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Factsheet: **Advocacy**

Summary

The White Paper "Valuing People 2001" stated that advocacy is an important way for people with a learning disability to have more choice and control in their lives. “Valuing People Now: a new three year strategy for people with learning disabilities” set an overall policy objective for advocacy. This is that all people with learning disabilities can speak up and be heard about what they want from their lives – the big decisions and everyday choices. It says that if people need support, they should be able to get it.

Advocacy is varied in the ways in which it works, but operates on certain basic principles and approaches.

Advocacy can take a number of forms, but independent advocacy such as citizen advocacy, peer advocacy and self-advocacy should be differentiated from the roles played by family and professional carers.

The Mental Capacity Act 2005 has introduced a new kind of advocate, called an Independent Mental Capacity Advocate (IMCA).

The basic principles

Advocacy:

- Supports people in expressing their views, preferences and decisions on an equal footing
- Works to make things happen once decisions have been made by the people it supports
- Defends equal rights against discrimination
- Encourages the inclusion of the isolated and excluded
- Has diverse forms which can meet many needs
- Speaks up for an individual or group on an objective basis
- Does not make choices or decisions for the people who receive advocacy support
- Avoids the potential conflicts of interest which can occur when families or professionals act as advocates

Approaches

Advocacy:

- Is centred on the individuals for whom the advocacy is provided, with loyalty and accountability to them
- Seeks to enable the empowerment of the self advocate or advocacy partner through speaking up for them or supporting them to speak up for themselves
- Is provided by individuals who are independent and not influenced by service providers, funders, or families, or by any interests which might clash with those of the people for whom they advocate
- Requires that advocacy providers and users should be free and able to contact each other when they want
- Demands mutual respect and trust, and a clearly understood position on confidentiality
- Is of an enduring nature and cannot work effectively if there is a time limit; even short term forms of advocacy require a commitment for the duration of the issue concerned, however long this may be.

Types of Advocacy

Citizen advocacy

One-to-one advocacy based on a long-term partnership of trust and confidentiality between two people. The first of these is at risk of losing personal choice and control over his or her life through being unheard or ignored, and is often referred to as the advocacy partner. The other person volunteers to listen to and speak up on behalf of the advocacy partner. This is the citizen advocate. Citizen advocacy partnerships usually belong to some form of local citizen advocacy group. Groups in turn often belong to regional or national umbrella organisations for their type of advocacy. These frameworks are important for keeping up good standards of advocacy, but the citizen advocate's loyalty is always first to the advocacy partner. An advocacy partnership is freely entered into on the basis of informed consent, and lasts only as long as both partners want it to.

Self advocacy

Some people are able to speak up for themselves on issues which affect their lives, but need varying levels of help to do so. This is increasingly being provided by groups which they themselves organise and run. Self advocacy is flexible and can be carried out both individually and by combining in larger numbers, but it is usually based on some form of mutual support. The self-advocacy movement is expanding rapidly through organisations such as People First and Taking Part. A great advantage of self-advocacy is that it often gives an insight into what vulnerable people really want, as distinct from what service providers, carers, families and others think they should want.

Peer advocacy

As people with learning disabilities expand their confidence and capabilities and assume their place in society, some develop a wish to advocate on behalf of other people with learning disabilities. This may arise through and with the support of self-advocacy and citizen advocacy groups. The comments made above on citizen advocacy apply also to peer advocates.

Case advocacy

Also referred to as crisis or short-term advocacy, although there are slight differences between the three. These are forms of advocacy similar to citizen advocacy, but which focus on one issue or set of issues, and are not intended to have a long-term basis. They may be provided alongside peer, citizen, or self-advocacy to give extra support in dealing with a particular problem. The support may be needed because a lot of work needs to be done, because of a break down in an advocacy partnership, or because issues requiring special expertise arise, e.g. in law, child protection, education, housing, employment, and financial matters.

Paid independent advocacy

Generally, independent advocates are unpaid, many not taking even expenses. But volunteers are always in short supply. Where there is a huge demand, for example where a long-stay hospital closes and large numbers of people are being resettled, or where a major problem has occurred, paid advocates may be needed to deal with the situation on a temporary basis. Their role is typically a combination of citizen and case advocacy, but they will have a caseload of several clients. Ideally, once a person is resettled, the paid advocate hands over to volunteer local citizen or self-advocacy.

Professionals and advocacy

Although professional standards require social workers, nurses, teachers and others to promote and protect the interests of service users, clients or students, this does not establish an independent advocacy role. It is important to distinguish between a professional responsibility to advocate on a service user's behalf on professional issues, and the wider role of a trained, independent advocate. An independent advocate can provide more objective support to individuals without risk of the potential conflicts of interest which may arise with professionals.

Families and advocacy

Families of people with learning disabilities rightly feel that they have a part to play in advocating for them. This should be respected. However, families are made up of individuals with their own lives, needs and wishes to consider. In family life, none of us has the objectivity and independence from potential conflicts of personal interests which marks out independent advocacy. An individual is best supported where families, professional carers, and independent advocates, all recognise their separate roles, but work together.

IMCAs

The Mental Capacity Act 2005 establishes an Independent Mental Capacity Advocate (IMCA) service. The role of IMCAs under the Act is closely mapped to basic principles of citizen advocacy, and their training is carried out by established and recognised independent advocacy organisations.

More details can be found in the Mental Capacity Act itself.

Mental Capacity Act 2005
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