

2006 AUTUMN EDITION

# **A** **BOUT** **DVOCACY**



**Scottish**  
**Independent**  
**Advocacy**  
**Alliance**

# WELCOME TO THE SCOTTISH INDEPENDENT ADVOCACY ALLIANCE NEWSLETTER

## CONTACT DETAILS

**138-140 Slateford Road  
Edinburgh  
EH14 1LR**

**Tel No: 0131 455 8183**

**Fax No: 0131 455 8184**

**Email: [enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk)**

**Website: [www.siaa.org.uk](http://www.siaa.org.uk)**

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## E-BULLETIN

Every Friday, many of you receive the SIAA's E-Bulletin which contains updates on developments in the advocacy movement, and relevant developments that impact on the voluntary sector.

If you do not receive this E-Bulletin, but would like to then please email your details to **[enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk)**, and we will add your name to our Emailing list.

If you have subscribed to the E-Bulletin but are not receiving it, please check the Spam settings on your email, as this may be the problem.

If you have an article that you would like included in our Winter Newsletter, then please contact us on 0131 455 8183 or email to [enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk).

## THE SIAA WEBSITE FORUM

Many advocacy organisations regularly contact us about advocacy practice dilemmas. As always we are happy to discuss any practice issues with advocates. In order to get a broader debate going, we would also encourage advocates to post their dilemmas on our Forum — **[www.siaa.org.uk/forum/index.php](http://www.siaa.org.uk/forum/index.php)**.

# SIAA NEWS

## **ANNUAL GENERAL MEETING**

The SIAA held its 4<sup>th</sup> AGM on 28th June 2006 at the Salutation Hotel in Perth. Chris Mackie welcomed everyone and gave the Chair's report. This included a brief outline on how the advocacy movement in Scotland has grown and where the SIAA came from. He outlined the different debates that are taking place in the advocacy movement – accreditation, advocacy for all, and the "professionalisation of advocacy". Chris acknowledged the role of the Advocacy Safeguards Agency in developing advocacy in Scotland and summarised the work that the ASA had completed. Chris thanked the SIAA Board and staff for all their hard work throughout the year. Chris told the meeting that he was resigning as Chair and as a member of the SIAA Board. Paul Thomas (SIAA Treasurer) thanked Chris for his contribution to the SIAA over the past three years.

Paul told the meeting that the SIAA has secured funding for the next three years from the Scottish Executive Health Department, with additional funding from Comic Relief for an Elder Abuse Development Officer for two years.

Shaben Begum spoke about the work of the SIAA over the previous year. She applauded the response by the advocacy movement to the increased demand on organisations by the implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003 and how the movement has met this need.

Shaben presented a snapshot of the work that the SIAA has done over the past year and highlighted some of the areas that the SIAA will be working on in the coming months:

- completing the Principles and Standards, the Evaluation Tool, and the Guide for Commissioners;
- producing a Code of Practice for Independent Advocates;
- producing an Advocacy Book/DVD about the value of advocacy;
- providing further training on the Mental Health (Care and Treatment) (Scotland) Act 2003;
- Elder Abuse awareness; and
- Autism work.

Julienne Dickey (SIAA Vice Chair) spoke about the results of the membership questionnaire that was sent out to the SIAA members in May. She outlined the working groups that will take forward some of the identified pieces of work.

There were 10 nominations for 12 vacant seats on the SIAA Board of Directors; therefore there was no need for an election.

The full minutes of the AGM will be available as part of the AGM Report on our website shortly.

### **Keynote Speaker**

The key note speaker was Eileen Davie, President of Mental Health Tribunals Scotland (MHTS), who gave a presentation on "Mental Health Tribunals – 9 months on." The areas Eileen Davie covered included: the preparation for the setting up of the Tribunal system, including the training of the Tribunal panel members; some of the issues raised since the Tribunals started; how these issues are being dealt with and what lessons have been learned; and how the Tribunal system will be managed in the future. Eileen Davie then took a number of questions from the floor on the Mental Health Tribunals and the role of Independent Advocacy. You can get more details from the AGM Report on our website.

