



## Brighton and Hove Speak Out

# Policy: Engagement Protocol

**Date agreed by Governance Board: August 2021**

Next review date: August 2024

### **Purpose**

This Engagement Protocol details how Speak Out governs interactions between staff, Local Authorities, partner organisations and all other statutory and voluntary organisations agencies we work with.

Detailed contractual arrangements describing the expected and agreed level of service to be delivered by Speak Out are agreed with service Commissioners and partner organisations. Speak Out will ensure contractual targets and agreements do not conflict with our stated aims and objectives and will not deliver services that are outside its remit. Speak Out will work within the principles of advocacy as defined by the Advocacy Charter: Clarity of Purpose, Independence, Person-led Empowerment, Equality, Diversity and Accessibility, Accountability, Safeguarding and Supporting Advocates.

### **Operational Delivery of Advocacy Services**

The nature of the Advocacy service provided is addressed within detailed contractual service level agreements.

All Advocates will work in accordance with Speak Out's policies and procedures and Speak Out's Code of Practice for Advocates:

1. Speak Out advocates will respect the advocacy partner's (service user) confidentiality at all times. Advocates will always ensure all information relevant to the advocacy partner, received by the advocate in whatever way (written or verbal), will be shared with the advocacy partner.

2. Advocates will only share information about their advocacy partner with a third party with consent from the service user, unless they believe the service user or another party is a risk (see below).
3. Advocates will act in accordance with their advocacy partners wishes, taking instruction from them before taking any action. Where advocacy partners do not have capacity to instruct their advocate, advocates will work in accordance with Speak Out's Non-instructed advocacy policy.
4. All staff should take all appropriate steps to avoid conflicts of interest occurring in their work with advocacy partners. Where a conflict of interest does arise, it should be declared to the line manager and advice sought as to how to proceed.
5. Advocates should be free to act according to the wishes and needs of advocacy partners. They should not be threatened, compromised or harassed whilst carrying out their duties within agreed boundaries set out in the Advocates' Code of Practice. Where such harassment does occur, this should be reported to the line manager at the earliest opportunity.
6. Speak Out advocates should maintain the independence of the service from all persons and agencies. Whilst remaining polite and pleasant towards staff in an establishment, advocates should maintain a certain distance and must not get drawn into discussions about advocacy partners without their consent.
7. Advocates will help advocacy partners to obtain information about, and understand their rights, as described in Speak Out's Code of Practice for advocates, and the roles and responsibilities of an advocate.
8. Not all issues raised with the advocate by advocacy partners will be best addressed through seeking resolution via formal complaints procedures. Many issues can be resolved at a more basic local level. This distinction should not be seen as precluding the advocacy partners right to instruct the advocate, for example in supporting them to make a formal complaint in the first instance should they so wish.

## **Conflicts of Interest**

Where conflicts of interest arise e.g. through breaches of confidentiality, abuse of trust or personal gain, these will be recorded and acted upon, through discussion with the advocacy partner and the advocate's Line Manager.

In certain circumstances, a Speak Out advocate may become aware of issues that relate to more than one service user, or that are raised by groups of service users. In these cases the advocate is expected to bring these issues to the attention of their line manager or the Director as soon as is possible, including matters which they judge as requiring urgent attention.

Any potential conflicts of interest that occur between partner organisations will be addressed in supervision with the advocate's line manager and communication with relevant partners.

### **Service Complaints against Speak Out**

Complaints against Speak Out will be referred in the first instance to the line manager of the member of staff indicated. See Complaints procedure

### **Incident Management & Reporting**

Any incident which gives an advocacy partner cause to complain which involves an advocate or Speak Out staff member will be reported to their line manager, or the Director as soon as possible. Speak Out's Complaints Procedure should be followed. The nature, investigation and learning from the incident will then be discussed in individual staff supervision, managers meetings and/or team meetings, as appropriate, which are held monthly/ fortnightly, unless the incident is so serious that the continued delivery of the advocacy service is compromised. In this case the 1-1 advocacy manager and Director will call an extraordinary contract review meeting.

Advocates are encouraged and supported to seek advice and guidance from their supervisor, the Director or other team members.

### **Access to Information**

Information given to advocates will be stored in line with Speak Out's Data Protection and Data Retention policy, and compliant with GDPR legislation . This will ensure that all routes of information to and from the advocacy partner remain within the approved channels and that no breaches of data security occur.

Speak Out will regularly update advocates of any changes made to policies, procedures, protocols, legislation and guidelines.

### **Advocate's Conduct**

Advocates working for Speak Out will be expected to conduct themselves in accordance with Speak Out's Advocacy Code of conduct.

Should any advocate become the subject of serious concern about their conduct and discharge of duties, then it is expected the advocate will be suspended from providing services (not necessarily all duties), following discussion and supervision (if not an urgent and immediate concern). Should the concern be that of the Commissioners, a partner or provider organisation, then a formal

documented complaint is to be made to Speak Out. All conduct concerns will be dealt with via Speak Out's Disciplinary Procedures.

## **Confidentiality and information sharing**

Speak Out staff are bound by Speak Out's Confidentiality Policy, which is communicated to advocacy partners in an accessible way upon first contact with the service. All Commissioners, partners, referrers and relevant providers services are made aware of Speak Out's policies and procedures for sharing Information.

Data subjects must give explicit consent for information about them to be shared, however in exceptional circumstances confidentiality will be breached, these are:

- Intent to harm self or others, including danger to life.
- Intent to commit a crime, or revelation of a serious unreported crime.
- Child Protection issues (Safeguarding).
- Vulnerable Adults issues (Safeguarding).

All service users are advised of Speak Out's Confidentiality policy verbally, informing them of the areas of conversation which cannot be kept confidential, using the accessible Confidentiality Policy or in a form which the service user can understand.

## **Information sharing**

Staff and volunteers will work in accordance with Speak Out's Confidentiality Policy. When taking decisions about what information to share, Speak Out staff will consider how much information we need to release. and the impact of disclosing information on the information subject and any third parties. Any information shared must be proportionate to the need and level of risk. Only information that is relevant to the purposes shall be shared with those who need it:

- Information shall be adequate for it's purpose and of the right quality to ensure that it can be understood and relied upon.
- Information shall be accurate and up to date and will clearly distinguish between fact and opinion. If the information is historical then this will be explained.
- Information shall be shared in a timely fashion to reduce the risk of harm. Timeliness is key in emergency situations and it may not be appropriate to seek consent for information sharing if it could cause delays and therefore harm to a client or others.
- information will be shared in an appropriate, secure way.

- Information shared externally will be recorded on Speak Out's database in service user case records

### **Disputes between Agencies, Partners and other Statutory bodies**

In the event of any disputes arising, between Speak Out and other agencies, partners or statutory bodies, formal resolution and escalation procedures will be put in place between the organisations involved. These include arranging a meeting between the relevant parties as soon as is practicable, and both parties should use their best endeavors to resolve the dispute as amicably as possible. If the issues are not resolved at this first meeting, then the parties should agree to either:

- refer the dispute to more senior members of each organisation
- or refer to independent mediation.

Any mediation should be conducted in the strictest confidence. If the parties reach agreement this should be recorded in writing and once signed by both organisations, remains binding upon them.

The costs of mediation and any expenses incurred shall be shared equally between the parties.