



## HUMAN SERVICES SCHEME PART 6

# ADDITIONAL REQUIREMENTS FOR BODIES CERTIFYING ADVOCACY AGENCIES UNDER THE NATIONAL DISABILITY ADVOCACY PROGRAM

## NDAP Scheme

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## 0 Introduction

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### 0.1 Forward

The Human Services Scheme Part 1 (HS Scheme Part 1), and this NDAP Scheme (HS Scheme Part 6), together set down the requirements for bodies seeking JAS-ANZ accreditation to audit advocacy agencies. The advocacy agencies are those funded under the Commonwealth Disability Services Act 1986 (DSA), for the National Disability Advocacy Program (NDAP), administered by the Department of Social Services (DSS) and accordingly required to comply with the Disability Services Act (National Standards for Disability Services) Determination 2014.

This NDAP Scheme shall be read in conjunction with ISO/IEC 17065:2012 (the current International Standard for bodies certifying products, processes and services), and HS Scheme Part 1. The focus of the NDAP Scheme is to ensure that advocacy agencies deliver support which achieves the outcomes identified through the NSDS.

If there is a conflict between HS Scheme Part 1 and NDAP Scheme (HS Scheme Part 6), the requirements of the NDAP Scheme shall take precedence.

## 1 Scope

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*No additional requirements.*

## 2 Normative references

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Disability Services Act (National Standards for Disability Services) Determination 2014 – the National Standards for Disability Services.

IAF MD4:2008 - Use of Computer Assisted Auditing Techniques ("CAAT") for Accredited Certification of Management Systems, available at [www.iaf.nu](http://www.iaf.nu).

IAF MD5:2015 – IAF Mandatory Document for Determination of Audit time of Quality and Environmental Management Systems, available at [www.iaf.nu](http://www.iaf.nu).

## 3 Terms and definitions

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P6\_3.1 The following definitions also apply to this scheme:

<u>Advocacy</u>	supporting people to exercise the rights and freedoms recognised or declared by the United Nations Convention on the Rights of People with Disabilities, or seeking to achieve societal change to ensure that people with disabilities attain the rights and freedoms recognised or declared by the Convention.
<u>Advocacy agency</u>	advocacy agencies funded by the Australian Government.
<u>Advocacy agency with multiple sites</u>	an advocacy agency with one central office and multiple full-time and/or part-time sites at which activities are fully or partially carried out.

Advocacy models

any of six advocacy models currently funded under the NDAP. In all these models, the target group of advocacy support is the person with disability:

**Individual advocacy:** supports people with disability to exercise their rights, through either one-to-one support, or by supporting people to advocate for themselves individually, through a third party or on a group basis. The types of NDAP-funded advocacy that are provided under individual advocacy include but are not limited to: self, family, citizen, and legal.

**Self-advocacy:** supports people with disability to advocate on their own behalf, to the extent possible, or on a one-to-one or group basis.

**Family advocacy:** works with parents and family members to enable them to act as advocates with and on behalf of a family member with disability. Family advocates work with parents and family members on either a short-term or an issue-specific basis. Family advocates work within the fundamental principle that the rights and interests of the person with disability are upheld at all times.

**Citizen advocacy:** seeks to support people with disability by matching them with suitable individuals from the community who enter together into a freely given, independent and unpaid relationship of support through advocacy.

**Legal advocacy:** seeks to uphold the rights and interests of people with all types of disabilities by addressing legal aspects of instances of discrimination, abuse and neglect.

**Systemic advocacy:** seeks to introduce and influence longer term changes to ensure the rights of people with disability are attained and upheld to positively affect the quality of their lives.

Audit team

a team of at least two persons appointed to conduct an audit.

Consumer

primarily, a person with disability who is receiving / has received support from the advocacy agency being audited. Consumer may also mean family member/s or an unpaid primary carer or advocate of that person with disability. Some advocacy agencies may use the terms “client”, “participant”, “service user” etc. in lieu of “consumer”.

