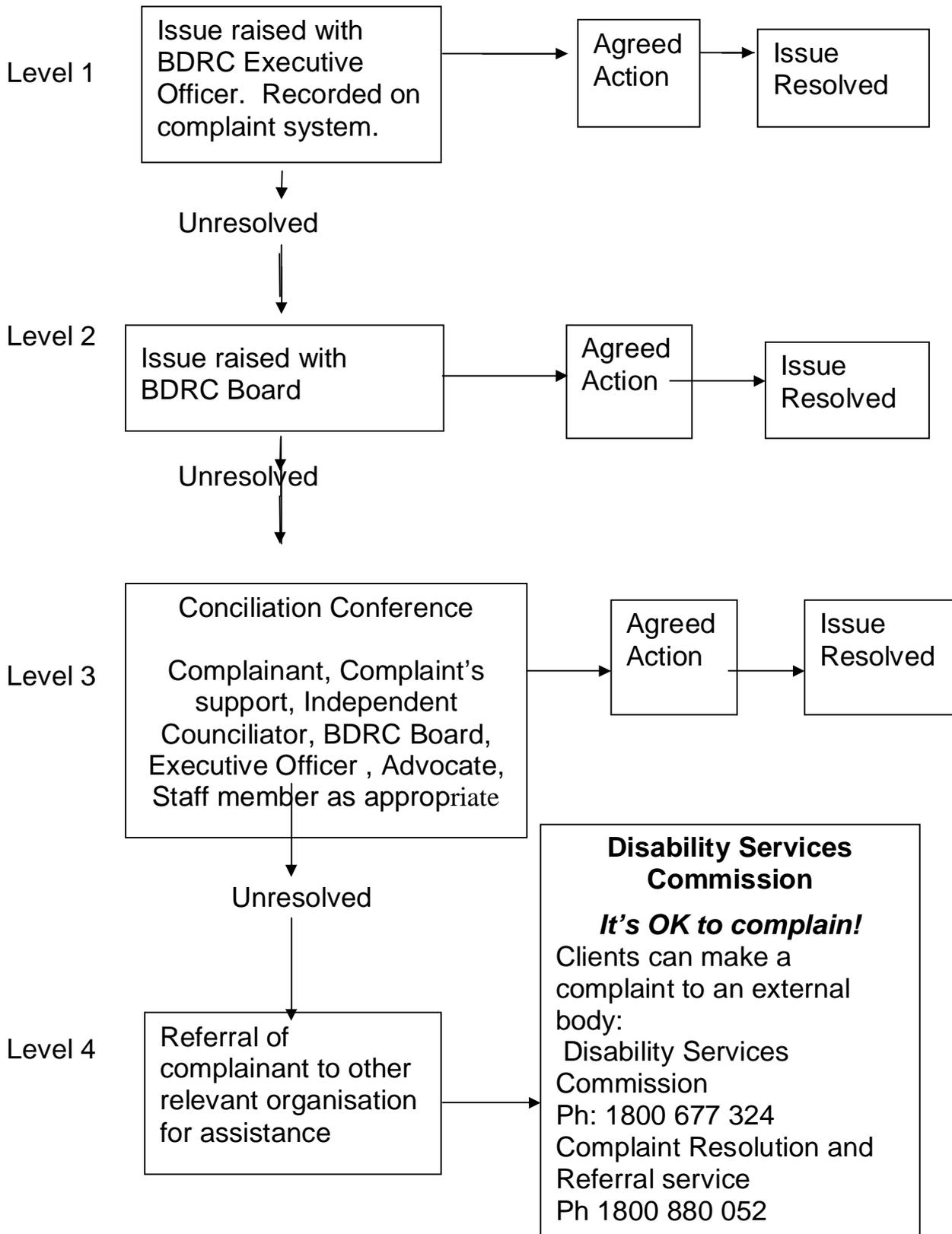
Step 6. If the complainant is not satisfied with the outcome of the conciliation conference, they will be advised of their right to seek further assistance from relevant organisations in order to resolve their complaint, including the following:

- Complaint Resolution and Referral Service                      Ph. 1800 880 052
- Disability Services Commissioner (VIC)                              Ph. 1800 677 342

All information regarding complaints by an individual will be treated as stated in Assert 4 All's privacy policy.

The Executive Officer will sight and sign off on all complaints, ensuring that the complaint has been adequately dealt with and that the Executive Officer has knowledge of the complaint and resolution.

## BDRC/Assert 4 All Complaint and Dispute Resolution Procedure



## **7.6 Protocols for dealing with clients and others who are at risk of suicide**

From time to time BDRC/Assert 4 All will be confronted by a person threatening suicide. Assert 4 All will assist them to seek professional help without putting undue responsibility onto the staff. Once the person has been connected with the appropriate service the responsibility for BDRC/Assert 4 All and the staff member will cease.

The threat of suicide will not impact on the advocacy issue and the way advocates plan to manage it.

Assert 4 All staff may, on occasion, be confronted by a distressed person, threatening suicide. Such situations can be difficult to handle, especially when the majority of Assert 4 All staff are not appropriately trained or qualified to assist the person with these particular mental health related issues.

There are numerous factors which may have influenced or led a person to the point of making such threats. It is important that all such threats are taken seriously, and where necessary, the appropriate support is provided to them to obtain the professional support and assistance that they need.

Most people with thoughts of suicide want to talk about it. They want to live – but desperately need someone to hear their pain and offer them help to keep safe.

If someone is at risk of suicide it is important to let them know that they are not alone and that help is available. If you appear confident in the face of the suicide crisis, this can be reassuring for the suicidal person. Finding out information on what resources and services are available for a person who is considering suicide is often the best help.

There may be a number of reasons why a person say or feel suicidal

- Attention seeking – think they may get a service quicker if they say they will kill themselves

- Expressing feelings of hopelessness and helplessness
- Being socially isolated
- Having a recent loss – relationship, death, job
- Having a friend, family member or work colleague who has died by suicide
- Having a mental illness.

People at risk of suicide may give verbal or non-verbal clues by the way they behave. These may include:

- Previous suicide attempts
- Being moody, sad and withdrawn
- Talking of feeling hopeless, helpless or worthless
- Taking less care of themselves and their appearance
- Losing interest in things they previously enjoyed
- Difficulty concentrating and/or sleeping
- Being more irritable or agitated
- Talking or joking about suicide/death
- Expressing thoughts about death through drawings, stories, songs etc.
- Saying goodbye to others and/or giving away possessions
- Engaging in risky or self-destructive behaviour
- Increasing alcohol/drug use.

If a person is displaying some of the behaviours listed above it is appropriate to ask questions to provide them with an opportunity to talk about their feelings.

### **7.6.1 Procedures**

If a person discloses to a BDRC/Assert 4 All staff member that they are suicidal, the following steps are to be followed:

Explain to the person that:

- Assert 4 All takes all talk of suicide seriously. That you will need to refer them to someone who is more appropriately trained or qualified to provide assistance. Try and get the persons consent to contact other agencies (Assert 4 All Privacy and Confidentiality Policy allows for disclosure if a person's life, or that of another person is in danger.)
- If not already known or readily available, seek details of the person making the threat, i.e. name, address, telephone number, treating doctor details and the person's current location (if threat made by telephone).
- Explain that Assert 4 All cannot assist with any other issue until the suicide risk has been minimised

The best way to assist them to get the appropriate help they need is to distinguish between those who are having suicidal thoughts (low risk) to those who plan to self harm with the intent of ending their life (high risk).

### **Low Risk**

Assist the person by encouraging them to get professional help

- to make an appointment to see a doctor
- to contact their mental health worker if they have one
- by providing contact details of the mental health team
- by providing the phone number of telephone help lines.

### **High Risk**

People who are at high risk of suicide normally:

- have a plan
- have access to a lethal means
- have a timeframe for taking action.

It is appropriate to ask the person if they have a plan for suicide.

People seen as being at high risk will need to seek medical help immediately.

**If the staff member is with the person**

Stay with them, unless it is dangerous for you to do so.

Ask another staff member to sit with the client while you make calls to the police and ambulance.

**If the person at risk is on the phone**

Stay on the phone and find out exactly where he/she is and whether anyone else is there

- Try to remain in contact with them on this line.
- If you have access to another phone (landline or mobile), use the second phone to call 000, whilst remaining in phone contact with the person at risk.
- Ask the operator for the police.
- Ask the police for a welfare check on behalf of the person you are concerned about.
- Give the police as much information about the situation as possible.
- Follow their advice.

**7.6.2 Police welfare check**

If you are concerned for their immediate safety, you can contact the police and report your concern for your client. A police welfare check occurs when a report is made about an individual who is in some sort of peril. The welfare check involves police officers going to the person's residence to determine the safety of the individual.

**Call 000 and ask for the Police and Ambulance****7.6.3 Support for Staff member**

If a plan to end their life has been made:

- Do what you can to keep them safe
- Contact the Psychiatric Emergency Team and the police on 000.

Report that the person is suicidal, has made a plan, and you fear for their safety.

#### **7.6.4 Counselling for staff following an event**

The staff member who was the recipient of the threat, or who supported a client who passed away, will be encouraged to utilise confidential support and counselling. Assert 4 All will assist the staff member to arrange this counselling and will reimburse staff members for their out of pocket costs, for up to 2 sessions per year, to a counsellor of their own choice. The staff member only needs to seek approval from the Executive Officer who will authorise the Administrative Officer to arrange reimbursement. If the staff member requires further counselling, they should seek approval from the Executive Officer.

