



Statement of Expectations

This statement sets out the Public Advocate's expectations of agencies and organisations we oversee ('organisations') when engaging with them in carrying out our statutory oversight functions.

The Public Advocate:

Provides systems oversight and advocacy to protect and promote the rights and interests of people with a disability (including those with mental health concerns), and children and young people.

Our role:

The Public Advocate is an independent statutory role, given authority by division 3.7A of the *Human Rights Commission Act 2005*. There are also other ACT laws that provide the Public Advocate with powers/responsibilities and require the ACT Government and other agencies to provide the Public Advocate with certain information.

The Public Advocate is not part of the Government.

Section 100A of the *Human Rights Commission Act 2005* allows people to give the Public Advocate information about a person in good faith without it being a breach of confidence, professional etiquette, or rules of professional conduct.

We do this by:

- Supporting children, young people, and adults to better understand systems and processes they are involved in.
- Encouraging their participation in decision-making.
- Independently and impartially reviewing and responding to information received.
- Analysing available evidence to assess whether it satisfactorily complies with the law, especially when it involves actions that limit human rights (including restrictive practices, use of force, and isolation).
- Intervening to raise concerns and flag human rights considerations.
- Advocating for practice changes and reconsideration of decisions as required.
- Encouraging continuous service improvements that enhance organisational accountability, responsiveness, and transparency.



Who does this statement apply to?

This statement applies to all individuals, agencies, and organisations engaging with the Public Advocate (government and non-government), including executives, employees, volunteers, and contractors.

The Public Advocate expects that organisations will:



Support the Public Advocate to discharge its functions, including by acting in good faith when dealing with and responding to requests.

This means organisations will:

- Provide correct, current, and complete information and respond to requests in accordance with the specified timeframe.
 - Where a timeframe cannot be met, organisations will contact the Public Advocate promptly to request additional time and explain why more time is needed.
 - Where a response is not received within the specified timeframe (taking into account any request for extension that has been granted), the Public Advocate may proceed to form a position based on the information already available. This may influence the Public Advocate's approach to the performance of statutory oversight and advocacy functions, including future actions.
- Communicate in a manner that minimises administrative barriers to timely information sharing, including by contacting the Public Advocate to clarify the purpose and scope of a request (if needed).
- Provide the Public Advocate with additional information not specified in the original request (including additional documents) where doing so will provide additional and necessary context and support transparency of decision-making.
- Where uncertain, contact the Public Advocate to seek clarification about whether additional information or documents might be relevant or useful.
- Identify, and make available, staff who can most appropriately and thoroughly respond to questions and/or otherwise assist with the Public Advocate's enquiries.



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Proactively inform the Public Advocate about issues arising that affect the organisation's ability to perform or deliver its functions.

This includes:

- Advising the Public Advocate about changes to systems/processes that may impact communication.
- Providing information that might assist the Public Advocate to respond to community members who may raise concerns about their access to, or the effectiveness of, service delivery.
- Contacting the Public Advocate even when an organisation does not have all the answers and/or has not yet identified a solution. Prompt contact to flag issues may support timely intervention to better protect and promote the rights, safety, and wellbeing of people with a disability (including those with mental health concerns) and/or of children and young people.

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Respond in a timely way to requests and recommendations made following site visits.

This means organisations will:

- Take action to respond to concerns raised or advice provided by the Public Advocate.
- Inform the Public Advocate of decisions made regarding individuals or groups affected by an issue raised, and how affected people have been informed of decisions made or actions taken.
- Advise the Public Advocate of key policies and procedures that influence decision-making.

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Advise the Public Advocate of changes to key contacts within the organisation.

While the Public Advocate will generally use these contact points, there may be occasions where the Public Advocate will contact a particular area/person if that area/person is better placed to assist us to perform our statutory functions.

This statement replaces any pre-existing communication protocols agreed with the Public Advocate about the exercise of its statutory oversight and advocacy functions.

