

Client Handbook

DISABILITY ADVOCACY NSW (Australia)

Website: www.da.org.au

Phone: 1300 365 085

Email: da@da.org.au

(Advocacy Law Alliance Inc.)

DA believes that people with disabilities have the same rights and responsibilities as non-disabled people.

WHAT IS THIS HANDBOOK ALL ABOUT? To give clients some basic information about the Disability Advocacy NSW and the rules that govern its operation. If you would like our detailed policies simply ask and we will send them to you or they are on our webpage www.da.org.au.

WHO IS THE SERVICE FOR? People with any type of disability including mental illness.

WHAT AREA DOES THE SERVICE COVER? Hunter, New England, Mid North Coast, Central West and Hawkesbury-Nepean regions of NSW, Australia.

HOW MUCH DOES THE SERVICE COST? Nothing, it's free.

WHAT DOES ADVOCACY MEAN (WHAT DO WE DO)? Advocacy means 'standing by' someone, or 'speaking out' for someone's rights, or 'going into bat' for another person - 'being on their side', when they are treated unfairly. We believe that people with disability have the same legal and civil rights as other people in the community and that advocacy has a role in safeguarding people with disability against abuse.

WHAT ARE THINGS DISABILITY ADVOCATES CANNOT DO?

- Provide legal advice (but where appropriate Advocates may help you get legal advice from a lawyer).
- Provide casework services (e.g. finding housing or jobs, applying for services, managing services, etc.).
- Provide advocacy services when a disability support worker / caseworker can reasonably provide advocacy support (without a conflict of interest).
- Provide advocacy for a person when a more appropriate service is available to advocate and assist.
- Provide advocacy for a person who wishes to take out an apprehended personal violence order at court against a neighbour or workmate etc. if mediation has not been attempted to resolve the dispute.

A SUMMARY OF YOUR RIGHTS (AND RESPONSIBILITIES):

AS A CLIENT YOU HAVE THE FOLLOWING RIGHTS:

1. To be treated with fairness and respect (freedom from abuse).
2. To make your own decisions about your advocacy support.
3. To be fully informed in a way that you can understand.
4. To have your information treated privately and not shared without your permission.
5. To feel safe about complaining if you are not satisfied with your advocate.
6. To have an advocate who is independent from disability service providers.

AS A CLIENT YOU HAVE THE FOLLOWING RESPONSIBILITIES:

1. To treat your advocate with respect.
2. To understand that advocates try to do what you ask for but cannot do things that are illegal or may cause harm to you or others.
3. To let your advocate know everything you know about your issue.
4. To give at least 24 hours notice if you need to change an appointment.
5. To make sure your home is safe if your advocate is visiting.
6. To understand that due to limited resources that advocates must help clients who have the greatest need first.
7. To undertake reasonable self-advocacy tasks to assist to resolve the advocacy issue

WHO WORKS FOR THE SERVICE? We employ advocates who have relevant experience and qualifications. Some advocates have a disability, others are from a non-English speaking background.

WHAT PART CAN I PLAY WHEN THE ADVOCATE HELPS? The first two things that an advocate will ask you is 'What result do you want?' and 'What do you want to see changed?' It is very important that you tell us what you want to happen, as we are guided by your wishes.

SELF ADVOCACY: When you can, it is also important that you help out in getting the result you want. So the advocate will also ask you what part you can play in getting your requested result.

HOW INDEPENDENT IS THE SERVICE? We endeavour to be as independent from service providers and government as possible. For instance we do a check with each case to ensure that an advocate's interests will not interfere with his/her advocacy work. If there are any possible conflicts of interest with advocates, other clients, or management we have procedures to deal with this in an open and transparent way. For example we cannot advocate for two clients in the same matter if they have different points of view about the best outcome. We also ask our advocates not to accept gifts or to have financial transactions with clients.

WHO WILL THE SERVICE ASSIST FIRST WHEN LOTS OF PEOPLE ARE ASKING FOR ADVOCACY HELP? We will try to help the people who need it the most first and give people an idea of how long it will be before we can assist. For instance the first people we try to help have the most serious issues, the most serious disability and the least alternatives for assistance.

WHAT IF THE SERVICE CAN'T HELP? We will tell you why, and we will assist you to try other services if this is possible.

WHAT IF THE SERVICE TRIES TO HELP BUT HAS TO STOP? We hope this won't happen. But the Service may discontinue advocacy if this will cause harm to you or the Service; or if there is a service that will better meet

your needs. Also, if a client threatens or scares staff we can no longer advocate for that client. The Service has limited resources and we must ensure the safety of staff while providing the best service for clients.