#### **7.6.5 Staff training**

Assert 4 All staff will be encouraged to complete appropriate training such as Mental Health First Aid to assist them to assist people who are at risk of suicide.

#### **7.6.6 Policy review**

This section of the policy will be reviewed on an annual basis in a consultative process as part of its management practices with the Board, staff, clients, members and interested community members to ensure that it meets the changing needs of clients. Review of this policy will also occur at any time considered appropriate by the Board , for example, after a complaint or feedback is received by a client.

**8. Agency management** (see Governance section of policy manual)

**9. Staff recruitment, employment and training** (see Staffing section of policy manual)

## **10. Protection of human rights and freedom from abuse**

The advocacy agency acts to prevent abuse and neglect and to uphold the legal and human rights of each person with disability.

Assert 4 All will uphold the legal and human rights of people with a disability.  
Assert 4 All will advocate to prevent abuse and neglect and will empower and support clients to exercise their human rights.

### **10.1 United Nations Convention on the Rights of People with Disabilities (CRPD)**

BDRC Board of Management and Assert 4 All staff will abide by the United Nations Convention on the Rights of People with Disabilities (CRPD), and the CRPD's guiding principles on fairness and human rights which include:

- Respect for human dignity and freedom
- Equality before the law
- Privacy
- Protection against discrimination
- Equal opportunity in employment.

### **10.2 Proactive action regarding abuse and neglect**

Assert 4 All will be proactive in preventing abuse and neglect of people with disability, where consistent with contractual obligations and BDRC/Assert 4 All's purpose.

Staff will be encouraged to be observant and vigilant when conducting advocacy and to adhere to Assert 4 All policies regarding incident reporting; preventing and responding to abuse and neglect.

Staff are to be made aware of the forms of abuse that may occur to people with disability, including:

- Physical, sexual, psychological or emotional abuse

- Constraint and restrictive practices
- Neglect and deprivation.

Staff should also be aware that some forms of abuse may be intentional while others are more likely to result from system failures or poor practice.

Assert 4 All will have prevention strategies in place, including:

- A workplace culture that supports valued attitudes
- Staff have basic competencies/skills in abuse prevention
- Monitoring indicators and risks related to abuse
- Policy guidelines related to abuse prevention.

### **10.3 Proactive Strategy for preventing abuse and neglect**

Assert 4 All has a proactive strategy for preventing abuse and neglect including proactive outreach to clients who may be vulnerable, isolated, or otherwise unlikely to access an advocacy agency.

Assert 4 All will ensure that all staff are aware of the National Disability Abuse and Neglect Hotline and that reports can be made to the Hotline regarding allegations of abuse and neglect against people with disability.

Board of Management, staff and volunteers will receive training in prevention of abuse and neglect and how to recognize when abuse or neglect may be occurring.

Assert 4 All staff will act in the best interests of the person alleged to have been abused.

Assert 4 All will follow its incident reporting policy in any instance of abuse or neglect that Assert 4 All Board of Management, staff and volunteers become aware of.

Reporting procedures of any instance of abuse or neglect will follow Assert 4 All's incident reporting policy.

Assert 4 All will make available appropriate support to alleged victims, families and staff/volunteers around allegations of abuse and neglect.

#### **10.4 The Assert 4 All Human Rights Checklist**

Assert 4 All has a Human Rights Checklist in each client's advocacy file and staff will check the appropriate relevant right from the checklist for each client and will investigate appropriate mechanisms to attain the best option for each client.

The Assert 4 All Human Rights Checklist includes:

Human rights are the basic rights that belong to all of us because we are human beings. They are known around the world as the basic standards needed for governments, societies and communities to work in a respectful and peaceful way.

Human rights encourage and protect freedom, justice, peace and respect. They are an important part of any democratic and inclusive society that respects the law, human dignity and equality.

Everyone has the same human rights: men, women and children, rich and poor, and people from all countries and religions.

#### **Victoria's Charter of Human Rights and Responsibilities**

The Charter sets out the rights, freedoms and responsibilities that are shared by all Victorians and protected by law.

Australia is also a signatory to the United Nations Convention on the Rights of People with disabilities (CRPD).

For more information about equal opportunity and human rights:

**Phone: 1300 292 153**

**enquiries@veohrc.vic.gov.au**

**humanrightscommission.vic.gov.au**

Level 3, 204 Lygon St, Carlton Victoria 3053

Telephone: 1300 891 848 Fax: 1300 891 858

TTY: 1300 289 621

### **Rights protected by the Victorian Charter**

The Charter protects the following rights in Victoria:

**Advocates** – please tick which areas that may apply to the client’s advocacy issue and seek advice accordingly from the Human Rights Commission:

- Right to be recognised and treated equally before the law
- Right to life and to not have your life taken without a lawful reason
- Protection from cruel treatment or punishment, including torture and medical treatment without consent
- Freedom from forced work or slavery
- Right to move freely within Victoria, to come into and leave Victoria, and to choose where to live
- Right to privacy and to protect your reputation
- Freedom of thought, conscience, religion and belief
- Right to hold an opinion and freedom of expression

- Right to gather together, take part in a peaceful demonstration or protest, and to join groups such as political, sport or union groups
- Protection of families and children
- Right to take part in public life, including the right to vote
- Right to enjoy your culture, practise your religion, and speak your language
- Right not to have your property taken away, unless the law says it can be taken
- Right not to be arrested or detained unfairly, and right to the security of person, such as protection from harassment and threats in everyday life
- Right to be treated humanely when arrested or detained
- Protection of children in the criminal process
- Right to a fair hearing
- Rights in criminal proceedings including the right to be presumed innocent until proved guilty
- Right not to be tried or punished more than once for the same crime
- Right not to be found guilty of a crime if the behaviour was not against the law when it happened

## Appendix 1

### Client Advocacy Intake Form



#### CLIENT ADVOCACY INTAKE (To be completed by intake worker)

Name:	
Address:	
Phone:	
Email:	
TTY:	
DOB:	

Aboriginal or Torres Straight Island background

Culturally or linguistically diverse background

	LGA
--	-----

Advocacy issue	
Disability type	
Source of referral	

Other advocacy service used?	
------------------------------	--

Other services involved?	
--------------------------	--

Name of case manager or support person:	
---	--

Contact details:	
------------------	--

**Alerts:**

Allergies:
Risks:
Additional comments including urgency:

Additional advocacy issue notes: \_\_\_\_\_

What other services has client tried? \_\_\_\_\_

This information collected by: Name: \_\_\_\_\_

Position: \_\_\_\_\_

Sign: \_\_\_\_\_

Date: \_\_\_\_\_

Client info added to IVO

By: \_\_\_\_\_

Date: \_\_\_\_\_

Statistical data:

**NDAP** - Disability type:

I.D	Specific learning/ ADD	Autism	Physical	ABI	Neurolo- ical	Sensory and speech	Psychiatric

No. of referrals made to other agencies:

**QDC** – Formal Complaints/referrals

	Referrals	Complaints
VEOHRC		
Disability Services Commission		
Health Services Commissioner		
Australian Human Rights Commission		
VCAT		
Victorian Ombudsman		
<b>Other:</b>		

## Issues

Abuse & neglect		Employment		Leisure & Recreation	
Accommodation		Family		Transport	
Built Environment		Gender		Other	
Disability Service		Health		Other	
Education		Legal		Other	

## Disability Type:

Acquired Brain Injury		Physical disability	
Autism spectrum		Psychiatric Disability	
Deafblind		Speech Impairment	
Deaf/hearing impairment		Vision Impairment	
Intellectual disability		Undisclosed	
Neurological disability		<b>Other</b>	

## **Appendix 2**

### **Exit Survey**

Dear

Thank you for contacting Assert 4 All for assistance with an advocacy issue.

As Assert 4 All has completed all actions agreed upon with you on this advocacy issue, we would now like to get your opinion of our service.

It is important to us that we are providing a service that meets the needs of people with disabilities. We are interested in your comments about Assert 4 All. We are also interested in your ideas or changes that could be made to make the service better.

It would be appreciated if you, or someone you choose to assist, could fill in the form and return it to us in the envelope provided.

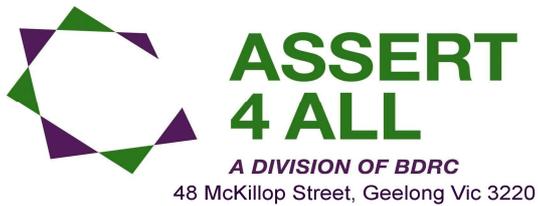
Assert 4 All can suggest an independent support person to help you with completing this form if this is required. You do not need to put your name on the form so please be honest in your feedback.

If you would prefer to give your feedback in person, then please feel free to contact the Executive Officer of the service by telephone on (03) 52 218011. If you want this survey in another format, please contact us.

All information will be kept private and confidential.

Yours sincerely

Carol Okai  
Executive Officer



## CLIENT SURVEY (EXIT)

Please circle the answer to each question

### 1. Service Access

1.1 Did the staff at Assert 4 All tell you, in a way that you could understand, about the help they could offer you?

Yes      No

### 1.2 Did you have to wait to get help from ASSERT 4 ALL?

Yes      No

If Yes – how long

1 day      1 week      2 weeks      more than 2 weeks

### 2. Individual Needs

Did the staff at ASSERT 4 ALL help you to solve a problem or help you get what you wanted?

