

What do advocates do?

An advocate **CAN** support someone to:

- understand their rights
- understand any processes and decisions they are subject to
- understand their options
- communicate their views, wishes and feelings
- make their own choices
- challenge a decision

An advocate **DOES NOT**:

- offer legal advice
- offer counselling or befriending
- tell people they support what decisions to make
- tell health or social care professionals what decisions to make

Even when someone has difficulty expressing their feelings, our advocates will use a range of communication methods to establish their views and wishes as far as possible to secure their rights and ensure they remain at the centre of processes or decisions.

An advocate has a right, where necessary, to access medical or care records on the behalf of the person they are supporting.

Depending on the situation, an advocate may write a report that must be taken into consideration by professionals.

How to make a referral

Visit our website to find services near you and to make referrals via our online forms

MEDWAY / NATIONAL REGIONS:

 www.librapartnership.co.uk

 referrals@librapartnership.co.uk

 **01622 200 806**

HAMMERSMITH & FULHAM: Hammersmith & Fulham Advocacy Network (HFAN)

 www.hfan.org.uk

 hello@hfan.org.uk

 **0333 305 1329**

About Libra Partnership

Libra Partnership is a statutory advocacy specialist and has provided a voice for thousands of vulnerable individuals across England and Wales since 2016.

Libra Partnership is the lead provider of **Hammersmith & Fulham Advocacy Network (HFAN)** and an intergral part of **The Family Partnership** in Medway.

**INDEPENDENT
ADVOCACY:**

LIBRA
PARTNERSHIP

A GUIDE FOR PROFESSIONALS



Hammersmith & Fulham
Advocacy Network

STATUTORY ADVOCACY &
LEAD PROVIDER



THE FAMILY PARTNERSHIP
ADVOCACY, SUPPORT & ENGAGEMENT IN MEDWAY

*'Providing a voice
for the vulnerable'*



What is an advocate?

Advocates are independent professionals who support people to know what their rights are, to understand their options, and voice their views.

This helps to make sure that people are involved and included in as much as possible in decisions about their health and care.

Duty to refer

Some advocacy disciplines are a statutory right for eligible people in certain situations.


The **Mental Capacity Act 2005** and **Care Act 2014** state that certain professionals must refer eligible people for advocacy.

The **Mental Health Act 1983** states that certain professionals must make eligible people aware of how to access independent advocacy should they wish to.

Who is eligible?

Use the grid to find out who must be referred. If you are unsure about eligibility, or have questions, please contact us.



