

Advocacy Principles

Policy

This policy describes the expected standards for Aged Rights Advocacy Service (ARAS) Advocacy, ensuring that the wishes and interests of older people for whom they advocate, direct their work. This Policy is to be read in conjunction with OPAN's National Service Delivery Framework 2023 and OPAN's Strategic Direction 2021-2026.

Background

OPAN's National Service Delivery Framework 2023 defines Advocacy as:

“the process of supporting a person to:

- understand and exercise rights.
- make informed decisions.
- have their voice heard and views and wishes considered.”

“This may include providing advocacy support to individuals so they:

- Can effectively interact with the aged care system.
- Better transition between aged care services.
- Are enabled and empowered to make informed decisions about the care they receive.
- Can exercise their right to choice in accessing and receiving aged care services.
- Have their aged care rights better understood, recognised and upheld.
- Have their aged care needs better met.
- Increase their capacity to self-advocate.
- Can resolve problems or complaints with aged care providers in relation to the aged care services they receive.
- Know their aged care rights and responsibilities.
- Are not subjected to abuse within the aged care system.
- Can address issues that impact their ability to live in their own homes, with the aim of preventing premature admission to aged care facilities and focusing on wellness and reablement.”

Advocacy types can include but are not limited to:

- Self-advocacy support that empowers the older person or their legal representative to be better placed to resolve their issue independently. It may also involve assisting the older person to understand their rights, options, and the potential strategies available to them.
- Assisted advocacy when authority is gained to contact the service provider on the older person's behalf by letter, email, or phone. Verbal authority is gained and documented.
- Representation is when we formally meet with the older person or their legal representative and the service provider to raise concerns and negotiate agreed action(s). Advocates gain consent, either verbally or in writing, and this is recorded in the individual's case notes.
- Advocacy is undertaken when the older person provides authority to act on their behalf. Actions can include support at meetings, writing letters, providing strategies, assisting access to services.

Where an older person cannot convey their wishes to an advocate, an advocate can take direction from their legal representative to ensure the older person's voice is heard. The older person remains included in the decision-making process to the extent that it is possible. Even when substitute decision-makers are involved, ARAS Advocates will ensure, to the best of their ability, to assist older people in exercising their human rights, to be treated with respect and without prejudice. This includes sighting any substitute decision-maker's authority to ensure the advocate is speaking to the chosen representative of the older person.

OPAN's Strategic Directions 2021-2026 lists the following Principles which underpin all areas of ARAS's work:

- In everything we do, we advance the human rights of older people, particularly those seeking and receiving aged care, and those who are marginalised and the most vulnerable.
- We support older people to bring their voices to the table, to advocate for themselves, and to enable systemic advocacy based on their voices and experiences to drive the transformation of aged care.
- We support older people to make choices, decisions and take action. We provide information and support for older people and the community to prevent abuse, promote respect and support the human rights of older people.
- We establish strategic partnerships and alliances, which enable OPAN to advance and uphold the human rights of older people and embrace diversity, while protecting our independence.
- We build OPAN's capability and strive to provide a broad range of information, education and advocacy services for older people (and their families and representatives) that are culturally safe and respectful, trauma-informed, and responsive.

OPAN's Service Delivery Framework 2023 identifies nine core principles that guide the delivery of all NACAP services, and is aligned with the National Aged Care Advocacy Framework 2018. These principles also provide the framework for OPAN's Aged Care Advocates Code of Conduct, which is to be read in conjunction with these principles and describes the values and behaviours expected of advocates delivering information and advocacy supports under this framework, and guides all of ARAS' interactions and programs as follows:

1. Rights based: Advocacy services are guided by relevant rights-based principles and legislation and aim to advance the human rights of older people, particularly those seeking and receiving aged care services, and those who are marginalised and most vulnerable.
2. Person centred and directed: The older person is always placed at the centre of the advocacy process, with advocates adopting a supported decision-making approach and acting at the direction of the older person requesting a service.
3. Independent: Services are independent of aged care service provision and free from any real or perceived conflict of interest.
4. Accessible and equitable: Advocacy services are accessible to all potential service users, at all stages of their aged care journey, with strategies in place to overcome barriers to access for those with diverse characteristics and life experiences.
5. Informed by best practice: Service delivery is guided by contemporary best practice approaches and is delivered by a knowledgeable, skilled, and professional advocacy workforce.
6. Capacity building: Services embed a strong emphasis on proactive/preventative advocacy by strengthening the capacity of older people and their representatives to self-advocate.
7. Partisan: Advocacy services are partisan, with advocates clearly positioned on the side of the older person, supporting them to raise and have their voice heard, and seek resolutions that align with their views and preferences.
8. Partnerships: Advocacy services maintain constructive, positive relationships with key stakeholders to allow for collaborative approaches to advancing and upholding the human rights of older people, whilst maintaining the independence of the NACAP.
9. Continuous quality improvement: Advocacy services have strong governance and management systems that ensure services are designed for safety, effectiveness, and efficiency and to contribute to other quality assurance mechanisms within the aged care system through analysis of the systemic trends which emerge through individual advocacy work.

ARAS structures its services to address concerns older people and/or their representatives may have in relation to elder abuse, across a continuum from prevention to early intervention and responsive advocacy. Elder abuse information and advocacy support is contained within the OPAN Service Delivery Framework and Aged Care Advocates Code of Conduct, with prevention occurring at multiple levels. ARAS delivers education sessions to residents in residential facilities, community members, aged care service providers, medical students and any other services directly engaged with older people.

Summary:

People aged 65 years or older, Aboriginal/Torres Strait Islander people aged 50 years or over, and young people accessing Australian Government funded Aged Care services, are able to access ARAS support via information to self-advocate or individualised support, to assist with exercising their basic human right to live a life free of abuse, safeguarding themselves against abuse, and access to appropriate services.

ARAS also provides information and advocacy services to residents in Retirement Villages, to assist them to voice their concerns to Village Management or Administrative Authority.

Associated Documents

Advocacy Procedure
Client Records and Case Notes Procedure
Charter of Aged Care Rights
Consumer Service Policy
ARAS Scope of Service (for all programs)
National Aged Care Advocacy Framework 2018

References

OPAN Service Delivery Framework 2023
OPAN Aged Care Advocates Code of Conduct 2023

MONITORING, EVALUATION AND REVIEW

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