Yes      No      Partially      Resolved in a different way

### 3. Decision making and Choice

BDRC Policy Manual – Part 2 – Services (Operational) Advocacy

3.1 Do the staff and management of ASSERT 4 ALL listen to what you have to say, and give you a chance to suggest other ways they could help you?

Yes          No

Comment \_\_\_\_\_  
\_\_\_\_\_

3.2 Are you interested in having any input into how **ASSERT 4 ALL** is run?

Yes          No

If Yes, please contact ASSERT 4 All on 1300 942 773

**4. Privacy, Dignity and Confidentiality**

4.1 Does ASSERT 4 ALL keep the things they know about you private?

Yes          No

How? \_\_\_\_\_  
\_\_\_\_\_

4.2 Can you see, or get, any files about you if you want to?

Yes          No

**5. Valued Status**

Did ASSERT 4 ALL talk to you about your rights, and the things you could do if you are not getting your rights?

Yes            No

**6. Complaints and Disputes**

Were you aware that you have the right to complain about the service you received from ASSERT 4 ALL?

Yes            No

**7. How did you find us?**

How did you find out about ASSERT 4 ALL and the services that we offer?

Friend                      Other service                      Brochure

Website                      Email

Media – eg newspaper                      Other (please list)

---

THANK YOU

## Appendix 3

### Service evaluation survey – BM/GP (Bacchus Marsh/Golden Plains)

Assert 4 All

ABN no: 83 121 194 660

Promoting rights, social and economic inclusion for all

**Please let us know what you think about Assert 4 All Advocacy, so we can improve. This won't take long ...just tick the boxes. All information given will remain confidential.**

				
	Yes	No	Sometimes	Don't Know
<b>Standard 1: Accessing Advocacy</b>				
1. The Assert 4 All office is easy to find.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Staff are available to talk to.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. I know what Assert 4 All does and who it can help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Assert 4 All lets the community know about the organisation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
				
	Yes	No	Sometimes	Don't Know
<b>Standard 2: Individual Needs</b>				
1. Staff are sensitive to a person's individual situation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All works with me to get the best result.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Assert 4 All helps people from different cultures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

4. Staff are honest and loyal to their clients.

	☺	☹	☺	◇?
<b>Standard 3: Decision Making And Choice</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. My advocate upholds my right to make my own decisions about the action to take.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. My advocate talks about options but leaves the final decision to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. My advocate will involve family members only if I give my permission.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. My advocate tells me what she /he is going to do.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	☺	☹	☺	◇?
<b>Standard 4: Privacy Dignity and Confidentiality</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. My details and my problems are kept confidential.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All has a privacy policy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. I know where my file is kept.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. I have to give my permission before my advocate can talk to anyone about me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Standard 5: Participation and Integration</b>				
	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. Assert 4 All believes that everyone has the right to take part in community life.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All works with others to develop a more inclusive community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. My advocate knows about other community services that can help me and tells me about them.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Standard 6: Valued Status</b>				
	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. My advocate treats me with respect.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. My advocate listens to my concerns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Assert 4 All believes that all people are valuable.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Assert 4 All promotes the value of people with a disability in the community.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

				
<b>Standard 7: Complaints And Disputes</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. I know who to go to if I have a complaint about Assert 4 All.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All welcomes feedback and complaints.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. My advocate can tell me about Assert 4 All's complaint policy and procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

				
<b>Standard 8: Service Management</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. Assert 4 All is a well run organisation.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. People with a disability are involved in the management of Assert 4 All.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. People with a disability are encouraged to provide feedback to the Assert 4 All committee of management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. The Assert 4 All AGM is open to all interested people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	☺	☹	☺	◇?
<b>Standard 9: Staff, Recruitment, Employment And Training</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. Assert 4 All staff are professional and competent.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All management and staff work together.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. My advocate keeps up with new ideas in disability and advocacy.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Assert 4 All provides training for its advocates and committee.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

	☺	☹	☺	◇?
<b>Standard 10: Protection of Human Rights And Freedom From Abuse</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. My advocate knows about the Victorian Charter of Human Rights and Responsibilities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Assert 4 All talks about human rights in brochures and newsletters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Assert 4 All stands up for people who are abused or neglected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Comments: .....

.....

.....

.....

.....

If you would like assistance with completing this form, please let us know.

Appendix 4

REQUEST FOR ADVOCACY OR INFORMATION ENQUIRY

Use this form for all new enquiries (not message pad) Client form: 1/2015

Date: Time:

Advocacy

Information

This enquiry taken by:

CLIENT DETAILS:

Client name: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Gender: \_\_\_\_\_ (write M, F, or whatever is said eg may identify as transgender)

Local Government Area: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

How did you find out about us (eg newsletter, internet, word of mouth):

ENQUIRER DETAILS (If different from client):

Name: \_\_\_\_\_

Position: \_\_\_\_\_

Organisation: \_\_\_\_\_

Address: \_\_\_\_\_

\_\_\_\_\_ Postcode: \_\_\_\_\_

Phone: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Information enquiry To be entered on IVO by Intake Worker

To be completed by person who takes enquiry -

Information Issue (keep brief): To be completed by intake worker (or if person taking enquiry answers query):

Date information provided \_\_\_\_\_

Information provided: Form Assist

Housing Legal

Other Advocacy Service Other

Detail: \_\_\_\_\_

OR Advocacy enquiry

To be completed by person who takes enquiry - Advocacy Issue (keep brief):

Caller advised advocacy intake worker will phone them within 10 working days.

Caller advised this will not give them service within 10 days, but confirm whether Assert 4 All can assist.

Only if enquirer states it's urgent:

Timeline: \_\_\_\_\_ Why urgent:

( Advise client of other available services – see Advocacy options for clients

Advocacy enquiry only To be completed by intake worker:

Date contacted enquirer \_\_\_\_\_

Referral is accepted

Referral not accepted: Ineligible for service

Client declining

Wait list time inappropriate

Referral to other

service

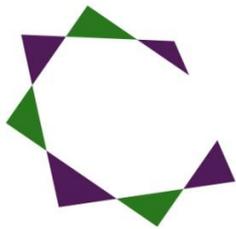
---

\_\_\_\_\_ Office details 1) When this form completed, scan and send to info@bdrc.org.au. Scanned copies to be kept in advocacy/info requests file on admin. computer.

2) Put original in appropriate tray in advocacy office.

**Appendix 5**

**Consent for sharing personal information**



**ASSERT  
4 ALL**

*A DIVISION OF BDRC*

48 McKillop Street, Geelong VIC 3220

**Phone/TTY** (03) 5221 8011

**Fax** (03) 5229 5665

**Email** [info@bdrc.org.au](mailto:info@bdrc.org.au)

[www.bdrc.org.au](http://www.bdrc.org.au)

**CONSENT FOR SHARING PERSONAL INFORMATION**

I \_\_\_\_\_ (Client Name)

Agree to my personal information being received and disclosed regarding the following issue:

\_\_\_\_\_ (State issue)

I understand that only the information that is necessary to help work towards a resolution of this issue will be received or disclosed. I give permission for Assert 4 All to disclose relevant information to, or request information from, only the following organisations on my behalf, for the above stated issue.

List organisations or individuals that your information can be received from/ disclosed to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that this consent remains current whilst I am a client of Assert 4 All's working on the above issue. **Please sign and date this form:**

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Signed by  Client or  Authorised representative

I have explained what information will be shared with the organisations/ individuals nominated by you:

**Name:** \_\_\_\_\_ **Signed:** \_\_\_\_\_ **Date:** \_\_\_\_\_

Signed by Assert 4 All staff member

## Appendix 6 Advocacy Action Plan

### ADVOCACY ACTION PLAN

Client Name:

Date of Initial Contact:

Advocate Name:

Issue/Summary of Concern

Other Services/Individuals Accessed/Involved

<p>Goal(s) Identified</p>
---------------------------

Action Plan

Action	By When	By Whom	Review Date

<p>Referrals</p>
------------------

Signed by Client.....

Date.....

## Appendix 7

### Client feedback form

#### Client Feedback - Bacchus Marsh and Golden Plains (Assert 4 All staff can ask these questions and record answers)

1. How did you find out about Assert 4 All?

---

2. Have you received the booklet "Information for Advocacy clients"?

---

3. Have you got any comments you would like to make about the booklet, or ways to improve it?

---

---

---

4. Have you received the Assert 4 All Advocacy brochure?

---

5. Have you got any comments about the Advocacy brochure and how to improve it?

---

6. Have you got any ideas about improvements Assert 4 All could make to its advocacy service?

---

---

---

If you would like a response from Assert 4 All, please provide your name here and contact details. Otherwise this can be anonymous.

---

## **Appendix 8 Advocacy information booklet**

Assert 4 All

### **CONTACT DETAILS:**

48 McKillop Street

Geelong VIC 3220

Ph: 1300 942 773

Ph: (03) 5221 8011

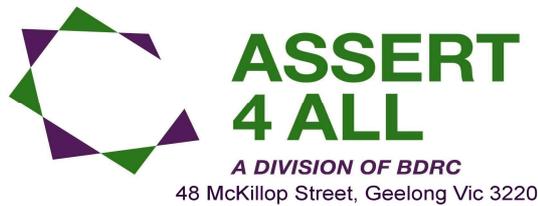
Fax: (03) 52295665

Email: [info@bdrc.org.au](mailto:info@bdrc.org.au)

Web: [www.bdrc.org.au](http://www.bdrc.org.au)

THIS BOOKLET IS ABOUT:

# **INFORMATION FOR ADVOCACY CLIENTS**



*updated 18/12/09*

## INFORMATION FOR ADVOCACY CLIENTS

### **What is this information for?**

This gives you some information about our organisation and the service it provides. It can be made available in alternative formats eg Braille or audio. Services and workers in the disability and general community may also use it to pass on information about Assert 4 All, a division of Barwon disAbility Resource Council.