Consumer technical expert (CTE)

a person with disability, engaged for his/her specialist knowledge and abilities; e.g. empathy with the life experience of people with disability, and ability to plan and facilitate the effective input of people with disability in an audit process.

DSS

Australian Government Department of Social Services, including where acting as administrator of the National Disability Advocacy Program on behalf of the Australian Government.

<u>External stakeholder</u>	in the context of Annex C, a person or other agency that is connected with the work of the advocacy agency.
<u>Indicators of Practice (IP)</u>	IPs provide descriptive guidance on the practices and ways of working that an advocacy agency should follow to support compliance to the NSDS. CBs shall not use IPs as prescriptive requirements.
<u>NDAP</u>	National Disability Advocacy Program.
<u>NSDS</u>	National Standards for Disability Services. These standards have been allowed for via the Disability Services Act (National Standards for Disability Services) Determination 2014, Disability Services Act 1986.
<u>Ongoing support</u>	advocacy support that is or has been of an ongoing nature and shall not include phone calls or requests for information that are one-off in nature only.
<u>Other technical expert</u>	a person other than a CTE who provides specific knowledge or expertise to an audit team, and is engaged by the CB to participate in the audit or relevant part of the audit.
<u>Outcomes</u>	the elements of quality support which should be achieved for people with disability receiving advocacy support, identified through the NSDS and IPs.
<u>Rating scale</u>	<p>the system used to rate conformity of an advocacy agency. Each standard within the NSDS is to be rated as follows:</p> <ul style="list-style-type: none"><li>a. major nonconformity rating = 0</li><li>b. nonconformity rating = 1</li><li>c. conformity rating = 2</li></ul> <p>Each standard within the NSDS will be rated; no rating will be applied to individual IPs.</p>

## 4 General requirements

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### 0.5 Confidentiality

- P6\_4.5.1 The CB shall clearly explain levels of confidentiality and how they are applied to every participant in the audit, including but not limited to:
- a. advocacy agency staff and management
  - b. consumers
  - c. families, carers or advocates as applicable.

## 5 Structural requirements

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### 5.2 Mechanism for safeguarding impartiality

- P6\_5.2.1 The mechanism shall include a CTE and another person with disability.

## 6 Resource requirements

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### 6.1 Certification body personnel

#### 6.1.1 General

- P6\_6.1.1.1 All audit team members shall undergo a national police check at least every two years, along with all necessary checks required by state or territory legislation, before working with children or vulnerable people.
- P6\_6.1.1.2 The CB shall provide appropriate training and support to assist the CTE to function effectively in the audit team. Such training may include auditor training or team leader training where appropriate. A supervising auditor or team leader shall always provide ongoing supervision to maintain the necessary level of communication and support to the CTE and other technical expert(s). The CB shall evaluate the competence of the CTE and other technical expert(s) to interview consumers face-to-face or by telephone without other members of the audit team present before authorising them to do so. The CB shall keep records of this evaluation.
- P6\_6.1.1.3 The CB shall require the CTE to provide evidence of having been a service recipient of a State or Commonwealth funded disability organisation in Australia. The CB shall retain this evidence.

## 7 Process requirements

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### 7.2 Application

- P6\_7.2.1 The CB shall provide for the transfer of JAS-ANZ-accredited NDAP Scheme certifications in accordance with IAF MD2.
- P6\_7.2.2 The CB shall also require the advocacy agency to supply a description of the advocacy agency, the services it delivers and its location(s).
- P6\_7.2.3 The scope of certification shall be based on the funding agreement between DSS and the advocacy agency.

