

Policy

Policy Title	Independent Advocacy Statement
Policy Type	Operational
Document ID	PO-CSO-002
Document Owner	General Manager Operations

1. Purpose

This policy establishes ADEC's formal commitment to providing high quality individual and systemic advocacy that upholds human rights, promotes equity, and advances the wellbeing of people from multicultural communities, particularly people with disability. It outlines the principles, expectations and standards that guide all ADEC advocacy activities, ensuring services are delivered ethically, independently, transparently, and in alignment with national and state disability advocacy frameworks.

2. Scope

This policy applies to ADEC employees engaged in independent advocacy support under Commonwealth or State Funded Advocacy programs, including individual and family advocacy, systemic advocacy, and related program activities.

It also applies across all operational settings where advocacy is offered and includes interactions with clients, their families or carers, external organisations, government agencies, and the broader community.

3. Policy Statement

ADEC has been providing individual advocacy support to people from Victoria's multicultural communities, particularly people with a disability since 1982.

ADEC's Constitution confirms that ADEC exists to overcome societal injustice and support societal equity through individual and systemic advocacy efforts.

As a recipient of both Commonwealth and State Government funding to provide independent advocacy, ADEC adheres to principles of advocacy that ensure fair, equitable and transparent advocacy services, delivered with integrity and with the individual's and community's best interests, and in support of National and State Advocacy and Disability frameworks and strategies.

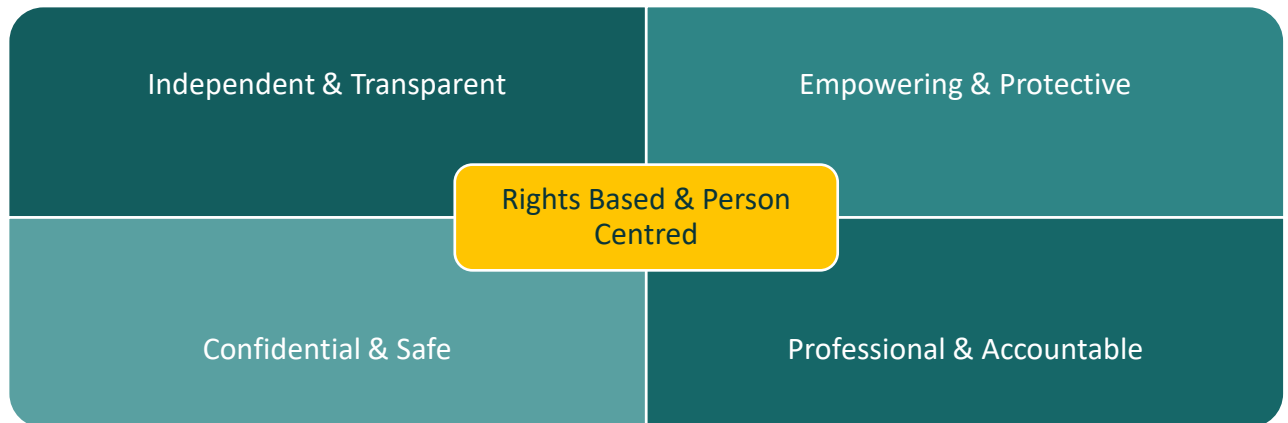
ADEC also provides services funded under the NDIS which run distinctly separate to our advocacy services. We recognise that independent advocacy must be free from conflicts of interest to ensure genuine choice and control for NDIS participants.

ADEC will not offer NDIS supports to individuals who are receiving or have received funded advocacy support from us. Similarly, we cannot offer independent advocacy support for participants currently receiving NDIS supports from ADEC.

ADEC is committed to identifying, declaring, and managing real, potential, or perceived conflicts of interest, in accordance with the NDIS Code of Conduct and NDIS Practice Standards.

ADEC Advocacy Principles

ADEC's advocacy support is provided according to the following principles.



4. Definitions

Advocacy: Actions taken to support, represent or empower an individual or group to ensure their rights, interests and needs are upheld. Advocacy may be individual or systemic.

Independent Advocate: Under Section 9 of the NDIS Act 2013, an 'independent advocate' is defined as:

"a person who:

- (a) is independent of the Agency, the Commission and any NDIS providers providing supports or services to the person with disability; and
- (b) provides independent advocacy for the person with disability, to assist the person with disability to exercise choice and control and to have their voice heard in matters that affect them; and
- (c) acts at the direction of the person with disability, reflecting the person with disability's expressed wishes, will, preferences and rights; and
- (d) is free of relevant conflicts of interest."

Independent Advocacy: Independent advocacy involves acting solely on behalf of the participant without competing interests.

Individual Advocacy: One on one assistance that aims to protect a person's rights, promote their interests, and support them to exercise choice and control in matters affecting their daily life, wellbeing and inclusion.

Individual: An "individual" for the purpose of this policy is a person who is a recipient of ADEC advocacy services. The term also extends to include individuals receiving advocacy supports within a family context.

Systemic Advocacy: Advocacy that addresses broader issues, policies or practices that impact groups or communities,

5. Policy Application

The following subsections outline key requirements for the implementation, monitoring and ongoing evaluation of this policy. These requirements apply to all ADEC staff involved in advocacy delivery.

