



## Client Advocacy Policy

ASES Standard	<b>Standard 5: Partnerships</b> <ul style="list-style-type: none"><li>Requirement: 5.1 Working Collaboratively Standard</li></ul> <b>Standard 8: Consumer Outcomes</b> <ul style="list-style-type: none"><li>Requirement 8.1 Consumer and Community Engagement Standard</li></ul>
Contractual Obligation(s)	NSW DCJ Specialist Homelessness Services (SHS) Funding Agreement: Lead Entity and/or Joint Working Agreements
Related Policies	Case Management Service Charter of Rights and Responsibilities Client Intake Privacy, Confidentiality and Decision-Making Service Access

### 1. SCOPE

The scope of this policy includes all staff, Board members and volunteers of SEARMS Community Housing Aboriginal Corporation.

### 2. PURPOSE

The purpose of this policy is to outline the strategies used by SEARMS to assist clients in engaging services and people who provide advocacy and support.

### 3. DEFINITIONS

For the purposes of this policy, **an advocate or support person** is a person nominated by the client and/or tenant to promote the rights of the client and/or tenant and communicate his or her views and preferences. An advocate may attend meetings with the client and/or tenant and help him or her raise issues or complaints with a service provider. The advocate or support person takes direction from the clients and/or tenants and does not override their choices or decisions.<sup>1</sup>

For the purposes of this policy, **advocacy** is defined as a process that supports a client's and/or tenants voice, including but not limited to:

- promoting and protecting legal and human rights
- empowering disadvantaged individuals and groups
- increasing an individual or group's control over goods and services
- being responsive to, and emphasising, an individual or group's needs and wishes
- challenging stereotypes and stigma

- overcoming barriers that restrict opportunities
- supporting an appropriate societal and service delivery response to individuals or groups
- supporting a better quality of life for a person or group.

## 4. POLICY

- SEARMS is committed to working collaboratively with formal and informal advocacy services and support persons to ensure that the client and/or tenants' rights are upheld at all times.
- SEARMS understands that the right of clients and/or tenants to formal and informal advocacy, including carers and other support persons, is linked to the Universal Declaration of Human Rights.<sup>2</sup> SEARMS promotes and embraces this human rights philosophy.
- SEARMS supports the clients' and/or tenants' right to use an advocate or support person of their choice in their interactions with the organisation. SEARMS will also work cooperatively with any advocate or support person/organisation nominated by a client, including formal advocates, family members, carers and other support persons in the client's network.
- The Client's nomination of a formal or informal advocate/support person is ascertained before SEARMS engages with him or her. Informed, written consent is obtained from the client before any personal information about the client is shared with a third party, including with an advocate/support person (see the Privacy, Confidentiality and Decision-Making Policy).
- SEARMS understands the distinction between an advocate/support person (whether formal or informal) and an appointed guardian who has substitute decision-making powers over the specified domain(s) of a client's and/or tenants' life. SEARMS follows the Privacy, Confidentiality and Decision-Making Policy, which describes the difference between working with advocates and working with guardians.

## 5. PROCEDURE

SEARMS uses the following strategies to provide client and/or tenant advocacy:

### 1. Supporting advocacy

The Service Delivery Staff are responsible for

- ensuring that all staff receive training in the use of advocates and support persons
- maintaining a current service directory on advocacy services.

### 2. Providing clients with information about advocacy and support

Service Delivery Staff ensure that client and/or tenants are informed both verbally and in writing about their right to use an advocate/support person and the role of such persons in:

- the client's and/or tenants' assessment or reassessment for services
- the client's and/or tenants' orientation to SEARMS's program
- supporting the client and/or tenant to raise an issue or make a complaint against SEARMS

- providing support in other circumstances in which the client and/or tenant wishes to have an advocate/support person.

SEARMS ensures that clients and/or tenants are aware of their rights to use an advocate/support person; this includes their right to have that person present for any assessments, meetings and communication between themselves and the organisation, in which the client and/or tenant wants them to take part.