### **Who does Assert 4 All help?**

People with all types of disabilities including acquired brain injury, physical, intellectual, sensory, psychiatric and psychological disabilities can use Assert 4 All advocacy and information services.

Families and carers are also welcome to contact Assert 4 All.

Assert 4 All offers advocacy and information in the following areas:

- Geelong
- Geelong suburbs including Newcomb, Leopold, Corio
- Lara
- Bellarine including Drysdale, Portarlington, Ocean Grove
- Queenscliffe and Point Lonsdale
- Torquay
- Anglesea
- Lorne
- Winchelsea
- Bannockburn
- Inverleigh
- Bacchus Marsh

### **Does help from Assert 4 All cost anything?**

No - Advocacy and information services are **FREE**.

### **Who works for our service?**

We employ skilled, experienced staff to help you work towards the outcome you wish.

### **What can Assert 4 All help me with?**

- Getting Information
- Speaking up
- Being heard
- Supporting you to negotiate various issues
- Participating in the community
- Knowing your rights
- Making decisions
- Making a complaint
- Attending meetings with service providers
- Attending meetings with other organisations
- Supporting you at court or tribunal

## **We try to help in 4 main ways:**

### **1. Individual Advocacy**

We help and support you so that you can access the same things as other members of the community.

### **2. Self-Advocacy**

We help and support you to improve your own skills in speaking up for yourself.

### **3. Systemic Advocacy**

If problems keep happening we try to get people like the government to make changes so that people with a disability get a fair go.

### **4. Community Education**

We try to educate the community so that they understand what it is like to have a disability and become aware of the needs of people with disabilities, their families and carers.

## **How does Assert 4 All know and understand what I need?**

- We ask you **What You Want and Need**
- We Listen to **What You Say**
- We agree on a plan to get **What You Want and Need**
- We work on this plan together.

## **What happens when I first make contact with Assert 4 All?**

When you or a friend or service provider contacts Assert 4 All for assistance, you will be asked your contact details and informed that the Intake Co-ordinator will contact you.

When the Intake Co-ordinator contacts you, she will ask you questions about your situation and explain how Assert 4 All may be able to help.

If we are able to assist you with advocacy, you will then be contacted by the advocate who will be working with you on your issue.

The advocate will make a time to talk to you about your issue and ask you what outcome you want. It is important that you tell us **WHAT YOU WANT TO HAPPEN**.

The advocate will give you information, talk about different ways to resolve your issue and what some of the possible outcomes may be.

For example, you may want an advocate to attend a meeting with you or you may simply want some support for an issue that you are dealing with yourself.

## **What happens if the Assert 4 All staff are busy?**

We will try to help the people who need assistance the most first.

We do this by looking at three main things:

1. How serious is the person's issue?
2. Can the person get assistance from another service?
3. What is the person's ability to deal with the issue on their own, or with limited support?

**What if Assert 4 All cannot assist?**

We will tell you why, and suggest where you might find assistance.

## **Client Rights and Responsibilities**

**As a client of our service, you have the right to:**

- Respect
- Privacy
- Access our service without discrimination
- Be informed about available support
- Choose from available alternatives
- Pursue any complaint about service provision without retribution
- Obtain copies of Assert 4 All Policies and Procedures
- Have any service information made available to you in an appropriate language or alternative format
- Have an interpreting service available upon request
- Involve an advocate of your choice.

**As a client of our service, you have the responsibility to:**

- Provide the correct information that Assert 4 All needs in order to advocate effectively
- Let staff know if you are unable to keep an appointment
- To behave in a manner that promotes respect and dignity within the Assert 4 All work environment.

Any person who acts in a threatening manner towards staff or other service users will have the matter brought to their attention and will be requested to modify their behaviour. In the event that threatening behaviour continues, then the person will be asked to leave the premises at that time.

Please see our exit procedures for further information.

**In the result of any grievances the appropriate complaints policy will be followed.**

## **Why does Assert 4 All keep information about clients?**

We collect information about people who use Assert 4 All so that we can tell what type of work we are doing and how well we are getting things done. We put together a file on each person who uses Assert 4 All.

## **Assert 4 All, Privacy and You!**

### **Assert 4 All recognises your right to privacy, dignity and confidentiality.**

- This means that your privacy will be respected in all areas of our work with you, including home and office visits, security of personal information and disclosure of information to other people (only with your permission).
- All information provided to Assert 4 All will be kept strictly confidential. This means that your information will be
  1. Stored in a safe place
  2. Only discussed with workers within Assert 4 All who have a need to know – for example supervisor
  3. Only disclosed to other people with your permission and for a specific reason.
  4. Destroyed when there is no further need for Assert 4 All to have this information.
- The advocate will ensure that you are aware of the reasons why certain information is being collected and for what purpose.
- Information about Assert 4 All will be provided to you at the time of your initial contact with us. Our Advocacy brochure gives you information about what our service does and how to contact us.
- Wherever possible information will be collected directly from you unless you give us permission to collect information from other sources.

### **What happens to any information collected about me?**

Any information collected from you will be used only for the purpose of resolving your issue.

You have a right to withhold information from Assert 4 All for privacy reasons.

Information from or to other agencies regarding you can only be obtained after you sign an authorisation form giving us permission to act on your behalf.

### **How safe is my file?**

Any information that we record on paper or hold on your behalf will be kept secure in a locked filing cabinet.

Assert 4 All will attempt to ensure that all information kept about you is accurate and up to date. If your information needs updating at any time, please let your advocate know.

When advocacy support ceases, it is necessary for Assert 4 All to keep records for a period of time. Information will then be destroyed.

### **Who will have access to my Assert 4 All file?**

The individual advocate you are working with will have access to your records. Other advocates may require access if a staff member is away and another advocate needs to work on your issue. Only individuals directly involved in your situation will have access to your records.

Assert 4 All must ask for your approval before they can talk about your issue with anyone outside of our service. We must get your written approval if we need to show your file to anyone else.

If there is an emergency, Assert 4 All is allowed to give out information (eg to find a missing person) and Assert 4 all must give your file to the Court if a Judge or Magistrate asks for it.

### **What information does Assert 4 All collect about me?**

Some information about you will be collected for statistical purposes. Your personal information such as name, address, date of birth will remain in your file.

Assert 4 All will gather information about people using our services which includes age group, gender, cultural background, type of disability, and types of issues that we deal with, eg education, finances, employment. Any information that could reveal your identity is not used for statistical purposes without your permission.

## **Can I access my own file?**

Yes - You have a right to access your information on your file and can do so by making an appointment with your advocate or the Advocacy Co-ordinator. Your file belongs to Assert 4 All.

## **What should I do if I feel that my privacy has been breached?**

If you are concerned about your privacy at any time then you should make an appointment with the Advocacy Co-ordinator or the Executive Officer. If the issue can not be resolved, the Executive Officer will advise you of the next step to take in order to make a complaint.

If you would like more information, or to see a copy of the Assert 4 All Privacy, Dignity and Confidentiality Policy or Complaints Procedure, please ask the Advocacy Co-ordinator.

Alternatively, you may contact the Privacy Commissioner, or the funding body to raise your concerns.

## **Who runs the service?**

A Board of Management made up of people with disabilities and interested people from the community. At least half of the committee has a disability. Staff are not members of the Board of Management.

The Board of Management meet regularly to talk about how Assert 4 All is going. The Executive Officer goes to these meetings and gives information to the committee about Assert 4 All so that they can make sure that Assert 4 All is running well.

Assert 4 All has a Policy Manual which the Board of Management and Staff use to run the service. You can ask to see a copy of the Policy Manual at any time.

## **Are you unhappy with our service?**

## **Do you have any suggestions to improve our service?**

For any suggestions on how to improve our service, please contact the Advocacy Co-ordinator.

You have a right to make a complaint about the service you received from Assert 4 All.

## How?

1. Lodge your complaint in writing with the Executive Officer of Assert 4 All, or telephone the Executive Officer.
2. The Executive Officer will review the matter with you and attempt to resolve the issue to your satisfaction.
3. If you don't want to talk to the Executive Officer, or you are unhappy with the outcome, you will need to put your complaint in writing to the Assert 4 All – Barwon disAbility Resource Council Chairperson:

Chairperson  
Barwon disAbility Resource Council,  
48 McKillop Street,  
Geelong VIC. 3220

Mark the envelope "Private & Confidential".

You may wish to have an advocate assist you in this complaint. This could be a family member or friend, or Assert 4 All could recommend other organisations you could contact.

4. A meeting may be offered to you to discuss the complaint with members of the Assert 4 All Board of Management about your complaint.
5. If the matter is still unresolved, Assert 4 All may suggest a conciliation conference where you could contact independent organisation that may set up a conciliation conference to resolve your complaint.

Individuals have the right to make complaints about Assert 4 All to appropriate complaints services, depending on the complaint issue or to the funding body.

Please request a copy of the full Assert 4 All Complaints and Disputes Policy to see the full list of these other services.