WHAT CAN I DO IF I AM NOT HAPPY WITH THE SERVICE I GET? If you are not happy with any part of our service you have the right to tell us. We welcome any complaints or suggestions, because it helps us provide a better service. Remember you can complain or give feedback at any time by writing email: da@da.org.au or by talking: phone 1300 365 085. Everything you say will be private and will only be discussed by the people who are involved. If you would like someone to be with you or speak for you, you may ask someone you trust to help you.

Whether you have a big problem or a small problem you have the right to talk to someone and have your problem seen to.

IF YOU WANT TO COMPLAIN ABOUT DA OR AN ADVOCATE HERE ARE SOME STEPS YOU CAN FOLLOW.

STEP 1: Talk to the Advocate or person you have the problem with. When you do this, you can bring a friend, family member, carer, or someone you trust.

STEP 2: If things don't work out, you can talk to your local Regional Coordinator or Advocacy Coordinator (head advocate) phone 1300 365 085 email da@da.org.au.

STEP 3: If you want to take your issue further you can ask the Advocacy Coordinator to contact the Chief Executive Officer, or representative the Service's management committee.

STEP 4: *It is important to try to go through the above steps first* but if you are not happy with the decision made by the Service, you can contact the NSW Ombudsman 1800 451 524 or the Complaints Resolution & Referral Service 1800 880 052.

WHY DO WE KEEP INFORMATION ABOUT CLIENTS? The Service collects information about the people who use our service. We do this to make sure that we record the work we do for you and to keep track of how we are going in getting the result you want. A file is made up for every person who uses the service.

WHAT INFORMATION IS KEPT? HOW IS IT USED? We keep basic personal information, along with other information about your situation. We record the results you are hoping for and take notes on what we have been doing. We also put reports together from this information to show that we are doing our job. For instance, we may report on how many clients we had and what was the most common disability of people who came to us for help. These reports will not identify any individuals.

WHO HAS ACCESS TO PERSONAL INFORMATION? The only people who can look at your file are the people who work for the Service and who are assisting with your case. We will ask your permission before talking to other people about your case. The exceptions to this are:

1. that in some cases a law court may order us to provide information in a client's file;
2. a law says we must report any information we know about a child whose safety is at risk;
3. we may have to release information in an emergency situation where there is a serious risk to a person's life, health or safety or threat to public health or safety;
4. independent people (standards auditors) who have signed an agreement not to tell anyone about information on your file — these people may look at some files to make sure we are providing you

with good quality advocacy (***you can sign a note to say you do not want your file to be included in the audit if you wish***).

HOW IS THE QUALITY OF THE ADVOCACY SERVICE YOU GET CHECKED?

The service must comply with the *National Standards for Disability Services* and the *NSW Disability Service Standards*. On a regular basis, independent auditors and peer assessors will check DA's compliance with these standards. They talk to staff and to clients. They also check the client files to see if the advocates are doing a good job. If you **do not** want your file checked in this way please ask your advocate to note on your file you do not wish this to happen.

CAN I SEE MY OWN FILE? Yes. If you want to see your file, all you have to do is ask. You can take a copy, but the file belongs to the Service.

HOW SECURE IS MY FILE? When not in use, your file is kept in a secure cabinet and computer system. Our computers have strong security passwords.

WHAT DOES THE SERVICE DO IF IT IS A BIG OR COMMON PROBLEM INVOLVING A GROUP OF PEOPLE WITH A DISABILITY? 'SYSTEMIC ADVOCACY'

If the problem is a common one that keeps coming up all the time, advocates will try to deal with these problems by researching the causes and working on ways to improve the situation (systemic advocacy). This may mean working with bigger organisations to see changes made. We can't fix all these issues but we try to pick out a few that we can handle and work on them.

WHO CAN JOIN THE ORGANISATION THAT RUNS THE SERVICE? Anyone who uses the Service can choose to become a member. Simply fill out the application form below and post it to the Service. Membership is free.

Joining as a member is your choice and you do not need to be a member to get advocacy help.

(Cut along line and return completed form below via mail or email document to da@da.org.au)

I would like to become a member of Advocacy Law Alliance Inc. the Association which runs Disability Advocacy NSW. (Membership will allow me to: vote to change rules, participate in electing the management committee at the annual general meeting, seek election as a committee member of management committee if I so choose, and receive information such as annual reports.)

Post this back to S1/L2, 408 King St, Newcastle West, 2302

Full Name:

Address:

Postcode:

Telephone:

Email Address:

Signature