### 7.4 Evaluation

- P6\_7.4.1 The CB shall ensure that the CTE has discussions with the advocacy agency about the support needs and sensitivities of the selected consumer participants as early as possible, to ensure the advocacy agency has adequate time to prepare for the stage 2 audit.
- P6\_7.4.2 An audit team shall consist of at least two persons, normally a lead auditor and a Consumer technical expert (CTE). However, a CTE may also perform the role of lead auditor (or auditor) if appropriately qualified and competent to do so.
- P6\_7.4.3 When selecting the audit team for any on-site audit, the CB shall consider the range of disabilities and consumer communication styles likely to be encountered during the audit and ensure that the skills brought to each assignment are appropriate. The team shall have the capability to:
- a. understand the geographic and cultural context in which the advocacy agency operates,
  - b. consider the culture and capacity of sites and/or outlets in remote communities, including indigenous and multi-cultural communities, and

- c. inform the CB, prior to the audit, of any potential, current or perceived conflict of interest they have in conducting the audit.

P6\_7.4.4 The CB shall seek the advocacy agency's agreement to the audit plan before conducting the audit. The CB shall indicate a method for dispute resolution where agreement cannot be reached.

P6\_7.4.5 Prior to each audit, the CB shall provide the advocacy agency with a list of all Australian disability organisations that it audits. If the agency subsequently perceives a potential conflict of interest and wishes to choose another CB to provide certification services, the CB shall respect the agency's decision.

P6\_7.4.6 Remote auditing techniques shall only be used in accordance with IAF MD4.

Note: CBs are reminded that before they use IAF MD4, the CB must have IAF MD 4 included in their scope of accreditation, which requires the CB to request an extension of scope.

P6\_7.4.7 The CTE shall actively participate in the following audit activities with other team members and this involvement shall be traceable via reports or other documents on the CB's files:

- a. present for the full stage 1 audit if completed on-site,
- b. reviewing the stage 1 audit findings,
- c. developing and agreeing the final audit plan,
- d. planning and preparing the methods of consumer participation in the audit and evaluating the need for independent support for consumers,
- e. participating for the full duration of the stage 2 audit, including the opening meeting, audit team review meeting(s) and closing meeting,
- f. engaging consumers during the audit to collect, examine and analyse evidence with respect to the NSDS,
- g. reviewing consumer files or following up issues with consumers, and
- h. reviewing audit findings, determining audit ratings and preparing the written audit report.

P6\_7.4.8 The CB's processes shall ensure that if a major nonconformity is raised while auditing a certified advocacy agency:

- a. the advocacy agency is required to present a corrective action plan to the CB within 5 working days of the date of issue of the major nonconformity. The CB shall require the advocacy agency to correct the finding and take corrective action sufficient to allow the CB to close the major nonconformity, or downgrade it to a nonconformity, within 3 months of the date of issue,
- b. close out shall normally require an on-site follow-up audit by the CB within the 3 months. The CB shall be able to justify circumstances where close out of a major nonconformity, or downgrading the major nonconformity to a nonconformity, did not require a follow-up on-site audit,
- c. if the CB downgrades a major nonconformity to a nonconformity, it shall ensure that the correction and corrective action is sufficient to allow it to close out the nonconformity within a further 3 months (maximum of 6 months from the date of issue to fully action a major nonconformity), and
- d. if the CB cannot close out a major nonconformity within 6 months of the date of issue, it shall automatically suspend certification.

- P6\_7.4.9 The CB's processes shall ensure that if a nonconformity is raised while auditing a certified advocacy agency:
- a. the advocacy agency corrects the finding and takes corrective action sufficient to allow the CB to close out the nonconformity within 6 months of the date of issue,
  - b. if the CB cannot close out a nonconformity within 6 months of the date of issue it shall raise a major nonconformity against the advocacy agency's corrective action process, and
  - c. a nonconformity that has been escalated to a major nonconformity shall lead to suspension if not closed (i.e., it shall not be downgraded to a nonconformity again).
- P6\_7.4.10 In addition to P1\_7.4.16, written reports of NSDS stage 2 audits shall also include:
- a. the advocacy model(s) offered by the advocacy agency,
  - b. the number and roles of stakeholders consulted with during each audit, including the model of advocacy accessed by them (e.g., individual, systemic, citizen etc.) and methods of consultation,
  - c. ratings of conformity (using the rating scale) against each standard only, within the NSDS, and
  - d. an adequate description of the main evidence and audit trails to support the ratings.
- P6\_7.4.11 The CB shall provide the draft written report of the Stage 2 audit (P6\_7.4.9) to the advocacy agency within 10 working days of completing the on-site component of the audit (single site agency) or 20 working days (multiple site agency), even if the draft decision is not to certify.
- P6\_7.4.12 The advocacy agency shall have 10 working days from receiving the draft written report to respond to the CB.
- P6\_7.4.13 The CB shall consider any response by the advocacy agency, make the final certification decision and provide the final report to DSS and the advocacy agency within a further seven working days, even if the decision is not to certify.
- P6\_7.4.14 If an advocacy agency formally disagrees in writing with its CB's audit findings, the CB shall notify DSS within 10 working days of learning of the disagreement, if it has not been resolved in that time.

