



# Applicant Information Package

## Mental Health Advocates

### About the Mental Health Advocacy Service (MHAS)

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 Chief Mental Health Advocate (the Chief) engages, under contracts for services, Mental Health Advocates (Advocates) to provide the services.

The Act defines the people who Advocates can assist as “identified persons” and includes the requirement to contact or visit involuntary adult consumers 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

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.

MHAS 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 them being made involuntary and certain specified other identified persons on request
- reporting to Parliament and the Minister.

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

### Structure and role of Mental Health Advocates

The MHAS comprises of the Chief, Deputy Chief Mental Health Advocate (the Deputy), Senior Mental Health Advocates (Senior Advocates), Youth Advocates, Aboriginal Advocates, Mental

Health Advocates in the metropolitan and regional areas, and Advocacy Support Service Officers.

Both the Deputy and 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. They mainly work from the MHAS office and are responsible for providing advice, assistance control, and direction to the teams of Advocates.

Advocates deliver some services from home and visit identified persons in mental health wards, medical wards, emergency departments, community mental health services and psychiatric hostels. Training, support, and guidance is provided by the Senior Advocates and the Chief.

Please see the Service Delivery Specification for more information.

## Remuneration and Hours

- Advocates are engaged as Contractors on a 'Contract for Service' basis.
- Advocates are remunerated for services delivered at \$56.60 per hour for authorised work and mileage for statutory-related travel.
- MHAS will pay Contractor's superannuation, at the applicable rate, for each hour of paid service delivery.
- The hours of service delivery per week can be flexible and dependent on the availability of work, including school holidays by negotiation, however a minimum of 3 days per week is preferred.
- There are obligations in relation to Tribunal hearings and meetings that may be listed at short notice.
- It is preferable that successful applicants do not have (or maintain) a second job.
- Occasional weekend service delivery is required.

## Conflict of interest provisions

Before applying applicants must consider if they have a conflict of interest as described in section 373 of the *Mental Health Act 2014*. Please see appendix 1 for more detail.

Mental Health Advocates cannot work in a health service if:

- They have a financial interest in that health service
- A close family member is employed at the health service

Further, an Advocate cannot work at a site if a close family member is receiving treatment there.

If you have any concerns or questions regarding conflict of interest, please contact the person listed below to discuss before submitting your application.

## How to submit an application

This document should be read with the following:

- the Mental Health Advocate Service Delivery Specification
- Terms and Conditions of Engagement of Mental Health Advocates
- s373 of the Act (set out in appendix 1).

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

1. a completed application form
2. a cover letter (no more than 4 pages) that addresses the service-related requirements in the Service Delivery Specification document
3. a current Resume summarising your employment/contracting and volunteer history (including dates) and any relevant formal qualifications or other training.

**Please note - applications that do not include all three documents or are submitted outside the advertised closing date and time will not be considered. Only applications submitted via the WA Government Jobs Board ([www.jobs.wa.gov.au](http://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 role or for enquiries please contact Senior Advocates, Victoria Gwilliams (general advocates) or Kayleigh Sheed on 6234 6300 (youth advocates) or by email to [MHAS.Recruitment@mhas.wa.gov.au](mailto:MHAS.Recruitment@mhas.wa.gov.au).

Note, 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?

MHAS is recruiting to fill immediate Advocate opportunities. Depending on the number of suitable applications received applicants may be offered immediate engagement or may be offered a place in a 'recruitment pool' for future opportunities.

The selection panel will assess all applications against the service delivery requirements and will prepare a shortlist of candidates. Shortlisted candidates will be invited for an interview or be shortlisted pending the scheduling of interviews.

At the interview, candidates may be asked to:

- respond to a series of questions or case studies;
- draft correspondence or a report;
- role play a scenario;
- or to give a presentation.

On offer of a contract for services, successful applicants must provide a current Police Clearance (less than 6 months old) and, if necessary, a Working with Children Check (the Senior Advocate will confirm if this is a requirement of the role). Applicants will also need to provide four forms of identification, a photo for an ID badge, their tax file number and details of superannuation fund if they prefer to nominate their own fund.

All applicants will be notified by email of the outcome of their application.

*We wish you well with your application.*

## Conflict of Interest Considerations

## Appendix 1

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 (f) with the mental health advocate's spouse or de facto partner.