Independent Mental Capacity Advocacy (IMCA)	Independent Care Act Advocacy (ICAA)	Community Advocacy	Independent Mental Health Advocacy (IMHA)	NHS Complaints Advocacy (IHCA)	Rule 1.2 Representation (Community DoLS)
<p>When to refer</p> <p>Make a referral when both conditions apply:</p> <ol style="list-style-type: none"> The person is assessed to lack capacity in relation to a decision about: <ul style="list-style-type: none"> serious medical treatment long-term accommodation There are no family or friends considered appropriate to consult about the decision <p>To 'Lack capacity' means the person:</p> <ul style="list-style-type: none"> has an impairment or disturbance that affects the way their mind or brain works (e.g. a brain injury, dementia, autism, learning disabilities, mental health problems) AND the impairment or disturbance means that they are unable to make a specific decision at the time it needs to be made <p>You must also make a referral:</p> <ul style="list-style-type: none"> for a person being assessed under DoLS, when there is no one appropriate to consult when there is a gap between appointment of Relevant Person's Representative (RPR) if a person has an unpaid RPR and the person or the RPR asks for an advocate or the Supervisory Body recommends it 	<p>When to refer</p> <p>Make a referral when all three conditions apply:</p> <ol style="list-style-type: none"> One of these processes is taking place: <ul style="list-style-type: none"> social care needs assessment carer's assessment care planning care review S42 safeguarding investigation Without support, the person will have 'substantial difficulty' being involved There are no appropriate, able and willing family or friends to support the person's active involvement <p>'Substantial difficulty' means that, without support, the person will find it very hard to do one or more of these:</p> <ul style="list-style-type: none"> understand relevant information retain that information use or weigh up that information communicate their wishes and views 	<p>When to refer</p> <p>This service is helpful for people who need support with a specific issue they are facing, and are finding it difficult to put their views across, don't feel listened to, feel vulnerable or at risk of abuse, are struggling to understand information and would benefit from support.</p> <p>We support people in Medway, as part of The Family Partnership to navigate family court proceedings.</p>  <p>In LBHF our partners HF Mencap, support people with the following issues:</p> <ul style="list-style-type: none"> Housing and tenancy Health access and communication Social care and support planning Safeguarding concerns Financial exploitation and protecting finances Benefits and entitlements Court of Protection-related issues Multi-agency coordination 	<p>When to refer</p> <p>Make a referral whenever a person is in any of the following situations and struggles to be involved or understood:</p> <ul style="list-style-type: none"> Detained under the Mental Health Act (even if on leave of absence from the hospital) but excluding people under short term sections 4, 5, 135 and 136) A conditionally discharged patient Subject to a Community Treatment Order (CTO) Subject to a Guardianship order Being considered for S58A treatment (including informal patients and people under 18) Being considered for S57 treatment (including informal patients) 	<p>When to refer</p> <p>You can refer people who meet these criteria:</p> <ul style="list-style-type: none"> the complainant must live in Medway or Hammersmith & Fulham AND would like to complain about NHS treatment or care <p>Patients over the age of 16, whose mental capacity is unimpaired, can complain themselves or authorise someone to bring a complaint on their behalf. Children under the age of 16 can also make their own complaint, if they're able to do so.</p> <p>We can support people who would like to make a complaint about:</p> <ul style="list-style-type: none"> a GP surgery a dentist a local hospital an ambulance service an NHS pharmacy 	<p>When to refer</p> <p>You can refer people who are deprived of their liberty and living in the community, for example, at home or in a supported living placement. They must be over 16.</p> <p>We can support with:</p> <ul style="list-style-type: none"> Annexe C (as part of the COPDOL11) - The statement that informs the Judge's decision on whether to issue a Community DoLS or whether an oral hearing is required. CoP24 Witness Statement - A statement to the CoP (or earlier, if changes to care plan or clients presentation) to review changes/concerns and determine whether an oral hearing is required. Rule 1.2 Rep - Regular visits to the client if under a Community DoLS on an agreed frequency.
<p>We also provide paid Relevant Person's Representative (RPRs) and Litigation Friend services. Email us on referrals@librapartnership.co.uk to make an enquiry.</p>					
<p>Advocate's role</p> <p>As far as possible, to:</p> <ul style="list-style-type: none"> Make sure that the person's views and wishes are taken into account in the best interests decision Support the person to be involved in the decision, or to represent them if necessary Uphold the person's rights in relation to that decision 	<p>Advocate's role</p> <p>To support the person to:</p> <ul style="list-style-type: none"> Understand their rights under the Care Act Be fully involved in the assessment, review or planning process 	<p>Advocate's role</p> <p>To support the person to:</p> <ul style="list-style-type: none"> Understand their rights Understand any processes and decisions they are subject to Understand their options Communicate their views, wishes, and feelings Make their own choices and challenge a decision 	<p>Advocate's role</p> <p>To support the person to:</p> <ul style="list-style-type: none"> understand their rights, options and decisions about treatment understand parts of the Mental Health Act which apply to them have their views and wishes heard in decisions about their care or treatment raise anything they are unhappy with 	<p>Advocate's role</p> <p>An advocate can:</p> <ul style="list-style-type: none"> explain the complaints process prepare for meetings help with writing letters contact and speak with third parties, if required help the client decide whether they're satisfied with the response received by the NHS 	<p>Advocate's role</p> <p>An advocate will:</p> <ul style="list-style-type: none"> discuss care plans to ascertain if they are suitable and are the least restrictive option highlight and address any concerns and changes have regular contact determine if an oral hearing is required