



Southwest Advocacy News

Reg. No. A00 259 14Y

S . W . A . A .

Funded by the Australian Government through the Department of Families,
Housing, Community Services and Indigenous Affairs.

CO-ORDINATOR'S REPORT

Welcome to another edition of *SWAA News*.

SWAA recently passed a couple of small milestones when it completed an audit by its' main funding body, the Commonwealth Department of Families, Housing, Community Services and Indigenous Affairs (FaHCSIA) and held its Annual General Meeting for the 2008 - 09 financial year. FaHCSIA scrutinised SWAA's policies and procedures and interviewed SWAA Board members, staff and consumers to ensure that SWAA is meeting its' responsibilities under its' funding and service agreement and complying with the Disability Service Standards. The audit process is an accountability mechanism that all Commonwealth funded advocacy organisations undergo once every few years and SWAA is very pleased to have come through the audit with recognition that it is fully compliant with the Disability Service Standards.

SWAA's AGM was again held at the Warrnambool Football Club with the most notable features of a very enjoyable evening being renewed interest in the Committee of Management, which currently has only two vacancies and a very interesting presentation on the importance of advocacy by Aspire CEO, Clare Vissenga.

There has been quite a bit of excitement lately about the Federal Government's proposal to establish a National Disability Insurance Scheme that, ideally, would see people's support needs covered, regardless of how they might have acquired their disability. While the idea is certainly a good one in principle, so far there is virtually no detail about how the scheme would actually work in practice. There are plenty of schemes that are good in principle, but inadequate in practice. For example, Australia's social security scheme administered by Centrelink still sees many people living in relative poverty; people remain homeless while they wait for Public Housing; an under funded Legal Aid

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DECEMBER 2009

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The Committee of Management together with Rob, Adele & Marg would like to take this opportunity to wish you all a Merry Christmas and Prosperous New Year.

The SWAA office will be closed from Thursday 24th December 2009 and will re-open on Monday 4th January, 2010



Would you like to receive Southwest Advocacy News via E-mail?

If you have an e-mail address you can help us save paper & postage costs by receiving our newsletter via e-mail. Please contact Margaret on 5561 4584 or just send us an e-mail message notifying us of your email details to receive future editions of SWAA News electronically.

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system means that many people are still not able to get legal representation; Workcover often involves a drawn out and stressful fight with insurance companies; the Aids and Equipment Program has huge waiting lists; etc, etc. The creation of another under-funded, complex and narrow scheme will not meet legitimate expectations of a better deal for people with disabilities. We need to try to make sure that a National Disability Insurance Scheme is adequately resourced, comprehensive in its scope and application and user friendly. The way to do this is for people with disabilities and carers to keep informed as to what is proposed and to take every opportunity to influence the development and final shape of the scheme. SWAA will do it's best to keep people in south west Victoria informed and to advocate for a well resourced and generous system that addresses current gaps and genuinely meets people's needs.

I would like to take this opportunity to extend best wishes for Xmas & the New Year to all our members and supporters. We look forward to working with you all again in 2010.

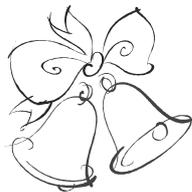
Warm regards,
Robert Dick.

**Are you receiving Active Participation Register
Mailouts?
Don't miss out—complete a registration form today.**

CONTRIBUTIONS To SWAA NEWS

We welcome any contributions to the newsletter in the form of letters, stories, articles and news items relevant to disability issues.

Items printed in SWAA News do not necessarily reflect the views of SWAA, staff or Committee of Management



MEMBERSHIP

Membership is a great way to support our work, and we are very keen for people who have used the service to become members. Members receive our quarterly newsletter and other mail outs about disability issues and can have a say in the running of Southwest Advocacy by voting at our Annual General Meetings.

***Membership of Southwest
Advocacy is free.***

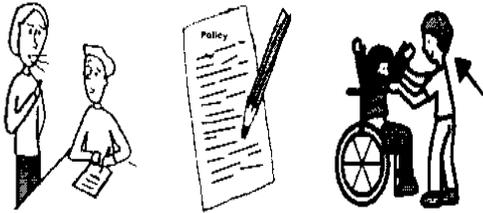
If you would like to become a member please contact Southwest Advocacy for a membership form.

