

Use of Advocates in Safeguarding

Who are advocates and what is their role?

Advocates can be

- ✓ Required under the law or optional at the request of the adult
- ✓ Paid or unpaid

Their role is to

- ✓ Support the adult to advocate on their own behalf at the face to face and any other meetings
- ✓ Represent the views and feelings of an adult who is not able to do this for themselves either due to issues with capacity or problems with communication or the adult is indicating they don't wish to be involved themselves but want another person to attend on their behalf

When do I have to consider appointing an advocate?

- ✓ The adult lacks capacity to contribute to the safeguarding enquiry or cannot consent to the safeguarding enquiry taking place; in these circumstances an **IMCA** – Independent Mental Capacity Act Advocate should be appointed. Unless this appointment would not be in the best interests of the person or that use of an advocate will not bring any benefits over using a family member or friend (ADASS guidance)
- ✓ The adult will have substantial difficulty in contributing to the safeguarding enquiry and they have no family or friends or they would not accurately represent their views a **Care Act advocate** should be appointed.

At what stage should I arrange an advocate?

- ✓ Ideally in advance of the face to face discussion with the adult, however this needs to be balanced with the need to take an account from the adult before they “forget what happened”, especially if this is an interview that will be used for criminal enquiries

What information should I give to the advocate?

- ✓ If the advocate is in a **paid** role, they should be treated the same as any other professional and have access to all information
- ✓ If the advocate is **unpaid** then they need access to information to support the adult, however details of disciplinary processes/criminal enquiries will need to be redacted to maintain the confidentiality of the **alleged source of harm**.