

HSC367 Help individuals identify and access independent representation and advocacy (Level 3)

Elements of Competence

- HSC367a** Support individuals to identify their representational needs
- HSC367b** Support individuals to identify and access independent representation and advocacy
- HSC367c** Support individuals to evaluate the independent representation and advocacy

About this unit

For this unit you need to help individuals to identify and access independent advocacy to meet their representational needs.

Scope

The scope is here to give you guidance on possible areas to be covered in this unit. The terms in this section give you a list of options linked with items in the performance criteria. You need to provide evidence for any option related to your work area.

Communicate using: the individual's preferred spoken language; the use of signs; symbols; pictures; writing; objects of reference; communication passports; other non verbal forms of communication; human and technological aids to communication.

Key people include: family; friends; carers; others with whom the individual has a supportive relationship.

Your **knowledge and understanding** for this unit will relate to legal requirements and codes of practice applicable to the scope of your work and others with whom you work; the nature of the work you are undertaking; your role and level of responsibility within your organisation (e.g. whether you have responsibility to support the work of others); the individuals, key people¹ and others with whom you are required to work and the degree of autonomy you have for the management of your own work activities.

Values underpinning the whole of the unit

The values underpinning this unit have been derived from the key purpose statement², the statement of expectations from carers and people receiving services, relevant service standards and codes of practice for health and social care in the four UK countries. If you are working with children and young people they can be found in the principles of care unit HSC34. If you are working with adults they can be found in HSC35. To achieve this unit you must demonstrate that you have applied the principles of care outlined in either unit HSC34 or HSC35 in your practice and through your knowledge.

¹ If you are working with children and young people the term "individuals" covers children and young people and "key people" covers parents, families, carers, friends and others with whom the child/young person has a supportive relationship

² The key purpose identified for those working in health and social care settings is "to provide an integrated, ethical and inclusive service, which meets agreed needs and outcomes of people requiring health and/or social care"

Key Words and Concepts

This section provides explanations and definitions of the key words and concepts used in this unit. In occupational standards it is quite common to find words or phrases used which you will be familiar with, but which, in the detail of the standards, may be used in a very particular way. **Therefore, we would encourage you to read this section carefully before you begin working with the standards and to refer back to this section as required.**

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| Active support | Support that encourages individuals to do as much for themselves as possible to maintain their independence and physical ability and encourages people with disabilities to maximise their own potential and independence |
| Individuals | The actual people requiring health and care services. Where individuals use advocates and interpreters to enable them to express their views, wishes or feelings and to speak on their behalf, the term individual within this standard covers the individual and their advocate or interpreter |
| Key people | Are those people who are key to an individual's health and social well-being. These are people in the individual's life who can make a difference to their health and well-being |
| Others | Are other people within and outside your organisation that are necessary for you to fulfil your job role |
| Rights | The rights that individuals have to: <ul style="list-style-type: none">• be respected• be treated equally and not be discriminated against• be treated as an individual• be treated in a dignified way• privacy• be protected from danger and harm• be cared for in a way they choose• access information about themselves• communicate using their preferred methods of communication and language |

HSC367a Support individuals to identify their representational needs

Performance Criteria

You need to show that,

1. you seek and acquire relevant information to assess whether independent representation and advocacy services can meet the needs of individuals
2. you provide **active support** to enable **individuals** to identify their needs and preferences about how they can best be represented
3. you support individuals and **key people** to understand and decide whether independent representation or advocacy services would be useful in meeting their representational needs
4. you provide active support to enable individuals to identify where they believe they could benefit by being independently represented or having some advocate on their behalf
5. where appropriate, you work with individuals to identify the purpose of any independent representation or advocacy
6. you support individuals to identify and assess the advantages and disadvantages of involving an independent representative or advocate to represent their views
7. you work with individuals to identify the processes and procedures involved in the activities for which the individual wishes to be independently represented or have an advocate represent their views
8. you seek advice and support from the appropriate people and organisations when you are unsure of how best to support the individual's wishes

HSC367b Support individuals to identify and access independent representation and advocacy

Performance Criteria

You need to show that,

1. you work with individuals to identify:
 - the areas that might benefit from the support of an independent representative or advocate
 - the skills and abilities an independent representative or advocate would need to enable the individual's views to be fully represented
2. you explore with the individuals the range of people who might be able to act appropriately as an advocate for them
3. you work with individuals to identify possible areas of conflict between themselves and their potential advocates
4. you approach the potential advocate or advocacy service on the individual's behalf when they do not want, or are unable, to do so themselves
5. you support individuals to identify the type of advocacy they want and to ensure that the advocate is able and willing to represent the individual appropriately