Southwest Advocacy Association
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**Have you visited SWAA's website:-
www.southwestadvocacy.org.au**

VALID POSITION STATEMENT: THE ADVOCACY ROLE OF DISABILITY SUPPORT WORKERS



GUIDELINES TO INFORM DISABILITY SERVICE AGENCIES IN MANAGING AND SUPPORTING THE ADVOCACY ROLE OF SUPPORT STAFF

This Position Statement sets out the Key Principles and Core Definitions that should be considered in the development of guidelines for staff in disability services undertaking the advocacy component of their support role.

Introduction

Disability support workers have an important role to play in promoting the facilitating the rights and interests of the people with a disability they support. To support and guide staff in this role, service agencies need to provide clear guidelines to ensure staff:

- Understand the responsibilities of their advocacy role
- Understand and are alert to potential conflicts of interest
- Recognise situations which might require the involvement of independent advocacy
- Can identify relevant sources of independent advocacy for people they support
- Support the involvement of independent Advocates

1. KEY PRINCIPLES

Self Determination

Every person has a right to make their own decisions. It should be assumed that all people with a disability have a capacity to make decisions for themselves.

Self Advocacy

Disability support workers have an important role to play in supporting people with a disability to realise and develop their capacity for self determination to the maximum possible extent, by

encouraging confidence and providing opportunities for decision making, self expression and self advocacy.

Person Centred Individual Planning

The planning process should be at the individual level and place a key emphasis on encouraging and supporting individuals to make their own decisions and advocate their own rights and interests. This will often require the collaboration and support of others involved in the person's support network, such as family members, friends and staff from other services.

Person Centred Individual Planning—which may include Support Plans, Treatment Plans, Restrictive Interventions and other personal plans—provides an opportunity to identify issues, clarify goals and strategies, build stronger personal support networks (or Circles of Support), as well as build the capacity of people with disability to self advocate.

The planning process also provides the opportunity to establish the need for independent advocacy support, and to identify the formal or informal advocacy roles that might be played by family members or friends, independent advocates or appointed guardians.

Advocacy Role of Disability Support Workers

Advocacy is an important component of the role of disability support workers. Certificate IV in Disability Studies, which provides base-level training for the disability sector workforce, defines the following competencies:

Maintain an environment designed to empower people with a disability and Advocate for Clients.

The FIELD Ready4Work induction training program also states:

“Advocates and advocacy services are important in assisting people to be aware of their rights and to have these rights upheld. The role of the disability support worker goes beyond the recognition of rights and responsibilities of people with a disability. Workers should empower people with a disability to be aware of and to act on their rights and, where necessary, advocate for them and/or help them access advocacy support”.

2. CORE DEFINITIONS

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2.1 Advocacy Support

To assist disability support workers in understanding the expectations and limitations of the advocacy component of their support role, VALID defines the following forms of individual advocacy support.

VALID defines three broad advocacy support roles:

Standing Behind—providing support (eg. training, information and advice) which empowers the person to self advocate

Standing Beside—providing assistance (eg. offering prompts and reminders) to assist the person raise issues with others

Standing Before—providing representation (eg. acting or speaking on behalf of the person)

2.2 Expectations of Staff

2.2.1 Disability support workers are commonly expected to ‘stand behind’ people with a disability to empower them to:

- Understand their rights and responsibilities
- Self advocate
- Make choices and decisions
- Understand the consequences of their choices and decisions
- Become self confident and appropriately assertive
- Help build a strong and collaborative personal support network or “team”

One of the most important ways disability support workers perform this empowering role is through the provision of information. The Disability Act 2006 requires that information is provided to people with disabilities in ways that best assist them to understand their rights and responsibilities.

Disability support workers should ensure they are familiar with the different communication requirements and the individual needs of all clients, and provide appropriate forms of ‘enabling’ information.