## Can someone be with me when I make a complaint?

It is okay to have someone you trust with you or to speak for you.

## **Should I only complain when it is really serious?**

You should tell us anytime you feel that you have a problem with Assert 4 All. It doesn't matter if you think your problem is small or big.

## **Who will know about the complaint?**

The things you say are confidential and are only talked about with people who need to know so that the complaint can be resolved.

## **Assert 4 All Policies**

If you would like to look further at Assert 4 All Policies, please contact your Advocate.

## **Feedback about Assert 4 All Service**

We would welcome feedback about our advocacy and information service. Please find attached a copy of the Assert 4 All Exit Survey – you will be reminded of this survey when we have completed our advocacy / information work with you.

## Appendix 9

### Glossary of terms, relevant to communication

- **AAC system** - The group of communication strategies that a person uses as an alternative or to supplement their speech.
- **Acquired disability** - A disability that has occurred after the time of birth.
- **Aided AAC** - Communication, other than speech, that involves the use of a device or aid eg. Board, book, wallet, folder.
- **Aids and Equipment Program** - A Victorian government funded project, which aims to provide eligible adults with funding for a range of electronic communication aids.
- **Alternative communication** - A means of communication that is used instead of speech.
- **Augmentative communication** - A method of communication that supplements speech. Augmentative communication methods include manual sign, gestures, use of pictures, spelling, word/phrase boards, etc. Augmentative communication systems may be used on electronic and non-electronic communication aids.
- **Auslan** (Australian sign language) - The language of the Australian Deaf community. Auslan has a word order that is distinct from spoken and written English. Auslan has been adapted and simplified for use by people who have complex communication needs.
- **Autism** - A developmental disorder that is often diagnosed in early childhood and continues throughout adulthood. It affects three main areas: communication, social interaction, and creative or imaginative play.
- **Body language** - Movements and posture of the body used to communicate a message.
- **Button** - A simple mechanism for controlling a part/function of a machine. They are usually made out plastic or metal and shaped for the finger or hand, so they can be easily pushed. When the button is pushed, an event (usually electrical) takes place (e.g. an item might be selected activating voice output on a communication aid).

- **Cell** - An area on a device that corresponds to a vocabulary item, and can be selected and activated.
- **Chat book** - Specific items which relate to activities, events and/or objects the person has experienced or enjoys. They provide a topic of conversation for the communication partner. The text is written in a way to prompt interaction, such as the use of open-ended questions for example 'How was that?' or 'Where have you been today?'
- **Chores chart** - A visual support that uses photos, pictures, and words to display routine tasks and the person(s) responsible for them.\*
- **Communication aid/display (wallet, board, folder)** - A visual display of photos, pictures, words and/or letters of the alphabet that are used as a way of communicating.\*
- **Communication partner** - A person who you communicate with.\*
- **Complex communication needs** - Difficulty communicating using speech alone.
- **Digitised speech** - Recorded human voice.
- **Direct access** - Pointing directly to a vocabulary item on a communication aid (e.g. using a hand, foot, or eyes).
- **Dynamic screen devices** - Electronic AAC devices that have multiple pages of vocabulary options, which are shown, by scrolling through pages, on a computer screen. The computer screen changes according to the page that the person is using.
- **Eye pointing** - A communication technique, in which a person looks at their communication partner to gain his or her attention and then at a desired item or vocabulary selection.
- **Facial expression** - Movements and postures of facial features that are used to communicate a message (e.g. frowning, smiling, raising eyebrows).
- **Finger spelling** - The use of hand shapes that represent individual letters of the alphabet, to spell words.
- **Functional speech** - Ability to use verbal language to meet communication needs.
- **Gesture** - Can include fine and gross body movements (eg. waving, shaking hands, pointing, giving the thumbs up).
- **Head pointer** - An aluminium pointer that is attached to the centre of the forehead via a headband made of thermoplastic or similar material.

- **Indirect access** - Used when a person cannot directly point to items on a communication aid. Involves the selection of vocabulary options from a number of choices presented visually or audibly.
- **Infra-red pointing** - A very thin beam of red light that can be used to point to vocabulary items on a communication device.
- **Intentional communication** - Deliberate actions used to get a message across to another person.
- **Keyboard** - An input device similar to a typewriter, for the entry of text, numbers and punctuation.
- **Key guard** - A plastic divider used to separate keys or cells on a communication device, preventing a person with poor motor skills from pressing the wrong key or cell.
- **Light pointers** - A beam of light that can be used to point to a vocabulary item on communication aid.
- **Line drawings** - A two-dimensional representation of a concept or an object. They may be in black and white or colour.\*
- **Literacy** - The ability to read and spell.
- **Magna-doodle© board** - A magnetic writing board used for drawing and writing. Messages may be erased in between uses.
- **Makaton (key word sign)** - Use of sign and gesture with people who can hear but cannot talk, are difficult to understand, or have difficulty understanding other people. The Makaton principles are to: Speak and sign concurrently; Sign only the key words in the sentence; Use directionality and placement; Use the signs of the host country (Auslan).
- **Mime** - Acting out a message using only gestures and body movements.
- **Modelling** - Demonstration of a target behaviour, with the goal of that behaviour being imitated.
- **Multi-level devices** - Electronic AAC devices, which have multiple pages of vocabulary options, arranged in topics or grammatical groups.
- **Multiple message devices/systems** - Electronic AAC devices, which have more than one message that may be chosen and activated by the user.
- **National Relay Service (NRS)** - An Australia-wide telephone access service that is available to people who have a hearing or speech problem, allowing them to make and receive phone calls.

- **Non-Electronic Communication Aid Scheme (NECAS)** - A Victorian government funded project, which aims to provide funds for eligible adults to purchase individualised non-electronic communication aids.
- **Personal response systems** - Personal alarms worn around the neck, on the wrist, or on a key ring, which allow people who have complex communication needs to access help in an emergency situation.
- **Pictographs** - A two-dimensional representation of a concept or an object. It may be black and white or coloured. Commercially available sets include: COMPIC, PCS, widgit.
- **Picture-based recipe book** - A book incorporating photos or line drawings of the ingredients and the steps involved for a range of recipes. Picture-based recipe books allow people with complex communication needs to participate in cooking activities.
- **Picture-based shopping list** - Cards or booklets displaying pictures, logos or photos of items to be bought.
- **Picture Exchange Communication System (PECS)** - A system that requires a person to hand over a card displaying a picture/photo of an item or activity in order to receive the item or participate in the activity.\*
- **Scanning** - A person systematically looks at or listens to a range of options presented sequentially, and selects the desired option.
- **Signed English** - A type of sign language that has been used in Australia in the past. Signed English uses the same grammar as spoken English by translating each spoken word into a manual sign.
- **Single message devices** - An electronic device that has one recorded message.
- **Social stories** - A series of related pictures that present alternative options for behaviour. They are used to reduce a person's inappropriate behaviours, or to teach the steps in a routine. They are accompanied by the written words.
- **Switch** - A control consisting of a mechanical, electrical or electronic device for making or breaking or changing the connections in a circuit. It enables a person to operate a battery powered or electrical item.\*
- **Synthesised speech** - Artificial, computer-generated voice.
- **Telephone typewriter (TTY)** - A telecommunications device, which allows people to type phone messages into a keyboard instead of using speech.

- **Text output communication aid** - An electronic AAC device that displays a printed or typed message.
- **Touch-screen** - A special screen that the user touches in order to make selections on a computer or device.
- **Unaided AAC** - Communication, other than speech, that does not require any props or devices.
- **Visual timetable** - The use of pictures, photos, line drawings or objects to show the sequence of activities within a set time period e.g. before school, during a day, across a week.\*
- **Vocabulary** - The set of words/ pictures/ line drawings/ photographs used in a person's everyday communication
- **Voice banking** - A person's voice is recorded while they still have functional speech so that it can be used with an AAC device later.
- **Voice Output Communication Aid (VOCA)** - Device that generates spoken words using synthesised speech (artificial voice) or digitised voice (recorded human voice). Some VOCAs may also generate text. Also known as Speech Generating Device (SGD), and Electronic Communication Devices (ECD).

\*Adapted from: Scope. (2004). InterAACtion: strategies for intentional and unintentional communicators. Melbourne: Communication Resource Centre

## Appendix 10

### Promoting rights, social and economic inclusion for all

Client Survey - Geelong/Surf Coast/Queencliff

Please let us know what you think about Assert 4 All Advocacy (part of Barwon Disability Resource Council – BDRC). This will help us improve our service. The survey won't take too long ...just tick the boxes please.

All information given will remain confidential.

