

Policy Title	LSC Care Advocacy Policy and Procedure
Issue date (m/y)	10/2013
Author	Amy Deignan, Care Coordinator
Approved by	Donna Welburn, Operations Manager
Review date (m/y)	08/2018
Last reviewed	07/2017

Context and/or Aims

This policy applies to all employees of The Learning Support Centre Ltd. This policy and procedure sets out what types of advocacy a student can access and the procedure for supporting students who have or require advocacy arrangements.

Policy Statement

The students supported by The Learning Support Centre Ltd. are encouraged to manage their own affairs and we have to be careful not to disenfranchise them from doing so. On this basis they are self-advocating. However, a person may become unable to exercise their rights and a person or persons may be appointed to speak on their behalf in their best interests.

A person acting on the behalf of another in this way is known as their 'advocate'. Types of advocacy include:

- **Citizen advocacy**- This is a one-to-one on-going partnership between a volunteer advocate and a person. This person may not know their rights, be vulnerable and may be at risk of being mistreated or excluded.
- **Self-advocacy**- This means "speaking up for yourself". Self-advocacy is about expressing your own needs and concerns and giving your own views.
- **Peer advocacy**-Peer advocacy is when one person talks for another who has experienced or is experiencing similar difficulties or has similar life experiences (e.g. service users in a residential facility).
- **Professional advocacy**-This is when people are paid to provide an advocacy service. It is issue led, focusing on particular issues. This can include an IMCA (Independent Mental Capacity Advocate) whose role is to work with and support people who lack capacity, and represent their views to those who are working out their best interests.
- **Legal advocacy**-This is when a solicitor works on your behalf.

Procedure

- The Learning Support Centre Ltd are unable to act as an advocate for a person we are supporting due to the potential conflict of interest.
- If a person we are supporting has advocacy arrangements they will be documented in the persons care plan that is accessible only by the Registered Manager, Support Coordinator and Personal Assistants supporting that person.

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- Breaching confidential advocacy arrangements represents gross misconduct which may result in dismissal.
- In the event that a student has no appointed advocate and requires an advocate then information can be provided to that person on advocacy services available and information regarding the IMCA service if applicable. This may also involve facilitating access to local advocacy services, particularly if the service user lacks the capacity to seek representation for themselves.

Related Documents

- [Health and Social Care Act 2015](#) (Section 12) - places a duty on the Secretary of State to arrange for the provision of independent advocacy services, which should be '... independent of any person who is the subject of a relevant complaint or who is involved or who is investigating such a complaint...' It also provides for the Secretary of State to make payments to set up such arrangements.
- [Human Rights Act 1998](#) - enables individuals to pursue an action under the European Convention on Human Rights. Advocacy can support a person through this process.
- [Equality Act 2010](#).
- [Mental Capacity Act 2005](#)
- [Care Standards Act 2000](#)
- [Safeguarding Vulnerable Groups Act 2006](#)
- Safeguarding Procedure
- Care Staff handbook
- Equality Policy