

# SIAA

## What is Independent Advocacy?



# What is independent advocacy?



Advocacy is about your voice being heard.

An advocate is a person who will support you to have your views heard.



Independent advocates:

- speak up for people and groups
- support people to know their rights and what choices they have
- support people to understand what is happening to them and change things if needed
- support people to make decisions based on all the information
- can stop difficult situations happening or stop difficult situations getting worse
- can support people and groups to develop the skills, confidence and understanding to speak up for themselves.





Independent advocacy is especially important when people or groups:

- are not listened to
- are treated unfairly
- are at risk of harm because:
  - of a disability or health condition
  - they are not able to look after themselves or the things they own

This can happen when:



- people do not have people or organisations to support them
- or if there are things that make it difficult for them to communicate

## What is an advocacy partner?



An advocacy partner is a person who is supported by an independent advocate.

The advocate and the person they are supporting work as equal partners.

Some independent advocacy organisations also use the word 'client' or 'service user'.

## Independent advocacy is not:



- making decisions for a person or group
- giving advice or telling a person or group what to do
- counselling or therapy
- befriending
- care and support
- solving all someone's problems
- agreeing with everything a person says and doing anything a person asks

## Principles of independent advocacy



**Principles** are the standards for our work – what we believe in and how we want to work.

Independent advocacy makes sure people's voices are listened to and their views are taken into account when decisions are made

Independent advocacy supports people when they are treated unfairly or they do not have power.

## Who this document is for and how it can be used



We believe that everyone who needs independent advocacy should get it.

This document is for:

- people who could be supported by independent advocacy
- independent advocacy organisations
- organisations that decide:
  - what organisations get money to provide advocacy services
  - if independent advocacy organisations are following the rules



This document has been developed to make sure independent advocacy is provided in the same way across Scotland and is of the highest standard.



People who get support from independent advocacy must have confidence in the help and support they receive.

Independent advocacy organisations must make sure the rules and standards are followed.

## Different kinds of Independent Advocacy



There are two types of independent advocacy:

- individual
- collective

### Individual or one-to-one advocacy



This includes issue-based advocacy – when an advocate supports a person to make a decision for example about their health or support.

### Peer advocacy



Individual advocacy also includes peer advocacy.

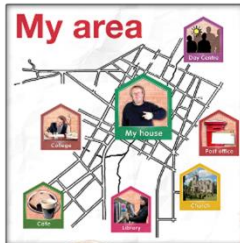
A peer advocate has life experiences they share with their advocacy partner.

For example they have the same ethnic background or had the same difficulty.

Peer advocacy works to increase someone's confidence so they can speak out for themselves.



## Citizen advocacy



Another type of individual advocacy is citizen advocacy.

A citizen advocate gets involved with a person who might need support in the community.

They have a one-to-one relationship that can be for a long time.

The citizen advocate is not paid.

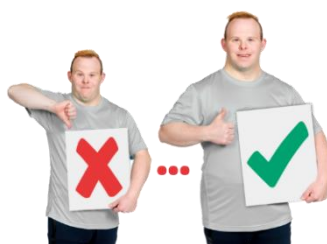
They support the advocacy partner using their natural skills and talents rather than being trained in the role.

## Collective Advocacy



Collective advocacy is when groups of people get together to support each other and speak up about their experiences and what they want to happen.

As a group they can find a stronger voice, to campaign and make a difference to things that affect their lives.



Independent collective advocacy has made big changes happen in the law, policies and how services work.

## Why do we need independent advocacy?



People can find it difficult at times for their voice to be heard when things are happening that affect their lives.

People can be a risk because they have a protected characteristic covered by the Equality Act (2010).



The 9 protected characteristics are:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation



You can find out more about protected characteristics in this [easy read document](#).





Some people depend on organisations and support services for help with all parts of their life.

Individuals who depend on support services often do not have much power to ask for things to change.



This is especially true for:

- people who do not use words to communicate
- children and young people
- people whose first language is not English
- people who are disabled or who cannot make decisions for themselves



Some people do not have family or friends who can help them.

They may not have their views and feelings listened to.



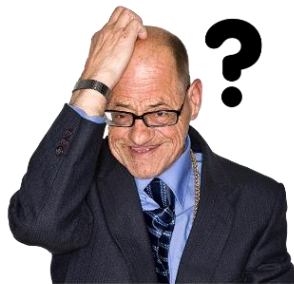
This can mean they could get treated badly and not get what they need.

They are also not likely to complain.



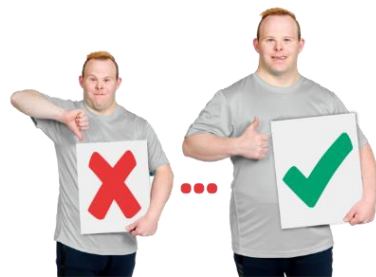
Family and friends are often ignored.

For some people, their family can be part of the problem.



Sometimes people put up with things because they do not know they can be changed.

People often do not know that they have rights in law, for example to an assessment or to a second opinion.



Independent advocacy should happen as well as making sure services are improved and made better.

## **Why is it important that advocacy is independent?**



Independent advocacy organisations are separate organisations that do not work for anyone else.

They have their own funding.

Their only job is to represent the interests and wishes of their advocacy partner.

They must see things from the point of view of their advocacy partner.

## Best interests



Best interests means someone makes a decision that they think is right for you.

Sometimes independent advocacy is about supporting people to understand and express something that may not be right for them but it is what they want.



A good independent advocate will question staff and organisation if they make decisions about a person 'in their best interests'.

They will check if the decision respects the rights and wellbeing of their advocacy partner.

## Conflicts of interest



A **conflict of interest** happens when a person's own interests could affect how they make decisions or the actions they take.

For example if someone is a member of your family or your friend they might think they know what is best for you.



Independent advocacy is as free as possible from conflicts of interest and only supports a person or group to make decisions for themselves.



People who are supported by independent advocacy are protected from:

- being put under pressure to do something they do not want to
- or being told what to do by someone else

## Supported Decision Making



Supported Decision Making is when someone gets as much support as they need to:

- make a decision for themselves
- be able to say what they want



It makes sure what the person wants is listened to and respected.

The person is at the centre of decisions made about them.

## Non-instructed advocacy



Non-instructed advocacy happens when a person cannot make decisions for themselves.

This could be because of dementia, or limited communication due to a physical disability or a learning disability.



A non-instructed advocate works to make sure their advocacy partner is given their rights and that decisions are taken having listened to what their advocacy partner wants and needs.

## Independent advocacy and human rights



Everyone, everywhere, has human rights that are protected in law.

Independent advocacy makes sure that an individual's human rights are respected.



The PANEL Principles are used to apply a human rights based approach in how independent advocacy is carried out.



# The P.A.N.E.L. Principles

## P = Participation

**Participation** means to take part.

Everyone has the right to take part in decisions which affect their human rights.

This includes getting information in a form and a language they can understand.



## A = Accountability

**Accountability** means being responsible for something.

Organisations are responsible for making sure people's human rights are respected through laws, policies and the way people work.

There must be ways to complain if people do not get their rights.

This can be through complaints processes, courts and tribunals.



## N = Non-discrimination and equality:

There must be no discrimination in the way that people get their rights.

Everyone must be treated in the same way.





## **E = Empowerment of rights holders**

People and communities should know their rights.

Independent advocacy plays an important role in:

- helping people to know and understand their rights
- supporting people to take part in things that affect their lives
- and hold decision makers to account



## **L = Legality of rights**

Human rights are recognised in law.

All public bodies in Scotland must work to protect and recognise people's human rights.