				
<b>Standard 1: Empowerment</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
5. Assert 4 All talks about human rights in brochures and newsletters.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. My advocate has helped me understand about human rights.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. My rights and responsibilities with Assert 4 All have been explained to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. I know where my advocacy file is kept.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. I have to give my permission before my advocate can talk to anyone about me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Assert 4 All welcomes feedback and complaints.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Assert 4 All has told me about their complaint policy and procedures.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Assert 4 All stands up for people who are abused or neglected.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. I understand that I have a right to be free from abuse, neglect, violence and preventable injury.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

				
<b>Standard 2: Access and Engagement</b>	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
1. The Assert 4 All office is easy to find and access for all people.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Staff are available to talk to.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. I know what Assert 4 All does and who it can help.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. I was given an information booklet, or this was explained to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Assert 4 All has given me information that tells me why they first help clients with urgent advocacy needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Assert 4 All has explained their intake/entry, and any other requirements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. Assert 4 All answered my first request for advocacy or information in a reasonable time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. My advocate has helped me with referrals to other services.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. My advocate works with other services that are also helping me, if I want this.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Standard 3: Wellbeing</b>				
	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
5. My advocate upholds my right to make my own decisions about action to take.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. My advocate talks about options but leaves the final decision to me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. My advocate will involve family members only if I give permission.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. My advocate supports me to self-advocate when possible.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Staff are sensitive to my situation and needs, including cultural needs.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. Assert 4 All did an Advocacy Action Plan with me that includes my advocacy goals and timelines.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. My advocate reviewed my Advocacy Action Plan with me at a later date.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. My Advocacy Action Plan was changed because my goals or needs changed.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Assert 4 All worked with me to get an advocacy result I am OK with.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. I have completed an exit survey.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
15. I know that I can contact Assert 4 All to assist me again with advocacy or information.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Standard 4: Participation</b>				
	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
5. I am satisfied with the choices I was able to make.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. My advocate listens to my concerns.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. My advocate supported the decisions I made.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. My advocate has helped family and close people to help my decisions and choices.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Assert 4 All believes that everyone has the right to take part in community life.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. My advocate tells me about other community information that can help me.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. Assert 4 All provides services which respect a person's Aboriginal and Torres Strait Islander cultural identity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. Assert 4 All provides services which respect a person's culturally and linguistically diverse identity.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. Assert 4 All uses interpreters as required.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Assert 4 All supports people to develop/maintain independent life skills as appropriate.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

<b>Management</b>				
	<b>Yes</b>	<b>No</b>	<b>Sometimes</b>	<b>Don't Know</b>
5. BDRC/Assert 4 All has effective and accountable management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. I can get a copy of all Assert 4 All policies, if I want this.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. People with a disability are involved in the management of BDRC/Assert 4 All and leadership is encouraged.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. People with a disability are encouraged to provide feedback to the Assert 4 All Board of management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. BDRC/Assert 4 All has a clear vision, mission and values.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
10. BDRC/Assert 4 All complies with all laws and regulations.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
11. BDRC/Assert 4 All has good systems to support the achievement of individual goals and outcomes.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
12. BDRC/Assert 4 All has processes for monitoring and feedback so it learns and continuously improves.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Staff	 Yes	 No	 Sometimes	 Don't Know
5. Assert 4 All staff are professional and competent and skilled and are supported by management.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Assert 4 All management and staff work together and it is a safe workplace.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7. My advocate keeps up with new ideas in disability and advocacy and uses person-centred approaches.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. BDRC/Assert 4 All provides training for its staff and Board.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Any comments you would like to make:**

.....

.....

.....

.....

If you would like assistance with completing this form or require it in another format, please let us know. Assert 4 All, Barwon *DIS*Ability Resource Council, 48 McKillop Street, Geelong, VIC, 3220. Ph: 03 52 218011 or 1300 942773.

If you are deaf or having a hearing impairment or speech impairment, contact us through the National Relay Service: TTY 133677. Speak and listen users 1300 555 727.

Fax: 03 5229 5665.

Email: [info@bdrc.org.au](mailto:info@bdrc.org.au) Website: [www.bdrc.org.au](http://www.bdrc.org.au)

Assert 4 All advocacy is supported by the Victorian Government and Give Where You Live.

Thank you for completing this survey – we appreciate your help.

## Appendix 11

### Advocacy Code of Conduct

DARU (Disability Advocacy Resource Unit). This code of conduct is endorsed by BDRC for its Board, Executive Officer and staff.

#### Disability Advocacy Code of Conduct

March 2011

This Code of Conduct has been developed with the assistance of:

- Dean Dadson
- Maurice Gleeson
- Sharon Granek
- Marina Henley
- Leah Hobson
- Dymphna Laurie
- Kevin Stone
- Susan Stork-Finlay

Enquiries to the DARU Co-ordinator on (03) 9639 5807 or email [admin@daru.org.au](mailto:admin@daru.org.au)

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Design and layout: Anna Tito

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Copies of this publication are available from the Disability Advocacy Resource Unit

Level 8, 128 Exhibition Street

MELBOURNE VIC 3000

P 03 9639 5807

TTY 133 677 quote 9639 5807

E [admin@daru.org.au](mailto:admin@daru.org.au)  
[www.daru.org.au](http://www.daru.org.au)

Abbreviations	46	
1. Preamble	47	
2. Introduction	48	
3. Purpose of the Code of Conduct		49
4. How to Use this Document	51	
5. Definitions	52	
6. Key Advocacy Principles	54	
7. Key Advocacy Principles for Committees of Management, and/or Board Members	59	
Useful Contacts	60	
Useful Resources	61	
Appendix 1: The Victorian Charter of Human Rights and Responsibilities	63	
Appendix 2: The Disability Act 2006		65
Appendix 3: The Quality Framework for Disability Services in Victoria (2007)	67	

A Code of Conduct will assist to focus a program and help educate members of the community about the nature and principles of advocacy and its application

#### Abbreviations

DARU

Disability Advocacy Resource Unit

DHS

Department of Human Services

VCOSS

Victorian Council of Social Services

VDAN

Victorian Disability Advocacy Network

FaHCSIA

Department of Families, Housing,

Community Services and Indigenous

Affairs

## 1. Preamble

The Disability Advocacy Resource Unit (DARU) was established in 2007 and is funded by the state government. It is run by a governance group, which includes members of the Victorian Disability Advocacy Network (VDAN), and the Victorian Council of Social Service (VCOSS).

### Values Statement

The goal of DARU is to strengthen the total advocacy effort for people with disabilities by:

- improving advocacy practice;
- supporting organisations providing advocacy;
- developing networks and providing information within the advocacy sector;
- strengthening links between disability advocacy organisations and broader social policy advocacy; and
- resourcing the network of disability advocacy organisations to enable those organisations to participate in the activities of the DARU.

## 2. Introduction

Disability Advocates are concerned with issues of social justice and equity for people with disabilities including access to quality services and the opportunity to fully participate in the community.

Advocacy organisations play an important role in improving the lives of people with disabilities and in bringing to public attention issues affecting people with disabilities. Whilst there is diversity among disability advocacy organisations there is a common focus.

This Code of Conduct is a part of a suite of initiatives being introduced by DARU to professionalise disability advocacy and is consistent with the federal

government's proposal to introduce minimum standards for the sector and other initiatives being introduced.

This document is not prescriptive but provides a framework, allowing organisations to retain their autonomy and diversity.

A Disability Advocate is placed in a unique relationship. The role carries with it specific responsibilities that arise out of this relationship. This Code of Conduct provides Disability Advocates and Disability Advocacy organisations with a clear framework for understanding their responsibilities for effective advocacy practice.

Currently, advocacy organisations operate with differing levels of accountability. This Code of Conduct provides a guide for the work of disability advocacy organisations; it enables compliance with relevant Disability Standards, promotes effective advocacy practice and advocacy development. Visit the DARU website, <http://www.daru.org.au> for contact details of the relevant government offices to identify any government prescribed Standards and/or regulations that may apply.

### 3. Purpose of the Code of Conduct

This Disability Advocacy Code of Conduct seeks to identify the ethical principles that underline effective advocacy. It will assist programs to focus on providing effective advocacy and educate members of the wider community about the nature and principles of advocacy and how it works in practice.

This Disability Advocacy Code of Conduct has been developed in the context of a number of important policy and program initiatives related to Disability Advocacy in Victoria. The Code defines the nature of advocacy, advocacy programs and a set of principles underpinning advocacy.

It has been developed to be a practical guide for Boards or Committees of Management, the staff of Disability Advocacy organisations and Disability Advocates (both paid and unpaid). It is intended to protect each program's client group and advocates; promote accountability to stakeholders and progress quality outcomes for people with disabilities.

It is not designed to be a primary source of information about Disability Advocacy but is a useful starting point for discussion within your organisation to advance good practice.

The Code of Conduct should promote consistency among Disability Advocacy organisations and Disability Advocates. This should not be at the expense of diversity which has developed in response to local circumstances. Local application of the Code is particularly important in regional and rural areas where resources may be limited.

Each Disability Advocacy organisation should develop policies and procedures that are tailored to their individual circumstances while still incorporating the principles and core values outlined in this document.

There are a number of key accountability issues that Disability Advocacy organisations should aim to have in place that will ensure good governance, leadership and management. At a minimum this means having in place:

- a clear mission or values statement;
- a description of what programs and services are provided;
- a statement of the organisation's planning and policy directions;
- a sound financial and accounting system;
- staffing and employment practices; and
- an understanding of the different roles and responsibilities of the Board, board members, the CEO and staff.

Other areas to consider which relate to the above points might be:

- inclusive participation policy;
- conflicts of interest;
- service users' rights;
- processes for grievances and complaints;
- privacy and confidentiality;
- meetings and decision-making;
- publicity and media contact; and
- occupational health and safety (including management of critical incidents).

#### 4. How to Use this Document

Procedures should be informed by a relevant policy and describe how the policy will be put into action. They should detail how and when things are done, and who is responsible for doing them.

