



Applicant Information Package

Mental Health Advocates

About the Mental Health Advocacy Service

The statutory office of the Chief Mental Health Advocate is created by part 20 of the *Mental Health Act 2014* (the Act) as an independent body providing mental health advocacy services, and rights protection functions, to “identified persons”.

The Mental Health Advocacy Service (MHAS) was created by the Chief Mental Health Advocate who engages, under contracts for services, Mental Health Advocates to provide the services. MHAS commenced operation on 30 November 2015.

The Act defines the people who the Mental Health Advocates can assist as “identified persons”, and includes a requirement to contact or visit involuntary patients within 7 days of being made involuntary and children under 18 within 24 hours. Identified persons are:

- a person referred for an examination by a psychiatrist
- an involuntary patient (including people on Community Treatment Orders)
- a mentally impaired accused person in an authorised hospital or released under a release order
- a resident of a private psychiatric hostel, or
- a voluntary patient who falls within a direction by the Minister for Mental Health which currently includes children in a public or authorised hospital or a child who has been assisted by an Advocate in the previous 6 months and is being treated, or is proposed to be provided treatment, by or in a clinic.

MHAS protects identified persons by:

- providing access to information about their rights
- providing support and advocacy to protect and exercise those rights
- inquiring into and investigating the extent to which rights have been observed
- pursuing and resolving their complaints
- advocating for and facilitating access to services
- supporting and representing them in Mental Health Tribunal and State Administrative Tribunal Hearings
- inquiring into and investigating matters relating to conditions of mental health services that is, or might, adversely affect their health, safety or wellbeing.

It also provides a systemic overview of services from an advocacy stance and promotes compliance with the Act and “Charter of Mental Health Care Principles”. This includes:

- visiting or contacting all identified persons within specified timeframes of being made involuntary and certain specified other identified persons on request

- reporting to Parliament and the Minister.

The Chief Mental Health Advocate is also the Chief Advocate under the *Declared Places (Mentally Impaired Accused) Act 2015* (the Declared Places Act) and advocacy services are provided under that Act by Mental Health Advocates to residents of the Bennett Brook Disability Justice Centre.

Structure and role of Mental Health Advocates

As at January 2020, the Advocacy Service comprised the Chief Mental Health Advocate, two Senior Mental Health Advocates, two Specialist Senior Mental Health Advocates (one who is responsible for the Youth and Aboriginal Teams and another responsible for the Disability Justice Centre), four Youth Advocates, three Aboriginal Advocates, 32 Mental Health Advocates (in the metropolitan area, Bunbury, Albany, Kalgoorlie and Broome) and six Advocacy Service Officers who are public servants, including a Manager.

The Chief Mental Health Advocate (the Chief Advocate), appointed by the Minister, is head of MHAS. The Chief Advocate is responsible for engaging Mental Health Advocates (Advocates). Senior Mental Health Advocates, (Senior Advocates) although not separately defined in the Act, are Mental Health Advocates with the additional responsibility of carrying out functions delegated to them by the Chief Advocate. They work mainly out of the MHAS office and are primarily responsible for managing and supporting the teams of Advocates.

Advocates primarily work in the field visiting identified persons in mental health wards and emergency departments, and community mental health services including psychiatric hostels. They have training, support and guidance from the Senior Advocates and the Chief Advocate. Please see the Job Description for more information.

Remuneration and Hours

- Advocates are paid \$51.95 per hour plus superannuation for authorised work, and mileage for work related travel.
- The position is casual and the hours per week can be negotiated (generally averaging between 20-30 hours per week in the metropolitan area). There are no minimum or set hours so the work hours can be very flexible but there are occasional obligations in relation to Tribunal hearings which may be listed at short notice. Preferably applicants do not have a second job.
- It is not an employment position, so there are no leave payments or other entitlements. This is factored into the hourly rate and can also enhance flexibility during school holidays by negotiation.
- Occasional weekend and on call work is required.

