Their support was really reassuring.

Advocacy: A guide for professionals in Manchester
Advocates are independent professionals who work with people to help them understand their options, know their rights and say what they want.

Advocacy helps to make sure that people are involved as much as possible in decisions about their health and care.

Your duty to refer

Advocacy is a statutory right for eligible people. The Mental Health Act and Care Act state that you must refer eligible people for advocacy. The Mental Health Act states that you must make eligible people aware of how to access advocacy.

Advocacy helps to make sure that people are involved as much as possible in decisions about their health and care.

Who is eligible?

Use the grid in this leaflet to find out who you must refer:

- There are no appropriate, able and willing family or friends to support the person’s active involvement
- One of these processes is taking place: 
  - S42 safeguarding investigation
  - Care review
  - Social care needs assessment
  - carer’s assessment
  - care planning
  - care costs
  - 542 safeguarding investigation
- Without support, the person will have serious medical treatment
- Without support, the person will find it very hard to do one or more of these:
  - understand relevant information
  - use or weigh up that information
  - communicate their wishes and views
- With support, the person will find it very hard to do one or more of these:
  - understand relevant information
  - use or weigh up that information
  - communicate their wishes and views
- Advocate’s role

To support the person to:
- understand their rights under the Care Act
- for fully involved in the assessment, review or planning process
- Advocate’s role

The general advocacy service will provide primarily short term, issue based advocacy. An advocate will support a person to
- understand their rights and options
- have their views and wishes heard
- make out any inconsistencies and weights into account in the best interests decision
- support person to be involved in the decision, or to represent them if necessary
- uphold the person’s rights in relation to that decision
- Advocate’s role

To support the person to:
- understand their rights and options
- understand decisions about treatment
- have the parts of the Mental Health Act (even if on leave of absence from the hospital) but excluding people under short terms sections 4, 5, 120 and 136.
- a conditionally discharged patient
- subject to a Community Treatment Order (CTO)
- being considered for S56A treatment (including informal patients and people under 16)
- being considered for S57 treatment (including informal patients)
- advocate or the Supervisor the Bill recommends it
- advocate or they can represent an advocate themselves.
- Advocate’s role

NHS complaints advocates support people to complain about the treatment or care they or a friend or family members received from their NHS service. Advocacy support is available at any stage of a complaints process
- Advocate’s role

The advocate as Litigation Friend will conduct proceedings on the person’s behalf in order that they have effective access to the court by:
- involving the person where possible to tell them what’s happening and find out their wishes and feelings
- taking legal advice and giving instructions
- updating the solicitors representing the person with relevant reports and information
- Make decisions in their best interests (even if contrary to the person’s wishes and feelings)
What do advocates do?

An advocate can support someone to:

- communicate their views and wishes
- understand their rights
- understand any processes and decisions they are subject to
- understand the options they have
- make their own choices
- challenge a decision
Even when someone can’t tell their advocate what they want, our advocates will use a range of approaches to establish their views and wishes as far as possible and secure their rights.

In some circumstances, an advocate has the right to access medical or care records on behalf of the person they are supporting. An advocate may write a report that must be taken into consideration by professionals.

An advocate does not:

- offer counselling or befriending
- offer legal advice
- tell people they support what decisions to make
- tell health or social care professionals what decisions to make
How to make a referral

Go online to find services near you and make a referral
voiceability.org/make-a-referral

You can also request a referral form by emailing
helpline@voiceability.org

If you have questions about eligibility or advocacy types, contact us.

Freephone:
0300 303 1660

Email: helpline@voiceability.org
Website: voiceability.org

About VoiceAbility
We’ve been supporting people to have their say in decisions about their health, care and wellbeing for over 40 years. We’re an independent charity and one of the UK’s largest providers of advocacy and involvement services.