

Staff Guidance

Patient or Service User Rights to Independent Advocacy

Access to Independent Advocacy is available in every NHS Health Board area and Local Authority.

It's called '**Independent Advocacy**' as the people who might represent or support someone needing help are not employed by the NHS, Fife Health and Social Care Partnership or Fife Council.

What is Independent Advocacy?

Independent Advocacy is a way to support people to have a stronger voice and have as much control as possible over their lives

Fife Advocacy Strategy 2018-2021

Who can receive help from Advocacy Support Services in Fife?

People in Fife, aged 16 or over, who are affected by disability, illness, dementia or mental disorder (including mental health illness, learning disability or personality disorder) and are unable to safeguard their own well-being, rights, care and other interests will be eligible to receive independent advocacy services.

Children's Rights:

Any child who is looked after or subject to child protection proceedings or at-risk of admission to care has the right to advocacy. This is up-to the age of 16 years or if the child is still at school 18 years.

All children with a disability up-to the age of 25 years would also be entitled to advocacy support.

What types of Advocacy are there?

Advocacy services are provided by professional staff, or by people who volunteer their time and have an interest in advocacy work:

- **Individual Advocacy** – is a professional (issue-based) advocate would work with you on a one-to-one basis and has expert, specialist knowledge to help resolve a particular problem. This type of advocacy is closely associated with

Appendix B

formal support for Mental Health Tribunals, Child Protection Conferences and other statutory functions.

- **Citizen Advocacy**- This is a person-based independent advocacy service that usually (but not always) takes place on a longer term basis. The advocate is usually a unpaid volunteer, who builds a trusting relationship with their advocacy partner.
- **Non-Instructed Advocacy** (Professional or Citizen) – happens when a person who needs an independent advocate cannot tell the advocate what they want. This may be because the person has complex communication needs or a long - term illness or disability that prevents them from forming or clearly stating their wishes and desires. This usually takes place with people who have dementia or profound and/ severe learning difficulties.
- **Group Advocacy (Collective Self –Advocacy)** – is designed to allow people with the same concerns, issues or experiences to provide support to each other and to work together to highlight issues and campaign for improvement. All groups are run by members for members, with support from a development worker.
- **Children’s Rights Service** – aims to ensure that a child’s rights are fully taken into account when decisions are being made about a child. The definition of who is considered can vary depending on the age of the child: In Scotland this is usually 16 years, however if a child is still at school this would be extended to 18 years and where the child has a disability this would then be up-to 25 years.

Staff Responsibilities

1. If a service user requests independent advocacy or meets the criteria for independent advocacy, it is the responsibility of all staff to facilitate this by contacting Fife Advocacy Forum at: admin@fifeadvocacyforum.org.uk or by telephone on **01592 643743**.

They will help signpost the staff member to most the suitable Independent Advocacy Organisation based on the services user’s needs.

2. Staff must ensure that all advocates are informed of any meetings, appointments ,etc where the service user requires advocacy support.
3. Staff must inform their line manager should they identify a service user as needing independent advocacy support as per **‘Use of Independent Advocacy’ General Policy GP/A2**