2.2.2 Disability support workers are also often

expected to ‘stand beside’ people with a disability to:

- Effectively and appropriately assert their rights and interests (eg. to remain calm or to be self confident)
- Effectively and appropriately make their views, opinions and decisions known to others (eg. to ‘stay on track’ in meetings and discussions)
- Resist coercion, manipulation or undue influence from others (eg. learning to say ‘no’)

While this is a role that is typically performed by many support staff, it is also an advocacy support role that in certain situations might give rise to accusations of manipulation, undue influence or conflict of interest.

Disability support workers assisting a person with disability to assert his or her rights or interests should recognise the risk of their own more powerful interests or values being projected. Even the perception of such a conflict of interest may itself be problematic, regardless of the staff member’s intentions.

This is not to say that disability support workers should not ‘stand beside’ people with a disability, for the reality is that such assistance is often an essential part of their general support role. Rather, it highlights the need for disability support workers to be conscious of the potential for conflict of interest and the need to minimise such risk.

Disability support workers therefore need to be constantly ‘mindful’ of their own influence and power, and avoid situation in which they might be perceived as having undue influence or a possible conflict of interest.

Disability support workers should also be constantly mindful that the assistance and advice they provide, and the ways in which they provide it, is aimed at supporting the person with disability to develop and assert his or her own views and opinion, freely and independently.

Where there is potential conflict of interest, disability support workers need to adopt strategies for minimising that risk. For example, by ensuring important issues are canvassed within the individual planning process, by involving others in providing advice or assistance, by seeking guidance from supervisors, by conferring with and/or deferring to family and/or independent

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advocates.

2.2.3 Staff members are sometimes required to 'stand before' people with disability to:

- Speak or act on their behalf
- Defend their rights
- Protect their interests, are and wellbeing

Before undertaking a 'representative' staff members need to be very mindful of the following issues:

The principle of self-determination requires that all adults with disability (i.e. ages 18+) are assumed to have the capacity for making their own decisions. Where a person is capable of making his or her own decisions and asserting his or her own rights and interest, staff members should not seek to speak or act on their behalf without proper consent.

Where a person with disability requires support to assert or represent his or her rights and interests, such support should be drawn from those people identified as members of his or her person-centred individual planning process, such as family members, friends, advocates or guardians.

Where a person with disability requires someone to speak or act on his or her behalf in specific areas, such representation should be identified and agreed upon in the context of the person's plan. For example, a parent or sibling might be nominated to deal with the person's financial issues in relation to a Supported Accommodation Service, or a friend might be nominated to organise social outings.

Where a person with disability does not have the capacity to self advocate, it is generally accepted that parents or family members will provide informal representation on their behalf. The Disability Act 2006 requires that the role and contribution of family members be invited and respected at all times.

Where a person with disability does not have the capacity to self advocate, and where informal advocacy support arrangements are considered inadequate to properly represent his or her rights and interests, the engagement or appointment of an independent advocate might be necessary.

2.3 Independent Advocacy

Independent advocacy can be defined as speaking or acting on behalf of a person or group with minimised conflict of interest, Independent advocacy might be provided either by an informal advocate through a community-based advocacy organisation or through the Office of the Public Advocate, or by the appointment of a formal guardian through VCAT.

Independent advocacy support should be sought:

- Where there is a perception of conflict of interest—eg. staff or family member promoting personal or professional interests rather than advocating the person with disability's rights and interests—that cannot be resolved through the usual processes.
- Where there is conflict regarding the choices or decisions being made—eg. where a decision by staff or family is rejected by the person with disability, or vice versa.
- Where there is concern regarding undue or inappropriate influence or pressure being placed on the person's decision-making.
- Where the issues confronting the person with disability require a level of "advocacy power" that might be beyond them or their support network.
- Where there is a potential for, or a perception of, the interests of staff members, line management or organisational policy being in conflict with the interests of the person or persons with disability.