At the commencement of service, clients and/or tenants are provided information (in a format that is aligned with their communication needs) about the option of having an advocate/support person to support them. They are also provided information about advocacy services that are available in the area. If the client wishes to engage an advocate, SEARMS staff will facilitate access to make contact such a service.

If a client and/or tenant has an advocate, then SEARMS staff will ascertain and document any specific communication issues or any protocols to be used between SEARMS and the client's/tenants advocate. The name and contact details of the advocate will be included in the client's/tenants personal record.

Staff will not disclose any information about the client and/or tenant to an advocate when the client and/or tenant is not present, unless the client and/or tenant has provided his or her consent to do so.

SEARMS ascertains the areas or life domains in which the client and/or tenant wishes the advocate/support person to be involved and respects the client's/tenants wishes.

SEARMS respects the client's and/or tenants right to change his or her advocate/support person, or to change his or her mind about having an advocate/support person involved in the service received from SEARMS.

### **3. Working with advocates and support persons**

When a client and/or tenant has an advocate/support person, SEARMS staff

- record the person's contact details in the client's and/or tenant file
- ensure that the client and/or tenant is aware of his or her right to advocacy—including his or her right to have an advocate/support person present for any or all assessments, meetings and communication between the client/tenant and the organisation
- ensure that the advocate/support person knows that he or she has been nominated as an advocate and that he or she agrees to it
- ensure that the identified advocate/support person is present at assessments and meetings, as indicated by the client/tenant
- communicate and work cooperatively with the advocate/support person
- communicate with the advocate/support person and involve him or her in the areas in which the client/tenant has desired for the advocate/support person to be involved
- ensure that the client/tenant knows that he or she can change his or her advocate at any time, or change his or her mind about having an advocate/support person involved in the service at all.

### **4. Engaging an advocate**

When a client and/or tenant does not have an advocate, and he or she requests assistance from SEARMS to engage an advocate, SEARMS will support the client and/or tenant with this request.

SEARMS will facilitate a referral for the client and/or tenant to be matched with an advocacy service.

## 6. RESPONSIBILITIES

Responsibility	Delegation
Ensure staff are aware of the use of advocates	Service Delivery Manager
Provide advocacy information to clients	Housing Officer
Organise advocacy representation	Service Delivery Manager

## 7. LEGISLATION

- Residential Tenancies Act 2010 (NSW)

<https://legislation.nsw.gov.au/view/html/inforce/current/act-2010-042>

- Australian Human Rights and Equal Opportunity Commission Act 1986 (Cwlth)

<https://www.legislation.gov.au/Details/C2017C00143>

- Disability Discrimination Act 1992 (Cwlth)

<https://www.legislation.gov.au/Series/C2004A04426>

- Racial Discrimination Act 1975 (Cwlth)

<https://www.legislation.gov.au/Details/C2014C00014>

## 8. APPENDICES

Appendix 1: Consent to Exchange Information

Appendix 2: MOU NSW Police

Appendix 3: Murra Mia Referral

Appendix 4: Anglicare Referral

Appendix 5: Services Our Way EOI

Appendix 6: Program Specifications

## 9. REFERENCES

- (1) The NSW Government. Trustee and public guardian: Advocates, guardians and the advocacy function [Factsheet]. NSW Government [cited 2020 Jan 05]. Available from: [https://www.publicguardian.justice.nsw.gov.au/Documents/Advocates\\_Guardians\\_Advocacy\\_Function.pdf](https://www.publicguardian.justice.nsw.gov.au/Documents/Advocates_Guardians_Advocacy_Function.pdf)
- (2) United Nations. Universal Declaration of Human Rights, 1948 [Internet]. United Nations [cited 2020 Jan 05]. Available from: <https://www.un.org/en/universal-declaration-human-rights/>

VERSION	APPROVAL	EFFECTIVE DATE	REVIEW DATE
Version 001	Chief Services Officer	23 April 2024	23 April 2026