6. you introduce potential advocates to individuals, assuring them that it is their choice about the advocate and that they do not need to use them if they do not want to
7. where conflicts and problems emerge that you are unable to resolve, you pass them on to the appropriate people
8. you record and report on advocacy arrangements to appropriate people

HSC367c Support individuals to evaluate the independent representation and advocacy

Performance Criteria

You need to show that,

1. you encourage individuals and **others** included in the representation and/or advocacy arrangements to monitor and assess the effectiveness of the services received
2. you support individuals to evaluate the outcomes from the independent representation or advocacy against the outcomes they wished to achieve
3. you explore concerns regarding the effectiveness of the independent representation and advocacy arrangements with individuals, key people and the independent representative or advocate, within confidentiality agreements and according to legal and organisational requirements
4. you seek advice from appropriate people where there are continuing concerns regarding the independent representation or advocacy
5. you support individuals and key people to identify changes required to any independent representation or advocacy
6. you provide feedback on independent representation and advocacy arrangements for individuals
7. you record and report on the effectiveness of the independent representation or advocacy, within confidentiality agreements and according to legal and organisational requirements

Knowledge Specification for the whole of this unit

Competent practice is a combination of the application of skills and knowledge informed by values and ethics. This specification details the knowledge and understanding required to carry out competent practice in the performance described in this unit.

When using this specification **it is important to read the knowledge requirements in relation to expectations and requirements of your job role.**

You need to show that you know, understand and can apply in practice:

Values

1. legal and organisational requirements on equality, diversity, discrimination, **rights**, confidentiality and sharing of information when helping individuals to identify and access independent representation and advocacy
2. how to provide active support and place the preferences and best interests of individuals at the centre of everything you do, whilst enabling them to take responsibility (as far as they are able and within any restrictions placed upon them) and make and communicate their own decisions about their lives, actions and risks when helping individuals to identify and access independent representation and advocacy
3. the rights of individuals to access advocacy and independent support
4. how to work in partnership with individuals, key people and those within and outside your organisation to help individuals to identify and access independent representation and advocacy
5. how to deal with and challenge discrimination when helping individuals to identify and access independent representation and advocacy

Legislation and organisational policy and procedures

6. codes of practice and conduct, and standards and guidance relevant to your own and the roles, responsibilities, accountability and duties of others when helping individuals to identify and access independent representation and advocacy
7. current local, UK and European legislation and organisational requirements, procedures and practices for:
 - data protection, including recording, reporting, storage, security and sharing of information
 - supporting individuals to select, access and use independent representation and advocacy
8. practice and service standards relevant to your work setting and for accessing and using independent representation and advocates to support individuals
9. how to access records and information relevant to the individual's needs and circumstances and their rights to select, access and use independent representation and advocacy

Theory and practice

10. how and where to access information and support that can inform your practice when supporting individuals to identify and access independent representation and advocacy
11. how you can access, review and evaluate information about independent representation, advocates and advocacy services
12. government reports, inquiries and research relevant to individuals about using independent representation and advocacy
13. how power and influence can be used and abused and how independent representation and the use of advocates can balance power differentials
14. how to work in partnership with individuals, key people and those within and outside your organisation to enable the individuals to access independent representation and advocacy
15. factors that can affect the individual's ability to present their own needs and wishes and the role of independent advocates and interpreters in enabling individuals to present their own needs and wishes
16. factors to be taken account of when assessing whether independent representation or an advocate will be beneficial in supporting the individuals' needs and preferences
17. theories relevant to the individuals with whom you work, about the contribution and limitations of independent representation and advocacy in promoting the individual's independence and control over their lives
18. methods of:
 - actively supporting individuals to assess their need for independent representation and advocacy
 - supporting individuals to express their needs and preferences about independent representation and advocacy
 - providing accessible information about independent representation/ advocacy
 - working with individuals to make an informed choice about the type of independent representation and advocacy that will be most effective in presenting what they want to achieve and how
 - working to identify and negotiate conflicting interests which may arise with the independent representation and advocate
 - actively supporting the individual to communicate their assessment of the effectiveness of the independent representation and advocacy
 - negotiating and agreeing the role, scope of the independent representation and advocacy role with the individual