

CODE OF CONDUCT FOR ADVOCATES

This Code is designed to outline the role and responsibilities of advocates and to define the boundaries within which advocates must work. Advocates are expected to conduct themselves in accordance with this Code.

The Code outlines the roles and responsibilities for all advocates. In addition, advocates providing a service under the Mental Capacity Act (IMCAs) **must** take note of the points in the IMCA sections that make reference to their specific roles and responsibilities under the Act.

1 DOs

- 1.1 Advocates are there to support their partners to be heard and taken account of, on issues that concern them.
- 1.2 Regular contact will be kept between advocates and their partners until the partnership has ended.
- 1.3 Please do not close the partnership without discussion with your coordinator and partner. If you are unavailable or unable to continue seeing your partner, you must contact your coordinator at the earliest possible opportunity.
- 1.4 Advocates will seek to ensure equal opportunities for their partners.
- 1.5 Advocates must obtain their partners' consent before undertaking any action on their behalf and must not take any action, which is contrary to their partners' wishes.
- 1.6 In cases of non-instructed advocacy it will not be possible to get your partner's consent and so this point does not apply.
- 1.7 Advocates will at all times respect their partners' rights of confidentiality in keeping with the OA Confidentiality Policy.
- 1.8 Unless you have the express permission of your partner, do not discuss your partner with anyone outside OA even if you are put under pressure to do so.
- 1.9 Advocates are expected to be punctual and reliable.
- 1.10 If you are unable to attend an appointment please inform your partner and coordinator as soon as you know.
- 1.11 Advocates are expected to keep their coordinator regularly informed of the progress of their work and must contact their coordinator if they have any problems or concerns about risk, as soon as possible.

- 1.12 Advocates are expected to take part in regular support sessions with their coordinators.
- 1.13 Advocates are expected to attend training sessions to update their knowledge and improve their skills.
- 1.14 Advocates are entitled to claim reasonable expenses including travel, incurred whilst undertaking advocacy work. Unusual expenses should be approved in advance.
- 1.15 Once an advocacy partnership is finished, if advocates choose to maintain any contact with their partners they must inform their coordinator.
- 1.16 Advocates are expected to be polite and courteous at all times, not only to partners but also to staff, carers etc.

2 Specific Points for IMCAs

- 2.1 The IMCA will present the views and wishes and explore choices and options for the referred person in the specific areas outlined in the Mental Capacity Act – namely, serious medical treatment, a long-term care move, adult protection procedures and care reviews.
- 2.2 The IMCA will work within the time framework outlined in the Code of Practice.
- 2.3 The IMCA will no longer be involved with the referred person once the decision has been finalised and they are aware that the proposed action has been carried out.
- 2.4 The IMCA will not provide on-going advocacy support. If this is required a referral will be made to an appropriate local advocacy organization.
- 2.5 Under the Mental Capacity Act, by definition, the referred person will not be able to instruct the IMCA. Therefore the IMCA will work with the referred person to:
 - 2.5.1 Ascertain their views, feelings, wishes beliefs and values and ensuring those views are communicated to and considered by the decision maker
 - 2.5.2 Ask questions on behalf of the person and represent their views making sure that the person's rights are upheld and they are kept involved in the decision-making process
 - 2.5.3 Consult staff, professionals and anyone else who knows the person well or who are involved in delivering care, support and treatment
 - 2.5.4 Check the decision maker is acting in accordance with the Act and the decision is in the best interests of the person.
 - 2.5.5 Challenge the decision if necessary
- 2.6 The IMCA will respect the referred person's rights to confidentiality within the framework outlined in the Code of Practice and the OA Confidentiality Policy. The IMCA has a right/duty to access relevant health and social care records.

3 DO NOTs

- 3.1 Advocates should not do work which is normally performed by service providers. (eg. support staff, care manager, carers).

- 3.2 Advocates must not sign anything which should be signed by their partner. As an advocate you may need to help your partner write a letter if he/she wishes to address issues in this way. These letters should be owned and signed by your partner and not by yourself although you may agree to countersign such letters, if that is what your partner requests. This would need to be discussed with the coordinator first.
- 3.3 Advocates must not lend money to partners or borrow money from partners.
- 3.4 Advocates must not accept money or gifts (see OA's gift policy).
- 3.5 Advocates must not break the law or encourage/aid partners to do so.
- 3.6 Advocates must not ignore abuse from partners. This includes verbal as well as physical abuse. All incidents should be discussed with your coordinator immediately.
- 3.7 Advocates must not transport partners in their own vehicles. This may be possible in exceptional circumstances providing the coordinator has seen appropriate insurance documents.
- 3.8 Advocates should not knowingly put themselves or their partners at risk.
- 3.9 Advocates must not engage in sexual relations with their advocacy partners during a partnership.

4 Specific Points for IMCAS

- 4.1 An IMCA will not provide ongoing advocacy or other tasks that are outside the remit of the IMCA role.
- 4.2 An IMCA will sign his/her report and recommendations to the decision maker. An IMCA must not sign documents or other paperwork that is outside of the IMCA remit.

Signature of Advocate/ Staff

Signature of Manager/ Advocate Co-ordinator

Date

Category	Operational	Created	
Version	2	Updated	24.2.15 SN