## 7.6 Certification decision

P6\_7.6.1 The CB shall include an independent CTE in the certification decision-making process.

P6\_7.6.2 An extension to the certification period may only be considered if an agency needs to delay a recertification due to circumstances beyond their control (including flood, fire, earthquake, cyclone or other natural disasters), interruption of electricity or telephone service, or sudden illness or death of key personnel. An application for extension will be jointly considered by the Department and JAS-ANZ on a case-by-case basis.

## 7.9 Surveillance

P6\_7.9.1 For advocacy agencies with an existing certification, the three-year certification cycle shall commence from the certification decision date, and include at least one mid-cycle maintenance audit and a recertification audit at least three months before certification expires. The cycle begins with the certification or recertification decision.



- P6\_7.9.2 CB's should plan the audit cycle so that on-site visits, i.e. maintenance and recertification are scheduled as close as possible to 18 months apart.
- P6\_7.9.3 Where the CB has concerns and/or evidence regarding an advocacy agency's capability to meet the NSDS on an ongoing basis it may increase audit frequency or undertake other surveillance activities to support regular surveillance, i.e. conduct audits on an annual basis. Justification for any decision to vary audit frequency as outlined in P6\_7.9.1 shall be documented in the CB's files.
- P6\_7.9.4 For advocacy agencies seeking initial certification, the three-year certification cycle shall commence from the certification decision date, include maintenance audits in the first and second years of a three-year certification cycle, and a recertification audit in the third year before certification expires. The cycle begins with the certification or recertification decision. CBs may then reduce audit frequency for subsequent audit cycles as specified under P6\_7.9.1, 7.9.2 and 7.9.3.
- P6\_7.9.5 Maintenance audits shall also include reviewing:
- a. the progress of planned activities aimed at continual improvement of performance against the NSDS,
  - b. awareness of and appropriate responses to changes to the internal and external operating environment of the advocacy agency, including changes in legislative requirements or recognised industry practices, and
  - c. NSDS Standards 1, 3, 4 & 6 are mandatory. Additional standards may also be audited if time permits.
- P6\_7.9.6 CBs may split the mid-cycle maintenance audit to align with annual audits required under other JAS-ANZ accredited certification schemes, if requested by the advocacy agency.
- P6\_7.9.7 The requirements at P6\_7.9.5 may be divided at the CBs' discretion during split maintenance audits i.e. two standards per annual maintenance visit, to ensure all core NSDS have been audited prior to recertification.
- P6\_7.9.8 The recertification process shall be in accordance with clauses 7.4 to 7.6 of this scheme as applicable.

## 7.13 Complaints and appeals

- P6\_7.13.1 The CB shall also include an independent CTE in each appeal hearing.