Advice on obtaining independent advocacy can be obtained either through the Disability Advocacy Resource Unit (DARU) or by contact the Office of the Public Advocate (OPA). Information on advocacy organisations can be found at: [Http://advocacyagencies.daru.org.au](http://advocacyagencies.daru.org.au)

Full policy statement is available on the VALID website at www.valid.org.au

(taken from VALID News July 2009)



GUARDIANSHIP LAWS TO BE REVIEWED



Media release, Friday, 19th June Victorian Law Reform Commission

The laws and practices that protect Victorians with impaired decision-making capacity will be reviewed by the Victorian Law Reform Commission to ensure they reflect modern standards and a changing population.

Chair of the commission, Professor Neil Rees, welcomed the reference from the Attorney-General and said it was the first time a comprehensive review of Victoria's guardianship and administration laws had been undertaken in over twenty years.

"There are a number of Victorians in a variety of circumstances who need important decisions made on their behalf, or assistance with those decisions. This group is expected to grow with an ageing population", Professor Rees said.

"It is important to recognise the diversity of those people covered by this review for there are many reasons why a person may not be able to make important decisions. The commission will be consulting widely to ensure the different needs of these people are met".

Professor Rees said the commission is required under the terms of reference to be guided by principles of respect for dignity and individual autonomy and to advance, promote and protect the rights of people with impaired decision making capacity.

"It is essential that this part of the community has adequate protection in line with contemporary views on guardianship and administration when a decision concerning personal and financial mat-

ters is made on their behalf", he said. "Both the current law and any changes proposed by the commission must be consistent with Australia's human rights obligations and the Victorian Charter of Human Rights".

In particular the commission is to have regard to:

- The role of guardians and administrators
- The need to balance the protection of a person with impaired capacity by a guardian or administrator with the person's exercise and enjoyment of their human rights.
- The alignment of guardianship and administration law with other relevant laws
- The role of informal decision-making for an adult with impaired capacity
- The functions, powers and duties of the Public Advocate
- The role and powers of the Victorian civil and Administrative Tribunal and the appointment of guardians and administrators
- Consideration of existing laws that deal with medical research, non-medical research, medical and other treatment of a represented person

The terms of reference specifically state that issues associated with end of life decisions beyond those currently dealt with by the Medical Treatment Act 1988 are not within the scope of this review.

Professor Rees said the commission would begin initial extensive consultations ahead of publishing a Consultation Paper next year. A final report is due to the Attorney-General by June 30, 2011

For the complete terms of reference visit:
www.lawreform.vic.gov.au

(Taken from Valid News July 2009)



You can help Southwest Advocacy by passing this newsletter on to someone else who might be interested in reading it after you.

Support for autism: working together

The Victorian Government has launched its long awaited Autism State Plan—the first state in Australia to do so.

The reason for developing the 10 year Plan is to build new and better approaches across government to meet the increased and complex needs of people with an autism spectrum disorder (ASD). The Plan has six priority areas:

- Making it easier to get support.
- Strengthening the ASD expertise of the workforce.
- Extending and linking key services and supports, especially during life stage transition.
- Enhancing appropriate educational opportunities.
- Facilitating successful participation in the community.
- Developing a robust evidence base about ASD.

\$8.27 million over the next four years has been provided to improve supports for people with an ASD. A component of these funds will be spent on training and developing the skills of the early childhood workforce. Other work will include improving mental health services and developing plans to meet the needs of people living in regional areas.

100 scholarships will also be provided to encourage staff to undertake post graduate studies in autism. Funding released in December last year also supports the provision of information to people with an ASD and their families. Our Association will be assisting families with information and support as they work to achieve a better deal for their children.

Gaining access to support can be complicated because of the number of services and organisations involved in the government initiative. Co-ordinating the work we do, and making sure that information about what's happening gets to the people who need it most, is something we can all do better.

Responses to the announcement of the Plan have been positive. Recently a dad contacted our Association to express his dream for, "A plan that will give parents hope for the future, which will hopefully provide funding for our children..."

He also related his disappointment with the confusion caused this year by the low profile given to Autism Awareness Month (May) and World Autism Awareness Day (April). Traditionally these events provide an opportunity for people to find out more about autism and what supports are available.

