



A Guide To Advocacy

Updated 23/03/2021

This fact sheet will give some background information on what advocacy is and how to go about finding advocacy through useful organisations in Harrow.

What is advocacy?

Advocacy is a process of supporting and enabling people to:

- ✿ express their views and concerns
- ✿ access information and services
- ✿ defend and promote their rights and responsibilities
- ✿ explore choices and options

An advocate might help you access information you need, or go with you to meetings or interviews, as a supportive presence. In some cases, you might want your advocate to be more active. An advocate might write letters on your behalf, or speak for you in situations where you don't feel able to speak for yourself.

What kind of advocacy is for me?

There are different kinds of advocacy, and diverse communities and groups understand advocacy in different ways, but advocacy in all forms shares some core beliefs. An advocate respects the views and wishes of the person they advocate for, without judgement, and believes in their right to access information, representation, services and opportunities. You can expect an advocate to be trained in listening and negotiating skills. They should also have knowledge of the basic legal framework and provision of mental health and community care services. Some different kinds of advocacy are listed below:

Self-advocacy

Self-advocacy is about speaking up for yourself and making your views and wishes clear. This can be very difficult to do at times, and there are skills and tools that can

support self-advocacy, such as assertiveness training, Crisis Cards or Advance Directives, which set out your wishes in case of any crisis.

Group advocacy

Group advocacy is where a group of people with similar experiences meet together to put forward shared views. Local mental health service-user groups, support groups and patient councils are all examples of group advocacy.

Peer advocacy

Peer advocacy is support from someone else with experience of using mental health services. Peer advocates can draw on their own experiences to understand and empathise with the person they are working with.

Formal, professional, or paid advocacy

Many voluntary organisations have developed advocacy services, which train and pay some or all of the advocates to work with anyone who wants to use their service.

Legal advocacy

People with specialist knowledge and training, such as lawyers and advice workers, are sometimes called 'legal advocates'. A legal advocate will often give advice and express their opinion about the best course of action, as well as represent you in court.

When might I need an advocate?

Advocacy can be helpful in situations where you are finding it difficult to make your views known, or to ensure people listen and take them into account. Mental health advocacy often focuses on complaints or concerns about accessing or using mental health and community care services. Advocates can be assessed for other situations, depending on the circumstances and level of need.

Mental Health advocates can be accessed via different routes depending on your situation.

What advocacy services are available?

Statutory Advocacy

Statutory advocacy is when you are legally entitled to an advocate. There are five types of statutory advocates in England and Wales. These are:

- ✿ **Care and Support Advocates.** These can support certain people under the Care Act 2014 for their social care needs.
- ✿ **Independent Mental Health Advocates (IMHAs).** These are specially trained advocates who can support certain patients under the Mental Health Act 1983.
- ✿ **Independent Mental Capacity Advocates (IMCA).** These are specially trained advocates who can support certain people under the Mental Capacity Act 2005.
- ✿ **NHS Health Complaints Advocates.** These can support you if you wish to make a complaint against a NHS or NHS funded service.
- ✿ **Children & Young People's Advocates.** These can support young people with specific care needs.

Independent Care Act Advocacy

Under the Care Act 2014, you may be able to receive care act advocacy if you have care and support needs or if you are caring for someone with care and support needs. To be eligible for care act advocacy, your level of need will need to be assessed by a social worker or care co-ordinator. For more information about eligibility, please refer to our factsheet on The Care Act 2014: directory.mindinharrow.org.uk/Content/Factsheets/3579_The%20Care%20Act%202014.pdf

If you are found to be eligible for care act advocacy, you will be able to receive support for communicating your needs regarding your care and support. Some examples of this will be if you are undergoing an assessment, applying for a personal budget, a care plan review or a safeguarding enquiry.

Your social worker or care co-ordinator from CNWL NHS Foundation Trust can then refer you to Harrow Mencap who will be able to allocate you a care act advocate.

For more information you can contact **Harrow Mencap**:

www.harrowsmencap.org.uk

3 Jardine House, Harrovia Business Village, Bessborough Road, Harrow HA1 3EX

Tel: 020 8423 7382 | Email: iag@harrowsmencap.org.uk

Opening hours: Monday-Friday 9am-5pm

Independent Mental Health Act Advocacy (IMHA)

If you are detained in hospital under the Mental Health Act 1983 you will be entitled to an advocate by law. You will be eligible for a Mental Health Act Advocate if:

- ✿ you are placed under section (2) for assessment or section (3) for treatment.
- ✿ you are “liable to be detained” – this includes:
 - ✿ where you are on leave of absence from hospital
 - ✿ where you are absent without leave from hospital
 - ✿ where a court order or application for admission has been made in relation to you
- ✿ you are subject to a community treatment order (CTO)
- ✿ you are subject to guardianship
- ✿ you are a conditionally discharged restricted patient
- ✿ you are a voluntary/informal patient and certain treatments, including neurosurgery, are being considered for you