## Annex A – Audit Duration

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- P6\_A.1 Planning an audit of an advocacy agency will typically take longer than planning other types of audits (such as ISO 9001), and large individual variations are likely to occur. This is partly due to the complexities of sourcing information and obtaining the necessary consents to arrange effective and representative consumer sampling.
- P6\_A.2 The on-site audit duration for the stage 2 audit of a single site advocacy agency shall be not less than one auditor day, and is expected to fall in the range of one to five auditor days. The duration will depend on a number of factors. The CB shall have a procedure for determining the amount of audit time necessary, based on the relevant requirements of IAF MD5 and the additional following factors:
- a. the type(s) of advocacy models delivered, and
  - b. ratio of staff to consumers.
- P6\_A.3 Where two or more team members work together (e.g. auditor plus CTE or other technical expert or another auditor), that time shall be counted as if a single auditor was involved. When, in exceptional circumstances, CTEs work alone (see Clause P6\_6.1.1.2), that time shall not be counted as contributing to the audit duration, unless the CTE is also qualified as an auditor or lead auditor.
- P6\_A.4 Where two or more auditors are used along with one CTE, the CB shall demonstrate that the CTE has adequate time to conduct the required amount of consumer interviews and meet the requirements of Clause P6\_7.4.6.

## Annex B – Certification of clients with multiple sites

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### B.5 Sample

#### B.5.1 Methodology

P6\_B.5.1.1 The site selection criteria shall also include the advocacy models delivered.

#### B.5.2 Size of sample

P6\_B.5.2.1 Where advocacy is delivered to consumers from the central office, the consumer population shall be treated as a separate site.

P6\_B.5.2.2 Where one or more sites of a multi-site advocacy agency delivers more than one advocacy model, the CB shall sample the models in accordance with clause P6\_C.1.3.

#### B.5.3 Audit times

P6\_B.5.3.1 The stage 2 audit duration for an advocacy agency with multiple sites shall be not less than two auditor days, and is expected to fall in the range of two to six auditor days. See Annex A for requirements applying to auditor days.

## Annex C – Audit planning and consumer sampling

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### C.1 Sampling principles

- P6\_C.1.1 CBs may sample from all consumers who have received ongoing support, where the agency has contact details.
- P6\_C.1.2 Although the key focus of this Annex is on sampling consumers, in the case of systemic advocacy, CBs may need to sample consumers who are associated with the systemic advocacy work of the agency through stakeholder committees and groups. Where such consumers are not available, the CB should sample other external stakeholders connected with the advocacy work.
- P6\_C.1.3 Where a single site advocacy agency (or any site of a multi-site advocacy agency) provides multiple advocacy models, the CB shall always sample consumers from every advocacy model. The time spent auditing the different advocacy models (and hence the number of consumers / stakeholders sampled per model) should be proportional to the level of funding provided for each model.
- P6\_C.1.4 Noting that consumers have the right not to be involved, the minimum number of consumers to be sampled for an audit of an advocacy agency (or per site, for a multi-site advocacy agency) is:
- a. initial and recertification audits: the square root of the number of consumers receiving advocacy support over the last six months ( $y=\sqrt{x}$ ), rounded to the upper whole number
  - b. surveillance audit: 0.6 times the square root of the number of consumers receiving advocacy support over the last six months ( $y=0.6\sqrt{x}$ ), rounded to the upper whole number.
- P6\_C.1.5 The CB should aim for a minimum of 2, and a maximum of 10 consumers per site, whilst being mindful that feedback shall not be identifiable to individual consumers.
- P6\_C.1.6 The CB should aim to have one to one direct contact with 50% of the proposed sample of consumers. It is understood that in the advocacy context, many of these interviews will be conducted via telephone or other technologies, as consumers are not normally present on site at advocacy agencies. In using some technologies, CBs shall be mindful of the possibility of others accessing the conversations, and shall take steps to ensure confidentiality is maintained in remote interview situations. However, one to one face to face interviews are preferable to remote interviews, where practicable. If the 50% ratio cannot be achieved (e.g. refusals or clear preference by consumers for another consultation method), the CB shall clearly document its justification for the sampling approaches used. The remaining 50% may be sampled using other methods including:
- a. focus group
  - b. written survey
  - c. other innovative ways to involve consumers.

### C.2 Consumer file sampling

- P6\_C.2.1 Where advocacy agencies deliver advocacy models where no consumers are attached to the agency, sampling consumer files is not applicable for those models. In this case CBs shall sample whatever documents or records are available to cross-check information gathered in interviews of external stakeholders.