All Policies and Procedures should be consistent with:

- The Disability Act 2006;

- The Victorian Charter of Human Rights and Responsibilities Act 2006 (This contains an agreed set of human rights, freedoms and responsibilities protected by law);
  - The Information Privacy Act 2000;
  - The Health Records Act 2001;
  - The Commonwealth Privacy Act 1988;
  - The Equal Opportunity Act 1995;
  - The Quality Framework for Disability Services in Victoria 2007; and
  - Other relevant Commonwealth and State laws, policies and procedures.
- These are all important resources offering useful sources for your organisation to develop relevant policies and procedures. A brief overview of some of these can be found in the Appendix.

## 5. Definitions

These are not prescriptive. Definitions may vary

Disability Advocacy ensures the rights of people with disabilities are promoted and protected so that people with disabilities can fully participate in the community.

An advocate in the disability sector works to ensure the rights of people with disabilities are upheld and supports people with disabilities to make decisions affecting their lives.

Self Advocacy is when a person with a disability acts on their own behalf without using a third party to negotiate outcomes.

A self-advocate is someone with a disability who is able to represent themselves.

There are a number of community based self-advocacy groups providing support and training to enable and empower people with disabilities to represent themselves.

Individual Advocacy is when a person with a disability is assisted by an advocate who takes action by:

- representing the person with a disability;
- supporting the person with a disability to advocate for themselves; and
- assisting the person with a disability to take appropriate action.

This type of advocacy can be undertaken by a relative, friend or professional advocacy service. Currently, there are no formal training requirements involved in being an individual advocate.

Group Advocacy is similar to individual advocacy but involves representing, supporting or assisting a group of people with disabilities.

Citizen Advocacy is when a community member voluntarily enters a relationship with a person with an intellectual disability to represent the interests of that person. They typically develop a long term relationship that offers new experiences and opportunities.

A Citizen Advocate is recruited, trained and supported through a community based Citizen Advocacy organisation and then matched up to a person with a disability.

Systemic Advocacy is about social change. It addresses discrimination affecting a number of people with disabilities. It includes advocating for change to legislation, policies and practices. Systemic advocacy may include:

- public awareness raising;
- submission writing;
- lobbying politicians; and
- campaigning .

Systemic advocacy seeks to build an inclusive community, often working together with other social advocates seeking broader social change.

## 6. Key Advocacy Principles

Disability Advocacy organisations will seek to:

- Act independently;
- Be accessible to people with disabilities;
- Improve communication between people with disabilities and the general community;
- Have clear advocacy priorities;
- Deliver high quality services;
- Provide measurable program goals and objectives;
- Have operating policies and procedures including a Code of Conduct for Committees of Management / Governance/ Board members;
- Increase understanding of disability related issues in the wider community;

- Clearly communicate what service users can expect from the organisation; and
- Be informed of current issues affecting the lives of people with disabilities. Disability Advocacy will seek to assist people with disabilities by:
  - Promoting the autonomy and best interests of the person with a disability;
  - Respecting the privacy, dignity and confidentiality of the person with a disability;
  - Being respectful of existing family and other support networks;
  - Where possible, working collaboratively with family and other support networks;
  - Within a reasonable time frame offering high quality services.;
  - Maximising the safeguards of the person with a disability from possible exploitation, abuse and/or neglect;
  - Maximising the economic and social participation and inclusion of people with disabilities in the wider community;
  - Identifying and responding to the broader systemic issues relevant to people with disabilities;
  - Ensuring people with disabilities know their rights and responsibilities;
  - Promoting and enhancing the rights of people with disabilities; and
  - Supporting people with disabilities to make informed choices.

#### Accountability

Disability Advocacy should demonstrate accountability by:

- Ensuring where possible, the course of action is directed by the person with a disability;
  - Working to clear objectives in a transparent manner;
- Accepting responsibility for decisions made and actions taken with or on behalf of people with disabilities;
- Seeking to achieve the most efficient use of the organisation's resources;
  - Seeking assistance or referring on when required;
- Ensuring awareness of and compliance with all relevant legislation.
  - Maintaining effective standards of practice; and
- Upholding the principles and ethics of the Code of Conduct at all times.

Disability Advocates must:

- Respect the wishes of the person with a disability;

- Minimise conflicts of interest;
- Gather all relevant information;
- Present information in a format that is accessible to the person with a disability;
- Ensure whether the person with a disability can make an informed decision; and
- Act in a timely manner.

Disability Advocates must not:

- Impose their own opinion;
- Use their position of authority; or
- Make decisions on behalf of a person with a disability without proper consultation.

When direction from the person with a disability is not possible, the Disability Advocate will work within the mandate of the Victorian Charter of Human Rights and Responsibilities and the Disability Act and be mindful of the provisions within the Guardianship and Administration Act 1986.

#### Confidentiality

Disability Advocacy understands the importance of privacy and confidentiality. People providing personal information have the right to expect disclosed information will be treated as confidential.

A disability advocate should always ensure confidentiality by:

- Using all information obtained in a proper manner;
- Protecting confidential information; and
- Acting in accordance with the relevant legislation and policies relating to confidential information.

Exceptions to this do exist:

- When the person with a disability has provided informed consent to release the information; and
- Where there is a potential risk of harm to the individual or to others.

Disability Advocates should seek professional advice if in doubt.

#### Integrity

Disability Advocacy should demonstrate integrity by:

- Ensuring their focus is on supporting, assisting and/or representing people with disabilities;
- Being honest, open and transparent in all their dealings with people with disabilities;
  - Developing and maintaining trust with people with disabilities;
  - Providing advice and taking action based on available facts;
  - Using their authority in a responsible way;
- Avoiding conflicts of interest. Personal or financial interests should never influence or interfere;
  - Disclosing any potential conflict of interest to the appropriate person/authority; and
- Reporting instances of improper conduct to the appropriate person/authority.

#### Promotion of Human Rights

Disability Advocacy should promote human rights by:

- Working within legislation relating to discrimination, harassment, bullying and victimisation by:
  - o Creating a working environment that values diversity and is free of unfair treatment or discrimination; and
  - o Promoting opportunity and inclusion.
- Complying with the rights set out in the Victorian Charter of Human Rights and Responsibilities by:
  - o Making decisions and providing advice consistent with the Charter;
  - o Delivering services and acting in a manner consistent with the Charter of Human Rights and Responsibilities; and
  - o Raising concerns when it appears rights have been breached in accordance with established procedures.

#### Responsiveness

Disability Advocacy should always demonstrate responsiveness by:

- Providing high quality services to people with disabilities in a prompt and professional manner, and in accordance with relevant policies;
- Identifying and promoting a best practice approach. This involves adopting appropriate strategies, methods and processes that leads to improved outcomes for people with disabilities;

- Applying knowledge and expertise to deliver a high quality service and identifying opportunities to improve service outcomes; and
- Accessing alternative sources of counsel, advice or service when necessary.

### Respect

Disability Advocacy should always demonstrate respect by:

- Promoting an environment that encourages respect and trust;
- Treating others fairly, objectively and in a courteous manner; and
- Ensuring freedom from discrimination, harassment, bullying and victimisation.

### Leadership

Disability Advocacy should always demonstrate leadership by:

- Providing a positive influence;
- Inspiring and empowering others;
- Advancing the rights of people with disabilities;
- Actively implementing, promoting and supporting advocacy values;
- Acting in an ethical manner;
- Working with or on behalf of people with disabilities to respond to identified needs;
- Ensuring policies and procedures are implemented; and
- Ensuring all programs show clear, measurable goals and objectives.

## 7.Key Advocacy Principles for Committees of Management, and/or Board Members

All Committees of Management and/or Board Members are accountable for the governance and activities carried out by their respective Disability Advocacy organisation.

Governance is the process of decision making and the systems which ensures the overall direction, effectiveness, efficiency, responsiveness and accountability of the organisation.

Members will at all times:

- Respond to the needs of people with disabilities and Disability Advocates;
- Act in the best interests of the organisation;
- Act with honesty and integrity;
- Act fairly and impartially;

- Be open and transparent in their dealings;
- Use authority responsibly;
- Identify and acknowledge where a conflict of interest exists;
- Strive to earn and sustain public trust of a high level;
- Work in a professional manner when representing the organisation;
- Respect the confidentiality of information that they have access to in their role;
- Respect the opinions of others by acting in a professional and courteous manner;
- Support paid and unpaid staff;
- Identify issues of concern;
- Be accountable for decisions made; and
- Uphold legislation relating to Human Rights.

## 8. Need to Know More?

### Useful Contacts

#### Government

#### Department of Human Services – Disability Services

Website <http://www.dhs.vic.gov.au/disability/>

Telephone: 1300 650 172

Email: [disability.services@dhs.vic.gov.au](mailto:disability.services@dhs.vic.gov.au)

#### DHS Funded Agency Channel

The CSO portal contains useful information resources.

You do not need to be a member of the Funded Agency Channel to access the portal

Website: <http://fac.dhs.vic.gov.au>

Telephone: (03) 9096 2742

Email: [fac@dhs.vic.gov.au](mailto:fac@dhs.vic.gov.au)

#### Disability On-Line

The Victorian Government's website for people with a disability, their family and support networks. It provides a range of government and community information.

Website: <http://www/disability.vic.gov.au>

Department of Families, Housing, Community Services and Indigenous Affairs

FaHCSIA provides services and assistance that help people with disabilities to participate actively in the community and economic life.