"(Better) planning and co-ordination around this disability-specific awareness event is something I believe needs discussion and debate within the autism movement, as I believe we could do things much better next year" he said.

His suggestion is to hold Autism Awareness Day on April 2, in line with other countries. "We need to start Planning now to get the media involved...and hold awareness events in our local communities and communicate with other support groups/professional bodies. This can happen if we all pull together now".

Our Association will be happy to join with others to raise the profile of ASD on World Autism Awareness Day in 2010.

Elizabeth McGarry, CEO
elizabethm@acd.org.au

More information about the Autism State Plan is available from <http://autismstateplan.dhs.vic.gov.au/>

World Autism Awareness Day April 2

"On December 18, 2007, the United Nations General Assembly adopted resolution 62/139, tabled by the State of Qatar, which declares April 2 as World Autism Awareness Day (WAAD) in perpetuity ...

This UN resolution is one of only three official disease-specific United Nations Days and will bring the world's attention to autism, a pervasive disorder that affects tens of millions ...

The World Autism Awareness Day resolution encourages all Member States to take measures to raise awareness about autism throughout society and to encourage early diagnosis and early intervention".

For more information visit www.worldautismawarenessday.org

TRAVELLERS aid

Travellers Aid provides support, advice and assistance to the travelling public with special requirements and to those in emergency situations.

Since 1916, Travellers Aid has been offering advice and assistance at Southern Cross Railway Station, the City Village - an initiative of the City of Melbourne at Level 3, 225 Bourke Street—and a newly opened branch at Flinders Street Station.

As an integral part of the transport system and tourism industry, Travellers Aid employs 30 staff and to volunteers. In the financial year 07-08 they assisted over 150,000 travellers including travellers with disabilities, regional, interstate and international travellers to Melbourne, and travellers in crisis and emergencies.

Travellers Aid is the only organisation in the City of Melbourne providing low cost luggage storage and travel related emergency relief information and service to residents, visitors, international students, workers and commuters. These services enable people with disabilities who travel into and around Melbourne to gain access to personal attendant care support staff and to maximise their participation in employment, education, volunteering and cultural and community events.

For more information visit www.travellersaid.org.au

Travellers Aid @ Southern Cross Station

Offers a comfortable lounge/rest area, amenities, tourist information, fully accessible toilet with ceiling hoist, adult change table and baby change table. Mobility equipment hire and Internet usage. Rest rooms and showers, with the option to purchase some hygiene products. Also offers a unique buggy service that can assist people with a disability safely transit through the station.

Travellers Aid @ Flinders Street Station

Offers comfortable lounge/rest area with great views and TV, mobility equipment hire. Luggage storage, Internet usage, tourist information, fully accessible toilet with ceiling hoist and adult change table and baby change facilities.

Travellers Aid locations & hours

Flinders Street

Sunday-Thursday, 8am-8pm
Friday-Saturday, 8am-10pm

Travellers Aid Access Service (TAAS)

Sunday-Thursday, 8am-8pm
Friday-Saturday, 8am-10pm
Above platforms 9 & 10 inside ticketing area
Phone 03 9610 2030 TTY 03 9610 2028

Southern Cross

7am-7pm, 7 days a week

Travellers Aid Access Service (TAAS)

10am-5pm weekdays & 11am-4pm Sat & Sun
Below Bourke street bridge opposite luggage hall
Phone 03 9670 2072

City Village (head office)

Level 3, 225 Bourke Street
Phone 03 9654 2600

Travellers Aid Access Service @ Southern Cross and Flinders Street

Offers friendly help and professional support workers to assist people with disabilities and older people with personal care needs, meal assistance and communication needs. All free of charge with no booking required.

City Village @ Level 3, 225 Bourke Street

Offers a comfortable lounge area with amenities, Internet usage, tourist information service and luggage storage and mobility equipment hire.

Emergency Relief Assistance

Assists travellers at the point of need who experience transport and social disadvantage or who are vulnerable and distressed through the provision of travel related emergency relief.