### **Scottish Executive Health Department**

Hector MacKenzie gave a presentation on "Delivering Patient Focussed Services". He gave a brief history of the support for advocacy from the Scottish Executive Health Department. Hector also gave a brief summary of what the Health Department is hoping to achieve: to ensure that patients' views and experiences are taken into account when improving local services and to help inform local and national policy; to identify any individuals or groups that are experiencing inequality; and that advocacy is available for everyone receiving health and care services who

## **SIAA NEWS continued**

needs it. Hector outlined how the various functions of the Advocacy Safeguards Agency would be undertaken by SIAA, NHS Quality Improvement Scotland and the Scottish Health Council. The SIAA is to complete the Principles and Standards, the Guide to Commissioners, the Evaluation Framework, and the Code of Practice for Independent Advocates. NHS Quality Improvement Scotland and the Scottish Health Council will take on other functions. Hector will issue a Health Department Letter to this effect in the Autumn.

### **Workshops**

Delegates attended one of two workshops to look at the frameworks for the Code of Practice for Independent Advocates and for an Advocacy Book/DVD. The feedback from the workshops will be available on the SIAA website as part of the AGM Report.

### **THE SIAA GOOD PRACTICE WORKING GROUP**

We are looking for members of the advocacy movement to help with specific pieces of work, e.g. the Code of Practice for Independent Advocates and the Advocacy Book/DVD. If you are interested in giving your time and expertise, then please contact us.

### **NEW STAFF MEMBER**

The SIAA has successfully recruited a Training Officer, Lesley King, who started on Monday 4th September.

## **THE EMPLOYMENT EQUALITY (AGE) REGULATIONS 2006**

From 1st October 2006 it will be unlawful to discriminate against people at work because of their age. There is already legislation to protect people against discrimination on the grounds of sex, race, disability, gender reassignment, sexual orientation and religion or belief.

These new regulations apply to all employers including those in the voluntary sector and cover all aspects of the employment contract: recruitment, terms and conditions, promotions, transfers, dismissals and training.

The regulations make it unlawful on the grounds of age to:

- discriminate directly against anyone unless objectively justified;
- discriminate indirectly against anyone;
- subject someone to harassment;
- victimise someone because they have made or intend to make a complaint or allegation on grounds of age; or
- discriminate against someone, in certain circumstances, after the working relationship has ended.

There will be a national default retirement age of 65, making compulsory retirement below 65 unlawful unless objectively justified.

Employees will have the right to request to work beyond 65 or any other retirement age set by the organisation. The employer has a duty to consider such requests.

Organisations should be reviewing all their policies now in preparation for 1<sup>st</sup> October 2006.

More information about the Regulations and what they mean can be found on the Age Positive website: **[www.agepositive.gov.uk](http://www.agepositive.gov.uk)**.

ACAS has produced a guidance document on age and the workplace that can be downloaded from **[www.acas.org.uk/media/pdf/s/3/Age\\_and\\_the\\_Workplace.pdf](http://www.acas.org.uk/media/pdf/s/3/Age_and_the_Workplace.pdf)**.

The Employment Equality (Age) Regulations 2006 can be downloaded from **[www.opsi.gov.uk/si/si2006/draft/ukdsi\\_0110742664\\_en.pdf](http://www.opsi.gov.uk/si/si2006/draft/ukdsi_0110742664_en.pdf)**.

## ADVOCACY PROFILE

**Name:** Paul Meynall Thomas

**Organisation:** The People's Advocacy Service (Manager & Company Secretary) and SIAA (Chair of the Board of Directors)

**Type of advocacy you are involved in?** PAS is a generic advocacy service with paid and volunteer advocates.

**How long have you been involved?** Since 1993.

**When and how did you first become involved in independent advocacy?**

I became involved as a health councillor helping to establish the Patients Advocacy Support Service (PASS) in Dumfries and Galloway in 1993/94. Trained and worked briefly as an advocate at that time. I became involved again in 2001 when I was employed as manager of PASS Direct, which I helped steer towards full independence as The People's Advocacy Service in 2004.

