

# **ADVOCACY SAFEGUARDS AGENCY**

## **LIMITING CONFLICTS OF INTEREST IN NON-INDEPENDENT ADVOCACY**

### **INTRODUCTION**

ASA is committed to making sure that good quality independent advocacy is available to everyone in Scotland who needs it. We are concerned that in order to increase the provision of independent advocacy, services may have to be set up which are not initially independent. We are also concerned that some way must be found of making it easier for non-independent advocacy services to become independent. In the meantime, however, we wish to make sure that where advocacy is not independent, then measures are in place to make that advocacy as free as possible from conflicts of interest.

Much of the argument from non-independent advocacy services has been centered on the assurances of a host agency that they are not intruding upon the advocacy provided. This does not, for example, deal with the perceptions of the people who might want to use advocacy. They may be prevented from approaching the advocacy service at all because of such perceptions.

We have been doing some work on identifying all the problems which can arise from lack of independence and how these can be overcome, but for the purposes of this paper we have listed some of the measures which we would expect to see in place where an advocacy service is not independent. Please note that this is an early paper and liable to change.

Please send any comments to [info@advocacysafeguards.org](mailto:info@advocacysafeguards.org)

### **1. Advocacy Services**

#### **Pressures include:**

- Confused lines of accountability, financially and for staff management.

-Political pressures, e.g. A collective advocacy group talking about changes to service provision may be seen as being biased if the parent organisation has an interest.

-Inappropriate procedures from parent organisation.

-Associations that people have with the parent service provider.  
Including

- Bad experience of, or a complaint about, a service provider
- The advocacy service perceived to be too closely identified to the parent organisation.
- Their client group.

### **How these can be addressed:**

\* advocacy services should not automatically have the same policies and procedures as a parent organization

\* the service must follow the P and S and other nationally agreed guidance in all respects other than its links with its parent organisation

\* the advocacy service should have its own advisory group

\* eligibility for membership of the advisory group should follow requirements of the P and S for the boards/management committees of independent advocacy services

\* there must be clear boundaries between the advocacy service and its parent organisation including which decisions are to be made by whom

\* the advocacy service manager should have external supervision

\* line management arrangements must recognise and deal with the possibility for conflict of interest in relation to the advocacy work that is being done

\* recruitment of paid and unpaid workers must be led by the advocacy service

\* all these arrangements and their importance must be included in

training of new paid and unpaid workers

- \* there must be clear procedures for the advocacy service and its advocates as to how complaints about the parent organisation are dealt with
- \* the advocacy service must have its own identity, including its own headed paper and phone number
- \* where at all possible the advocacy service should not be based at premises identified with the parent organisation. If it is based on their premises, there should be as much separation as possible between the two.

## **2. Parent Organisation**

- \* In the parent organisation, paid and unpaid workers must be aware of and promote the distinction between themselves and the advocacy service to the people who use or could use it and to others
- \* the parent organisation must not ask or expect the advocacy service or its advocates to act in contravention of the P and S
- \* the parent organisation must actively seek ways in which it can increase the independence of the advocacy service

## **3. Advocates**

### **Pressures include:**

- Advocates having the baggage of the parent organisation
- Other people may have issues with the advocate because of the credibility of the parent organisation
- Advocate having to follow inappropriate procedures from the parent organisation
- Advocates might be wary of challenging the parent organisation

### **How these can be addressed:**

- \* Advocates should follow a "national code of conduct", based on the P and S

- \* shouldn't be an advocate and have some other role with the parent organisation

- \* advocates must be clear about boundaries and not act if there is a conflict of interest

- \* advocates must only be accountable to the person they are advocating with and to the advocacy service