Conflict of Interest provisions

Applicants need to consider section 373 of the Act regarding conflict of interest before applying (note that in addition to s373 MHAS has a Conflict of Interest Policy):

- 1) A mental health advocate may be employed by, or have a disqualifying interest under subsection (3) in, a body or organisation that provides treatment or care for identified persons.

- 2) However, the mental health advocate cannot perform any functions under this Act as a mental health advocate in relation to an identified person who is being provided with treatment or care by the body or organisation.
- 3) For subsection (1), a mental health advocate has a disqualifying interest in a body or organisation if —
 - (a) the mental health advocate; or
 - (b) another person with whom the mental health advocate is closely associated, has a financial interest in the body or organisation other than a financial interest prescribed by the regulations for this subsection.
- 4) For subsection (3)(b), a person is closely associated with a mental health advocate if the person —
 - (a) is the spouse, de facto partner or child of the mental health advocate; or
 - (b) is in partnership with the mental health advocate; or
 - (c) is an employer of the mental health advocate; or
 - (d) is a beneficiary under a trust, or an object of a discretionary trust, of which the mental health advocate is a trustee; or
 - (e) is a body corporate of which the mental health advocate is an officer; is a body corporate in which the mental health advocate holds shares that have a total nominal value exceeding —
 - (i) the amount prescribed by the regulations for this paragraph; or
 - (ii) the percentage prescribed by the regulations for this paragraph of the total nominal value of the issued share capital of the body corporate; or
 - (f) has a relationship specified in paragraphs (a) to (e) with the mental health advocate's spouse or de facto partner.

How to submit an application

This document should be read with the following:

- the Mental Health Advocate Job Description and Work Related Requirements
- Terms and Conditions of Engagement of Mental Health Advocates
- the Code of Conduct
- the Payments and Availability Protocol
- s373 of the Act (set out above).

Assuming you are satisfied you can meet the requirements of the Terms and Conditions of Engagement and wish to apply for the position please submit:

1. a current resume summarising your employment and volunteer history (including dates) and any relevant formal qualification or other training
2. brief written reasons stating why you think you can provide the services required, by addressing the Work Related Requirements numbered 1, 2 and 3 listed in the Job Description and Work Related Requirements document

Please note that applications which fail to attach either of the above documents or are submitted outside of the advertised closing date and time will not be considered. Only applications submitted via the WA Government Jobs Board (www.jobs.wa.gov.au) will be accepted. You will receive an automatic confirmation email if the application has been received.

For further information about the position or for enquiries please contact Senior Advocate, Donna Turner on 6234 6300 or by email to MHAS.Recruitment@mhas.wa.gov.au.

Note, the existence of a criminal record (or charges pending before a court) does not mean that you will automatically be assessed as being unsuitable. Each case will be assessed on its merit.

What happens after I lodge my application?

All applications are assessed by the selection panel against the Work Related Requirements and a shortlist of candidates is prepared. If you have not submitted the required documents or your application is assessed as not meeting the specified Work Related Requirements your application will not proceed to the next stage and you will be advised by email that your application has been unsuccessful.

If your application has demonstrated meeting the specified Work Related Requirements it will be shortlisted and you will be contacted by the selection panel and advised as such.

At the interview, the panel will ask applicants to answer a number of questions or to respond to case studies, to draft correspondence or a report, to role play a scenario or give a presentation. Whatever process the panel adopts, they will ensure it relates to the position requirements.

Following interviews, the panel may contact your referees to confirm your claims.

The panel will consider all the information to determine which applicant(s), best meet the work related requirements and the operational and diversity needs of MHAS. All applicants will be notified of the outcome by email.

Suitable applicants may be offered a position or a place in a “recruitment pool” of suitable applicants to be contacted when a vacancy arises. On offer of a contract, successful applicants must provide a current Police Clearance (not more than 6 months old at the date of engagement) and if necessary a Working with Children Check (the Senior Advocate will confirm if this is a requirement of the position).

Applicants will also need to provide four forms of identification, a photo (for an ID badge – this does not need to be a “passport” photo), their tax file number, and details of superannuation fund if they prefer to nominate their own fund.

We wish you well with your application.