5.1 Rights Based & Person Centred Advocacy Support

- **Fundamental Human Rights:** ADEC's advocacy operates on the principle that every person has inherent human rights that must be respected and protected.
- **Person-Centred:** Advocacy is driven by the individual's own goals, preferences and expressed wishes. Advocates must not impose organisational interests or personal views.
- **Self-Determination & Dignity of Risk:** Individuals have the right to make their own decisions—including decisions that involve risk. Advocates must ensure individuals receive accessible, accurate and timely information to make informed choices.
- **Respect for Capacity:** Decision-making capacity is presumed unless there is clear evidence to the contrary. Advocates must consider fluctuations in capacity and provide decision making support before assuming incapacity

5.2 Independent & Transparent Advocacy

- **Independency of advocates and the Interests of the Individual:** ADEC advocates must always act in the individual's best interests. To maintain independence, advocates must not recommend or directly refer clients to other ADEC service streams. To maintain independence and protect an individual's interests, ADEC will not admit individuals to ADEC's other service streams if they do or have received Government funded Advocacy support from ADEC. Advocates will support individuals to access appropriate services they may require.
- **Transparency:** Individuals must be kept informed about what actions their advocate is taking, why these actions are being taken, and what outcomes are expected.
- **Conflict of Interest:** Any real, potential, or perceived conflict of interest must be reported immediately through appropriate channels and managed according to ADEC's Whistleblower, Grievance and Complaints policies.
- **Monitoring & Auditing:** ADEC will undertake an audit of client files every six months to ensure there are no breaches of this policy and Advocacy services remain independent.
- **Intake processes:** Intake processes, which include a cross-check of client files, are to be adhered to, ensuring clients are not admitted to both ADEC Advocacy and NDIS services.

5.3 Empowering & Protective Advocacy

- **Empowerment:** Advocates prioritise supporting individuals to represent themselves wherever possible. Advocacy should enhance—not replace—personal agency.
- **Accessible & Equitable Support:** Advocacy must be accessible to people from diverse cultural, linguistic, disability and socioeconomic backgrounds. This includes providing interpreters, translated materials, culturally safe practices, and reasonable adjustments.
- **Protection from Abuse:** Advocates must identify, prevent and respond to any form of violence, abuse, neglect, or exploitation. Mandatory reporting obligations must be followed at all times.
- **Complaints & Concerns:** Individuals have the right to raise complaints without fear of disadvantage. Advocates must provide accessible information about complaint pathways and support individuals to lodge complaints internally or externally when requested

5.4 Confidential & Safe Advocacy Support

- **Privacy & Confidentiality:** All personal information must be managed in accordance with relevant privacy legislation and ADEC's Privacy Policy. Confidentiality may only be breached when required by law or to prevent serious harm.
- **Safety from Retribution:** Individuals must be protected from retaliation, negative consequences or reduced service access as a result of making a complaint, refusing a service, or disagreeing with their advocate.
- **Cultural Safety:** Advocacy must be delivered in a way that respects and affirms the cultural identity, values, beliefs, and experiences of individuals from diverse backgrounds

5.5 Professional & Accountable Advocates

- **Qualified & Experienced Advocates:** Advocates must possess relevant qualifications, skills and experience, and participate in ongoing training and supervision.
- **Ethical Practice:** All advocacy must be delivered in accordance with ADEC's Code of Conduct and relevant professional and legal standards.
- **Accountability for Outcomes:** Advocates are responsible for documenting actions, monitoring progress, and ensuring advocacy goals are pursued in a timely, effective and transparent manner

5.6 Making a Complaint

People accessing and receiving advocacy supports from ADEC have the right to raise concerns about the service provided to them including concerns about conflict of interest.

Advocates must follow the Complaints and Feedback Management policy, ensuring clients:

- are provided information on making a complaint in a format they understand
- given information about external complaints mechanisms available to them (these can be found on ADEC's website)

Advocacy Services

Clients of advocacy services can raise concerns about ADEC's services to:

- The Victorian [Disability Services Commissioner](#)
- The [Complaints Resolution and Referral Service](#)

NDIS Services

Clients receiving NDIS supports can raise concerns about ADEC's services to:

- The [NDIS Quality and Safeguards Commission](#)
- The [NDIS Fraud Reporting and Scams Helpline](#)

6. Responsibilities

Executive Management: Oversees implementation and is responsible for the establishment and maintenance of this policy.

Establishes processes to monitor compliance with this policy, and regularly undertakes such monitoring activity.

Program Managers: Ensure staff development, operational oversight, and monitoring of adherence to advocacy principles and procedures.

Advocates: Deliver services consistent with this policy, maintain accurate records, identify risks, and uphold ethical and professional standards.

All Staff: Must support safe, ethical and independent advocacy and report concerns or breaches promptly.

Non-compliance may result in corrective action, including additional training, performance management or disciplinary action in alignment with ADEC's HR policies.

7. Related Documents & Instruments

Internal:

- ADEC Code of Conduct
- ADEC Privacy Policy
- Whistleblower Policy
- Complaints & Feedback Policy
- Risk Management Policy

Legislation & Standards:

- National Disability Strategy
- National Standards for Disability Services
- Disability Act 2006 (Vic)
- Privacy and Data Protection Act 2014 (Vic)
- Disability Services and Inclusion Act 2023 (Cth)
- Disability Services and Inclusion (Complaints and Incidents Management) Rules 2023 (Cth)
- National Disability Insurance Scheme Act 2013
- NDIS Code of Conduct
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External Resources and Offices:

- Disability Services Commission
- Commonwealth Disability Advocacy Program Guidance
- Office of the Public Advocate (Victoria)
- Australian Human Rights Commission Guidance on Disability Rights

8. Administration

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Version	1.0
Approving Committee	Executive Management
Approval Date	24/03/2026
Effective Date	25/03/2026
Next Review Due	25/03/2028
Retirement Date	Not applicable.