Taken from NoticeBoard magazine of the Association for Children with a Disability—Winter 2009



2010 Program for Students with Disabilities Handbook and Student Support Group Guidelines

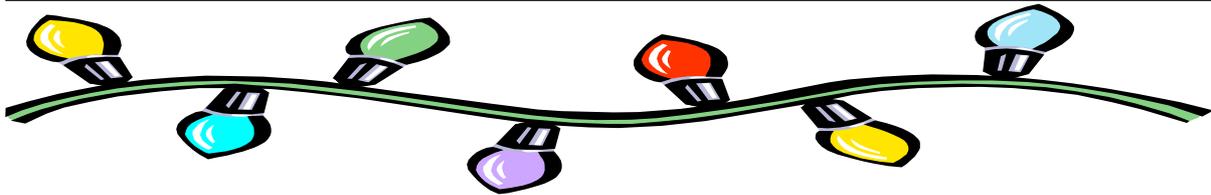
The 2010 Program for Students with Disabilities Handbook and Student Support Group Guidelines are now available on the Department of Education and Early Childhood Development (DEECD) website.

The Program for Students with Disabilities provides additional support for students with a disability in regular and specialist schools.

The DEECD website also includes information about applications for continuation of funding for students over 18 years of age studying VCE, VET or VCAL, which must be completed before 26 February 2010.

For more information and to download the handbook and guidelines visit **www.education.vic.gov.au/healthwellbeing/wellbeing/disability/handbook/default.htm**

(Taken from NoticeBoard magazine of the Association for Children with a Disability—Winter 2009)



Access Travel Pass—Victorian government Initiative

The Access Travel Pass has been developed for people with a significant permanent disability **who travel independently on Victoria's public transport network** and can demonstrate that due to their disability they cannot use ticketing systems.

Telephone: [03] 9619 1159, **TTY:** [03] 9619 2727

Visit Staff: At Southern Cross Station located between Bourke and Little Bourke streets near the bus interchanges.

Website: metlinkmelbourne.com.au

Email: central.passoffice@metlinkmelbourne.com.au

National Relay Service: 13 36 77

Speech-to-Speech Relay Service: 1300 555 727

Multilingual information: [03] 9321 5450

(Taken from AMIDA News—October 2009)



Active Participation South West

A Southwest Advocacy Association and Rural Access Project

Active Participation Register

Participant Registration Form

Name:

Address:

.....

Phone:

Email:

Areas of interest (Tick as many topics as you like)

Self Advocacy Youth Services

Physical Access / Built Environment Family Services

Transport Environment

Disability Services Accommodation

Aged Care Employment

Health Services Education & Training

Mental Health Sport & Recreation

(more topics over page)

Art & Culture Tourism

Local Govt. Small Business

State & Federal Govt. Parks and Gardens

Events and Festivals

Any other areas of interest you would like to receive information on

.....

.....

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Thank you for taking the time to complete this form and get involved in Active Participation South West. Please return the form to the address below & feel free to contact us if you have any questions.

Robert Dick (Southwest Advocacy Association)

Manager

Active Participation Register

Phone: 55 614 584

Email: coord.swadvocacy@bigpond.com

Postal Address: PO Box 480

Warrnambool, 3280

Southwest Advocacy Association ("SWAA") is an independent community based organisation that has provided advocacy and information to people with all types of disabilities throughout south west Victoria since 1993. Rural Access is a Program funded by the Department of Human Services that aims to increase community participation and inclusion opportunities for people with disabilities. As part of the Active Participation Strategy, Southwest Advocacy and Rural Access have developed the Active Participation Register ("APR"). The APR is managed by SWAA.

After receiving your completed Registration Form SWAA will send you confirmation of your registration and begin forwarding relevant information you as it comes to our notice. APR participants then choose whether they wish to act on the information. SWAA is not able to disclose the details of APR participants to any other party without the participant's consent. SWAA's Privacy Policy is available upon request. This project is not for profit and no fees or charges apply to individuals or organisations that participate. A copy of the APR Management Guidelines, which includes a grievance resolution procedure is also available upon request.