**What are the highs of your involvement?**

The satisfaction of helping someone, whether a client, volunteer or member of staff realise their dreams or reach their goals.

Working with people who share the same commitment and values. Some of the volunteers I have met and who have taught me and helped me so much. Gaining independent charitable status for The People's Advocacy Service.

**What are the lows?** Having to deal with short term funding arrangements and its consequences on morale. People who distort the

truth or processes for their own ends, whoever they are. Migraines.

**How could your job be made easier?** I never expect my job to be easy, and I am not sure that I would want it to be, as I thrive on challenges. However, if proper funding was in place to allow for effective planning and development and if independence was a shared and approved concept, then the true creativity, integrity and development which advocacy requires could be cultivated, and it might be a little "easier".

**What is the most important lesson you have learned since you became**

**involved?** A person only tells me what they want me to know. Everything else I have to find out myself. This has taught me not to react too quickly, not to fire other people's bullets, and to take time to think before responding.

**How do you see your involvement in advocacy developing?** I hope to continue to contribute at a local and a national level. Remaining involved is my aspiration, contributing and learning at the same time.

**Who would be your ideal advocate?** In an ideal world, it would be me myself, as I believe advocacy should empower, and we are all our own best advocates. As I am usually busy, though, I would be very happy if any of the very many fine advocates I know were able to help me (though that is probably easier said than done in my case!)

## THE OFFICE OF THE PUBLIC GUARDIAN

The Office of the Public Guardian (OPG) is part of the Scottish Court Service and deals with applications relating to The Adults with Incapacity (Scotland) Act 2000.

The OPG's general function is to supervise individuals who have been appointed to manage the financial or property affairs of an adult who lacks the capacity to do so for themselves. The Office of the Public Guardian also provides a single access point for information relating to the financial provisions in the Act.

The OPG has produced a series of "What is" leaflets covering:

- A Power of Attorney;
- Access to Funds;
- Adults with Incapacity Act – Financial Provisions;
- A Guardianship Order; and
- An Intervention Order.

The leaflets can be downloaded from the Office of Public Guardian's website - **[www.publicguardian-scotland.gov.uk](http://www.publicguardian-scotland.gov.uk)**.

The OPG maintains a Public Register of all continuing powers of attorney, and welfare powers of attorney drawn up after April 2001, all withdrawers appointed under the access to funds scheme and all guardians and interveners appointed by the courts after April 2002.

The Office of the Public Guardian also carries out investigations where the property or financial affairs of an adult seem to be at risk.

To contact the Office of the Public Guardian for information, telephone **01324 678 300** or email **[opg@scotcourts.gov.uk](mailto:opg@scotcourts.gov.uk)**.

## EUROPEAN PUBLIC SECTOR PROCUREMENT REGULATIONS

Some of our members have been in touch with us regarding Public Sector Procurement and The Public Contracts Regulations 2006 and the implications these regulations may have on their funding in the future. Do you know if your funders are considering applying these regulations? And what impact will this have on your Service Level Agreements or contracts? We are collecting information from advocacy organisations affected by these regulations. Please email us at **[enquiry@siaa.org.uk](mailto:enquiry@siaa.org.uk)** with your experiences.

## MENTAL WELFARE COMMISSION ROADSHOWS 2007

The Mental Welfare Commission is hosting three roadshows in Scotland in the Autumn to present their findings since the implementation of the Mental Health (Care and Treatment) (Scotland) Act 2003 in October last year.

The Mental Welfare Commission is also interested in finding out if the Act has made a difference to the care and treatment of people with a mental health disorder and is keen to include people in planning for the future.

The roadshows are free and open to everyone and are taking place in:

- Glasgow on 31st October;
- Perth on 7th November; and
- Edinburgh on 30th November.

If you would like to attend one of the roadshows, then you can book a place by:

- phoning **0131 222 6197**;
- email to **[bookings@mwscot.org.uk](mailto:bookings@mwscot.org.uk)**; or
- downloading a booking form from **[www.mwscot.org.uk](http://www.mwscot.org.uk)**.