If you require a Mental Health Act advocate in this situation you can refer yourself to

Brent Gateway

Tel: 020 3948 0600 Email: info@brentgateway.org Website: <http://brentgateway.org/>

The Mind website provides more information about the Mental Health Act 1983:

www.mind.org.uk/information-support/legal-rights/mental-health-act-1983/

Independent Mental Capacity Act Advocacy (IMCA)

A mental health professional may assess your capacity to make your own decisions. (i.e they will assess your ability to retain, understand information, weigh up the pros and cons and communicate your wishes for a particular decision). If you are found to have an impairment in any of these areas, you will be assessed to lack capacity.

If this is the case, you can get advocacy help from an independent mental capacity act advocate. This is an advocate appointed to act on your behalf if you lack capacity to make certain decisions.

An independent mental capacity advocate should help you:

- ✿ when an NHS body wants to provide serious medical treatment to you
- ✿ when there are plans to give you long-term accommodation in hospital (more than 28 days) or in a care home (more than 8 weeks). However, if the arrangements are urgent, the NHS body does not have to appoint an independent mental capacity advocate
- ✿ in some cases, if the professionals apply for a standard or urgent authorisation to deprive you of your liberty under the deprivation of liberty safeguards

You have the right to access support from an independent mental capacity advocate with challenging an authorisation even if you have a relevant person's representative helping and supporting you to do this. Both you and your relevant person's representative would be entitled to get help and support from an independent mental capacity advocate.

If you require an IMCA or a RPR in this situation, please contact **Brent Gateway**:

Tel: 020 3948 0500 Email: info@brentgateway.org Website: <http://brentgateway.org/>

NHS Health Complaints Advocacy

If you wish to make a complaint against a NHS or NHS funded service e.g. a hospital, GP, dentist, optician, NHS funded community service, NHS pharmacy, ambulance service or paramedic, regarding the care and support you have received from them, you may be able to access an advocate. This service is open to anyone who wishes to make a complaint.

The complaint must be focused on the care and support you received that you were dissatisfied with from the service and not related to any organisational or structural changes. If you are not satisfied with outcome of a complaint response, the advocate can help you to raise your complaint with the Health Ombudsman, who can make a final decision on unresolved complaints.

For more information please contact **Harrow Mencap**:

www.harrowmencap.org.uk

3 Jardine House, Harrovia Business Village, Bessborough Road, Harrow HA1 3EX

Tel: 020 8423 7382 | Email: iag@harrowmencap.org.uk

Opening hours: Monday-Friday 9am-5pm

Children & Young People's Advocacy Service

If you are a young person aged 7-25 living in Harrow you may be entitled to an advocate if you are undergoing the process for one of the following:

- ✿ Looked after children
- ✿ Care leavers
- ✿ Children in need (including young people with a disability)
- ✿ Refugee and asylum seeking children
- ✿ Having a Child Protection Conference
- ✿ Seeking support to make a complaint about social care services

For more information please contact **Harrow Mencap**:

www.harrowmencap.org.uk

3 Jardine House, Harrovia Business Village, Bessborough Road, Harrow HA1 3EX

Tel: 020 8423 7382 | Email: iag@harrowmencap.org.uk

Opening hours: Monday-Friday 9am-5pm

Non-Statutory Advocacy

Carers Advocacy

If you are caring for someone with care and support needs (mental health needs or other physical or learning impairments) you may be able to access an advocacy service of the following types:

- ✿ 1 – 1 advocacy support where available, to provide individual support for carers, for areas of concern such as housing and welfare benefits advice.
- ✿ A range of workshops and training is available to support carers within their caring role. Welfare Benefits and Advice sessions are available to help carers understand any financial support that is available.

For further information please contact Bunny Gaughan at **Harrow Carers**:

www.harrowcarers.org/advocacy

376-378 Pinner Road, North Harrow, Middlesex HA2 6DZ

Tel: 0208 858 5224 | Email: bunny.gaughan@harrowcarers.org

Culturally Specific Advocacy

Mind in Harrow run specific advocacy services for particular cultural groups which may have difficulty in communicating their needs due to cultural, language and mental health challenges.

The Hayaan Project provides mental health advocacy for the Somali community. If you may benefit from this, you can refer yourself by contacting Abdi Gure on 0208 515 7872 or a.gure@mindinharrow.org.uk.

Refugee Advocacy

Refugees and those seeking asylum from all countries of origin may require advocacy to access their rights. The **Paiwand Afghan Association** is able to communicate in various languages including: Dari, Farsi, Pashtu, Arabic and English and can be contacted via:

www.paiwand.com

3rd Floor Middlesex House, 130 College Road, Harrow, HA1 1BQ
Tel 0208 905 8770 or 07538573820 | Email: advocac@paiwand.com

On Your Side - Peer Advocacy

On Your Side offers specialist mental health advocacy and information to help people overcome problems with welfare benefits or mental health services.