Website: <http://www.fahcsia.gov.au/>

Telephone: (03) 8626 1109 or 1300 653 227 (local call cost only)

Email: [enquiries@fahcsia.gov.au](mailto:enquiries@fahcsia.gov.au)

### Office of Public Advocate

Services include providing advice and information, advocating for people with a cognitive disability who are at serious risk, providing guardianship for adults with a cognitive disability (intellectual disability, acquired brain injury, mental illness, dementia).and investigating allegations of abuse, risk or neglect in cases at the Victorian Civil and Administrative Tribunal (VCAT).

Website: <http://www.publicadvocate.vic.gov.au/>

Telephone: 1300 309 337

Email: [publicadvocate@justice.vic.gov.au](mailto:publicadvocate@justice.vic.gov.au)

### Legal Services

#### Disability Discrimination Legal Service Inc

DDLS provide free legal services including information, referral, advice, casework assistance, community legal education, and policy and law reform.

Website <http://www.communitylaw.org.au/ddls/>

Telephone: (03) 9654 8644

Email: [info@ddls.org.au](mailto:info@ddls.org.au)

### VILLAMANTA

Villamanta is a free statewide legal service that works on disability related legal issues

Website: <http://www.villamanta.org.au/>

Telephone: 1800 014 111

Email: [legal@villamanta.org.au](mailto:legal@villamanta.org.au)

### Useful Resources

## VCOSS Manuals for Community Organisations

### 1. Community Management

This plain language manual is a good introduction and reference for management group members about the roles and responsibilities of management and the keys to running an effective and efficient organisation.

The book includes:

- an explanation of the differences between governance and management;
- detailed information on specific areas of responsibility;
- handy tips and reminders for improving management practice; and
- samples of widely-used forms, agreements and policies.

### 2. The Policies and Procedures Manual for Community Organisations

Policies and procedures help make a workplace run smoothly by ensuring staff and volunteers know how things are done and how decisions are made. They provide guidelines for resolving conflict and minimising risk and they enable staff to get on with the job of delivery quality services.

This book identifies a broad range of policy areas that your organisation may need to consider. It includes sample policies with tips on how to adapt and implement them.

### DARU

The DARU website has a large database of useful resources –

<http://www.daru.org.au/>

### Appendix 1: The Victorian Charter of Human Rights and Responsibilities

(This is an Appendix to the DARU document)

The Victorian Charter of Human Rights and Responsibilities Act 2006 (Vic) is an Act of Parliament that sets out our rights, freedoms and responsibilities.

Rights protected by the Charter:

- recognition and equality before the law;
- right to life;
- protection from torture and cruel, inhumane or degrading treatment;
- freedom from forced work;
- freedom of movement;
- privacy and reputation;
- freedom of thought, conscience, religion and belief;
- freedom of expression;

- peaceful assembly and freedom of association;
- protection of families and children;
- taking part in public life;
- cultural rights;
- property rights;
- right to liberty and security;
- humane treatment when deprived of liberty;
- children in the criminal process;
- fair hearing;
- rights in criminal proceeding;
- right not to be tried or punished more than once; and
- retrospective criminal laws.

For further information go to <http://www.humanrightscommission.vic.gov.au>

Appendix 2: The Disability Act 2006 (this is an Appendix to the DARU document)

The Disability Act 2006 ('the Act') commenced on 1 July 2007. It replaced the Intellectually Disabled Persons' Services Act 1986 and Disability Services Act 1991.

The Act provides for:

- a stronger whole-of-government, whole-of-community response to the rights and needs of people with a disability, and
- a framework for the provision of high quality services and supports for people with a disability.

Regulations have been developed to support the Act in the areas of residents' funds and residential charges, and restrictive interventions and supervised treatment. The Disability Regulations 2007 were subject to a Regulatory Impact Statement and a public submission process.

Principles

Principles provide guidance about how an Act should be interpreted. The Act has two sets of principles.

Principles for people with a disability

People with a disability should have the same rights and responsibilities as other members of the community, including the right to:

- respect for their human worth and dignity;

- live free from abuse, neglect or exploitation;
  - realise their potential in every area of their life;
  - have control over their own lives;
  - take part in decisions that affect their lives, with support where necessary;
  - be given information and to communicate in a way that suits their needs;
- and
- services that support their quality of life.

#### Principles for disability services

Disability Services are provided by either the Department of Human Services, or an agency funded by the Department of Human Services to provide services for people with a disability.

The principles for Disability Services include that they should:

- assist people with a disability to be included and take part in activities in the community;
- maximise choice and independence for people with a disability;
- recognise that people with different types of disability may need different sorts of support;
- consider and respect the role of families and other people who are important to a person with a disability;
- where possible strengthen and build the capacity of families who are supporting people with a disability;
- be aware of the needs of children with a disability;
- be aware of any extra disadvantage a person may have because of their culture, language or where they live;
- ensure that people with a disability have support, if they need it, to make decisions ;
- be of high quality and protect the rights of people using the service; and
- choose the least restrictive option possible, if a person's rights or opportunities need to be restricted.

The Act requires that people with a disability be given information that explains their rights.

The information given to a person under the Act must:

- use the language and type of communication they are most likely to understand
- where possible, be both explained to the person and given in writing.

If the person with a disability cannot understand the information, it can be given to another person of their choosing, who can assist them with understanding their rights.

For more information about the Act contact

Disability Services Division, Department of Human Services

Tel 1300 366 731 TTY (03) 9096 0133 (for people who are deaf or have a hearing, speech or communication impairment)

Email [disability.legislation@dhs.vic.gov.au](mailto:disability.legislation@dhs.vic.gov.au) or go to the DHS website:

[http://www.dhs.vic.gov.au/disability/improving\\_supports/disability\\_act\\_2006](http://www.dhs.vic.gov.au/disability/improving_supports/disability_act_2006)

Appendix 3: The Quality Framework for Disability Services in Victoria (2007)  
(This is an Appendix to the DARU document)

The Quality Framework is designed to measure, monitor and improve the quality of disability supports in Victoria. It supports the effective implementation of the Standards for Disability Services.

The Standards for Disability Services in Victoria

People who use disability services have the right to receive high quality services that meet their needs and expectations.

In 2007, Outcome Standards for Disability Services (Outcome Standards) were introduced into the Quality Framework. The Quality Framework maintains the standards introduced in 1997 as the Industry Standards for Disability Services (Industry Standards).

Outcome Standards for Disability Services in Victoria

The Outcome Standards for Disability Services in Victoria describe what is important for people with a disability as Victorian citizens and take into consideration the influence and impact we have upon the political, social, cultural economic and physical wellbeing of people with a disability.

Individuality

Each individual has goals, wants, aspirations and makes decisions and choices about their life:

- Individuals are valued and respected;
- Individuals are encouraged and supported to be themselves;
- Individuals have access to relevant information; and
- Individuals have access to a range of opportunities and supports that assist them to make informed decisions about their life and future.

## Capacity

Each individual has the ability and potential to achieve a valued role in the community. Individuals achieve their desired level of capacity through:

- Their abilities being identified, encouraged and supported;
- Participating in the planning and receipt of their supports; and
- Choosing and receiving planned and flexible support responses that are lifestyle appropriate and meet their needs.

## Participation

Each individual is able to access and to participate in their community.

Individuals participate in the community by:

- Having access to information, opportunities, encouragement and supports that maximize their participation in the community; and
- Being included and involved in the areas of community life that they choose.

## Citizenship

Each individual has rights and responsibilities as a member of the community:

- Individuals maximise control over their life by having the same opportunities as all members of the community to participate as a citizen;
- Individuals maximise control over their life by being as treated equal members of the community;
- Individuals maximize control over their lives by having awareness, understanding and knowledge of their rights and responsibilities;
- Individuals maximise control over their life by being encouraged and supported to exercise their rights and responsibilities; and
- Individuals are free from physical, sexual, verbal, financial, emotional and psychological abuse and neglect.

## Leadership

Each individual informs the way that supports are provided:

- Individuals achieve a leadership role through having the opportunity to inform the way supports are provided to them.

## Industry Standards for Disability Services in Victoria

The Industry Standards describe the systems and processes that must be in place in order to support people to achieve outcomes and safeguard the rights of people with a disability, their family members and carers.

## Service Access

Fair and equitable practices that are consistent with funding obligations, applicable legislation and purpose of the service are applied when managing and allocating resources.

#### Individual needs

Planning and support is tailored, flexible responsive and appropriate to the individual.

#### Decision making and choice

Support options are planned, developed, implemented and reviewed in a manner that is responsive to the decisions, choices, and aspirations of individuals.

#### Privacy, dignity and confidentiality

Privacy, dignity, and confidentiality is respected and maintained.

#### Participation and integration

Support options are planned, developed, implemented and reviewed in a manner that build opportunities for individuals to participate in the life of the community.

#### Valued status

Support options are planned, developed, implemented and reviewed in a manner that recognise the skills, abilities and potential of individuals and enable the achievement of valued roles in the community.

#### Complaints and disputes

Complaints and disputes are addressed promptly, fairly and respectfully without compromising services to the individual.

#### Service management

Management and governance practice is sound, accountable and consistent with current disability support policy and practice.

#### Freedom from abuse and neglect

Supports are provided in safe and healthy environments that support individuals to exercise their legal and human rights.

For further information go to the DHS website:

[http://www.dhs.vic.gov.au/disability/improving\\_supports/quality\\_framework\\_for\\_disability\\_services\\_2007](http://www.dhs.vic.gov.au/disability/improving_supports/quality_framework_for_disability_services_2007)

\_\_\_\_\_ **end of Advocacy section Policy manual** \_\_\_\_\_