## ADVOCACY DILEMMA

Lorri is a volunteer advocate. She advocates for Duncan, who lives in a flat with three other men. The flat is managed and staffed by a local charity.

Lorri has known Duncan for two years, during which time she has built up a good relationship with both Duncan and the staff who work in the flat. Recently the number of tasks that Lorri has taken on with Duncan have increased dramatically.

What began as support for Duncan to ensure he received his full benefit entitlement has now become a Tuesday visit to the Post Office with him to collect his benefits, and then a shopping trip to buy personal items and clothes.

Duncan volunteers at the local Garden Centre three days a week. The bus routes and timetables change on a monthly basis, and staff have asked that Lorri keep Duncan up to date with the changes so that he can get to and from the Garden Centre.

During her fortnightly meetings with Duncan at the flat, Lorri has noticed that staff will often take advantage of her presence to take two of the other residents out for the weekly shopping, leaving Lorri, Duncan and one other resident in the flat.

How much of what Lorri is doing is advocacy? What should Lorri be doing?

What should the advocacy organisation be doing about this situation?

Please post your comments on the SIAA Forum site - [www.siaa.org.uk/forum/index](http://www.siaa.org.uk/forum/index).

## LOBBYING MSPs

The SIAA has been in touch with all the Members of Scottish Parliament about the inclusion of the right to independent advocacy for children and their parents and/or guardians in the Adoption and Children (Scotland) Bill. We have had a positive response and several MSPs are keen to move this forward. The Scottish Parliament is also considering the Adult Support and Protection (Scotland) Bill and the SIAA is working hard to ensure that the right to independent advocacy will also be included in this bill. We are asking that all advocacy organisations lobby their local MSP for the inclusion of advocacy in these bills. We have produced a sample letter that you can adapt and have put it on our website.

## 2007 ELECTIONS

Most of you will have received or will be receiving your electoral register forms by post in preparation for the 2007 election. But how many of the people you work with are registered to vote? Only individuals whose name appears on the electoral register are entitled to vote. The person must be 18 years of age or over on polling day; be a British or other Commonwealth citizen or a citizen of the Irish Republic who is resident in the UK; and not be subject to any legal incapacity to vote.

More information on who can vote can be found at [www.electoralcommission.org.uk](http://www.electoralcommission.org.uk). For other leaflets on registering to vote, go to [www.electoralcommission.org.uk/mediacentre/leafletsandforms](http://www.electoralcommission.org.uk/mediacentre/leafletsandforms).

## MISSION STATEMENT

The Scottish Independent Advocacy Alliance promotes, supports and defends the principles and practice of independent advocacy across Scotland.

It does this by:

- Providing a strong national voice for independent advocacy organisations.
- Supporting the growth of existing independent advocacy organisations.
- Promoting the development of new independent advocacy organisations.
- Encouraging existing advocacy organisations towards independence.

## WHO FUNDS THE SIAA

Scottish Executive Health Department

Scottish Executive Mental Health Division

Lloyds TSB

## WHO WE ARE

### STAFF

Director: Shaben Begum

Administrator: Alexis Bovington

Information Officer: Mandy Reid

Training Officer: Lesley King

### BOARD OF DIRECTORS

Louise Adam — Patients' Advocacy Service

Shaun McNeil — Advocacy Matters (Greater Glasgow)

Linda Bailey (Vice Chair) — Angus Independent Advocacy

Cath Maidment — Advocating Together

Sam Cairns — Equal Say

Tina Morrow — The Princess Royal Trust Highland Carers Project

Julienne Dickey (Treasurer) — Partners in Advocacy

Damian Sherwood — Dundee Independent Advocacy Support

Billy Forbes — Co-opted Member

Gary Spence — Fife Advocacy

Monica Hunter (Vice Chair) - People First (Scotland)

Moya Sweeney — Inverclyde Advocacy Service

Ross Macphail — East Lothian Involvement Group

Paul Thomas (Chair) — The People's Advocacy Service

Dennis McGinnigal — You First Advocacy Service

Andrew Tweedy — Borders Independent Advocacy Service