You ask for help from the service directly yourself by calling or emailing us. On Your Side is offered by trained and supervised volunteers with their own lived experience of mental health services (called 'peers'). These volunteers will be allocated to you based on your individual needs and preferences.

For further information please contact Leah Robertson Peer Advocacy Coordinator at Mind in Harrow:

132-134 College Road, Harrow, HA1 1BQ

Tel: 0208 515 7868 | Email: l.robertson@mindinharrow.org.uk

Legal Advocacy

If you require legal help, you can contact a solicitor to represent you in court or give you advice on the best course of action. You can search solicitors by topic to find one relevant to your circumstances via the Law Society website

<http://solicitors.lawsociety.org.uk/>, and we have details of those who specialise in mental health law on our directory

<http://directory.mindinharrow.org.uk/Pages/Subjects?CID=630>. Some of these organisations may offer free advice like the government-run Civil Legal Advice service (<https://www.gov.uk/civil-legal-advice>, 0345 345 4 345).

How do I find a suitable advocate?

If you would like to find out more about advocacy services in Harrow you could start by contacting Mind in Harrow. We will be able to advise you on the right advocacy service suitable to your circumstances. Where there is no advocacy service to support your situation, Mind in Harrow will be able to provide you with the relevant information and signposting to enable you to self-advocate.

The Support and Wellbeing information Service Harrow (SWiSH) will be able to advise you on the correct path to access advocacy for your situation. They provide information and signposting for those living in Harrow over 18 years old. For more information please contact: 0208 426 0929 or info@mindinharrow.org.uk.

How do I work with an advocate?

It is important that you find an advocate with whom you are comfortable. Make sure you discuss with your advocate how they operate, and what you do and don't want them to do. These are some practical questions you might want to ask:

- ✿ How will I contact you, and when are you available?
- ✿ Can you come to meetings and appointments with me?
- ✿ What issues can you help me with?
- ✿ What can't you help me with?
- ✿ What records do you keep and who sees them?
- ✿ What is your confidentiality policy? What things won't you keep confidential?
- ✿ If you do something I am not happy with, how can I complain?
- ✿ Can you work with me if I am in hospital or if I am in the community?

You can usually take an advocate into health and social care meetings with professionals. An exception may be where your psychiatrist believes that having an advocate present will have a significantly adverse effect on your mental health or might disrupt the meeting.

For more information, you can access the Mind Leaflet on a Guide to Advocacy, where part of this information was sourced: www.mind.org.uk/information-support/guides-to-support-and-services/advocacy-in-mental-health.

Organisations offering advocacy support

In addition to the organisations listed above, the following organisations can provide advocacy to people with specific needs.

Age UK Harrow

For people who are 60 years and over and people with dementia

www.ageuk.org.uk/harrow/our-services/advocacy

Tel: 020 8851 7980 | Email: enquiries@ageukharrow.org.uk

Harrow Association of Disabled People (HAD)

For young people (7-25yrs old) and NHS complaints

<https://sites.google.com/view/hadharrow/our-services/advocacy>

The Wealdstone Centre, 38-40 High Street, Wealdstone, Harrow, HA3 7AE

Tel: 020 8851 8876 | Text: 07940 407555 | Email: handcadv@had.org.uk

Harrow Carers

For carers

www.harrowcarers.org/advocacy

376-378 Pinner Road, North Harrow, Middlesex HA2 6DZ

Tel: 0208 858 5224 | Email: admin@harrowcarers.org

Harrow Mencap

For people with learning disabilities and/or autism and their carers

www.harrowmencap.org.uk/peer-advocacy

3 Jardine House, Harrovian Business Village, Bessborough Road, Harrow HA1 3EX

Tel: 020 8423 7382 | Email: iag@harrowmencap.org.uk

Paiwand Afghan Association

Supporting refugees, asylum seekers and migrants

www.paiwand.com

3rd Floor Middlesex House, 130 College Road, Harrow, HA1 1BQ

Tel 0208 905 8770 or 07538573820 | Email: advocac@paiwand.com

Brent Gateway

Providing IMHA and IMCA's for Northwick Park Hospital

<http://brentgateway.org/>

Tel: 020 3948 0600 Email: info@brentgateway.org

**Please call Mind in Harrow on 020 8426 0929
for a large print version of this factsheet or a summary translation.**



Mind in Harrow's Mental Health Information Service is a part of SWiSH, a consortium of five local charities, offering the local Care Act Information & Advice Service for Harrow residents, funded by the Council. www.harrowca.org.uk

This factsheet was produced by Mind in Harrow

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